

Application Number: F/YR12/0819/O

Minor

Parish/Ward: Wisbech Town Council/Kirkgate Wisbech

Date Received: 23 October 2012

Expiry Date: 18 December 2012

Applicant: Rev D Ely, Fens Methodist Circuit

Agent: Mr Grahame Seaton, Grahame Seaton Design Ltd

Proposal: Erection of 3 dwellings involving demolition of existing church

Location: Ebenezer Methodist Church, Kirkgate Street, Wisbech

Site Area/Density: 0.06 ha

Reason before Committee: Officer's recommendation contrary to views of Town Council.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application is a re-submission following an earlier refusal under delegated powers (F/YR12/0582/O), as the previous scheme failed to demonstrate that 3 dwellings could be satisfactorily accommodated on the site without leading to an unacceptable impact on highway safety.

The application site is located on the west side of Kirkgate Street, within the village centre of Walsoken. Outline planning permission is sought for the erection of 3 no. two-storey dwellings, following demolition of the existing church building. All matters apart from access (i.e. layout, scale, appearance and landscaping) are reserved for future consideration.

The development of 'previously developed' land within the built up area, such as the application site, is supported by Policy H3 in the adopted Fenland District Wide Local Plan (1993) and also by Policy CS1 in the draft Core Strategy (2012).

The loss of the existing community facility is considered to be acceptable in this instance, as the hall has not been used since 2010 and also because there are a number of other churches and community halls in the vicinity of the site. It is considered that an acceptable design and layout can be provided on this site. In addition, the proposal is considered to be acceptable in terms of its impact on the amenities of adjacent dwellings.

The layout has been amended to comply with Cambs CC Highway requirements, regarding an acceptable design for the site access.

The proposal, therefore, complies with Policies H3, E8 & TR3 in the adopted Fenland District Local Plan (1999) and also by Policies CS1, CS13 & CS14 in the draft Core Strategy (2012). Accordingly the officer recommendation is one of grant.

2. HISTORY

2.1	F/YR12/0582/O	Erection of 3 dwellings involving demolition of existing church	Refused 24.09.2012
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2.2 F/0846/85/F Re-instatement of front wall of building following demolition Granted 17.10.1985

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.

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

Paragraph 58: Planning policies and decisions should aim to ensure developments; will function well, add to the overall quality of the area and are visually attractive as a result of good architecture and appropriate landscaping

3.2 Draft Fenland Core Strategy:

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

CS2: Growth and Housing.

CS4: Employment, Tourism, Community Facilities and Retail

CS13: Creation of a More Sustainable Transport Network in Fenland

CS14: High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E8: Landscape and Amenity Protection

TR3: Car Parking

4 CONSULTATIONS

Wisbech Town Council

Recommend refusal – members feel 3 dwellings is overdevelopment and would prefer 2 dwellings and/or conversion of the existing building. Also feel the proposal is not in keeping with the street-scene.

4.2 ***Local Highway Authority (CCC)***

No objections to proposal subject to conditions relating to access width, satisfactory parking and turning within the site and suitable pedestrian visibility splays at site entrance.

4.3 ***FDC Contaminated Land Officer***

Please attach the contaminated land condition.

4.4 **Local Residents:**

1 letter of representation received raising the following issue:

- the boundary fence at the rear of the proposed development belongs to my property
- there will be 4 parking spaces directly behind my fence so I see no problem with it remaining undisturbed.

5. **SITE DESCRIPTION**

5.1 The application site is located on the west side of Kirkgate Street, within the village centre of Walsoken, which contains a range of shops and community facilities. The site is 'L-shaped' and adjoins an existing area of housing immediately to north and west of the site, with a shop and an access to a rear parking area immediately to the south.

The site is currently occupied by a single-storey building which was until recently used as a place of worship (Class D1). There is a surfaced area to the front of the site, used for parking, with a garden to the side and rear. The frontage of the site comprises 1.6m high railings.

This area lies within the 'built up' limits of Wisbech.

Kirkgate Street is a classified road (Class C)

The site lies within Flood Zone 1.

