

F/YR15/0726/F

**Applicant: Mr D Rimmer
Almaren Ltd**

**Agent : Mr R Briscoe
Peter Humphrey Associates Ltd**

Land South Of Creek Road Fronting, Lambs Place, March, Cambridgeshire.

Erection of 9 dwellings comprising 2 x 1-bed flats, 2 x 3-storey 3-bed, 3 x 2-storey 3-bed and 2 x 2-storey 2-bed dwellings

Reason for Committee: This application is before committee due to the support from the Town Council being contrary to officer recommendation.

1. EXECUTIVE SUMMARY

This application is for full permission for 9 dwellings. It includes an access drive that necessitates the removal of side boundary fencing to a recent development and is considered excessively close to those properties likely to impact on the amenity of those occupiers. The development is also unduly cramped layout with a parking layout likely to lead to parking problems and poor levels of amenity for future occupiers of the site. The proposal is therefore considered to be out of character with the area.

2 SITE DESCRIPTION

- 2.1 The application site is to the south of Creek Road and abuts properties off Nene Parade and a recent development on Cabaret Court. There is an existing private drive know as Lambs Place which serves some outbuildings/garages located at the rear of Nene Parade. A footpath links Lambs Place to Nene Parade. To the west of the site are two terraced style properties and further west is the Sainsbury's Supermarket car park. There are some small trees and a fenced off area to the rear of No.'s 29-32 Nene Parade which is currently somewhat overgrown.
- 2.2 The private drive (Lambs Place) has insufficient width to meet CCC Highway standards at the point of access off Creek Road.
- 2.3 The site lies just outside the conservation area.

3 PROPOSAL

- 3.1 The application provides a widened private access drive to which removes and replaces existing fencing abutting the Cabaret Court development. The scheme provides 2 one-bedroom flats, 2 three storey three bed dwellings, 3 two-storey three bed houses and 2 two-storey two bed houses with a parking court indicating 15 spaces with tree planting in the car parking. The proposed dwellings have Cream/Buff bricks with blue/black interlocking slate roofs. The houses are of simple pitched roof designs but include stone lintels and sills and brick dental course beneath the guttering. Some include Georgian style door surrounds and low walls and railings.

4 SITE PLANNING HISTORY

F/YR14/0540/F	Erection of 9no dwellings comprising 2 x 1-bed flats 2 x 3-storey 3-bed 3 x 2-storey 3-bed and 2 x 2-storey 2-bed dwellings with associated parking	Withdrawn due to highways objection.	14/11/14
F/YR08/0252/F	Erection of 14 apartments comprising 8 x 2-bed and 6 x 3-bed with associated parking and landscaping and formation of vehicular access involving demolition of existing factory unit	Appeal Withdrawn	11/09/09
F/YR08/0443/F	Erection of 14 apartments comprising 13 x 2-bed and 1 x 3-bed with associated parking and landscaping	Withdrawn	17/11/08

5 CONSULTATIONS Local Residents/Interested Parties

5.1 **CCC Fire and Rescue** request provision of fire hydrants.

5.2 **CCC Highways** This scale of development would ordinarily be served by a road constructed to an adoptable standard. The road will not only provide access to the 9 proposed units it will also continue to provide rear access to a number of properties along Nene Parade. A 4.5m wide road is an insufficient width for a vehicle to pass a waste collection vehicle. The bin collection area within the site intimates there is aspiration for waste collections vehicles to enter the site. FDC should consult with waste services regarding the acceptability of this. The access is 5m for the first 10m which is sufficient for two way vehicle flow at the access intersection with Creek Road. The access then reduces to 4.5m for a length of just over 30m. This is considered by MfS's to be an acceptable width for two cars to pass. The access then widens again into what's known as Lambs Places. This area as detailed with the development access is suitable for cars and most service vehicles to turn.

5.3 If Fenland District Council consider the private access to be suitable to serve this development then a block paved surface or different coloured surfacing along the access road should be considered in order to restrain vehicle speeds along it. This is important given the shared space access road will have both vehicles and pedestrians using it. So long as vehicle speeds are restricted to 20mph then the Local Highway Authority have no highway safety concerns with regards to shared spaces function of the access road.

5.4 Parking layout should have 15.25 parking spaces to accord with FDC parking guidelines. At 15 spaces it falls slightly short of FDC's parking requirements. The turning for the parking spaces is constrained. A minimum 6m should be provided in front of all parking spaces to allow sufficient space for a vehicle to manoeuvre into the parking spaces.

5.5 **March Town Council** supports the application

- 5.6 **The Environmental Health Officer.** Notes and accepts 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.
As a minimum a robust desk study / phase 1 investigation is required to assess the potential for contamination to exist, either through the former usage or possible made ground at the site. A planning condition would therefore be required.
- 5.7 **Police Architectural Liaison** officer requests a condition seeking external lighting be agreed and that windows and doors meet designing out crime standards.
- 5.8 **CCC Archaeology** does not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition.
- 5.9 **PCC Ecology** Regarding Protected Species:
The site contains habitats and features which may support protected species such as, but not limited to, bats, nesting birds, reptiles and badgers. Whilst I note that the application is accompanied by a "Biodiversity Report" (May 2015), it has not been completed by a suitably qualified ecologist and I consider that the application site has not been adequately assessed for the presence of protected species. I would therefore recommend that a Preliminary Ecological Appraisal/ Phase 1 Habitat Survey is carried out. Such an appraisal should establish whether further survey work is required; any further survey work which is recommended should be carried out and a report provided (including details of measures to mitigate any impacts on biodiversity). The Ecological Appraisal should be carried out in accordance with BS 42020:2013 (Biodiversity Code of Practice for Planning & Development). The survey should be carried out and a report provided in advance of determination of this application. Please note the presence of a protected species is a material consideration when a planning authority is considering a development proposal (para 98, ODPM circular 06/2005). It is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
- 5.10 *I would advise that prior to determination the LPA requests that an Ecological Appraisal be carried out as set out above. I therefore object to the granting of planning permission at this moment in time with regard to this application. The LPA has a duty under s.40 of the Natural Environment & Rural Communities (NERC) Act 2006 to have regard to biodiversity, including the above species as listed under s.41 of the NERC Act and as stated in the Council's Core Strategy (Policy CS19 The Natural Environment) and I consider that the Council is not currently in a position to be confident that this duty has been adequately discharged.*
- 5.11 **FDC Conservation** does not consider the proposal impacts upon the character of the conservation area.
- 5.12 **Objectors** 6 Residents on Nene Parade object on the following grounds:
- Concern regarding the developer's lack of right to access Lambs Place which is an un-adopted drive,
 - Nene Parade Residents allege they have unobstructed access to their properties which appears compromised by the development.

