

F/YR15/0845/F

Applicant: Mr R Goy

Agent : Mr Simon Bates  
Swann Edwards Architecture Limited

North Of, 15 - 27 Mill Road, Murrow, Cambridgeshire

Erection of 5 x 2-storey dwellings comprising of 3 x 5-bed and 2 x 4-bed with double garages

Reason for Committee: Due to the comments received from the Parish Council and due to the number of objections received.

## 1 EXECUTIVE SUMMARY

The application seeks full planning permission for the erection of 5 dwellings within the established settlement of Murrow. The site already benefits from full planning permission for 5 dwellings which remains extant until January 2017. The key changes between the applications being alterations to the design to the dwellings, the drain no longer being completely infilled and there only being a single shared access point. In addition plot 5 has been reduced from 3-storeys to 2-storeys.

There have been no substantial changes to the site or the surroundings and both applications have been considered under the same policy context. With this in mind the same S106 contributions apply – these include a contribution to off-site affordable housing.

The changes to the development are such that the proposal remains acceptable in accordance with policies of the Development Plan. It is therefore recommended that planning permission is granted.

## 2 SITE DESCRIPTION

The application site is located within the established settlement of Murrow, along the northern side of Mill Road. The site currently serves as grade 1 agricultural land and all of the boundaries are open. A drain forms the southern boundary of the site.

- 2.1 The area is predominantly residential in character, mainly that of 2-storey dwellings of various designs. The area to the north of the site is in agricultural use. The site is within flood zone 3 and is positioned along an unclassified highway.

## 3 PROPOSAL

The application seeks full planning permission for the erection of 5 single-storey dwellings with double garages. The dwellings will be detached units with either 4 or 5 bedrooms. They will be positioned along the road frontage, gain access from a single shared point along Mill Road and then via a shared private driveway. The existing drain to the south of the site will remain open and a drain crossover built for the access.

- 3.1 A foul sewer runs north-south through the centre of the site, into the field to the rear. The land above the sewer will remain vacant to allow for access to the field beyond the development.
- 3.2 Each unit will have approximately one third of the plot allocated as garden land which will be made private by 1.8m high close boarded fencing and landscaping on the side and rear boundaries. At least 4 parking spaces per dwelling have been provided, these will be achieved through both garaging and outdoor parking spaces. With the exception of plot 2, all of the garages will be detached and sited to the side/rear of the plots.
- 3.3 The approximate dwelling measurements are as follows:
- 3.4 Plot 1 – 13.1m x 8.6m x 8.6m;  
 Plot 2 – 15.1m x 18.1m x 8.2m;  
 Plot 3 – 11.9m x 9.7m x 8.5m;  
 Plot 4 – 15.2m x 11.7m x 7.6m;  
 Plot 5 – 11.3m x 8.6m x 7.5m
- 3.5 The dwellings have been individually designed and are a variation on a contemporary appearance theme. Typical features of the dwellings include external chimney stacks, window arches and front gable projections. The external materials details have not been committed.

#### 4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR13/0031/F	Erection of 5 dwellings comprising of: 1 x 3-storey 6-bed dwelling with detached double garage 2 x 2-storey 4-bed dwellings with detached double garages 1 x 2-storey 5-bed dwelling with detached double garage and 1 x 2-storey 5-bed dwelling with integral garage North Of 15 - 27 Mill Road Murrow Cambridgeshire	Granted	20/01/2014
F/YR12/01111/F	Erection of 6 dwellings comprising; 3 x 4-bed 2-storey 1 x 4/6-bed 3-storey and 2 x 5/6-bed 3-storey with associated garages North Of 15 - 27 Mill Road Murrow Cambridgeshire	Refused	19/04/2012

#### 5 CONSULTATIONS

##### 5.1 Parish Council

Support the change to all dwellings being 2-storey rather than one dwelling being 3-storey as approved under F/YR13/0031/F. Object to the drain being let open due to safety concerns for the occupants and pedestrians.

