
F/YR19/1085/F

Applicant: Mr Lee Mawby

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

Land South Of, 72 Fieldside, Coates, Cambridgeshire

Erect a dwelling (2-storey 5/6-bed) with an integral garage involving the demolition of existing garage

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 distinct form of custom/ self-build development which would raise design standards incorporating sustainable materials and design and which would add interest to the streetscene through the partial views gained from vantage points along Fieldside and Lake Drove.</p> <p>1.4 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.</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. It is accessed via Fieldside (track) which also serves No's 70 and 72 Fieldside – the latter being within the applicant's ownership. The site is bounded to the west by hedgerow and along the eastern boundary by a mixture of hedgerow and fence.

The northern and southern boundaries are currently open. An outbuilding is located at the north west of the site.

- 2.2 The land immediately south of the site is also in the applicant's ownership and leads to Lake Drove. The north western corner of the site abuts 74 Fieldside which is served by its own access off Lake Drove.
- 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 extend 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. The dwelling essentially comprises 3 main sections; a front section incorporating the garage with bedroom and office/ gym over and designed with a gable roof with a ridge height of c.8.9m; a mid-section with the main entrance and kitchen/ dining area with bedroom over constructed with a flat roof at a height of 5.7m; and a rear section serving a sitting room and study with bedrooms over incorporating a gable roof with a ridge height of c.8.2m.
- 3.2 The dwelling is a custom-build dwelling which is contemporary in design, modular in appearance and finished externally in a mixture of vertical timber cladding for a majority of the walls and roof (precise details to be confirmed) and Clipsham coursed rubble stone for the gable ends and flat-roofed mid-section. Aluminium windows and timber doors are proposed.
- 3.3 The dwelling is accessed via Fieldside (track) along the north of the site and is proposed to be enclosed along the northern boundary by a 1.5m high wall finished in the same Clipsham stone and incorporating a pair of wide gates. The dwelling incorporates an integral garage suitable for 2 cars with parking for at least 2 to 3 more cars within the northern section of the site.
- 3.4 The dwelling occupies a footprint of c.290m² 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/YR19/1070/F	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)	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/17/31905 27)
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 comment received

5.2 The Ramblers Association

No comment received

5.3 CCC Definitive Map Team (Public Rights of Way)

Advises that part of the proposed access to the site runs along the legal line of Public Byway No.26, Whittlesey for approximately 78 metres from the end of the public road at Turf Fen Lane. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public byway, its legal alignment and width which may differ from what is available on the ground.

5.4 Middle Level Commissioners

No comment received

5.5 Cambridgeshire County Council Highways Authority (LHA)

The development is accessed via a private access road. The proposal will result in no material harm to the highway network. I therefore have no highway objections.

5.6 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.

Local Residents/Interested Parties

5.7 14 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

5.8 4 letters of support received from 4 households raising the following matters;

- The dwelling is well-thought out
- Uses a variety of approaches to minimise its impacts
- 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
- The site backs onto a new development
- A high tree line defines the site and therefore does not impede existing views
- Respects the amenity of neighbours
- Makes use of the land
- Will help businesses to survive

- Individual style

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 (NDG)

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

LP18 – The Historic Environment

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 northern 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/YR19/1070/F) for the development of the southern 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 scale and density 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. Paragraph 131 sets out that great weight should be given to outstanding or innovative designs which promote

high levels of sustainability or help raise the standard of design, so long as they fit in with the overall form and layout of their surroundings.

- 10.4 The scale of the dwelling has been substantially reduced from the previous submission whereby a ridge height of 9.9m was initially proposed and was considered by officers to result in significant visual harm. Its overall massing has also been reduced to essentially narrow the dwelling to bring it away from the eastern boundary primarily to improve separation between the 4 approved dwellings along Fieldside.
- 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. It is noted that the heights of no's 70 to 72 at Fieldside (track) are notably lower in scale than that proposed (around 6m). However, 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 and timber and has been designed to enable large south facing windows to maximise solar gain for natural light and heat. In this regard, the development is capable of achieving sustainability benefits that a more traditional design may not otherwise be able to.
- 10.7 Notwithstanding this, the dwelling is set back from the build line of the 2 dwellings along Fieldside (track) and would be partially obscured by the row of approved dwellings along Fieldside to the south east. In this regard, the dwelling would not be dominant but would add interest to the street scene with an innovative and high quality design which would raise design standards in this area. Therefore, whilst the design and appearance of the dwelling would be different to the form and character of dwellings in the area, it would introduce an innovative and distinct form of development which incorporates sustainable design and materials which the NPPF supports.
- 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 In summary, the proposal would result in the introduction of a distinct form of development which would raise design standards incorporating sustainable materials and design to which substantial weight can be given. 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

- 10.10 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 now not 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

- 10.11 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.

