

Application Number: F/YR12/0509/F

Minor

Parish/Ward: Tydd St Giles Parish Council/Roman Bank

Date Received: 25 June 2012

Expiry Date: 03 September 2012

Applicant: Mrs P Grant

Proposal: Erection of a 2-storey 4-bed dwelling with detached garage and formation of a new vehicular access

Location: The Former Bowling Green, Kirkgate, Tydd St Giles, Cambridgeshire

Site Area/Density: 0.21 ha

Reason before Committee: Departure from Development Plan and the potential impact upon the setting of a heritage asset.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for erection of a 2-storey 4-bed dwelling with detached garage and formation of a new vehicular access at the Former Bowling Green, Kirkgate, Tydd St Giles, Cambridgeshire

The key issues to consider are;

- Impact on the setting of a Grade II Listed Building;
- Impact on Character of Area;
- Scale, Layout and Existing Built Form;
- Design and Appearance.

The proposal physically adjoins the existing settlement and it is considered that the proposal will not result in a significant impact upon the character and appearance of the area, the residential amenity of adjoining properties or impact on the setting of the adjacent heritage asset. It is, therefore, recommended that the application is approved.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR12/0209/F	Erection of 2 x 2-storey 3-bed dwelling with attached garages involving the formation of new accesses	Withdrawn
	F/YR06/0628/F	Erection of 2 x 4-bed detached bungalows and detached double garages	Withdrawn
	F/98/0231/O	Erection of a dwelling	Refused
	F/94/0993/O	Erection of a detached house and double garage	Refused
	F/93/0838/O	Erection of a detached house and double garage	Refused
	F/90/0073/O	Erection of 2 dwellings and installation of 2 septic tanks	Dismissed by Sec of State

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

3.2 East of England Plan:

ENV7 - Quality in the Built Environment

3.3 Emerging Fenland Core Strategy:

CS1: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS2: Growth and Housing.

CS10: Sustainability and no harm to the wide open character of the countryside.

CS14: High Quality Environments

3.4 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E8: Landscape and Amenity Protection

4. CONSULTATIONS

- | | |
|---|--|
| 4.1 <i>Parish/Town Council</i> | No comments received |
| 4.2 <i>Ward Councillor(s)</i> | No comments received |
| 4.3 <i>Tree Officer FDC</i> | Makes a number of observations regarding the situation on site and requested planning scheme |
| 4.4 <i>Local Highway Authority (CCC)</i> | Conditions relating to retaining space for parking, construction details for the watercourse crossing and drainage measures. |
| 4.5 <i>Environment Agency</i> | Consider Flood Risk Assessment as submitted to be acceptable. |
| 4.6 <i>FDC Conservation Officer</i> | No objection to this proposal it would seem to have little impact on the setting of the adjacent Grade II Listed Building, given the distance. |

- 4.7 **FDC Scientific Officer (Land Contamination)** No objections or observations
- 4.8 **CCC Archaeology** Request a programme of archaeological investigation to be undertaken by and at the expense of developer to be secured by condition and no development should take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by applicant and approved in writing by the local authority.
- 4.9 **Local Residents**
- 3 letters of objection with concerns of;
- overlooking;
 - overshadowing;
 - additional traffic and recent development;
 - disruption and noise;
 - drainage;
 - habitats;
 - history of refusal;
 - loss of yew hedge;
 - detriment of listed Manor House;
 - does not accord with development plan;
- 1 letter of support;
- enhance the streetscene
 - bring families to the village who would ultimately use the village amenities.

5. SITE DESCRIPTION

- 5.1 The site is located on 'The Former Bowling Green', Kirkgate, Tydd St Giles. The site has an area of c. 0.21 hectares and currently comprises of trees and undergrowth (it is noted that upon visiting the site that the removal of some trees and natural vegetation had commenced).

The western boundary of the site physically adjoins the existing built up settlement edge. To the west of the site, development is in a linear form and mostly comprised of a mix of detached and semi-detached single storey dwellings. South of the site is mostly comprised of detached single storey bungalows. Adjacent and to the east of the site is the curtilage of a Grade II Listed Manor House (Tydd Manor). This is one of two listed Manor Houses in close proximity to the site (the other being Kirkgate House to the south east of the site).

Fronting the site is a mature yew hedge. It is noted that upon visiting the site the removal of trees and vegetation had commenced. However, the site is well screened and includes a band of mature trees of various sizes and type. Records indicate that there are 3 no. trees protected under TPO 10/1990. However, upon visiting the site it was noted that only 1 of the TPO trees remain (Holm Oak). The front (southern) boundary of the site fronts a Class C highway.

There is no footpath along the front of the site however there is a footpath linked to the village on the southern side of Kirkgate.