- Proposal which includes 3-storey accommodation is not in keeping with the area,
- Highway safety concerns on the access point of Lambs Place.
- 15 parking spaces are inadequate to meet the parking need generated and is likely to lead to displaced parking on Lambs Place,
- Concern regarding bin collection measures,
- No means to separate pedestrians from vehicles,
- No lighting proposed,
- No reference to drainage and the sewer system will not cope,
- No reference to maintenance responsibilities on the proposed access.

6. POLICY FRAMEWORK

6.1 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 47: Supply of housing

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

Paragraphs 203-206: Planning conditions and obligations.

6.2 National Planning Policy Guidance (NPPG)

Determining a planning application

Planning Obligations

Flood Risk and Coastal Change

6.3 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

LP9 – March

LP13 – Supporting and Mitigating the Impact of a Growing District

LP14 – Responding to Climate Change and Managing the risk of Flooding

LP15 – Facilitating the creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

7. KEY ISSUES

- **Principle of Development**
- **Character of the Area**
- **Impact on residential Amenity**
- **Highway Safety**
- **Health and wellbeing**

- **Other (delete as appropriate)**

8. ASSESSMENT

- 8.1 **Principle of Development.** The site is within March a Market Town where policy LP3 considers the majority of the District's new housing should be located. The site was previously a factory and therefore a brownfield site and as such is a sustainable site. Therefore the principle of development is considered to accord with Local Plan and NPPF.
- 8.2 **Character of the Area.** Policy LP16(d) seeks development to make a positive contribution to the local distinctiveness and character of the area. In this instance the site includes approximately 23% (excluding the area of Lambs Place) of the development site for amenity space. Policy LP16(h) seek sufficient private amenity space suitable to the type and amount of the development proposed, for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be private amenity space.
- 8.3 Cabaret Court properties have relatively small garden space, however this is more in keeping with the terraced properties fronting Creek Road and two of the houses that back onto the development site do have larger gardens. Taking these matters into account the degree of private amenity space is considered sub-standard for the accommodation provided. Furthermore the proposed parking scheme, which is slightly below Appendix A standards of the Local Plan, also has minimal manoeuvring space, with 3 spaces falling slightly below the suggested 6.0 metres between spaces. Therefore it is likely that traffic wishing to park at the development will be displaced either onto Lambs Place or onto Creek Road. Similarly the narrow access drive, which although accords with minimum vehicle width for the LHA, also provides pedestrian access (extension of the footpath). Such a narrow shared driveway is likely to lead to a poor quality environment for pedestrians/ occupiers seeking to access when more than one vehicle is accessing from different directions.
- 8.4 This further demonstrates that there is insufficient space to accommodate the scale of development proposed in a satisfactory manner. Therefore the proposal is considered to be contrary to policies LP16(d) and LP16(h) failing to have a positive contribution to the local distinctiveness and character of the area, failing to enhance its local setting and does not reinforce local identity and does adversely impact on the landscape character of the surrounding area.
- 8.5 **Impact on residential Amenity.** The proposal abuts rear gardens on Nene Parade, No.s 29,30 and 32 are detached two-storey houses with 15-20 metre long rear gardens. The proposed Plot 3 has only a 5.5metre deep rear garden plot 4 8.3 metres and plots 6 and 7 approximately 7.5 metres deep. All of these are significantly smaller than those on Nene Parade. Plot 3 which is a 3 bed two-storey house is considered inadequate and out of character and therefore contrary to Policy LP16(h).
- 8.6 However the proposals are unlikely to lead to loss of privacy to occupiers of Nene Parade due to the lengths of the existing rear gardens.

- 8.7 The proposed widening of the access drive to meet highway requirements results in the removal of the side boundary fence to the abutting dwellings on Cabaret Court. Whilst a new boundary fence would be required to delineate the driveway it will result in vehicles passing very close to the neighbouring properties. Due to visibility requirements at the access the visibility splays will cut across the front amenity area of the two neighbouring houses.
- 8.8 Furthermore given the small space in which to access the car park, and the narrow shared entrance drive/footpath, and insufficient private amenity space, there is insufficient space to accommodate the scale of housing in a satisfactory manner. The overdevelopment of this site is likely to lead to poor levels of residential amenity for future occupiers and nearby residents.
- 8.9 Therefore the development is considered to be contrary to Policy LP16(e) and LP(h) of the Fenland Local Plan.
- 8.10 **Highway Safety.** The Local Highway Authority does not consider the proposal would result in severe harm to the safe operation of the highway network. It does however highlight the narrowness of the drive with possible problems for waste collections, concern that the parking provided may be slightly below standards and has manoeuvring difficulties due to insufficient space. These inadequacies relate more to assessment of suitable amenity for future and existing neighbouring residents, and whether the proposal is overdevelopment harming the character of the area. These are assessed within the appropriate sections. However in this instance due to the lack of identified severe harm the proposal is satisfactory in highway safety terms.
- 8.11 **Health and wellbeing.** Policy LP2 refers to ‘Development proposals should positively contribute to creating a healthy, safe and equitable living environment by’ amongst other things:
- Promoting high levels of residential amenity ((LP7 & LP16)
 - Avoid adverse impacts (LP16)
- As the levels of amenity are poor, and there are adverse impacts generated by the development the proposal is therefore contrary to policy LP2.
- 8.12 **Affordable Housing.** As this is a site of 9 dwellings the Affordable Housing requirement is for one dwelling plus a financial contribution of 0.8 towards a further dwelling. It is noted that the developer wants to provide on-site affordable housing and has agreed in principle a policy compliant scheme. No viability argument has been submitted in this instance. The applicant agrees to provide affordable housing in accordance with current policies and practice and therefore the proposal accords with adopted policy LP5.
- 8.13 **Other Considerations.** Other infrastructure contributions- The County Council requirements for this development are as follows:
Pre –school – £19,854 towards the Maple Grove Community Preschool Expansion project.

Primary School – £41,710, towards the Westwood Primary school expansion.

The County Council confirmed that there have not been 5 pooled Section 106 contributions to either of these projects. As such these are considered to be CIL compliant and accord with CIL regulations and adopted policy LP13. The applicant has agreed to meet these requirements providing they accord with adopted policy.

