
F/YR19/1070/F

Applicant: Mr John Mawby

**Agent : Mr Andy Brand
The Abbey Group**

Land South Of 72 Fieldside Accessed From, Lake Drove, Coates, Cambridgeshire

Erect a dwelling (2-storey 4-bed), detached garage, and front boundary treatments (fence, gates and piers) at a max height of 2.1m high (approx)

Officer recommendation: Grant

Reason for Committee: Number of representations received contrary to the Officer recommendation.

1 EXECUTIVE SUMMARY

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| <p>1.1 The site benefits from an extant planning permission for residential development granted at appeal where it was found that whilst some harm to the character of the area would arise, it would not be so significant so as to refuse permission.</p> <p>1.2 Furthermore, development for a modern 4 dwelling scheme has been approved on the adjacent site which would markedly change the open character of the area</p> <p>1.3 The proposal would result in the introduction of a custom/ self-build dwelling.</p> <p>1.4 The layout and general massing and scale of the development would not severely harm the character of the area in design or scale terms and would provide adequate amenity to future occupiers whilst protecting neighbouring amenity. Finally, through the use of planning conditions, the site could incorporate biodiversity features to mitigate its impact and provide opportunities to enhance biodiversity in and around the site.</p> <p>1.5 Having regard to the development plan and the aims of the NPPF when read as a whole, the proposal would constitute sustainable development for which there is a presumption in favour of.</p> <p>1.6 The recommendation is for approval</p> |
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2 SITE DESCRIPTION

- 2.1 The site lies to the south-west of Coates on the western side of Fieldside and is accessed via Lake Drove. The site is bounded to the east by a sporadic hedgerow and along the western boundary by a mixture of hedgerow and fence. The northern and southern boundaries are currently open.

- 2.2 The land immediately north of the site is also in the applicant's ownership and leads to Fieldside (track) which also currently serves 2 dwellings.
- 2.3 The character of the immediate area between Fieldside (track) and Lake Drove is of countryside with only sporadic housing generally dominated by undeveloped spaces, trees and hedgerow and with open farmland extending north and southwards from the site. The area is considered to be rural in character when compared to the more built up area of Coates to the north east of Fieldside with a reversal of open space versus housing ratio.
- 2.4 The site lies in Flood Zone 1

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a 2-storey dwelling with detached garage. The dwelling is stated to be a custom/ self-build dwelling which draws on traditional design features including Georgian sash-style windows, a central gable with dormer roof windows and chimneys. It is proposed to be finished externally in slate grey roof tiles, Clipsham Stone facing walls and timber doors (window material yet to be confirmed). The dwelling measures 9.6m in height to the main ridge with a drop in the side extension element to 8.7m and 7.2m height for the rear projection.
- 3.2 The garage is 6m in height and provides sufficient space for up to 3 cars. It incorporates an attic area indicated to be for storage. It is proposed to be finished in the same materials as the dwelling.
- 3.3 The dwelling is accessed via Lake Drove along the south of the site and is proposed to be enclosed along the southern boundary by a 1.2m high estate rail fence incorporating a pair of wide timber gates hung from 2.1m high stone built piers.
- 3.4 The dwelling occupies a footprint of c.310m² with c.418m² of rear garden. Fencing is proposed along the remaining boundaries to secure this area of private amenity space.
- 3.5 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR19/1085/F	Erect a dwelling (2-storey 5/6-bed) with an integral garage involving the demolition of existing garage	Pending
F/YR19/0500/F	Erect 2 dwellings (1 x 3-storey 6-bed with detached 2-storey triple garage and 1 x 3- storey 5/6-bed with garage) with 1.5 (2.2 max) metre high brick front boundary walls - Land South of 72 Fieldside	Withdrawn 01.08.2019
F/YR17/0085/O	Erection of up to 2 x dwellings (Outline application with all matters reserved) - Land South Of 72 Fieldside	Allowed at Appeal (APP/D0515/W/17/3190527)
F/YR15/0090/O	Erect 3 dwellings - Land South Of 72 Fieldside	Dismissed at Appeal (APP/D0515/W/15/3131297)
F/YR08/0773/F	Erect 1 dwelling and a garage and 2 dwellings - Land South Of 72 Fieldside	Refused 14.10.2008
F/YR05/0942/O	Erect 1 dwelling and garage and demolition of existing dwelling and shed - 72 Fieldside, Coates	Granted 07.10.2005

Other Relevant Planning History

Reference	Description	Decision
F/YR17/1062/F	Erect 4 dwellings with garages - Land South East Of 70 Fieldside	Granted 15.03.2018
F/YR16/0593/F	Erect 4 dwellings with garages - Land South East Of 70 Fieldside	Granted 31.08.2016
F/YR15/0450/F	Erect 4 dwellings with garages - Land South East Of 70 Fieldside	Dismissed at Appeal (APP/D0515/W/16/3143188)

5 CONSULTATIONS

5.1 Whittlesey Town Council

No objection

5.2 Middle Level Commissioners

No comments received

5.3 Cambridgeshire County Council Highways Authority

No objection subject to conditions securing the provision of the access and parking and turning area prior to the first occupation of the development.

5.4 Environment & Health Services (FDC)

Raises no objections. Considers it is unlikely to have a detrimental effect on local air quality and the noise climate, or be affected by ground contamination.

