
F/YR19/0362/F

Applicant: Mr P Gumbley

**Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited**

Land North West Of Seafield Farm, Gorefield Road, Leverington, Cambridgeshire

Erection of 3 x 2-storey, 3-bed dwellings with associated double garages

Reason for Committee: Recommendation of the Parish Council is at variance to the Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This proposal represents an alternative scheme proposal for a site that has an extant consent in place for a 'similar' amount of development; albeit of a different design and layout. The principle of development having been previously established following a Planning Inspectorate decision.
- 1.2 As principle and technical details have been addressed on the earlier approvals relating to the site it is only character, design and residential amenity that require evaluation in accordance with Policies LP2, LP12 and LP16. It is considered that the scheme raises no issues in respect of these matters and as such a recommendation for approval is forthcoming.

2 SITE DESCRIPTION

- 2.1 The site lies to the rear of No 1 - 5 Seafield Barns, a group of barns now converted into dwellings, and north-west of Seafield Farm (house). Whilst originally occupied by farm buildings the site has been cleared and the front boundary formed by heras fencing.
- 2.2 There are drains running to the west and north of the site which is accessed via Gull Lane a single track unclassified road. The western boundary features established landscaping as does the northern boundary.
- 2.3 The site faces the rear aspects/gardens/parking of Nos 1, 2 and 3 Seafield Barns which have low level boundary treatments/gates and these properties are separated from the site by a continuation of the Gull Lane access as a private drive serving these properties and the rear of Seafield Farmhouse which is separated from the site by high-level close boarded fencing and double access gates where the access terminates.

3 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of 3 detached dwellings. Plot 1, the most westerly plot, is sited adjacent the existing site boundary and will share a driveway and garaging with Plot 2.

- 3.2 Plot 3 will be sited on the most easterly plot of the application site and will benefit from a detached double garage which will be sited to the rear of the plot access via a driveway which extends almost the full depth of the plot.
- 3.3 The application does not specify materials or boundary treatments although landscaping and surface finishes have been detailed.

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

F/YR17/0360/F	Erection of 3 x 2-storey 3-bed dwellings with associated double garages	Granted 19/06/2017
F/YR16/0796/F	Erection of 3 x 2-storey 3-bed dwellings with associated car ports	Granted 24/01/2017
F/YR14/0928/O	Erection of 3 x dwellings	Refused 05/06/2015 Allowed on appeal

5 CONSULTATIONS

5.1 Parish Council

This is a narrow lane and this proposal would constitute over development.

5.2 Environment Agency

No objection to the proposed development but makes comments regarding the sequential test. Following review of the Flood Risk Assessment note that they *'have no objection to the proposed development but strongly recommend that the mitigation measures detailed in the submitted Flood Risk Assessment (FRA) undertaken by Geoff Beel Consultancy (ref: GCB/Swann Edwards, dated: March 2019) are adhered to.'* Offer advice regarding Flood Resilient Measures, Flood Warning and Foul Drainage

5.3 North Level Drainage Board

No objection in principle of the application however the NLDB Gull Drain forms the western boundary of the site and therefore the Board's byelaws apply.

5.4 Arboricultural Officer (FDC)

Grant: the submitted proposal requires the removal of one tree to provide space for the development. I have no objection to this proposal given the additional replanting noted by the architects. The proximity of works to the retained trees will require protection in place but this can be dealt with by condition.

5.5 Cambridgeshire County Council Highways Authority: No highway objections subject to conditions relative to planning consent F/YR17/0360/F being imposed.

5.6 Environment & Health Services (FDC): No objections to the proposal as it is unlikely to have any detrimental effect on air quality or the noise climate. However, as I am unable to ascertain the exact history of site use, and given its location close to agricultural practices [...] request that the unsuspected contamination condition is attached to any planning consent granted:

5.7 **Local Residents/Interested Parties:** None received

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)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise
Paragraph 10 - Presumption in favour of sustainable development.

Para. 12 - Presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making

Para. 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Paragraph 127(f) - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014

LP12 - Rural Areas Development Policy

LP15 - Facilitating the creation of a more sustainable transport network in Fenland

LP16 - Delivering and Protecting High Quality Environments across the District

KEY ISSUES

- **Principle of Development**
- **Character and design**
- **Residential amenity**
- **Other matters**

8 BACKGROUND

8.1 Originally in 2015 Officers recommended refusal of the erection of 3-dwellings on this site on the grounds of flood risk and on the basis that the site did not adjoin the developed footprint of the settlement and was therefore unsustainable development in the open countryside. This recommendation was endorsed by the Planning Committee and the scheme was refused. Subsequent to this the applicants submitted an appeal to the Planning Inspectorate, the Inspector was 'not convinced that there [were] lower risk sites for the development proposed' and concluded that the sequential test was met, going on to also accept that the wider scheme delivery (barn conversion) enabled the scheme to pass the exception test. On the matter of Policy LP12 compliance the Inspector also considered on balance that the site was adjacent to the village and would not cause unacceptable detriment to the character or appearance of the settlement or the surrounding

countryside and farmland. It was against this backdrop that the Inspector allowed the appeal.

- 8.2 Subsequent to this the applicant submitted a full planning application. The change in application type resulted from revisions to the access road and turning provision. These elements were originally committed (and conditioned) under the original outline approval and as such could not be varied as part of the submission of reserved matters, however clearly the outline planning approval was a material consideration that had to be given significant weight and the scheme was granted.
- 8.3 Following on from the approval referred to above revised proposals were submitted for the site, the details of this scheme largely followed the earlier 2017 approval albeit the properties which were previously delivered as a terrace whilst retaining the same overall design were to be delivered as a pair of semi-detached dwellings (Plots 7 & 8) and a detached dwelling (Plot 6).
- 9.4 The latest permission on the site F/YR17/0360/F is extant as the 3-year time frame for delivery does not expire until 18th June 2020.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of development is clearly established by virtue of the earlier appeal decision and subsequent approvals; accordingly this aspect may not be revisited. Similarly matters of flood risk, the sequential test and highway considerations have also been previously accepted and the principle of delivering 3 dwellings on this site is accepted.
- 10.2 It is however necessary to evaluate the impacts of the development in terms of the ramifications of the amended design, layout and scale of development in accordance with Policies LP12 and LP16.
- 10.3 The comments of the Parish Council are noted in respect of overdevelopment and access, however against the backdrop of the earlier approvals and given that 'amount' of development remains as 3 x 3-bedroom dwellings there could be no grounds to withhold consent on this basis.

Character and design

- 10.3 The original approval proposed 3 x 3 bedroom houses delivered as a terrace with the most westerly dwelling having an eaves height of 4 metres and a ridge height of 6.75 metres, with the central and easterly dwelling having an eaves height of 4.65 metres and a ridge height of 7.25 metres. The lower dwelling had a frontage of 8 metres with the two higher dwellings each having a width of 6 metres and a depth of 11 metres. The dwellings were of simple cottage style appearance.
- 10.4 The second proposal for the site replicated the dwellings in terms of scale and design however the most westerly dwelling was detached from the terrace to form a development comprising 1 x detached unit and 2 x semi-detached units; with each property having detached double garages rather than the previously proposed car ports.
- 10.5 The latest scheme again proposes 3 x 3-bed dwellings however these are now of different design. Plots 1 and 2 will share a drive and garage block and plot 3 will

have a separate double garage. To accommodate the change in layout the most westerly plot will move closer to the western boundary of the site. The overall ridge height of the dwellings is now detailed as being 7.35 metres with an eaves height of 4.4 metres. The dwellings will each have a frontage width of 9.2 metres and an increased maximum depth of circa 14 metres (excluding porches). The dwellings on Plot 2 and 3 will be handed and will feature dormer windows and chimneys with the dwelling of Plot 1 having been amended following negotiation to feature more simple 'cat slide' dormer windows. As this dwelling will be more prominent when viewed from the access and will not be absorbed in the background of the existing converted barn complex a more simple detailing was considered necessary in design terms.

- 10.6 The principle and amount of development has been accepted in this location and whilst the changes proposed to the scheme are less desirable from a design and aesthetic stand point they are not so significant in the context of the approved scheme and the locality to warrant refusal of the scheme; similarly the changes in scale in terms of footprint and height are not so significant as to render the scheme unacceptable.
- 10.7 Based on the above evaluation and mindful of the planning history of the site there are no grounds to withhold consent on character and visual amenity terms.

Residential amenity

- 10.8 The original outline approval set the context for the development of the site and subsequent approvals noted that there would be some overlooking of private amenity areas as a consequence of developing the land to the rear of the barn complex, however it is acknowledged that such 'courtyard' style developments often promote 'community living' with shared areas and mutual surveillance. It is noted that the illustrative plan submitted with the outline application showed a separation distance wall-to-wall of circa 17 metres.
- 10.9 Separation distances of 17 - 23 metres are achieved between the front elevations of the proposed dwellings and the rear elevations of the barn conversion complex. As such the status quo is largely maintained. Indeed it could be argued that any impacts of the scheme are lessened as a result of the relocation westwards of the dwelling at Plot 1, away from Barn 1, with its principal views being along shared access road.
- 10.10 Adequate levels of amenity space are also maintained to serve the individual plots, these being commensurate with the minimum standards outlined in Policy LP16. Parking provision which exceeds the minimum parking standards is also accommodated to serve the individual units.
- 10.11 The amended scheme now proposed raises no issues with regard to residential amenity and therefore on balance achieves compliance with LP16 of the FLP (2014).

Other matters

- 10.12 Conditions imposed in respect of the earlier approvals remain relevant to this scheme and these are carried forward below as part of the recommendations. It should be noted that the LHA have recommended adherence to the previously agreed highway details however these are not captured in the current scheme proposal/drawings. The agent has been alerted to this and has been asked to

either provide these details, along with details of the tree protection methods to be employed on site, or to accept the conditions highlighted at 12 (3), (4) and (6) below .

- 10.13 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). The applicant has been consulted on the proposed pre-commencement condition relating to tree protection and has indicated their acceptance of the same; accordingly the requirements of Section 100ZA(5) are satisfied.

