

Application Number: F/YR12/0799/F

Minor

Parish/Ward: Tydd St Giles

Date Received: 16 October 2012

Expiry Date: 11 December 2012

Applicant: Mr & Mrs N Howling

Agent: Mr J Trundle, Peter Humphrey Associates Ltd.

Proposal: Erection of 3 no. dwellings comprising of 1no 2-storey 4-bed with integral garage, 1no 3-storey 7-bed and 1no 4-bed 2-storey each with detached triple garage with office over and formation of new vehicular access

Location: Land South West of Potential House, Kirkgate, Tydd St Giles

Site Area/Density: 0.40 hectares

Reason before Committee: The application has been called in by Councillor Humphrey in order to ensure consistency of decisions on Kirkgate and as the site accords with the Leader's statement in respect of similar applications and therefore needs to be presented to Committee.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for 3 dwellings and formation of new vehicular access at land South West of Potential House, Kirkgate in Tydd St Giles. The site is outside of the defined settlement area and does not adjoin the main settlement boundary.

The key issues to consider are:

- Principle and Policy Implications
- Highway Safety.

The proposal relates to an existing area of paddock land, which sits to the South of Kirkgate. The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be contrary to Policy. Therefore, the application is recommended for refusal.

2. HISTORY

Of relevance to this proposal is:

- | | | | | |
|-----|--------------|---|-----------------------------|---------------|
| 2.1 | F/YR120588/F | Erection of 3no dwellings comprising of 1no 2-storey 4-bed with integral garage, 1no 3-storey 7-bed and 1no 4-bed 2-storey each with detached triple garage with office over and formation of a new vehicular access. | Withdrawn September 2012 | 13 |
| 2.2 | F/94/0085/O | Erection of a bungalow | Refused | 20 July 1994. |

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.

3.2 East of England Plan

Policy ENV7 – Quality in the Built Environment

3.3 Draft Fenland Core Strategy:

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

CS2: Growth and Housing.

CS10: Rural Areas Development Policy

CS14: Delivering and Protecting High Quality Environments across the District.

3.4 Fenland District Wide Local Plan:

H3 – Settlement Development Area Boundaries

E1 – Conservation of the Rural Environment

E8 – Proposals for new development.

4. CONSULTATIONS

4.1 *Parish/Town Council*

No response received to date.

4.2 *CCC Highways*

Details conditions required in relation to access width, access construction, parking and turning provision, temporary construction facilities, provision of visibility splays and drainage. Strongly recommend that a footway be provided. It is not clear from the submitted plans that the visibility can be achieved therefore strongly recommend a further plan demonstrating this be provided.

4.3 *Environment Agency*

No objections and provide advisory comments.

4.4 *FDC Scientific Officer*

Require contaminated land condition.

4.5 *North Level IDB*

Formal consent will be required to form the proposed access.

4.6 *Local Residents:*

None received.

5. SITE DESCRIPTION

5.1 The site currently comprises a grassed paddock measuring approximately 0.4 hectares in size. The site is considered to be relatively isolated and has post and rail fencing to the front of the site with some hedging to the other boundaries. The site is outside of the main settlement area of Tydd St Giles.

6. PLANNING ASSESSMENT

6.1 The key considerations for this application are:

- Policy and Principle
- Comparison with recent approvals in the vicinity
- Highway safety.

The application site is outside of any settlement core, but is in an area characterised by some residential development. The proposal has been considered in line with the Development Plan Policies and National Guidance detailed in the Policy Section of this report.

The NPPF seeks to promote sustainable development in rural areas where it will maintain the vitality of rural communities. This is further supported by the policies within the Local Plan and Emerging Core Strategy where it is determined 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.

Policy CS10 of the Fenland Communities Development Plan Emerging Core Strategy Draft Consultation is relevant in this instance and lists the general good practice criteria. The criteria listed in this policy details that the site should be in or adjacent to the existing developed footprint of the village, would not result in coalescence with neighbouring villages, would not have an adverse impact on the character and appearance of the surrounding countryside, should be in keeping with the shape and form of the settlement, respects natural boundaries, would not result in the loss of high grade agricultural land and would not result in risks or unacceptable nuisances to residents and businesses. This site is an existing paddock which sits in a relatively isolated plot. It is acknowledged that there are some residential properties in the surrounding area, with two building plots opposite the site, however, it is considered that this development does not comply with Policy CS10 as it is not adjacent to the existing developed footprint and is not considered to be in keeping with the shape and form of the settlement. In addition it is considered that the site is not in a sustainable location.

