
F/YR20/0473/F

Applicant: Cannon Kirk (UK) Ltd

**Agent: Mr Andrew Hodgson
Pegasus Group**

Land North West Of 12, Knights End Road, March, Cambridgeshire

Erect 9no dwellings (3no single-storey (1x 2-bed & 2x 3-bed) and 6no 2-storey (3 x 5-bed, 1 x 4-bed & 2 x 2-bed)) involving demolition of existing buildings

Officer recommendation: Grant

Reason for Committee: Officer recommendation is contrary to comments of Town Council.

1. EXECUTIVE SUMMARY

- 1.1. The proposal is a full application for the construction of nine dwellings on the land.
- 1.2. The land already benefits from an outline planning permission granted in 2018 for the construction of up to 9 dwellings, at the November 2018 meeting of the Planning Committee.
- 1.3. The current proposal involves a minor alteration to the application site and cannot therefore be submitted as reserved matters in relation to the original outline permission.
- 1.4. The scheme has been amended following submission of initial plans and the comments received in relation to those proposals.
- 1.5. It is considered that the proposals are now compliant with all relevant policies, and there are no material considerations that would justify refusal.
- 1.6. It is therefore recommended that planning permission is granted for the development.

2. SITE DESCRIPTION

- 2.1. The application site is an existing agricultural yard, containing a 4-span brick built general purpose agricultural building to the rear of the site, and several older timber constructed sheds located in the centre of the site. There are further buildings and structures located elsewhere within the farmyard however these lie outside the application site.
- 2.2. The site is surrounded by residential development, comprising 21 modern dwellings off Steeple View to the north of the site, 4 dwellings to the east and 3 to the south off Knights End Road. Open agricultural land lies to the west, although this is located within the west March strategic allocation, identified as being

allocated for predominantly residential development. The land to the west is separated from the site by an existing drainage ditch.

- 2.3. The properties to the south and east of the site are predominantly single-storey in nature, with those along Steeple View being of 2-storey construction.
- 2.4. The site boundary is formed from a 1.8m closeboard fence to the north, with another similar height fence separating the site across its centre from west to east. The current boundary with Knights End Road is formed from an evergreen hedge, with further hedges to the southern boundary with the properties located on Knights End Road itself.

3. PROPOSAL

- 3.1. The proposal is for the construction of nine dwellings on the land, comprising 3x single-storey and 6x 2-storey dwellings. Each of the dwellings would benefit from detached garaging comprising a minimum of 2 spaces each for the three 2-3 bedroomed dwellings and 4 spaces each for the six 4+ bedroomed dwellings.
- 3.2. Access is proposed into the site between 12 and 22 Knights End Road, at the same point as has been previously approved under an earlier application on the site. This access road runs around the rear of the properties on Knights End Road and terminates at the western boundary of the site, with three single-storey properties proposed to the rear of the existing dwellings on Knights End Road. A secondary road leads north from this main access, directly serving four properties located along the western boundary of the site, and finally a private driveway runs east serving two dwelling located on the northern boundary. All of these dwellings are two-storey.
- 3.3. The proposals have been amended from the originally submitted scheme, reorienting two north facing properties from the north west corner of the site so that they now face west away from the adjoining development.
- 3.4. Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=Q4K2L2HE0D800>

4. SITE PLANNING HISTORY

F/YR18/0759/O	Erection of up to 9no dwellings (outline application with matters committed in respect of access) involving demolition of existing buildings	Grant	9/11/18
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5. CONSULTATIONS

- 5.1. **March Town Council**
“Recommend refusal. Over-development and access concerns (too close to another junction and post box). Also, development proposed in such a manner as to avoid provision of social housing.”
- 5.2. **Cambridgeshire County Council Highways Authority**
No highway objections. Conditions requested.

5.3. **FDC Environmental Health Protection Officer**

No objections, recommend conditions

5.4. **Local Residents/Interested Parties**

4 responses were received from 3 properties to the original proposal, from Steeple View and Knights End Road to the north, raising the following concerns:

- Plans don't take into account recent development of neighbouring properties.
- Proposals will impact on light into the neighbouring properties.
- Impact on privacy.
- No consultation with neighbours over the plans.

