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**F/YR23/1072/RM**

**Applicant: Mr Nick Price**

**Agent : Mr Ian Gowler  
Gowler Architectural**

**45 Westfield Road, Manea, Cambridgeshire PE15 0LS**

**Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR21/1141/O to erect 2no dwellings (1 x 2-storey, 3-bed and 1 x 2-storey, 4-bed self-build), and the formation of an access and widening of an existing access, involving demolition of existing dwelling**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations received contrary to officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The proposal is a reserved matters application following the granting of outline planning permission and includes details of access, appearance, landscaping, layout and scale.
- 1.2 Due to the proximity and location of the proposed 3-bed dwelling in relation to the neighbouring property to the north, there is potential for significant overbearing impacts to be introduced resulting in adverse impacts upon outlook from the neighbouring property which is considered to be contrary to Policy LP2 and LP16.
- 1.3 Subsequently, the recommendation is to refuse this application.

## **2 SITE DESCRIPTION**

- 2.1 The application site is situated on the corner of Westfield Road and Fallow Corner Drove, within the village framework of Manea and is currently occupied by a detached two storey dwelling.
- 2.2 Neighbouring residential properties are situated immediately adjacent to the application site to the north-east and south-east.
- 2.3 The site is located within Flood Zone 3, an area at highest risk.

## **3 PROPOSAL**

- 3.1 The proposal is a reserved matters application following the granting of outline planning permission and includes details of access, appearance, landscaping, layout and scale.
- 3.2 The scheme comprises two dwellings.

- 3.3 The 3-bed dwelling proposed facing onto Westfield Road has a maximum footprint 9.3 metres wide x 7.7 metres deep, with a 2-storey front projection. The dwelling is 2-storey with a ridge height of 7.1 metres and an eaves height of 5 metres. 2 parking spaces are proposed to the front of the dwelling which measure 2.7 x 5 metres.
- 3.4 The 4-bed dwelling proposed facing onto Fallow Corner Drove would be an L-shaped dwelling with a 2-storey rear projection. The main dwelling would have a depth of 7 metres approx and a width of 12.5 metres approx. The 2-storey rear projection would have a depth of 4 metres approx. The roof proposed would have a ridge height of 8.2 metres and an eaves height of 5.1 metres. Parking space is shown to the side of the dwelling.
- 3.5 Both properties are to be constructed in Vandersanden Corum facing brick and Marley Modern Grey roof tiles.
- 3.6 Full plans and associated documents for this application can be found at: [F/YR23/1072/RM | Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR21/1141/O to erect 2no dwellings \(1 x 2-storey, 3-bed and 1 x 2-storey, 4-bed self-build\), and the formation of an access and widening of an existing access, involving demolition of existing dwelling | 45 Westfield Road Manea March Cambridgeshire PE15 0LS \(fenland.gov.uk\)](#)

## 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR23/0361/RM	Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR21/1141/O to erect 2no dwellings (1 x 2-storey, 3-bed and 1 x 2-storey, 4-bed) (outline application with all matters reserved) and the formation of a new access and widening of an existing access involving demolition of existing dwelling	Refused 05/10/2023
F/YR21/1141/O	Erect up to 2no dwellings (outline application with all matters reserved) involving demolition of existing dwelling	Granted 15/12/2022
F/YR03/0862/F	Erection of a 3-bed detached house	Refused 22/08/2003

## 5 CONSULTATIONS

### 5.1 Manea Parish Council

*No Objection*

### 5.2 FDC Environmental Health

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate.*

*As the proposal involves demolition of existing structures, we ask for the following condition to be imposed in the event planning consent is granted;*

*We note one of the outbuildings on the proposed site appears to have a corrugated asbestos cement sheeting roof. As it is proposed this will be demolished I would recommend a condition requiring removal by a licensed asbestos removal contractor. Although it is accepted that low amounts of asbestos cement sheeting, which is what the shed roof may consist of, can be removed by householders provided it is taken to a licensed waste management facility which is licensed to receive such waste.*

## UNSUSPECTED CONTAMINATION

*CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.*

*REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.*

### 5.3 CCC Highways

*The Local Highway Authority raises no objections to the proposed development.  
Recommended*

#### *Conditions*

*Condition Gates: Prior to the first occupation of the development hereby approved/Prior to the commencement of the use hereby approved any gate or gates to the vehicular access shall be set back 5 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.*

*Non Standard Condition: Before the dwelling hereby permitted is occupied, the vehicular access from the nearside footway edge shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge.*

#### *Informative*

*Works in the Public Highway*

### 5.4 Environment Agency

*Thank you for your consultation dated 15 Jan 2024. We have inspected the documents as submitted and have no objection providing that you have taken into account the Flood Risk considerations which are your responsibility. However, our comments made in our letter AC/2021/130623/01 dated 22 October 2021 still apply.*

### 5.5 Natural England

*Natural England has no comments to make on this reserved matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.*

*Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.*

### 5.6 Local Residents/Interested Parties

7 letters of support were received from residents within Manea; 1 from Kirton Close, 1 from High Street, 3 from Fallow Corner Drove and 2 from Westfield Road.

