

Application Number: FYR12/0512/F

Minor

Parish/Ward: Tydd St Giles Parish Council

Date Received: 29 February 2012

Expiry Date: 31 August 2012

Applicant: Mrs A. Magnus

Agent: Peter Humphrey Associates Ltd

Proposal: Erection of 3 x 2-storey 4-bed dwellings with detached double garages.

Location: Land North of Amberley, Hockland Road, Tydd St Giles.

Site Area/Density: 0.97 ha

Reason before Committee: This proposal is before the Planning Committee due to the application being called in by Councillor Michael Humphrey in the interests of consistency as he had asked the previous application (FYR11/0611/F) to be called in; it will also allow Members to consider how the proposed development would integrate into the pattern of development within the area, to assess the effect on the character of the appearance of the area, and its contribution to the viability and vitality of the village of Tydd St Giles.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission to erect 3 x two-storey, four bedroom houses on an area of paddocks to the rear of dwellings fronting Hockland Road. The majority of the site is located outside of the developed footprint of Tydd St Giles with only part of the proposed access lying within the village.

Planning permission was previously refused for 5 x 2-storey four bed dwellings on the same site in September 2011 (FYR11/0611/F). The current application has been reduced from 5 to 3 dwellings and the design and layout has been modified, in an attempt to overcome the above reasons for refusal.

Having considered the scheme against national, regional and local planning policy Officers consider that the proposal is incompatible with the mainly linear form of development. With the resulting development having no resonance with the overriding form and character of Tydd St Giles. Furthermore it would result in a protrusion of the established built form of the village into the open countryside, thus having an adverse impact on the character and appearance of the surrounding countryside and farmland.

In addition the scheme will have a detrimental impact on neighbouring properties through increased noise and disturbance arising from the intensification of use of the access, this being considered unacceptable in this rural location, even with the suggested mitigation.

Consequently the proposal is in conflict with Policies H3, H16 and E8 of the Fenland District Wide Development Plan and Policies CS10 and CS14 of the draft Fenland Core Strategy (July 2012).

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|-------------------|---|---------------------|
| 2.1 | F/YR11/0611/F | Erection of 5 x 2-storey 4-bed dwellings with detached double garages. | Refused 23.09.2011 |
| 2.2 | F/YR12/0610/TRTPO | Felling of 1 Whitebeam Tree covered by TPO 18/1990 (in front garden of Amberley). | Under consideration |
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3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications 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.

Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.

3.2 East of England Plan 2008:

ENV7: Quality in the Built Environment

3.2 Draft Fenland Core Strategy:

CS1: Spatial Strategy & Settlement Hierarchy

CS2: Growth and Housing

CS10: Rural Areas Development Policy

CS13: Creation of a More Sustainable Transport Network in Fenland

CS14: Delivering High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development Area Boundaries/Protection of Character and Amenity/Highway Safety

E8: Landscape and amenity protection

TR3: Car Parking

4. CONSULTATIONS

4.1 *Parish/Town Council*

Awaited

4.2 *Cambs CC Archaeology*

Site lies within an area of archaeological potential, on the western extent of the medieval core of Tydd St Giles village. Recommend condition – programme of archaeological investigation to be carried out before development is commenced.

4.3 *FDC Scientific Officer*

Please attach unsuspected contamination condition to this application

- 4.4 **Cambs Highways** **CC** - Access is of an appropriate width for a distance of 10m into the site and required vehicle visibility splays can be achieved within the limits of the public highway
- However, whilst pedestrian visibility has been provided to the west, no splay has been provided to the east. Although no footway exists on the north side of Hockland Road, it cannot be assumed that there will be no pedestrian activity – often postmen, paperboys etc choose to walk on the verge for convenience
 - How is access and parking to be retained/maintained for the pair of semis to the west
 - If FDC are minded to approve please ensure that issues relating to parking, provision of common turning area at end of private drive, access width etc are conditioned.
- 4.5 **Middle Level Commisioners** Awaited
- 4.6 **Environment Agency**
- Site is located within Flood Zones 2 and 3. - Submitted Flood Risk Assessment is considered to be acceptable
 - North Level Internal Drainage board should be consulted with regard to flood risk associated with their watercourses
 - Applicant is proposing to use a private sewage treatment plant where it may be possible to connect to the public foul sewer
 - Suggest condition and informatives to agree scheme for disposal of foul drainage and that the applicant demonstrates that a connection to the foul sewer is not available.

