F/YR24/0652/RM

Applicant: Mr and Mrs A Pittman Agent: Jamie Burton

Swann Edwards Architecture Limited

Land South And East Of 200 To 204, Main Road, Church End, Parson Drove Cambridgeshire

Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR23/0805/O to Erect 1 x dwelling and the formation of an access, involving the demolition of existing barn

Officer recommendation: Refuse

Reason for Committee: Number of representations against officer

recommendation

Government Planning Guarantee

Statutory Target Date for Determination: 4 October 2024

EOT in Place: Yes

EOT Expiry: 7 February 2025

Application Fee: £578

Risk Statement:

This application must be determined by 07/02/25 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 The application is a reserved maters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR23/0805/O to erect 1 x dwelling and the formation of an access, involving the demolition of existing barn.
- 1.2 Policy LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. The height of the proposed dwelling would appear excessive adjacent to neighbouring properties. The trees to the front of the site are not considered to give all year-round screening and therefore the dwelling would be visible for parts of the year. The area is characterised by 2-storey detached and semi-detached dwellings, predominantly of traditional design with modest features. It is considered that the excessive scale and design and appearance of the proposed dwelling would appear incongruous, overly dominant and out of character with the area.

- 1.3 Policies LP2 and LP16(e) seek to ensure that development achieves high quality living environments and does not adversely impact on the amenity of neighbours. It is considered that owing to the location, scale and massing of the proposed dwelling, the development would have an overbearing impact on the residents of No.204.
- 1.4 The recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1 The site is located to the south of Main Road, Church End, Parson Drove. The application site sits south and east of 200 to 204 Main Road. To the east of the site is a complex of agricultural buildings. To the south of the site is open agricultural land. The dwellings, 200 to 204 are 2-storey detached dwellings in brick and tile finish. Properties along Main Road, Church End comprise a mix of semi-detached and detached, predominantly 2-storey traditional design dwellings.
- 2.2 The site is located in Flood Zone 2 (Medium Risk).

3 PROPOSAL

- 3.1 This application seeks approval of reserved matters following outline permission under F/YR23/0805/O. Matters committed are appearance, landscaping, layout and scale. The proposed dwelling would have 4 bedrooms, all with Ensuites and 3 of them have walk in wardrobes. The bedrooms are spread over the first and second floors. The ground floor is proposed to have a gym area adjacent to the triple garage, a study, a downstairs cloak room, a living room and open plan kitchen/dinning/family room. There are no windows proposed on the first or second floor of either side elevation. The second floor is proposed to have 2 dormers to the front and 4 dormers to the rear.
- 3.2 The proposed dwelling would be set back in the site owing to the grouping of trees including TPO trees to the front of the site and root clearance area. There is a large garden to the rear of the site (south) which wraps around to the rear of the adjacent dwellings to the southwest and abuts the agricultural yard and associated land to the east.
- 3.3 The proposed dwelling would measure approximately:
 - 24m max width
 - 31m max Length (Including front projecting triple garage and rear project single storey projections)
 - 9.8m max roof height
 - 6.5m eaves height
- 3.4 The materials proposed are:
 - Walls Norfolk antique brickwork
 - Roof SVK Montana
 - Windows White joinery and stone detailing wet cast bath
 - Black UPVC Rainwater goods, white fascias and soffits.
- 3.5 Full plans and associated documents for this application can be found at:

4 SITE PLANNING HISTORY

4.1 Pertinent planning history listed below:

Application	Description	Decision
F/YR23/0805/O	Erect 1 x dwelling and the formation of an access, involving the demolition of existing barn (outline application with matters committed in respect of access)	
F/YR07/0294/F	Erection of a grain store building	Granted 24 Apr 2007

5 CONSULTATIONS

5.1 Parson Drove Parish Council

Parson Drove parish council were in support of the application and had no objections.

5.2 Environment & Health Services (FDC)

The Environmental Health team note and accept the submitted information and in principle have 'No Objections' to the proposed development. (Subject to conditions)

5.3 Cambridgeshire County Council Highways Authority

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

It is noted that condition 6 of Outline consent F/YR23/0805/O remains to be discharged in full.

5.4 North Level Internal Drainage Board

Please note that North Level District Internal Drainage Board have no objections to the above Reserved Matters planning application.