1 letter of support was received from an address point in Chatteris; White Mill Road. The reasons for support are summarised as follows:

- Aesthetically pleasing when driving into the village
- Current house looks unsightly
- Vastly improve the street both aesthetically and from a safety perspective
- Would help the poor drainage on the corner
- Tidy the site up
- Visibility out of the T junction is very poor because of the position of the hold house.
- Property of new application is further from the road which would make visibility better
- Site is surrounded by recent new developments
- Improve the street scene
- Resolve any drainage/standing water issues on the corner
- Homes being built so parents can live close by to the applicant and grandchildren

2 letters of objection were received from adjacent neighbouring property, 43B Westfield Road and Amber Cottage. The reasons for objection are summarised as follows:

- Loss of light
- Privacy
- Overlooking/Overshadowing

## **6 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).

## **7 POLICY FRAMEWORK**

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

### **7.2 National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **7.3 National Design Guide 2021**

Context

Identity

Built Form

### **7.4 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

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

## 7.5 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP4: Securing Fenland's Future  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP22: Parking Provision  
LP25: Biodiversity Net Gain  
LP32: Flood and Water Management  
LP49: Residential site allocations in Manea

## 8 **KEY ISSUES**

- **Principle of Development**
- **Appearance, Layout and Scale**
- **Residential Amenity**
- **Access and Highways**
- **Landscaping**
- **Other Matters**

## 9 **BACKGROUND**

- 9.1 Outline planning permission was granted under planning reference F/YR21/1141/O at the 14<sup>th</sup> December 2022 committee meeting
- 9.2 This current application is a resubmission of a previously refused reserved matters application, planning reference F/YR23/0361/RM. The reasons for refusal of the previous application are as follows:

*1 Policies LP2 and LP16(h) of the Fenland Local Plan 2014 seek to ensure that the development provides sufficient private amenity space for future occupiers. The proposed development would result in a cramped form of development due to the size of the proposed 4-bed dwelling proposed on site. This would result in a limited clearance of approximately 9.5 metres between the rear elevation of the 4-bed dwelling and the side elevation of the 3-bed dwelling. Owing to the close proximity of the proposed dwellings, a poor level of residential amenity would be provided to the detriment of future occupiers and is therefore considered contrary to the aforementioned policies.*

*2 Policies LP2 and LP16(e) of the Fenland Local Plan seek to ensure that the development does not adversely affect the amenity of neighbouring users. Due to the proximity and location of the proposed 3-bed dwelling in relation to the neighbouring property to the north, there is potential for significant overbearing impacts to be introduced resulting in adverse impacts upon outlook from the neighbouring property. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to the above aforementioned policies.*

- 9.3 This resubmission includes amendments to the proposed 4-bed dwelling, however no amendments have been made to 3-bed dwelling.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The principle of development has been firmly established by virtue of outline planning permission and it is on this basis that the scheme details are considered. It is however necessary to assess matters of access, appearance, landscaping, layout and scale in accordance with Local Plan policies LP1, LP2, LP3, LP4, LP14, LP15 and LP16 and the NPPF and NDG.

### **Appearance and Scale**

- 10.2 The dwellings are indicated as being constructed from Vandersanden Corum bricks with Marley Modern Grey roof tiles. Both will utilise white uPVC joinery and rainwater goods. The colour palette proposed is considered to be acceptable given the presence of various materials within the street scene, including the presence of both red and buff bricks and a variety of coloured render.
- 10.3 The outline planning application included an indicative site layout plan showing two properties, one facing onto Westfield Road and one facing onto Fallow Corner Drive.
- 10.4 The layout submitted in respect of the current application reflects the indicative layout in terms of the dwellings' location; however there are some changes to the dwellings' size and orientation. The dwelling in the north-west corner of the site has been slightly stepped back into the site to allow for an amendment to the parking area and the dwelling to south-west of the application site has also been relocated further west into the site. The property to the south-west of the site is shown on the proposed drawings as being of a larger scale than those on the indicative plan submitted, with this property now proposed to be an L-shaped, 4-bedroom dwelling.

10.5 The scale of the proposed dwelling to the south-west of the site has been reduced following the refusal of the previous reserved matters submission, with a greater amenity space now proposed. As such, the scheme is considered to be acceptable in terms of appearance and scale.

### **Residential Amenity**

10.6 With regard to the scale of the development, particular consideration must be given to the impacts of the plots on surrounding residential amenity. Concerns were raised from the neighbouring property at 43b Westfield Road, situated immediately north-east of the application site regarding loss of light, privacy and overlooking.