It is acknowledged that Policy CS1 allows for development of a limited nature, i.e infilling of no more than 3 dwellings, however, this site lies within a relatively sporadically developed area and is not considered to be a form of infilling, therefore, it does not meet with the spirit of this Policy and regardless of design and scale, which are considered to be somewhat large in comparison to the character of any nearby dwellings, the proposal is unacceptable.

Comparison with recent approvals in the vicinity

Recognising the reason for call-in, Officers have contrasted the key characteristics of the development now proposed to those that have gained support in the previous months; these may be summarised as follows:

| Reference: | Location and description of Development | Decision |
|---------------|---|---|
| F/YR11/0831/F | Land East Of Tindall Mill, Kirkgate | Committee approved 14 December 2011 as they considered the scheme |

| | | |
|------------------|--|--|
| | Erection of 2 x 3-storey 4-bed dwellings with attached double garages | accorded with the executive housing criteria and the character of the area |
| F/YR11/0577/F | Land East Of Potential House Kirkgate, Tydd St Giles Erection of 2 x single-storey 4-bed dwellings and 2 x 2-storey 4-bed dwellings with associated detached double garages | Principle approved at the Planning Committee meeting of 19 October 2011 subject to requirement to provide a footpath link to village as they considered the scheme accorded with the executive housing criteria and the character of the area. |
| F/YR12/0346/F | Magnolia Cottage Kirkgate Tydd St Giles Erection of a 2 storey 4 bed dwelling and detached double garage | Replacement dwelling – Delegated approval 27 June 2012 |
| Various consents | Golf Course | |
| F/YR12/0449/F | Land East Of Avalon Kirkgate Erection of a 2-storey 4-bed dwelling with attached garage/cart shed | Adjacent to the main settlement boundary (south of Kirkgate) Committee supported 19 September 2012 |
| F/YR12/0509/F | Erection of a 2-storey 4-bed dwelling with detached garage The Former Bowling Green Kirkgate | Adjacent to the main settlement boundary (north of Kirkgate) Committee supported 22 August 2012 |

Whilst the Committee have supported applications along Kirkgate the successful schemes have either had a relationship with the main settlement in terms of location (F/YR12/0449/F and F/YR12/0509/F), have formed infill in respect of the existing built form (F/YR11/0831/F and F/YR11/0577/F) or comprise a replacement dwelling (F/YR12/0346/F). The current scheme under consideration involved development which poorly relates to the village core and has no relationship with adjoining development, situated as it is centrally to an existing paddock. The emerging Core Strategy indicates that Tydd St Giles has the capacity for limited development of an infill character of no more than 3 dwellings. Whilst the current scheme is for three units it does not represent infill and as such does not accord with the policy framework.

Highway Safety

The proposal involves a new access off Kirkgate, leading to 3 private drive areas. Ample parking and turning has been proposed for each dwelling. The Local Highways Authority response has been summarised within section 4 of this report and it is noted that the Highways Authority have advised that from the submitted information it is not clear whether the required vehicle to vehicle visibility splays can be achieved for this site. It is also noted that there is no footpath adjacent to the site, which also compounds the unsustainability of the site, although it is acknowledged that the provision of a footpath link could be

imposed should it be demonstrated on plan that this could be achievable.