The site area measures 0.06ha

6. **PLANNING ASSESSMENT**

6.1 **Background.**

Outline planning permission is sought for the erection of 3 no. two-storey dwellings on this site, following the demolition of the existing single-storey church.

At this stage all matters apart from the proposed site access are reserved for future consideration (the layout, scale, appearance and landscaping). Certain information has been provided to enable the local planning authority to assess the merits of the proposal, including:

- a site layout showing a terrace of three two-storey dwellings
- internal floor plans for each dwelling
- a street-scene showing the front elevation facing onto Kirkgate St.

This application is a re-submission following an earlier refusal under delegated powers (F/YR12/0582/O). The earlier scheme failed to demonstrate that 3 dwellings could be satisfactorily accommodated on the site without leading to an unacceptable impact on highway safety as a result of the design of the new access.

6.2 Principle and Policy Implications.

The site lies within the existing built-up area of Wisbech. The development of 'previously developed' land within the built up area is supported by Policy H3 in the adopted Fenland District Local Plan (1999) and also by Policies CS1 & CS2 in the draft Core Strategy (2012).

The loss of the existing community facility is considered to be acceptable in this instance, as the hall has not been used since 2010 and also because there are a number of other churches and community halls in the vicinity of the site.

Therefore, the proposal accords with Policies H3 & CS1, CS2 and CS4 and the principle of housing development in this location is considered to be acceptable. This is also subject to a consideration of detailed design and layout criteria relating to the site, which is discussed below.

6.3 Layout and Design.

Although layout is reserved for consideration at the reserved matters stage, the submitted site layout provides sufficient information to assess the likely impact of three dwellings on the character of the locality.

The proposed terrace of houses will broadly continue the existing building line on this part of Kirkgate St – where the frontages of properties to both the north and south are sited along the back edge of the footway. The proposed dwellings are set back by 1.5m to achieve acceptable pedestrian visibility splays at the site entrance. This area of frontage will allow canopies to be provided over the front doors and small front gardens. It would be preferable if this could be defined by metal railings rather than leaving them as open plan, to help define public and private space – however, this is a matter for consideration at the detailed stage.

The simple 'cottage style' design, eaves height and roof-slopes will also match those on the adjoining dwellings, and thus the proposal is considered to provide an acceptable design response to the prevailing character of this locality. A chimney on each gable end would also contribute to improving the design of this development.

Parking spaces are provided to the side and rear, within a parking court, and this will ensure that the site frontage is not dominated by parked cars. Windows will be required in the gable end of Plot 3 to provide an acceptable level of surveillance of this area. The 4 parking spaces could be moved slightly into the site to enable a small landscape strip to be provided along the boundary to 49 Lerowe Road.

A condition is proposed limiting the maximum height to the eaves of 5.0m and 8.5m to the ridge, which is the standard height of a two-storey dwelling. Landscaping will need to be carefully considered at the reserved matters stage to ensure that large areas of hard surfacing are softened by tree and shrub planting.

The submitted layout, therefore, indicates that an acceptable scheme can be provided on this site that complies with Policy H3 & E8 in the adopted Fenland District Local Plan (1993) and also with Policy CS14 in the draft Core Strategy (2012)

6.4 Amenity

Although layout and scale is reserved for consideration at the reserved matters stage, the submitted site layout provides sufficient information to assess the likely impact of three dwellings on the amenities of adjoining residential dwellings.

The indicative layout shows the main rear elevations of the proposed dwellings are positioned at a distance of 11.5m from the western site boundary, which abuts the side/rear garden of 29 Kirkgate Street, which wraps around the northern and western site boundary. Each proposed dwelling also contains a single-storey rear projection. This relationship is considered to be acceptable.

The submitted layout, therefore, indicates that an acceptable scheme can be provided on this site in terms of its impact on the amenities of adjacent dwellings, in compliance with Policies H3 & E8 of the adopted Fenland District Local Plan (1993) and also with Policy CS14 in the draft Core Strategy (2012)

6.5 Access and Parking.

The layout has been amended to comply with Cambs CC Highway requirements, to provide an acceptable pedestrian visibility splays. These have been achieved through the re-positioning of the dwellings away from the back edge of the footway and slightly further to the north.

