
F/YR19/0352/F

**Applicant: Mr G Wilding
Dawe Developments**

**Agent : Mr Nigel Lowe
Peter Humphrey Associates Ltd**

Land West Of, 126 - 128 Elliott Road, March, Cambridgeshire

Erection of 3 x single-storey 3-bed dwellings with detached garages

Reason for Committee: The Officer's recommendation is contrary to that of the Town Council

1 EXECUTIVE SUMMARY

This application seeks full planning permission for the erection of 3 detached single storey 3 bed dwellings accessed via an existing private road off Elliott Road. This is a resubmission following a previous Committee refusal for 4 dwellings in 2017 (F/YR17/0490/F). The principle of residential development in this location is acceptable as the site is located within a Primary Market Town and is surrounded by existing residential development. The reduction in number to 3 dwellings addresses previous concerns in relation to the layout and overdevelopment of the site, impact on the character of the area and the amenity of future occupiers.

The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site is an irregular shaped piece of land measuring approximately 0.25 ha which lies within an established residential area of March. The site is accessed via an existing private road serving a total of 6 dwellings which leads off Elliott Road between No's 124 and 126. The site appears to be vacant land. A barn on the site has been demolished.
- 2.2 The site is bounded in all directions with a mixture of residential development. Immediately to the north the site adjoins a residential car park serving 2-storey dwellings at Peas Hill Road. To the east, the site backs onto rear gardens of single storey dwellings at 126 to 132 Elliott Road and to the west the site abuts the curtilages of dwellings 199 and 201 West End. Directly opposite the site to the south are 2 recently completed detached bungalows.
- 2.3 Members gave deemed approval in 2016 for 9 x 2-storey 2-bed dwellings on the site subject to the completion of a S106 Agreement (F/YR16/0264/F). The applicant was unable to complete the legal agreement and the application was withdrawn. It is understood that the proposed access through the car park of the adjacent development prevented the completion of the S106 Agreement.

- 2.4 The site's historical land use includes: dairy and poultry farming; orchard; and impacts from previous site clearance and demolition. A Phase 1 Contamination Report was submitted as part of the 2016 application. The site lies in Flood Zone 1.

3 PROPOSAL

- 3.1 The application seeks planning permission for the erection of 3 similar, detached, single storey 3 bed dwellings. The dwellings will be laid out around the perimeter of the site with an access point leading north from the existing private road serving each dwelling, approved under F/YR17/120/F.
- 3.2 The dwellings will each have a single garage and driveway to provide parking for 2 cars per dwelling. External materials have not been committed at this stage.
- 3.3 Landscaping comprises 1.8m high close boarded fence to screen each plot and a mixture of shrub planting at the frontage of each plot and adjacent to the access roads.
- 3.4 The access to the rear of No 201 West End will be retained/ relocated and two new parking spaces provided on land within the applicant's ownership.
- 3.5 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PQQ6ERHE01U00>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR17/1207/F	Erection of 2 x single-storey 4-bed dwellings with detached single garages (retrospective) Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	02/05/2018
F/YR17/0490/F	Erection of 4 x single-storey dwellings comprising of: 1 x 3-bed with integral garage and 2 x 3-bed and 1 x 4-bed with detached garages Land West Of 126 - 128 Elliott Road March Cambridgeshire	Refused	17/08/2017
F/YR16/0264/F	Erection of 9 x 2-storey 2-bed dwellings Land West Of 126-132 Elliott Road Accessed From Peas Hill	Withdrawn	31/01/2017
F/YR15/1001/F	Erection of 1 x 4-bed and 3 x 3-bed single-storey dwellings with garages Land West Of 126 - 128 Elliott Road March Cambridgeshire	Withdrawn	25/02/2016
F/YR15/0263/F	Erection of 9 x 2-storey 2-bed dwellings involving demolition of existing outbuilding Land West Of 126-132 Elliott Road Accessed From Peas Hill	Refused	24/07/2015
F/YR15/3044/CO	Details reserved by conditions 2 4 5 6 7 11 and 12 of planning permission F/YR13/0943/F (Erection of 2 x single-storey 4-bed dwellings with detached single garages) Land West Of Greenacre Elliott Road March Cambridgeshire	Approved	19/06/2015
F/YR13/0943/F	Erection of 2 x single-storey 4-bed dwellings with detached single garages Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	02/12/2014
F/YR12/0587/F	Erection of 3 x 2-storey 3-bed dwellings with detached garages Land West Of Greenacre Elliott Road March Cambridgeshire	Dismissed on Appeal	11/09/2013
F/YR12/0267/F	Erection of 3 x single-storey 3-bed dwellings with detached garages Land West Of Greenacre Elliott Road March Cambridgeshire	Refused	29/06/2012
F/YR08/1092/F	Erection of 12 x 2-bed terraced houses involving demolition of existing outbuildings Land West Of 126-132 Elliott Road Accessed From Peas Hill	Withdrawn	26/02/2009
F/YR07/0442/F	Erection of 3 x 3-bed detached bungalows with detached single garages Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	22/01/2008
F/YR06/1361/F	Erection of 3 x 3-bed detached bungalows with detached garages Land West Of Greenacre, Elliott Road, March, Cambridgeshire,	Withdrawn	18/01/2007
F/YR02/0683/O	Residential Development (0.428 ha) Baxters Dairy And Land South Of Peas Hill Road March Camb	Granted	17/10/2003