6. PLANNING ASSESSMENT

6.1 *Principle and Policy Implications*

The site is located on the edge of the existing settlement of Tydd St Giles. The NPPF seeks to promote sustainable development in rural areas where it will maintain the vitality of rural communities. Policy H3 of the Fenland District Wide Local Plan is relevant to this application as development beyond the existing settlement should be resisted unless justified. In this instance, it is recognised that this site physically adjoins the existing settlement and that development at this site would constitute a natural growth and extension to the village and provides a natural cut-off point for further development given the location of the Manor House and its curtilage to the east of the site.

In addition, the emerging Fenland Communities Development Plan states that new development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside. Furthermore, the emerging Fenland Communities Development Plan identifies Tydd St Giles as a small village in Fenland's settlement hierarchy, it outlines that 'In these settlements, development will be of a very limited nature, and will be limited in scale to infilling of single or a group of no more than two or three dwellings'. In light of this emerging policy direction it is considered that weight may be given in support of the principle of development on this site. However, the proposal will also need to be considered against other material planning considerations including the impact of the proposed development on the character and appearance of the area.

National policy in Section 7 of the National Planning Policy Framework attaches great importance to the design of the built environment, a key aspect of sustainable development, which is indivisible from good planning. Therefore, in light of national and local policies it is appropriate to assess the design of the proposed development and how it fits with the surrounding area.

History of the Site

A planning application F/YR12/0209/F was withdrawn in May 2012. Prior to this application in June 2006, planning application F/YR06/0628/F for the erection of 2 x 4-bed detached bungalows and detached double garages was withdrawn by the applicant. The site has a history of refusal under planning applications (F/98/0231/O, F/94/0993/O, F/93/0838/O, and F/90/0073/O). There are various policy reasons for these refusals some of which are still relevant. It is considered that the previous refusal reasons should be taken into consideration in the assessment of the current application.

Character and Appearance

Character of Area:

A key consideration in this application is the impact of the proposed development on the surrounding established character and appearance of the area along Kirkgate and other policy considerations, in particular Policy E8 of the Fenland District Wide Local Plan, Policies CS10 and CS14 of the emerging Core Strategy and the NPPF.

The site location marks the transition from the established village pattern to a rural setting. The character surrounding the site and eastwards along Kirkgate is particularly rural and wooded in character, resulting from the mature yew hedging fronting the site combined with the dominance of trees and hedgerows in close proximity to the site. It is noted that upon visiting the site that significant tree and undergrowth removal had taken place. There are sections of the yew hedge to be retained on site along the road frontage. The proposed development involves the removal of a section of the yew hedge to create 1 x new access point and it is considered that this element of the proposal will alter the character and the appearance of the area. Taking the above into account, it is, however, not considered that the proposal will have a significant detrimental effect and will have a minimal impact upon the character and appearance of the existing predominantly rural part of the village, accordingly the scheme is in line with Policy E8 of the Fenland District Wide Local Plan.

Settlement and Built Form of Village:

The site consists of a square shaped plot with a frontage approximately 47.5m wide and approximately 45m in depth. The proposed boundary treatment for the site will consist of post and wire fencing, close boarded fencing, hedging, trees and the retention of a significant element of the existing yew hedge to the front boundary. The proposed dwelling sits approximately 22.7 metres from the western boundary at its nearest point and approximately 15 metres (at its nearest point) from the eastern boundary abutting the curtilage of the Manor House. The cart shed/garage will be sited approximately 1.2 metres from the boundary of the Manor House.

Housing along Kirkgate within the village boundary comprises a mix of single storey detached and semi detached bungalows. These are generally small scale in terms of height and size. Some variation between the existing surrounding development (bungalows and adjacent Manor House) would be acceptable. It is considered that the proposed two storey 'gatehouse style' dwelling within the site context is an acceptable form of development that is compatible with the form and character of the area.

Impact upon the setting of the Listed Building:

No concerns have been raised regarding a potential impact of the proposal on the setting of the adjacent Grade II Listed 17th Century Manor House and its curtilage. The Conservation Officer has outlined that the proposal would have little impact on the setting of the Manor House, which is 60 metres distant. Therefore, it is considered that the proposal will not impact on the setting of a heritage asset.

Design and Impact upon Amenity

The scheme has been amended and represents a more appropriate form of development than the previously withdrawn (F/YR12/0209/F) in that it is now for 1 x 2-storey dwelling as opposed to 2 x 2-storey dwellings. Concerns over the proposed scale of the development and impact on amenity of neighbouring properties have also been addressed in the form of amended plans.

Concerns of overlooking of the Manor House have been raised. It is considered that given the location of the proposed first floor windows (eastern elevation) are approximately over 60 metres to the Manor House, that there will be no significant issue of overlooking. It is considered that the relocation or wide use of

obscure glazing on the first floor eastern elevation would impact upon the design and appearance of the proposed dwelling. However, the bathroom element of the concern could be overcome by the use of obscure glazing.

