

F/YR15/0723/O

**Applicant: Miss E Dent**

**Agent :**

**48 Station Road, Manea, Cambridgeshire, PE15 0HE**

**Erection of 4 dwellings involving demolition of existing dwelling (Outline application with matters committed in respect of access, layout and scale)**

**Reason for Committee: This application is before committee due to the level of support received from local residents and the views of the Parish Council which are in conflict with the officer's recommendation.**

## **1 EXECUTIVE SUMMARY**

This application seeks outline planning permission for the erection of 4 dwellings involving the demolition of the existing bungalow at 48 Station Road, Manea.

The proposed scheme is considered unacceptable for reasons relating to the impact on the character and appearance of the area, flood risk, impact on residential amenity and in relation to the requirement to provide sufficient evidence of a pre-application community consultation exercise in relation to Policy LP12 of the Local Plan.

Firstly the proposal would introduce an in depth development into an area characterised by a built up ribbon development along Station Road. The overall impact on the character and appearance of the area would be adverse contrary to Local Plan Policies LP12 and LP16.

Secondly part of the site is located within Flood Zone 3 and as a result two of the dwellings would be positioned within this high risk area. In the absence of any sufficient sequential evidence, the proposal would not be appropriate to its location in relation to the Local Plan Policy LP14 and national planning policies concerning flood risk.

Thirdly, the proposed development would be detrimental to the living conditions of present and future occupiers of No.48a as a result of overlooking from the position of Plot 2, contrary to Local Plan Policy LP16.

Lastly, there is insufficient evidence to demonstrate that a thorough and proportionate pre-application community consultation exercise has been carried. Consequently there is no demonstrable evidence of clear local community support for the scheme. As such the proposed development would be contrary to Policy LP12 of the Fenland Local Plan 2014.

Accordingly the principle of residential development in this location would be unacceptable and clearly contrary to Policies LP12, LP14 and LP16 of the Local Plan. The application is therefore recommended for refusal.

## **2 SITE DESCRIPTION**

The site is located along the eastern side of Station Road, Manea and is currently vacant undeveloped land and contains a derelict bungalow which would be demolished as part of the proposed development. The surrounding area is characterised by frontage development both sides of the road with open fields to the east. The site is located within Flood Zones 1, 2 and 3.

### 3 PROPOSAL

This application seeks outline planning permission for the erection of 4 x dwellings involving the demolition of the existing bungalow. Whilst the application has been submitted in outline form, the details of layout, scale and access are committed at this stage.

The committed layout shows a small cul-de-sac development in an L-shape arrangement together with an access road into the side adjacent to No.48a Station Road. The proposal is for 1 ½ storey dwellings, all of the same design.

### 4 SITE PLANNING HISTORY

F/0231/89/O	Residential development with access via land between Nos 46 & 48 (1.44 ha)	Withdrawn 15/10/1991
F/1555/89/F	Erection of a detached 2-bed bungalow with integral garage	Granted 05/04/1990
F/1592/88/O	Erection of 3 dwellings	Granted 19/01/1989
F/0292/85/F	Extension to bungalow 48 Station Road	Granted 30/04/1985

### 5 CONSULTATIONS

**Manea Parish Council:** Supported

**FDC Scientific Officer (Land Contamination):** Note and accept the submitted information and have no objections to the proposed development, as it is unlikely to have a detrimental effect on local air quality or the noise climate. However as the proposal involves the demolition of an existing building the unsuspected contamination condition should be imposed.

**Middle Level Commissioners:** Will be commenting on the application, however no further comment received.

**Cambridgeshire County Council Highways Authority:** The scale of development does not justify having a bell mouth access. The access should be amended to a dropped kerb crossover. The access road should be on a straight alignment for the first 10m to aid driver perception at the access intersection with the public highway. 2m x 2m pedestrian visibility envelopes should be provided either side of the dropped kerb access. The access should be sealed and drained 5m wide for the first 10m. Parking for each plot should be detailed. All relevant geometry should be dimensioned on plan. Defer for amended plans.

**Environment Agency:** Flood risk information and government guidance on flood risk and drainage is being continually updated, would not normally accept a Flood Risk Assessment (FRA) older than 6 months without an addendum or update, even if this only confirms the data used is still current. River models are also always being updated providing better information to determine flood risk for specific locations.