5.5 Local Residents/Interested Parties

12 letters of objection received from 9 households raising the following matters;

- Access
- Anti Social behaviour
- Density/Over development
- Design/Appearance

- Devaluing property
- Environmental Concerns
- Loss of view/Outlook
- Noise
- Out of character/not in keep with area
- Overlooking/loss of privacy
- Parking arrangements
- Proximity to property
- Shadowing/loss of light
- Traffic or Highways
- Trees
- Visual Impact
- Wildlife Concerns/ loss of natural habitat
- Would set a precedent
- Creates a new building line off Fieldside
- Removal of trees including one with a TPO
- Drainage (foul)
- Local Schools unable to cope
- Too big
- Coates has large properties for sale – need for more?
- Lack of affordable homes
- Development previously refused
- Clarification on the number of bedrooms – drawings and design and access statement conflict
- Only a small reduction in size from the previous application
- Does not comply with policy
- Waste/ litter
- No footpath
- Larger than that approved at Outline permission
- The planning agent is a relative of a council employees including one from the Planning dept.

7No. letters of support received from 7 households raising the following matters;

- The dwelling is well-thought out
- Would benefit the village and provide a family home
- Supports the Council's progressive approach of quality and interesting housing
- Access, parking and open space incorporated
- Outline permission has been granted for development of this site
- Complies with policy
- Compliments the new housing built in the village
- The site is positioned between a house and a new housing development of varying styles
- A high tree line defines the site and therefore does not impede existing views
- Would improve the road line
- Respects the amenity of neighbours
- Makes use of the land
- Will support local business
- Has been significantly amended form the previous application

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)

7.3 National Design Guide 2019

Context

Identity

Built Form

Nature

Homes and Buildings

Resources

7.4 Fenland Local Plan 2014 (FLP)

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 Areas Development Policy

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

LP19 – The Natural Environment

7.5 Supplementary Planning Documents/ Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Scale, Appearance and Layout**
- **Residential Amenity**
- **Access & Highways**
- **Biodiversity & Landscaping**
- **Resident Comments**

9 BACKGROUND

- 9.1 The site forms the southern half of a wider site which benefits from outline planning permission for 2 dwellings (F/YR17/0085/O). The outline permission indicated one dwelling in the northern half and one in the southern half. Only access was committed at outline stage and therefore scale, layout, appearance and landscaping were reserved for future consideration. Under the appeal, the

Inspector found that whilst some harm to the character of the area would arise through development of the site, it would not be so significant so as to refuse permission having regard to the NPPF 'tilted balance' that applied at that time.

- 9.2 An application for development of 2 dwellings at the site was withdrawn last year, to enable further discussion over the scale, layout and appearance of the dwellings (F/YR19/0500/F).
- 9.3 The wider site has now been split into 2 separate application submissions. This application has been submitted alongside a separate application (F/YR19/1085/F) for the development of the northern half of the site.
- 9.4 The land adjacent to the east also benefits from extant planning permission for the erection of 4 dwellings (F/YR17/1062/F) which front onto Fieldside. Whilst this scheme has not yet been implemented, Officers are not aware of any reason why this site would not eventually come forward for development and therefore consider that the scheme is material to the consideration of this application.
- 9.5 The planning agent has declared within the application submission that they are related to Officers of the Council.

10 ASSESSMENT

Principle of Development

- 10.1 The site benefits from outline planning permission for residential development (F/YR17/0085/O) which remains extant. As such, the principle of development is accepted.

Scale, Appearance and Layout

- 10.2 As noted above, the current character of the area is relatively open and rural, particularly when compared to the eastern side of Fieldside which has a denser arrangement of dwellings. However, regard is had to the principle of developing the site following the granting of permission at appeal in 2018. Furthermore, it is also acknowledged that permission exists for 4 dwellings on land immediately east of the site. Cumulatively, this would notably change the density and scale of development in this location and therefore the open character of the area. It is with this in mind that the proposal is considered.
- 10.3 Policy LP16 of the FLP seeks to achieve high quality environments. Criteria (d) seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area, responding to and improving the character of local built environments and avoiding adverse impacts in design or scale terms on settlement patterns and landscape character. Chapter 12 of the NPPF sets out that to achieve well-designed places, development should be visually attractive as a result of good architecture, should be sympathetic while not discouraging appropriate innovation or change.
- 10.4 The overall scale, width and layout of the dwelling has been substantially changed from the previous submission. The initial submission indicated a dwelling with a ridge height of c.10.8m with an overall width of 18m and was considered by officers to result in significant visual harm. The overall massing has been reduced with a narrowing of the dwelling by c1.2m and the dwelling has been moved to the western boundary with the garage now alongside the eastern side. This now brings it away from the eastern boundary primarily to improve

separation between the 4 approved dwellings along Fieldside. The western boundary abuts the access road leading to no.74.