11 CONCLUSIONS

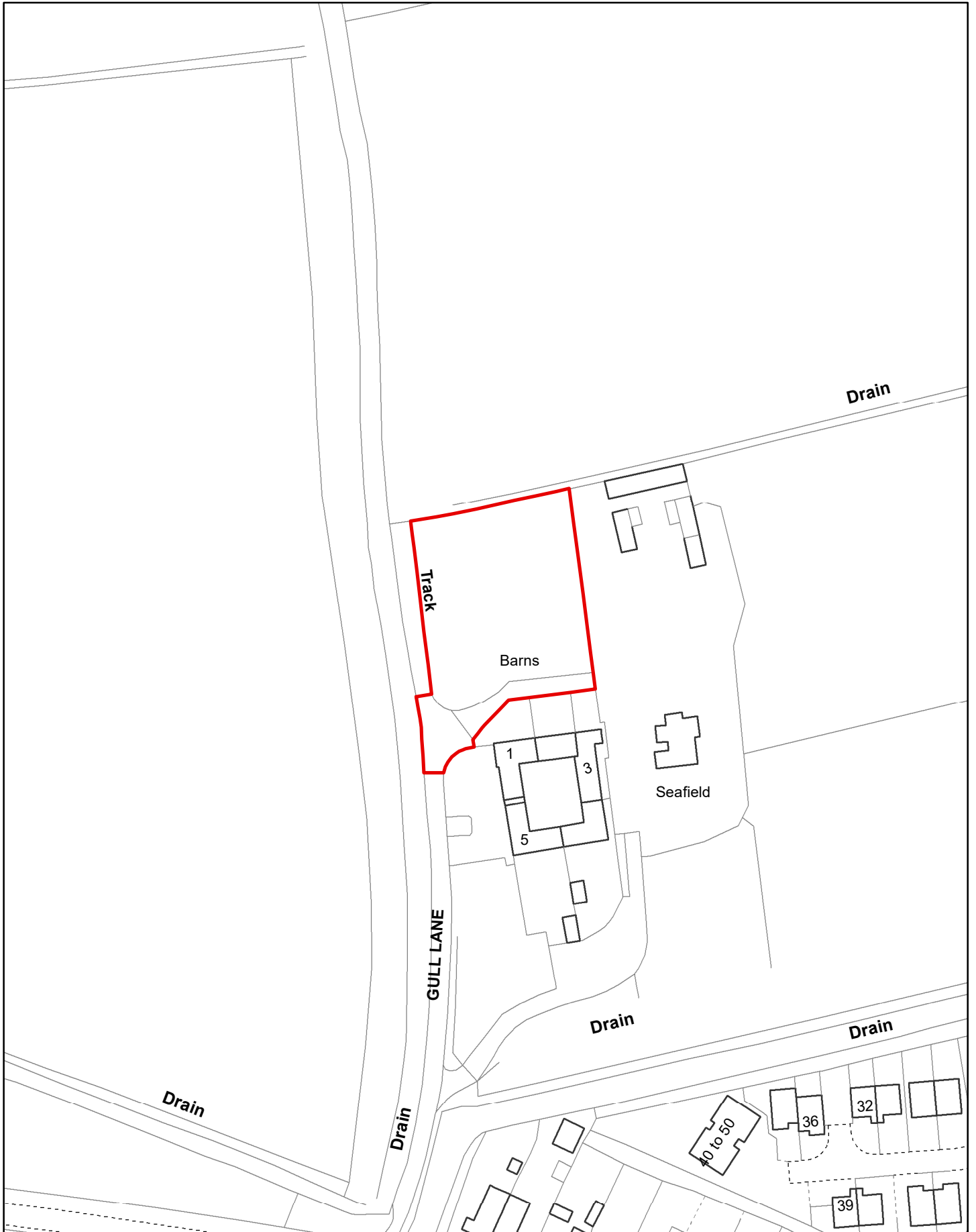
- 11.1 This proposal represents an alternative scheme proposal for a site that has an extant consent in place for a 'similar' amount of development, albeit of a different design and layout. As the principle of development has been previously established following a Planning Inspectorate decision there would be no grounds to withhold consent on the grounds of overdevelopment or access, as suggested by the Parish Council.
- 11.2 As principle and technical details have been addressed on the earlier approvals relating to the site it is only character, design and residential amenity that require evaluation in accordance with Policies LP2, LP12 and LP16. It is considered that the scheme raises no issues in respect of these matters and as such a recommendation for approval is forthcoming.

12 RECOMMENDATION: Grant

Conditions

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>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.</p> <p>Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.</p>
3	<p>Prior to first occupation of any of the dwellings hereby approved a turning head and passing bay along Gull Lane shall be provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of satisfactory access and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
4	<p>The access shall be constructed, prior to the first occupation of any of the dwellings hereby approved, with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a</p>

	<p>scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development.</p> <p>Reason - In the interests of highway safety and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the development the proposed on-site parking/turning shall be laid out in accordance with the approved plans and thereafter retained for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
6	<p>Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected with accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development. The scheme shall be adhered to until the completion of the development for Building Regulations purposes.</p> <p>Reason - To ensure that retained trees are adequately protected in accordance with Policies LP16 and LP19 of the Fenland Local Plan, adopted May 2014.</p>
7	<p>Prior to the construction of the external walls of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.</p> <p>Reason - To safeguard the visual amenities of the area and ensure compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
8	<p>The development shall be undertaken strictly in accordance with the submitted Flood Risk Assessment (FRA) GCB/SWANN EDWARDS (MARCH 2019) and its recommendations fully adhered to.</p> <p>Reason - In the interests of flood mitigation and safety and to ensure compliance with Policies LP14 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
9	Approved Plans



Created on: 13/05/2019

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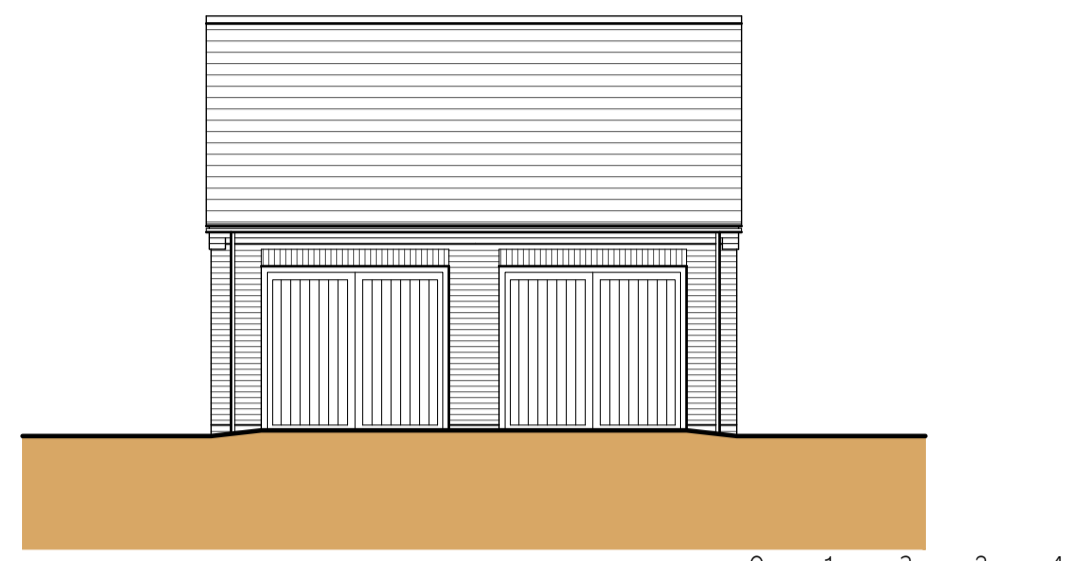
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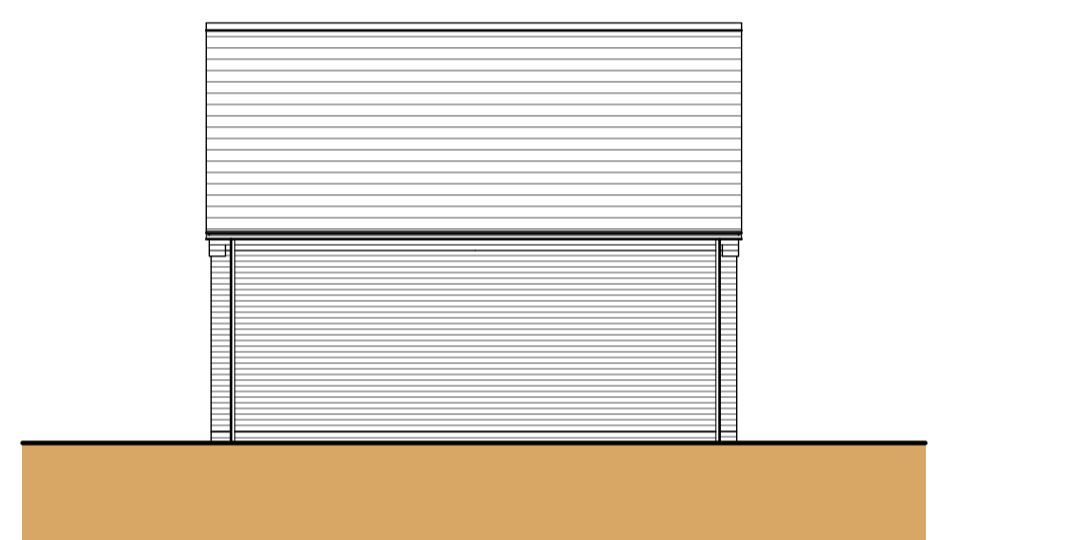
Plot 1 & 2