However, although the FRA is older than 6 months, it is accepted as the information is still relevant. The application site lies within Flood Zones 1, 2 and 3a. As the buildings will be used as dwellings, it can be considered a More Vulnerable development in accordance with table 2 of the Technical Guide to the NPPF. As the site is within an area at risk of flooding, the Authority should determine whether the proposed development passes the Sequential Test; i.e. whether there are other sites available at lower flood risk.

Reviewed the submitted FRA from main river flood risk sources only, the site is in an area under the jurisdiction of Manea and Welney IDB who should be consulted with regard to flood risk from their watercourses and the surface water drainage proposals. Planning permission could be granted to the proposed development as submitted if the planning conditions are included as per the mitigation measures referred to in the FRA.

**Natural England:** No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. Recommend LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

**Cambridgeshire Fire & Rescue:** Should the Local Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants which may be by a way of planning condition.

**Local Residents/Interested Parties:** 5 letters/emails of objection received which may be summarised as follows:

- Plot 4 will cause overlooking and will block the current view from No.48a;
- The proposed development will exacerbate the flooding issues;
- Query relating to whether the main sewer will be built over and how deep the footing for the dwellings will be as several mature trees were originally on the site;
- Preference would be for bungalows – as the proposed dwellings will cause overlooking and loss of privacy;
- The location of the bin collection point will be unsightly and will naturally attract flies, wasps etc;
- Would not wish to see obstruction to property as a result of the access road;
- Devaluation of existing houses due to the loss of the view and privacy;
- This is back garden development at odds with the frontage development;
- There has been no pre-application community consultation on this scheme prior to the application submission; and
- Whilst the applicant has been canvassing to gain support for the proposal, to date the applicant has not consulted adjoining residents.

There have been 6 local residents supporting the scheme as a result of a canvassing exercise carried out by the applicant which may be summarised as follows:

- It will improve/tidy the site; and
- It will provide good sized family housing.

## **6 POLICY FRAMEWORK**

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

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

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: Development should only be refused on transport grounds where the residual cumulative transport impacts are severe.

Paragraph 47: Supply of housing.

Paragraph 49: Applications for planning permission for housing are determined in accordance with the presumption in favour of sustainable development.

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.

Paragraphs 100-104: Development and flood risk.

Paragraph 109: Minimising impacts on biodiversity.

Paragraph 128: Archaeological interests in a site.

Paragraphs 203-206: Planning conditions and obligations.

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

Flood Risk and Coastal Change

Flood Zone and Flood Risk Tables

### **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

LP4 - Housing

LP5 – Meeting Housing Need

LP12– Rural Area Development Policy

LP13 – Supporting and Mitigating the Impact of a Growing District

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

LP17 – Community Safety

LP19 – The Natural Environment

Delivering and Protecting High Quality Environments in Fenland SPD (July 2014)

## **7 KEY ISSUES**

- **Principle of Development**
- **Character and Appearance**

- **Residential Amenity**
- **Flood Risk**
- **Highway safety**
- **Health and wellbeing**
- **Economic Growth**
- **Other considerations**

## **8 ASSESSMENT**

### **Principle of Development**

Local Plan Policy LP3 defines Manea as a Growth Village where development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.

Accordingly the policy allows for residential development within the existing urban area or as small village extensions to Manea, subject to compliance with Policy LP12 Part A.

For villages, new development will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside. Any proposal needs to satisfy the criteria set out in LP12 (a – k) as well as other policies of the Local Plan.

Policy LP12 also seeks to involve the community in planning decisions by requiring clear evidence of community support for development exceeding the specified threshold. Part A of LP12 of the Local Plan, clearly states that if a proposal within or on the edge of the village would, in combination with other development built since April 2011 and committed to be built (i.e. with planning permission), increase the number of dwellings in a growth village by 15% or more, the proposal should have demonstrable evidence of clear local community support for the scheme generated through a “*thorough and proportionate pre-application community consultation exercise*”. The 15% threshold has already been exceeded for Manea given the number of consented dwellings in the village since April 2011.