- 10.5 The dwelling is 2-storey (plus attic space) which accords with the general scales of dwellings in this location, having regard to No.74 Lake Drove (west) which is c.7.5m in height and the extant permission for 4 dwellings to the west of the site (F/YR17/1062/F) which are c.8.2m in height. Whilst it is noted that the dwelling is higher than those adjacent, given the range of scales in the immediate vicinity of both existing and approved developments and the set-back positioning of the proposed dwelling, it is considered that the scale of the dwelling would not result in substantial visual harm to the area.
- 10.6 The dwelling is unique in design in comparison to those in the immediate area and in this regard, the development will contrast with the simpler and at times uniform appearance of dwellings in the locality – notably along the eastern side of Fieldside. The design and access statement submitted notes that the building will be constructed using natural materials – stone facing walls and timber doors. It is noted that similar stone facing has been incorporated into the ‘Minuet Village’ at the western side of Coates.
- 10.7 Given its set back positioning and taking into account existing and proposed developments adjacent, it is considered that the dwelling whilst notable would not result in visual dominance, subject to securing suitable landscaping.
- 10.8 The layout gives consideration to neighbouring properties, providing adequate separation from these properties to avoid overshadowing or overbearing impacts. In addition, the development would secure appropriate levels of on-site turning and parking in accordance with the parking standards as set out under Appendix A of the FLP and would provide adequate and proportionate private amenity space - exceeding that set out under LP16(h) of the FLP.
- 10.9 Some concerns have been raised over whether the roof space is intended to support further bedrooms, whereas the plans denote this is intended for storage space. In this regard, there may be potential for the attic space to support additional bedrooms. If this was the case, given the size of the plot supporting the dwelling, it is not considered that a 6-bedroom property in this location would lead to unacceptable living standards or highways harm.
- 10.10 In summary, the proposal would result in the introduction of a distinct form of development which incorporates high quality materials. Furthermore, the layout and general massing and scale of the development would not severely harm the character of the area in design or scale terms and would provide adequate amenity to future occupiers.

Residential Amenity

- 10.11 As noted above, the dwelling has been amended to address initial concerns over its scale and massing with regard to impacts on adjacent properties. It is considered that the development would not now result in overshadowing, loss of light or have overbearing impacts. Furthermore, the locations of windows, particularly upper floor windows are arranged so as not to result in overlooking to the east, west or southern boundaries. Where windows do face onto these boundaries, they are proposed to serve non-habitable rooms and can therefore be reasonably controlled via condition to incorporated obscure glazing. The one exception to this is the window serving bedroom 4 which would face onto the front

driveway space of no.74 (west). It is considered that views from this window would not compromise the amenity of occupiers of this property notwithstanding the trees that lie along this boundary.

Access & Highways

- 10.12 As noted above, the principle of development of the site was accepted by the Planning Inspectorate in 2018 whereby matters of access were considered and found to raise no concerns. Whilst several residents have raised concerns over the impact of the development on traffic and general access problems, no evidence exists to indicate that the conclusions drawn by the Planning Inspector should be any different now. Notwithstanding this, the LHA has raised no objection to the scheme subject to standard conditions securing parking and turning. As such, it is concluded that the proposal would not result in any unacceptable transport impacts and complies with the aims of policy LP15 of the FLP.
- 10.13 Some residents have raised concerns over the lack of footpath in this location. Again, this was not an issue identified by the planning Inspector at the previous appeal and was therefore not secured. In this regard, it would not be proportionate or reasonable to require such infrastructure.

Biodiversity & Landscaping

- 10.14 It is noted that some clearance work has been undertaken across the site resulting in the removal of some trees and hedgerow. Notwithstanding this, the planning application submitted originally which secured permission for development of the site was accompanied by an ecological survey. At that time the Council's Wildlife Officer concluded that some site clearance was acceptable subject to standard controls – avoiding such works during breeding and nesting seasons and that mitigation by way of bird and bat boxes, hedgehog fencing and native planting could be reasonably secured via planning condition.
- 10.15 Whilst the site incorporates no protected trees, it is noted that an Ash tree formerly at the south west corner of the site has been removed. Its loss therefore results in a net loss to biodiversity, particularly when combined with the partial removal of hedgerow along the boundaries. In order to comply with national and local policy therefore, the development would need to demonstrate that a mitigation package would be delivered which would result in (as a minimum) a neutral impact on biodiversity.
- 10.16 It is considered that there are no material changes to the site conditions since this time (other than the clearance works) to indicate that the imposition of conditions securing appropriate tree and hedge replacement along with bird, bat and hedgehog measures would not satisfactorily mitigate the impacts of the development and provide some biodiversity enhancement to the site.
- 10.17 As such, it is concluded that subject to conditions securing the aforementioned landscape and habitat enhancement features, the development would not result in severe harm to biodiversity and would provide enhancement opportunities in accordance with Policy LP16(b) and LP19 of the FLP.

Resident Comments

- 10.18 Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

Anti-Social behaviour (ASB)

- 10.19 It is not anticipated that the design and location of the development would in itself result or encourage any ASB issues.

Devaluing property

- 10.20 The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

Loss of view/Outlook

- 10.21 Whilst it is noted that outlook for some existing residents will change as a result of the development given that the site is undeveloped at this time, the changes are not considered to unacceptably compromise residential amenity. In respect of loss of views - the planning system operates in the public interest and there is no right to a private view within planning legislation.

Noise

- 10.22 The residential use of the site for 1 dwelling is unlikely to yield significant adverse impacts through noise. Notwithstanding this, the Council's Environmental Protection team have legislative powers to control statutory noise nuisance where this arises.