5.5 **Arboricultural Officer (FDC)**

The tree protection measures, and landscaping details are considered acceptable.

5.6 **Environment Agency**

Thank you for your consultation dated 19 August 2024. We have reviewed the documents as submitted and have no objection to the proposed development. We have provided further detail below on flood risk.

Flood Risk

The decision notice (condition 8) of the original planning application states that the development must be carried out in accordance with the FRA which provides a finished floor level of 300mm above existing ground level as well as 300mm of flood resilient construction to be incorporated into the development. I would expect this to be applied.

Local Residents/Interested Parties

5.7 **Supporters**

Fifteen letters of support received: 12 letters from residents of Parson Drove, 2 from residents of Guyhirn and 1 from Leverington.

- In keeping with the character of the area
- No harm to residential amenity
- Good for local economy
- Enhance village appearance
- Good for young families
- Contribute to village long term sustainability
- Good design

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) and the Parson Drove Neighbourhood Plan (2020).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 10 Supporting high quality communications
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed and beautiful 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

Movement

Nature

Homes and Buildings

7.4 Fenland Local Plan 2014

- LP1 A Presumption in Favour of Sustainable Development
- LP2 Facilitating Health and Wellbeing of Fenland Residents
- LP5 Meeting Housing Need
- 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 Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Policy 14: Waste management needs arising from residential and commercial Development

7.6 Parson Drove Neighbourhood Plan 2020

Policies 1 to 5 of the Neighbourhood Plan generally seek to guide the spatial location and amount of housing (including affordable housing), ensuring that housing growth is managed in a sustainable way and ensuring that development would not result in highway harm. These are generally matters that were considered at outline stage of this development.

As such, while the Neighbourhood plan forms part of the adopted development plan, the policies contained therein are not specifically relevant to the reserved matters under consideration here.

7.7 Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

7.8 Cambridgeshire Flood and Water SPD 2016

7.9 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 48 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

LP12: Meeting Housing Needs

LP13: Custom and Self Build

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP32: Flood and Water Management

LP33: Development on Land Affected by Contamination

8 KEY ISSUES

- Appearance
- Layout, Scale and Appearance
- Residential Amenity
- Landscape
- Other considerations
 - Contamination
 - Biodiversity Net Gain (BNG)
 - Flood Risk

9 BACKGROUND

- 9.1 The application is for reserved matters for one dwelling, and follows the principle being established along with committed access arrangements under application F/YR23/0805/O.
- 9.2 Owing to concerns raised by officers, amendments were made to the proposals to reduce the roof height and the width of the dwelling slightly, taking the western side elevation further away from boundary between the host site and No 204.

The change between the original measurements and those now proposed are approximately:

- 1m reduction in the width
- 1.4m reduction in max roof height

10 ASSESSMENT

Layout, Scale and Appearance

- 10.1 LP16(d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.2 Dwellings in the locality and along Main Road are predominantly 2-storey and generally of traditional and somewhat modest form, including those recently completed adjacent. There are mixed materials evident including render, differing coloured brick and differing coloured roof tiles. Immediately to the east of the site are large agricultural buildings and immediately to the west is a short row of 2-storey detached dwellings, completed around 15 to 20 years ago.
- 10.3 The outline permission indicated a smaller dwelling in a similar position as that proposed at Reserved Matters stage. The position of the dwelling within the site has been somewhat determined by the TPO trees and their root protection area to the front of the site and the need for parking and turning. Whilst the dwelling would be notably set back from the building line of the adjacent dwellings and barn, the set-back positioning of the dwelling is on balance deemed acceptable having regard to the site constraints and need to protect existing trees.
- 10.4 The proposed dwelling is a large 3 storey dwelling with a triple garage front projection. The third floor would be in the eaves with 2 dormer windows and 2 roof lights to the front and 4 dormer and 1 roof light to the rear. The main dwelling would have a symmetrical principal elevation design with bay windows on each side of the front door. Four first floor windows to the front of the dwelling would

