

F/YR15/0450/F

Applicant: Mr & Mrs N Woods

**Agent : Mr H Chapman
Peter Humphrey Associates Ltd**

Land South East Of 70, Fieldside, Coates, Cambridgeshire

Erection of 4 x 2-storey dwellings comprising of 2 x 3-bed with attached garages 1 x 3-bed and 1 x 4-bed with detached garage and erection of a 2.0m (max height) boundary wall involving the demolition of existing outbuildings

This application is before Committee at the request of Cllr Butcher in order that the location of the site can be challenged.

1 EXECUTIVE SUMMARY

This application seeks full planning permission for the erection of erection of 4 x 2-storey dwellings comprising of 2 x 3-bed with attached garages 1 x 3-bed and 1 x 4-bed with detached garage and erection of a 2.0m (max height) boundary wall involving the demolition of existing outbuildings, at land south east of 70 Fieldside, Coates.

The proposed scheme is considered unacceptable for two reasons. Firstly the proposal is in conflict with Policy LP12 of the Fenland Local Plan 2014 in that the site is not within or adjacent to the existing footprint of the village and would negatively affect the character and appearance of the area.

Secondly, the proposal has failed to adequately consider the biodiversity implications of the site, contrary to policy LP19 of the Fenland Local Plan 2014.

In view of the above it is considered that the proposal is contrary to policies of the Development Plan and it is therefore recommended that planning permission is refused.

2 SITE DESCRIPTION

The application site is located to the west of the established settlement of Coates, on the west of Fieldside byway. The site is relatively long and thin, measuring approximately 25m x 65m. The site currently serves as the garden area for the detached property at 70 Fieldside and is currently occupied by various outbuildings and pockets of landscaping. The site boundaries are formed by mature hedging.

There is a pair of semi-detached properties (70 and 72 Fieldside) located to the north west of the site, both fronting Fieldside. There is an area of grassed land to the immediate south west of the site which was the subject of planning application F/YR15/0090/O. The character of the immediate vicinity is that of open countryside with some limited sporadic housing. Fieldside byway forms a distinct boundary between the built up settlement of Coates and the open countryside.

3 PROPOSAL

The proposal seeks planning permission for the erection of four dwellings. Plot 1, to the south of the site, has a traditional appearance and is orientated to have a frontage and new access along Lake Drove. It will have a detached double garage with a block paved parking and turning area in front and a private garden area to the rear. A 1.8m high close boarded fence is proposed on the northern boundary of this plot and the existing hedging along the north east and south east of the site will remain in place.

Plots 2, 3 and 4 have been designed to have a more barn-style appearance and will all share an existing access off Fieldside. Plots 2, 3 and 4 are positioned around a communal courtyard which serves as a parking and turning area. A cart shed with four parking spaces links plots 3 and 4. Each plot is afforded its own garden space which will be made private by 1.8m high close boarded fencing. The hedging to the south of the access will not be affected. The section of hedging to the north of the access will be removed and replaced by a 2m wall which will extend round to the north west boundary. A communal bin storage area will be positioned behind this wall, next to the access.

A 1.8m wide footpath is proposed south of the access to plots 2, 3 and 4 and this will extend round to meet the access to plot 1 along Lake Drove. A new streetlight is proposed along Fieldside, immediately north west of the access to plots 2, 3 and 4.

The existing outbuildings and landscaping positioned within the centre of the site will be removed to make way for the proposal.

4 SITE PLANNING HISTORY

No relevant planning history for this site.

5 CONSULTATIONS

Town Council

Comments awaited.

Whittlesey Charity

If the access is found to go over land that is owned by the Charity the applicants may have to negotiate for it.

FDC Environmental Health

No objection to the development. As the proposal involves the demolition of an existing outbuilding the unsuspected land contamination condition should be imposed.

The Ramblers Association

Comments awaited.

CCC Countryside Access Team

Byway No26 Whittlesey runs to the north of the application site along Fieldside. This byway is already used as access by a number of properties and as such there are not objections to the proposal. A series of informatives are required should planning permission be granted.

These relate to the byway remaining unobstructed, no alterations to the byway surface, landowners responsibility to maintain hedges and fences, and no entitlement to obstruct a public right of way.

Middle Level Commissioners

Comments awaited.

CCC Archaeology

Do not object to development proceeding however consider that the site should be subject to a programme of archaeological investigation secured through a planning condition.

CCC Highways

The access arrangement for plot 1 seems workable. The shared access for plots 2, 3 and 4 should be 5m wide as a minimum. The number of parking spaces provided is consistent with FDC parking standards. The proposed footpath should link with the existing footway network and should continue to link round with plot 1.

Both access points should be laid in a bound material for the first 5 metres from the carriageway edge and any private surface water generated should fall towards the applicants land. If this can't be achieved then intercepting drainage should be installed between the public highway and the applicants land.

Appropriate visibility splays should be provided at the access points including vehicle to vehicle and vehicle to pedestrian.

Local residents

None received

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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 50: Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

Paragraph 100: Directing development into areas of lower flood risk.