The Highway Authority now raise no objections to the amended proposal, subject to the imposition of appropriate conditions.

A total of 6 parking spaces are provided, which complies with the Council's adopted parking standards.

Therefore, in highway and parking terms, the amended proposal is now considered to be acceptable and thus complies with Policy TR3 in the adopted Fenland District Local Plan (1993) and also with Policy CS13 in the draft Core Strategy (2012).

7. CONCLUSION

7.1 The development of 'previously developed' land within the built up area, such as the application site, is supported by Policy H3 of the adopted Fenland District Local Plan (1993) and also by Policy CS1 in the draft Core Strategy (2012).

The submitted layout indicates that an acceptable design and layout can be provided on this site that complies with Policy H3 & E8 of the adopted Fenland District Local Plan (1993) and also with Policy CS14 of the draft Core Strategy (2012). In addition, the proposal is considered to be acceptable in terms of its impact on the amenities of adjacent dwellings.

The layout has been amended to comply with Cambs CC Highway requirements, to provide acceptable pedestrian visibility splays at the site entrance.

The proposal is, therefore, considered to be acceptable scheme and complies with Policies H3, E8 & TR3 in the adopted Fenland District Local Plan (1993) and also with Policies CS1, CS13 & CS14 in the draft Core Strategy (2012)

8. RECOMMENDATION

Approve subject to the following conditions:

1. Approval of the details of:

- (i) the layout of the site**
- (ii) the scale of the buildings;**
- (iii) the external appearance of the buildings;**
- (iv) the landscaping**

(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).

Reason - To enable the Local Planning to control the details of the development hereby permitted.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

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

4. The details submitted in accordance with Condition 01 of this permission shall include:

- a) the materials to be used for the external walls and roof of each dwelling**
- b) means of enclosure**
- c) car parking layout**
- d) hard surfacing, other hard landscape features and materials**
- e) existing trees, hedges or other soft features to be retained**
- f) planting plans, including specifications of species, sizes, planting centres number and percentage mix**

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 protect the character of the site.

5. Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.

Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings.

- 6. Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be implemented on site in accordance with the approved timetable.**

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- a) A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to and approved in writing by the Local Planning Authority.**

IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further information will be required to grant permission then the applicant must provide, to the LPA:

- b) A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:**
- (i) A desk-top study has been completed, satisfying the requirements of paragraph (a) above.**
 - (ii) The requirements of the Local Planning Authority for site investigations have been fully established, and**
 - (iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.**

Following written LPA approval of the Site Investigation the LPA will require:

- c) A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.**

- d) **The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.**

Reason- To control pollution of land or water in the interests of the environment and public 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 highway. In addition, a common turning area shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear. The areas shall be levelled, surfaced and drained and thereafter retained for that specific use.**

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

8. **Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5.0 metres for a minimum distance of 10.0 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.**

Reason - In the interests of highway safety.

9. **Prior to first occupation of the development hereby approved, pedestrian visibility splays of 1.5m x 1.5m shall be provided on both sides of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from any obstruction over a height of 600 mm above the level of the footway.**

Reason - In the interests of highway safety.

10. **The heights of the proposed dwellings shall not exceed 5.0 metres in height to the eaves level and 8.5 metres to the ridge level when measured from the ground.**

Reason – For the avoidance of doubt and in the interests of satisfactory development.

11. **No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant 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.