- 8.14 **Biodiversity.** The applicant provided a Biodiversity Report. However the PCC Ecology officer did not consider the report fit for purpose and objected. However the applicant submitted a preliminary ecological appraisal undertaken by appropriate Ecological company and seems more robust. This has been forwarded to the PCC Ecological Officer and any further comments will be included in the update report.
- 8.15 **Flood Risk.** The proposal is in Flood Risk Zone 1 an area at the lowest risk of flooding. The proposal is therefore considered to pass the sequential test and accords with policy LP14.

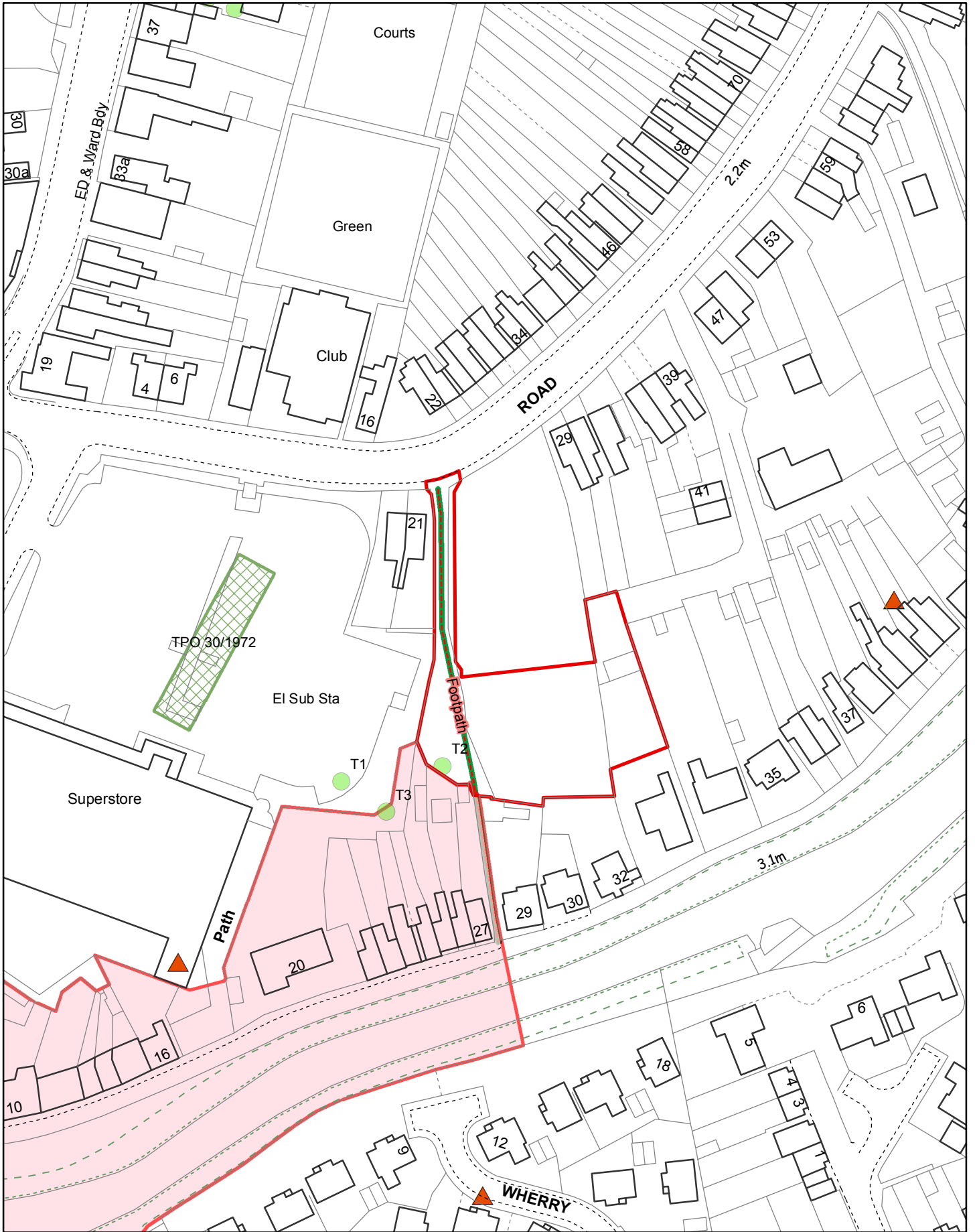
9 CONCLUSIONS

- 9.1 Although the principle of a development of this site is considered acceptable the form layout scale is considered to be excessive. The proposed widening of the access is considered likely to lead to impact upon the residential amenity of occupiers of neighbouring properties. The adverse impact is considered likely to result in a development out of character with the area and result in harm to the amenity of residents and is therefore contrary to Policies LP2 and LP16 (d), LP16(e) and LP16(h) of the adopted Fenland Local Plan.

10 RECOMMENDATION

Refusal for the following reasons:

1. The proposed widening of the access to Lambs Place results in vehicles accessing/egressing the proposal excessively close to neighbouring occupiers on Cabaret Court and Creek Road likely to result in additional noise and disturbance from increased passing vehicles. This is likely to lead to poor levels of residential amenity for existing occupiers. The proposal is therefore considered to be contrary to Policies LP2, LP16(e)(h).
2. The proposed development of 9 dwellings is considered by reason of excessive scale form and layout in the available site concerned, to result in insufficient space for parking, private amenity space and appropriate collection of waste. The proposal is therefore considered to fail to make a positive contribution to the local distinctiveness and character of the area and fails to provide high levels of residential amenity contrary to Policies LP2, LP16 (d) and (h).