Would set a precedent

- 10.23 All applications are to be considered against the development plan as required by law (unless material considerations indicate otherwise). As such, should any future development proposals come forward, these would be dealt with on a case by case basis in accordance with the development plan having regard to the overall sustainability of the proposal.

Drainage

- 10.24 The application form indicates that foul and waste water disposal methods are yet to be finalised and that surface water would be managed through sustainable drainage systems (not specified). Given the scale of the development, no concerns are raised on this basis, particularly given the presence of dwellings immediately adjacent and particularly that no such concerns were raised, or further details required under the Outline permission. Notwithstanding this, Building Regulations would require demonstration that drainage is adequately managed and follows the drainage hierarchy as laid out under Approved Document H of The Building Regulations 2010.

Local Schools unable to cope

- 10.25 The principle of a dwelling at this location was accepted under the aforementioned outline permission where no such issues were raised. There is no evidence to suggest that this position has altered and therefore does not warrant refusal on this basis.

Coates has large properties for sale – need for more?

- 10.26 The development plan identifies that a range of dwellings are required to meet all accommodation needs across the district. Furthermore, the FLP supports the principle of custom/ self-build properties. Notwithstanding this a recent review of local property listings indicates a range of property sizes are available for sale and rent at present.

Lack of affordable homes

- 10.27 The proposal is for one dwelling whereby the Council's planning policies do not enable them to secure affordable housing against schemes of this size.

Waste/ litter

- 10.28 Whilst no specific concerns have been provided, it is not considered that the day to day running of a single dwelling would result in any significant issues in respect of waste or litter.

11 CONCLUSIONS

- 11.1 The site benefits from an extant planning permission for residential development granted at appeal where it was found that whilst some harm to the character of the area would arise, it would not be so significant so as to refuse permission. Furthermore, development for a modern 4 dwelling scheme has been approved on the adjacent site which would markedly change the open character of the area.
- 11.2 The proposal would result in the introduction of a large home which would incorporate materials used elsewhere within the settlement and would add interest to the streetscene. Furthermore, the layout and general massing and scale of the development would not severely harm the character of the area in design or scale terms and would provide adequate amenity to future occupiers whilst protecting neighbouring amenity. Finally, through the use of planning conditions, the site could incorporate biodiversity features to mitigate its impact and provide opportunities to enhance biodiversity in and around the site.
- 11.3 Having regard to the development plan and the aims of the NPPF when read as a whole, the proposal would constitute sustainable development for which there is a presumption in favour of.