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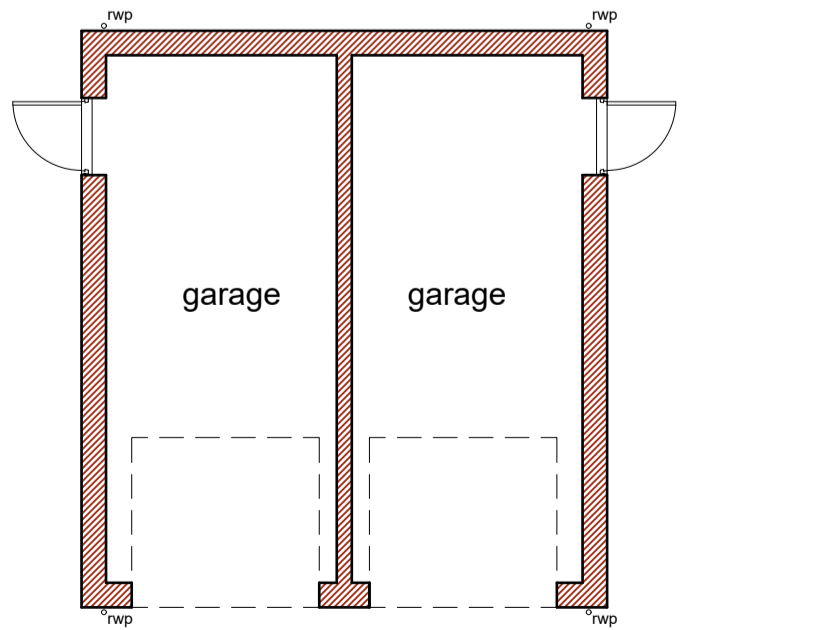
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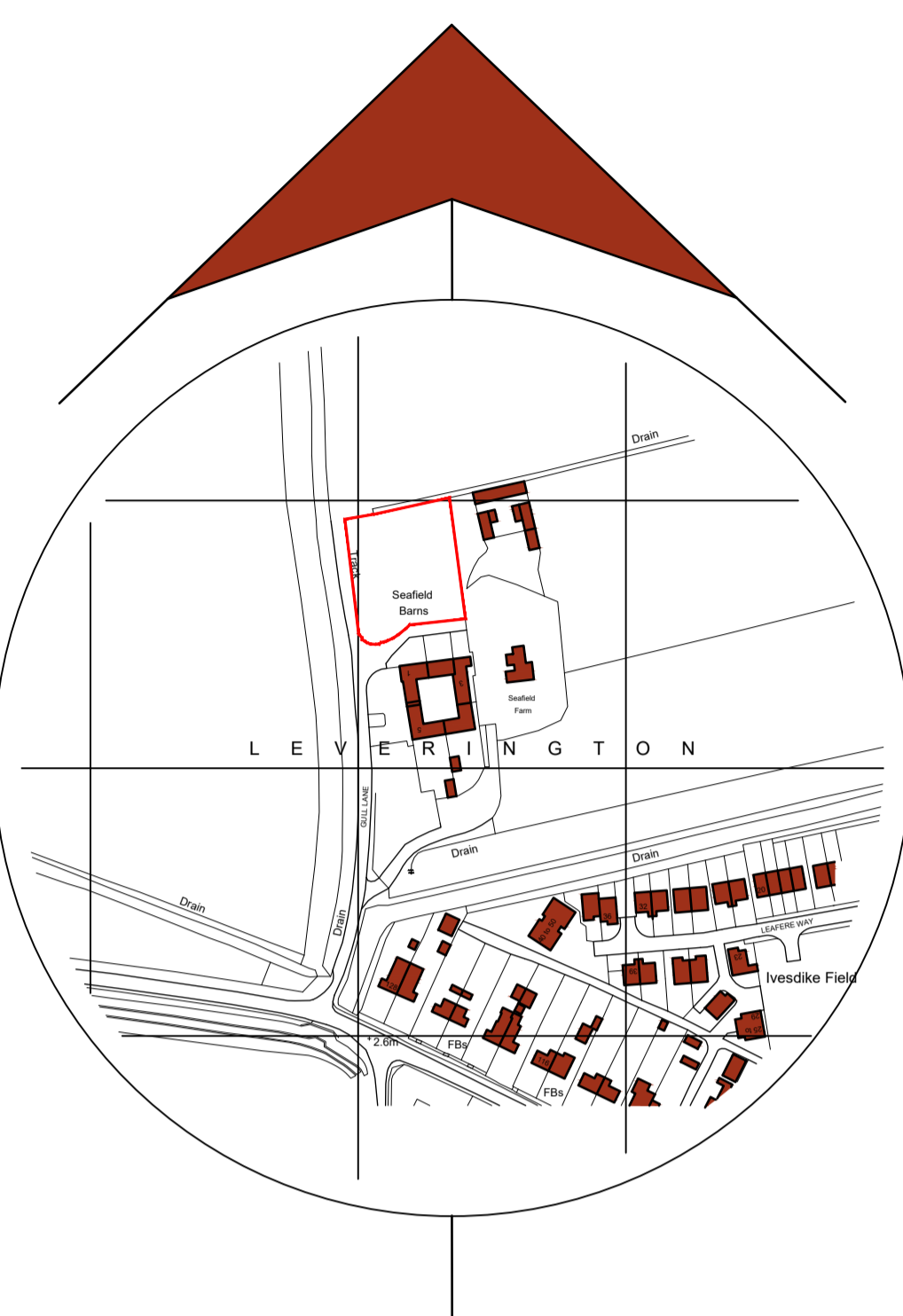
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Side Elevation
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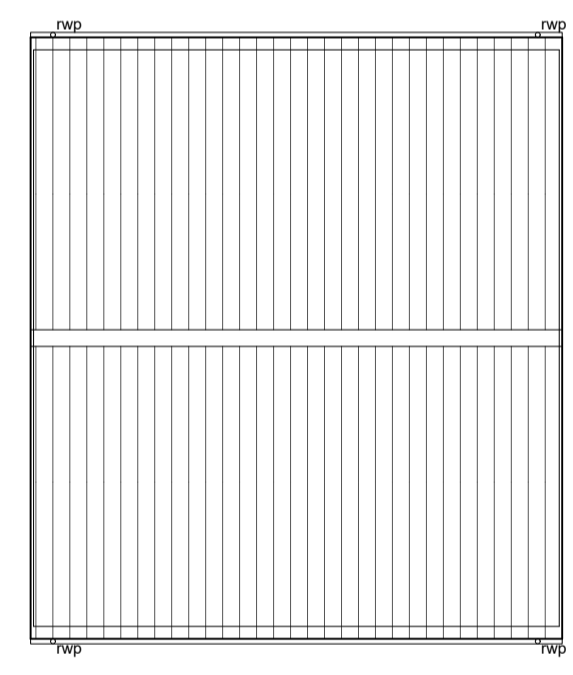


Garage Plan
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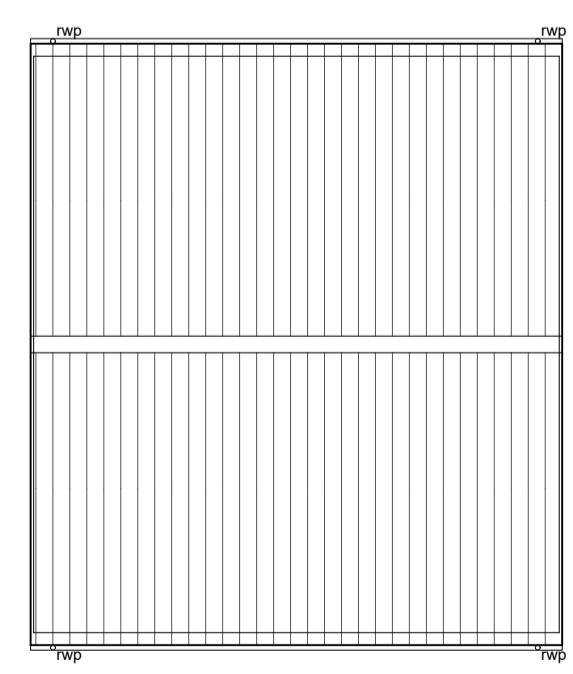
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Plot 1 & 2



Roof Plan
Scale: 1:100

Plot 3

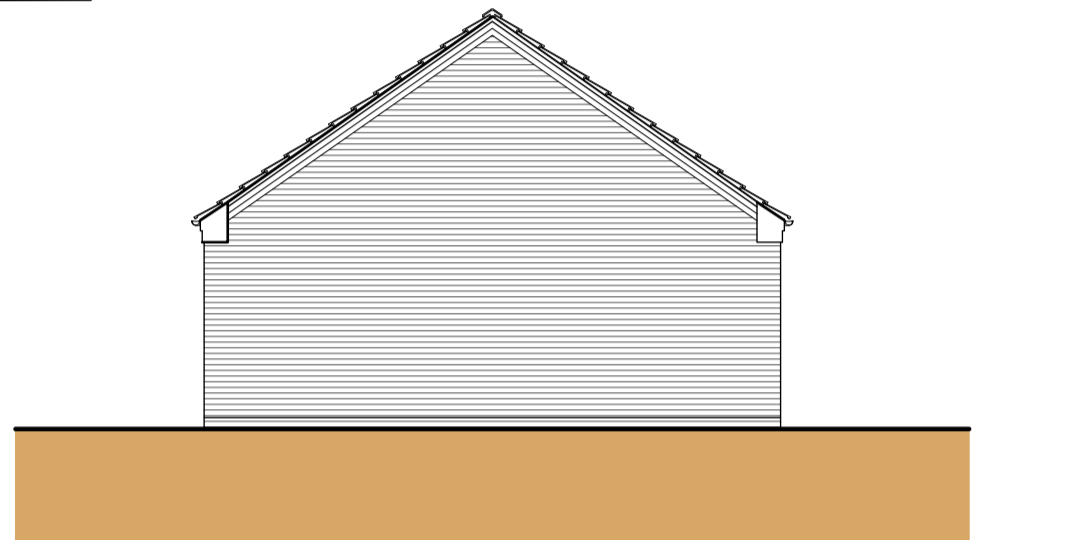


Roof Plan
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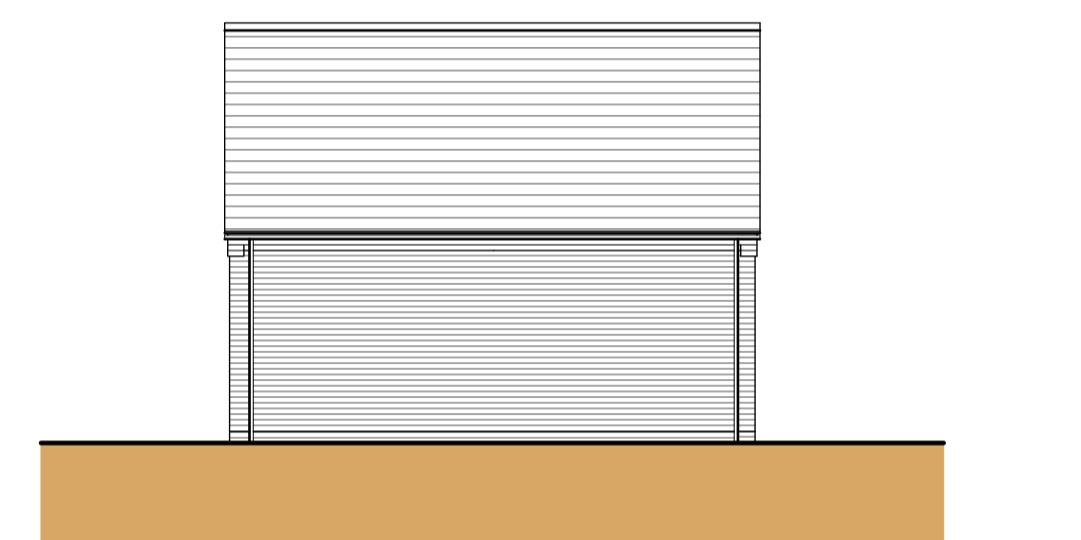
Plot 3