##### 5.2 FDC Environmental Health

No objections to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate.

##### 5.3 FDC Housing Strategy

The same affordable housing contribution as was agreed on the existing planning consent should be sought. Accordingly the contribution is for affordable housing off site at £46,907.

#### **5.4 North Level Internal Drainage Board (NLIDB)**

No objection in principle to the application. A formal application to the NLIDB will be required to form the shared access culvert, to reduce the byelaw from 9 to 6 metres and to discharge the surface water into the drain. A legal document will be required for each property setting out the rights of access and the private road should be a gravel finish with no liability on the NLIDB for damage caused when accessing the watercourse with heavy plant.

#### **5.5 CCC Highways**

No highways objections subject to conditions relating to the access construction, the access finish, the retention of the parking and turning areas and the provision of temporary facilities.

#### **5.6 Local Residents**

19 letters of objection have been received from local residents. The following comments have been raised:

- Highway safety including: additional traffic along a narrow road, access, parking arrangements;
- Concerns with infilling the drain;
- Disruption of living near a building site;
- Insufficient capacity at the school;
- Why is there a new roadway to the field to the rear?
- Will the roadway be for future development?
- Flooding and drainage;
- Environmental concerns;
- Wildlife concerns;
- Precedent;
- The existing access at 3 Gore Villa should be used;
- Provisions should be met if development to rear is granted;
- Overdevelopment;
- Devaluation of existing dwellings;
- Loss of view;
- Noise;
- Loss of privacy;
- There is enough development in Murrow;
- Loss of agricultural land;
- There are brownfield sites available;
- Residents have been 'made' to move because of planning decisions;
- Insufficient bus services;
- Anti-social behaviour and increased crime risk;
- Design and appearance;
- Contrary to policy;
- Light pollution;
- Loss of light;
- Odour;
- Visual impact;
- Waste and litter;
- There are owls within the area;
- Impact on water voles;
- No transport or job links in the area;
- Insufficient capacity at the GP surgery;
- Only one shop in the area;
- The only beneficiary of the housing is the developer;
- The Local Plan restricts Murrow to development of a limited nature such as infilling;

## **6 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF)**

### **National Planning Policy Guidance (NPPG)**

### **Fenland Local Plan 2014**

LP1, LP2, LP3, LP5, LP6, LP12, LP14, LP15, LP16, LP18

## **7 KEY ISSUES**

- **Principle of Development**
- **Flood risk**
- **History**
- **Design and layout**
- **Residential amenities**
- **Highway safety**
- **S106 contributions**
- **Health and wellbeing**
- **Economic Growth**
- **Other considerations**

## **8 BACKGROUND**

Full planning permission for 5 dwellings was granted on this site in January 2014. The site therefore benefits from permission for housing development until January 2017. There have been no significant changes to the site or the surroundings since the previous permission was granted. The previous application was determined under the emerging Local Plan, which has since been adopted with no significant changes. In view of the above it is considered that the previous permission is a material planning consideration which should be afforded significant weight in the determination of this application.

## **9 ASSESSMENT**

### **9.1 Principle of Development**

Murrow is classified as a 'Small Village' in policy LP3: the Settlement Hierarchy. In these villages development will be considered on its own merits but will normally be limited in scale to residential infilling.

9.2 Whilst it is noted that a development of 5 dwellings is not of limited scale, the site is located within an otherwise built up frontage of residential development. With this in mind the proposal can be viewed as infill development, albeit of a slightly larger scale, and as such it will not compromise the spirit of policy LP3. Notwithstanding the above, the site already benefits from an extant planning permission for 5 dwellings, which should be afforded significant weight in the consideration of this application.

9.3 In view of the above it is considered that the principle of the development is acceptable in accordance with policy LP3 of the Fenland Local Plan 2014.

9.4 Policy LP12 states that new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. It requires development proposals to comply with all elements contained within a list of criteria.