10.7 The proposed site layout largely reflects the indicative layout submitted at outline stage, although the proposed 3-bed dwelling is set back approximately 2.7 metres further into the site and now sits behind the principal elevation of the neighbouring property (no. 43b). There is a clearance of approximately 4.9 metres between the neighbouring dwelling and the proposed dwelling. It is acknowledged that there will likely be some overshadowing impacts introduced given the direction of sun travel and the close proximity of the proposed dwelling to the existing neighbouring property. However, these impacts are unlikely to impact upon the front living room window which faces north-west. There does appear to be a side window serving the living room, however this is not a primary window and as such any overshadowing impacts introduced to this window are unlikely to be adverse given that the living room is served by a primary window and the fact that the existing trees on site appear to already overshadow this side window to an extent. The side window serving the bedroom may experience some overshadowing during the afternoon due to the direction of sun travel. However, given the clearance between the 2 dwellings it is unlikely that this overshadowing will be significantly adverse.

10.8 Notwithstanding this however, the location of the proposed 3-bed dwelling is likely to significantly impact upon the outlook of the neighbouring bungalow. Whilst there is a lounge window to the front of the property, the reduction of outlook to both the side lounge and bedroom window is likely to significantly impact upon neighbouring residential amenity, given that the view out of these windows will be entirely dominated by the side gable of the proposed dwelling. Whilst it is acknowledged that a 2 metre fence could be erected adjacent to these neighbouring windows under permitted development which would also significantly obscure these windows, the position of a 2-storey dwelling on the site would make these overbearing impacts significantly worse.

10.9 As such, it is considered that the location of the proposed 3-bed dwelling would significantly impact the neighbouring property to the detriment of neighbouring residential amenity by way of appearing overbearing. As aforementioned, no amendments have been made to the 3-bed dwelling following the previous refusal on site.

10.10 The neighbouring property to the east of the site is unlikely to experience any adverse overshadowing impacts given the direction of sun travel. Overshadowing impacts resulting from the south-western dwelling will fall upon the amenity area associated with that dwelling albeit they are unlikely to be adverse.

10.11 In terms of overlooking, no side windows are proposed to the north-east dwelling. There is a presence of first floor rear windows however these will predominantly overlook the rear garden associated with the dwelling and are not considered to introduce any adverse overlooking impacts. With regard to the south-western



dwelling, there are two first-floor side windows proposed upon the north-west facing elevation, however these will overlook the highway. First-floor windows are proposed to the rear elevation which will overlook the rear garden and onto the flank wall of the north-east dwelling and as such will not introduce any adverse overlooking impacts.

### **Access and Highways**

- 10.12 The access details have been accepted by the LHA subject to conditions. Appropriate provision is made for parking to accord with Appendix A of the FLP, as such the scheme is considered to comply with Policy LP15 of the FLP

### **Landscaping**

- 10.13 The proposed soft landscaping on site is largely limited with all areas proposed to be grassed due to the proximity of the dwellings and their location adjacent to the highway. Such planting in close proximity to the highway may have the potential to impact adversely on the safety of access to the site.
- 10.14 The proposed hard landscaping includes permeable block paving in a brown colour, with paths and patios finished in brown limestone. The fences proposed will be 1.8 metre close boarded fences. These details are considered to be acceptable.