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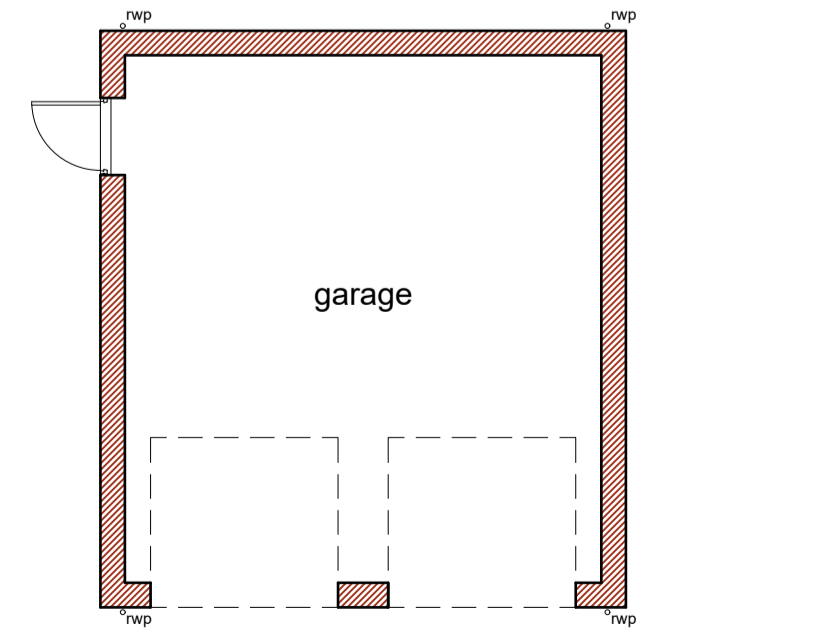
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Rear Elevation
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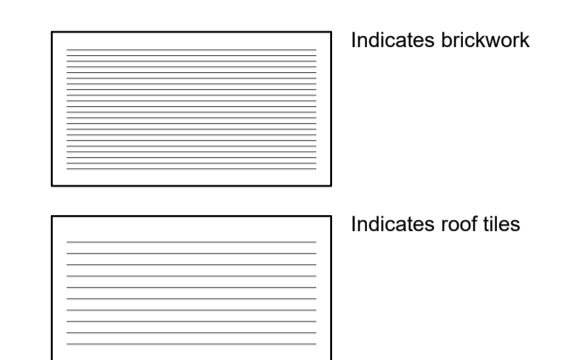
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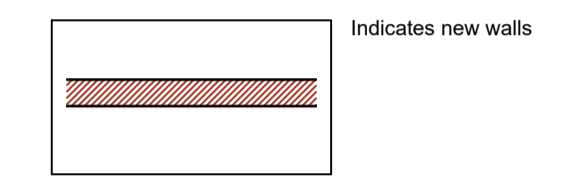
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- General Notes
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 2. All dimensions are shown in "mm" unless otherwise stated.
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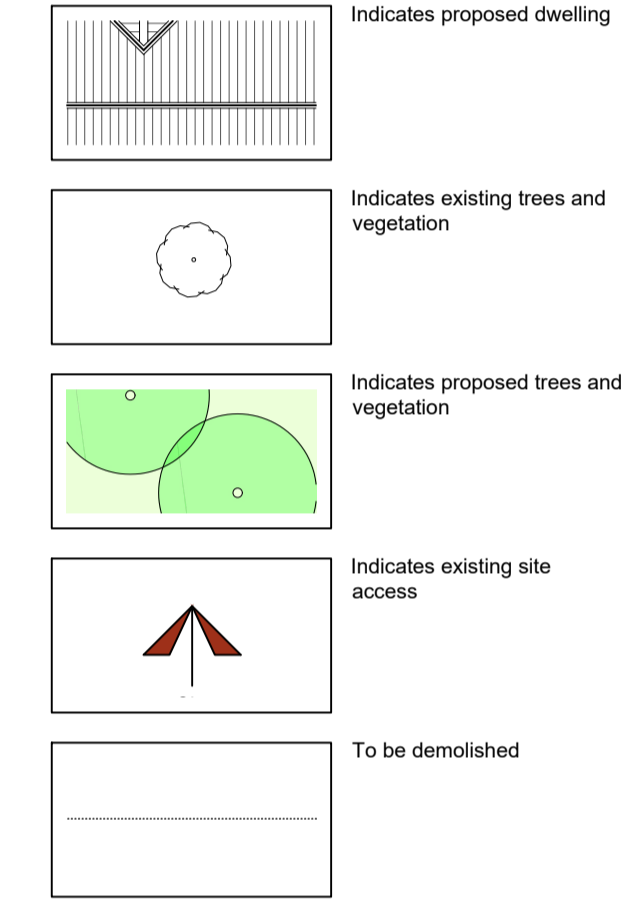
ELEVATION KEY



WALL KEY



SITE PLAN KEY



Revisions		
B	May 2019	Highways Revision
C	June 2019	Plot 1 - Amendments Velux and Catslide Dormers Added

Status
FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
 Swann Edwards Architecture Limited, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title	Date	Scale
Proposed 3No. Dwellings	January 2019	As Shown
Gull Lane, Leverington, Wisbech, Cambs		Sheet Size A1
For: Mr P Gumbley		
Drawing Title	Job No.	Drawn by
Plans, Elevations, Site Plan and Location Plan	SE-1039	JRB
	Dwg No. PP1000	Revision C