Therefore, in consideration of all matters (including distance and design/appearance), any concerns of overlooking to the east do not outweigh the design/appearance of the proposal and the principle under the National Planning Policy Framework to secure high quality design and a good standard of amenity for all existing and future occupants of the dwelling.

With regard to overlooking to the west of the site ('The Wirrels'), the location of the dwelling will be approximately 22 metres from the western boundary and it is considered that it will not result in any significant issue of overlooking or impact upon the amenity of adjoining properties.

There is adequate provision of private amenity space, and the proposal will not result in a significant impact upon the amenity of surrounding properties. Therefore, it is considered that this proposal is acceptable in terms of design and will not result in any impact on the amenity of adjoining properties.

Other Issues

Highways:

The proposal incorporates the formation of 1 new vehicular access onto Kirkgate, a Class C road. The proposed access crosses an existing ditch and drain that is proposed to be piped. The plot has a large hard surfaced driveway and a double garage. CCC Highways have no objections to the proposal subject to appropriate conditions.

Trees and Landscaping:

The Arboricultural Officer has outlined that two of the TPO (Tree Preservation Order) trees English Oak and Beech have been removed from the site although corresponding records are not held on file. The Holm Oak is still present although annotated on the submitted plan as an Ash on the western boundary. The Arboricultural Officer has requested the requirement for heads of terms regarding tree protection to be supported by a full method statement if full planning permission is granted. Also noted is the suggestion that two silver birches marked for planting adjacent to the Holm Oak are relocated to the northern boundary as they would be suppressed by Oak. The unexplained removal of the two trees is regrettable and will be explored with the applicants given that there are certain situations which would override normal practice regarding works to TPO trees.

Archaeology:

CCC Archaeology consider that the site should be subject to a programme of archaeological investigation as the site lies within the medieval core of Tydd St. Giles and is considered to have high archaeological potential. Recommend appropriate standard conditions.

Flood Risk Assessment:

The site is located within Flood Zones 2 and 3. The Environment Agency has no objections to the proposed development and feels that the assessment is acceptable. The North Level Internal Drainage Board (IDB) were consulted on the previous application with regard to flood risks associated with watercourses

and surface water drainage proposals, and raised no objection.

Local Residents/Interested Parties:

The comments raised in objection to this proposal have been considered and all of the material planning considerations raised have been addressed above.

7. CONCLUSION

- 7.1 The site is located adjacent to the existing village settlement and is predominantly rural in nature. It is considered that the proposed development for 1 x 1.5 storey detached dwelling with detached garage/cart shed, and the formation of a new access respects the form and character of the area. The design and layout of the proposal is appropriate within its context and is compatible with the character and appearance of the surroundings.

In summary, this proposal is an appropriate form of development that is compatible with the shape and form of the area. It is considered that the proposal will not adversely harm the character, appearance or amenity of the area. It is, therefore, recommended that the application is approved.

8. RECOMMENDATION

Grant with conditions

1. **1The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Prior to commencement of development full method statement details of tree protection and landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The tree protection and landscaping details to be submitted shall include:-**

- a) existing trees, hedges or other soft features to be retained planting plans, including specifications of species, sizes, planting centres number and percentage mix**
- b) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife**
- c) details of siting and timing of all construction activities to avoid harm to all nature conservation features**
- d) management and maintenance details**

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.

3. Except where directly affected by such access requirements as may be approved by the Local Planning Authority, the existing yew hedge along the front boundary of the site shall not be uprooted or removed and shall not be reduced below a minimum height of 2.5 metres and shall be retained in perpetuity thereafter.

Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy.

4. Prior to the first occupation of the development hereby approved any gate or gates to the vehicular access shall be set back a minimum of 5.0 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.

Reason - To minimise interference with the free flow and safety of traffic on the adjoining public highway.

5. Prior to the first occupation of the development (or prior to the commencement of the first use) the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification, and thereafter retained in perpetuity.

Reason - In the interests of highway safety and to ensure satisfactory access into the site.

6. Prior to the commencement of the development the vehicular crossing of the ditch/watercourse along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and approved by the LPA in consultation with the drainage authority.

Reason - In the interests of satisfactory development and highway safety.

7. Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to park clear of the public highway, enter, turn and leave the site in forward gear. The spaces shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

8. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme to be submitted to the LPA.

Reason - In the interests of satisfactory development and highway safety.

9. The submitted layout plan indicates 2.4 m radii to the access. No upstanding kerbing must be installed here. Any radii achieved must be achieved by kerbing laid flush with the access crossing material.

Reason - To minimise interference with the free flow and safety of traffic on the adjoining public highway.

10. No development or preliminary ground works of any kind shall take place on the site [within the area indicated on the attached plan] until the applicant, or their agents or successors in title, has secured the implementation of a programme and timetable of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.