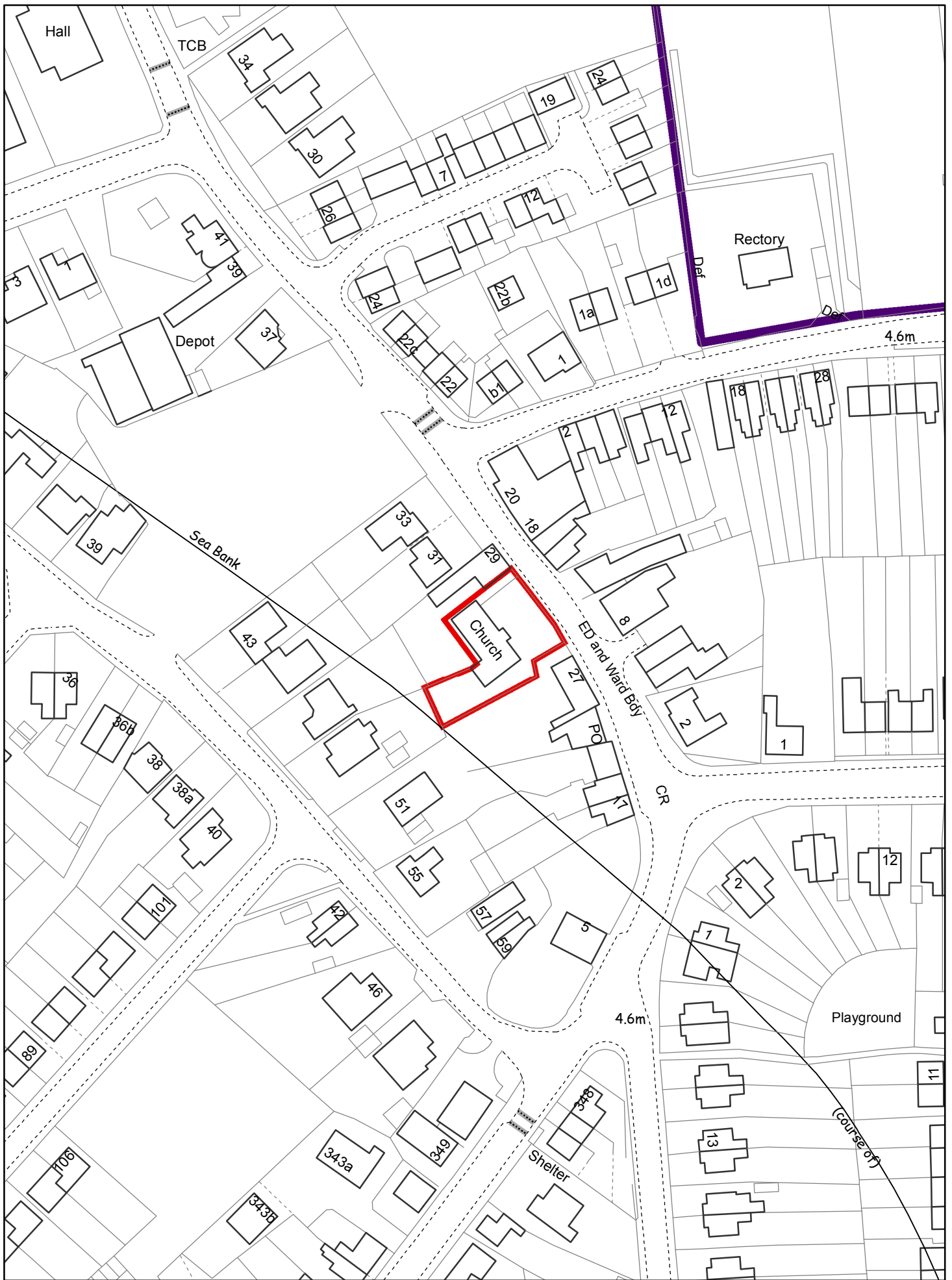
12. Prior to commencement of development a refuse collection strategy (including the position of the bin collection points for each dwelling) shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.

Reason - To ensure a satisfactory form of refuse collection.

Note to Applicant.

It is considered that the proposed house designs and their positioning on the site (as indicated on the submitted plans) is broadly acceptable, subject to the inclusion of the following:-

- a) Windows should be provided in the gable end of Plot 3 to enable surveillance of the courtyard parking area
- b) 1.0m high railings should be provided along the front boundary of the site to Kirkgate St (avoiding the pedestrian visibility splays required by condition 9 above)
- c) Chimneys provided to the roofs of Plots 1 and 3, adjacent to the gable end walls of each plot.
- d) The landscape design should include an appropriate low maintenance planting scheme for the front gardens of each plot as well as areas to soften the proposed parking court.