National Planning Policy Guidance (NPPG)

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP12 – Rural Area Development Policy
LP14 – Responding to Climate Change and Managing the risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments Across the District
LP19 – The Natural Environment

7 KEY ISSUES

- **Principle of Development**
- **Design and layout**
- **Highway safety**
- **Flood risk**
- **Residential amenities**
- **Biodiversity**
- **Health and wellbeing**
- **Economic Growth**

8 BACKGROUND

Members will recall planning application F/YR15/0090/O for land to the south of 72 Fieldside, Coates which was refused planning permission by the 24 June 2015 Planning Committee. The application was refused for the following reason:

‘Policy LP12 allows for new development in villages, subject to the requirements of policy LP3, to be positioned in or adjacent to the existing developed footprint of the village. The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the continuous built up area of the settlement. Policies LP12 and LP16 also require proposals to be of a scale and in a location that is in keeping with the core shape of the settlement.

The site is not within, or adjacent to, the existing developed footprint of the village. The size and position of the site is such that the development would fail to respect the core shape and form of the settlement. As such the proposal would appear as a visually incongruous feature which would adversely affect the sustainable growth of the village and the character and appearance of the area. The proposal is therefore contrary to policy LP12 of the Fenland Local Plan 2014.’

The current application is positioned on land immediately adjoining F/YR15/0090/O and as such it is considered that the principle of the two applications should be considered in the same vein.

Pre-application advice has been sought for residential development on this site and a negative response was given due to the principle of the proposal being deemed to be unacceptable.

9 ASSESSMENT

Principle of Development

The application site is located in Coates which is classed as a 'Limited Growth Village' in policy LP3 of the Fenland Local Plan. A small amount of development, such as a small village extension may be considered appropriate in order to support the continued sustainability of the village. The principle of residential development in Coates can therefore be supported in accordance with LP3 subject to the provisions of other policies contained within the Development Plan.

Policy LP12 allows for new development in villages, subject to the requirements of policy LP3, to be positioned in or adjacent to the existing developed footprint of the village. The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the continuous built up area of the settlement.

The built up settlement limit of Coates is clearly defined by the Fieldside byway. This is apparent from the continuous development of the village positioned on the north-east of the byway and the prevailing character of open land and countryside positioned on the south-west of the byway. The presence of the byway is such that the site cannot be considered as an extension to the existing village.

With the above in mind it is considered that the site is not within, nor adjacent to, the existing developed footprint of the village. This is highlighted by plot 1 which would be the only dwelling within the village which has a Lake Drove frontage. The proposal would encroach into an area which is clearly open countryside and would appear as a visually incongruous feature which would adversely affect the character and appearance of the area. The proposal is therefore contrary to policy LP12 of the Fenland Local Plan 2014.

Design and layout

The design and layout of the proposal is that of a mock farmhouse with associated courtyard farm buildings. This arrangement is preferable to a conventional housing development however it does not overcome the fundamental issue relating to the provision of housing outside of any established settlement. Notwithstanding the above, the application complies with policy LP16 of the Fenland Local Plan 2014.

Highway safety

CCC Highways have not objected to the proposal. They note that the parking provision is sufficient and have requested amendments to the proposed footpath, access points and visibility splays. The requested changes could potentially be secured via a series of conditions and as such are not reason enough to substantiate a refusal of the scheme. However the necessity to provide a footpath for only four dwellings is considered to highlight the unsuitability of the site for residential development. Notwithstanding the above, the application complies with policy LP15 of the Fenland Local Plan 2014.

Flood risk

The site lies within flood zone 1 and is less than 1ha in area and accordingly there is no requirement to consult with the Environment Agency.

The development would be carried out in accordance with Building Regulations which would address surface water management. Notwithstanding the above, the application complies with policy LP14 of the Fenland Local Plan 2014.

Biodiversity

Policy LP19 of the Fenland Local Plan requires new development to conserve, enhance and promote biodiversity throughout the District. The application site constitutes a large garden area with outbuildings. A biodiversity survey has not been submitted which is of concern given the character of the site and the potential for wildlife habitats. In the absence of a biodiversity survey it is not possible to assess the situation with regards to the presence of wildlife, this would be to the detriment of biodiversity interests. As such the application is contrary to policy LP19 of the Fenland Local Plan 2014.

Residential amenities

The site is clearly large enough to accommodate four dwellings with adequate private amenity space. The proposed boundary treatments and the siting and design of the dwellings are sufficient to ensure that occupiers will not suffer from overlooking or overshadowing. The proposal therefore complies with policy LP16 of the Fenland Local Plan. Notwithstanding the above, it remains that the site lies outside of the established settlement of Coates and fails to comply with part (a) of Policy LP12.

Health and wellbeing

The proposal has been designed so as to have adequate amenity space to serve each property without compromising the residential amenities of others. As such it is considered that the proposal complies with health and wellbeing issues in accordance with policy LP2 of the Fenland Local Plan 2014.