5 CONSULTATIONS

5.1 March Town Council

Recommend Refusal – over development and flooding issues.

(It should be noted that in 2017 the Town Council recommend approval of the proposal for 4 dwellings)

5.2 CCC Archaeology

Our records indicate that the site lies in an area of high archaeological potential. Located on the island of March, which was an important resource to early communities in the fenland environment. The fen edge in particular is known to be rich in archaeological sites and finds of Mesolithic, Neolithic and Roman material have been found from the surrounding area (Historic Environment Record reference MCB6333, MCB10135, MCB12823). Medieval activity is indicated by the current course of the River Nene, which was diverted across March island in the medieval period.

We have commented on this in recent years. We would recommend that the same archaeological standard condition is placed on the development as was for prior application (F/YR15/0263/F, F/YR16/0264/F, F/YR17/0490/F) within the same bounds, that is:

We do 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 negative condition, such as the example condition approved by DCLG.

5.3 FDC Environmental Health

As raised previously, due to historic land use there is a potential for pollution linkages to exist from contaminants on site and the proposed new development. Therefore an intrusive (phase 2) investigation is needed. The contamination condition is therefore required if permission is granted although the desk study element has been carried out in a previous planning application for this site (F/YR16/0264/F).

5.4 CCC Highways

No highway objections subject to conditions relating to the access approved under planning consent F/YR17/1207/F being imposed. This is only applicable if the conditions have not been implemented as part of planning consent F/YR17/1207/F. Parking and turning condition required for site in question.

5.5 Local Residents/Interested Parties

Three letters have been received from the occupants of neighbouring properties:

No 191 West End support the application, *“great looking little development, highly sort after quality bungalows which will finish off our road nicely fitting in with all the surrounding bungalows”.*

No 134 Elliott Road comment as follows: *“It is not precisely clear looking at the on-line plans, but it does seem to encroach on the ransom strip which wouldn’t be acceptable. The previous development by this company off Peas Hill Road, completed 10 – 12 years ago, has still not been properly finished off. The car parking area looks like waste ground and has very large, deep puddles left after rainfall. There are considerable areas just left growing wild and the buddleia, elderflower and brambles flourish making it virtually impossible to access our fence from that side to keep it stained and maintained. The plans included allocated car parking spaces and certain small landscaped areas, none of which has been done. How can householders whose property boundary butts up to this second plot of land ensure that the developer will finish off another area completely if permission is granted, when the first one is left in such a dreadful state for so many years?”*

Officer’s Response: The Planning Enforcement Team has been notified with regard to the comments on the adjacent site. The application form indicates that the site is within the ownership of the applicant, with notice also being served on the occupants of the two new bungalows to the south of the application site.

No 201 West End object for the following reasons. *“Unfortunately although we like the suggestion of 3 x single-story 3-bed dwellings with detached garages being built behind our house, we have to object after having a conversation with Nigel at Peter Humphreys Associates, who has failed to come and mark out the new boundary as he said he would, we would like to raise the following points;*
1. *The site map is not a true representation of the actual development;*

- The parking spaces allocated for us are actually located in the garden of our property. The plan indicates that they are between our property and the new development.

2. We are advised by Nigel at Peter Humphreys Associates that the fence line for the new development will be butted up to ours;

- We will not be able to access our gate if this is correct.

- This will leave no parking at the rear of our garden as the plan suggests.

- We were advised that we can park in the access route to our property shown on the plans, however is there provision for this to be made up to a road standard, who would own and maintain it, would there be anything to prevent anybody parking across this road to cause loss of access to us, or cause us to be blocked in?

3. When we purchased our house 10 years ago, the paperwork clearly states that we would always have two parking spaces and access after any development on the land at the rear of our house”.

Officer's Response: The agent was contacted and asked to address the comments. An amended drawing was prepared and submitted (Rev B) which shows the parking allocated to No 201 more clearly. The agent has informed the LPA that the land registry title plans show that historically Nos 191 and 199 have a right of way, but No 201 does not. Having said that, the applicant has confirmed to the agent that it was agreed to give 201 West End vehicular access with 2 parking spaces, although the location was not stated. Unfortunately this will mean the pedestrian gate to the rear of No 201 will need relocating. It is envisaged this will be at the expense of the developer whilst erecting new boundary treatments along this boundary. The parking area will be gravelled and could be gated should the owners of 201 West End wish it. This, however, falls outside the application red line. The agent has stated that the position of the boundary line is already in place by the existing fence so there is nothing new to mark out.

