
F/YR17/0773/F

Applicant: Mr G Patrick

**Agent: Mrs Alex Patrick
Alexandra Design**

Land South of 218-222, Main Road, Church End, Parson Drove

Erection of 4 x 2-storey 3-bed dwellings with garages involving demolition of existing sheds

Reason for Committee: The application has received six unresolved written opinions from separate sources within the ward area that differ from the Officer's recommendation.

1 EXECUTIVE SUMMARY

The proposal is for the erection of four 3-bed dwellings with garages, including the demolition of existing sheds on a site south of Main Road, Church End, which is a continuation of an extant permission for six dwellings, five of which have been built and the remaining dwelling is included within the red line for this application.

The site is within the 'Other Village' of Church End, within which residential development will be considered on its merits and will normally be restricted to single dwelling infill sites situated within an otherwise built up frontage.

The application has undertaken a community consultation exercise, as Church End's village threshold of 7 new dwellings between 2011 and 2031 has been surpassed, with 20 dwellings being built or committed in the village since 2011. This produced unanimous support from local residents and the Parish Council.

The proposal is subject to a sequential test and an exception test, given that the site falls within Flood Zones 2 and 3. The sequential test is considered to be passed as there are no suitable and available sites in Church End that are within Flood Zone 1. The exception test is also considered to be passed as the applicants have agreed a Community Contribution with the Parish Council of £5,000 towards highway and amenity projects/improvements so that the proposal provides wider sustainability benefits.

It is deemed that there are no residential amenity issues with regards to the layout or the proximity to the neighbouring agricultural business that borders the site to the west. The development makes use of the natural boundaries of the site, but does go beyond the built form of the existing agricultural sheds, therefore expanding development into the countryside.

The proposed four dwellings do meet the requirements of Policy LP3 which states that Church End is an 'other village' where development will normally be restricted to single dwelling infill sites situated within an otherwise built up frontage. Church End is an unsustainable location hence its position within the village hierarchy.

2. SITE DESCRIPTION

- 2.1 The site is a 0.24ha plot of agricultural land located in Church End on the southern side of Main Road. The site is bordered by residential development to the north and east, by a site comprising of large agricultural sheds to the west and open agricultural fields to the south. The site itself comprises of three large sheds that are all derelict and dilapidated. Access will be via a continuation of the existing access road for the newly built residential site to the north.

2 PROPOSAL

- 3.1 This application is seeking full planning permission for the demolition of three existing sheds and the erection of four 2-storey 3-bed dwellings with garages. Plot 1 will be located adjacent to the existing row of dwellings to the north of the site and plots 2, 3 and 4 will be located along the rear boundary of the site with the open agricultural field, which is also in the ownership of the applicant. A 1.2m close board fence will be erected along the rear boundary and a 1.8m high fence between each of the four plots and with the existing dwelling immediately to the north.
- 3.2 The access road will be a continuation of the existing access road that serves the extant development to the north of the site and it will include a hammerhead turning point at the end of the access road. The Highways Authority has agreed with the applicant to adopt the road upon completion; it will therefore be built in accordance with highway specification.
- 3.3 The external materials to be used in the construction of the dwellings will include concrete pantile farmhouse red for the roof, Travis Perkins Red Stock for the walls, white uPVC windows, Eastern Frames Composite doors and block paving for the access road and hardstanding areas.

3 SITE PLANNING HISTORY

- 4.1 F/YR17/0411/F – Erection of 4 x 2-storey 3-bed dwellings with garages involving demolition existing sheds, withdrawn 5/7/17.
- 4.2 F/YR06/0169/F – Erection of 6 houses comprising; 2 x 2-bed semi-detached, 2 x 3-bed semi-detached, 2 x 3-bed detached with garages, approved 28/4/06.

4 CONSULTATIONS

5.1 Environmental Agency:

No objection, but recommended that the FRA's mitigation measures are adhered to i.e. that finished floor levels are set no lower than 300mm above existing ground levels at 1.75m AOD, the dwelling will be two storeys and that flood resilience and resistance measures will be incorporated into the proposed development.

5.2 Parson Drove Parish Council:

As discussed and agreed with the applicant the Parish Council request a Community Contribution of £5,000 towards highway and amenity projects/improvements. The Parish Council still consider that additional parking provision at the rear of 222 would be beneficial in order to prevent vehicles parking on the road as this is a rural area with very little public transport, even though the County Council Highways Officer does not support this view.

5.3 North Level IDB:

No objection, but capacity of the riparian drainage network needs to be ascertained before a final decision is made regarding the surface water disposal method.

5.4 Highways Authority:

Garages need to have internal dimensions of 7m x 3m to count towards the parking allocation. Given that the estate road is being offered for adoption, then the adjoining vehicular accesses should be included within the red edge site boundary so that their construction can be controlled via condition.

5.5 Environmental Health:

Approve, subject to contaminated land/water conditions.

5 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

6 POLICY FRAMEWORK

7.1 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 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.

Paragraphs 203-206: Planning conditions and obligations.