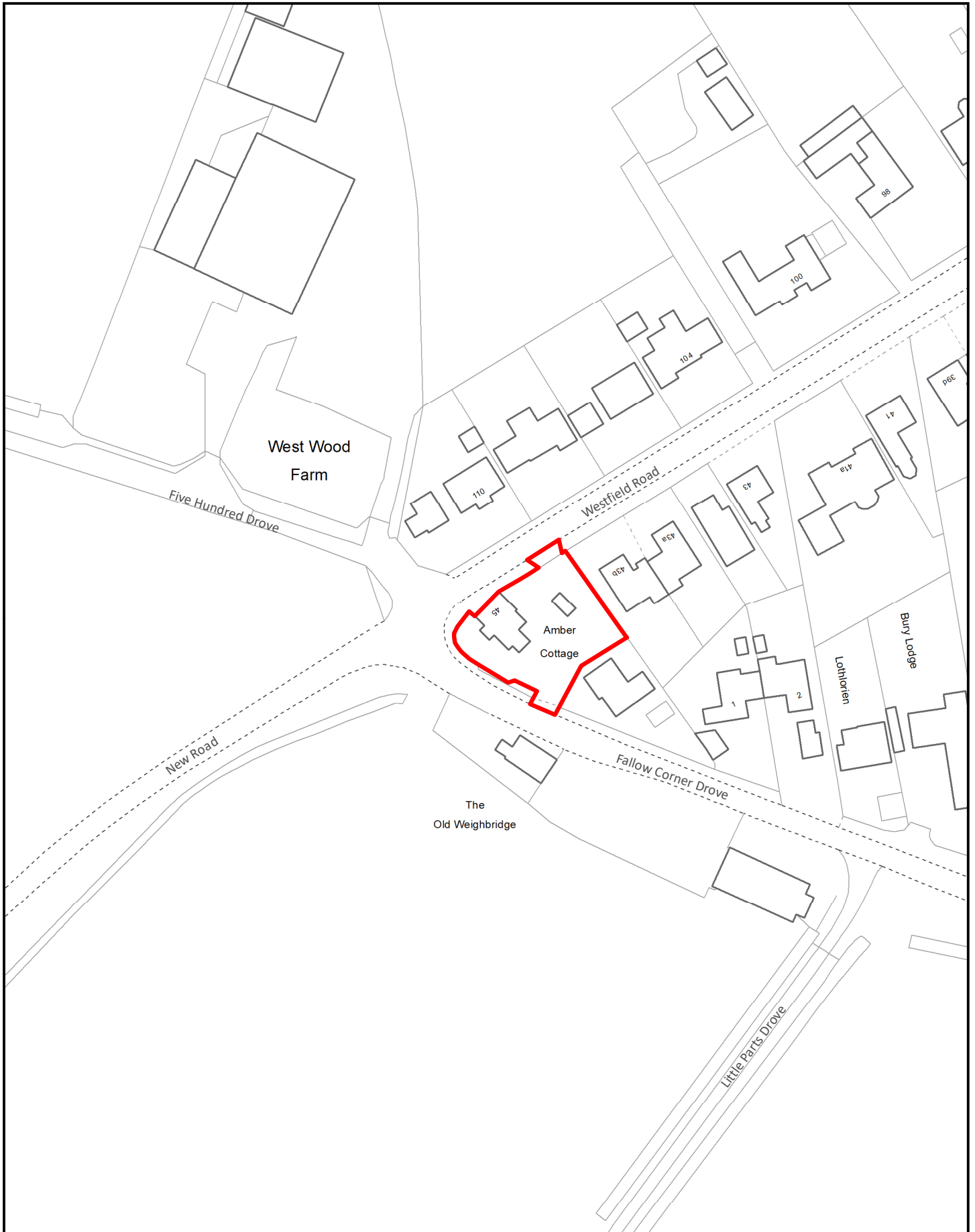
## **11 CONCLUSIONS**

- 11.1 To conclude, the proximity and location of the proposed 3-bed dwelling would result in significant overbearing impacts upon the neighbouring property to the north-east of the application site. The application is therefore considered to be contrary to Policy LP2 and LP16(e) of the Fenland Local Plan 2014.

## **12 RECOMMENDATION**

**Refuse;** for the following reason:

1	Policies LP2 and LP16(e) of the Fenland Local Plan seek to ensure that development does not adversely affect the amenity of neighbouring users. Due to the proximity and location of the proposed 3-bed dwelling in relation to the neighbouring property to the north, there is potential for significant overbearing impacts to be introduced resulting in adverse impacts upon the outlook from the neighbouring property. The creation of such an unappealing living environment for the neighbouring occupiers would therefore be contrary to the policies above.
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Created on: 15/01/2024