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F/YR15/0726/F

Scale = 1:1,250





SITE BLOCK PLAN

Peter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

PROJECT: PROPOSED RESIDENTIAL
 SITE: LAMBS PLACE
 MARCH
 CAMBRIDGESHIRE

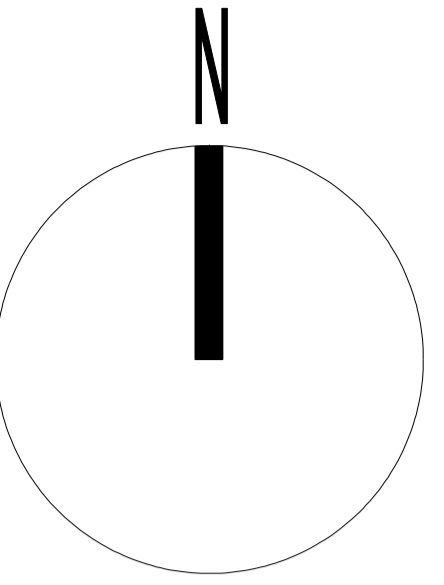
DRAWING: PROPOSED SITE ARRANGEMENT
 CLIENT: ALMAREN LTD

DATE: May 2015 SCALE: 1:200 @ A1 400 @ A3 JOB No: 5100/ (P) 12

REV.	DETAILS	DATE

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PROPOSED SITE PLAN

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

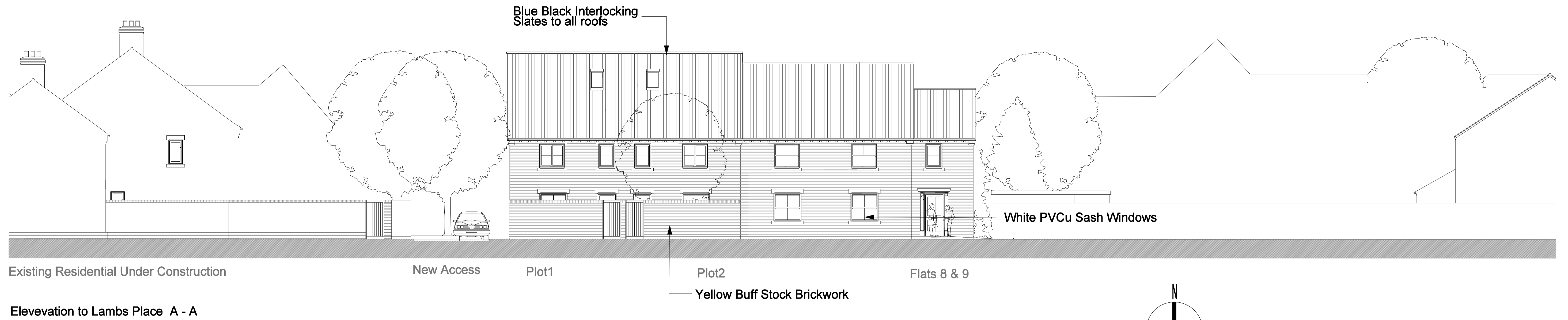
PROJECT
PROPOSED RESIDENTIAL
SITE
**LAMBS PLACE
MARCH
CAMBRIDGESHIRE**

DRAWING
PROPOSED SITE ARRANGEMENT
CLIENT
ALMAREN LTD

DATE	May 2015	SCALE	1:100 @ A1 200 @ A3	JOB No.	5100/ (P). 13
REV.	DETAILS				DATE

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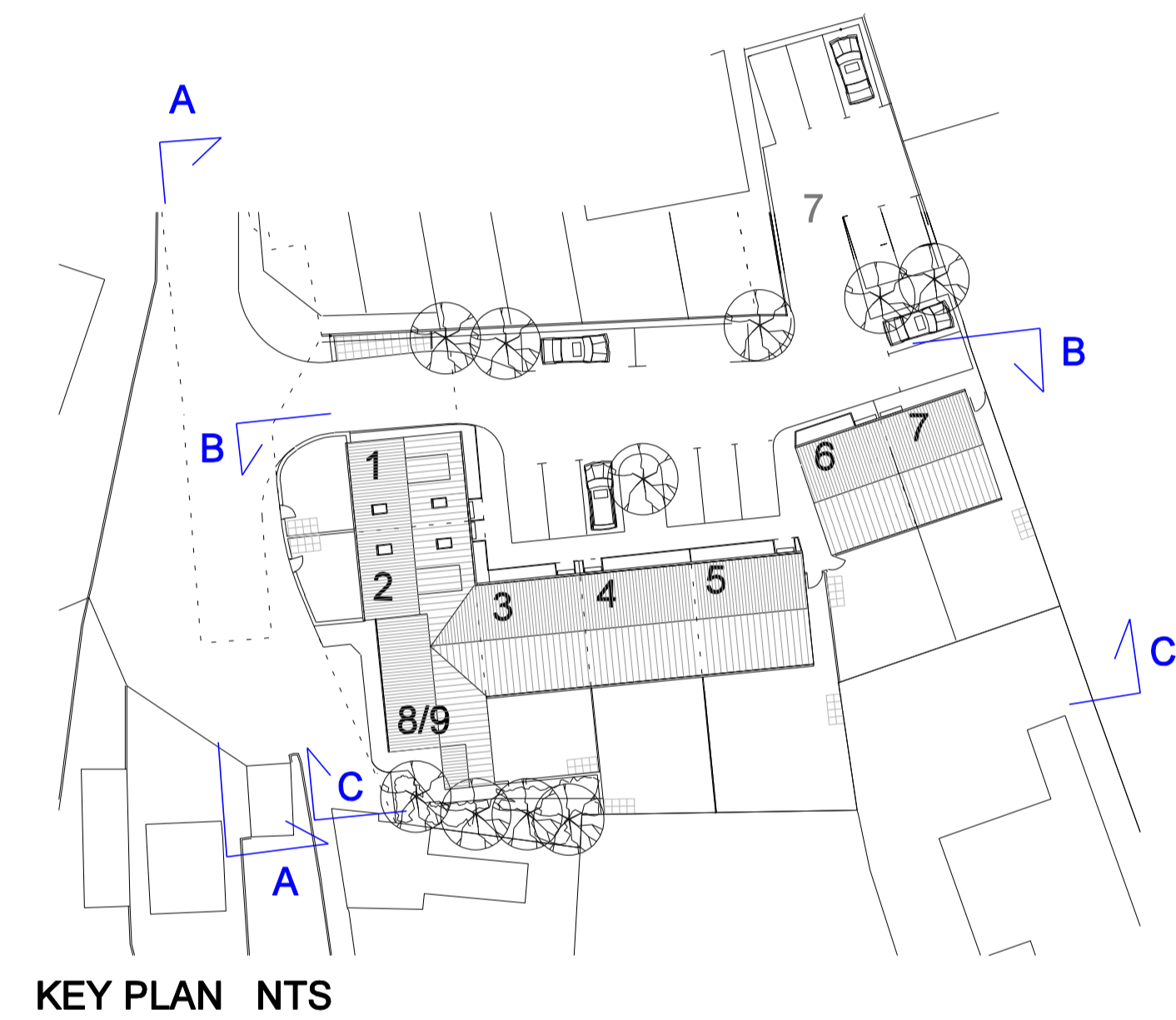
Elevation to Lambs Place A - A