Biodiversity & Landscaping

- 10.12 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.
- 10.13 Whilst the site incorporates no protected trees, it is noted that the apple tree which was located at the north-west corner of the site has been removed. This was identified in the ecology survey as “an ecologically valued feature” with recommendation that it should be retained is compatible with the development. 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.
- 10.14 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.
- 10.15 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

10.16 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)

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

Devaluing property

10.18 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

10.19 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

10.20 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

10.21 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

10.22 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

10.23 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?

- 10.24 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

- 10.25 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.

11 CONCLUSIONS

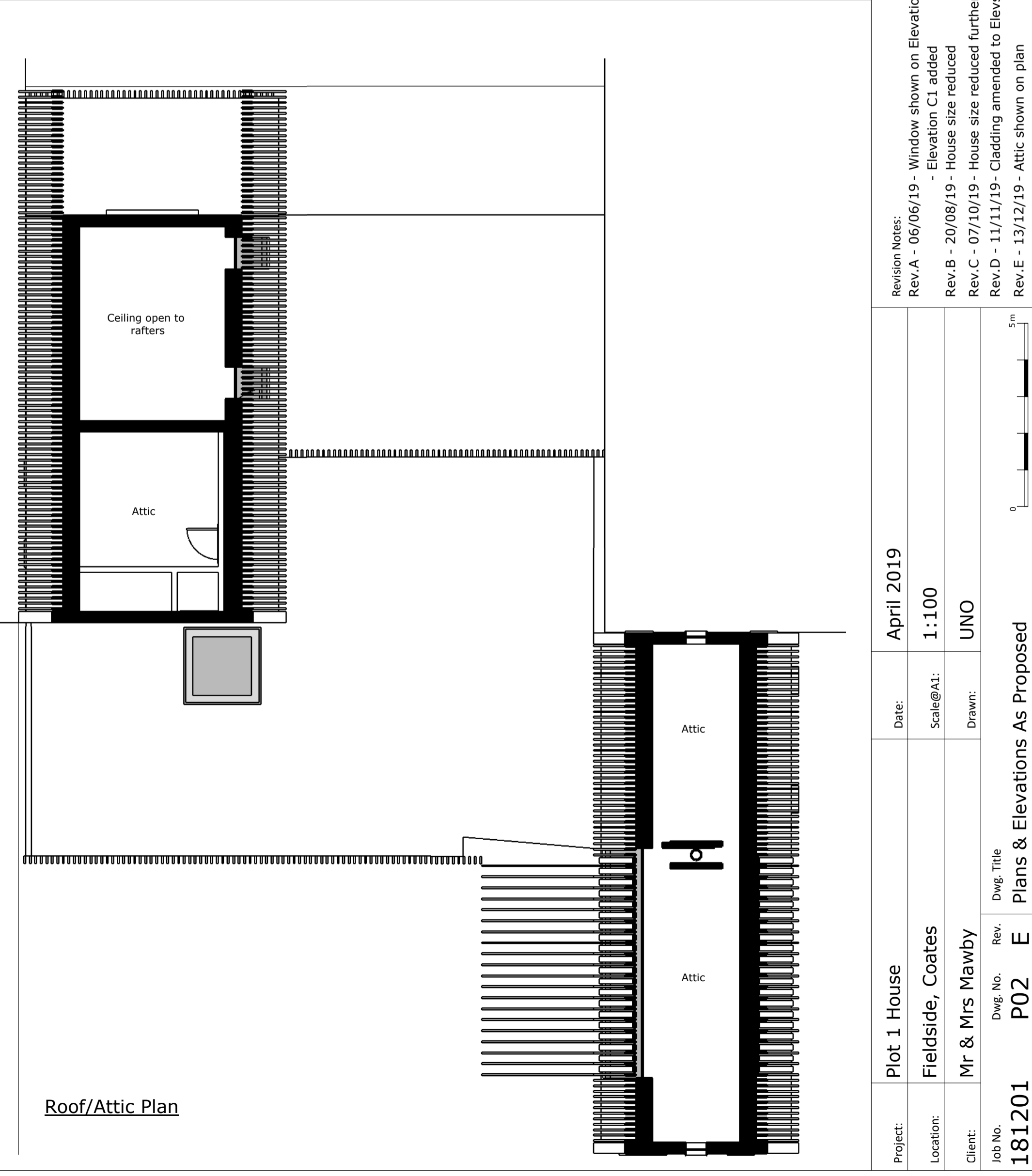
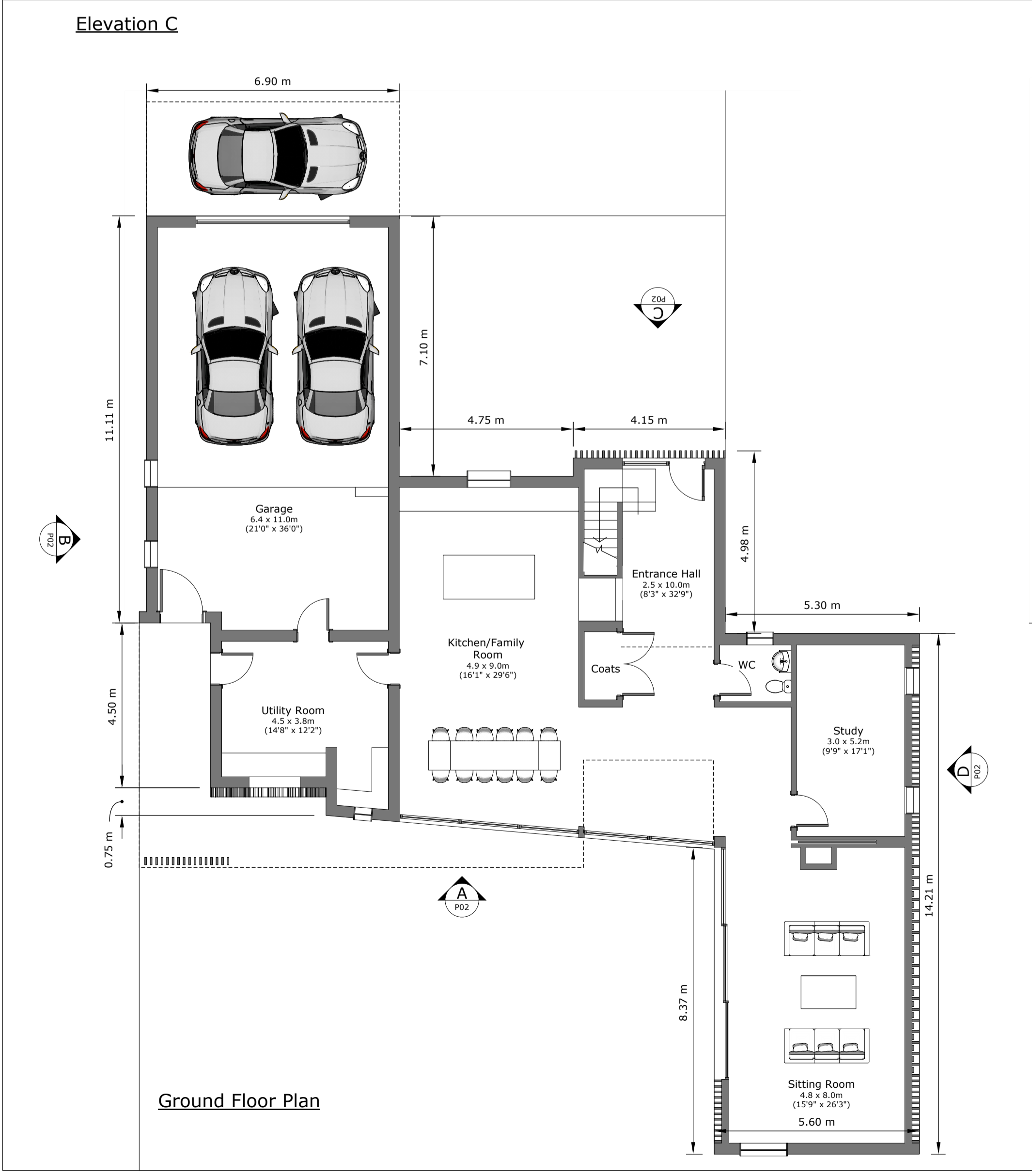
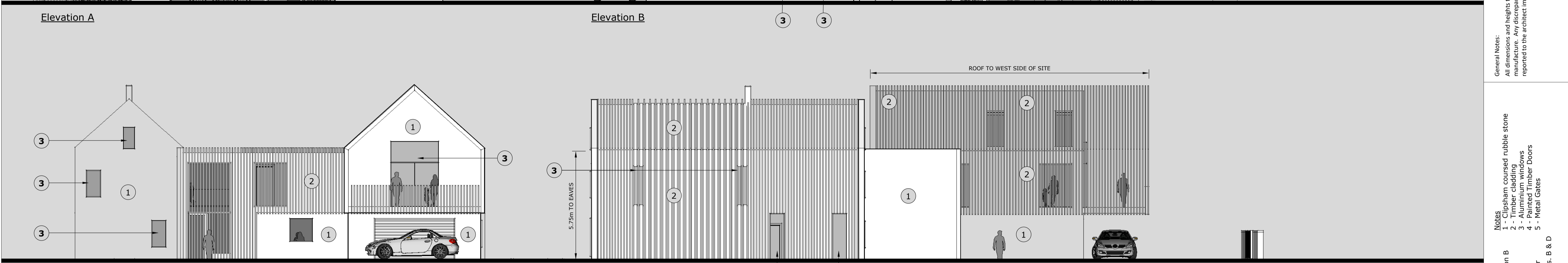
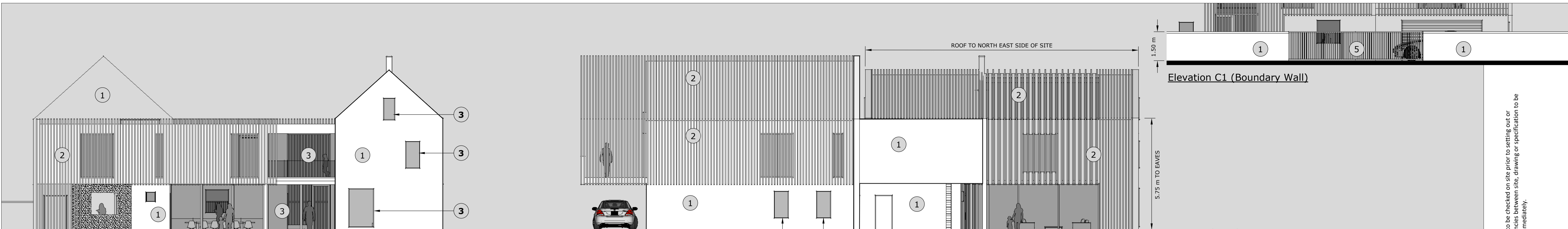
- 11.1 The site benefits from an extant planning permission for residential development granted at appeal where it was found that whilst some harm to the character of the area would arise, it would not be so significant so as to refuse permission. Furthermore, development for a modern 4 dwelling scheme 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 distinct form of custom/ self-build development which would raise design standards incorporating sustainable materials and design and which would add interest to the streetscene through the partial views gained from vantage points along Fieldside and Lake Drove. 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