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**F/YR23/1072/RM**

Scale = 1:1,250





4 Bed Front  
Scale 1 : 100



4 Bed Rear  
Scale 1 : 100



4 Bed Side (adj Westfield road)  
Scale 1 : 100



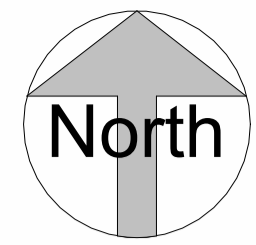
4 Bed Side (south east)  
Scale 1 : 100

MATERIALS

Walls - Vanderson Corum

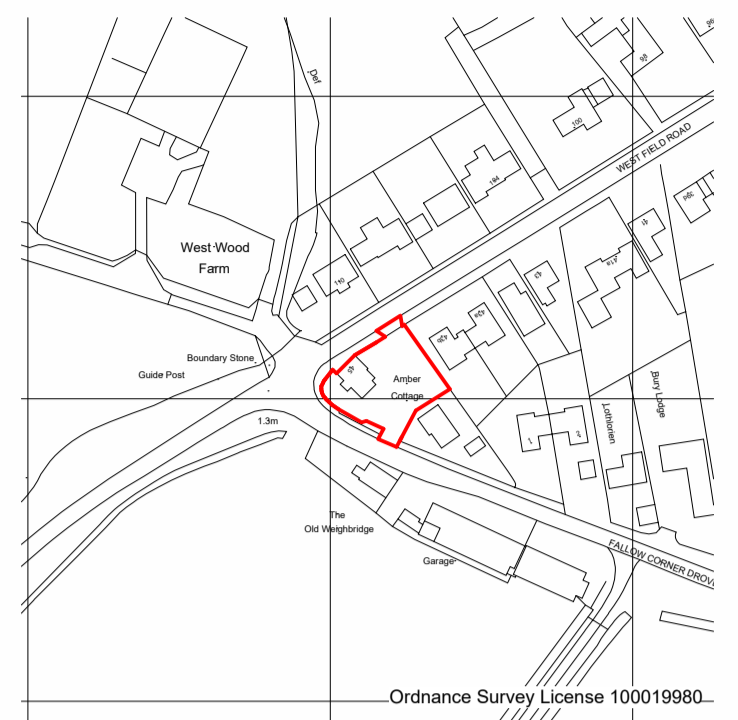
Roofs - Marley Modern Grey

Windows, Doors, Fascias and Rainwater goods - White uPVC

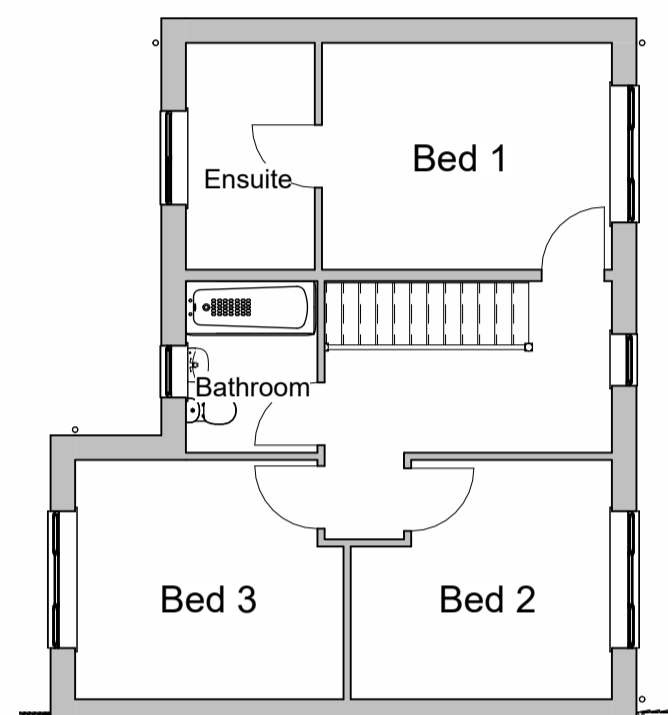


Notes

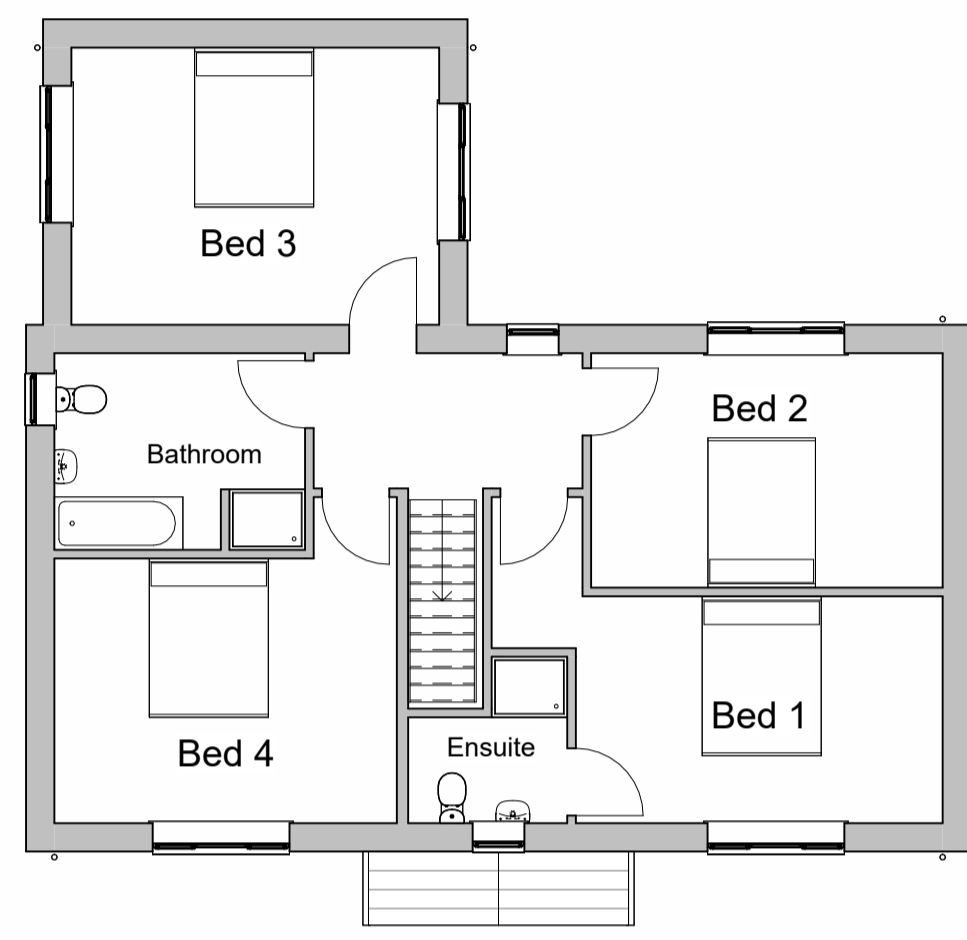
Any discrepancies to be brought to attention of Author as soon as possible.  
All dimensions shown in "mm" unless otherwise shown.  
Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.