One further response from Knights End Road has been received following the submission of the revised plans, stating the following:

- How is the site to be serviced given the weight limit on Knights End Road.

It is for the developer to comply with any weight restrictions on the roads accessing the site, and it is not appropriate for the planning system to attempt to duplicate controls or restrictions already in place through other means.

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**

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 55: Conditions tests. Avoiding pre-commencement unless clear justification

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 155: Development should be directed away from areas at highest risk of flooding.

National Planning Practice Guidance (NPPG)

Determining a planning application

National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP9 – March

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

March Neighbourhood Plan 2017

H2 – Windfall development

8. KEY ISSUES

- **Principle of development**
- **Visual Impact and Character**
- **Residential amenity**
- **Highway safety and access**
- **Flood risk and drainage**
- **Other matters**

9. BACKGROUND

- 9.1. As noted above, the application site has previously been the subject of an outline planning application for the construction of up to nine dwellings that was granted consent in 2018 and therefore remains extant.
- 9.2. The current scheme has come forward due to a minor change in the application site boundary (including an additional piece of land in the north east corner, and a small section of land to the rear of 22 Knights End Road), however the original permission could still be the subject of a reserved matters submission if required.
- 9.3. Pre-application advice was sought in respect of the scheme, and a positive response was provided identifying certain issues that would need to be resolved through layout changes and information submitted alongside any subsequent application. The revised plans now received have addressed those points raised.
- 9.4. There have been previous applications for residential development on the adjacent land to the west however no record is available indicating why those applications were withdrawn.

10. ASSESSMENT

Principle of Development

- 10.1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. March is a Primary Market Town, one of two such settlements within the highest level of the hierarchy where the majority of the development within the District is expected to take place over the plan period. The application site currently benefits from an extant outline planning permission for the construction of up to nine dwellings on the land, with the time limit for reserved matters submission in relation to that permission expiring in November 2021.

- 10.2. Policy H2 of the March Neighbourhood Plan supports proposals for residential development where they meet a range of specific criteria, which will be considered under the appropriate headings to follow.
- 10.3. The application site is located within flood zone 1 and there are no other designations that would oppose the principle of its development for residential purposes. There is an extant permission for residential development of up to nine dwellings on the site. There is therefore no justification for refusal of the application on the grounds of the principle of development.

Visual Impact and Character

- 10.4. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. Policy H2 of the March Neighbourhood Plan requires proposals to demonstrate a high standard of design.
- 10.5. The proposal forms two visually distinct parts, comprising the single-storey dwellings that adjoin its southern boundary, and the 2-storey dwellings proposed along the west and north boundaries. This distinction between the two parts of the development is sympathetic to and reinforces the distinctiveness of the two existing types of development bordering the site, continuing the theme of single-storey development to the south and 2-storey to the north. The development would be unified by its choice of materials, with all the properties indicated in the design and access statement as being constructed from a tumbled red brick with a tile roof. Given the limited scale of development proposed it is considered appropriate that all the properties are to be constructed from a single materials palette. There is a variety of building materials in use within the wider area, however the chosen materials are suitable subject to a standard condition regarding approval of the specific materials to be used.

Residential Amenity

- 10.6. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.
- 10.7. The proposal requires consideration of several matters of residential amenity to ensure its acceptability. These fall within the broad categories of the impact of the proposal on the amenities of the neighbouring properties, and the amenities proposed for the new dwellings.
- 10.8. With regard to the first of those matters therefore, consideration must be given to the privacy of neighbouring properties and the amenity levels within their gardens.
- 10.9. Plots 1-3 along the southern boundary of the site are proposed as single-storey dwellings, with rear gardens (approximately 10m+ deep) adjoining the southern boundary of the site. The properties adjoining that southern boundary are also single-storey with rear gardens adjoining the boundary. On that basis, and given

the proposals for fencing between the properties, there would be no harm arising from overlooking or light loss, and a garden-garden relationship would not result in unacceptable amenity impacts.