6 STATUTORY DUTY

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)

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014

LP1: Presumption in favour of sustainable development

LP2: Health and Wellbeing

LP3: Spatial Strategy and Settlement Hierarchy

LP15: Highway safety

LP16: High Quality Environments

7.2 March Neighbourhood Plan 2017

Policy H2 Windfall Development:

8 KEY ISSUES

- Principle of Development
- Character of the Area
- Amenity

- Access
- Other

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 identifies the 4 main Market Towns, including March as a sustainable area for growth and seeks to steer residential development to this area. Furthermore, permission was granted for 9 dwellings in 2016 on this brownfield site within the urban area of March. Therefore the principle of development in this area is acceptable subject to compliance with other policies of the Fenland Local Plan 2014, and the March Neighbourhood Plan 2017.

Character of the Area

- 9.2 Policy LP16(d) aims to deliver high quality environments, seeking to ensure that development responds to and improves the character of the local built environment and does not adversely impact either in design or scale on the street scene. Policy H2(f) of the March Neighbourhood Plan 2017 requires proposals to have a high design quality.
- 9.3 The dwellings are of a scale and design commensurate to the single storey dwellings in the area and subject to agreement on external materials could appear sympathetic to the established built form in the locality. The reduction in numbers from 4 to 3 along with an amended layout has overcome the previous objections with regard to the overdevelopment of the site. The proposal is now considered to comply with Policy LP16(d) and H2(f).

Amenity

- 9.4 Policies LP2 and LP16 seek to secure good design which creates a high quality environment and a high level of residential amenity. Policy H2 (a) requires the proposal not to result in an unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings.
- 9.5 With regard to the impact on the neighbouring properties, it is considered that due to the scale of the proposed dwellings (single storey) and the distance from the existing dwellings, there would be minimal impact on the amenity of the neighbouring occupiers.
- 9.6 The amended layout provides a better quality and quantity of private amenity space attributed to each plot, with a 1/3rd of the each plot designated as garden or private amenity space. To safeguard this, it is proposed to remove certain permitted development rights through the imposition of a planning condition. This will be subject to the mature boundary hedging to the northwest corner of Plot 1 being retained. The layout will create a small cul de sac where the 3 dwellings face onto the driveway and to each other. The proposed front gables will be between 11m and 16m from each other. This relationship is considered to be acceptable. The proposal is considered to comply with Policies LP2 and LP16 of the Fenland Local Plan 2014 and H2 (f) of the March Neighbourhood Plan 2017.

Access

- 9.7 Policy LP15 aims to ensure that new development provides a good designed, safe and convenient access. The highways officer has raised no objection to the proposed scheme subject to conditions securing the delivery of the private road to an acceptable standard as approved under planning permission F/YR17/1207/F As

the access road (surfacing) has not been completed the relevant conditions should be carried over/ applied to this permission. Similarly, as this is a private road, a refuse collection strategy should be provided to demonstrate how the new dwellings will be serviced.

Other

- 9.8 The Town Council's comments are noted. It is considered that the reduction in scale of the proposal (4 to 3 dwellings) would address previous concerns and would not constitute overdevelopment of the site.
- 9.9 The site lies within Flood Zone 1 and as such development of this nature in this location is considered appropriate. The application drawings indicate that the surface water is likely to be discharged via soakaways. The precise drainage design would need to comply with Building Regulations. Similarly foul drainage has been indicated to be disposed of via mains sewer and Anglian Water consent will be required for this.
- 9.10 Accordingly there is no flood risk or drainage related grounds in the context of the Local Plan and to the NPPF on which to object to the proposed development.
- 9.11 The comments from the neighbours have been dealt with in Section 5.5. The provision of parking spaces and access to the rear of No 201 is a private matter between the relevant parties.

10 CONCLUSION

- 10.1 The amended proposal is considered to constitute sustainable development and is therefore considered to be acceptable subject to planning conditions.

Pre-commencement conditions

- 10.2 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).
- 10.3 The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved it is considered that the requirements of section 100ZA(5) have been met.