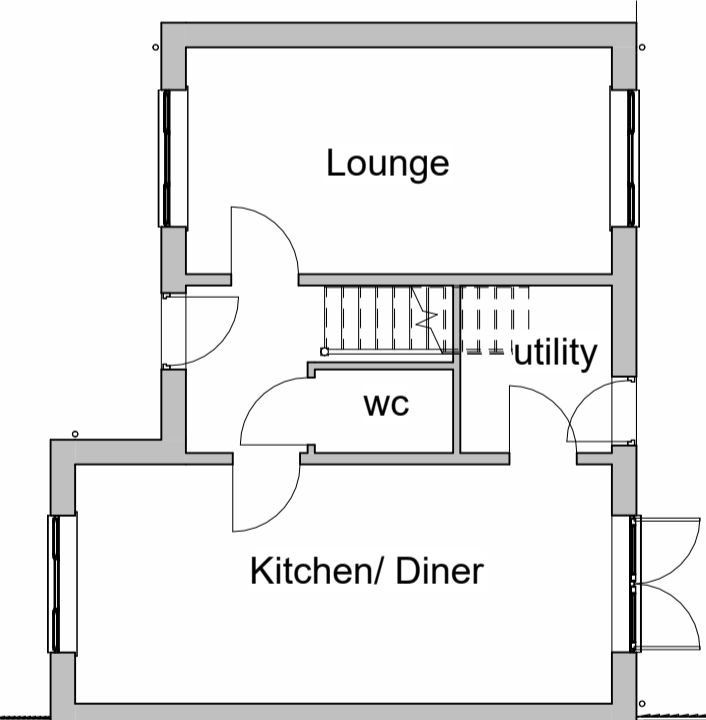
Location Plan  
Scale 1 : 2500



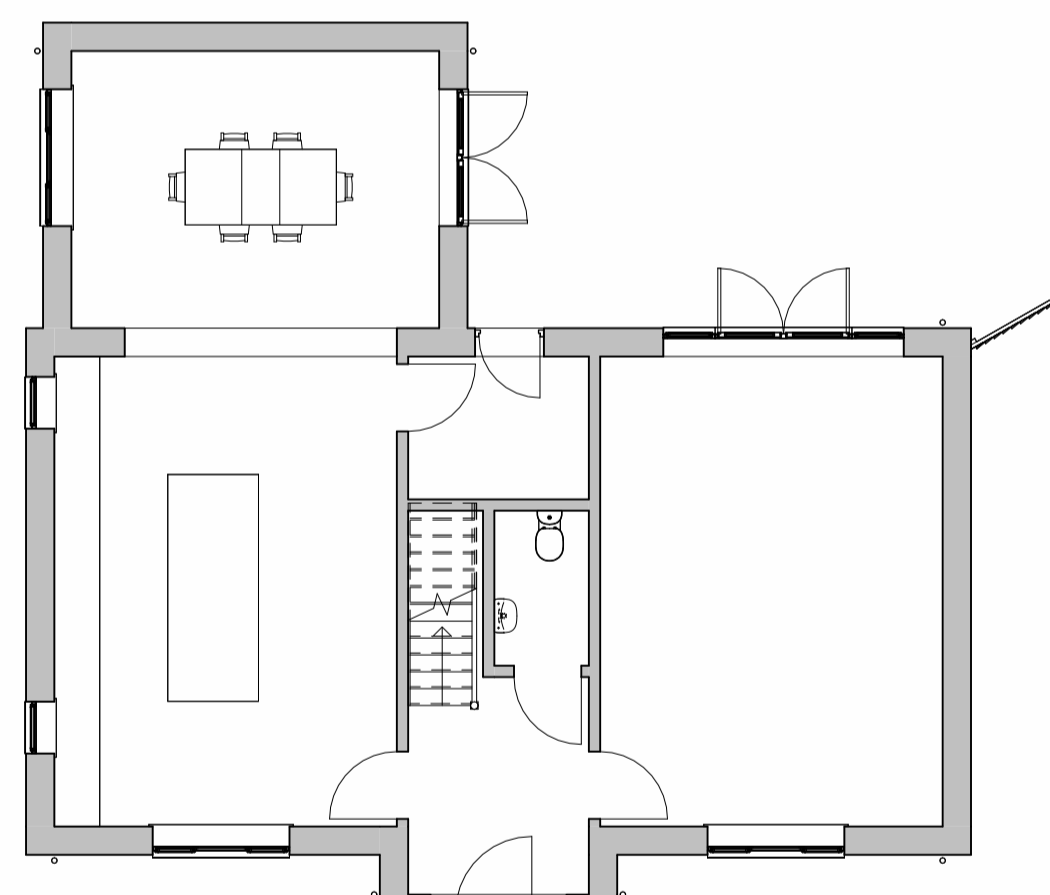
Proposed First Floor 3 Bed  
Scale 1 : 100