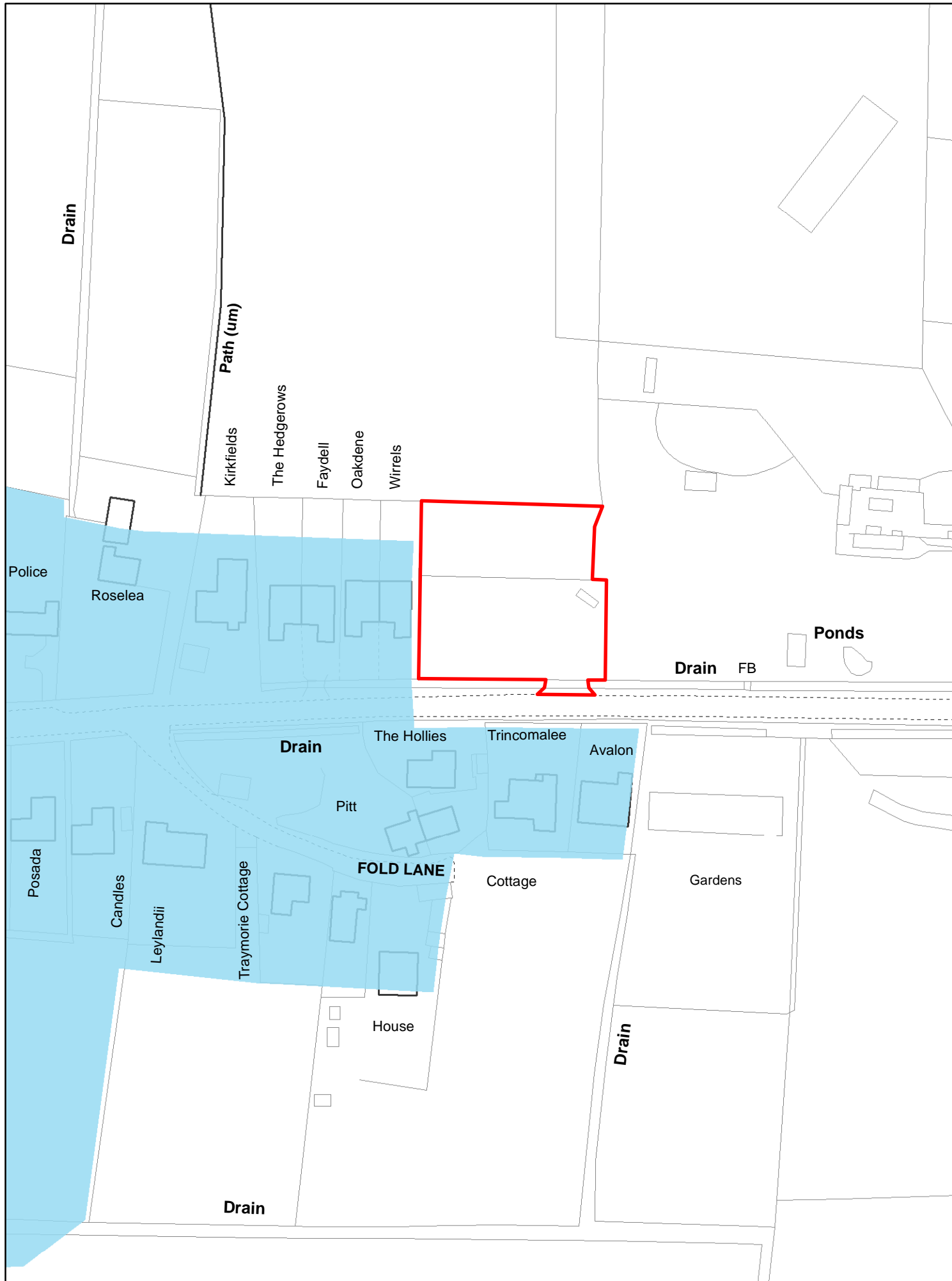
To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.

Related informative: Archaeological Services are provided to Fenland District Council by Cambridgeshire County Council and early contact with the Archaeology Service is recommended to ensure that the scope of the required works is properly defined.

11. The first floor bathroom window on the eastern elevation of the development hereby approved shall be glazed with obscure glass and so maintained in perpetuity thereafter.

Reason - To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings.