- 9.5 The site is within the established settlement of Murrow and as such the principle of this development complies with (a) of Part A of LP12. The proposal will not result in the coalescence with another settlement, is within a scale and location which respects the core shape and form of the settlement and there is considered to be no negative impact on the character and appearance of the countryside. The development therefore complies with (b), (c), (d) and (e) of Part A of LP12.
- 9.6 There are no existing landscape features on the site and there were no apparent issues with ecology and biodiversity when visiting the site. The drain to the south of the site will no longer be piped and filled which would constitute an improvement on the previous situation in terms of prevention of harm to ecology and biodiversity. The proposal therefore complies with (f) and (g) of Part A of LP12.
- 9.7 The site is not positioned within an important gap within the village as it constitutes an agricultural field along a street. The proposal would result in the loss of grade 1 agricultural land however given the relatively small amount of land in question (0.49ha) within the context of the remaining field and being mindful of the previous consent, it is considered that a reason for refusal on these grounds could not be substantiated. The proposal will not put people or property in danger from identified risks and the site can be served by infrastructure. The proposal therefore complies with (h), (i), (j) and (k) of Part A of LP12.
- 9.8 The application is for an amendment to an existing development. The site is not capable of accommodating both developments. As such there will be no additional increase in the housing numbers within the village. Therefore there are no implications for the village thresholds as set out in policy LP12.
- 9.9 The proposal complies with the criteria set out in the Rural Areas Development Policy (LP12) and the site benefits from an extant planning permission for 5 dwellings. Therefore the principle of developing this land is acceptable.
- 10. Flood risk**  
The site lies within flood zone 3 where, as per policy LP14 of the Local Plan, new development should be steered away from with a view to develop land at lower risk of flooding in the first instance. However significant weight is attached to the extant planning permission on this site which could still be implemented.
- 10.2 Comments with regards to the technical acceptability of the Flood Risk Assessment are currently being sought from the Environment Agency. An update will be provided once these are received.
- 10.3 In view of the history of the site, the proposal is considered to raise no issues with regards to policy LP14 of the Fenland Local Plan 2014.
- 11. History**  
Members will recall considering an application for 5 dwellings on this site in June 2013. It was resolved to grant planning permission subject to a S106 agreement for affordable housing contributions.
- 11.1 The character of the current application remains largely the same as the previous approval, ie 5 large detached dwellings, however there are the following key differences:

- Design changes to all of the dwellings, the current proposal has a more contemporary appearance whereas the previous application had dwellings of a more traditional/rural appearance;
- Plot 5 has been reduced from 3 storeys to 2 storeys;
- The drain will no longer be piped and filled;
- The dwellings will be accessed via a single access point over the drain, and along an un-adopted shared driveway.

11.2 It is important to note that the previous application was determined under the same policy framework and there have been no significant changes to the site or the surroundings. Therefore the previous planning permission, which remains extant, constitutes a material planning consideration which should be afforded significant weight in the determination of the current proposal.

## **12. Design and layout**

It is considered that the design and layout of the scheme is acceptable. The contemporary appearance of the dwellings is better suited to the character of the dwellings on the southern side of Mill Road. The dwellings have been individually designed and have been positioned in a consistent frontage along Mill Road thereby creating interest, variety and a sense of place within the streetscene.

- 12.1 The layout of the development is not dissimilar to the previous approval. Each dwelling has been afforded at least one third of the plot as private garden space and there are generous gaps between the dwellings along the frontage of the site. The proposal therefore does not appear dense or overdeveloped, thereby respecting the character of the countryside location.
- 12.2 The indicative landscaping shown on the submitted block plan is considered to be of aesthetic benefit to the scheme, adding variety and interest to the development. Conditions to secure these details are considered relevant and necessary in order to secure the quality of the development.
- 12.3 Plots 4 and 5 of the proposal are positioned approximately 33m and 56m respectively from the boundary with the public highway. They are therefore outside of the 30m required by the RECAP Waste Management guidance which sets out the recommended distances for bin collection. Being mindful of the previous, extant permission, which was the subject of a similar situation, it is considered that a refusal reason on the grounds of failure to comply with the RECAP guidance could not be substantiated.
- 12.4 The design and layout of the scheme is therefore considered to be acceptable in accordance with policy LP16 of the Fenland Local Plan 2014.