Proposed First Floor 4 Bed  
Scale 1 : 100



Proposed Ground Floor 3 Bed  
Scale 1 : 100



Proposed Ground Floor 4 Bed  
Scale 1 : 100



3 Bed Front Elevation  
Scale 1 : 100



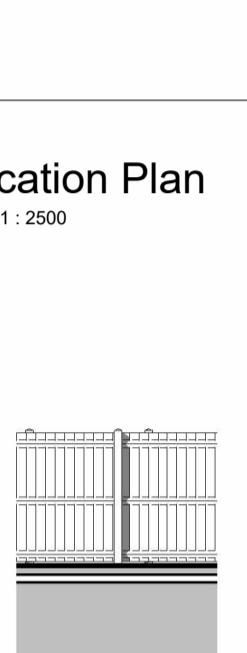
3 Bed Rear Elevation  
Scale 1 : 100



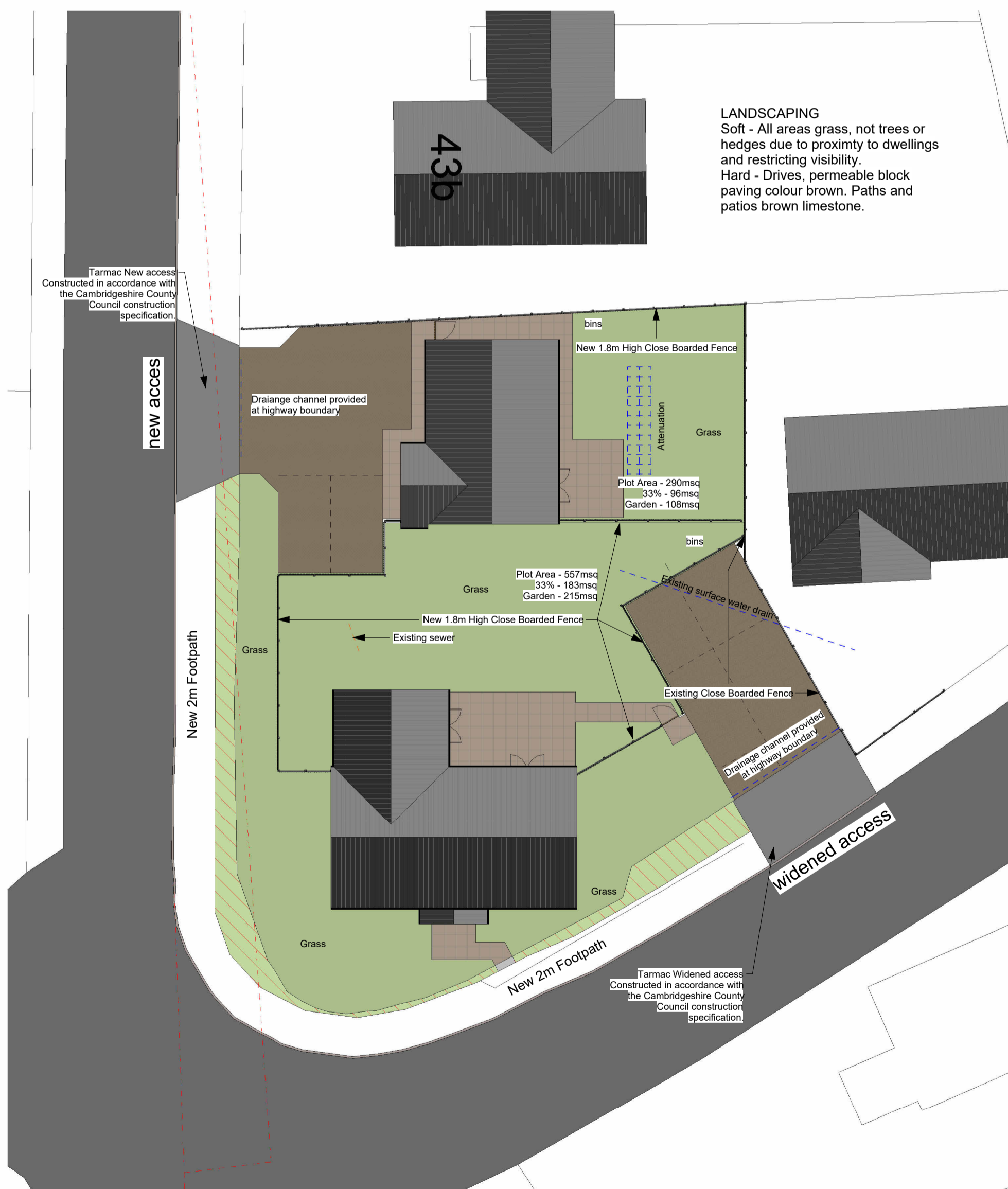
3 Bed Side Elevation 1  
Scale 1 : 100



3 Bed Side Elevation 2  
Scale 1 : 100

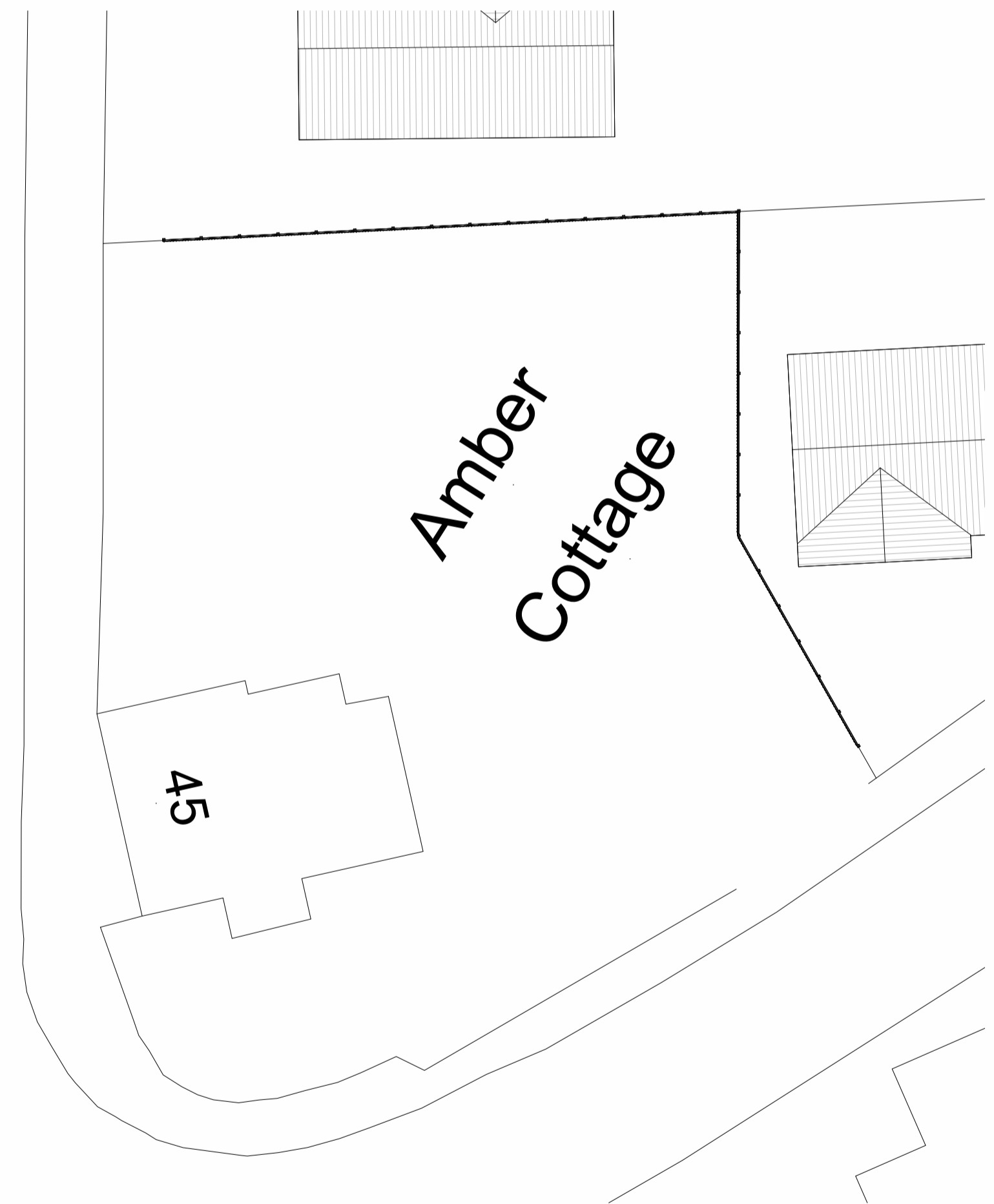


Fence Elevation  
Scale 1 : 100



Proposed Block Plan  
Scale 1 : 200

LANDSCAPING  
Soft - All areas grass, not trees or hedges due to proximity to dwellings and restricting visibility.  
Hard - Drives, permeable block paving colour brown. Paths and patios brown limestone.



Existing Block Plan  
Scale 1 : 200



Street Scene Fallow Corner  
Scale 1 : 200



Street Scene Westfield Road  
Scale 1 : 200

D	Layout amended	11-12-23
C	Bed and site layout amended	Date 4
B	4 Bed and site layout amended	25-06-23
A	Drainage channels added	21-06-23

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Proposed Development at 45 Westfield Road,  
Manea for Mr Nick Price

Planning

date created	scale	drawing no.	rev.
24/01/22	As indicated @ A1	454 - P02	D