Grant subject to the follow conditions;

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 sample of the timber cladding proposed for the roof and walls has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.
3	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;

	<p>i) Details including specification and locations of bat boxes</p> <p>ii) Details including specification and locations of bird boxes for a range of birds including Sparrow, Starling and Swift;</p> <p>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;</p> <p>iv) A planting schedule detailing trees and hedgerow to be retained and the provision of new tree, native hedgerow and shrubs to be planted.</p> <p>The development shall be carried out in accordance with the details approved.</p>
4	The first floor windows serving the Bathroom and Dressing Room adjacent to Bedroom 1 as detailed on plan reference: 181201 P02 Revision E shall be obscure glazed and retained as such in perpetuity.
5	The parking and turning area as shown on plan reference 181201 P04 Revision A shall be provided 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	Approved Plans

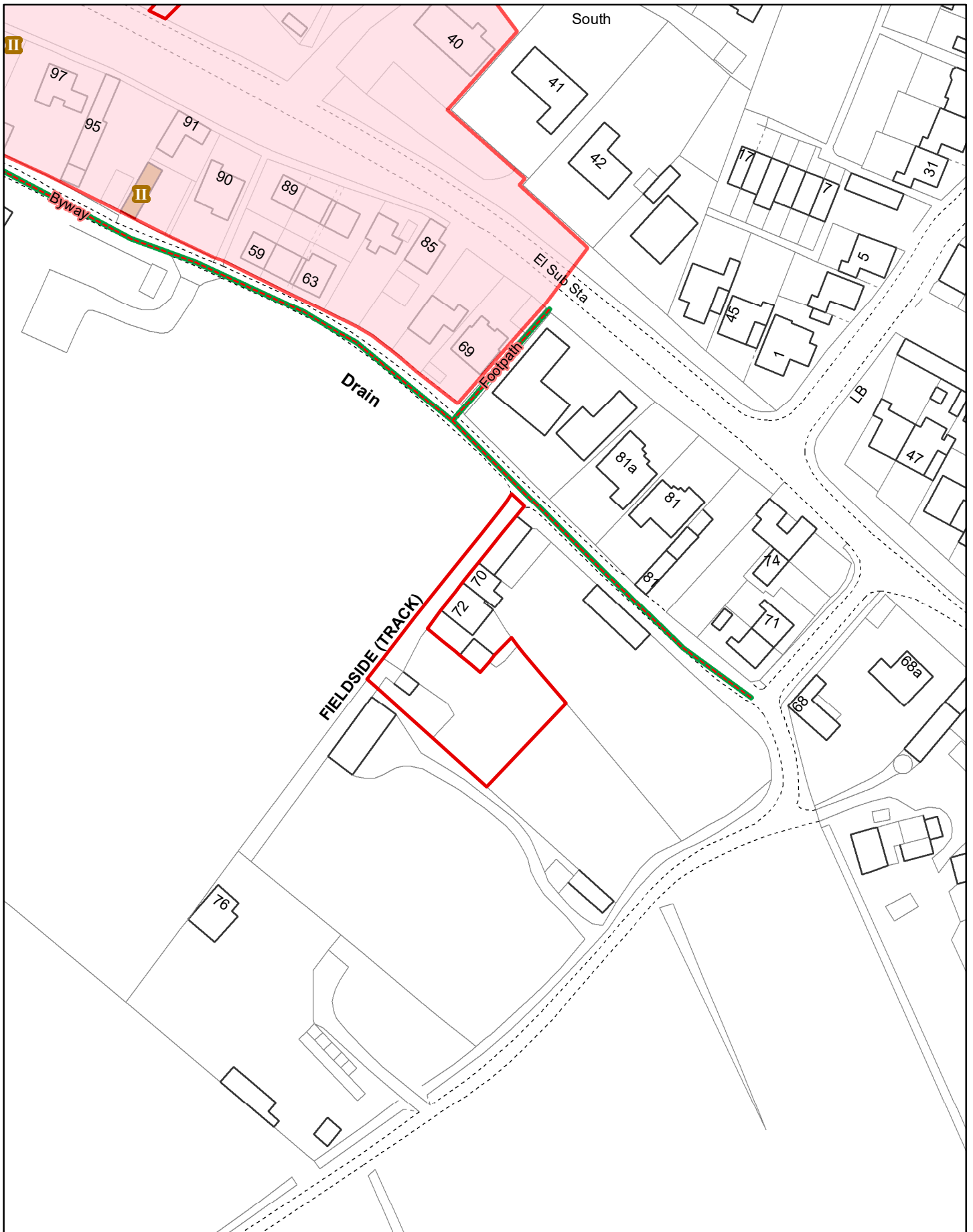


General Notes:
 All dimensions and heights to be checked on site prior to setting out or manufacture. Any discrepancies between site, drawing or specification to be reported to the architect immediately.

Notes:
 1 - Clingham coursed rubble stone
 2 - Timber cladding
 3 - Aluminium windows
 4 - Painted Timber Doors
 5 - Metal Gates

Revision Notes:
 Rev.A - 06/06/19 - Window shown on Elevation B - Elevation C1 added
 Rev.B - 20/08/19 - House size reduced
 Rev.C - 07/10/19 - House size reduced further
 Rev.D - 11/11/19 - Cladding amended to Elevs. B & D
 Rev.E - 13/12/19 - Attic shown on plan

Project:	Plot 1 House	Date:	April 2019
Location:	Fieldside, Coates	Scale@A1:	1:100
Client:	Mr & Mrs Mawby	Drawn:	UNO
Job No:	181201	Dwg. No.:	P02
		Dwg. Title:	Plans & Elevations As Proposed



Created on: 19/12/2019

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F/YR19/1085/F
Scale = 1:1,250

