
F/YR24/0846/F

Applicant: Mr & Mrs D Church

**Agent : Mrs Rebecca White
Rhochi Architecture & Design Ltd**

Land North West Of 2, High Street, Manea, Cambridgeshire

Erect a dwelling (single storey 2-bed) and associated works

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer Recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 17 December 2024

EOT in Place: Yes

EOT Expiry: 19 February 2025

Application Fee: £578

Risk Statement:

This application must be determined by 19th February 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

1.1 This application seeks to erect a single-storey, 2-bed dwelling within existing garden land associated with 2 High Street, Manea.

1.2 Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development as a result of its lack of front garden area and consequent proximity to the back edge of the footway. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impact on the street scene and is therefore contrary to the requirements of Policy LP16 of the Fenland Local Plan (2014).

1.3 As such, the scheme is recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site is situated on the northern side of High Street, within the settlement of Manea. The site is situated within the rear garden of 2 High Street, and faces onto Orchard Way, a residential cul-de-sac. The rear gardens

associated with the properties along Station Road are situated along the eastern boundary of the site

- 2.2 The existing dwelling on site is a 2-storey detached dwelling, with integral garages. Parking space is also situated to the front of the dwelling and garden space is situated to the rear. The rear garden is currently enclosed by a close-boarded fence.
- 2.3 Neighbouring properties are situated to the north-west and north-east of the application site.
- 2.4 The site is situated within Flood Zone 1 and an Amber Great Crested Newts Zone.

3 PROPOSAL

- 3.1 The application seeks to erect a dwelling (single storey 2-bed) and associated works.
- 3.2 The proposed dwelling would have a footprint of 12.3 x 5.9 metres approx, with a dual pitched roof with a ridge height of 4.2 metres approx and an eaves height of 2.2 metres approx. The dwelling would be situated approximately 1.6 metres from the back edge of the footpath.
- 3.3 Tandem parking would be situated to the south of the dwelling, with garden space situated to the north.
- 3.4 The dwelling would be finished in a red facing brick and concrete roof tile.
- 3.5 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
23/0063/PREAPP	Erect 1x dwelling	Not Favourable 27/09/2023
F/YR22/1034/F	Erection of a single-storey, 2-bed dwelling, and erect a single-storey rear extension with balcony above to existing dwelling involving the demolition of existing conservatory	Refused 22/05/2023

5 CONSULTATIONS

5.1 Manea Parish Council

No objection

5.2 FDC Environmental Health

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or be affected by ground contamination.

Due to the close proximity of noise sensitive receptors, it is recommended that the following condition is imposed in the event that planning permission is granted:

WORKING TIMES

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority

5.3 Cambridgeshire County Council Highways

Recommendation

On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments

The proposed development will not result in a detrimental impact on the operation of the local highway network and therefore is considered acceptable. The submitted Existing Site Plan & Proposed Site Plan, Floor Plan, Elevations and Street Elevation, drawing ref. PC175-P01, demonstrates that pedestrian visibility splays of 1.5m by 1.5m can be achieved either side of the proposed access on Orchard Way, which given the lightly trafficked nature of the residential cul-de-sac and low anticipated pedestrian movements is considered acceptable.

In the event that the LPA are mindful to approve the application, please append the following Conditions and Informatives to any consent granted:

Conditions

Prior to the occupation of the development hereby approved, pedestrian visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a height of 600 mm within an area of 1.5m x 1.5m measured along respectively the back of the footway.

Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014

Prior to the first occupation of the development the proposed on-site parking shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

5.4 Local Residents/Interested Parties

8 letters of support were received with regard to this application within the statutory consultation period. The letters received were from address points within Manea at High Street, Orchard Way, Westfield Road, Staton Road, Jolley Close and Williams Way. The reasons for support are summarised as follows:

- Fit in with surrounding properties
- Enhance street scene
- Not overlooked

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 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

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 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP32: Flood and Water Management

8 KEY ISSUES

- Principle of Development
- Impact on Character and Amenity
- Residential Amenity
- Access and Parking
- Flood Risk
- Ecology
- Biodiversity Net Gain (BNG)

9 BACKGROUND

9.1 As detailed within the planning history section above, an application was refused for a similar development on site in May 2023, application reference F/YR22/1034/F. The application was refused for the following reasons:

1. Policy LP16 (d) of the Fenland Local Plan (2014) requires that development demonstrates that it makes a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment and does not adversely impact on the street scene or landscape character of the surrounding area. The proposal is for

the construction of a single-storey 2- bed dwelling. Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impact on the street scene and is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).

2. Policies LP2 and LP16(h) of the Fenland Local Plan seeks to ensure that the development provides sufficient amenity space for future occupiers. The scale and positioning of the proposed development will result in insufficient levels of private amenity space for the proposed dwelling, which will result in harm to future occupiers and is therefore contrary to Policy LP16(h).

- 9.2 The design of the proposed dwelling has been amended following the previous refusal on site. The site layout has also been amended with the re-location of the parking and garden areas on site.
- 9.3 Following the previous refusal on site, a pre-application submission was submitted with the response not being supportive in September 2023. The pre-application did not include any indicative elevation or floor plan drawings, however did include a proposed site plan, indicating a single-storey dwelling on site with one parking space to the north of the dwelling and private amenity space to the south. The pre-application response noted the following:

Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impact on the street scene and is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014)

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan 2014 identifies Manea as a Growth Village, where, according to LP3, development and new service provision either within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than that appropriate to the Market Towns. Accordingly, there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of visual amenity, design, parking, highways, flood risk and ecology.

Impact on Character and Amenity

- 10.2 Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.

- 10.3 The eastern side of Orchard Way is predominantly characterised by single-storey detached dwellings, with dual-pitched roofs and driveway situated to the side for tandem parking. The dwellings are setback from the street scene with small grassed/paved front gardens.
- 10.4 This predominant character is also reflected on the western side of Orchard Way, albeit there are 2 single-storey dwellings immediately opposite the proposed dwelling on site which differ in character and feature single-storey front projections, finished with dual-pitched roofs. These 2 dwellings also feature integral garages and small grassed front gardens.
- 10.5 Whilst the design of the proposed dwelling itself is considered to be acceptable, owing to the limited depth of the site this will sit approximately 1.6 metres from the back edge of the footpath, which would appear out of character given that the dwellings along Orchard Way feature a greater clearance between their front elevations and the footpath. The introduction of a dwelling in such close proximity to the back edge of the footpath would introduce an adverse visual change within the street scene and the narrow plot would also result in a visually cramped form of development which would appear significantly out of character with the street scene, creating an incongruous feature within the prevailing character along Orchard Way and would therefore fail to make a positive contribution to the local distinctiveness and character of the area and is therefore considered contrary to Policy LP16 of the Fenland Local Plan.

Residential Amenity

- 10.6 Policy LP2 and LP16 of the Fenland Local Plan seek to ensure that development does not harm residential amenity, for example through overlooking or overshadowing, loss of light or noise disturbance.
- 10.7 The proposed dwelling is to be single-storey, and the adjacent closest dwelling to the north is also single-storey (situated approximately 12 metres from the proposed dwelling). It is unlikely therefore that the proposed dwelling will introduce any adverse overbearing or overlooking impacts to neighbouring properties. There may be some slight overshadowing resulting from the dwelling, however this will predominantly fall upon the proposed garden area associated with the new dwelling.
- 10.8 The site is currently utilised as garden space for 2 High Street. Policy LP16 (h) states that development should provide sufficient private amenity space, suitable for the type and amount of development proposed. For dwellings other than flats, a minimum of a third of the plot curtilage should be set aside as private amenity space. The proposed site layout appears to meet this requirement.
- 10.9 Consultation comments received from FDC Environmental Health raised no objections to the proposed development. They did however request a working times condition to be included should permission be granted due to the close proximity of noise sensitive receptors. These comments are acknowledged, however given that the proposal is for a single dwelling, such condition would not be considered to be reasonable.
- 10.10 As such, the scheme is considered to comply with Policy LP2 and LP16 of the Fenland Local Plan.