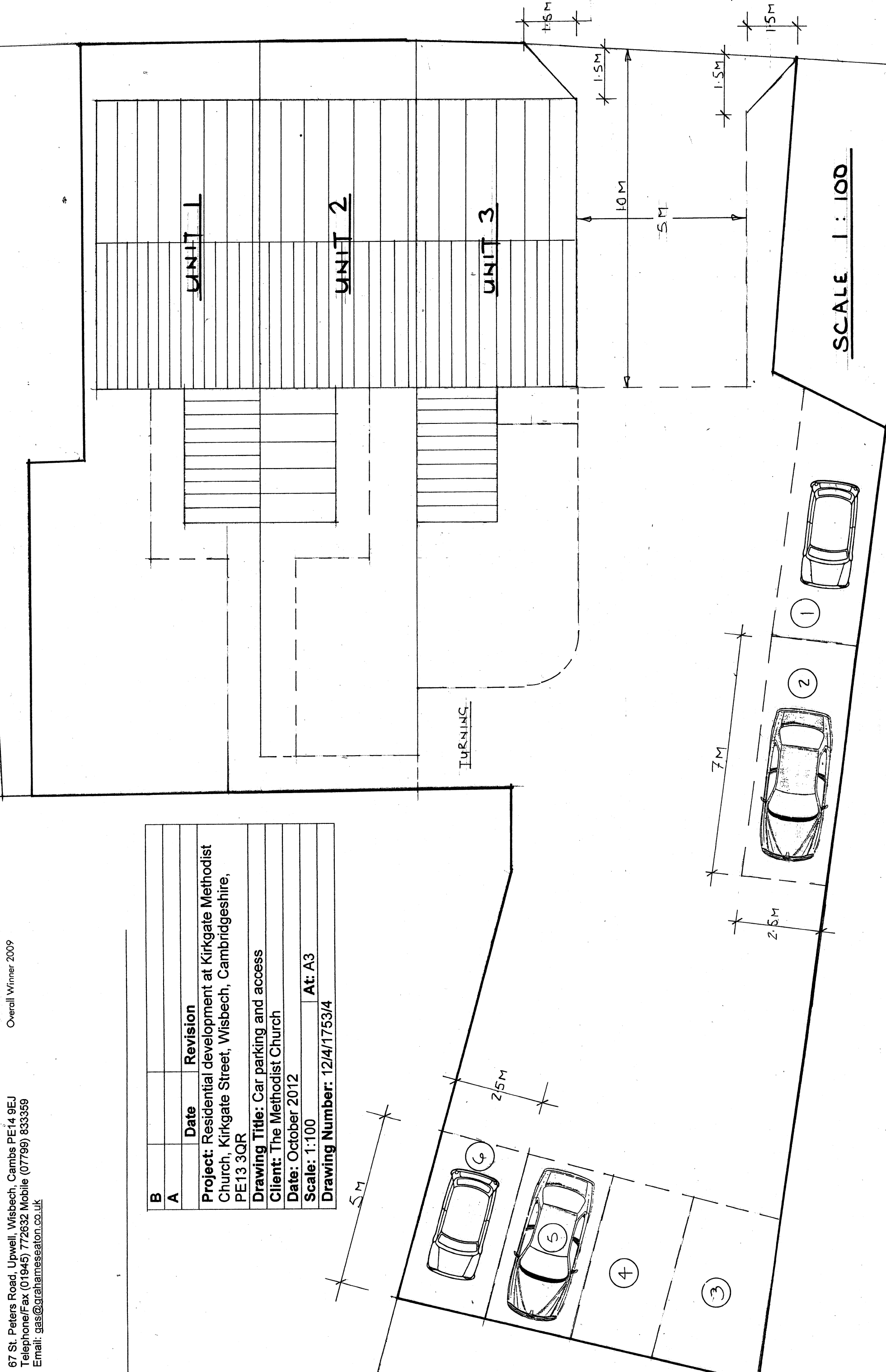
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