7.2 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 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

LP16 – Delivering and Protecting High Quality Environments across the District

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

7.4 Developer Contributions SPD (February 2015)

7 KEY ISSUES

- **Principle of Development**
- **Community Consultation**
- **Flood Risk**
- **Sequential and Exception Test**

- **Residential Amenity**
- **Impact on Character of the Countryside**
- **Highways Impact**
- **Contaminated Land**
- **Legal Agreement**

8 ASSESSMENT

9.1 Principle of Development

Policy LP3 of the Fenland Local Plan 2014 classifies Church End as an 'Other Village', within which residential development will be considered on its merits and will normally be restricted to single dwelling infill sites situated within an otherwise built up frontage. The proposed four dwellings would not meet the intended form of development and therefore the principle of development is not acceptable.

9.2 Community Consultation

The application has undertaken a community consultation exercise, as Church End's village threshold of 7 new dwellings between 2011 and 2031 has been surpassed, with 20 dwellings being built or committed in the village since 2011. This produced unanimous support from local residents and the Parish Council.. Unanimous support has been received from both local residents, which numbered six in total, and the Parish Council. Therefore, the application meets the requirement of a successful community consultation exercise, as set out in Part A of Policy LP12 of the Fenland Local Pan 2014.

9.3 Flood Risk

The site is located within both Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been carried out, as part of this application. The Environment Agency has not raised an objection to the proposal, subject to the applicant undertaking the mitigation measures outlined in section 7 of the FRA. The North Level Internal Drainage Board also raised no objection, but stated that capacity of the riparian drainage network needs to be ascertained before a final decision is made regarding the surface water disposal method. This shall be conditioned for in any given approval.

9.4 Sequential and Exception Test

Policy LP14 states that development in areas known to be at risk from any form of flooding will only be permitted following a successful sequential test and exception test. The applicant submitted both tests; the sequential test is considered to be passed, as there are no suitable and available sites in Church End that are within Flood Zone 1. The exception test is also considered to be passed, as the applicant has provided a site specific Flood Risk Assessment that demonstrates that the development will be safe from all sources of flood risk and has agreed to enter into an agreement with the Parish for a Council Community Contribution of £5,000 towards highway and amenity projects/improvements, which is considered to provide wider sustainability benefits, as required by the Cambridgeshire Flood and Water SPD. This contribution would be secured via a S106 agreement, should the Committee see fit to overturn the recommendation.

9.5 Residential Amenity

Policy LP16 paragraph (e) seeks to ensure that development does not adversely impact upon residential amenity. The layout of the development will not give rise to any amenity issues with existing or proposed dwellings, given the linear orientation of the dwellings. Where plots 1 and 2 are perpendicular to each other, the significant distance between the two properties protects the private amenity space

of plot 1. The agricultural sheds on Cella Farm to the west of the site will not give rise to poor outlook, noise or odours, given the distances to the dwellings, which is a minimum of 31m, the natural screening between the sites, which include thick trees and shrubs, and the activity on the Cella Farm site not being of an intensive or obtrusive nature. Each dwelling will have a sizable rear garden that exceeds the minimum standard of a third of the plot curtilage, as stated in Policy LP16 paragraph (h). The proposal is therefore deemed to meet the requirements of paragraph (e) and (h) of Policy LP16 of the Fenland Local Plan 2014.

9.6 Impact on the Character of the Countryside

The development makes use of the natural boundaries of the site, but the rear boundary extends beyond the built form of the existing agricultural sheds from Cella Farm, therefore extending the built form into the countryside. It is deemed that this encroachment into the countryside is minimal, is not easily viewable from public roads or footpaths and would appear against a backdrop of development. However this additional residential encroachment into the countryside extends well beyond the existing residential built form and therefore does not respect the core shape of Church End

9.7 Highways Impact

The Local Plan's parking standards seek a minimum of two parking spaces for three bed dwellings. The garage internal dimensions are required to measure a minimum of 3m x 7m to count as a parking space. Each plot meets these requirements. The red line includes the two parking spaces for no. 222 so that these can be retained in perpetuity by condition, which will minimise the need for cars to park on the access road.

The access road, which will include a hammer head turning area for fire appliances and FDC bin lorries and a footpath along the eastern edge of the access road, was approved and agreed to be adopted by The Highways Agency, upon completion. As such, the proposal will not adversely impact upon the local highway network.

9.8 Contaminated Land

The previous application's contaminated land report was resubmitted as part of this application. Environmental Health have raised issues with the lack of information, which includes details of the sampling locations, interpretation of the results, a conceptual model and, if required, details of remediation. Because the area of the gardens is under the buildings due for demolition, a desk top study, detailing previous uses of the buildings and surrounding land, is also requested.

The report states that the shed buildings are likely to contain asbestos. Therefore, Environmental Health has also requested that an asbestos report is undertaken to ensure that any demolition does not result in contamination of the land.

Environmental Health has stated that the requested information can be obtained via a pre-commencement condition.