4.7 Local Residents:

34 letters of objection raising the following concerns:

- proposed equestrian properties is a ruse to get planning permission
- a horse requires at least 0.5 to 1.0 hectare
- boatyard development is not a precedent as this is a reclaimed 'brownfield' site
- no significant changes to scheme compared to previously refused scheme
- overlooking from Plot 2
- Incompatible with unique linear/ring style of development in village.
- Outside DAB on agricultural land.
- site is not 'infilling' but 'backfilling'
- Would set an undesirable precedent.
- Justification given for building outside DAB is flawed as application cited is on brown field land.
- Access too narrow and inadequate for emergency and refuse vehicles, as well as heavy machinery – large vehicles would not be able to swing round into site from Hockland Rd
- Poor access could cause traffic problem on Hockland Road.
- Access too close to TPO tree at entrance.
- Construction issues will endanger the fabric of Sunnyside, a local landmark.
- Rubbish bins at the entrance will be an unsightly eyesore (potential for 18 bins) and inhibit the narrow access.
- The field regularly has surface water issues and is prone to flooding due to high water table.
- Increased traffic generation on quiet rural road, recognised on national cycle route maps will cause traffic problems and further accidents.
- Noise and disturbance to existing dwellings from additional traffic using new access
- No footpaths on narrow access road so potential for conflict with pedestrians and vehicles.
- Loss of rural outlook from rear of 15 properties in Hockland Road.
- No amenities, other than a primary school in the village.
- Massive disturbance to the environment and wildlife.
- No need for properties of this type in the village as many large properties remain empty and unsold.
- Overlooking from access road into sitting room of Sunnyside

12 letters of support (including 2 letters from the application property) making the following points:

- Shortage of building plots locally and in Wisbech area
- Village has shop, pub, local school and golf course and this would lead to demand for large building plots
- executive homes would help to bring much need families into the village which would be beneficial to viability of local school
- development would enhance the village
- design is sensitive to previously expressed objections
- if planning is refused applicants will still sell land but future use may be less congenial than three prestigious houses
- concerns about vehicular access can be laid to rest as access is improved and new 6 ft high fence will shield future owners of Amberly from traffic noise
- number of houses reduced
- no evidence provided to justify potential damage to foundations of cottage
- there are other backfill developments in the village, where properties do not have road frontage
- we would be very interested in buying one of plots as we have 4 pony mad children
- if number of houses is limited to three on this site and paddocks are retained then I have no objections.

- Development would destroy the rural character of the village.
- Concern over lack of detail regarding waste water/sewage disposal.
- Proposal is contrary to Core Strategy..
- would set precedent for more development

5. SITE DESCRIPTION

5.1 The majority of the site, known as Bladderwick Field, is located just outside the existing developed footprint for Tydd St Giles to the north of Hockland Road. Part of the access track, where it meets Hockland Road, lies within the village. The site is currently in use as paddocks and access is obtained via an existing track which runs between Amberley, a modern semi-detached property and Sunnyside which is a much older cottage. A tree covered by a Tree Preservation Order sits to the front of Amberley close to the access track. Frontage development is located along Hockland Road to the south of the site and a Grade II listed building, known as Paget Hall, sits well to the east of the site. The northern boundary of the site marks Fenland's boundary with South Holland District Council. Hockland Road is classified as a Class C highway.

6. PLANNING ASSESSMENT

6.1 Background

This application seeks full planning permission to erect 3 x two-storey, four bedroom houses on an area of paddocks to the rear of dwellings fronting Hockland Road. The majority of the site is located outside of the developed footprint of Tydd St Giles with only part of the proposed access lying within the village.

Planning permission was previously refused for 5 x 2-storey four bed dwellings on the same site in September 2011 (F/YR11/0611/F) for the following reason:

The proposed development is located outside of the Development Area Boundary for Tydd St Giles where residential development is not normally supported or justified. Development in this location would harm the distinctive character of the locality and detract from the existing settlement pattern of the village which consists of mainly frontage development around an undeveloped square of agricultural land.

Furthermore the proposed access would have a detrimental impact on the amenities of the adjoining properties due to its restricted width, proximity to neighbouring properties and the proposed intensification of use. The proposal is therefore contrary to Policies H3, H16 and E8 of the Fenland District Wide Local Plan

The current application has been reduced from 5 to 3 dwellings and some features of the design and layout have been modified, in an attempt to overcome the above reasons for refusal. The main changes are set out below.

- The proposed houses have been spaced around the site, each having an adjoining paddock
- The internal road layout has been re-aligned
- The access driveway has been widened to 4.5m with an enlarged passing bay
- An additional 1.8m high acoustic fence is proposed alongside the driveway boundary which adjoins Amberley.
- The houses designs have been amended to provide a more rural form and appearance.

The application is considered to raise the following key issues;

- Principle and policy implications
- Layout and density
- Access
- Service provision including flood risk, drainage and bin storage

6.2 Principle and Policy Implications

The site is located outside the built-up limits of Tydd St Giles. Under criteria contained in Policy H3 in the Fenland District Wide Local Plan (1993) the principle of development in such locations is normally unacceptable unless associated with agriculture, horticulture or forestry.