Plot 1



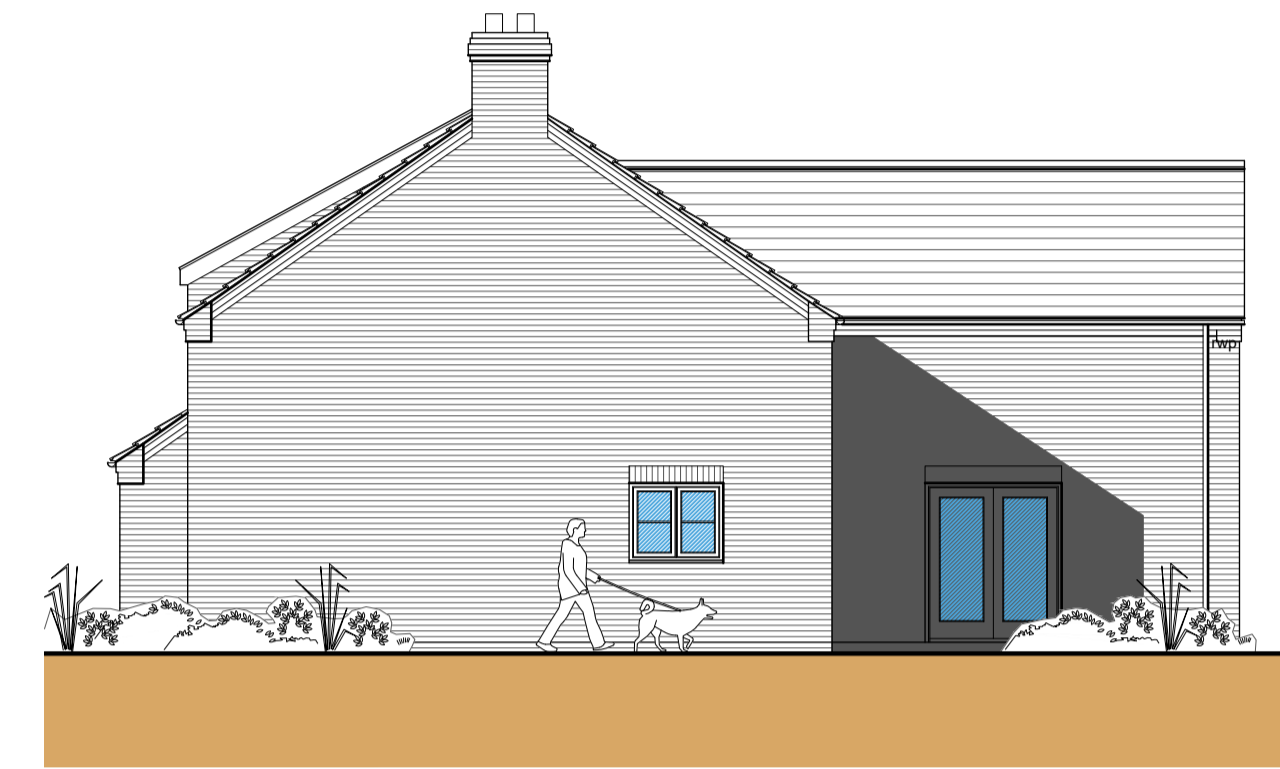
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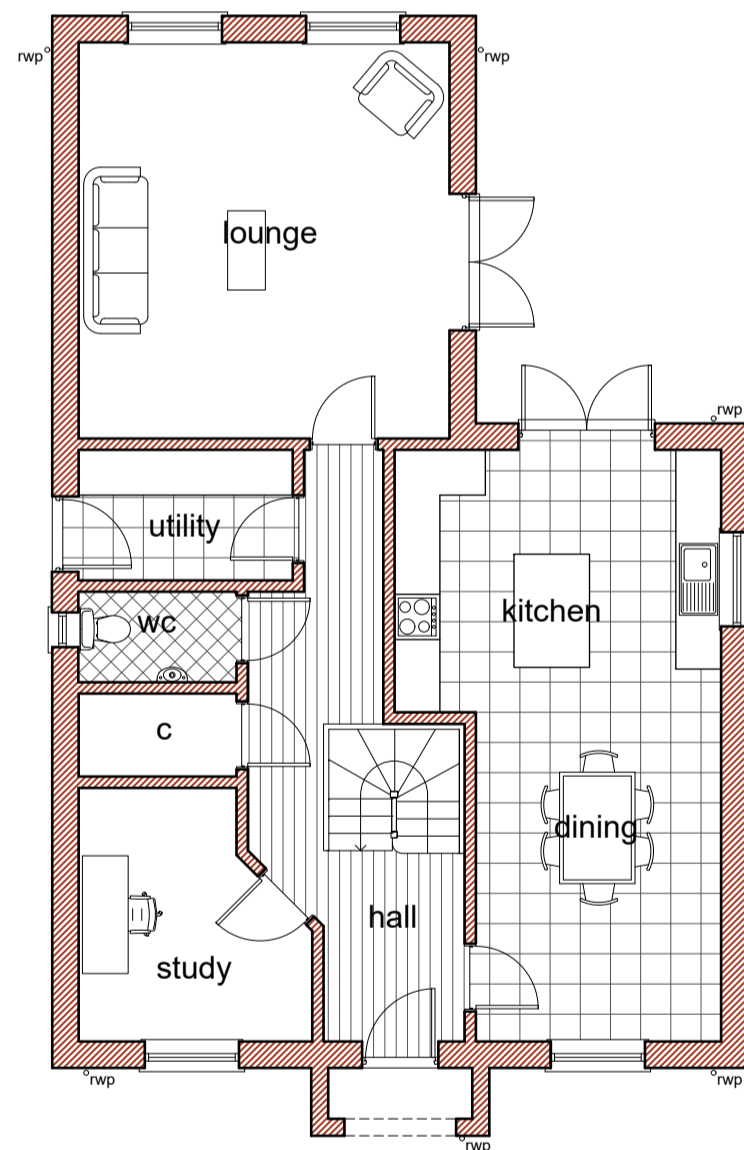
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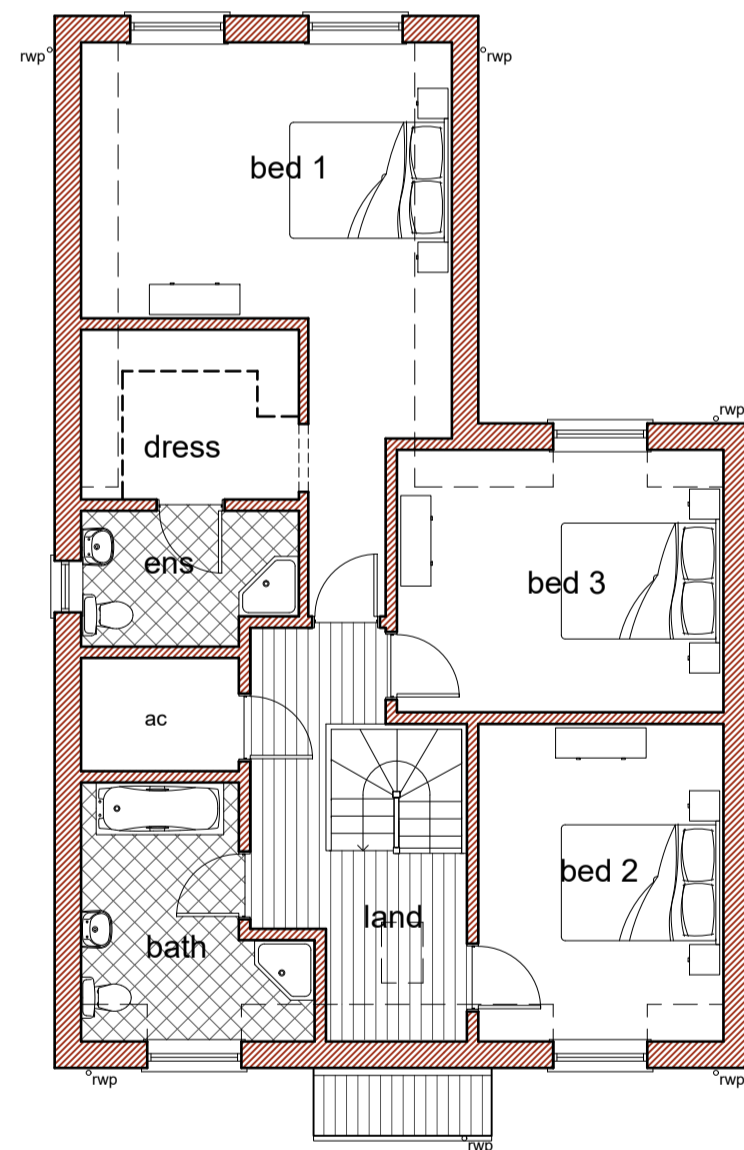
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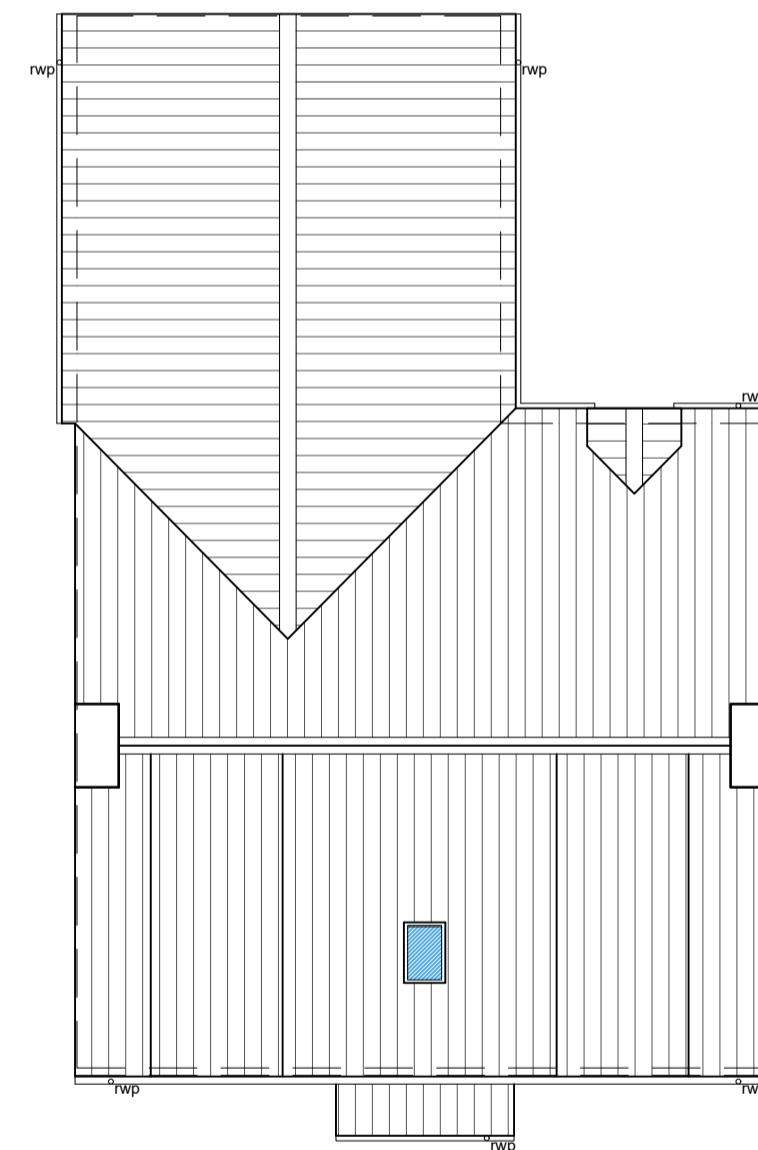
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Ground Floor Plan
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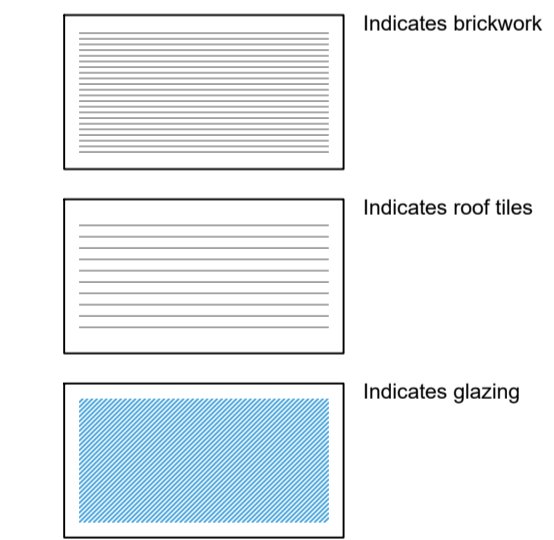


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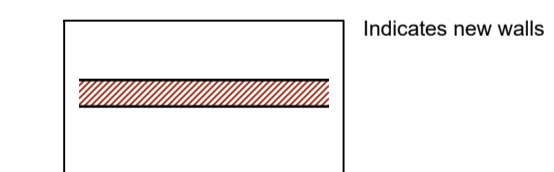


Roof Plan
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ELEVATION KEY



WALL KEY



- General Notes
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Revisions		
A	April 2019	Kitchen Window Added
B	May 2019	Elevation Titles Revised
C	June 2019	Amendments Velux and Catslide Dormers Added

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Fen Road,
Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed 3No. Dwellings Gull Lane, Leverington, Wisbech, Cambs For: Mr P Gumbley	Date January 2019	Scale As Shown Sheet Size A1
Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by JRB
	Dwg No. PP1001	Revision C