Access and Parking

- 10.11 The application proposes a new access from Orchard Way, which is an unclassified road. Upon consultation with CCC Highways, no objections were raised to the proposed new access subject to the inclusion of conditions.
- 10.12 A tandem parking area is proposed to the south of the dwelling which details 2 parking spaces. No turning is provided on site, however the other properties along Orchard Way do not feature on-site turning and majority appear to utilise tandem parking and therefore a refusal on this basis would be unjust.
- 10.13 As such, there are no issues to address with regards to Policy LP15 in this regard.

Flood Risk

- 10.14 The proposal is located within flood zone 1 and issues of surface water disposal will be considered under Building Regulations.

Ecology

- 10.15 The site is identified as being in an Amber Zone for Great Crested Newts (GCN); Amber zones contain main population centres for GCN and comprise important connecting habitat that aids natural dispersal.
- 10.16 Given that the site is currently used as a residential garden and is partially hard landscaped and therefore it is unlikely that there is an established habitat in this location.
- 10.17 In addition to the above, a Great Crested Newt Screening Assessment was submitted as part of this application. The assessment concluded that no further surveys were required, that there is no requirement for mitigation and no requirement for District Level Licencing.
- 10.18 As such, there are no issues to address with regards to Policy LP19.

Biodiversity Net Gain (BNG)

- 10.19 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.20 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the development is de-minimis for the purposes of BNG. The application form states that *The site consists principally of areas of former decking, paving slabs and other bare ground, now covered by weed matting, and has therefore been classified as DEFRA/UKHabs "Urban: Unvegetated garden". "Urban: Unvegetated garden" has a value of 0 points per hectare. Small areas (~4m²) of "Heathland*

and Scrub:Bramble scrub" have been removed. There are no trees within the site. The development would not 'impact' the "Urban: Unvegetated garden" habitat by decreasing the biodiversity value since the value cannot decrease below zero. The Bramble scrub is below the exemption threshold of less than 25m².

10.21 The de minimis exemption applies to development that does not impact a priority habitat and impacts less than 25m² of non-priority onsite habitat. The application therefore is considered to be exempt from the biodiversity gain condition.