## **13. Residential amenities**

Each dwelling is afforded at least one third of the plot as a rear garden area and this will be made private by the use of 1.8m high close boarded fencing and landscaping.

- 13.1 The regular arrangement of the dwellings and their position in relation to the existing is such that no harm will be caused by overshadowing of existing neighbouring residents.
- 13.2 The primary windows within the development face front and back within the site therefore no concerns are raised with regards to overlooking or loss of privacy between existing or future residents. The ground floor side windows will be

screened by the proposed fencing. The only first-floor side windows serve en-suites and bathrooms and as such it would be reasonable to impose a condition requiring these windows to be obscure glazed in order that no overlooking can occur from these windows.

13.3 Comments raised by local residents with regards to loss of view and disturbance from construction have been noted however as these are not material planning considerations they cannot be afforded weight in the consideration of this application.

13.4 It is considered that the development provides an acceptable level of residential amenities without harming those of existing residents. The application therefore complies with policy LP16 of the Fenland Local Plan 2014.

#### **14. Highway safety**

The proposal provides a suitable means of access, with each dwelling being provided with at least 4 parking spaces and room for turning.

14.1 Residents comments with regards to the poor quality of Mill Road and the amount of traffic generation have been noted however these issues have not been raised as concern by CCC Highways. In addition planning permission for 5 dwellings already exists on this site and as such a refusal on the grounds of highway safety could not be substantiated.

14.2 CCC Highways has requested a series of conditions relating to the access construction, the access finish, the retention of the parking and turning areas and the provision of temporary facilities. These are considered to be necessary and reasonable to ensure highway safety and as such should be imposed on any permission granted.

14.3 In view of the above it is considered that the application complies with policy LP15 of the Fenland Local Plan 2014.

#### **15. S106 contributions**

The previous planning permission for 5 dwellings is extant and the planning policy context has not changed. Therefore the contribution framework on the previous scheme remains applicable.

15.1 In accordance with comments received from FDC Housing Strategy and the previous consent, a contribution of £46,907 towards off-site affordable housing provision is required.

15.2 Residents comments with regards to school and GP capacity have been noted however in view of the extant permission it would not be reasonable to request additional contributions which were over and above the previous permission.

#### **16. Health and wellbeing**

The proposal provides an acceptable level of private amenity space for future occupiers and will not compromise the living conditions of existing residents. The site is within walking distance to the village centre and existing services. The development therefore addresses health and well-being principles in accordance with policy LP2 of the Fenland Local Plan 2014.

## **17. Economic Growth**

The proposal constitutes new housing stock thereby promoting economic growth in accordance with policy LP6 of the Fenland Local Plan 2014.

## **18. Other Considerations**

The comments raised by local residents have been noted, many of which have already been addressed within the body of this report.

- 18.1 It is noted that concerns have been raised with regards to the new roadway and future development to the rear. As per the 'Proposal' section of this report, the roadway is to allow for access to the field to the rear and is positioned above an existing foul sewer where it is not possible to carry out construction works. It is not proposed to develop the land to the rear and, as such an application is not before us, the possibility of future development cannot be afforded weight in the consideration of this application.
- 18.2 Comments with regards to precedent, devaluation of existing properties, residents being 'made to move' and the only beneficiary being the housing developer have been noted. Since none of these aspects constitutes a material planning consideration they are afforded no weight in the consideration of this application.
- 18.3 The proposal is for residential development within a residential location. It is therefore considered unlikely that disturbance in terms of noise, light pollution or odour will occur.
- 18.4 It is noted that concerns have been raised with regards to insufficient bus services, lack of transport and job links and there only being one shop in the area. There is no provision within the Development Plan to request additional services and amenities as outlined above.
- 18.5 Due to the layout of the development there appears to be good natural surveillance across the site and therefore the Local Planning Authority raises no concerns in respect of crime risk.
- 18.6 Household waste will be collected by the Local Authorities waste and recycling service. Given that the proposal is for residential development it is unlikely to result in litter.
- 18.7 Comments have not been received from CCC Archaeology on the proposal however it is noted that the previous permission required an archaeological investigation condition and that the current submission includes an archaeological report. It would therefore be prudent to re-apply the archaeological condition in order to preserve any historic interest on site in accordance with policy LP18 of the Fenland Local Plan 2014.