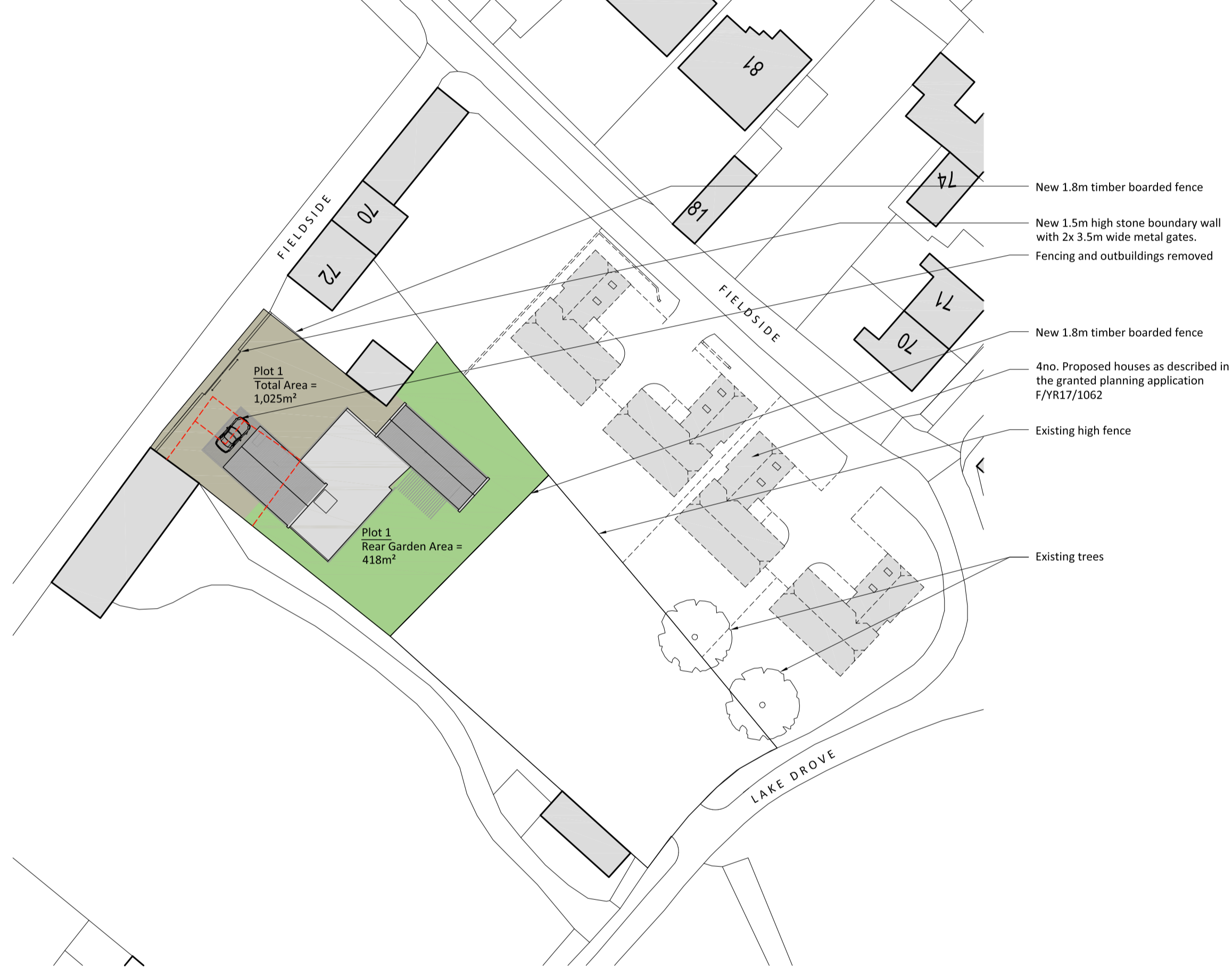




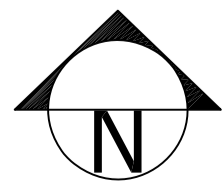
SITE BLOCK PLAN (AS EXISTING)
0 10 20m
1:500



Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432
SITE LOCATION PLAN
0 25 50m
1:1250



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



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
TO BE DEMOLISHED

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

Date: November 2019

Scale@A3: 1:1250 / 1:500

Drawn: UNO

Project: New House (Plot 1)

Location: Fieldside, Coates

Client: Mr & Mrs Mawby

Job No. 181201 P04 A Site Location & Block Plans

Dwg. No. Rev. Dwg. Title