12. Approved Plans



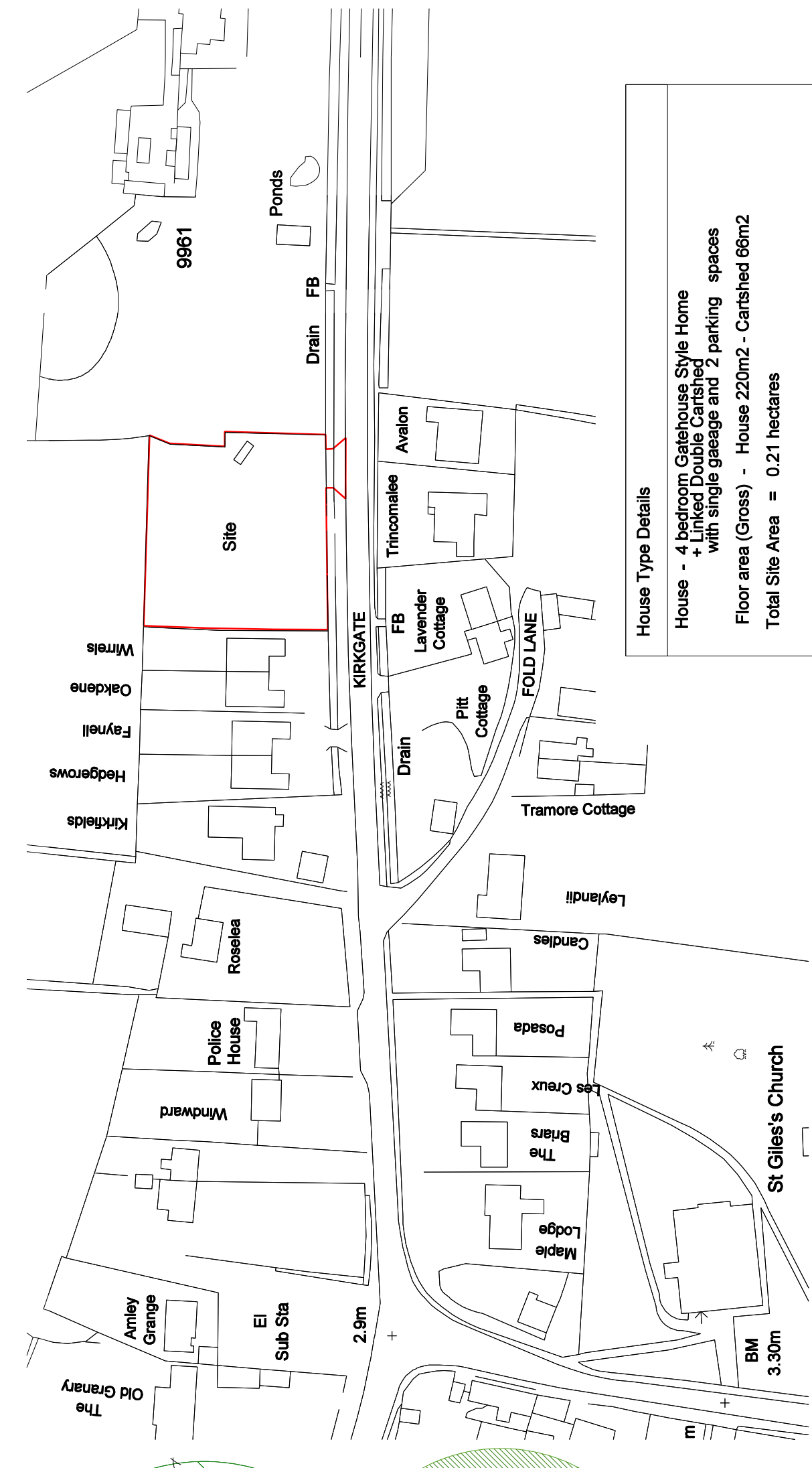
Created on: 16/07/2012

F/YR12/0509/F

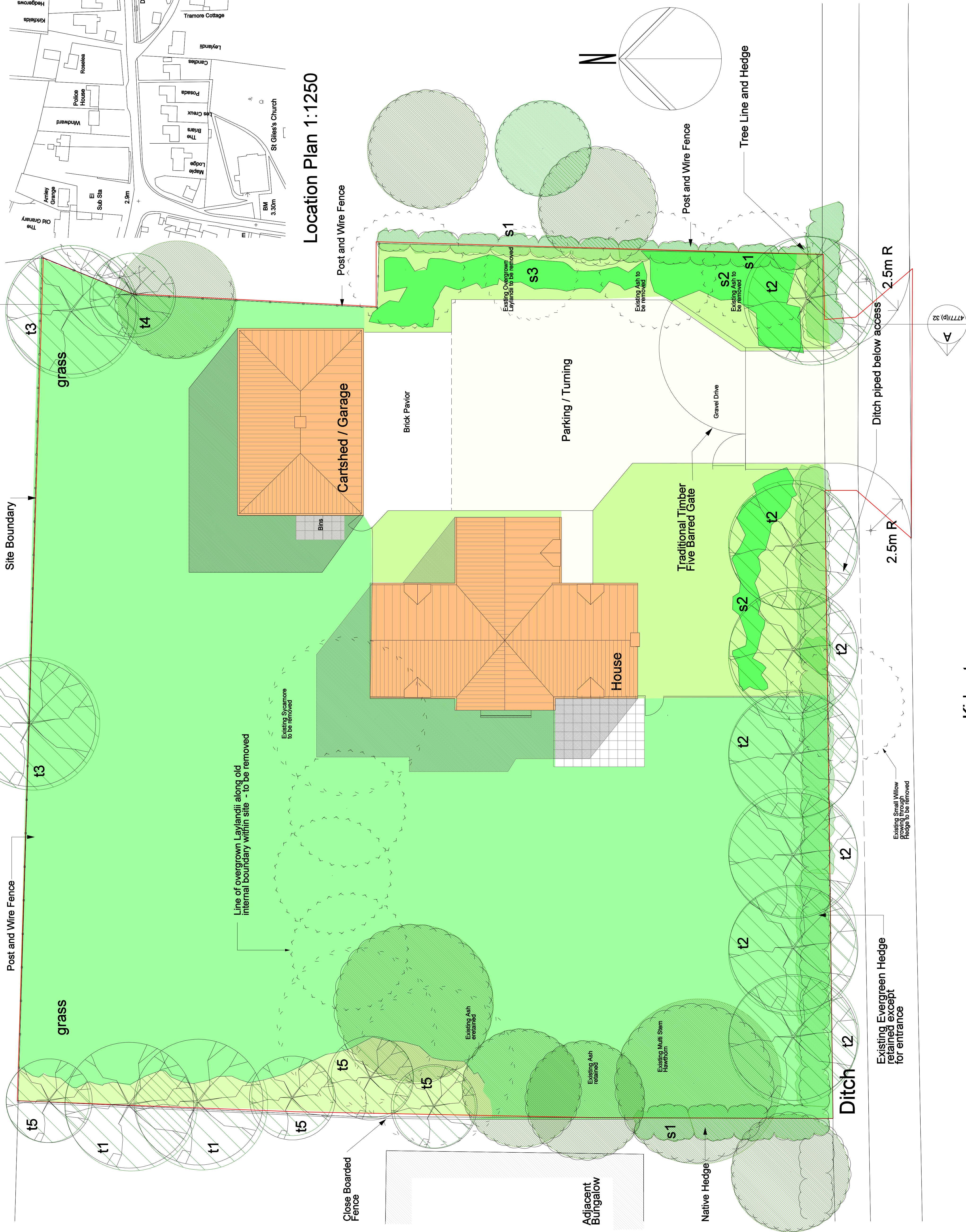
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Scale = 1:1,250





Location Plan 1:1250



Site Plan 1:100

House Type Details	
House	4 bedroom Gatehouse Style Home + Linked Double Cartshed with single garage and 2 parking spaces
Floor area (Gross)	House 220m ² - Cartshed 68m ²
Total Site Area	= 0.21 hectares

Material Schedule for Houses	
Walls	Face Brickwork Stock Brickwork in gauged mortar Colour: Buff / Brown Stock Soft Red Brick
Roof	Contrasting Plinth Brick Sill and Lintel Details Colour: Slate Grey 30