Internal Elevation B - B



Internal Elevation C - C



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ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL
SITE
**LAMBS PLACE
MARCH
CAMBRIDGESHIRE**

DRAWING
SITE SECTION/ELEVATIONS
CLIENT
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DATE	March 2014	SCALE	1:100 @ A1 200 @ A3	JOB No.	5100/ (P). 14
REV.	DETAILS				DATE
A	Section C - C adjusted to suit updated plans				July 2015

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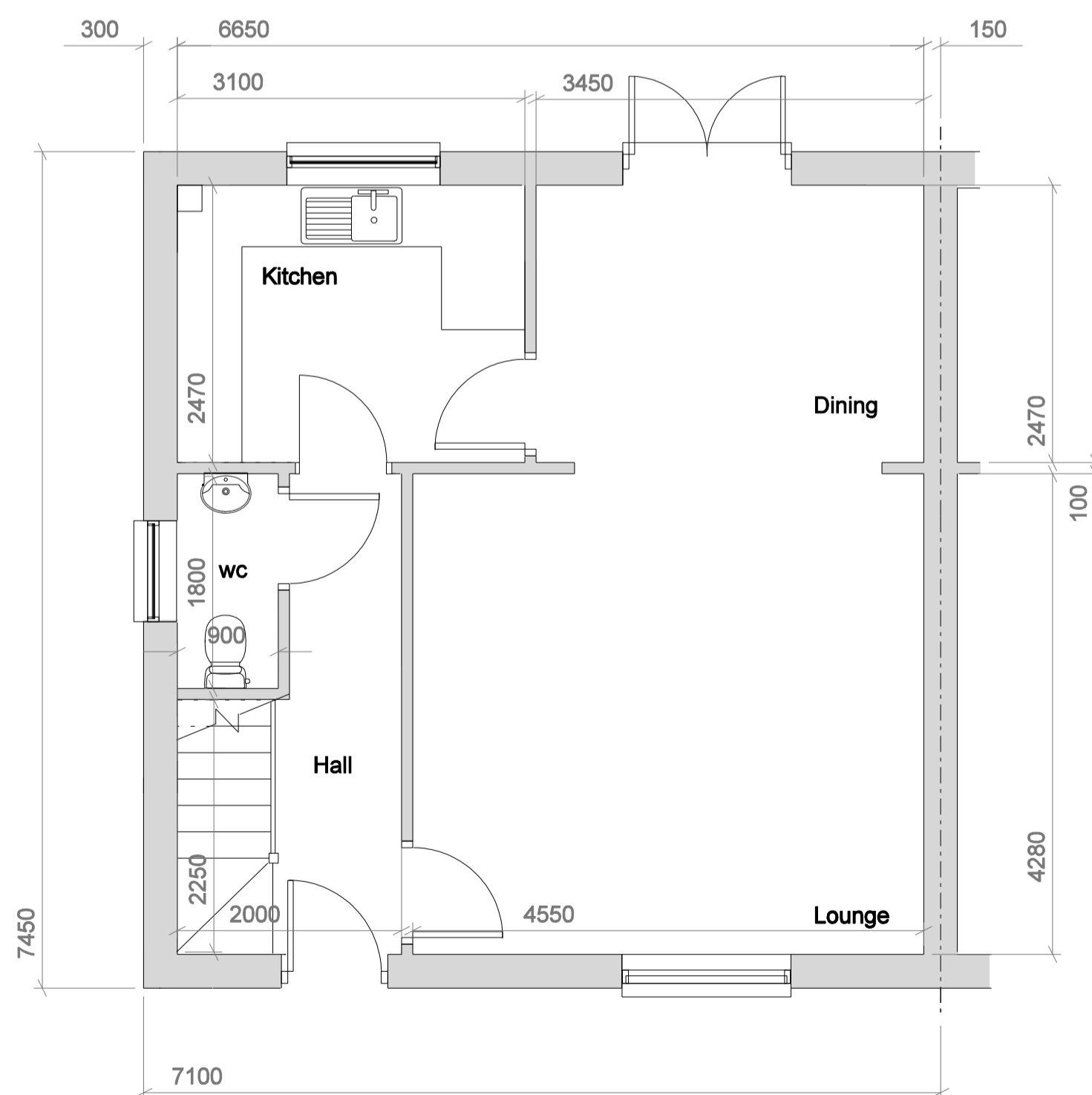
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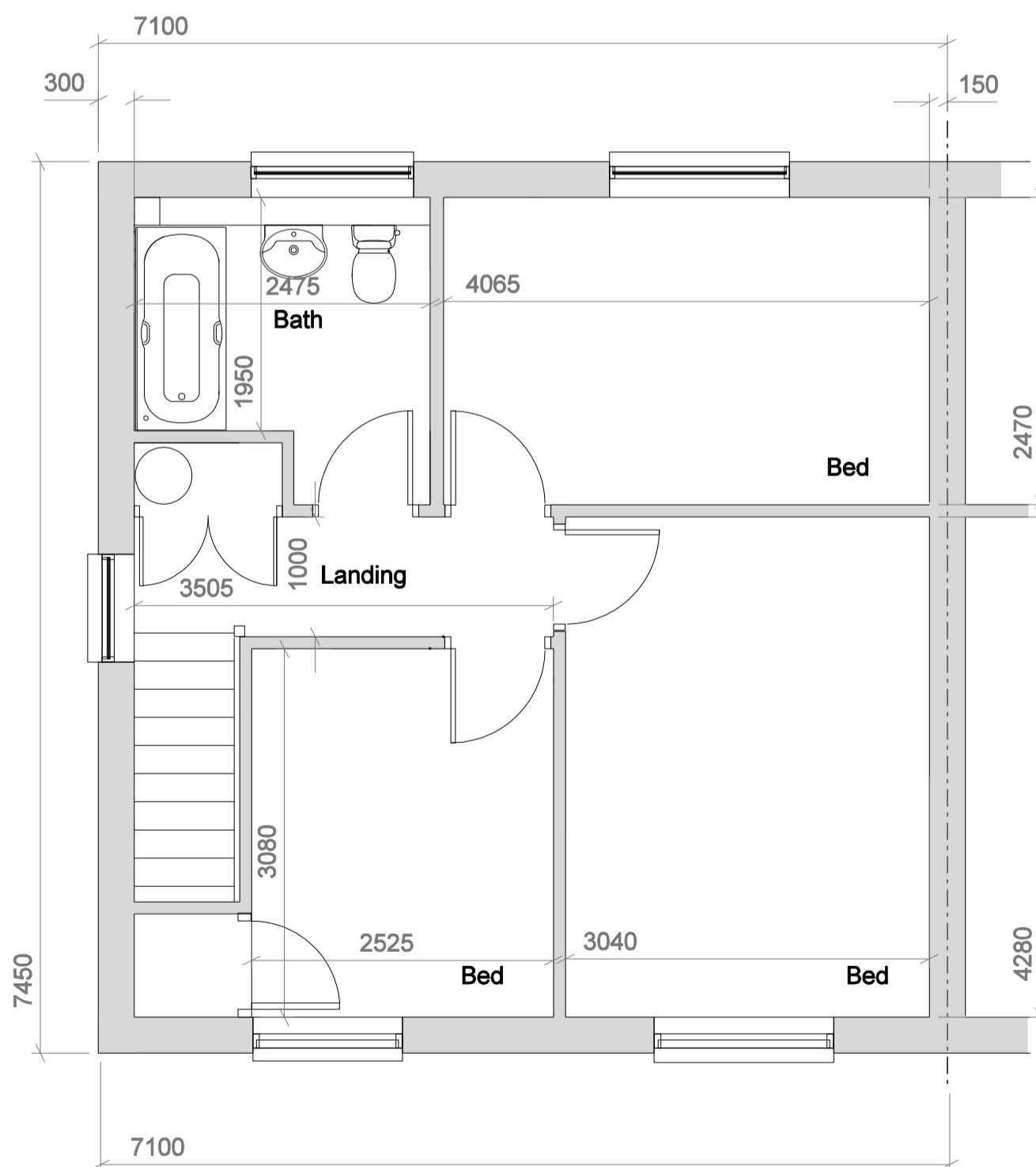
Front Elevation - End Terrace