11 RECOMMENDATION

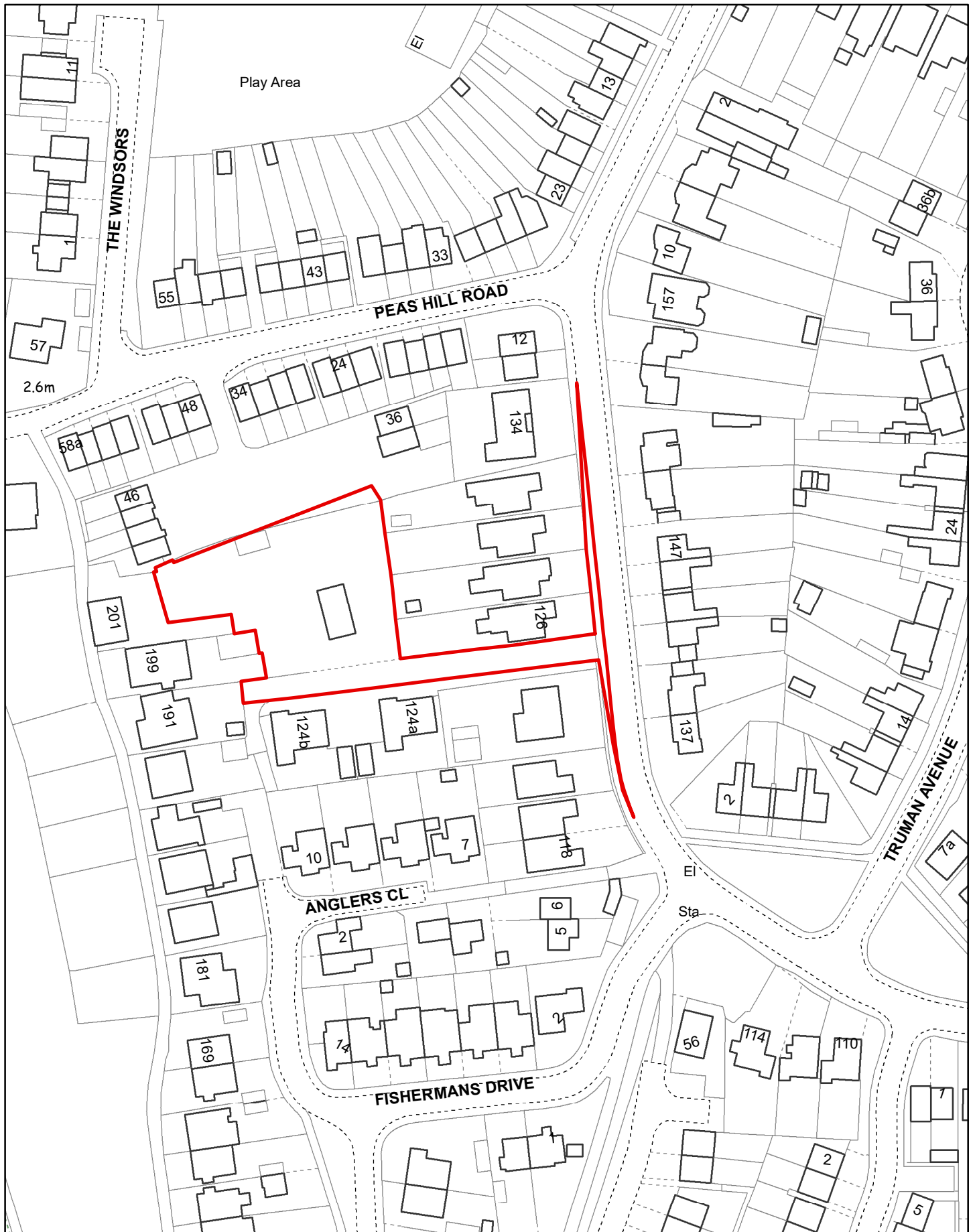
GRANT subject to the following Conditions as set out below:

1.	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	A satisfactory scheme of external finishes shall be submitted to and approved in writing by the Local Planning Authority before any development proceeds above slab level on the site, and the work executed in accordance with the approved scheme. Reason - To safeguard the visual amenities of the area and in

	accordance with Policy LP16 of the Fenland Local Plan 2014.
3.	<p>No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <p>a) the statement of significance and research objectives;</p> <p>b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>c) The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.</p> <p>Reason - To secure the provision of the investigation and recording of archaeological remains and the reporting and dissemination of the results in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
4.	<p>No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority (LPA) and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.</p> <p>(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</p> <p>No development approved by this permission shall be occupied prior to</p>