11 CONCLUSIONS

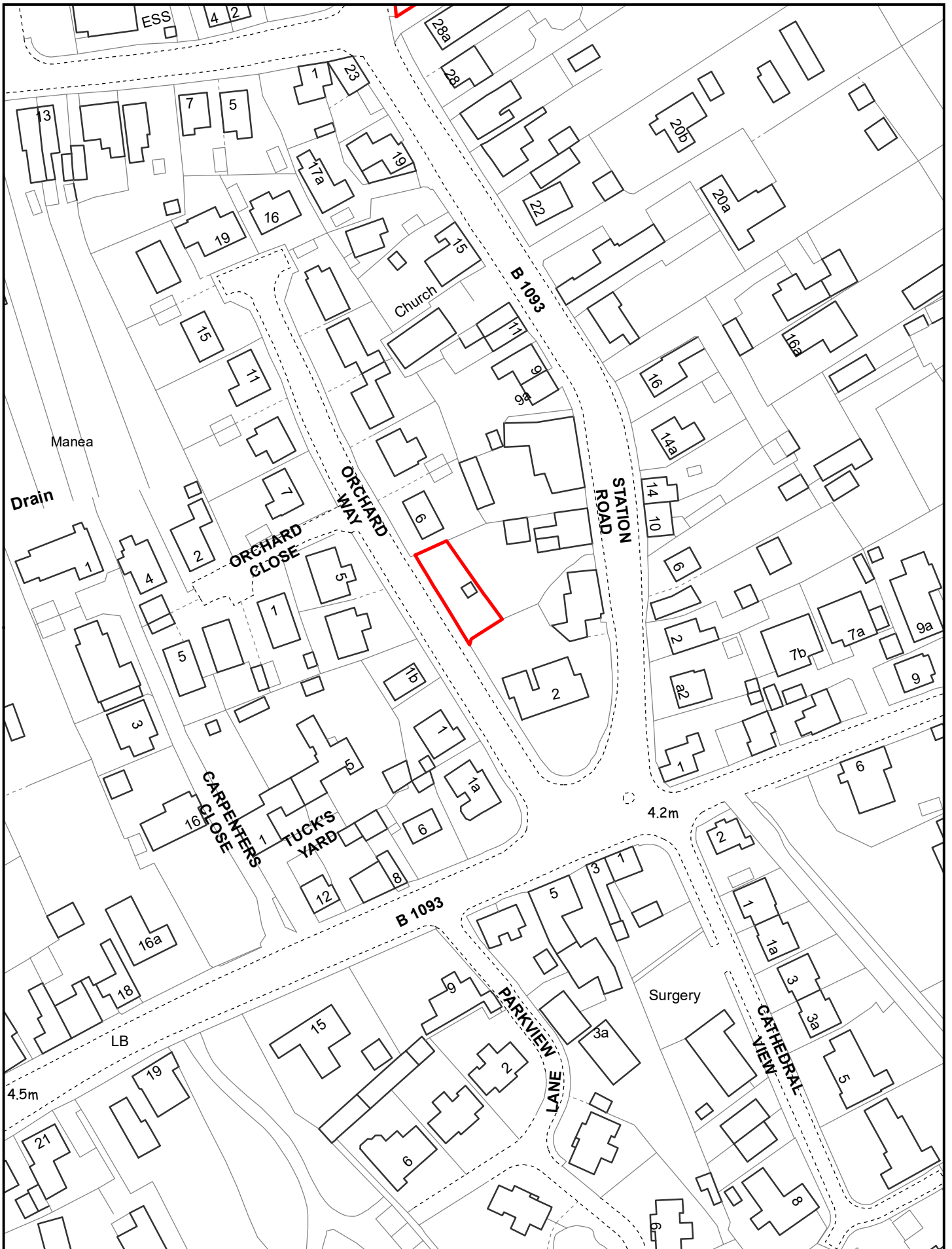
11.1 It is considered that the proposal to erect a single-storey, 2-bed dwelling in this location conflicts with Policies LP2 and LP16 of the Fenland Local Plan, in that the development would cause harm to the form and character and the area and does not provide a quality environment for future occupiers.

11.2 There are no material considerations that outweigh the harm identified as being caused by the proposal in relation to the above matters sufficient to justify its approval contrary to the aforementioned policy.

12 RECOMMENDATION

12.1 **Refuse**, for the following reason:

1	<p>Policy LP16 (d) of the Fenland Local Plan (2014) requires that development demonstrates that it makes a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment and does not adversely impact on the street scene or landscape character of the surrounding area. The proposal is for the construction of a single-storey 2-bed dwelling.</p> <p>Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development by virtue of its proximity to the back edge of the footway. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impact on the street scene and is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).</p>
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Created on: 23/10/2024