Rear Elevation - End Terrace



Ground Floor Plan



First Floor Plan

Accommodation

3 Bed / 6 Person

Floor Area - 91m²



PROJECT
PROPOSED RESIDENTIAL

SITE
**LAMBS PLACE
MARCH
CAMBRIDGESHIRE**

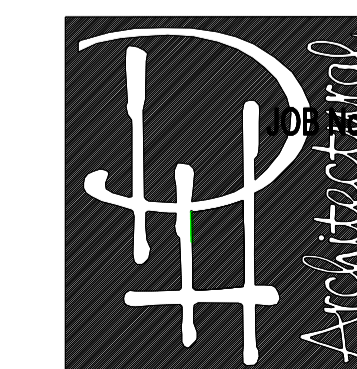
DRAWING
HOUSE TYPE A

CLIENT
ALMAREN LTD

DATE May 2015 SCALE 1:50 @ A1 JOB No: 5100/ (P) 15
1:100 @ A3

REV.	DETAILS	DATE
A	Plans adjusted	July 2015

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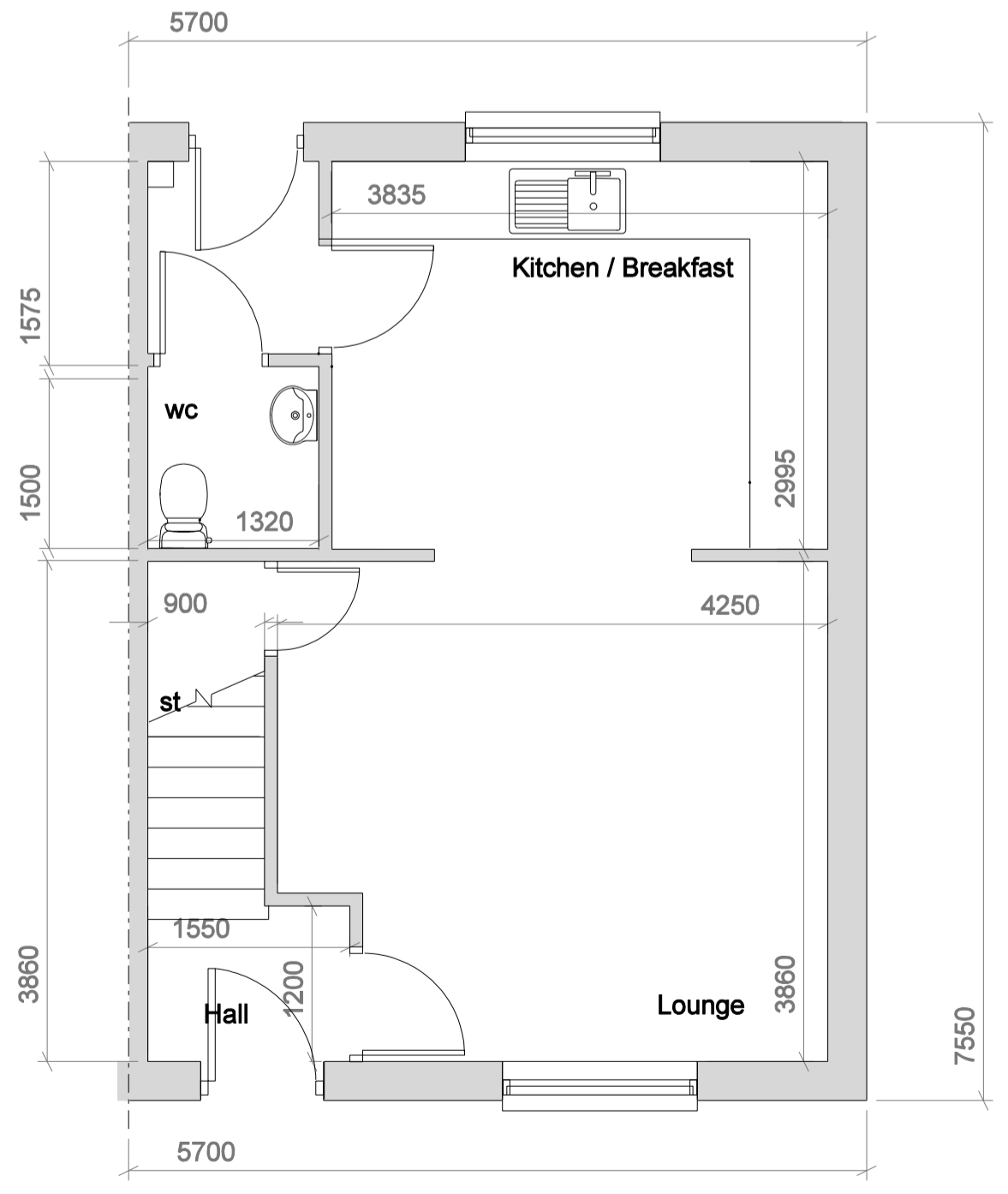
House Type C - 3 Bed / 3 Storey Plots 1 & 2 (see drawing (P)_21 for Plot 2 plan variations)