- serve bathrooms and therefore would be obscure glazed. To the rear of the property would be single storey rear projections.
- 10.5 The height of the proposed dwelling would appear excessive at approx. 9.8m compared to the neighbouring property at No.204 at approx. 7.1m and indeed would be higher than the agricultural barn adjacent, resulting in a dominant presence in the streetscene. Whilst the trees to the front of the site would achieve some screening, they are understood to be deciduous and therefore would lose their leaves in winter and the visual screening of the site would be substantially lost during these periods. The view towards the proposed dwelling from the east would be partially obscured by the existing agricultural buildings, albeit the proposed dwelling roof and chimney would likely be visible.
- 10.6 The area is characterised by 2-storey detached and semi-detached dwellings, predominantly of traditional design with modest features. It is considered that the excessive scale and design of the proposed dwelling would appear out of character with the predominant built form and of a scale that would result in an unacceptable visual dominance, thereby failing to make a positive contribution to the built environment.
- 10.7 Therefore, the proposed dwelling is considered contrary to policies LP12 (part A) LP16 (d) of the Fenland Local Plan 2014.

Residential Amenity

- 10.8 Policies LP2 and LP16(e) seek to ensure that development achieved high levels of residential amenity and does not adversely impact on the amenity of neighbours such as through noise, light pollution, loss of privacy or loss of light.
- 10.9 The layout of the proposed dwelling itself raises no concerns in respect of securing good levels of amenity for future occupiers, having regard to the amenity land afforded for occupiers, on-site parking and turning and juxtaposition of existing dwellings and structures relative to the proposed dwelling.

Overlooking

- 10.10 The proposed dwelling is set back in the site with neighbouring dwellings to the west set forward within their respective sites, with the front facet of the proposed dwelling set approximately 11m back from the rear elevation of the adjacent dwelling, No.204. Whilst there are no windows proposed on the side western flank wall at first or second floor, the front westernmost windows of the proposed dwelling would be set at an angle of around 45 degrees and a distance of around 11m from the nearest windows of No.204. The nearest windows at first floor would be obscure glazed and the agent has offered to obscure the front second-floor dormer windows should overlooking be considered an issue.
- 10.11 Due to the oblique angle of these windows, it is not considered that any severe overlooking or direct views into adjacent windows would be achieved, sufficient to warrant refusal, albeit the relationship may give a perception of overlooking and the mitigation offered is perhaps a result of the general, inappropriate layout, scale and massing of the dwelling.

Overshadowing

10.12 No.204 to the west of the site has a 36m length of 5-6m high hedge just beyond their boundary between the application site and their rear garden. The hedge is considered to already throw shadow onto the residents' private amenity space.

Therefore, the proposed dwelling is not considered to pose additional harm in terms of overshadowing towards No.204 above that experienced currently by virtue of the existing hedge. Therefore, overshadowing in this case would not be considered to warrant refusal.

Overbearing

- 10.13 The proposed dwelling would be positioned approximately 11m rearward of No.204 and approximately 4.4m away from the boundary along the western side of the site with the aforementioned hedging and proposed 1.8 m high fencing in between.
- 10.14 The overall height of the proposed dwelling would be approximately 9.8m and with a substantial footprint, in evident contrast to the existing, modest dwellings immediately west. Owing to the overall scale and massing and its position within the site it is considered that the proposed dwelling would have an overbearing impact on the residents of No.204. Outlook from the rear of No.204 and within the rear garden, even above the hedge, would be dominated to the east by the proposed dwelling with vast roof span and high eaves that would, result in an oppressive living environment for these occupiers.
- 10.15 Whilst it is acknowledged that the high hedge already creates a degree of overbearing for existing occupiers, this natural feature is distinctly different to the fixed structure proposed and compliments and enhances the rural setting of the area. The layout, scale and massing of the dwelling however would significantly harm the amenity of occupiers of No.204.
- 10.16 As such it is considered that the layout, scale and massing of the proposed dwelling results in unacceptable impacts to the residential amenity of No.204, contrary to policies LP2 and LP16(e) of the Fenland Local Plan.

Landscape

- 10.17 Policy LP19 of the Fenland Local Plan 2014 states that the council will work in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland.
- 10.18 Condition 7 of the outline permission granted on site F/YR23/0805/O is set out and individually addressed below.
 - (a) a plan showing the location of hedges to be retained and details of species in each hedge.
- 10.19 The submitted Soft Landscaping Pan 5256 rev B clearly specifies the location and species of hedges to be retained including Myrobalan Plum and Privet, Sycamore.
 - (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- 10.20 The details of species and locations of retained trees and trees on adjoining land is contained within the submitted Soft Landscaping Plan 5256 rev B. The assessment, of the health, girth and height of these trees is contained in Appendix B of the submitted Arboricultural Impact Assessment.