9.9 Affordable Housing

As the previous application is still extant and given that the development has started but not been completed, the current application was initially viewed as an obviously linked subsequent second development scheme, which must therefore provide a certain amount of affordable housing as part of the scheme, as stated under Policy LP5 Part B. However, given that the previous application was assessed under the 1993 Local Plan, where there was no linked subsequent

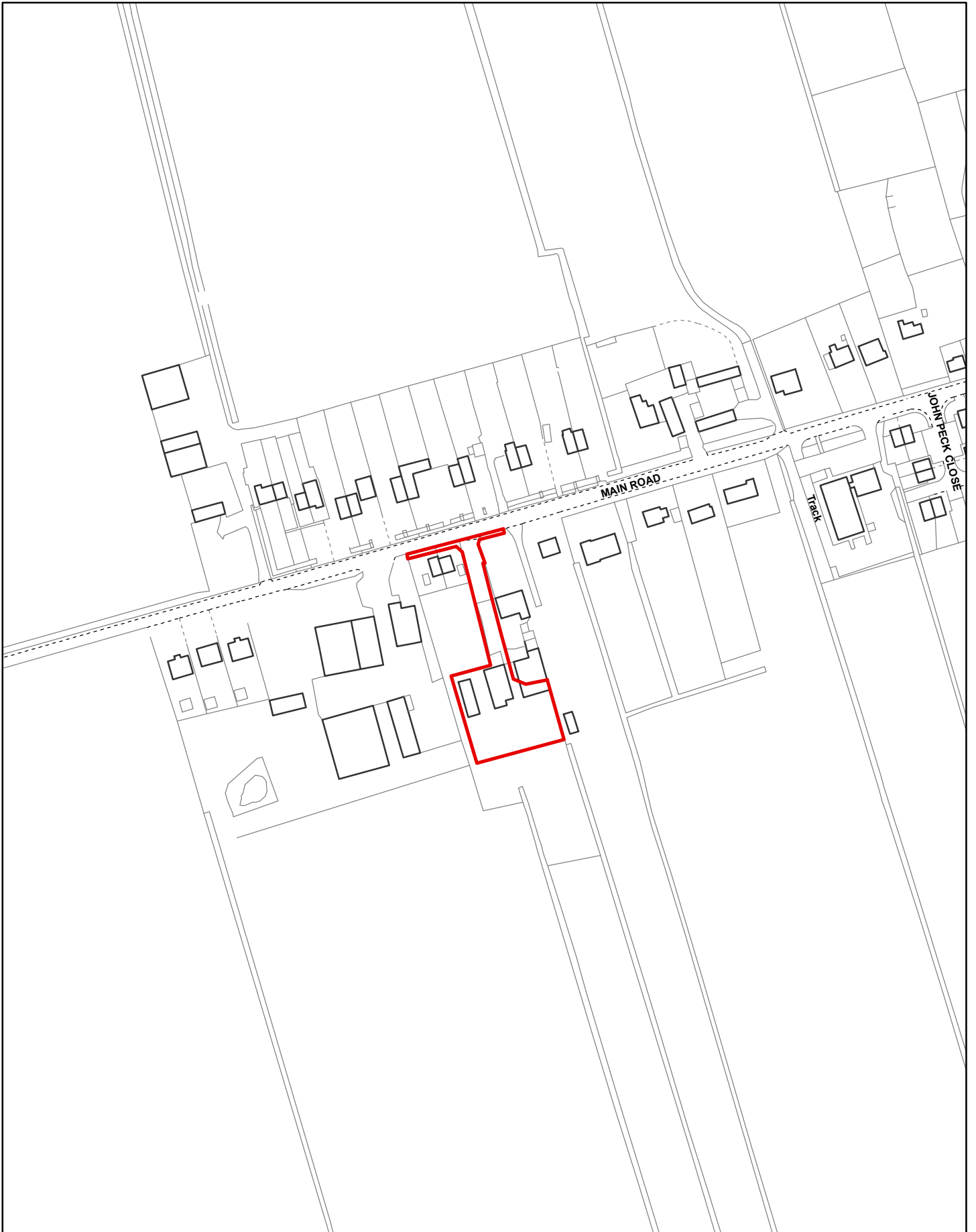
scheme requirement, it was considered that it would be inappropriate to apply this requirement to the current application. Therefore, no affordable housing is being sought in relation to this application.

9 CONCLUSIONS

- 10.1 The development is not considered to adversely impact upon residential amenity, the open countryside, highways. The application has clear support from both local residents and the Parish Council and has passed both the sequential and exceptions tests as well as a recommendation for approval from the Environment Agency in regards to being located within Flood Zones 2 and 3. Its location however creates an issue, which is that the amount of development proposed is regarded as unsustainable growth for an 'Other Village' under Policy LP3. The proposal does not meet the intended form of development for the village and is therefore recommended for refusal.

10 RECOMMENDATION – Refuse, for the following reason:

- 1. Church End is classified as an 'Other Village' under Policy LP3 of the Fenland Local Plan 2014. In these villages, residential development will be considered on its merits and will normally be restricted to single dwelling infill sites situated within an otherwise built up frontage. The proposed four dwellings are not considered to meet the intended form of development and would therefore create unsustainable growth within the village. As such, the proposal is contrary to Policy LP3 of the Fenland Local Plan 2014.**



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Scale = 1:2,500



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Access road to be built in accordance with Highway specification to be adopted under section 38 agreement if the site is approved.

Block paving in the form of precast concrete rectangular blocks of dimensions 200mm x 100mm x 80mm laid on a laying course may be considered as a substitute for the normal Binder and Surface course layers only as Clause 12.06.8 of the Housing Estate Road Construction Specification.