Plot 2

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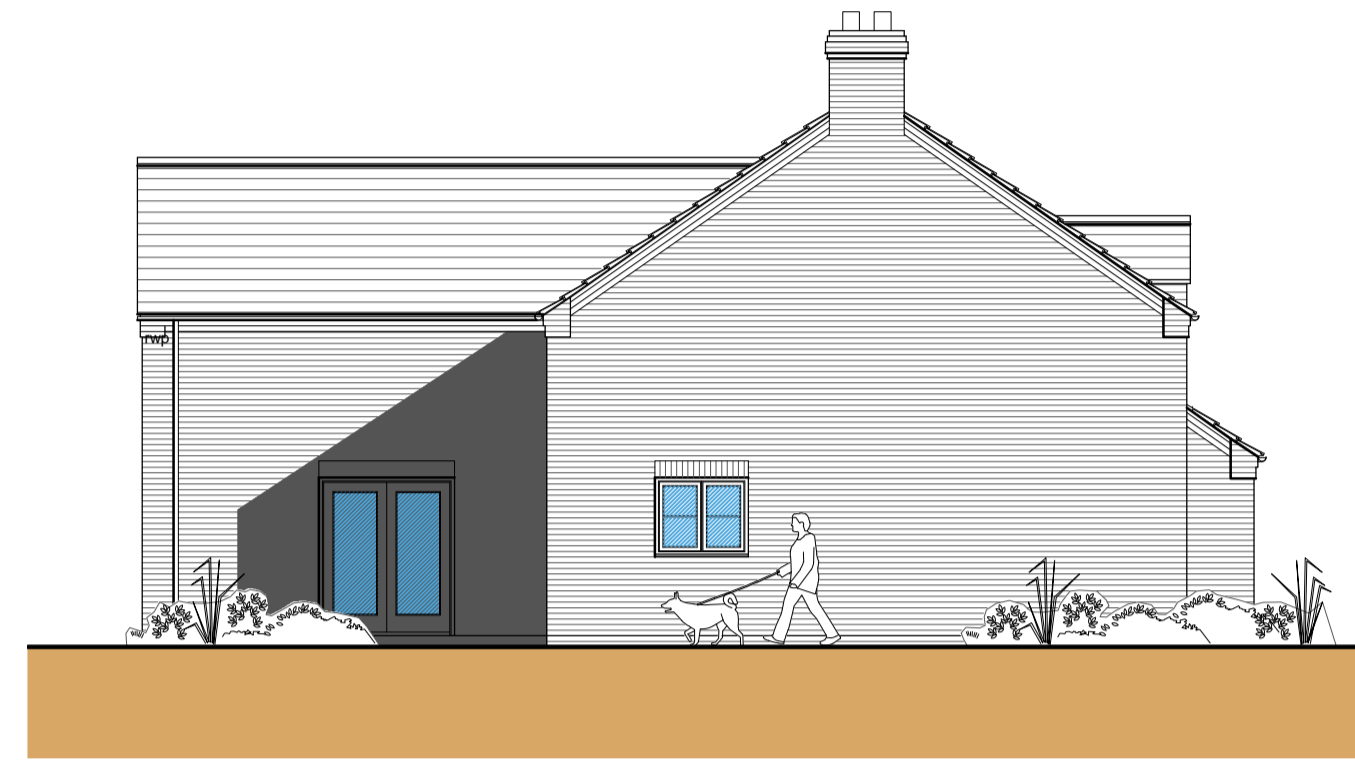
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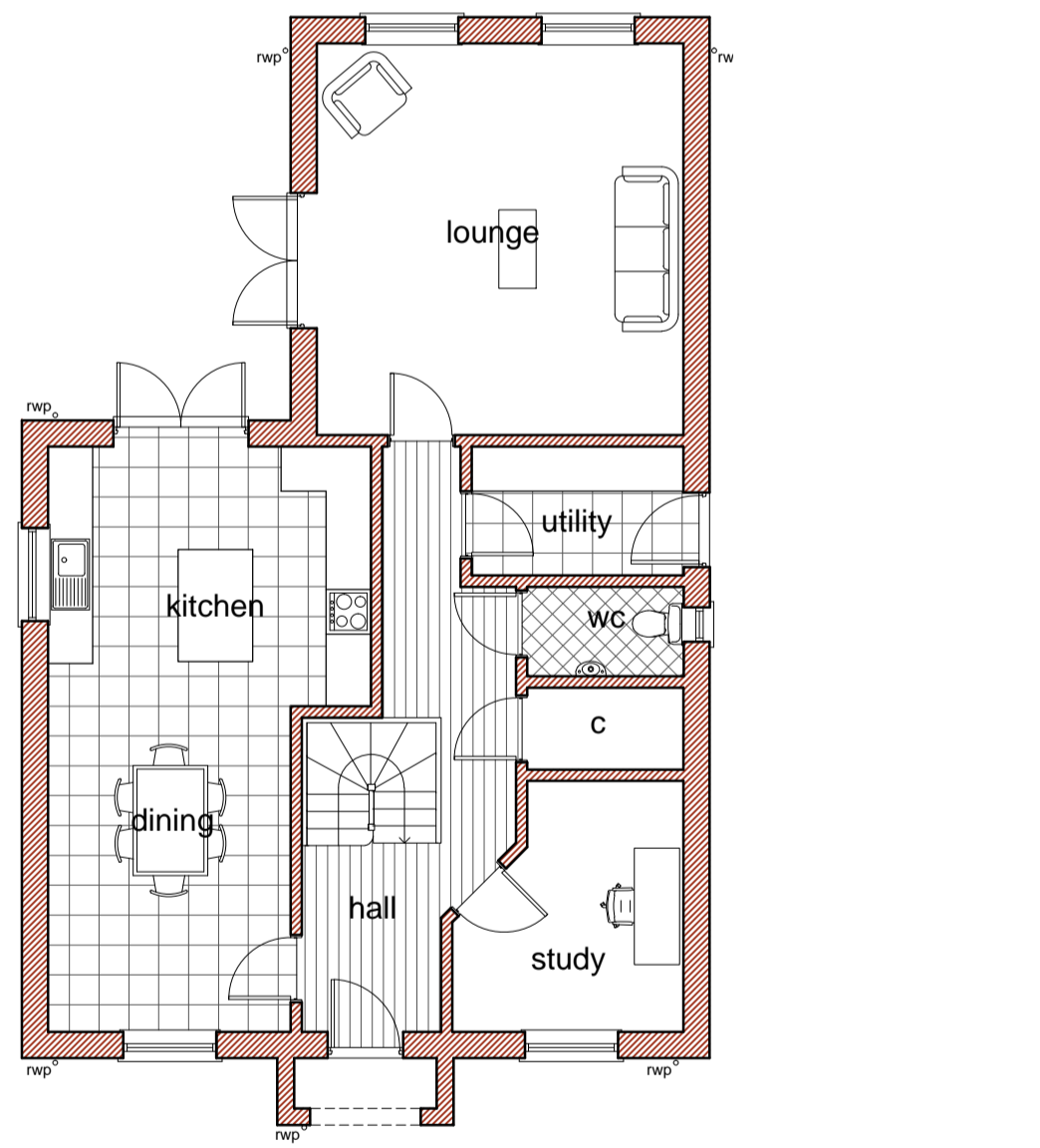
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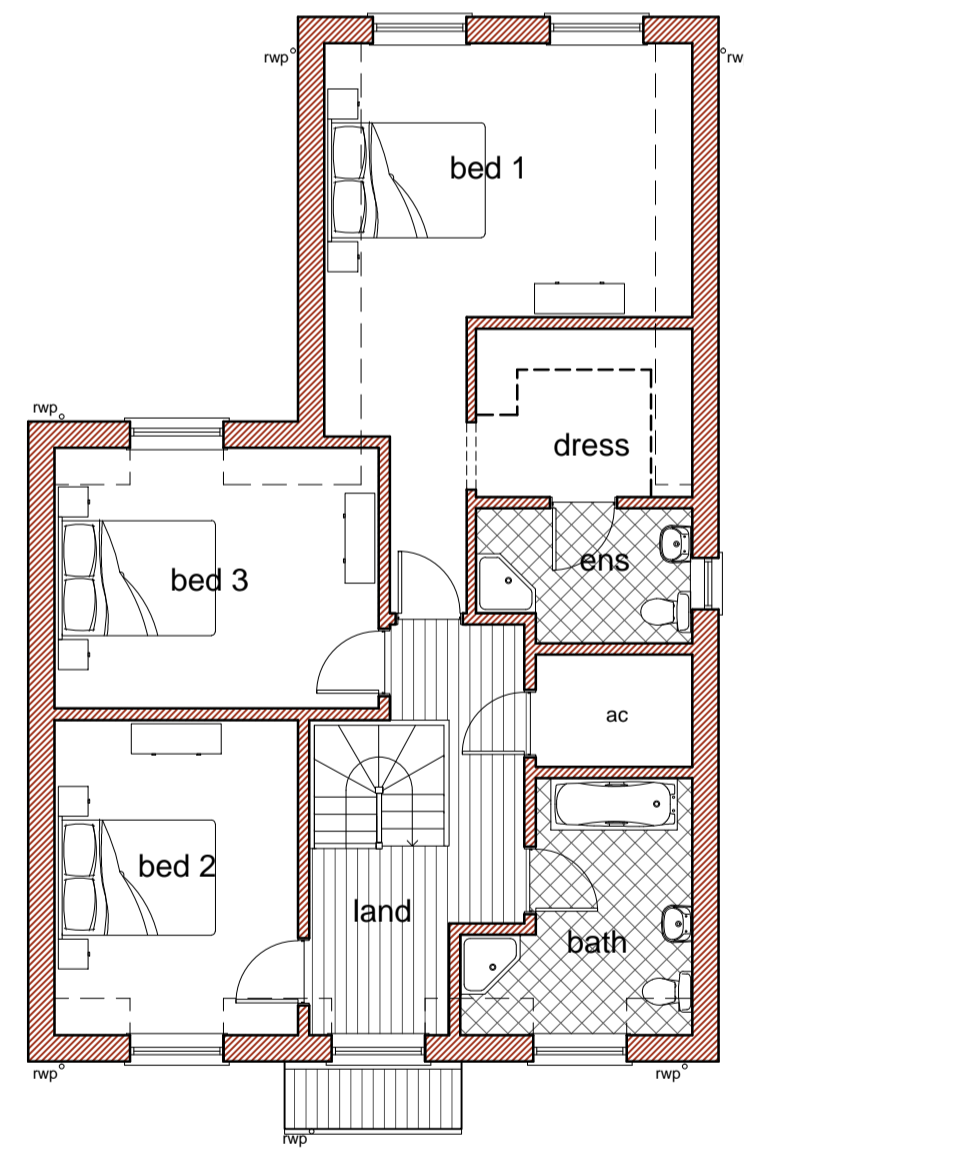
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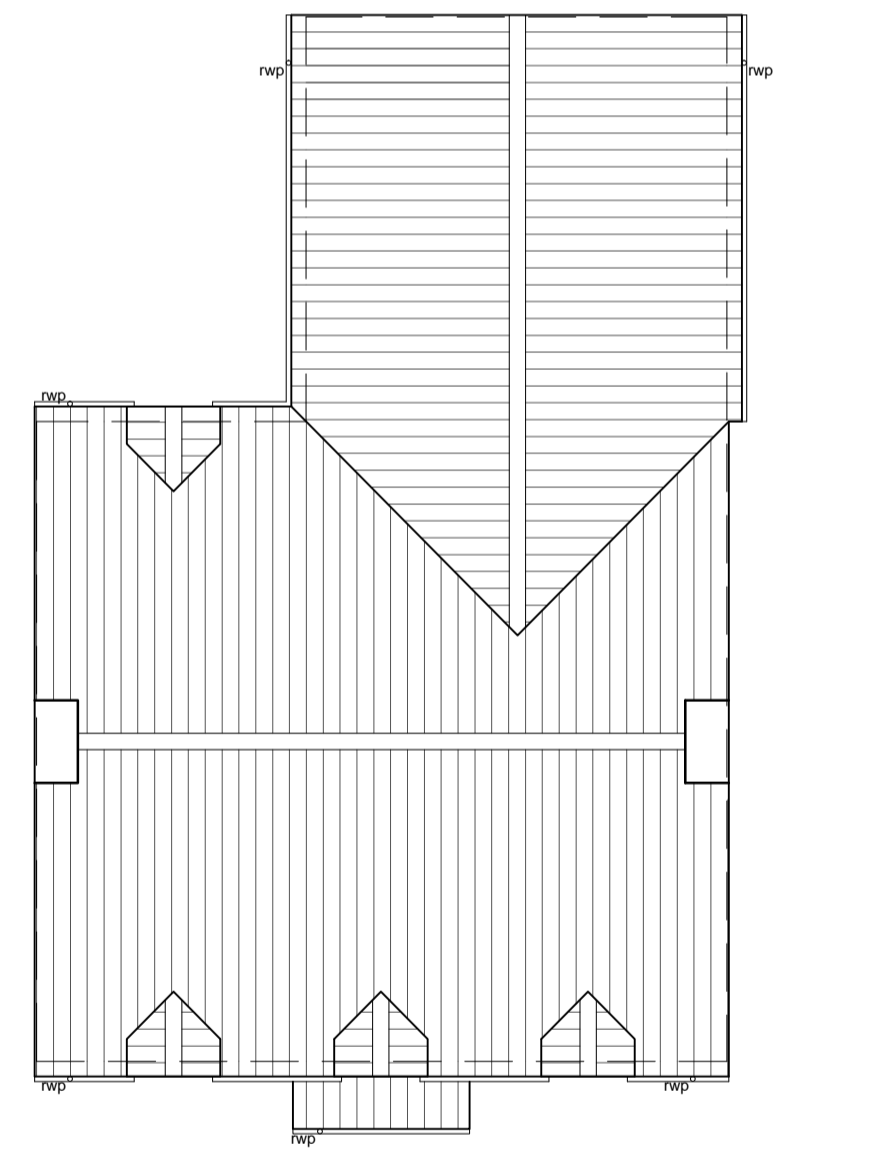
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Ground Floor Plan Scale: 1:100