## **19 CONCLUSIONS**

The site already benefits from planning permission for the erection of 5 dwellings. There have been no substantial changes to the site, the surroundings or to planning policy since the previous application was approved. The design changes to the application are considered acceptable and it remains that the application complies with policies of the Local Plan. It is therefore recommended that planning permission is granted.



## **20 RECOMMENDATION**

F/YR15/0845/F – Grant subject to:

- i) Receipt of comments from the Environment Agency raising no objections to the proposal;
- ii) A completed S106 agreement to secure an affordable housing contribution;
- iii) The following conditions:

- 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. Prior to the first occupation of the development the vehicular access from Mill Road shall be hard surfaced, sealed and drained away from the highway for a minimum width of 5m and a length of 10m from the back edge of the existing highway.**

### **Reason**

**In the interests of highway safety in accordance with policy LP15 of the Local Plan.**

- 3. Prior to the commencement of the development the vehicular crossing of the ditch / watercourse along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and agreed with the Local Planning Authority, in consultation with the Drainage Authority. The access shall be completed prior to the first occupation of the dwellings hereby approved.**

### **Reason**

**In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.**

- 4. Prior to the first occupation of the development the proposed on-site parking/turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use in perpetuity.**

### **Reason**

**In the interest of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.**

5. 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 scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

**Reason**

In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.

6. The en-suite and bathroom windows in the first floor west side elevations of plots 2, 3 and 4 shall be fitted with obscure glazing and fixed shut to an internal height of 1.7m and so retained and maintained in perpetuity.

**Reason**

To protect the residential amenities of neighbouring residents in accordance with policy LP16 of the Fenland Local Plan 2014.

7. Prior to the commencement of development trade descriptions of the external facing and roofing materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

**Reason:** To ensure that the new materials are in keeping with the surroundings in accordance with Policy LP16 of the Fenland Local Plan (Adopted May 2014).

8. Prior to the commencement of development a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out concurrently with the development and completed prior to the first occupation of the development. This scheme shall include the provisions in the following schedule.

**Schedule:** details of trees, shrubs, and hedging including planting specifications and mixes; and details of driveway and parking surfaces.

**Reason:** To ensure the environment of the development is improved and enhanced in accordance with Policy LP16 of the Fenland Local Plan (Adopted May 2014).

9. If within a period of five years from the date of the planting of the soft planting pursuant to condition 08 is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced by planting as originally approved. This shall be undertaken by the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants unless the Local Planning Authority gives its written approval to any variation.

**Reason:** To ensure the environment of the development is improved and enhanced in accordance with Policy LP16 of the Fenland Local Plan (Adopted May 2014).

10. **No development or preliminary ground works of any kind shall take place on the site [within the area indicated on the attached plan] until the applicant, or their agents or successors in title, has secured the implementation of a programme and timetable of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.**