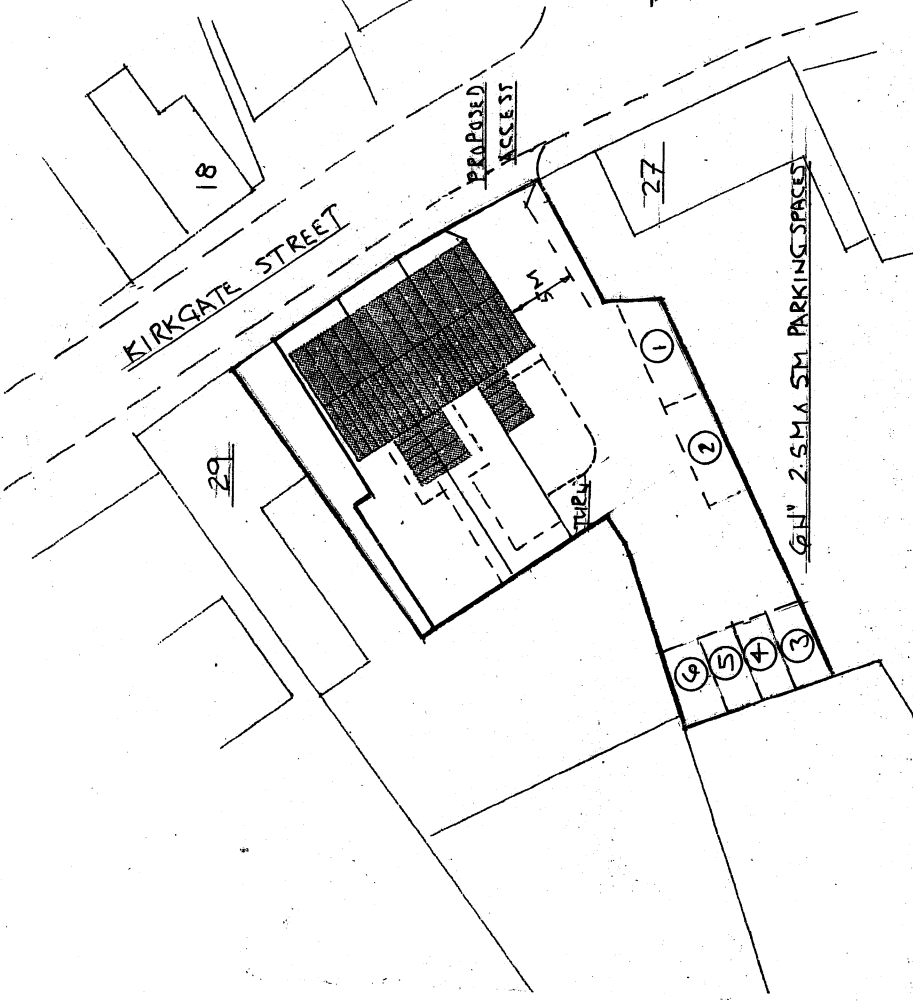
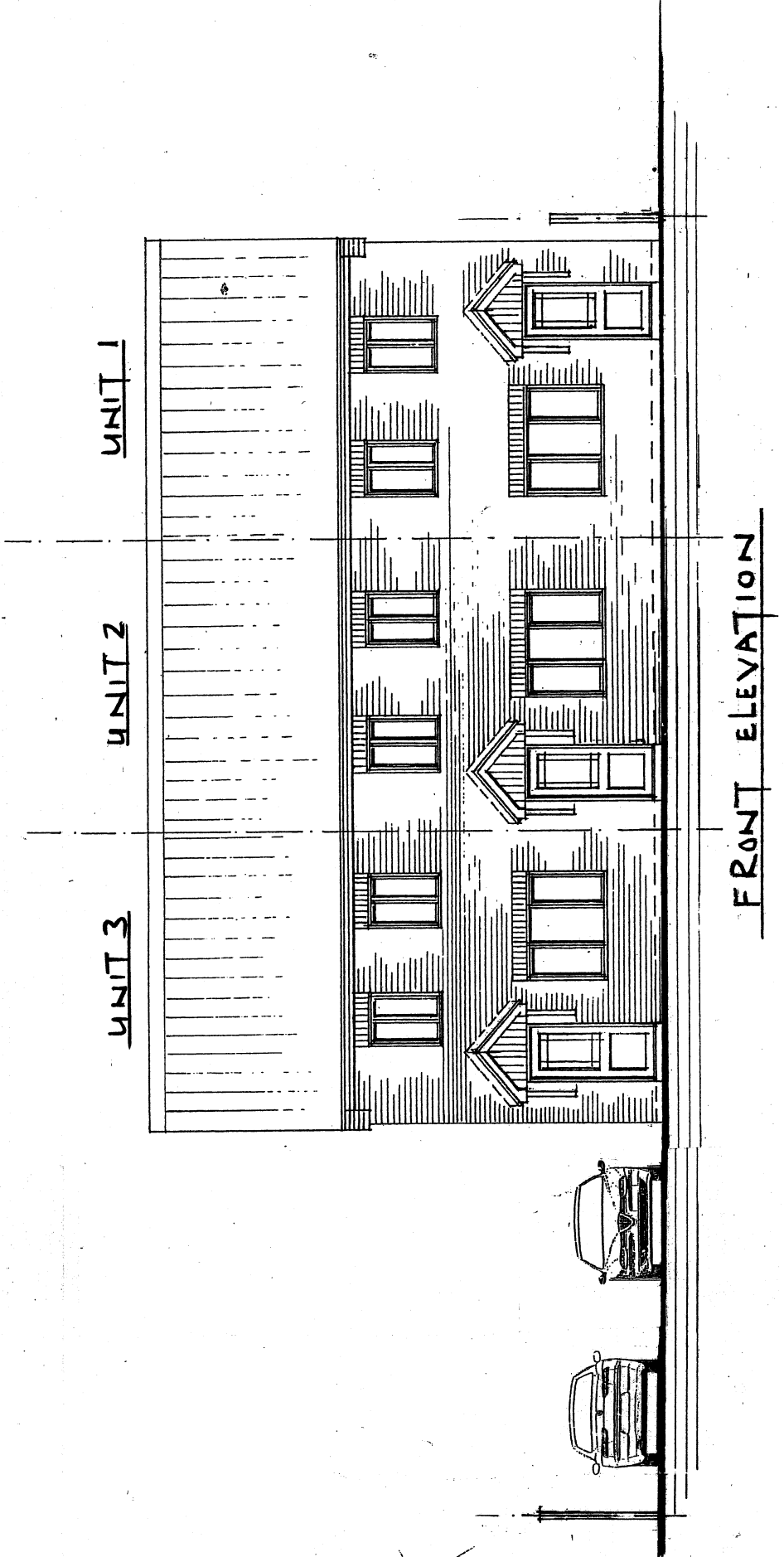