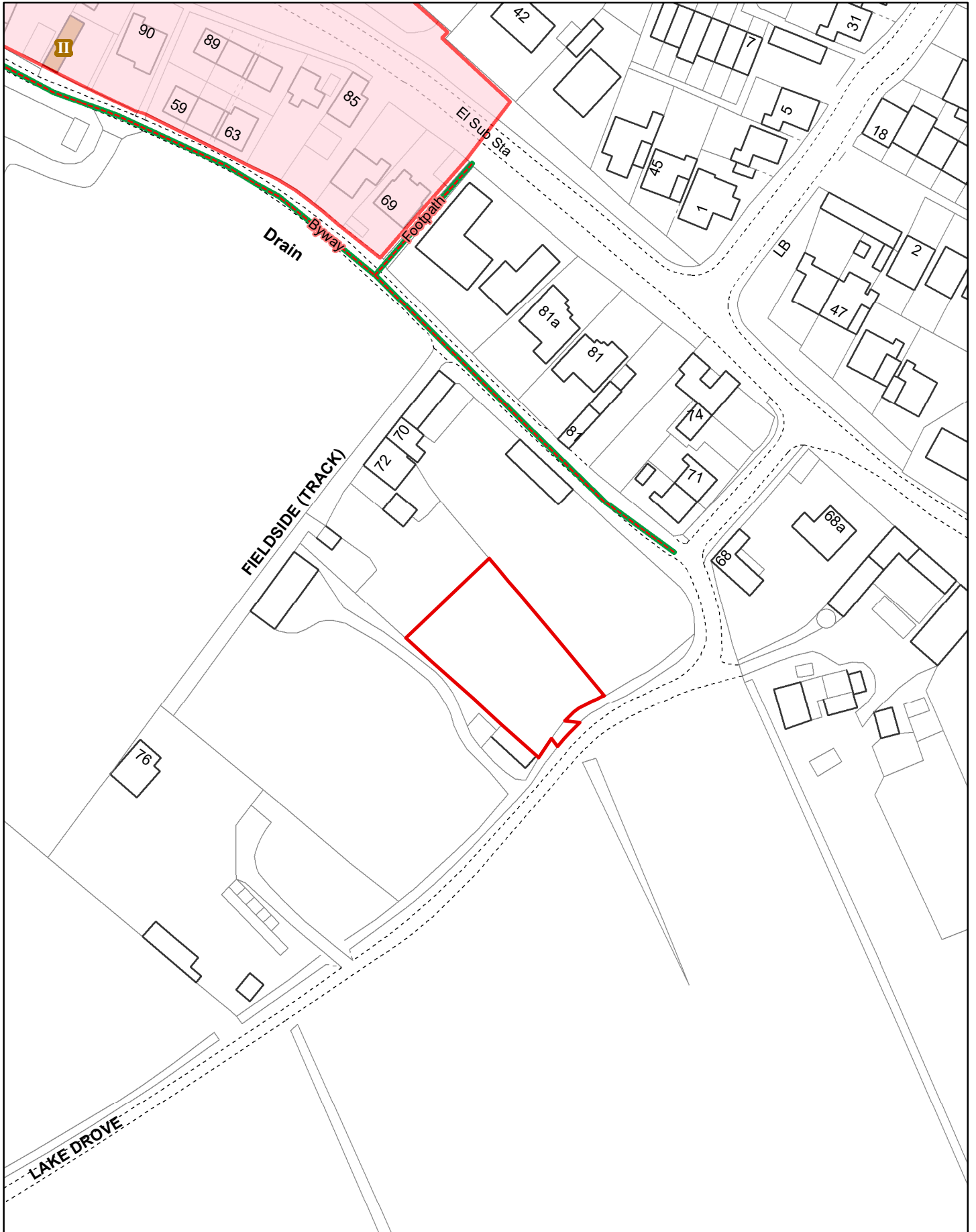
12 RECOMMENDATION

Subject to the following conditions

The proposed conditions are as follows;

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission.
2	No works shall proceed above ground level until a scheme of biodiversity mitigation and enhancement measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include as a minimum; i) Details including specification and locations of bat boxes ii) Details including specification and locations of bird boxes for a range of birds including Sparrow, Starling and Swift; iii) Details including materials, sizes and locations of all hard boundary treatments (with the exception of the northern boundary wall) and demonstration that they enable access for hedgehogs; iv) A planting schedule detailing trees and hedgerow to be retained and the provision of new tree, native hedgerow and shrubs to be planted.

	The development shall be carried out in accordance with the details approved.
3	<p>No works shall proceed above ground level until details of the fenestration for the dwelling and garage have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the approved details.</p>
4	The first floor windows serving the Bathroom abutting bedroom 1 as detailed on plan reference: 181201 P03 Revision E shall be obscure glazed and retained as such in perpetuity.
5	The access, parking and turning area as shown on plan reference 181201 P04 Revision A shall be provided as detailed on the plan prior to the first occupation of the development and thereafter retained in perpetuity.
6	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) 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> <p>i) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);</p> <p>ii) 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);</p> <p>iii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);</p>
7	<p>Approved Plans:</p> <p><i>Location and site Plan 181201 P05A</i></p> <p><i>Elevations and Floor Plans 181201 P03E</i></p>



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F/YR19/1070/F
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SITE BLOCK PLAN (AS EXISTING)
0 10 20m
1:500

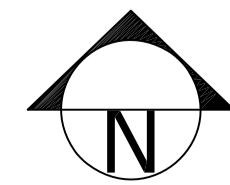


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SITE LOCATION PLAN
0 25 50m
1:1250



SITE BLOCK PLAN (AS PROPOSED)
0 10 20m
1:500

- New 1.8m timber boarded fence
- 4no. Proposed houses as described in the granted planning application F/YR17/1062
- Existing high fence
- Existing trees
- New 1m high painted metal post and rail 'estate fencing'
- New site entrance to Plot 2 (existing agricultural entrance). Stone gate piers and timber gate
- New tarmac access (5m wide bound material for minimum 5m from boundary)
- New 1m high painted metal post and rail 'estate fencing'
- New 1.8m timber boarded fence