Windows	Redland Cambrian Imitacolor Stained Fornax Ornamental Ridge Colour: White
Garage Walls	PVCu Double Glazed Casement Exposed Green Oak Frame Brick walls in Buff/Brown Stocks to match House

Key to Symbols	
	Existing Trees Retained
	New Tree Planting (with reference)
	Shrub / Hedge Planting (with Reference)

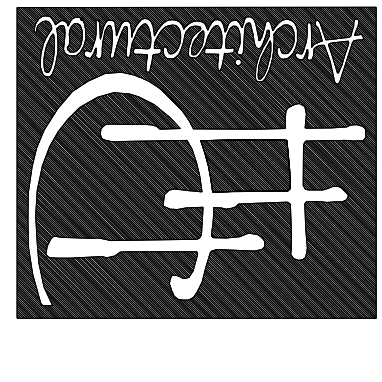
Planting Schedule	
Trees	t1 Pynus calleryana 'Chanticleer' (Ornamental Pear)
	t2 Fraxinus Excelsior (Common Ash)
	t3 Sorbus aucuparia (Mountain Ash)
	t4 Prunus Avium (Wild Cherry)
	t5 Betula Pendula (Silver Birch)
Shrubs / Hedge	s1 Native Hedge planting from Blackthorn, Hornbeam, Hazel, Common Dogwood
	s2 50% each Viburnum Tinus / Elaeagnus Ebringii
	s3 Colinus Coggaglia Royal Purple