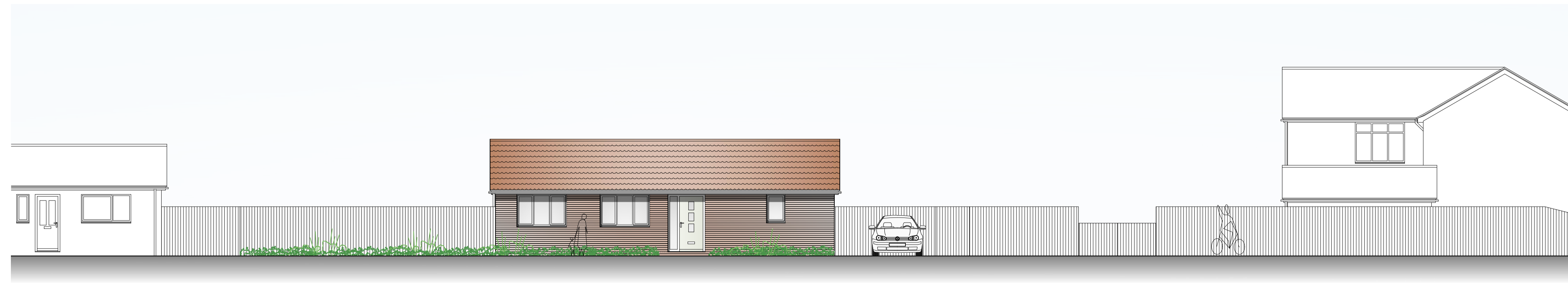
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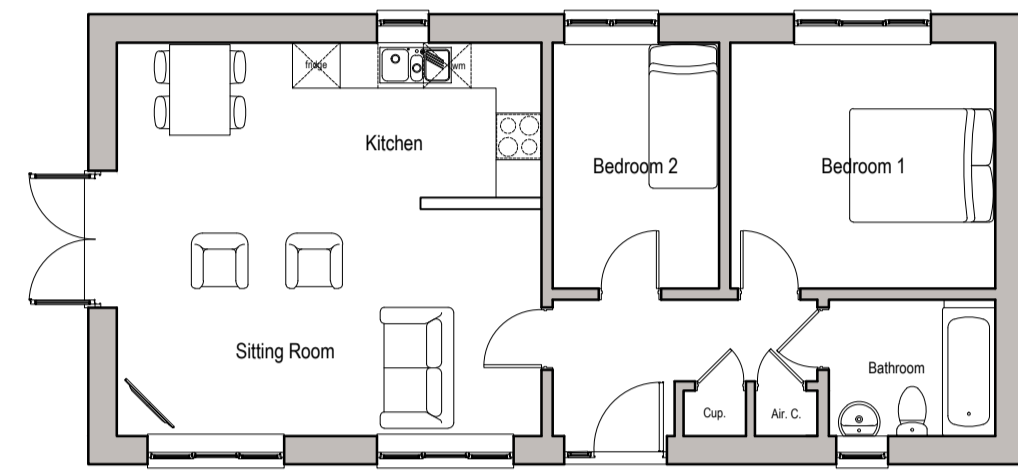
Scale = 1:1,250



All dimensions to be checked on site and any discrepancies to be reported. Units shown are in 'mm' unless otherwise stated.