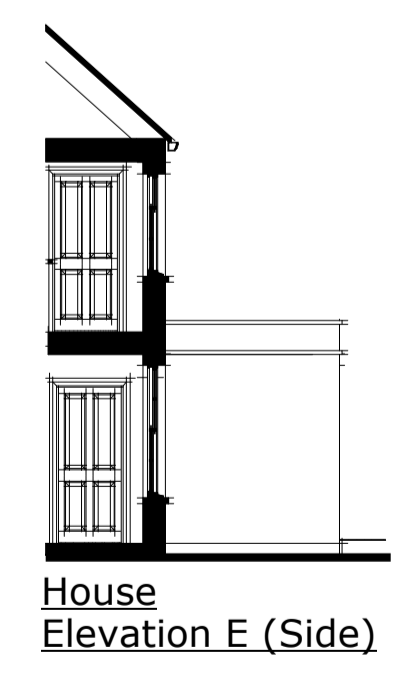
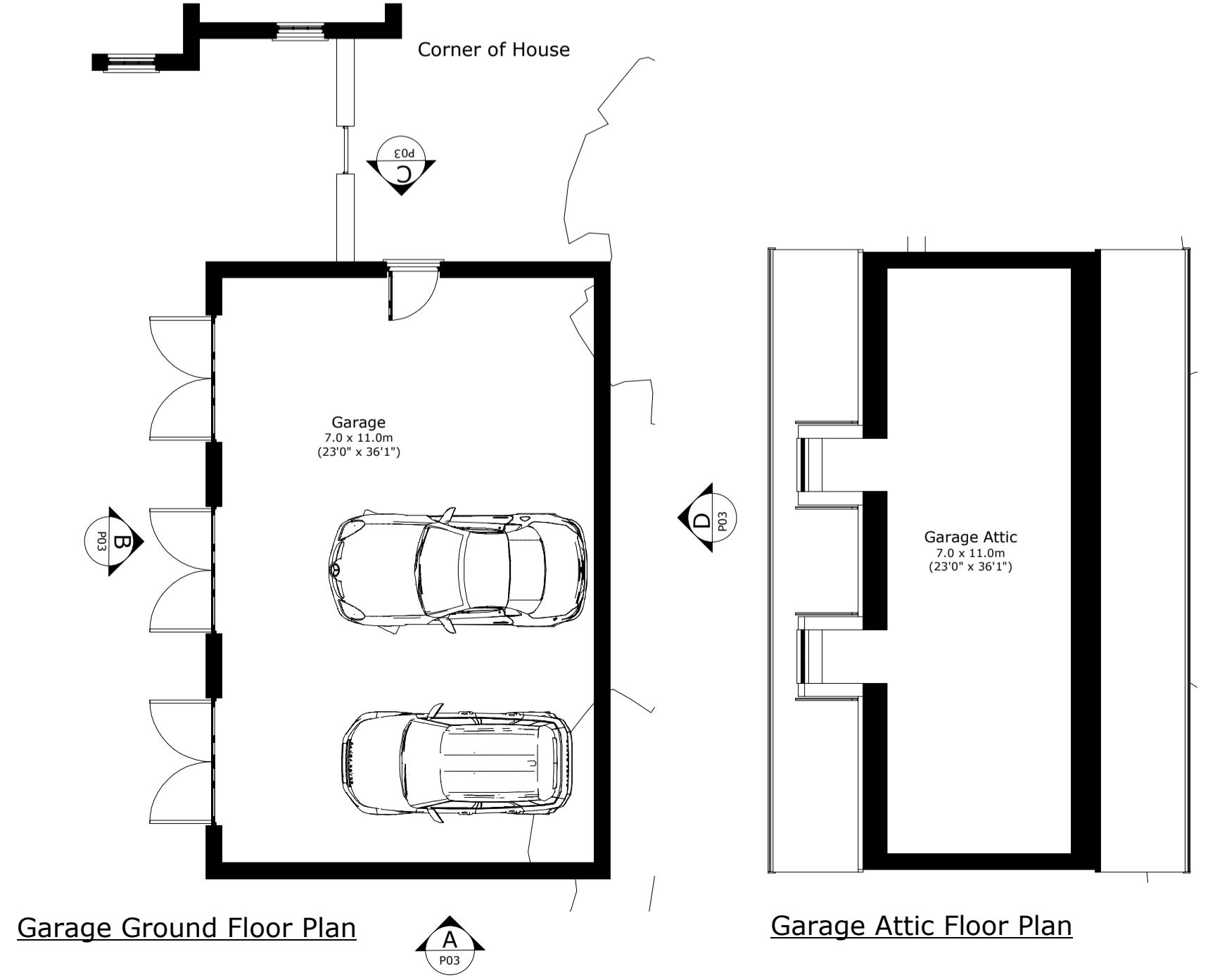
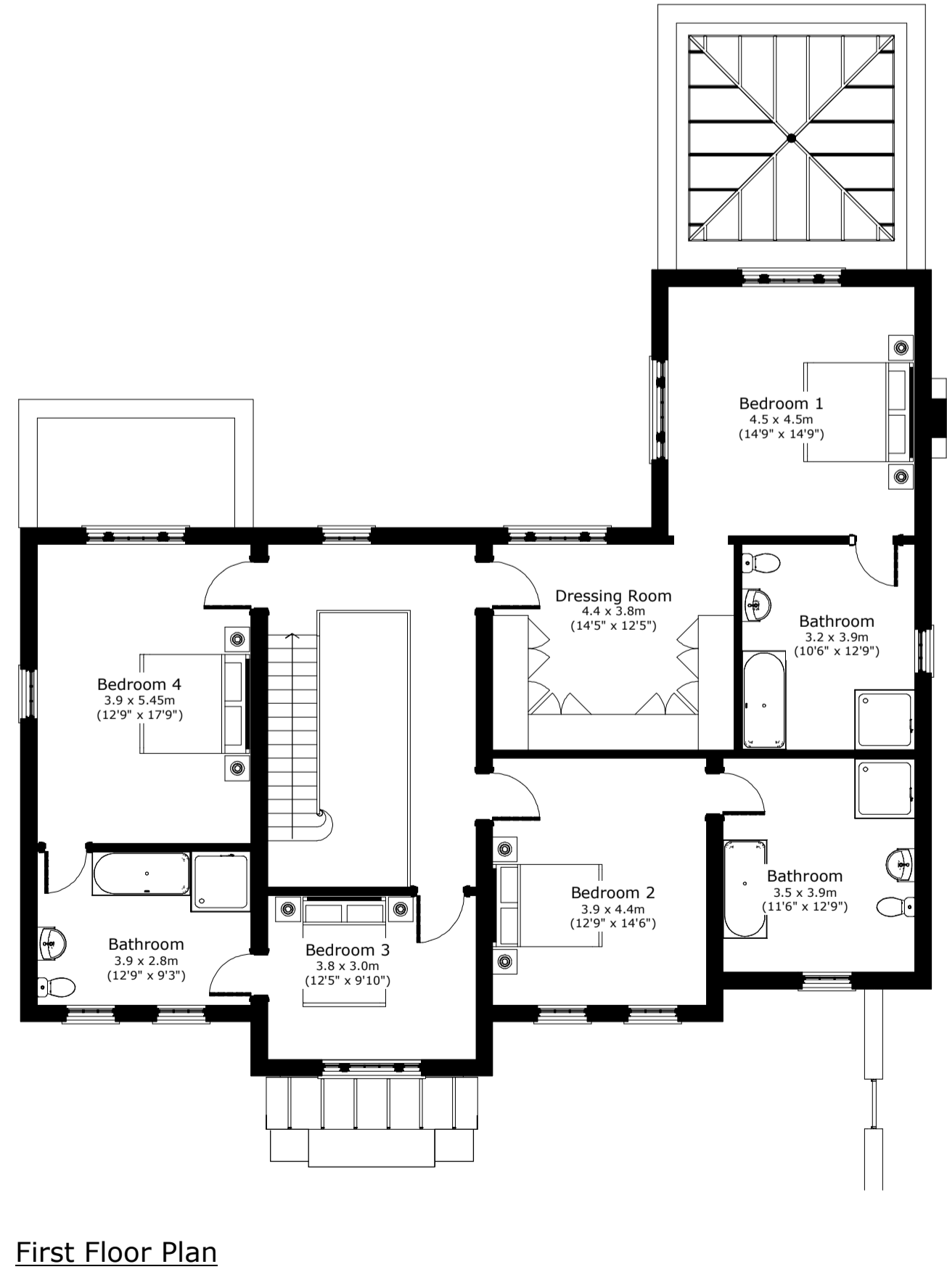
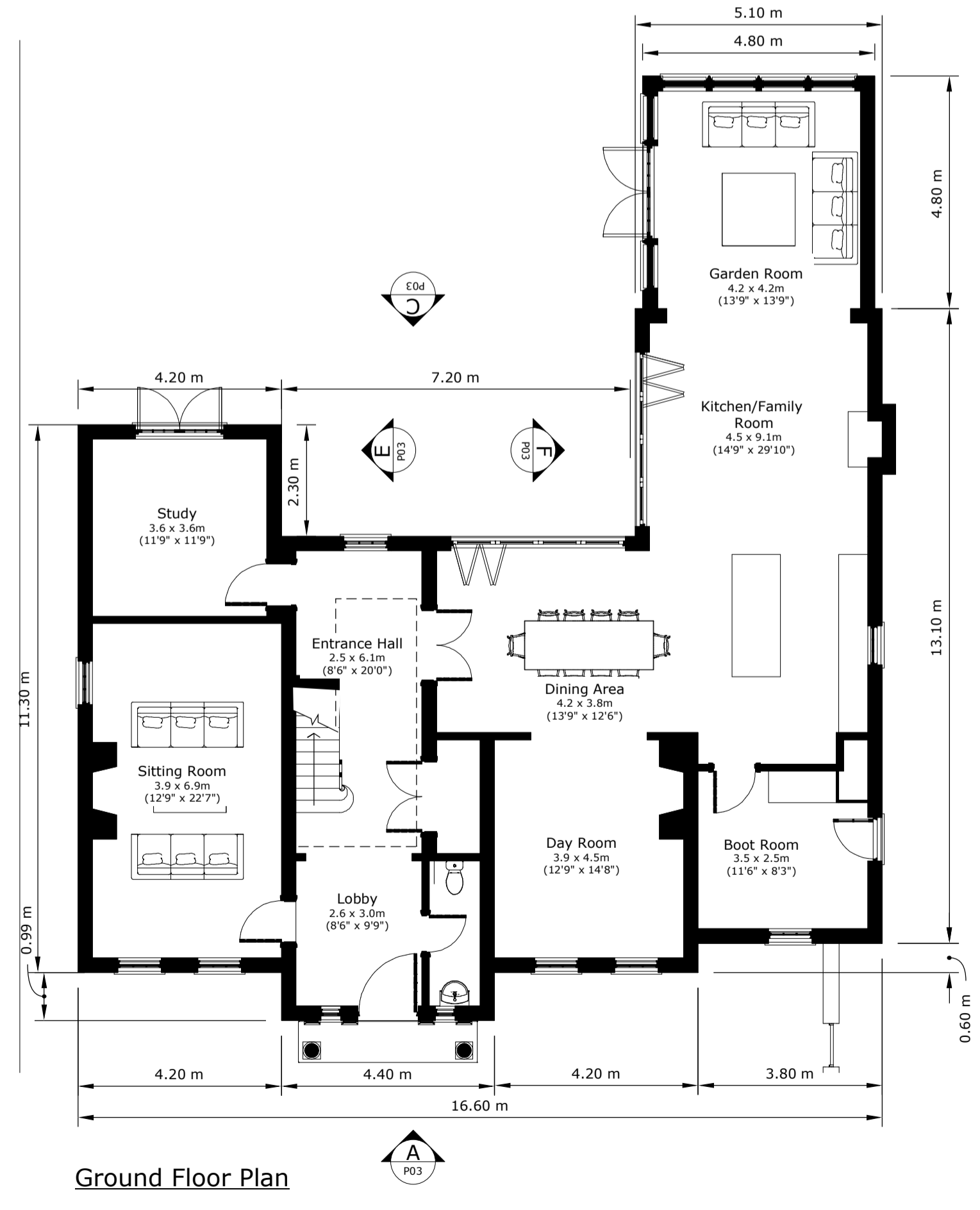