- (c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;
- 10.21 The submitted Arboricultural Method Statement and Tree Protection Plan 5256 states works proposed including:
 - Remove dead wood greater than 25mm from Sycamore 403 and lift crown to 3m.
 - Cut plum hedge group C to a point 0.5m off the root line.
 - Lift the crowns of Field Maple NT2 and Sycamore 400 to 4.5m where they overhand the driveway
 - Lift the crown of Sycamore 401 to 3m
 - (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree].
- 10.22 The submitted levels plans shows that levels are not proposed to be altered but a gradual slope proposed to link the low road to the proposed parking area and dwelling. Any development is proposed outside the protected tree root area.
 - (e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development:
- 10.23 The submitted Arboricultural Method Statement and Tree Protection Plan 5256 Rev B clearly shows proposed robust ground protection systems and tree protection barriers and details a general principles of site management for tree protection. The plan also shows where these protective barriers will be placed.
 - (f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.
- 10.24 The submitted Soft Landscaping Plan 5256 rev B shows the proposed location of new planting and states the species. Proposed trees include 3xBetula Pendula (10-12cm girth), 1xAcer Campestre and 1x Sorbus aria (10-12cm girth). The plans also details when the season in which the trees should be planted and when planting should be avoided.
- 10.25 The Council's Arboricultural Officer considers the tree protection details are acceptable and it is concluded that that the requirements of Condition 7 are met and the general matter of Landscape is sufficiently addressed through this submission.

Other considerations

Contamination

10.26 The Council's Environmental Health Team were consulted on the proposals and have no objection subject to a contamination condition. The Planning Practice Guidance states that contamination should be considered at outline stage. In this case there was no response from the Environmental Health Team on app F/YR23/0805/O and so no condition was attached. A condition regarding contamination cannot be attached to the permission at this stage. Notwithstanding this, should the applicant discover contamination, their general responsibilities in respect of contamination controls would apply and statutory

powers under the Environmental Protection Act 1990 in this regard are still available to the Council should it be necessary.

Biodiversity Net Gain (BNG)

- 10.27 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.
- 10.28 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 outline application would have considered BNG but was submitted prior to the requirement for statutory net gain coming into force.

Flood Risk

10.29 Comments from the Environment Agency are noted and the development complies with the flood mitigation recommendations set out in the Flood Risk Assessment, which supported the outline consent.