**Reason**

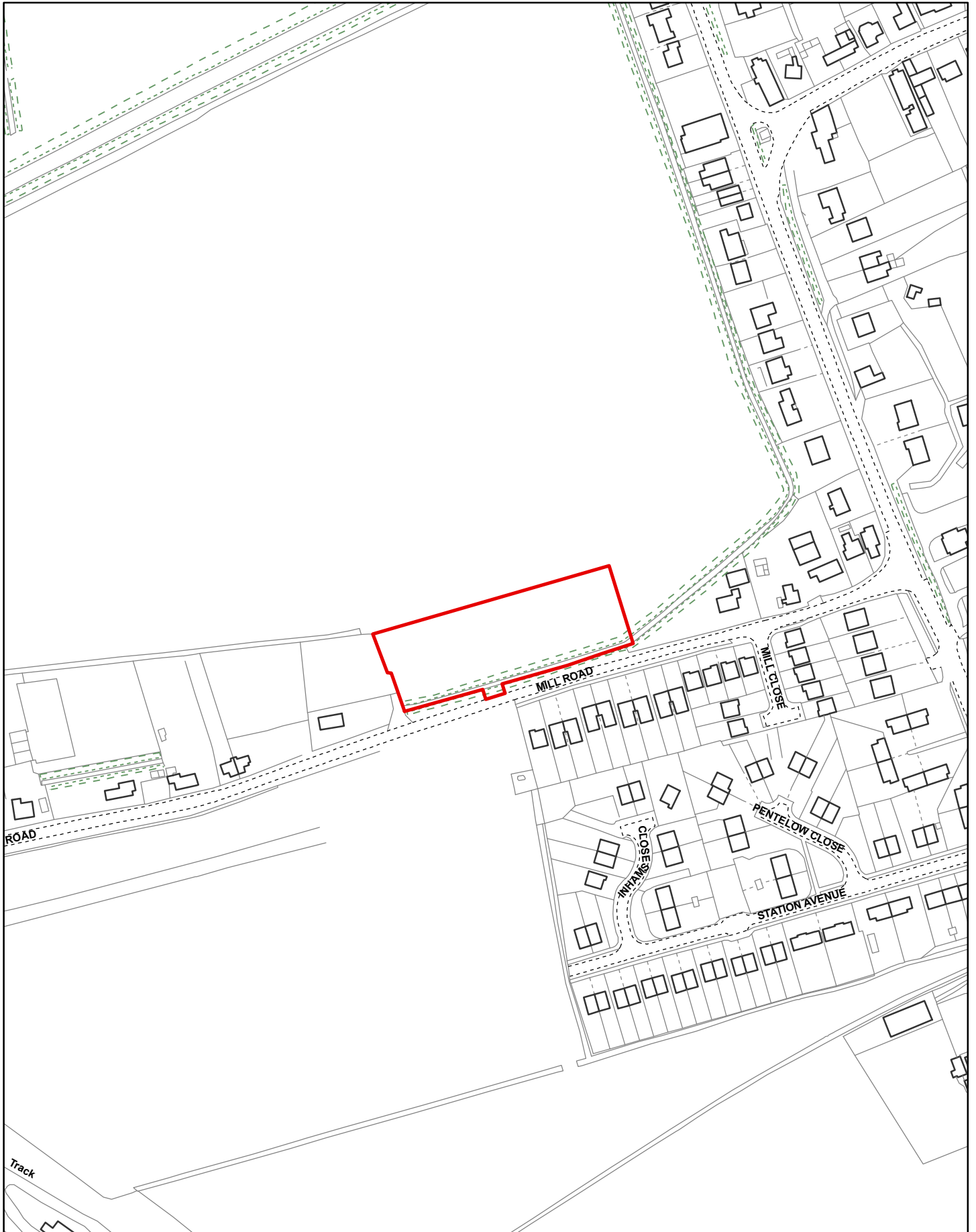
**To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland District Wide Local Plan.**

11. **Prior to the commencement of the development hereby approved, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property. The refuse storage and collection facilities shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.**

**Reason**

**To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability in accordance with policy LP16 of the Fenland Local Plan 2014.**

12. **Approved plans**



Created on: 29/09/2015

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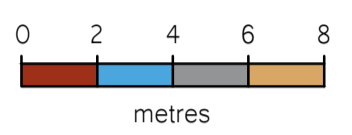
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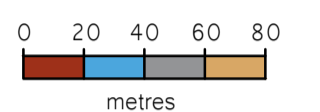