The applicant has been made aware of the requirements of Policy LP12 in relation to the pre-application community consultation exercise. As a result, the applicant has secured support from 6 nearby local residents, however during the course of the application there have been 5 local residents who object to the scheme. It is unclear from the current submission what the pre-application consultation comprised. On this basis, therefore there is insufficient information to demonstrate that a thorough and proportionate pre-application community consultation exercise has been carried out and there is not demonstrable evidence of clear local community support for the scheme, accordingly the application does not accord with this part of Policy LP12 of the Local Plan.

### **Character and Appearance**

The area is characterised by a continuous built up ribbon development and examples of development in depth are few and principally relate to outbuildings/garages within the curtilage of the dwellings occupying a frontage position along the road. There are no examples of residential development in depth that run along the back of properties as proposed in this application. Thus the proposal would not be in keeping with the core shape and form of the settlement as required by criteria (d) of Policy LP12.

The development would result in a material change in the character and appearance of the site from its current character as undeveloped land which relates more to the surrounding countryside than to the built-up frontage. This material change is accentuated by the proposal for 1½-storey dwellings which would be at odds with the prevailing single-storey scale of the dwellings situated in close proximity to the site along the Station Road.

When approaching the site from either direction along Station Road, the proposed development would be highly visible particularly from the north as the position of the existing bungalows situated along the road would mean that the rooftops of the new development would be readily seen. The overall impact on the character and appearance of the area would be adverse contrary to Local Plan Policies LP12 and LP16.

### **Residential Amenity**

Policy LP16 seeks to ensure development does not have an adverse impact on the amenity of neighbouring users from, for example, overlooking.

The loss of the view of the open land beyond has been raised by local residents. Whilst there is no right to a view in strict legal terms, the concerns raised by residents in respect of their residential amenity (i.e. loss of privacy and outlook) are material to the determination of this application.

Whilst the layout of Plots 1, 3 and 4 have sufficient separation distances from the existing properties, the position of Plot 2 is such that there would be impact on the living conditions of the occupiers of No.48a Station Road with particular regard to overlooking. It would result in a distance of 15 metres from the proposed front dormer windows of Plot 2 overlooking the main garden amenity area of No.48a. Although it is noted that this matter could be addressed by a suitably amended site layout plan, the proposal needs to be assessed based on current submission.

Whilst the access road is positioned along the entire length of the side boundary to No.48a, there is a 3m wide buffer strip which could accommodate soft landscaping features. This coupled with appropriate boundary treatments would result in an acceptable access arrangement which would prevent any noise and disturbances arising to the amenities of the adjoining occupiers of No.48a.

For the reasons given above the proposed development would be detrimental to the living conditions of present and future occupiers of No.48a as a result of overlooking from the position of Plot 2. As such it would conflict with Policy LP16.

### **Flood Risk**

The application site lies within Flood Zones 1, 2 and 3. As a result the dwellings at Plots 3 and 4 would be located in Flood Zone 3.

A Flood Risk Assessment accompanies the application which has been accepted by the Environment Agency subject to appropriately raised floor levels which could be secured by planning condition.

However, as part of the site is located within Flood Zones 2 and 3, and the approach of the NPPF, NPPG and Policy LP14 of the Local Plan is not to rely on mitigation measures in areas at high risk of flooding, but instead to direct development away from such areas. For that reason the proposal is required to be subjected to the Sequential Test to establish whether there are reasonably

available sites within Zone 1 and the guidance states that the developer should justify, with evidence, what area of search has been used. The application as originally submitted does not adequately address this matter. The applicant intends to submit further information in this respect and this will be updated to Members at Planning Committee. However, the application in its current form is contrary to Policy LP14 in this regard.

### **Highway Safety**

The Highway Authority have requested amendments to the access arrangement on site, however given the “in principle” objections to the scheme as detailed above these amendments have not been requested. Apart from the access being amended to a dropped kerb crossover (rather than the bell mouth proposed), the amendments only involve annotating the plans and details which could be secured by planning condition. The amendments requested are achievable and can easily be accommodated by suitably amended plans. As such there would be no highway safety issues with the principal access arrangement off Station Road.

### **Health and wellbeing**

In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people’s needs, and in the right location. The scheme will deliver family housing in a growth village location; however two of the four dwellings would be located within high risk flooding area and where one dwelling would adversely impact upon existing neighbouring amenity. As such the proposal does not accord with Policy LP2.

### **Economic Growth**

The proposal will boost the supply of housing as sought by Government through the NPPF. The development would provide a degree of local employment during construction of a site which is considered sustainable.