Street Elevation - As Proposed
scale - 1:100



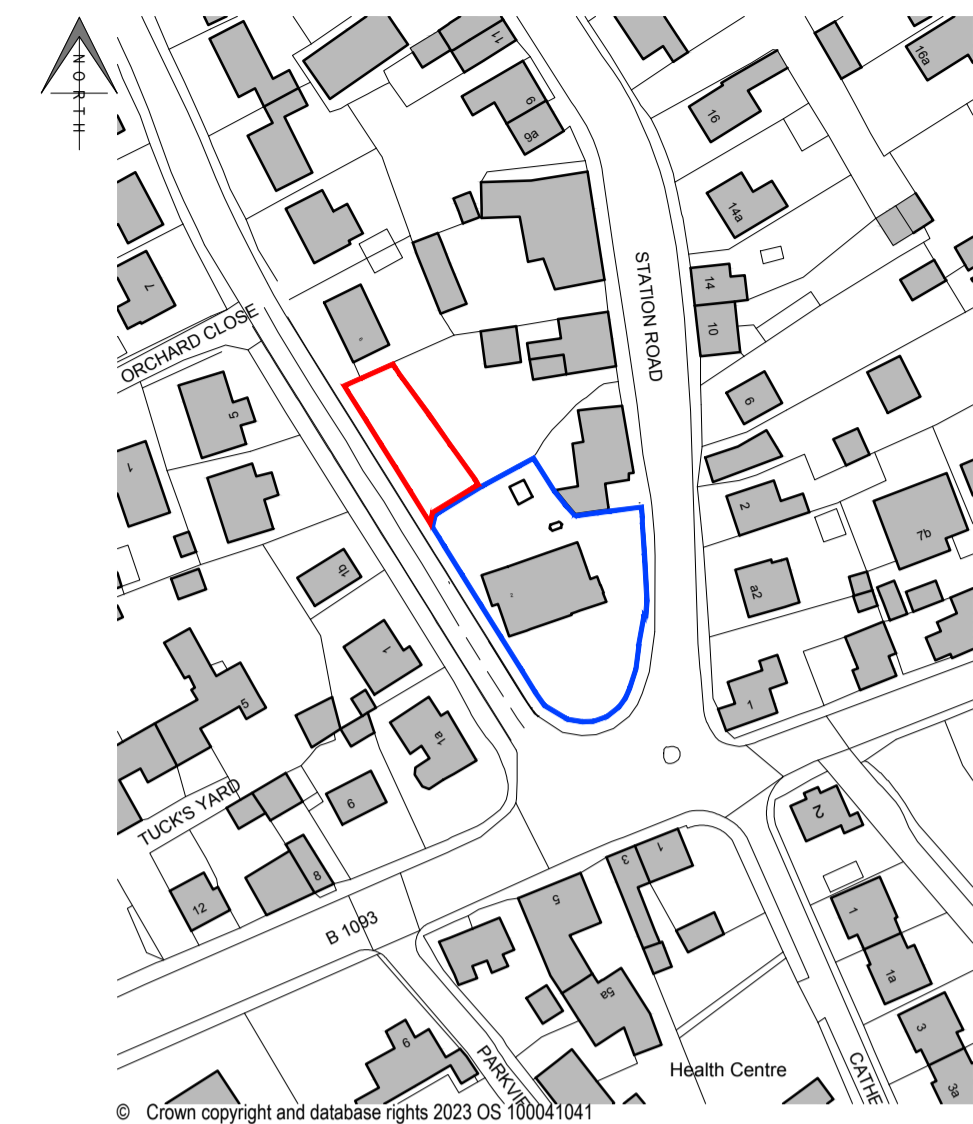
Floor Plan - As Proposed