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

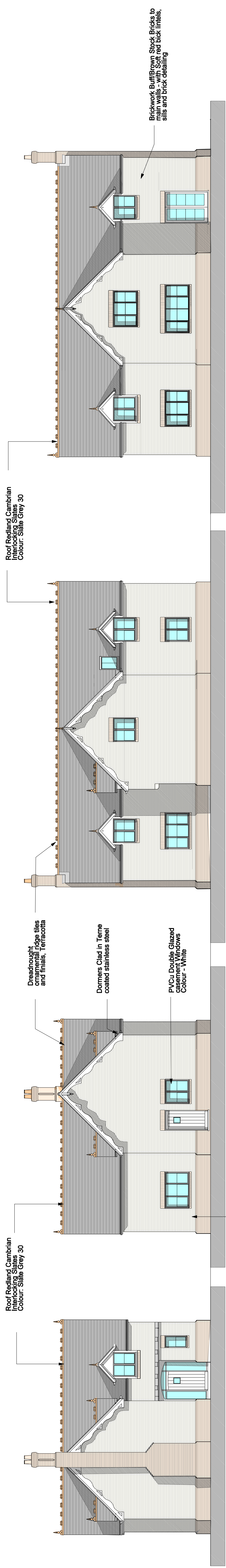
Proposed Residential Development
Land to the East of 'Wirrels'
Kirkgate, Tydd St Giles
Cambridgeshire

DRAWING	Site Development Plan
CLIENT	Mrs P. Grant
DATE	May 2012
SCALE	1:100 @ A1 1:200 @ A3
JOB No.	4777(P)_31
REV.	DETAILS
A	Bin Storage Area and additional existing tree note added
DATE	July 2012

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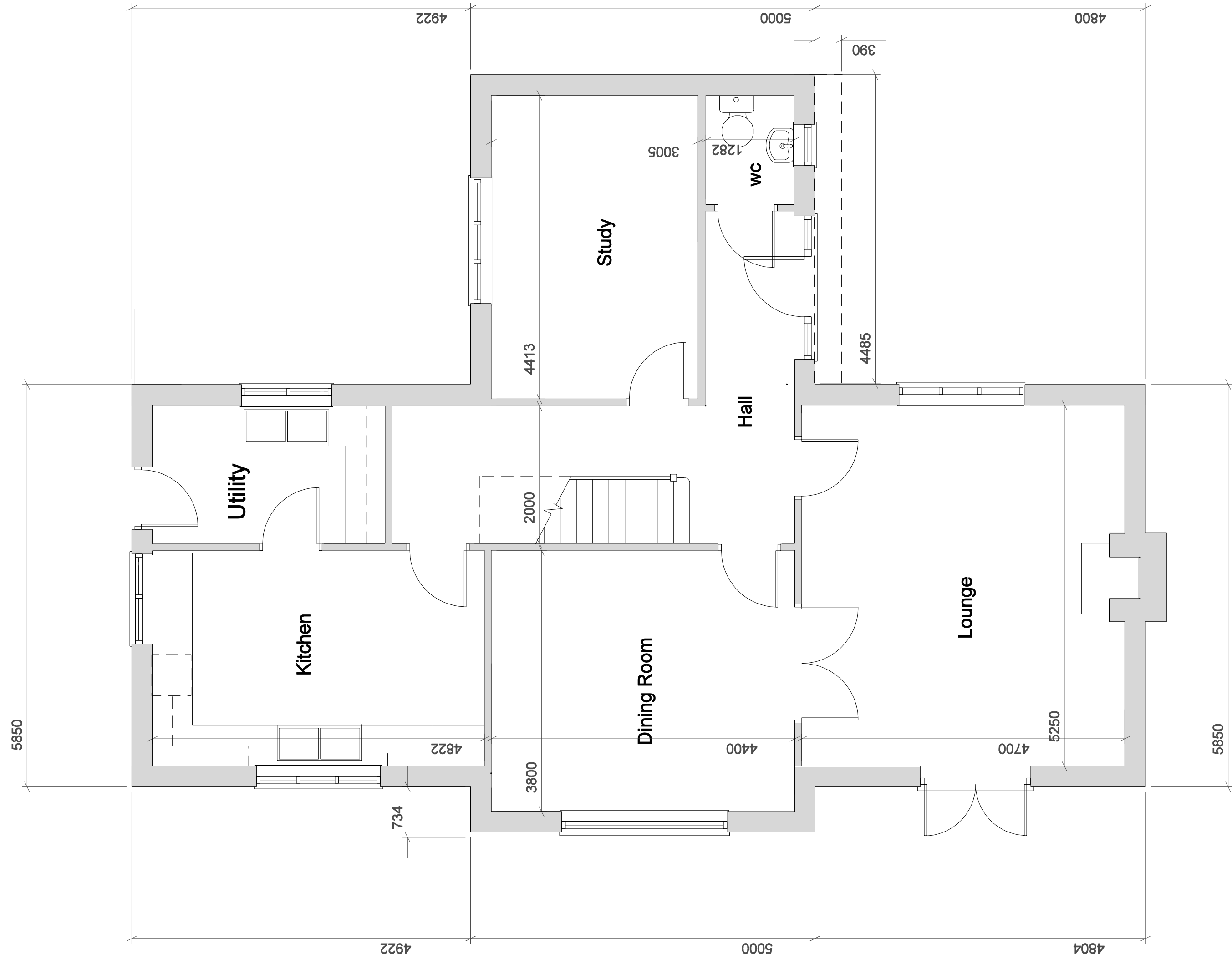