Mill Road Elevation  
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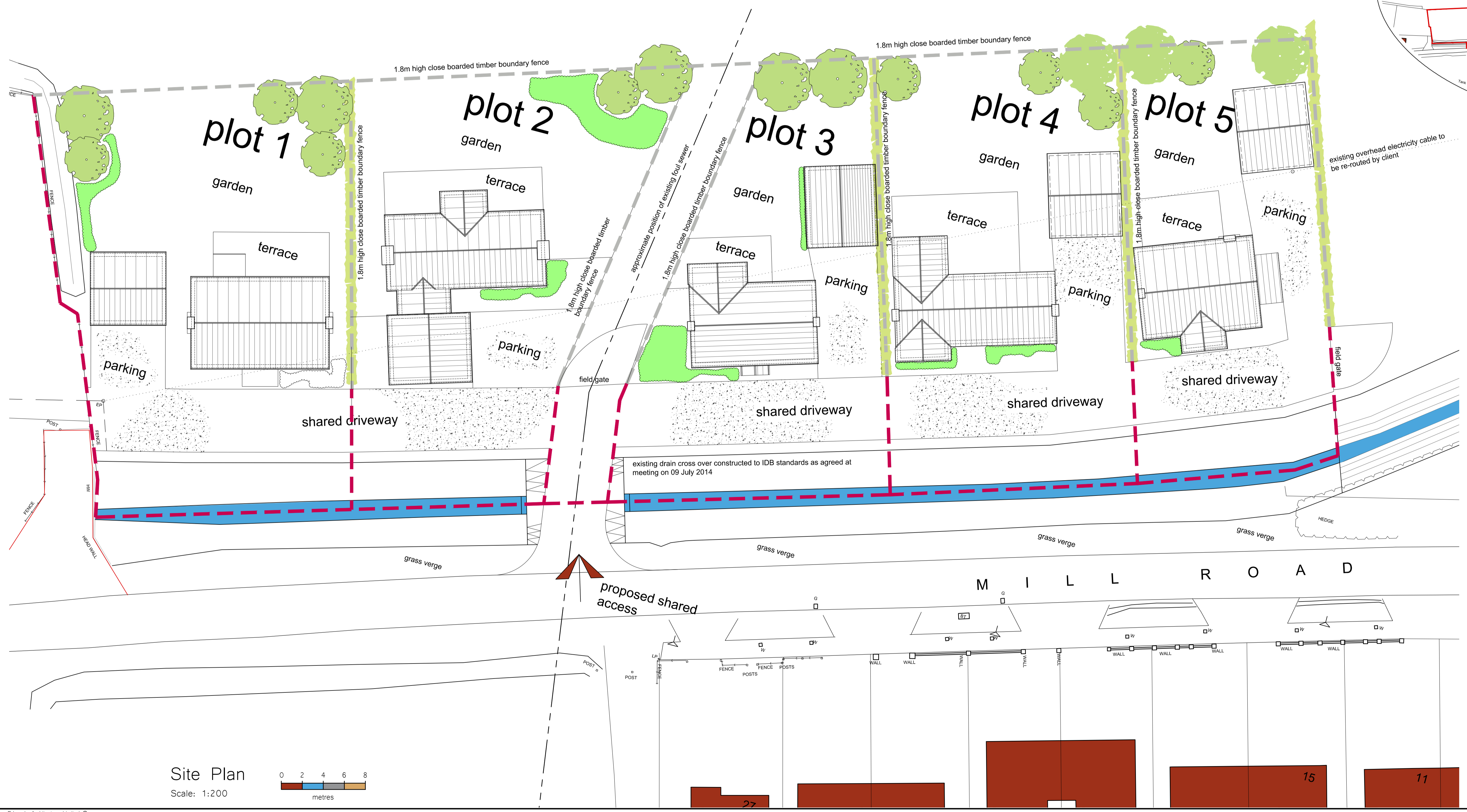
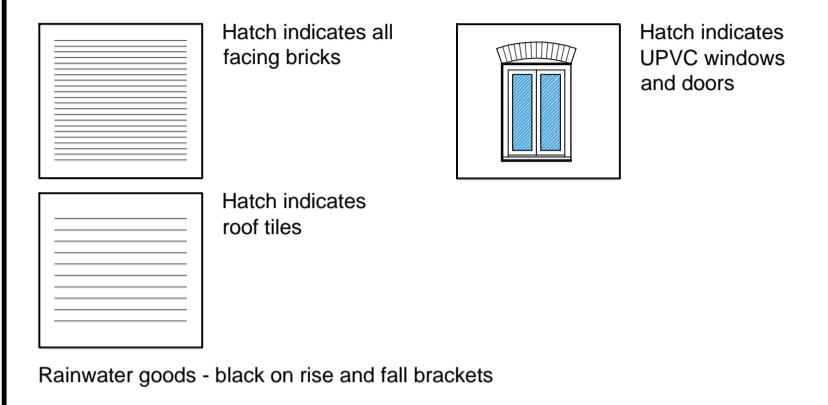