Where herringbone pattern at 45 degrees is permitted, laying should be to the requirements of BS 7533 Part 3 2005 + A1:2009 utilising "mitre head" starter units and inboard cutting techniques as appropriate. Blocks to be cut using approved block cutting N quillotine to no less than 1/4 (one quarter) of the original plan size. drained way from camrageaway for 5m



Revisions:

Reference: P.site/22/PL/rev a 4 of 5
Pages: 4 of 5

Scale: as shown

Project: Erection of 4x 2-storey 3-Bed Dwellings with attached garages involving demolition existing sheds
Site Address: Land South 218-222 Main Road Parson Drive Wisbech

Client: G. Patnick and Sons Ltd
Seadyke Bank
Murrów
Cambs



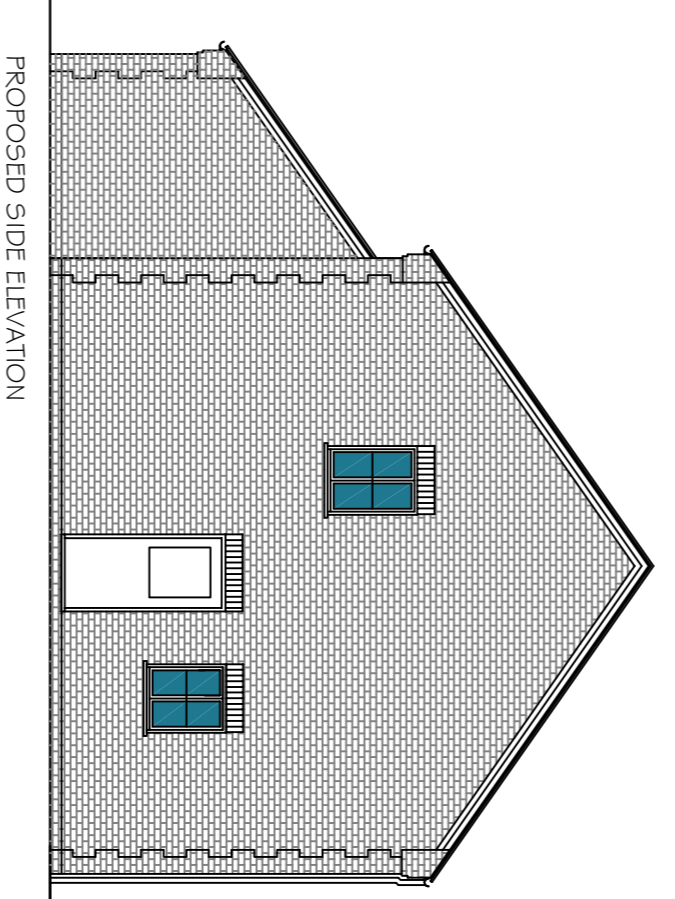
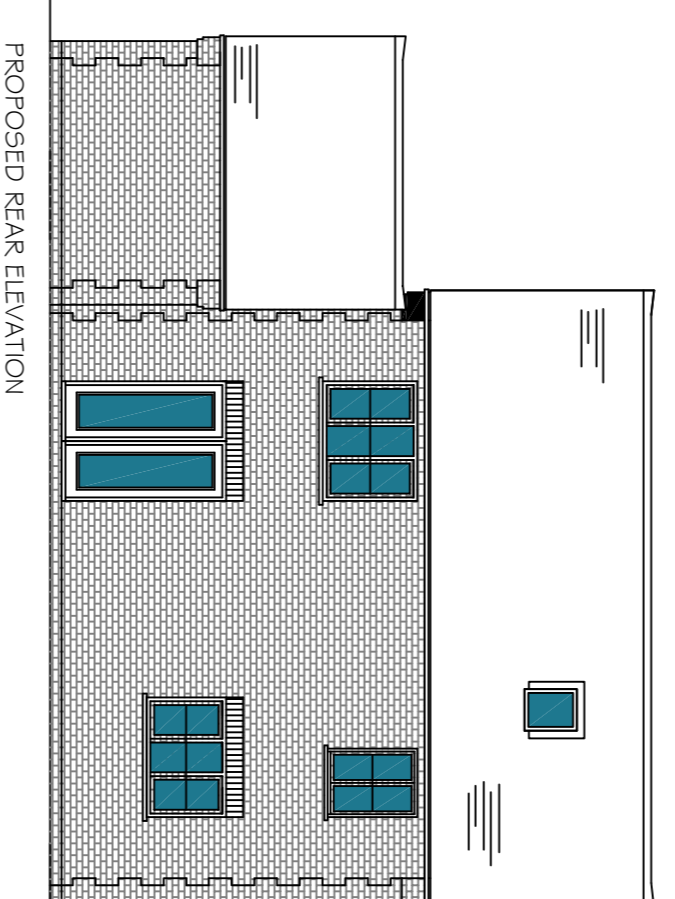
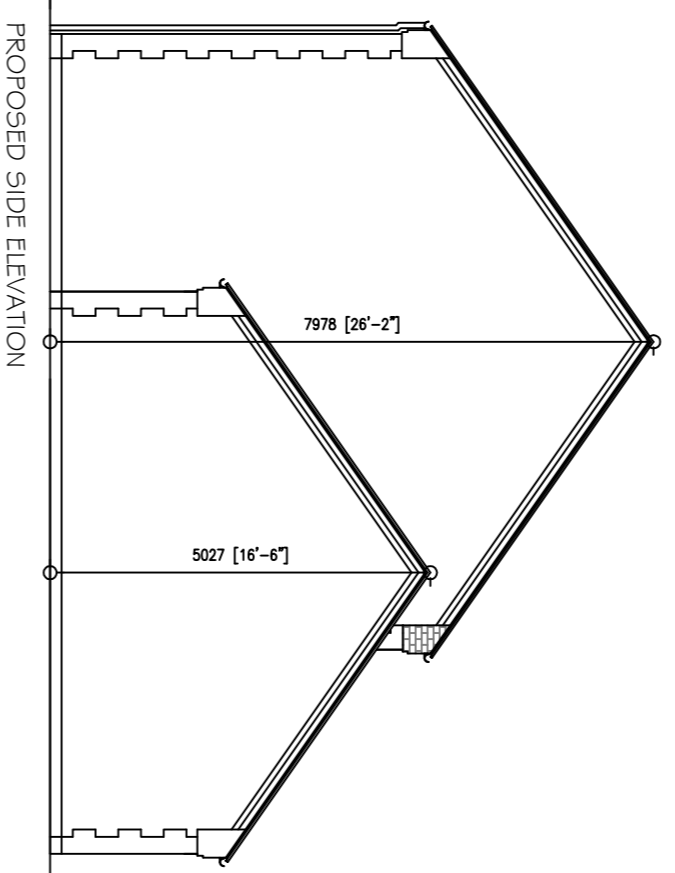
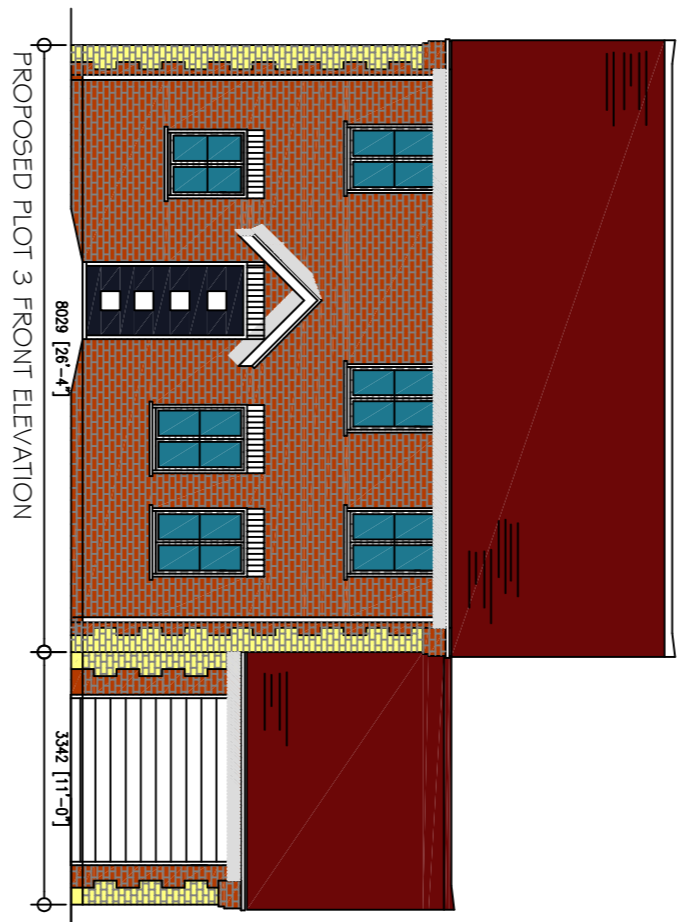
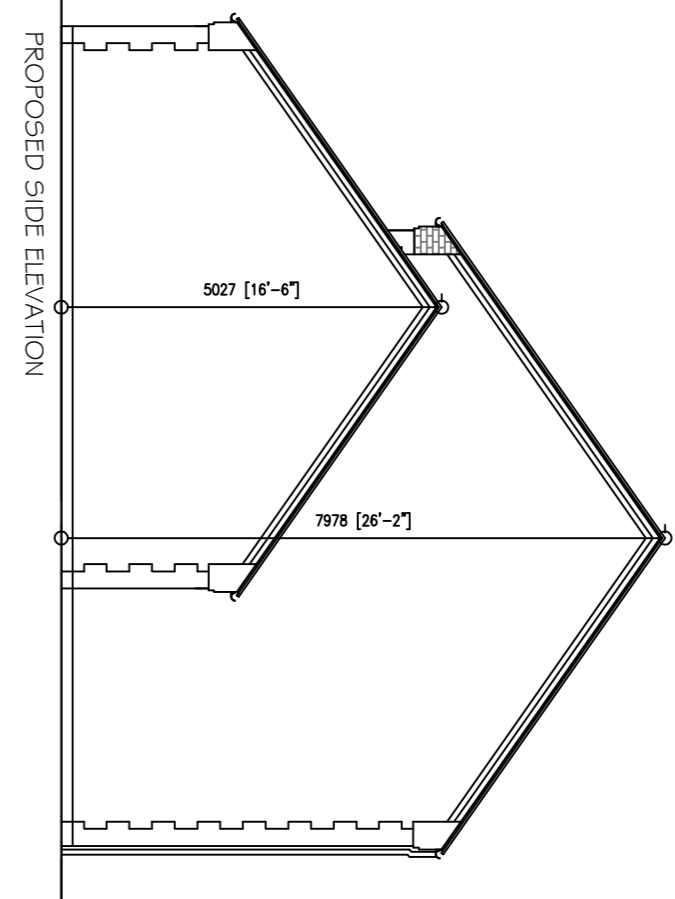
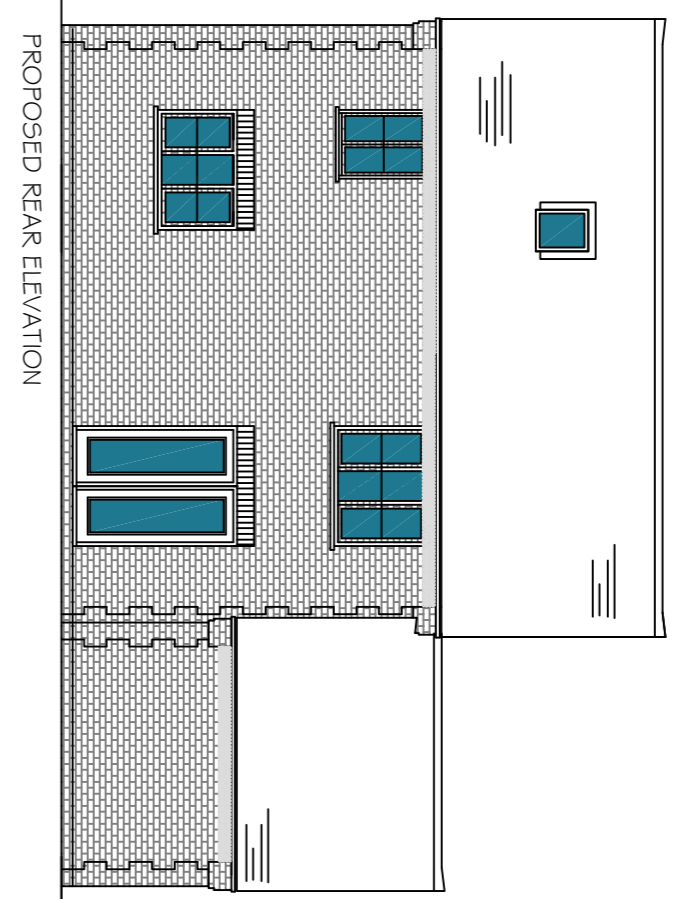
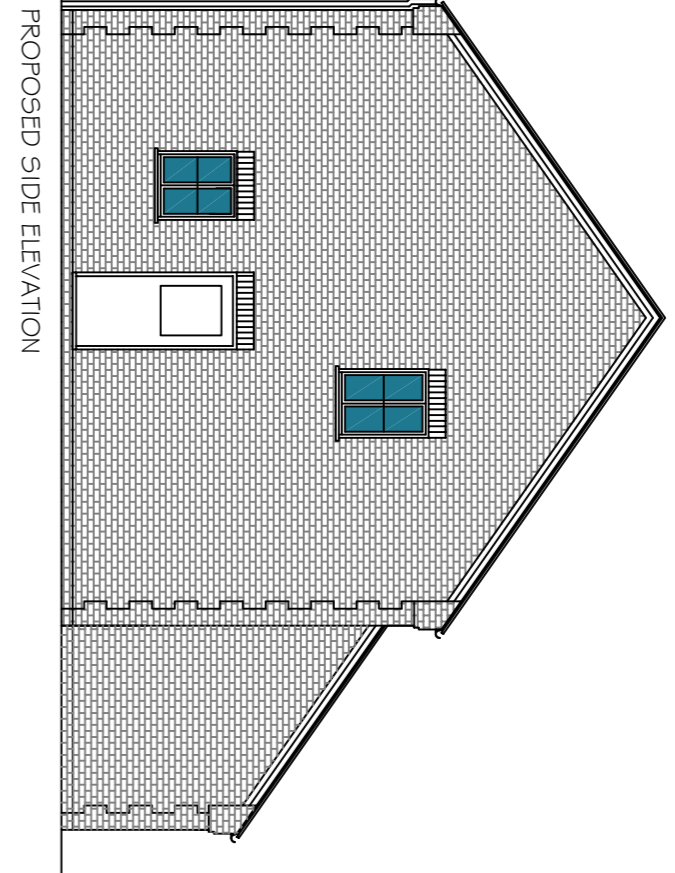