	<p>the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).</p> <p>(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land or water in the interests of the environment and public safety in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
5.	<p>Prior to the first occupation of any part of the development hereby approved the proposed on-site parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The works shall be fully executed on the site and retained in perpetuity for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.</p>
6.	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:</p> <ul style="list-style-type: none"> i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E); ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D); iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); iv) alterations to the roof of the dwelling house (as detailed in Schedule 2, Part 1, Class C). <p>Reason - To safeguard the amenities currently enjoyed by the</p>

	occupants of adjoining dwellings and in order to control future development and to prevent the site becoming overdeveloped in accordance with Policy LP16 of the Fenland Local Plan, 2014.
7.	<p>Prior to the occupation of any part of the development hereby approved, details of the boundary treatments to be constructed between the development and adjacent properties shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s) and retained in perpetuity thereafter.</p> <p>Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the neighbouring properties are afforded an acceptable measure of privacy in accordance with Policy LP2 and LP16 of the Fenland Local Plan, 2014.</p>
8.	<p>Prior to occupation of any part of the development hereby approved a refuse collection strategy including the full details of any bin collection areas shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason - To ensure a satisfactory form of refuse collection and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9.	<p>Prior to the first occupation of any part of the development hereby permitted the vehicular access from Elliott Road shall be hard surfaced, sealed and drained away from the highway for a minimum length of 10m from the back edge of the existing footway; in accordance with a detailed scheme to be submitted to and approved in writing by the local planning authority and constructed in accordance with the Cambridgeshire County Council construction specification.</p> <p>Reason- To ensure safe access to the site in accordance with the provisions of Policy LP15 of the Fenland Local Plan 2014.</p>
10.	Approved Plans.



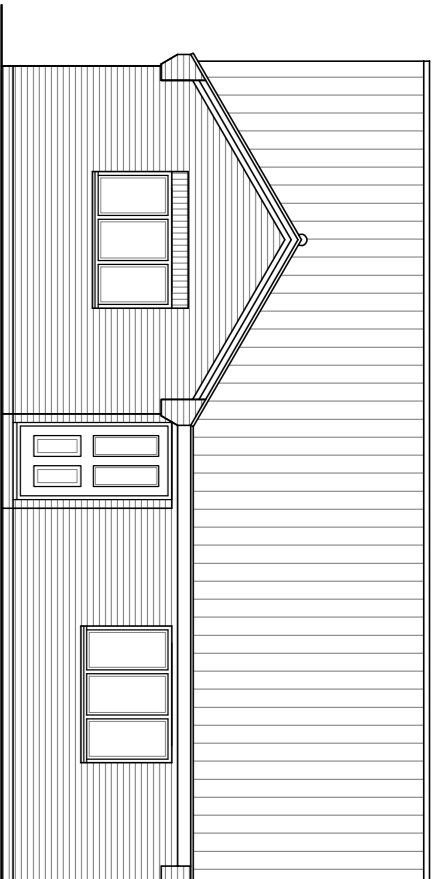
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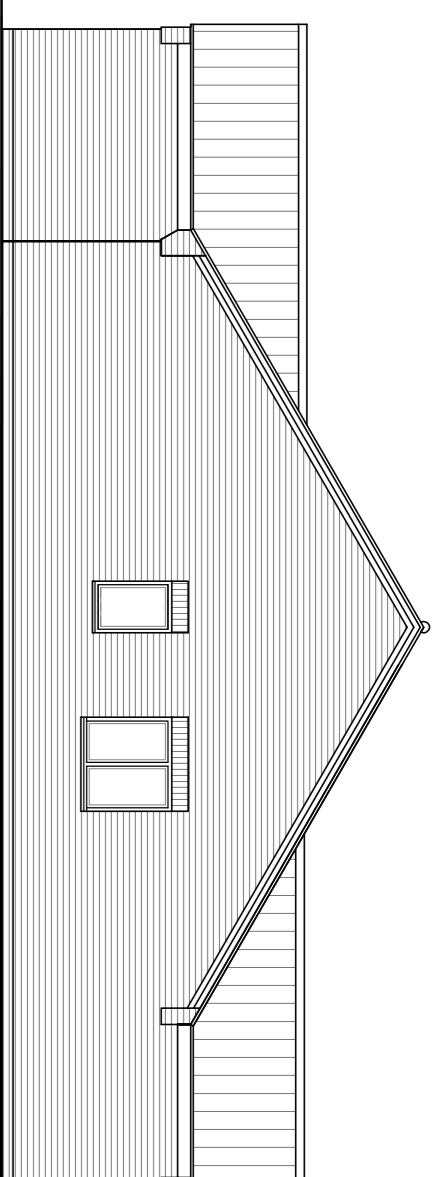
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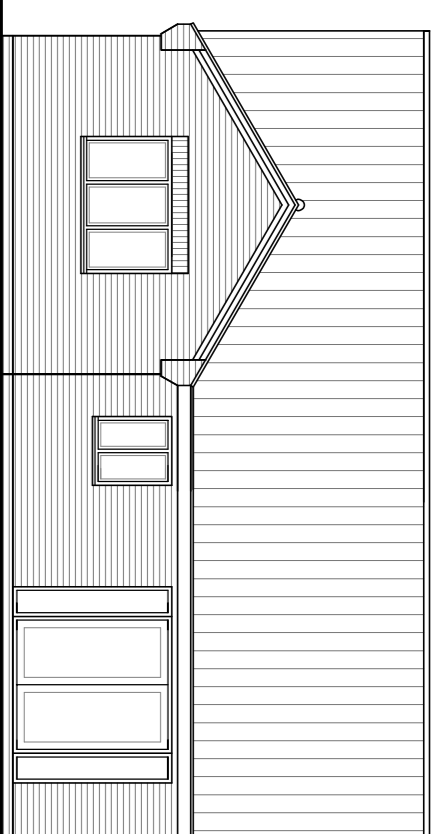