Economic Growth

The proposal comprises of new housing stock albeit in an unsustainable location. Whilst the nature of the location is not desirable, the creation of additional housing contributes to economic growth.

10 CONCLUSIONS

Whilst it is clear that the site is capable of accommodating the development proposed, it is considered that the proposal fails to comply in principle with policies LP12 and LP19 of the Fenland Local Plan. This is due the proposal being in a location which is not within, nor does it adjoin, any established settlement which would be to the detriment of the character and qualities of this countryside location. In addition it fails to adequately consider biodiversity principles due to the lack of the submission of a biodiversity survey despite there being potential for wildlife habitats within the site. It is therefore recommended that planning permission is refused.

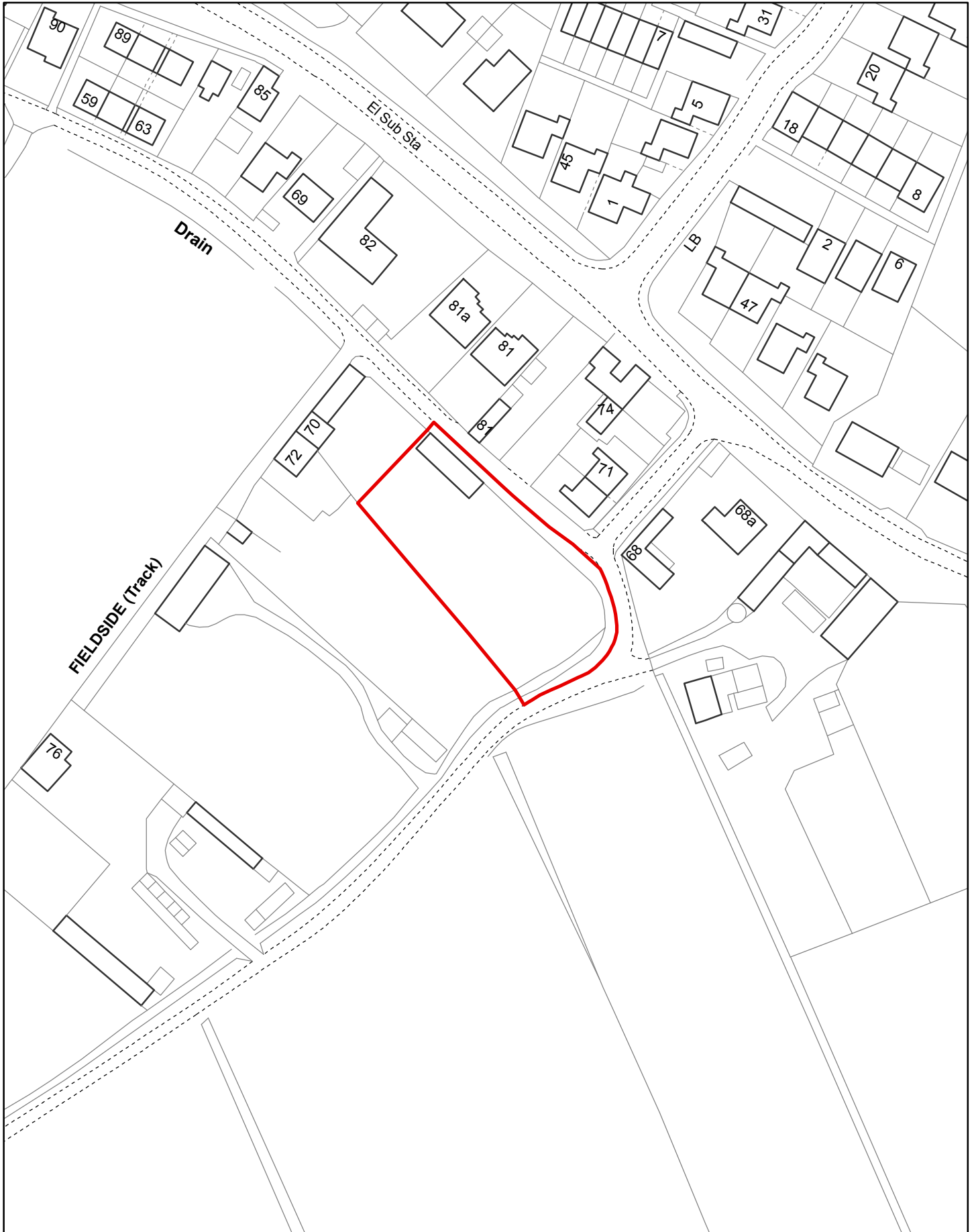
11 RECOMMENDATION

F/YR15/0450/F – Refuse

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2. Policy LP19 of the Fenland Local Plan requires new development to conserve, enhance and promote biodiversity throughout the District. The application site constitutes a large garden area with outbuildings. A biodiversity survey has not been submitted which is of concern given the character of the site and the potential for wildlife habitats. In the absence of a biodiversity survey it is not possible to assess the situation with regards to the presence of wildlife, this would be to the detriment of biodiversity interests. As such the application is contrary to policy LP19 of the Fenland Local Plan 2014.



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