Location Plan  
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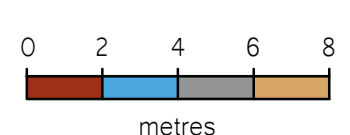


**General Notes**  
 1. This drawing shall not be scaled, figured dimensions only to be used.  
 2. All dimensions are shown in "mm" unless otherwise stated.  
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.  
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.  
 5. Any discrepancies are to be brought to the designers attention.

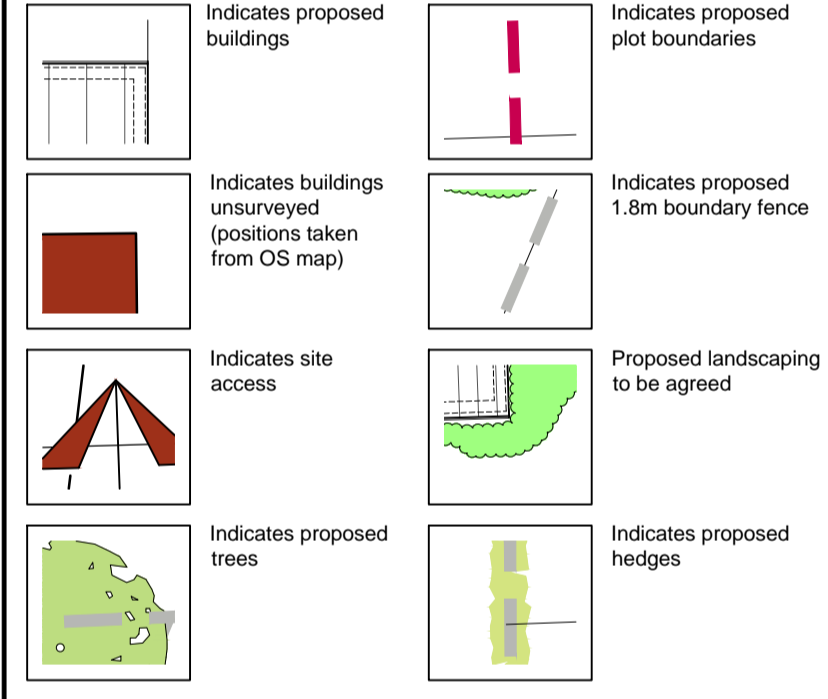
**ELEVATION KEY**



Site Plan  
Scale: 1:200



**SITE PLAN KEY**



Revisions

A	Sept 2015	Red line to location plan, boundary definitions added, Plot 5 dormers removed
B	Sept 2015	Utility added to Plot 5 & access width amended

Status  
**FOR COMMENT**

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Job Title	Date	Scale
Proposed Residential Development	June 2015	Various
Land North of 15-27 Mill Road		Sheet Size
Murrow, Wisbech, Cambs.		A1
Mr R Goy		
Drawing Title	Job No.	Drawn by
Planning Drawings	SE-257	SJB
Site Plan & Street Elevation	Dwg No. 05	Revision B