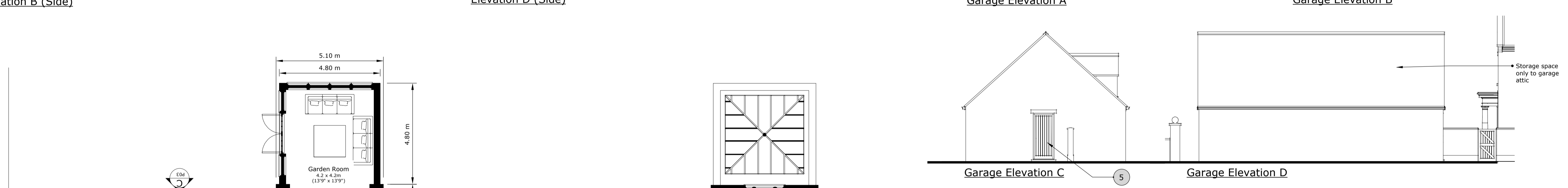
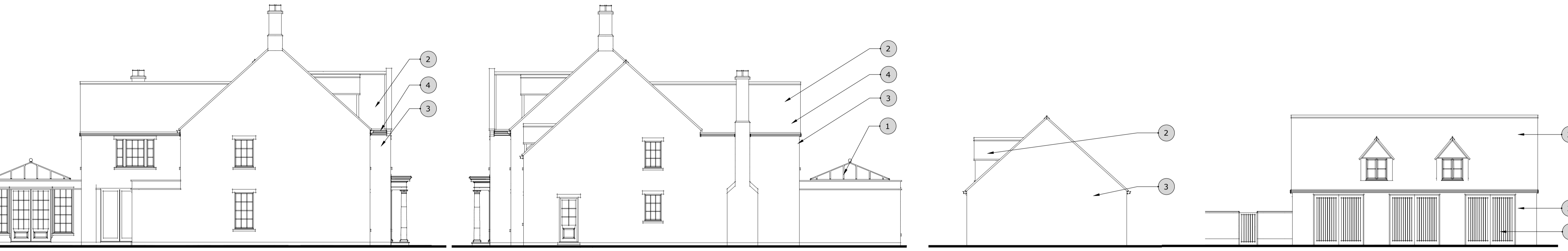
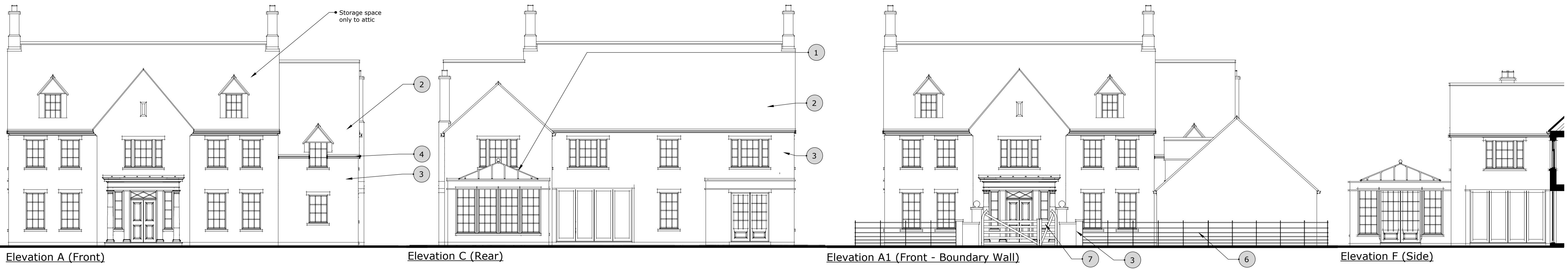