scale - 1:100



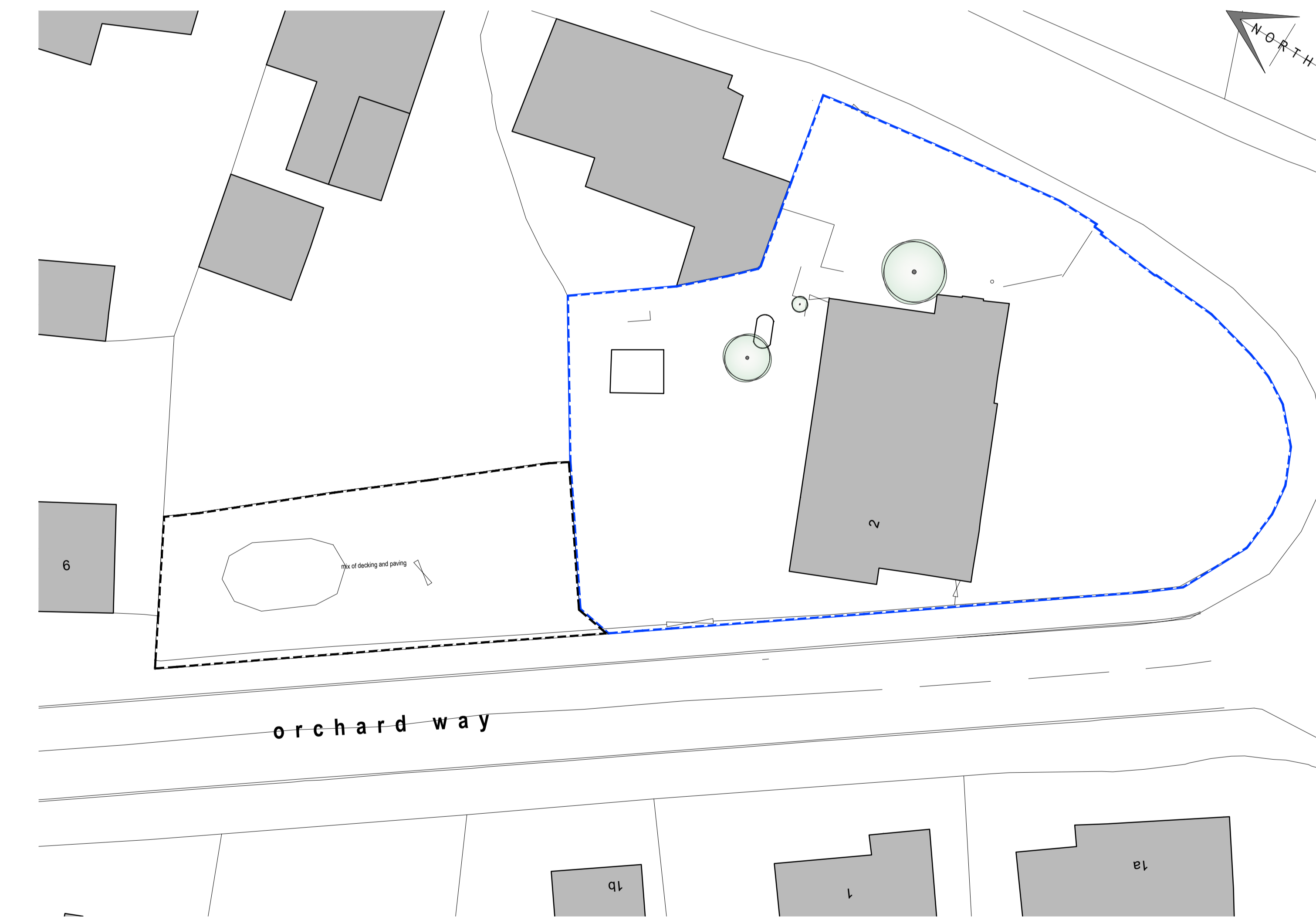
Side Elevation Front Elevation Side Elevation Rear Elevation