- 10.10. Plots 4-6 do not impact on the amenities of any adjoining properties, and their placement with rear gardens (12m+ depth) adjoining the western boundary of the site would not prejudice the development of that land should it come forward.
- 10.11. Plot 7 has been amended throughout the consideration of the scheme and is now orientated so that its rear elevation faces west rather than north. Its garage has also been relocated so as to lie between the dwelling and the adjacent property on Steeple View. There would be some small impact on light into the neighbouring garden as a result of the location of the proposed garage alongside the adjoining boundary, however this impact would be limited due to the orientation of the properties and would not be of sufficient magnitude to justify refusal of the scheme.
- 10.12. Plots 8 and 9 have been the subject of comments regarding loss of neighbouring amenity, and their separation from the northern boundary of the site has been increased as a result of design changes throughout the consideration of the scheme. These properties are now located with first floor windows in excess of 11m from the shared boundary with the neighbouring properties, which have a similar separation from the shared boundary. Such distances are considered to protect privacy and amenity sufficiently to ensure that refusal is not justified.
- 10.13. Consideration is given to the amenity levels within the properties and gardens adjoining the access to the development, however given the existing boundary treatments and those proposed as part of the scheme, it is not considered that the scale of development proposed would result in undue harm to the living conditions within those dwellings or their attendant garden areas.
- 10.14. With regard therefore to the residential amenity levels of the proposed dwellings themselves, the properties are located within plots proportionate to their scale, making provision for adequate residential amenity space in line with the requirements of policy LP16 of the Fenland Local Plan. The scheme would not result in unacceptable living conditions to any of the proposed dwellings, and specific relationships are a matter for consideration by any potential purchaser of the dwellings.
- 10.15. On that basis, there are considered to be no issues of amenity that justify the refusal of the scheme under the relevant policies of the Fenland Local Plan.

Highway Safety and Access

- 10.16. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- 10.17. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for properties of up to three bedrooms, two parking spaces are required, and for properties of four bedrooms or more, provision of three spaces is required.
- 10.18. The Town Council objections to the proposal with regard to its proximity to another road junction and the post box are noted, however the Highways

Authority has identified no safety implications as a result of these details and therefore it is not reasonable to sustain an objection on that basis.

- 10.19. The proposed development meets the minimum standard of provision for parking spaces on the site, and the Highways Authority have confirmed that they have no objections to the scheme, subject to a suite of conditions to ensure that the roads and footpaths are constructed to an appropriate standard and at an appropriate point within the development timeline.
- 10.20. Notwithstanding the above, the proposed access was included as a detailed matter during the submission of the previous outline application on the site and therefore already benefits from the grant of planning permission.

Flood Risk and Drainage

- 10.21. Policy LP14 of the Fenland Local Plan and paragraphs 155-165 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk.
- 10.22. The application site is located on land within flood zone 1 and is therefore not considered to be at risk of flooding. Specific arrangements regarding surface water drainage will be dealt with by means of a planning condition requiring details of the proposed method of surface water disposal outlined in the surface water assessment accompanying the application.

Other Matters

- 10.23. The comments received from March Town Council are noted with regard to an affordable housing contribution and the number of dwellings proposed. Policy LP5 of the Fenland Local Plan contains details of contributions where sites in combination exceed the threshold of the number of dwellings proposed for providing affordable housing however, and there is no requirement for a developer to increase the number of units proposed on a site to meet the threshold. The proposal also represents no change from the approved level of development considered under the previous outline planning permission. This point is not therefore justification for refusal of the scheme.
- 10.24. The application site lies adjacent to the West March strategic allocation, however the site itself does not fall within its boundary. The dwellings proposed along the western boundary face out over this land, however the separation distance between them and the site boundary would be sufficient to ensure an acceptable relationship could be achieved should an application on this land come forward. The access into the application site would allow for the potential to serve a part of the strategic allocation if necessary as it currently terminates alongside the western boundary of the application site, although such use would be considered on its own merits. On that basis the current application would not prejudice the development of the wider strategic allocation.
- 10.25. The layout scheme identifies two bin collection points alongside the proposed roads, and a tracking plan has also been provided demonstrating that it is possible for a refuse collection vehicle to access and turn within the site.
- 10.26. 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).