Project:	New House (Plot 2)	Date:	November 2019
Location:	Fieldside, Coates	Scale@A3:	1:1250 / 1:500
Client:	Mr & Mrs Mawby	Drawn:	UNO
Job No.:	181201 P05 A	Dwg. No.:	
		Rev.:	
		Dwg. Title:	Site Location & Block Plans

General Notes:
All dimensions and heights to be checked on site prior to setting out or manufacture. Any discrepancies between site, drawing or specification to be reported to the architect immediately.

OUTLINE OF LAND IN THE CLIENT'S OWNERSHIP
OUTLINE OF SITE

Revision Notes:
Rev.A - Red line amended to include access



General Notes:
 1 - All dimensions and heights to be checked on site prior to setting out or manufacture. Any discrepancies between site, drawing or specification to be reported to the architect immediately.

Notes:
 1 - Gabled Roof
 2 - Three Rows (Sandtoft: Amdale Slate Grey Tile)
 3 - Clipham stone
 4 - Painted Aluminium Rainwater goods
 5 - Painted Timber Doors
 6 - Metal Gates/Railings
 7 - Timber Gate

Revision Notes:
 Rev.A - 06/06/19 - Elevation A1 added
 Rev.B - 20/08/19 - Size of house reduced
 Rev.C - 01/10/19 - East side of house reduced further; Garage height reduced.
 Rev.D - 11/11/19 - House height reduced further; Garage moved to east side of site

Project:	Plot 2 House	Date:	April 2019
Location:	Fieldside, Coates	Scale@A1:	1:100
Client:	Mr & Mrs Mawby	Drawn:	UNO
Job No:	181201	Dwg. Title:	Plans & Elevations As Proposed