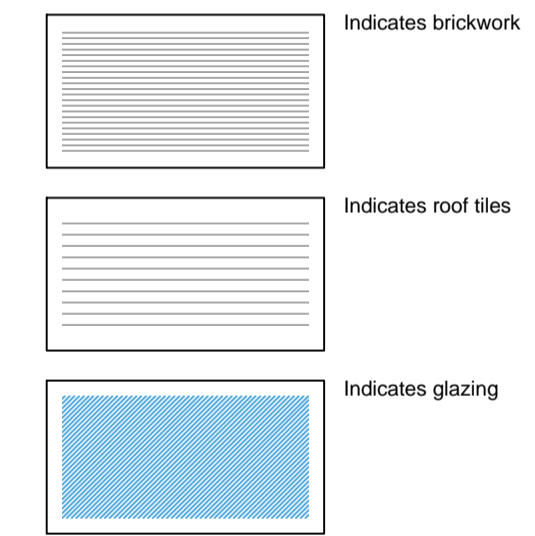


First Floor Plan Scale: 1:100

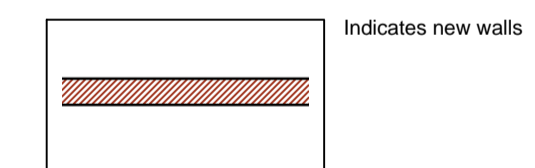


Roof Plan Scale: 1:100

ELEVATION KEY



WALL KEY



Revisions		
A	April 2019	Kitchen Window Added

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

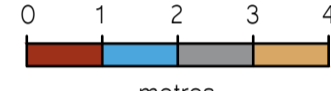
Swann Edwards Architecture Limited, Fen Road,
Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

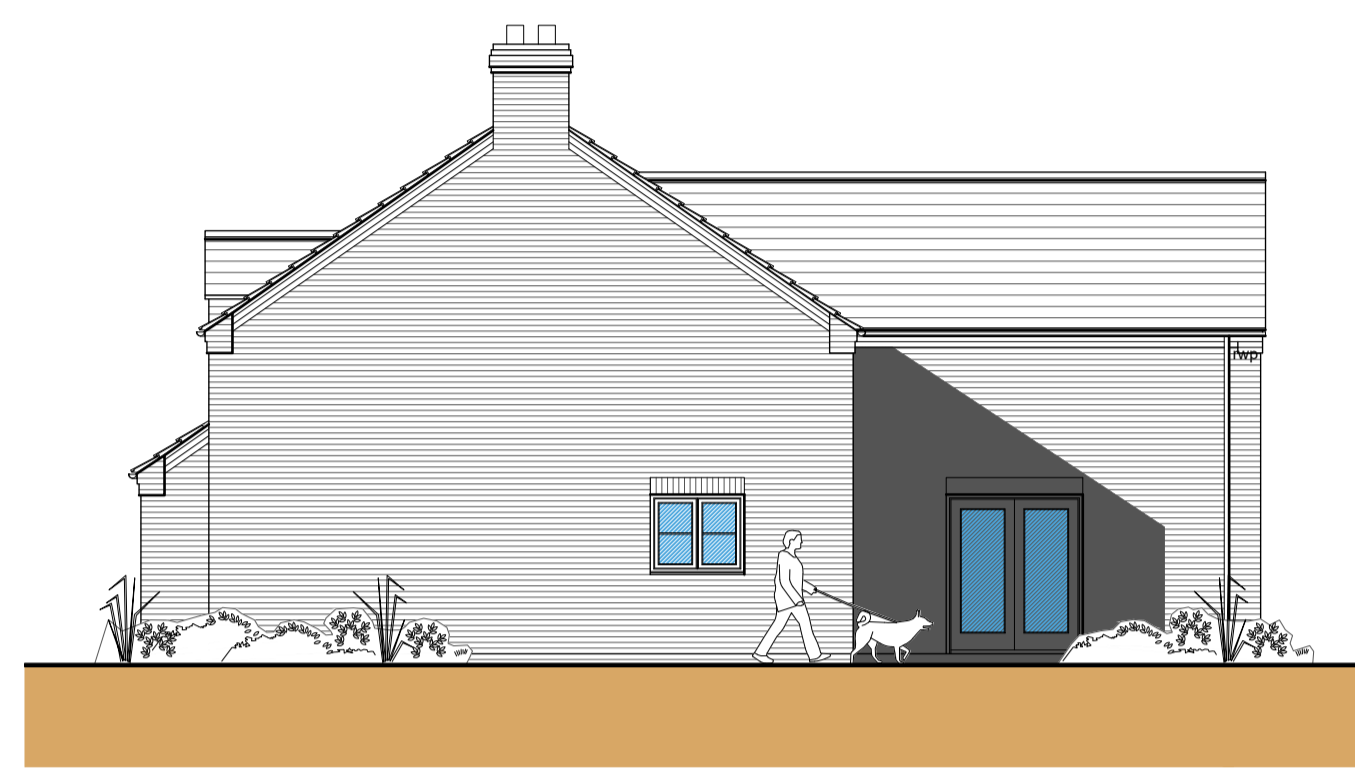
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Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by JRB
Dwg No. PP1002	Revision A	

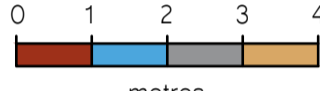
Plot 3

General Notes
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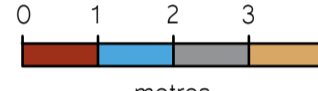


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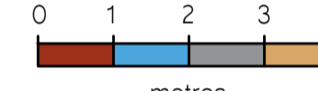