10.27. 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. CONCLUSIONS

11.1. The proposal is for the residential development of the site for nine dwellings.

11.2. Outline Planning Permission has previously been granted on the land for up to nine dwellings including the means of access and the principle of the development is therefore established. The current proposal is reflective of the indicative plans submitted alongside that previous permission, amended by specific concerns relating to the relationships between the proposal and the adjacent dwellings.

11.3. The application site is suitable for the development proposed, and the plans submitted demonstrate that there are no impacts from the scheme that justify its refusal in terms of the relevant planning policies, nor are there any material considerations that indicate refusal contrary to those policies.

12. RECOMMENDATION

Grant, subject to the following conditions

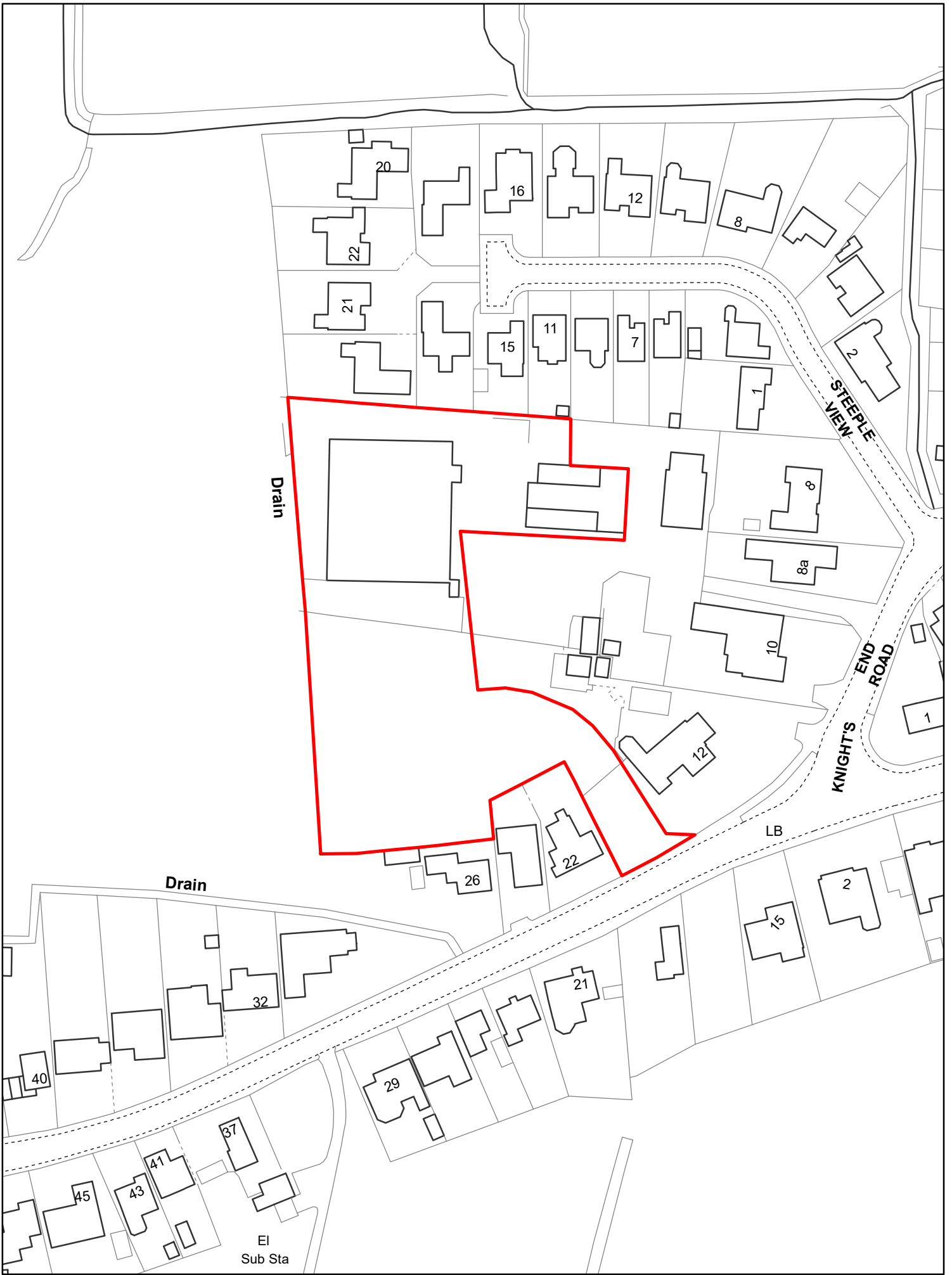
The proposed conditions are as follows;