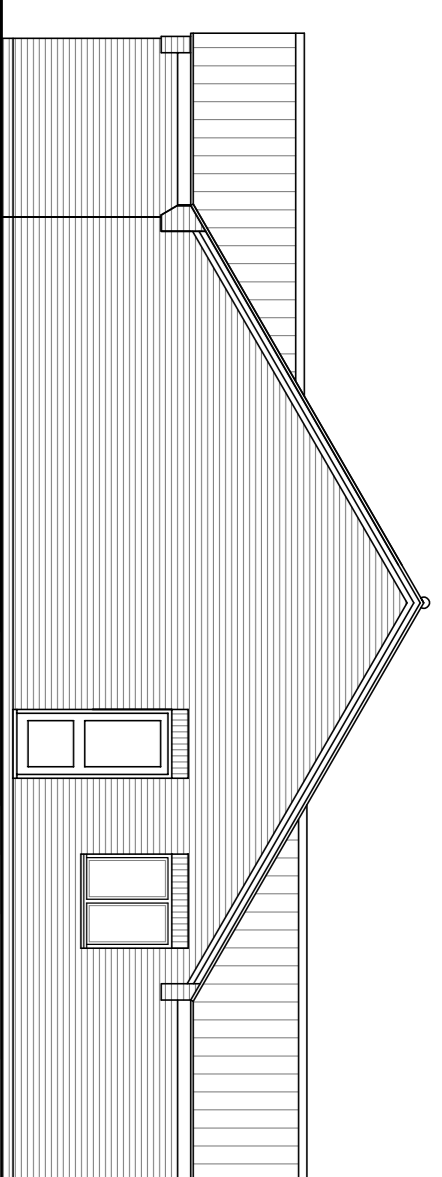
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SCALE 1:100



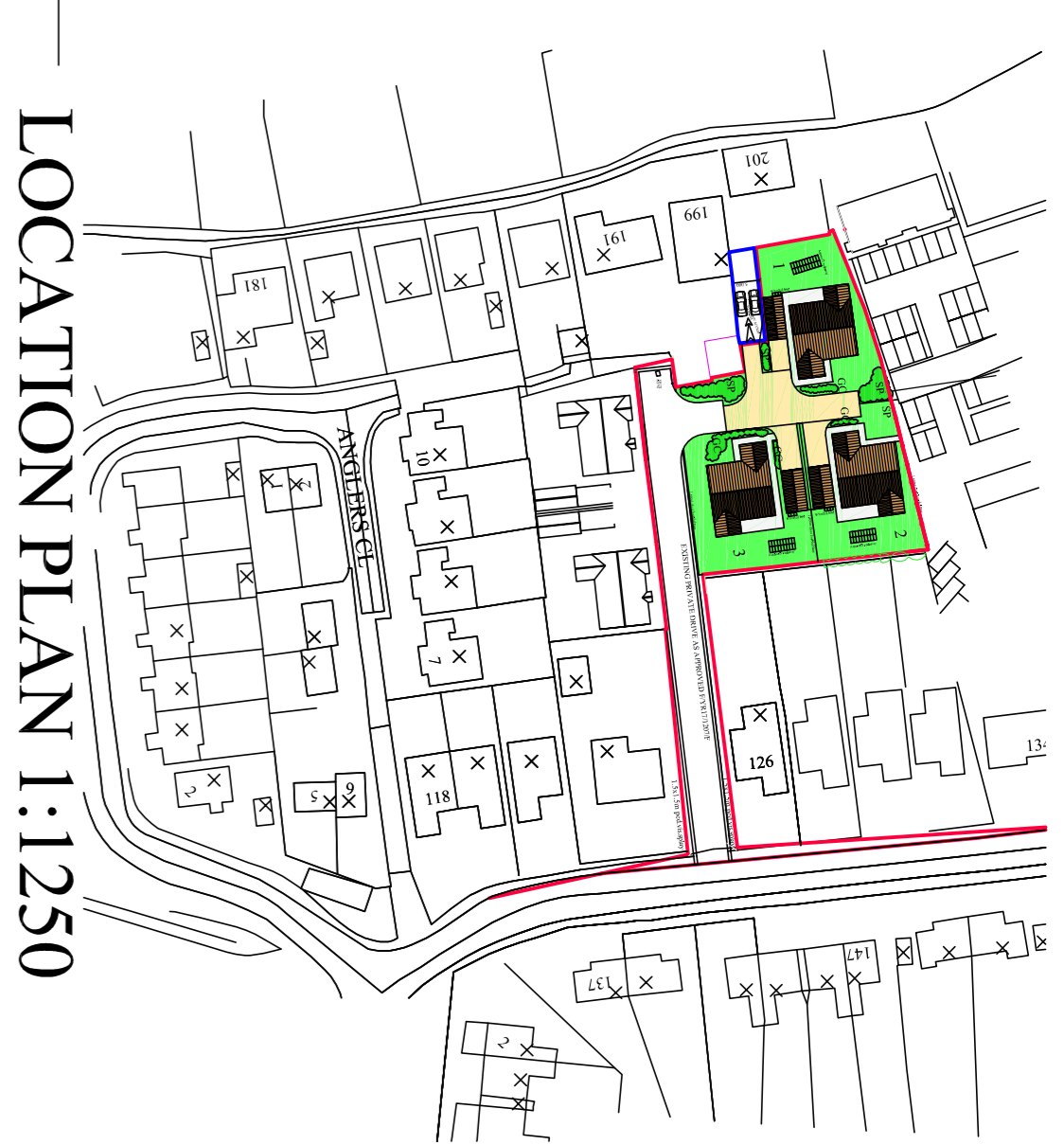
SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