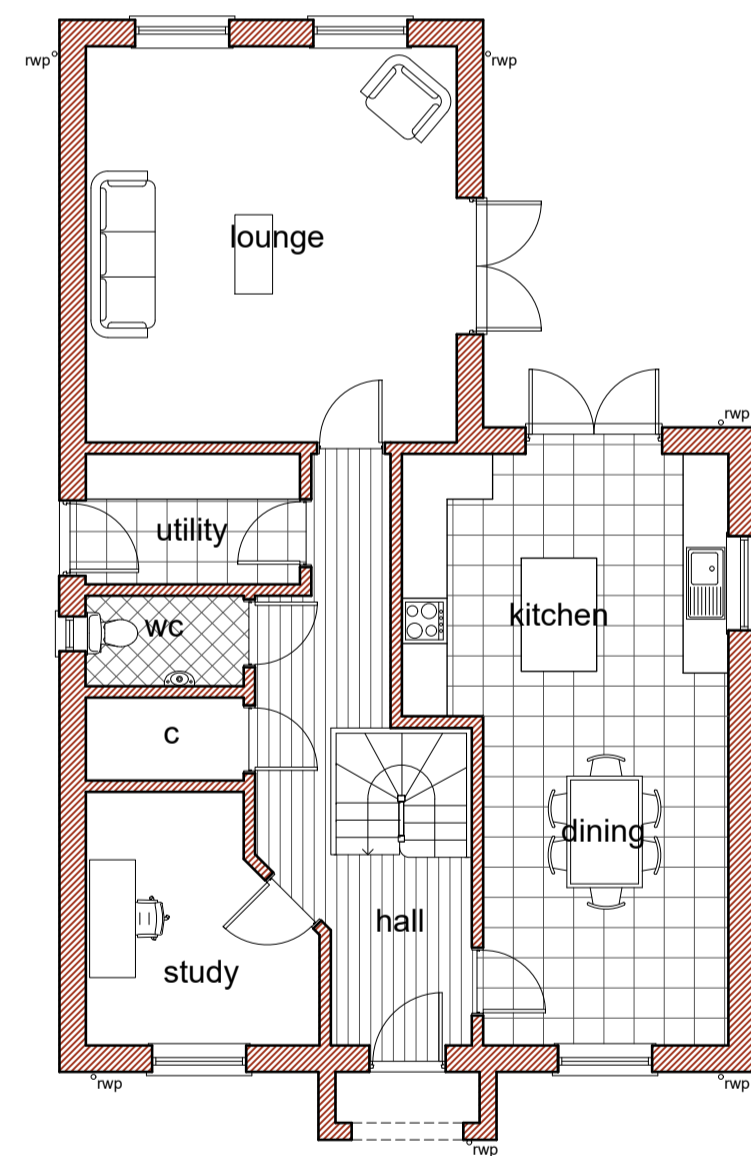
Side Elevation (E) 
 Scale: 1:100



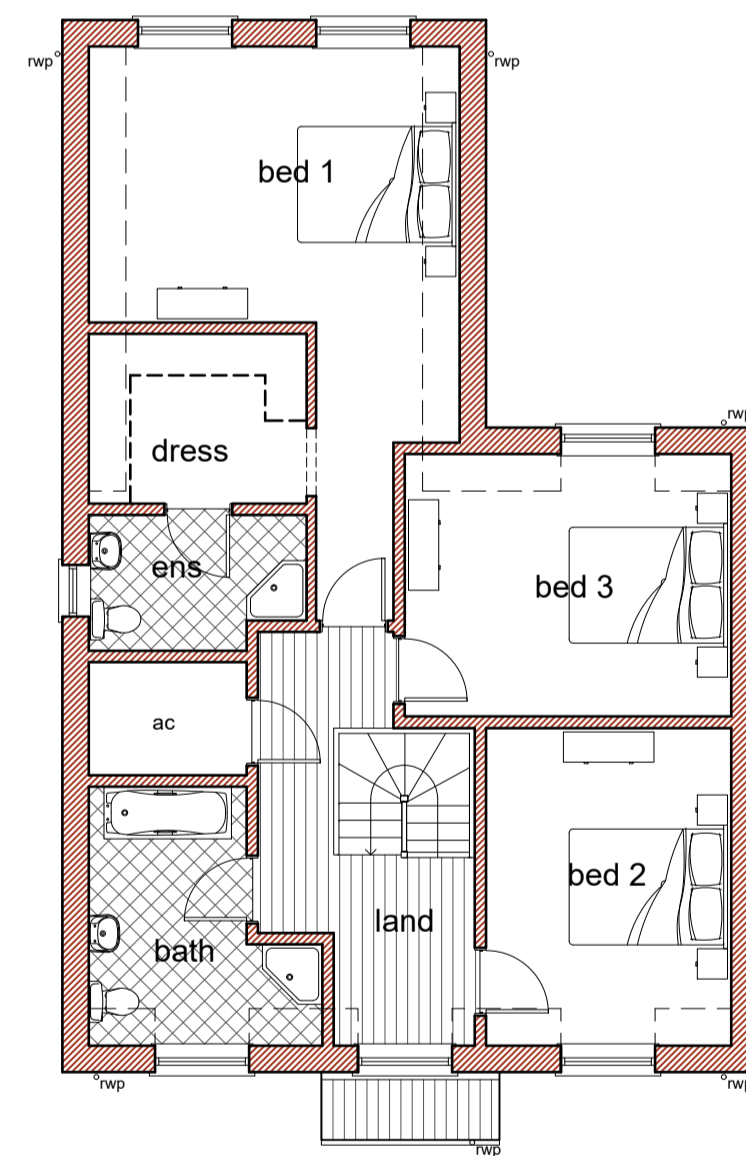
Rear Elevation (N) 
 Scale: 1:100

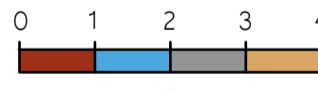


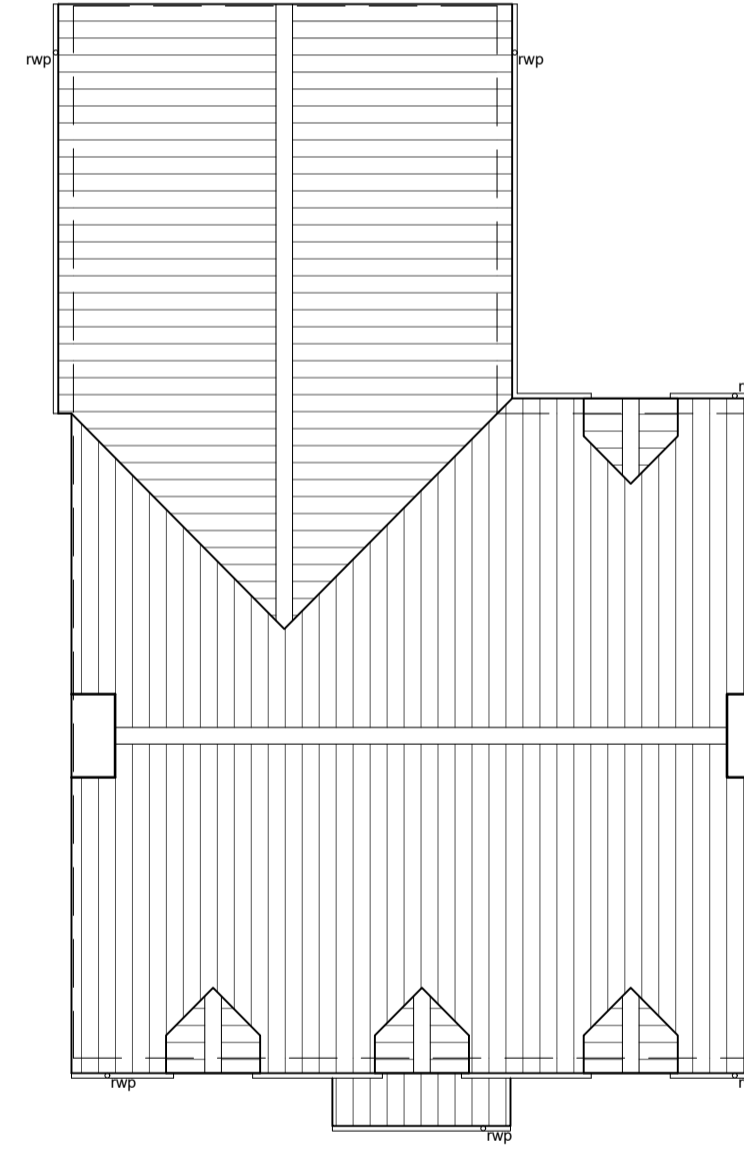
Side Elevation (W) 
 Scale: 1:100



Ground Floor Plan 
 Scale: 1:100

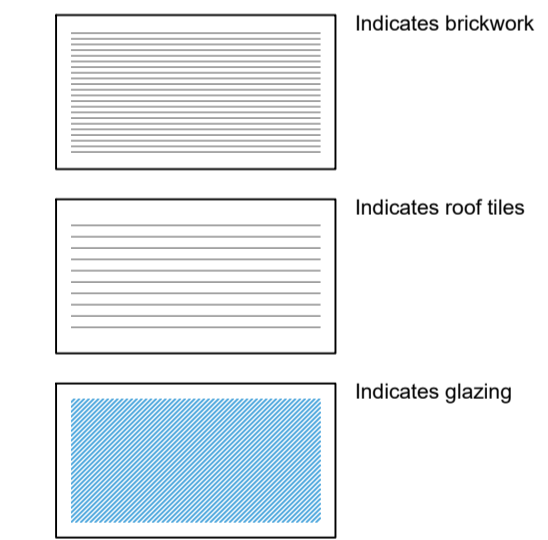


First Floor Plan 
 Scale: 1:100

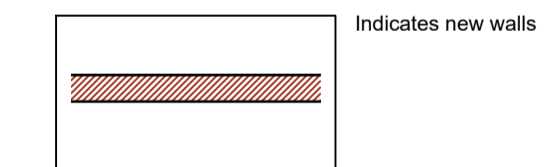


Roof Plan 
 Scale: 1:100

ELEVATION KEY



WALL KEY



Status
FOR APPROVAL

SWANN EDWARDS
 ARCHITECTURE
 Swann Edwards Architecture Limited, Fen Road,
 Guyhirn, Wisbech, Cambs. PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed 3No. Dwellings Gull Lane, Leverington, Wisbech, Cambs For: Mr P Gumbley	Date June 2019	Scale As Shown Sheet Size A1
Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by M.N.
	Dwg No. PP1003	Revision