### **Other Considerations**

The local residents concern in respect of loss of property value is not an issue which can be taken into account and as such is not a material planning consideration.

## **9 CONCLUSIONS**

The proposed scheme is considered unacceptable for four reasons.

Firstly the proposal would introduce an in depth development into an area characterised by a built up ribbon development along Station Road. The overall impact on the character and appearance of the area would be adverse contrary to Local Plan Policies LP12 and LP16.

Secondly part of the site is located within Flood Zone 3 and as a result two of the dwellings would be positioned within this high risk area. In the absence of any sufficient sequential evidence, the proposal would not be appropriate to its location in relation to the Local Plan Policy LP14 and national planning policies concerning flood risk.

Thirdly, the proposed development would be detrimental to the living conditions of present and future occupiers of No.48a as a result of overlooking from the position of Plot 2, contrary to Local Plan Policy LP16.

Lastly, there is insufficient evidence to demonstrate that a thorough and proportionate pre-application community consultation exercise has been carried. Consequently there is no demonstrable evidence of clear local community support for the scheme. As such the proposed development would be contrary to Policy LP12 of the Fenland Local Plan 2014.

Accordingly the principle of residential development in this location would be unacceptable and clearly contrary to Policies LP12, LP14 and LP16 of the Local Plan. The application is therefore recommended for refusal.

For the reasons given above it is recommended that the proposed development is refused.

## 10 RECOMMENDATION

### Refuse

1.	The proposed development by reason of its scale and layout would result in a development unrelated to the existing road frontage development along Station Road and would appear incongruous when viewed in the context of the existing built form. As such the proposed development would be harmful to the character and appearance of the area contrary to criteria (d) of Policy LP16 and to criteria (d) of Policy LP12 Part A of the Fenland Local Plan 2014 which state that development will only be permitted which would make a positive contribution to the local distinctiveness and character of the area, responds to and improves the character of the built environment and is of a scale and in a location that is in keeping with the core shape and form of the settlement.
2.	Policy LP14 of the Fenland Local Plan (2014) and the National Planning Policy Framework seeks to direct development to areas of lowest flood risk to ensure the safety of people and property this being further reinforced by Policies LP2, LP12, LP14 and LP16 of the Fenland Local Plan (2014). The proposal would result in More Vulnerable development being located within Flood Zone 3, the area of highest flood risk thereby putting people and property in danger of identified risks to the detriment of their safety and as such it would be contrary to Policies LP14, LP2, LP12 and LP16 and the clear guidance contained within the National Planning Policy Framework.
3.	Policy LP16 of the Fenland Local Plan (2014) and the National Planning Policy Framework seeks to ensure development does not have an adverse impact on the amenity of neighbouring users. The proposed development would be detrimental to the living conditions of present and future occupiers of No.48a Station Road as a result of overlooking of the main garden amenity area from the position of Plot 2. As such it would be contrary to Policy LP16 and the clear guidance contained within the National Planning Policy Framework.
4.	Policy LP12 requires that if proposals within or on the edge of a village, in combination with other development built since April 2011 and committed to be built increase the number of dwellings in the village by



**15% in growth villages then the proposal should have demonstrable evidence of clear local community support for the scheme and if, despite a thorough pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the relevant Parish Council.**

**The proposal, in combination with the number of built and consented dwellings within the village of Manea since April 2011 would exceed the 15% threshold set out in Policy LP12 Part A of the Fenland Local Plan 2014 and there is insufficient evidence to demonstrate that a thorough and proportionate pre-application community consultation exercise has been carried. Consequently there is no demonstrable evidence of clear local community support for the scheme. Accordingly the proposed development would be contrary to Policy LP12 of the Fenland Local Plan 2014.**



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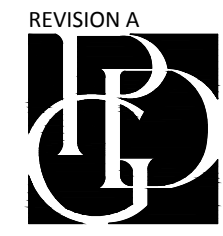
**F/YR15/0723/O**

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Plot Boundaries Shown  
**DEVELOPMENT at 48 STATION ROAD, MANEA**  
 for ICIS Consulting Ltd  
**SKETCH LAYOUT**  
 Scale: 1:500 @ A3  
 Drawn: KLM

Date: July 2015  
 Dwg No: 11010/SK04A

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