LOCATION PLAN 1:1250

LANDSCAPING
SHRUB PLANTING (EQUALLY MIXED) (SP)
 PLANTED AT 900mm CENTRES, 60/90cm CONTAINER GROWN

LONGCERA PILEATEA
SPREAE GOLD FLAME
PRINTS PATROCERASUS
STRONGA VILGARRS

GROUND COVER PLANTS (G,C)
CONTONEASTER HORIZONTALIS
HEDERA HELIX
LAVANDULA SPICA
CALLUNA VILGARRS

ALL PLANTING, SEEDING OR TURFING COMPRISED IN APPROVED DETAILS OF LANDSCAPING SHALL BE CARRIED OUT IN THE FIRST PLANTING AND SEEDING SEASONS FOLLOWING THE OCCUPATION OF THE BUILDINGS OR THE COMPLETION OF THE DEVELOPMENT, WHICHEVER IS THE SOONER, AND ANY TREE OR PLANT WHICH WITHIN A PERIOD OF 5 YEARS FROM THE COMPLETION OF THE DEVELOPMENT OR ARE REMOVED, OR BECOME SERIOUSLY DAMAGED OR DISEASED, SHALL BE REPLACED IN THE NEXT PLANTING SEASON WITH OTHERS OF SIMILAR SIZE AND SPECIES, UNLESS THE LOCAL PLANNING AUTHORITY GIVES WRITTEN CONSENT TO ANY VARIATION.