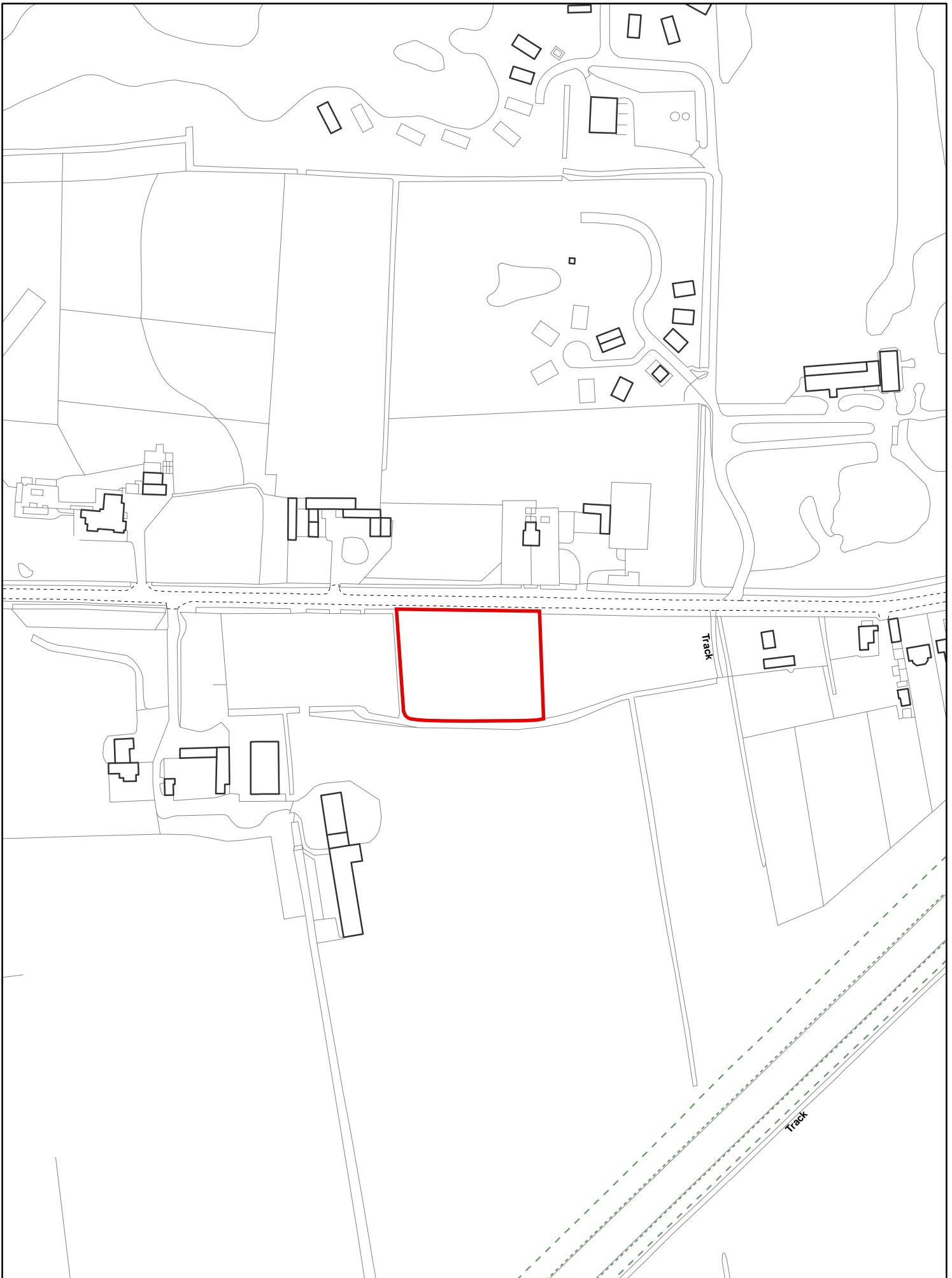
7. CONCLUSION

- 7.1 The proposal is considered to be contrary to the relevant policies in terms of the overall principle of development, as well as in terms of the scale and layout of the proposal - which is not considered to reflect the character of the area. As such the proposal is recommended for refusal for the reasons listed below.

8. RECOMMENDATION

Refuse

1. **The proposed development, which is located outside the Development Area Boundary of Tydd St Giles, will be situated within open countryside which forms the rural character of this part of the village and it is considered that the scale and form of development will be visually intrusive and will fail to assimilate into the rural landscape. As a result the proposal is contrary to the provisions of the National Planning Policy Framework and Policies E1, H3 and H16 of the Fenland District Wide Local Plan. Furthermore it is considered that the special circumstances required in Paragraph 55 of the National Planning Policy Framework have been not adequately demonstrated to justify the approval.**
2. **The scheme fails to demonstrate the ability to achieve the required vehicle to vehicle visibility splays, to the detriment of highway safety. The application is, therefore, contrary to E8 and TR3 of the Fenland District Wide Local Plan.**
3. **By virtue of the lack of footpath, the proposal fails to ensure that suitable facilities for pedestrians have been provided within the scheme. As a result there is potential for conflict between motor vehicles and pedestrian visitors to the site, thereby making the development unsafe. The proposal is, therefore, contrary to TR6 of the Fenland District Wide Local Plan**