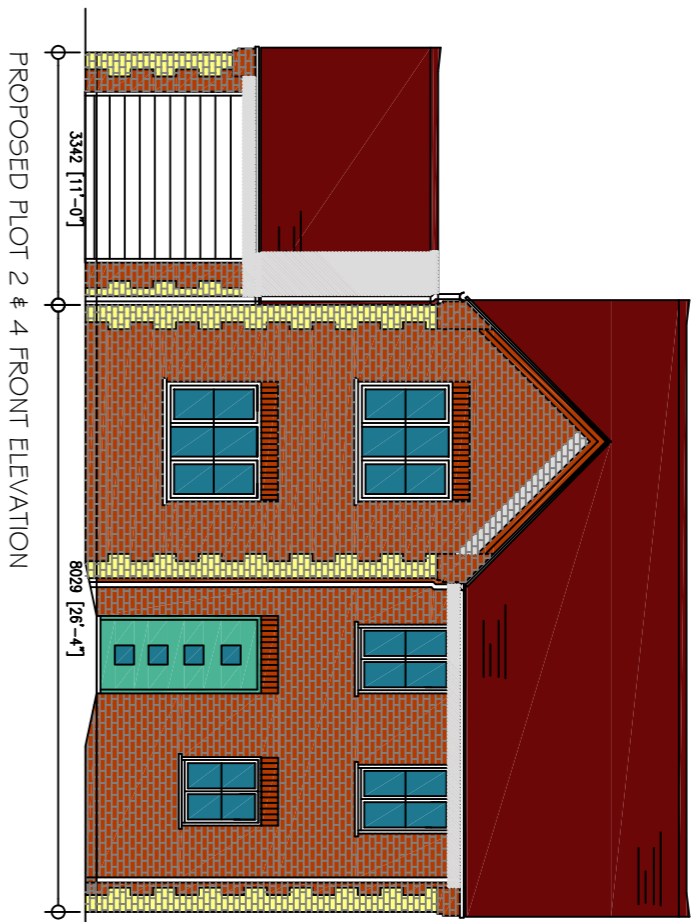
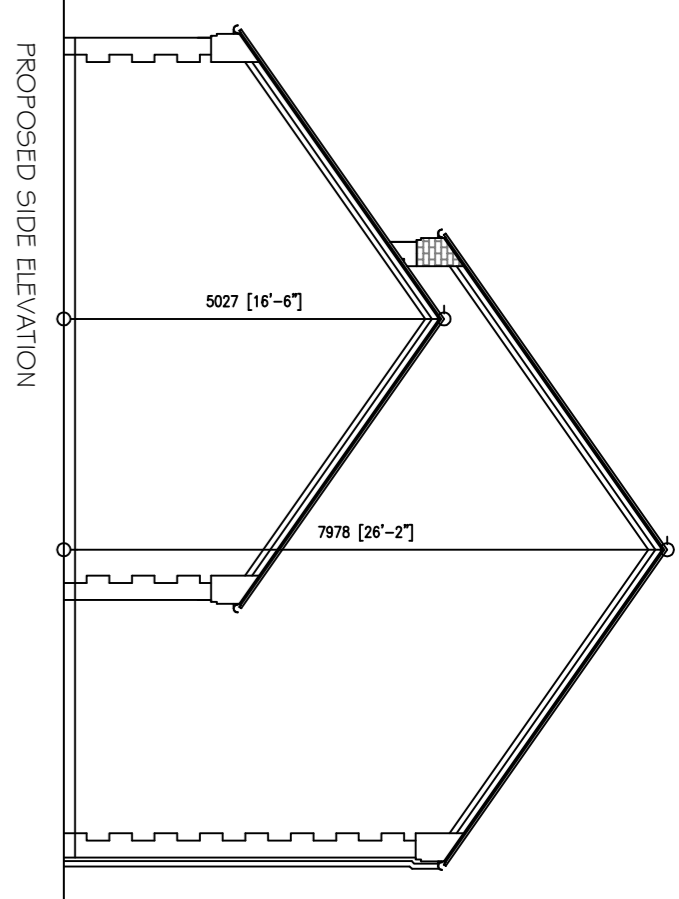
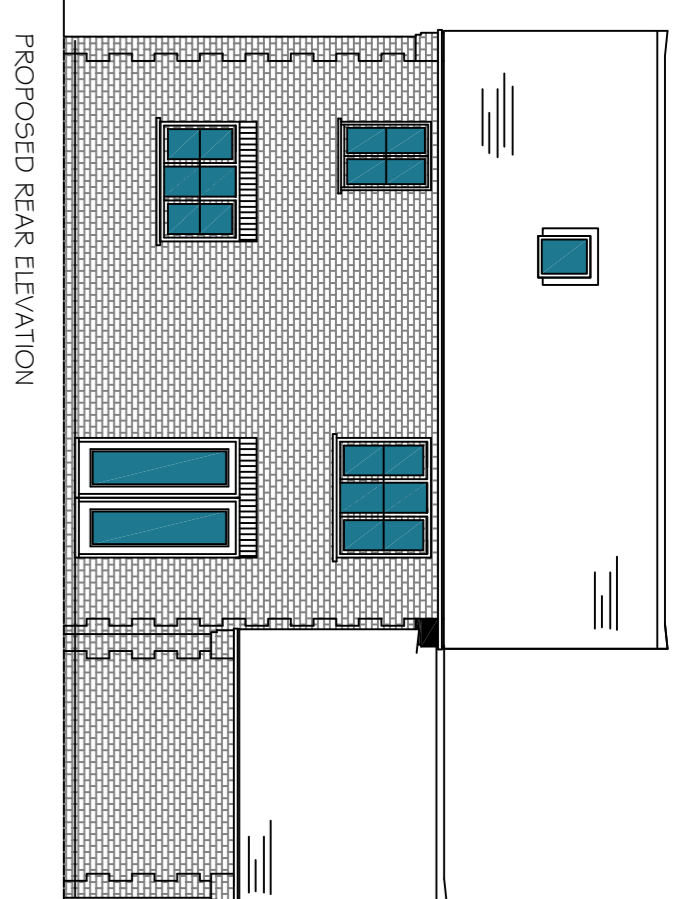
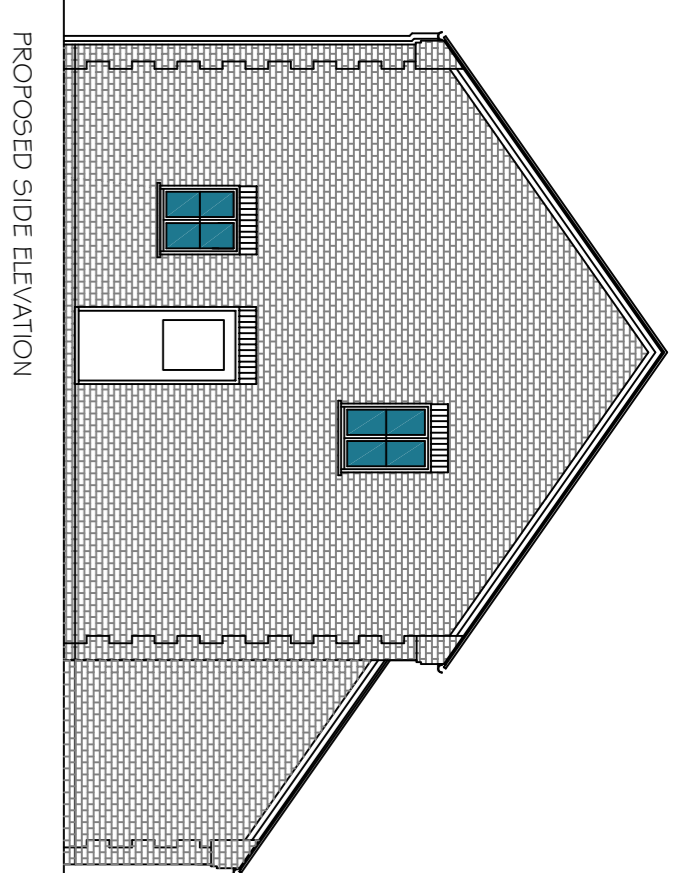
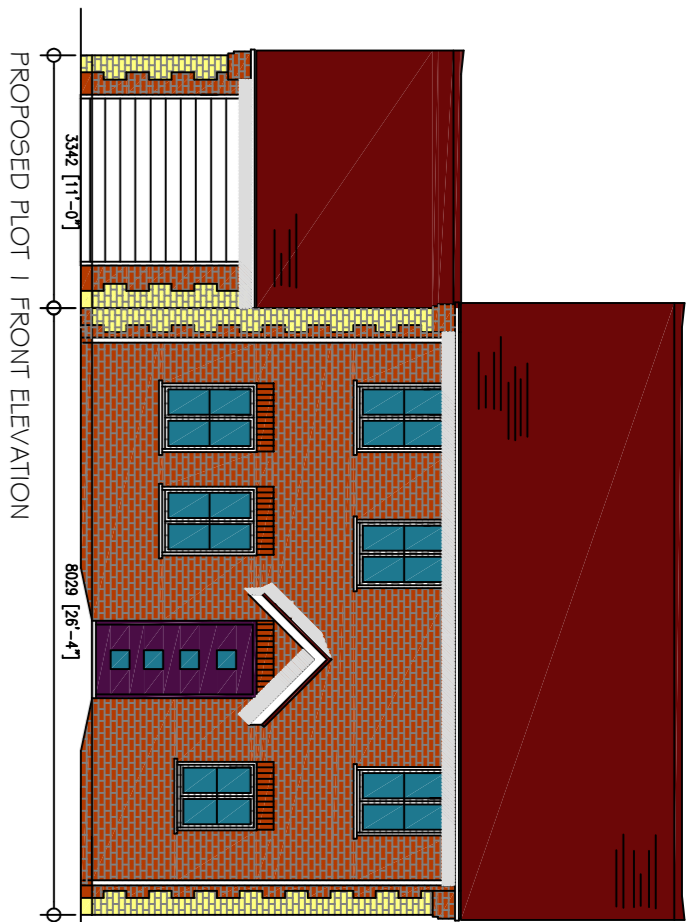
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PROPOSED SITE PLAN 1:250



Revisions:

Reference: ELVS/22/R/rev a | Page: 1 of 5

Scale: 1 : 100

Project: Erection of 4x 2-storey 3-Bed Dwellings with attached garages involving demolition existing sheds

Site Address: Land South 21 8-222 Main Road Parson Drive Wisbech

Client: G Patrick and Sons Ltd
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