Elevations - As Proposed
scale - 1:100

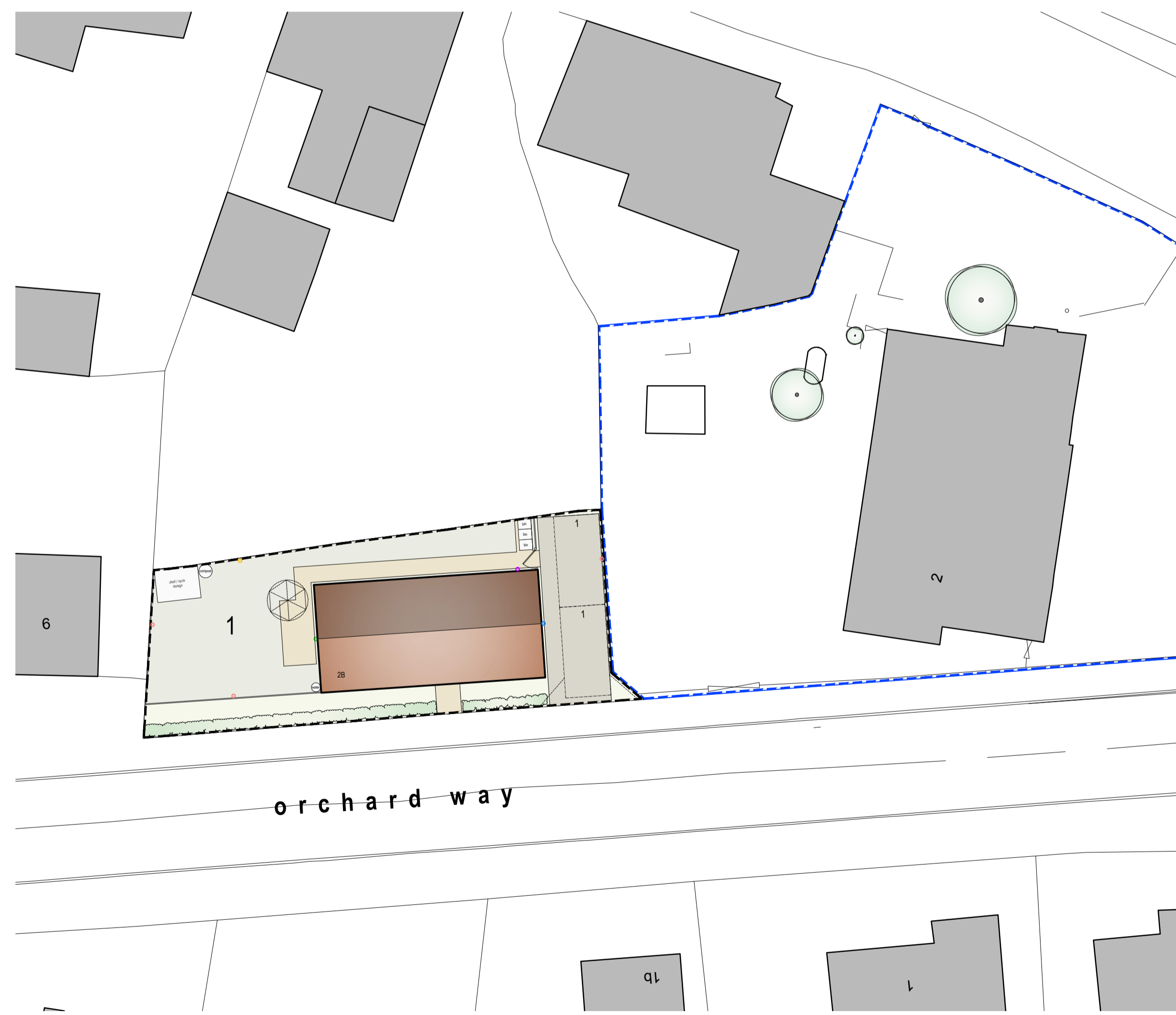
Profile concrete roof tile to approval of LA.
uPVC.
Red facing brickwork to approval of LA.



Location Plan
scale - 1:1250



Site Plan - As Existing
scale - 1:200



Site Plan - As Proposed
scale - 1:200

Key

- Drive and parking.
- Private footpaths and patio.
- Front garden.
- Rear garden.
- Soft landscaping as existing - indicative size and location.
- Existing tree - indicative size and location.
- Fencing - 1.8m high close boarded timber fence.
- Garden - 6' x 8' timber shed with cycle storage.
- Garden - Three wheeled bins in line with LA Refuse Scheme.
- Garden - Compost Bin.
- Garden - Water Butt.
- Garden - Washing Line.

Ecological Enhancements			
Key	Description	No.	Location
	Bat box	1	East facing elevation, below verge, at least 4m above ground.
	House Sparrow nest box or terrace nest box for 2-3 years of nesting sparrows	1	North facing elevation, below eaves.
	Swift nest box	1	West facing elevation, below verge.
	Bee insect box	1	Boundary, south facing, at least 1m above ground.
	Hedgehog gravel board	3	One on each boundary.

Development Summary
House Type: 2 bed 3 person
Gross Internal Floor Area: 60m²
Site Area: 254m²
Private Amenity: 102m²
Parking: 2 Spaces + Cycle Storage in Shed

PROJECT :
Proposed New Dwelling at Land Adj 2 High Street, Manea
for Mr & Mrs D Church

DRAWING TITLE :
PLANNING SUBMISSION
Existing Site Plan & Proposed Site Plan, Floor Plan, Elevations and Street Elevation

DATE :
May 24

SCALE :
Var @ A1

SHEET :
PC-175-P01

REV :
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