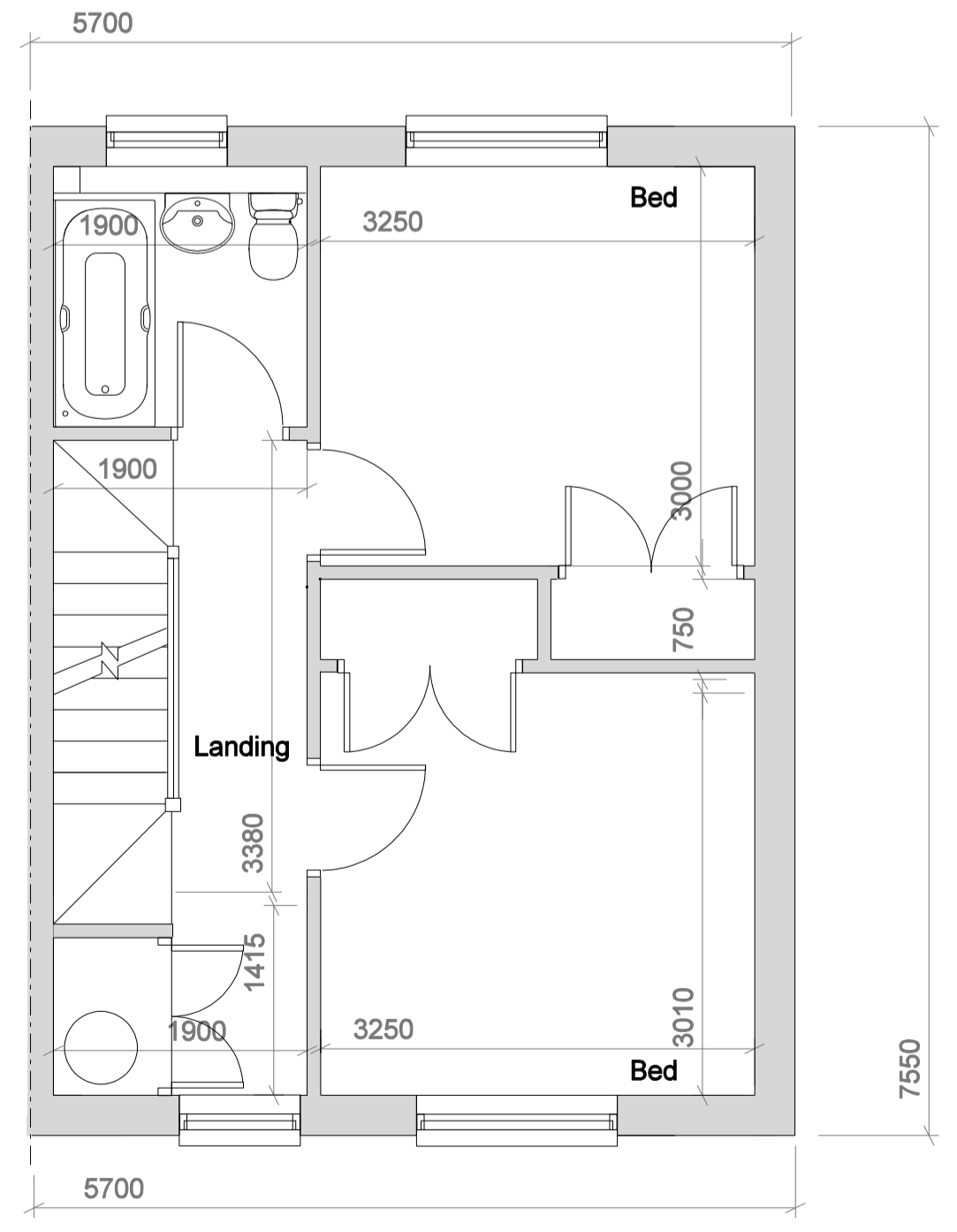
Front Elevation (To Courtyard)

Rear Elevation

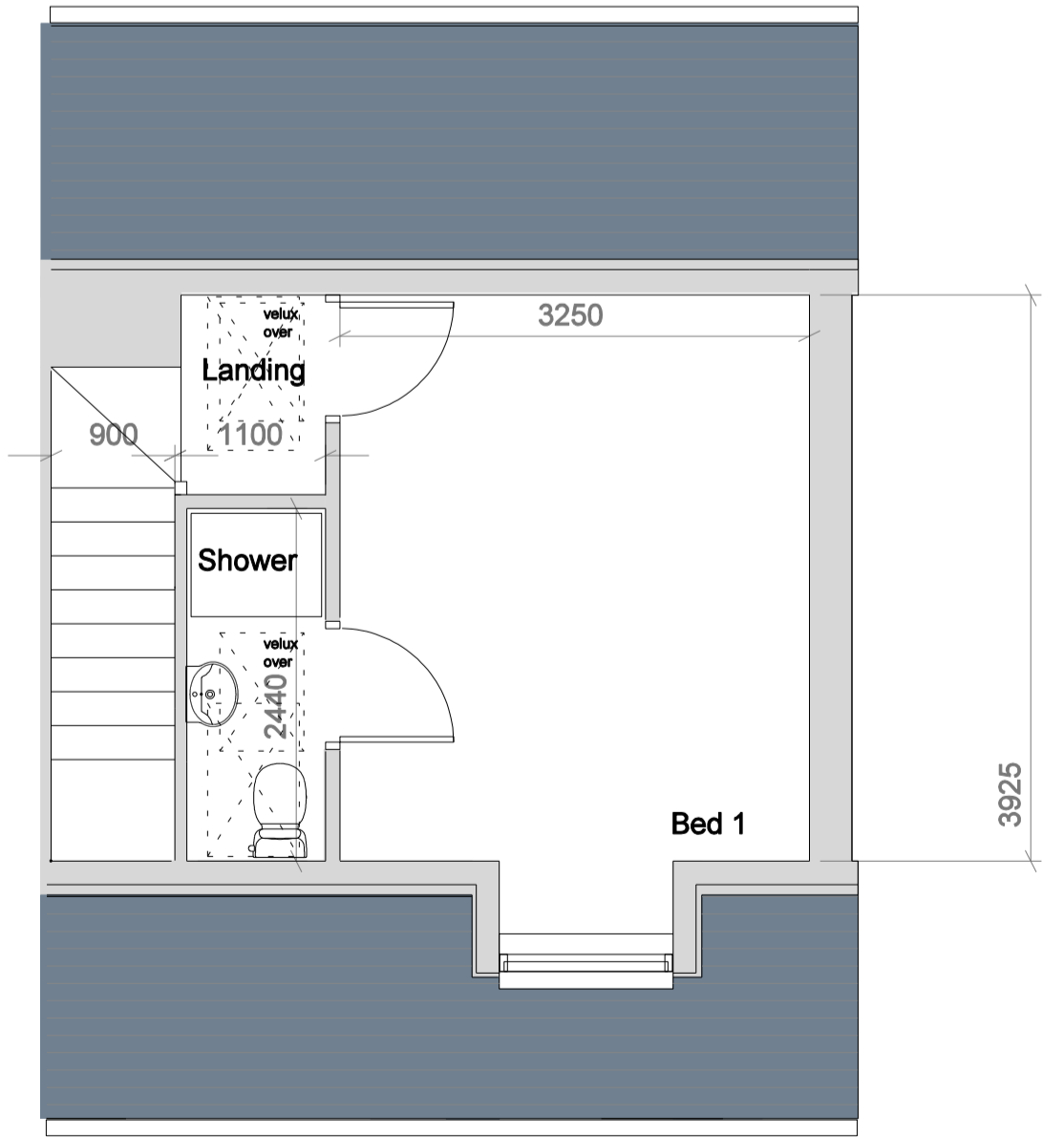
Side Elevation (North)