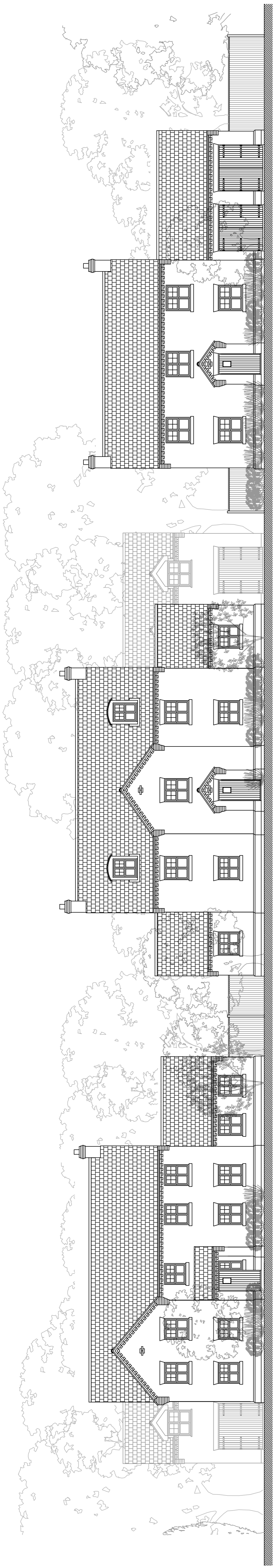
Created on: 22/10/2012

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Scale = 1:2,500





PROPOSED STREET SCENE - KIRKGATE
SCALE 1:100



2 PLOTS APPROVED REF: F/YR11/0831/F

4 PLOTS APPROVED REF: F/YR11/0577/F

Landscaping Details:

Proposed landscaping to consist of native trees and hedges,

- 1 = Existing Trees
 - 2 = Native Hedging
 - 3 = Native Trees
- Other ornamental trees and planting across site for example Crab Apple, Flowering Cherry and Mixture of roses, lavender and ground covering ivy

Shrub planting size: 30-60cm. Planted in double rows 30cm apart. Plants to be 30cm apart in rows and staggered. 6 plants per metre of planting.

Trees to be evenly spaced around site perimeter as shown. Size 10-12cm planted at 5m centres.

Many trees or plants which within a period of 5 years from the completion of the development will be removed or replaced shall be replaced in the next planting season with others of similar size and species.

Key:

- 1.8m CLOSE BOARDED FENCING TO PLOT SIDE BOUNDARIES
- 1.2m POST & RAIL FENCING TO FRONT BOUNDARY
- BLOCK PAVING
- GRASS
- TREES & SHRUBS
- TARMAC
- PAVING SUB
- BINS
- PROPOSED SITE

LOCATION PLAN
SCALE 1:2500

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Method statement for protection of trees on site during construction:

- Prior to the commencement of any construction work on site, protective fencing shall be erected around each tree or tree group. Protective fencing in accordance with above table and BS 5837 unless otherwise agreed in writing with the local Planning Authority. Please see protected areas marked on proposed site plan.
- No trenches or pipe runs for services and drains shall be sited within 4m of the trunk of any trees retained on the site, unless otherwise agreed in writing with the local Planning Authority.
- New hard surfaces or paths in accordance with minimum recommended distances for protective fencing.
- No burning shall take place in a position where the flames could extend to within 5m of foliage, branches or the trunk of any tree to be retained.

Materials:

- Brickwork: All plots to be Terca Durham Red Multi
- Roof: Plots 1 & 2 to be Natural Slate & Plot 3 to be Norfolk Pantile
- Joinery: Timber casement windows painted with Sadolins Superdec in Whisper Grey

Flood Risk Assessment:

Floor Levels of the three plots to be set at 300mm above Kirkgate carriageway level

REVISION: 4 AUG 2012 AMENDMENTS AS PER PLANNING DEPT REQUIREMENTS

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
**PROPOSED 3NO. EXECUTIVE DWELLINGS
LAND AT KIRKGATE
TYDD ST GILES
WISBECH
CAMBS**

CLIENT
MR AND MRS HOWLING

DATE MAY 2012 SCALE AS SHOWN JOB No: 4828/PL01A

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