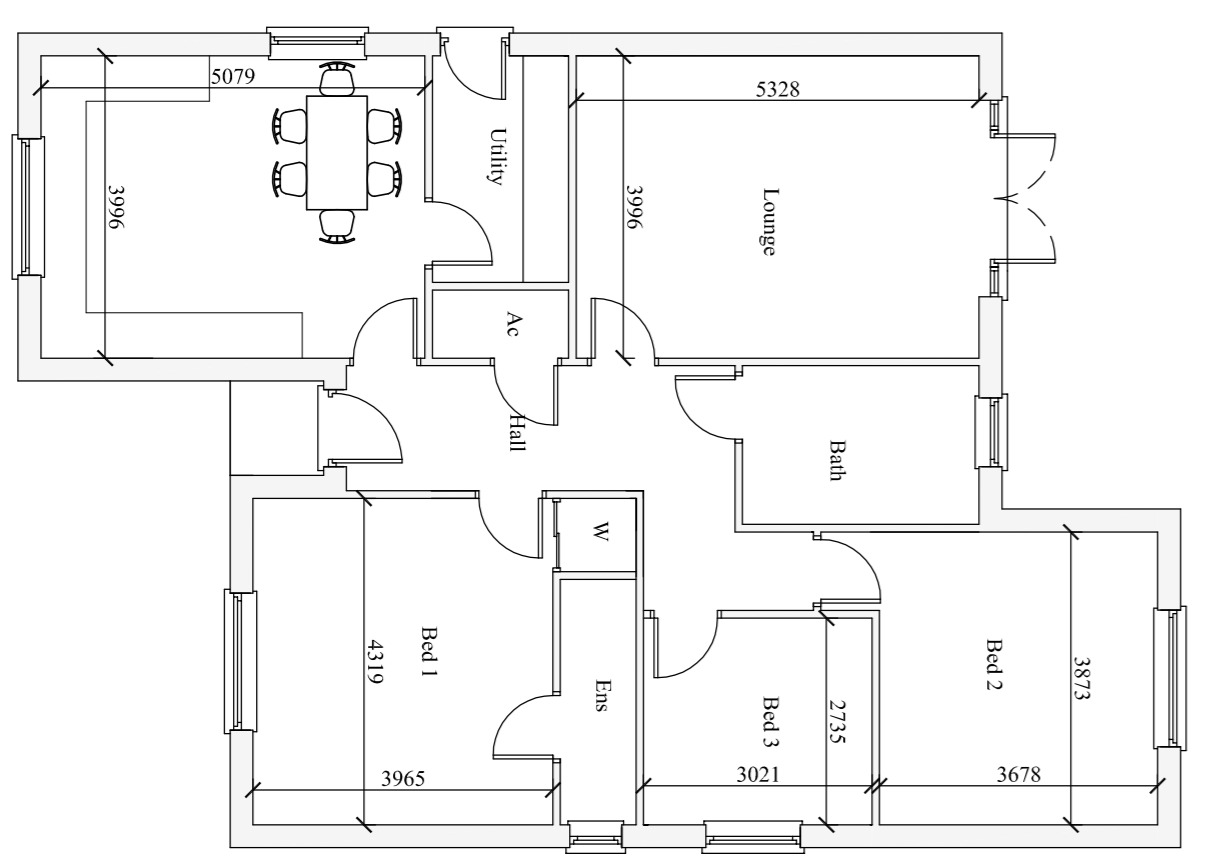


FLOOD ZONE 1

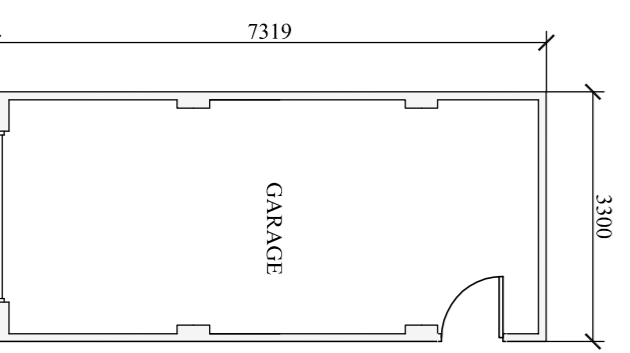


SITE PLAN 1:500

PLOT 2 HANDED

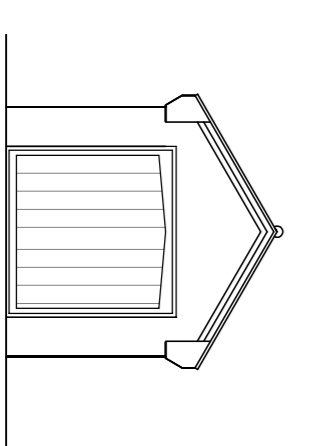


FLOOR PLAN
SCALE 1:100

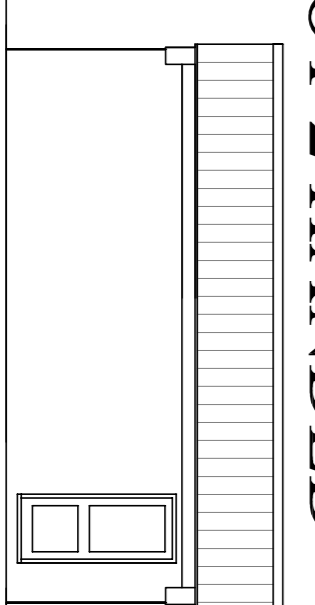


FLOOR PLAN
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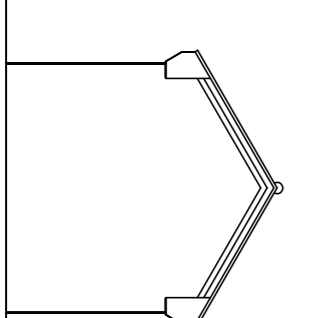
PLOT 2 HANDED



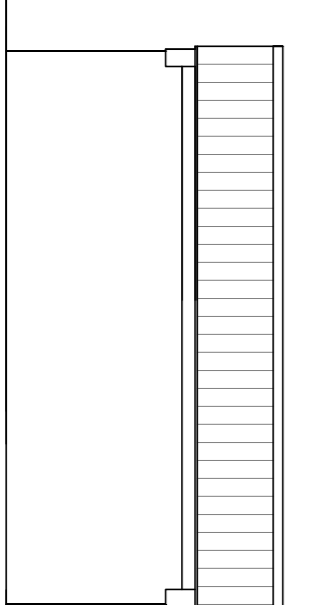
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

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DAWE DEVELOPMENTS

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