The emerging Fenland Core Strategy – Further Consultation Draft (July 2012), seeks to concentrate new housing development in the most sustainable locations principally in the main market towns and to a lesser extent in the growth villages.

Policy CS1 identifies Tydd St Giles as a Small Village, where development is expected to be of a very limited nature and will be limited in scale to infilling of single or a group of no more than three dwellings.

Policy CS10 sets out detailed criteria for the assessment of new housing proposals in rural villages such as Tydd St Giles. This policy allows some new development in villages, where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Under this policy new development will need to satisfy the applicable thresholds set out in Policy CS1, as well as all of the criteria set out in this policy.

Criteria 4 of Policy CS10 requires that a new proposal should be of a scale and siting that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance.

Tydd St Giles is recognised as having developed historically via frontage development around a square created by Church Lane, Newgate Road, High Broadgate and Hockland Road. This leaves a unique central area of undeveloped land which is distinctive due to the predominance of mainly linear development around it. The proposed dwellings are sited to the rear of established frontage development and will be served by a narrow access provided between existing properties. The principle of developing the site is therefore considered unacceptable as it does not respect the prevailing character and form of the village.

Instead it would result in a protrusion of the established built form of the village into the open countryside, thus having an adverse impact on the character and appearance of the surrounding countryside and farmland. In addition the fact that many of the rear gardens of properties on the north side of Hockland Road are fairly long (in the region of between 50 and 55m), this results in a significant gap and thus a poor relationship between the existing built form of the village and the proposed new development.

For these reasons the proposal is not considered to respect the existing linear form and character of the village.

Layout

The proposed layout consists of three spacious plots containing detached dwellings and garages, each with its own paddock area. A significant amount of tree and shrub planting is proposed within the site and along the boundaries with the properties on Hockland Road coupled with acoustic fencing. The layout and this style of

development may be considered acceptable in some rural locations, but it does not respect the predominantly linear form of development and unique character of this village. The proposed layout is therefore not considered compatible with its surroundings.

Design

The dwellings are of a traditional design and well spaced. Good quality materials are proposed, however these factors do not outweigh the policy and principle objections outlined above.

Access

The proposed access to the site consists of a track which currently serves the paddocks. A white beam tree covered by a Tree Preservation Order (TPO) is situated to the front of the site in close proximity to the access and is shown on the plan as being retained, although a separate application for its removal is also currently under consideration.

The plans show an access width of 5m at its junction with Hockland Road which extends for 10m into the site.

At this point the width of the track is reduced to 4.5m (increased from 4.2m wide in the previously refused scheme). The bin storage area on the frontage has now been deleted as the driveway is now of a sufficient width and constructed to a standard to allow a Refuse Collection Vehicle to access the site.

The plans show that the access runs directly alongside the eastern elevation of Amberley. The current proposal has now included noise attenuation measures (in the form of 1.8m high acoustic fence along the rear garden boundary boundary and a 1.5m high wall to screen the immediate frontage of Amberley) to protect the amenities of the occupiers of this property. Whilst this may assist, it is the very close proximity of the access road to the gable wall of Amberley and both the front and rear gardens and this remains a significant concern in respect of residential amenity. The width of the retained garden at Amberley is fairly narrow and it is considered that an undue level of disturbance from vehicle movements will still result.

At present, the owners of Amberley can use the existing driveway to park vehicles. The proposal will push all car parking for this property onto the front garden, resulting in the loss of any landscaped areas on the property frontage.

Due to this limited width of the access, a passing bay is proposed approx. 55m into the site. There is potential here for the development of a pinch point with vehicles having to manoeuvre to avoid each other arriving and leaving the dwellings. An acoustic fence has been provided along the eastern boundary with Sunnyside in recognition that additional noise and disturbance could result from the intensification of the use of this access.

The advice from the County Highway officer is that these arrangements are acceptable in terms of highway safety, (but pointing out the some deficiencies in terms of lack of pedestrian visibility in an easterly direction at the site entrance). However the potential for noise and disturbance to the existing dwellings located either side of the access due to the intensification of the use is still considered unacceptable in this rural location, even with the addition of an acoustic fence along its boundary with Amberley.

7. CONCLUSION

7.1 *Conclusion*

The amended proposal seeks to overcome the earlier reasons for refusal of a development of 5 dwellings. The positioning of the site to the rear of the existing developed footprint of the village and the location of the access hard up to the side boundary of Amberley has remained unchanged.