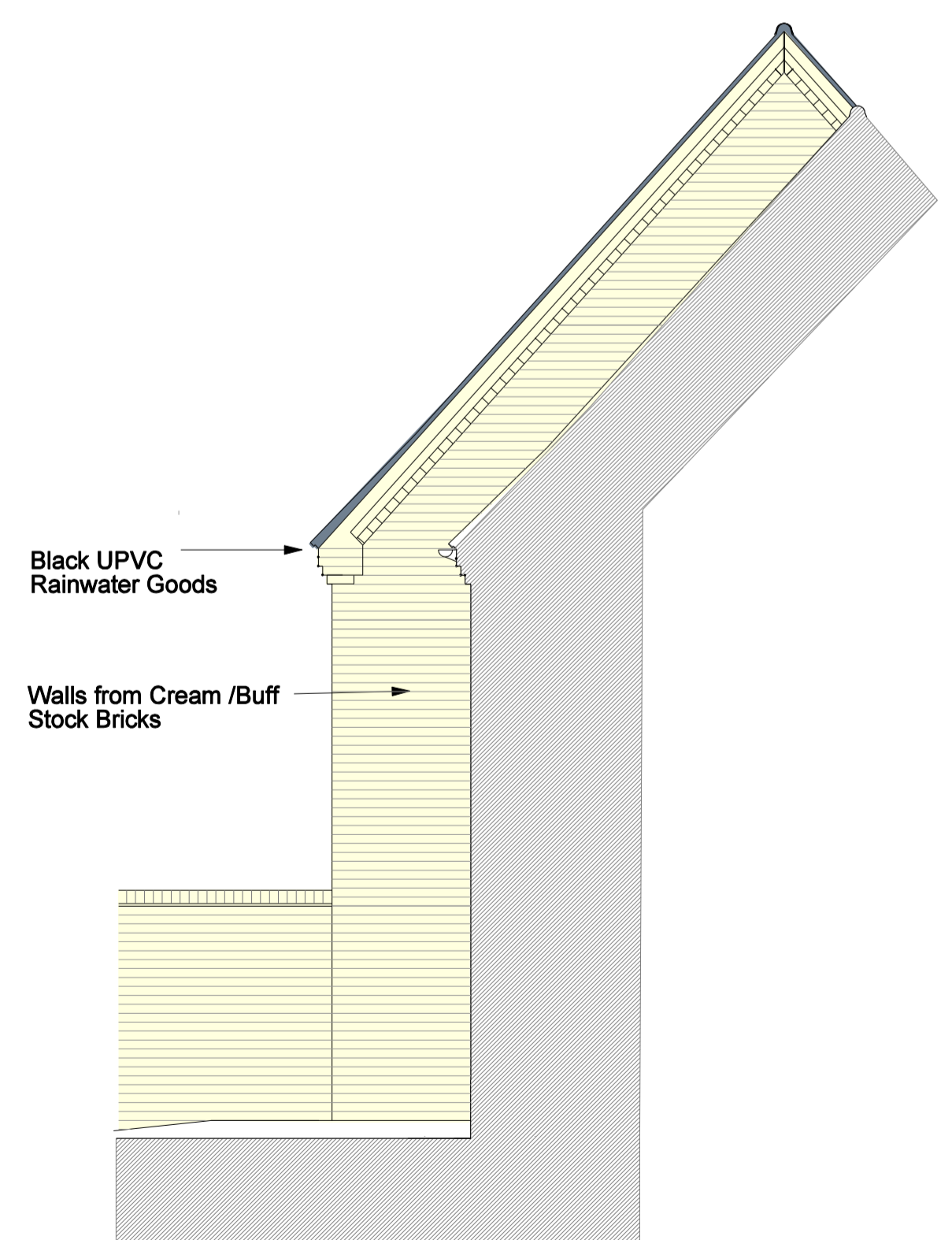
Ground Floor Plan



First Floor Plan



Second Floor Plan



Exposed South Side Elevation

Accommodation
3 Bed / 6 Person 3 Storey Plan
Floor Area - 92.5m²



PROJECT
PROPOSED RESIDENTIAL
SITE
LAMBS PLACE
MARCH
CAMBRIDGESHIRE

DRAWING
HOUSE TYPE C

CLIENT
SOLAS DEVELOPMENTS SERVICES

DATE May 2015 SCALE 1:50 @ A1 1:100 @ A3 JOB No. 5100/ (P) 17

REV.	DETAILS	DATE
A	First floor plan adjusted	1/05/2014
B	Rooflights and notation adjusted	July 2015

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