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>Prior to the commencement of any development, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat amenity and to ensure the future maintenance of these. In accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
3	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented</p>

	<p>in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
4	<p>Prior to first occupation of the development, the Knights End Road junction and footway re-alignment shall be laid and constructed in accordance with submitted plan 6501-WSP-00-ZZ-DR-TP-002 P03.</p> <p>Reason: To ensure satisfactory standard of highway design and construction and visibility.</p>
5	<p>Prior to the first occupation of any dwelling the roads, footways and shall be constructed to at least binder course surfacing level from that dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.</p>
6	<p>No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 198 or a Private Management and Maintenance Company has been established).</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.</p>
7	<p>Prior to commencement of development, details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels, and cross sections, of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).</p> <p>Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings to protect and safeguard the amenities of the adjoining occupiers in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>

8	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
9	<p>No development shall take place above slab level until a detailed scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority in line with the masterplan details set out on plan CAN002-PEV-XX-XX-DR-L-0209. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-</p> <ul style="list-style-type: none"> a) means of enclosure (including elevation details and proposed materials) b) existing trees, hedges or other soft features to be retained c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix d) details of planting and features to be provided to enhance the value of the development for biodiversity and wildlife (as detailed in the ecological surveys) e) details of siting and timing of all construction activities to avoid harm to all nature conservation features f) management and maintenance details <p>The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
10	<p>The development shall be implemented in accordance with the written method statement for the remediation of land and/or groundwater contamination affecting the site. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.</p> <p>The development shall not be occupied until two copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action have been submitted and approved in writing by the Local Planning Authority.</p>

	Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.
11	<p>Prior to the first occupation of the units to which they relate, the bin collection points identified on approved plan P19-0752_002 Rev J shall be constructed and made available for the use of those properties, and shall be retained as such in perpetuity.</p> <p>Reason: To ensure that adequate refuse collection facilities are available to the dwellings at the time of their occupation, in accordance with policy LP16 of the Fenland Local Plan (2014).</p>
12	Approved Plans



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KEY

- Site Boundary (0.68 ha)
- 1.8m high brick wall w/ fencing infill panels
- 1.2m high 2 rail plot division fencing
- Grassed Filter Drain
- Land retained by Land Owner

For POS Landscape details please refer to drawing no. CAN002-PEV-XX-XX-DR-L-0209_Landscape Masterplan_P04

For Drainage Strategy details please refer to drawing no. CCE-V551-SWA-02

Knight's End Road, March, Cambridgeshire P19-0752

Schedule of Accommodation

House Type	Beds	Storey	Actual No.	Unit ft2	Coverage ft2
ASH	5 Bed	2	3	1,786	5,359
Bungalow	2 Bed	1	1	1,097	1,097
Bungalow	3 Bed	1	2	1,227	2,454
N8	4 Bed	2	1	1,645	1,645
4.2	4 Bed	2	2	1,697	3,394
Total Amount			9		13,949



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