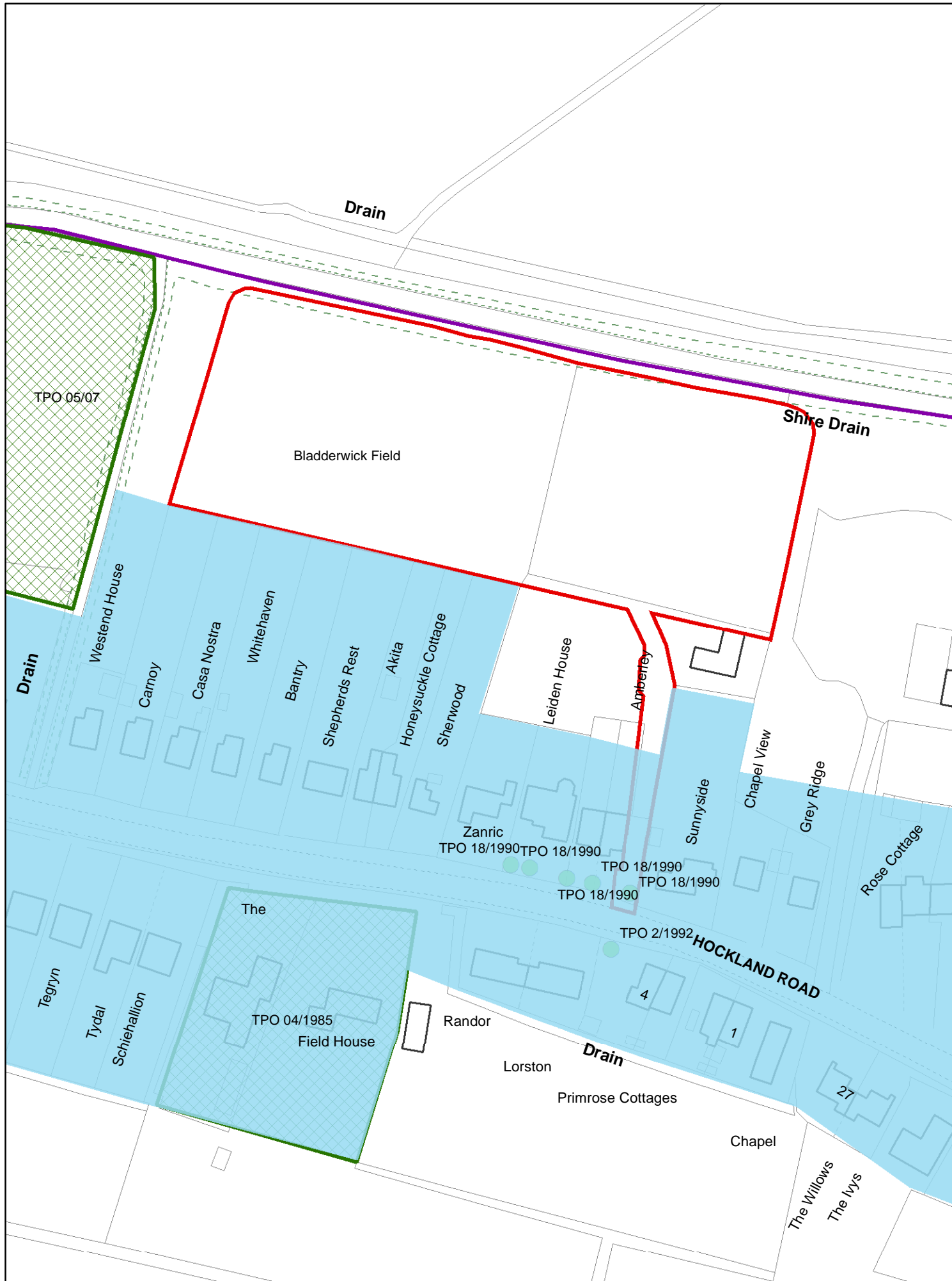
This site is therefore not considered as being appropriate for residential development on grounds that it would result in a form of development that would have no resonance with the overriding form and character of Tydd St Giles. Furthermore the proposal would represent unjustified residential development outside the settlement core and have a detrimental impact on neighbouring properties.

Consequently the proposal is in conflict with Policies H3, H16 and E8 of the Fenland District Wide Development Plan and Policies CS10 and CS14 of the draft Fenland Core Strategy (July 2012).

8. RECOMMENDATION

Refuse for the following reason:

The proposed development is located outside the Development Area Boundary for Tydd St Giles where residential development is not normally supported unless justified. Development in this location would harm the distinctive character of the locality and detract from the existing settlement pattern of the village which consists of mainly frontage development around an undeveloped square of agricultural land. Furthermore the proposed access would have a detrimental impact on the amenities of the adjoining properties due to its restricted width, proximity to neighbouring properties and the proposed intensification of use. The proposal is therefore contrary to Policies H3, H16 and E8 of the Fenland District Wide Local Plan and Policies CS10 and CS14 of the draft Fenland Core Strategy (July 2012).



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