Front Elevation to Kirkgate

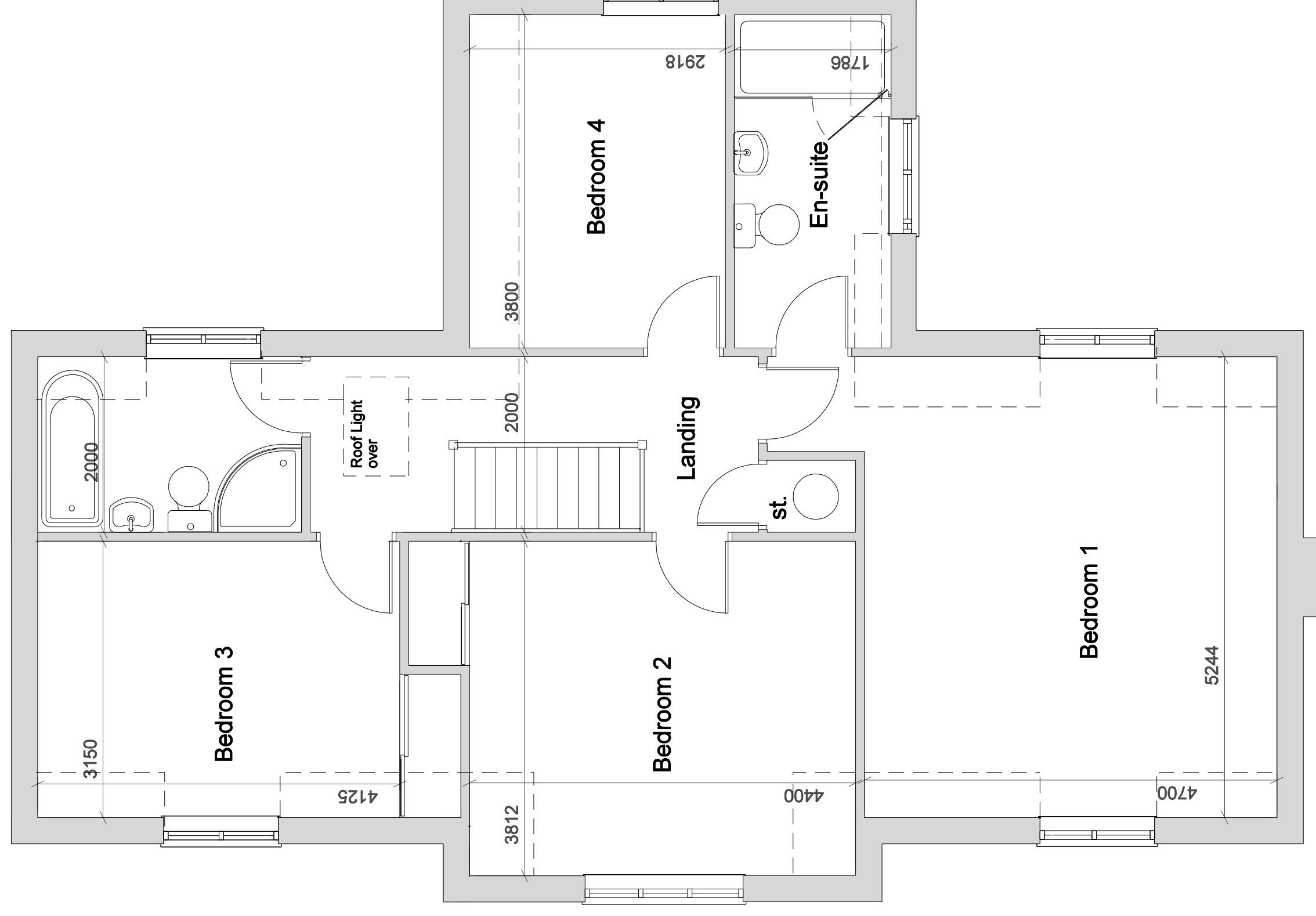
Rear Garden Elevation

Side Elevation

Side Elevation



Ground Floor Plan



First Floor Plan

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT Proposed New House
SITE Land to the East of 'Wirrels'
Kirkgate, Tydd St Giles
Cambridgeshire

DRAWING House Plans and Elevations
CLIENT Mrs P Grant

DATE	May 2012	SCALE	1:50(000)@A1, 1:100(200)@A3	JOB No.	4777(P)_33
REV.	A	DETAILS	Roof Window over landing shown on plan	DATE	June 2012
			domer added from elev.		

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