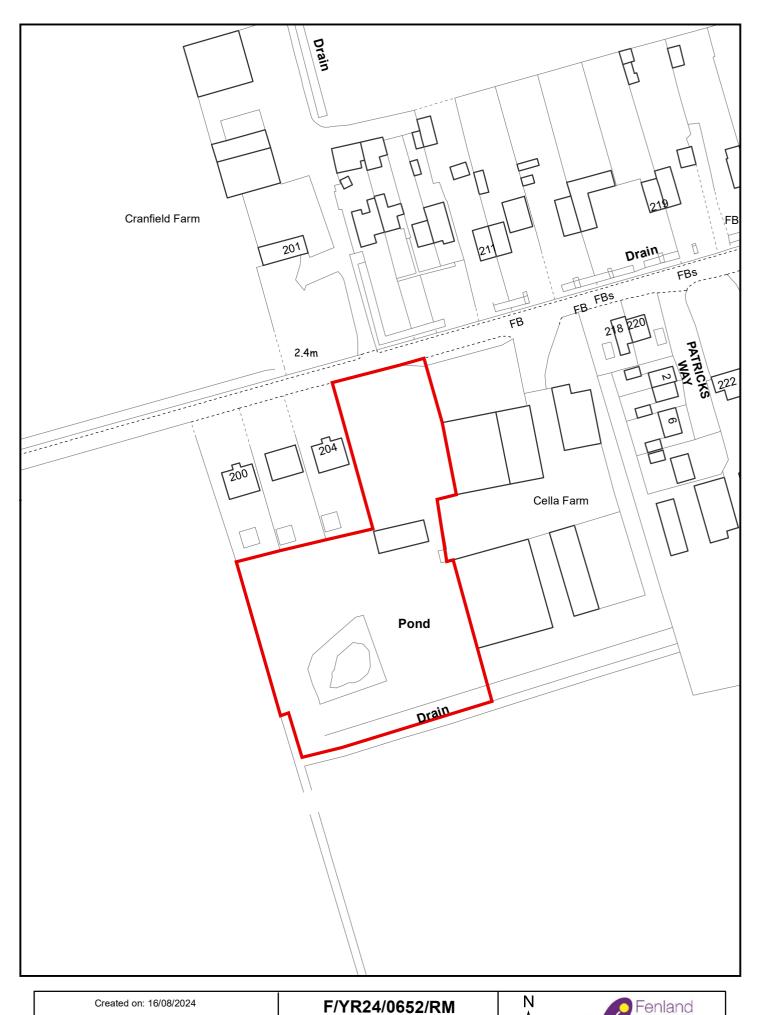
11 CONCLUSIONS

- 11.1 This Reserved Matters application follows the outline planning permission (including access) and considers matters of appearance, layout, scale and landscaping.
- 11.2 Whilst matters of landscaping (and tree protection) raise no concerns or policy conflicts, there are significant concerns over the remaining reserved matters.
- 11.3 The area is characterised by 2-storey detached and semi-detached dwellings, predominantly of traditional design with modest features. It is considered that the excessive scale and design of the proposed dwelling would appear out of character with the predominant built form and of a scale that would result in an unacceptable visual dominance, thereby failing to make a positive contribution to the built environment and causing harm to the character of the area, contrary to the aims of Policies LP12 (part A) and LP16 (d), which seek to ensure development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 11.4 Notwithstanding, Local Plan policies LP2 and LP16(e) seek to ensure that development does not adversely impact on the amenity of neighbours and achieved high quality living environments. It is considered that owing to the proposal's overall scale and massing, and its position within the site relative to neighbouring properties, it would have an overbearing impact on the residents of No.204.

11.5 The Council's statutory duty is to determine applications in accordance with the policies of the development unless material considerations indicate otherwise. It is considered that there are no material considerations worthy of sufficient weight to outweigh the identified conflicts with the development plan (policies LP2, LP12 and LP16). The application is therefore recommended for refusal.

12 RECOMMENDATION

- 12.1 **Refuse**; for the following reasons.
 - Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland 2014 seek to ensure that proposals make a positive contribution to the local distinctiveness and character of the area and that the character of the local built environment informs the layout and features of proposed development. The proposed dwelling by virtue of its location, design and scale and massing would appear incongruous and dominant in the surrounding area to the significant detriment of the character and visual amenity of the area, contrary to the aforementioned policies.
 - Policies LP2 and LP16(e) of the Fenland Local Plan 2014 seek to ensure that development does not adversely impact on the amenity of neighbours and achieves high quality living environments. Owing to the overall scale and massing and its position within the site relative to adjacent properties, it is considered that the proposed dwelling would have an overbearing and visually dominant impact on the residents of No.204. As such the development, if permitted, would have an adverse impact upon the amenity of neighbouring residents, contrary to Policies LP2 and LP16.