B	A	Date	Revision
Project: Residential development at Kirkgate Methodist Church, Kirkgate Street, Wisbech, Cambridgeshire, PE13 3QR			
Drawing Title: Car parking and access			
Client: The Methodist Church			
Date: October 2012			
Scale: 1:100			
Drawing Number: 12/4/1753/4			
At: A3			



SCALE 1 : 100



PROPOSED BLOCK PLAN
SCALE 1:500

- the width of access should be a minimum of 5.0m for a minimum distance of 10.0m from the near channel line of Kirkgate St
- A minimum 1.5m x 1.5m pedestrian visibility splays should be provided each side of the vehicular access (no obstruction exceeding 0.6m in height within the splay)

The builder/contractor is required to check all dimensions associated with any aspect of the work. Dimensions are not to be scaled from the drawing. Any discrepancy found should be reported to the agent.
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The builder/contractor is required to undertake all activities necessary to ensure the complete and proper execution of the works. The adequacy of information shown or described on the drawings and accompany specification does not relieve this obligation in any way.

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Overall Winner 2009

C	11/10/12	TEXT VISIBILITY SPLAYS ADDED
B	27/9/12	WIDTH OF ACCESS MIN 5M X 10M
A	4/7/2012	6M ² PARKING SPACES NOW INDICATED
	Date	Revision
Project: Residential development at Kirkgate Methodist Church, Kirkgate Street, Wisbech, Cambridgeshire, PE13 3QR		
Drawing Title: Indicative front elevation and Block plan		
Client: The Methodist Church		
Date: April 2012		
Scale: 1:100 and 1:500		
At: A3		
Drawing Number: 12/4/1753/3 C		