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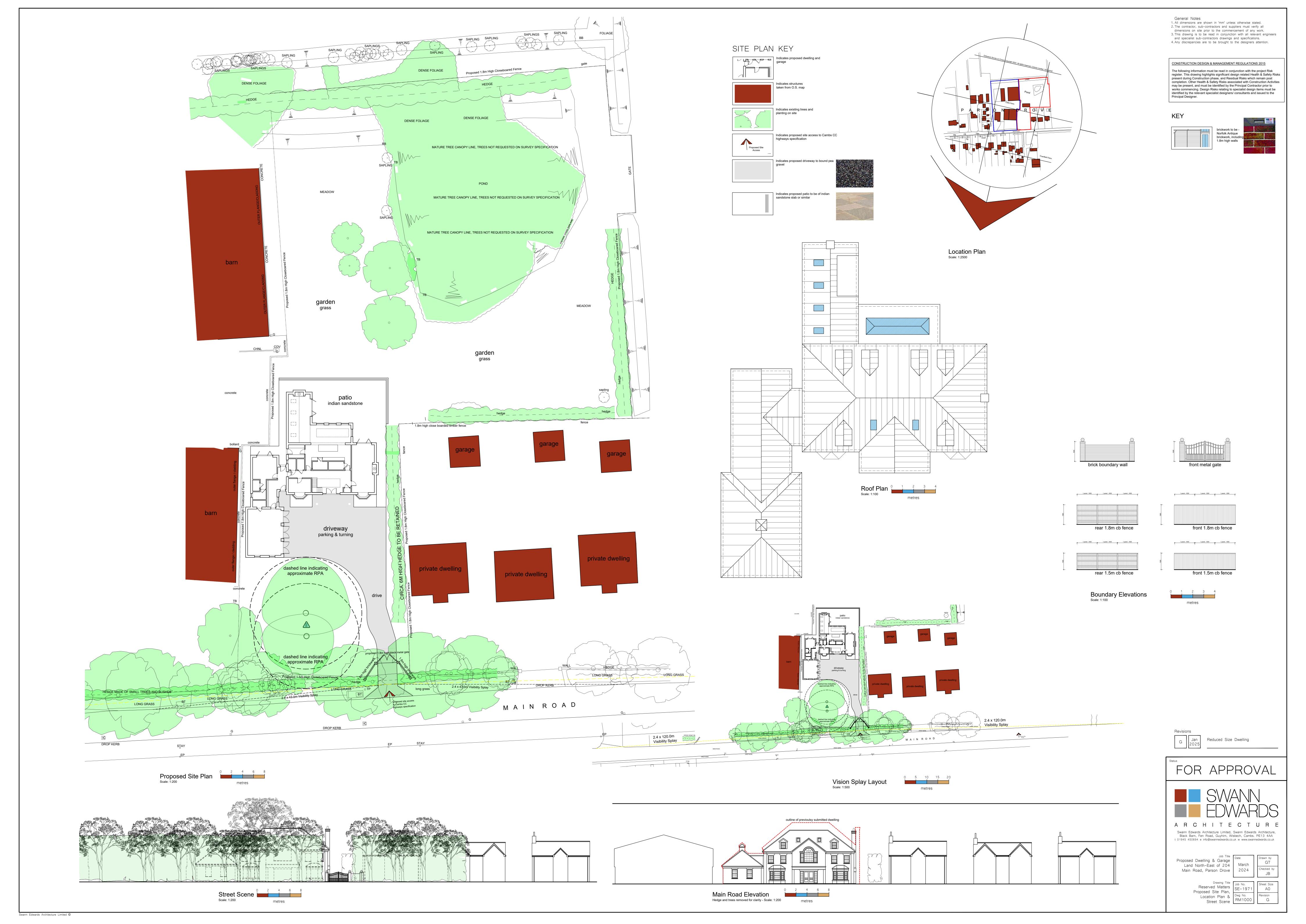
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Fenland District Council





General Notes

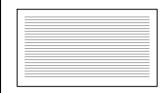
1. All dimensions are shown in 'mm' unless otherwise stated. 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.

3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications. 4. Any discrepancies are to be brought to the designers attention.

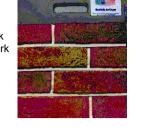
CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015

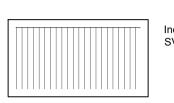
The following information must be read in conjunction with the project Risk register. This drawing highlights significant design related Health & Safety Risks present during Construction phase, and Residual Risks which remain post completion. Other Health & Safety Risks associated with Construction Activities may be present, and must be identified by the Principal Contractor prior to works commencing. Design Risks relating to specialist design items must be identified by the relevant specialist designers/ consultants and issued to the Principal Designer.

KEY



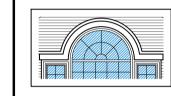
Indicates Norfolk Antique brickwork



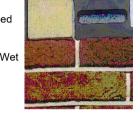


Indicates proposed SVK Montana





Stone detailing -Wet Cast Bath



black UPVC rainwater goods and white fascia and soffits





Reduced Size Dwelling

FOR APPROVAL



Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Dwelling & Garage Land North-East of 204 March Main Road, Parson Drove 2024

Drawing Title
Reserved Matters
SE-1971 Dwg No. RM1001

Floor Plans and Elevations