

**Application Number: F/YR12/0837/F**  
**Minor**  
**Parish/Ward: Leverington Parish Council**  
**Date Received: 26 October 2012**  
**Expiry Date: 21 December 2012**  
**Applicant: Mr I Esgate**  
**Agent: Peter Humphrey Associates Ltd**

**Proposal: Erection of a 2-storey 3-bed dwelling**  
**Location: Land North of Salud, Church End, Leverington, Cambridgeshire**

**Site Area/Density: 192 sq. metres.**

**Reason before Committee: Called in by Cllr King who considers the proposal to be in keeping with the neighbouring properties.**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application seeks full planning permission for erection of a 2-storey 3-bed dwelling at Land North of Salud, Church End, Leverington, Cambridgeshire.

The key issues to consider are;

- Principle and Policy Implications;
- Layout, Design and Impact on Amenity;
- Access and Parking Arrangement.

The site is a relatively small corner plot located within the existing settlement. This application was previously refused in Oct 2011, and this resubmission has not addressed issues raised. It is considered that the proposed development for 1 x 2-storey 3-bed dwelling would result in a cramped form of development, which would appear out of keeping with the streetscene and the dwelling by reason of its height and bulk would constitute a dominate feature in relation to adjoining dwellings. As a result the proposal would cause harm to the visual amenities of the area and the residential amenities of nearby properties contrary to CS14 of the emerging Fenland Communities Development Plan, E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and the National Planning Policy Framework. It is, therefore, recommended that the application is refused.

**2. HISTORY**

Of relevance to this proposal is:

- |                        |   |   |
|------------------------|---|---|
| 2.1 F/YR11/0695/F      | Erection of a 2-storey 3-bed dwelling   | Refused (27 <sup>th</sup> October 2011) |
| APP/D0515/A/03/1136267 | Erection of a 3-bed detached house with attached garage involving the demolition of existing dwelling | Dismissed on Appeal (2004)              |
| F/YR03/1209/F          | Erection of a 3-bed detached house with attached garage involving the demolition of existing dwelling | Refused (9 <sup>th</sup> December 2003) |

F/97/0055/F                      Erection of a 2-bed detached house with attached garage involving the demolition of existing dwelling                      Granted (26<sup>th</sup> June 1997)

### 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.

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 *Parish/Town Council*

Not yet received

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

Proposed layout currently does not meet the requirements; the required visibility splay to the east crosses adjacent third party land. Request an amended layout plan.

#### 4.3 *FDC Contaminated Land Officer*

No observations and no objections

#### 4.4 *Local Residents*

8 x letters of objection received concerns raised as follows;

- Overlooking;
- Overshadowing;
- Overbearing;
- Loss of light;
- Loss of privacy;
- Out of character with the area;
- Overdevelopment of the site;
- Single Storey dwelling would be better;
- Parking and highway safety;
- Traffic.

## 5. SITE DESCRIPTION

- 5.1 The site is level and open and is located within the existing settlement and comprises a relatively small plot. Adjoining the site to the east are a pair of semi-detached dwellings, to the south of the site is a 2-storey dwellinghouse, both of these properties have small back gardens; however, it is noted that other properties in the vicinity of the area are set in larger grounds. To the south of the site is the 'Roman Court' residential development and whilst, opposite the site, to the north, is a 2-storey dwelling the 'Old Post Office'.

## 6. PLANNING ASSESSMENT

- 6.1 The key issues to consider are;
- Principle and Policy Implications;
  - Layout, Design and Impact on Amenity;
  - Access and Parking Arrangement.

### (a) Principle and Policy Implications

The site lies within the existing settlement of Leverington. The development of land within settlements is supported by Policy H3 of the Fenland District Local Plan and also by Policy CS1 of the Emerging Core Strategy 2012 with Leverington identified as a Limited Growth Village. The principle of residential development at this location is, therefore, considered to be acceptable subject to satisfactory scale, design, layout, access and impacts on residential amenity and the surrounding area.

Policy E8 of the Local Plan requires that when considering applications for new development, proposals should be of a design compatible with their surroundings and have regard to the amenities of adjoining properties.

The NPPF outlines that one of the core planning principles seeks to ensure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore, it highlights that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

### (b) Layout, Design and Impact on Amenity

The layout attempts to show that the site can be successfully developed given its constrained size. The 2011 application raised concerns as to how the proposal impacted upon the amenities of the adjoining properties and the current scheme includes a shade analysis.

Whilst the applicant has attempted to show that the site can be successfully developed given its restricted size, the positioning of the dwelling raises concerns regarding overlooking and also the overbearing effect it would have on the property ('Salud') to the south of the site.

The constraints identified have proved difficult to overcome and there has been a previous refusal and dismissal on appeal in 2003. It is acknowledged that the dwelling has a slightly reduced footprint than the appeal submission, but the effect of this reduction in size does not outweigh the issues relating to the overall cramped appearance of the development and the detrimental impact on the neighbouring properties.

It is considered that the proposal results in a cramped form of development that would result in a detrimental impact on the neighbouring properties and does not overcome the previous refusal reason.

**(c) Access and Parking Arrangement**

CCC Highways have commented that the proposed layout does not meet its requirements and the required visibility splay to the east crosses adjacent third party land. CCC have requested an amended layout plan, this request has been forwarded to the applicants agent to address. CCC Highways have outlined that if the applicant is unable/unwilling to provide the splays a recommendation of refusal is likely.

**7. CONCLUSION**

- 7.1 The site is a relatively small corner plot located within the existing settlement. It is considered that the proposed development for a 2-storey 3-bed dwelling would result in a cramped form of development, which would appear out of keeping with the streetscene. The dwelling would also by reason of its height and bulk constitute a dominate feature in relation to adjoining dwellings. As a result the proposal would cause harm to the visual amenities of the area and the residential amenities of nearby properties, contrary to CS14 of the emerging Fenland Communities Development Plan, E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and the National Planning Policy Framework. It is, therefore, recommended that the application is refused.

**8. RECOMMENDATION**

**Refuse**

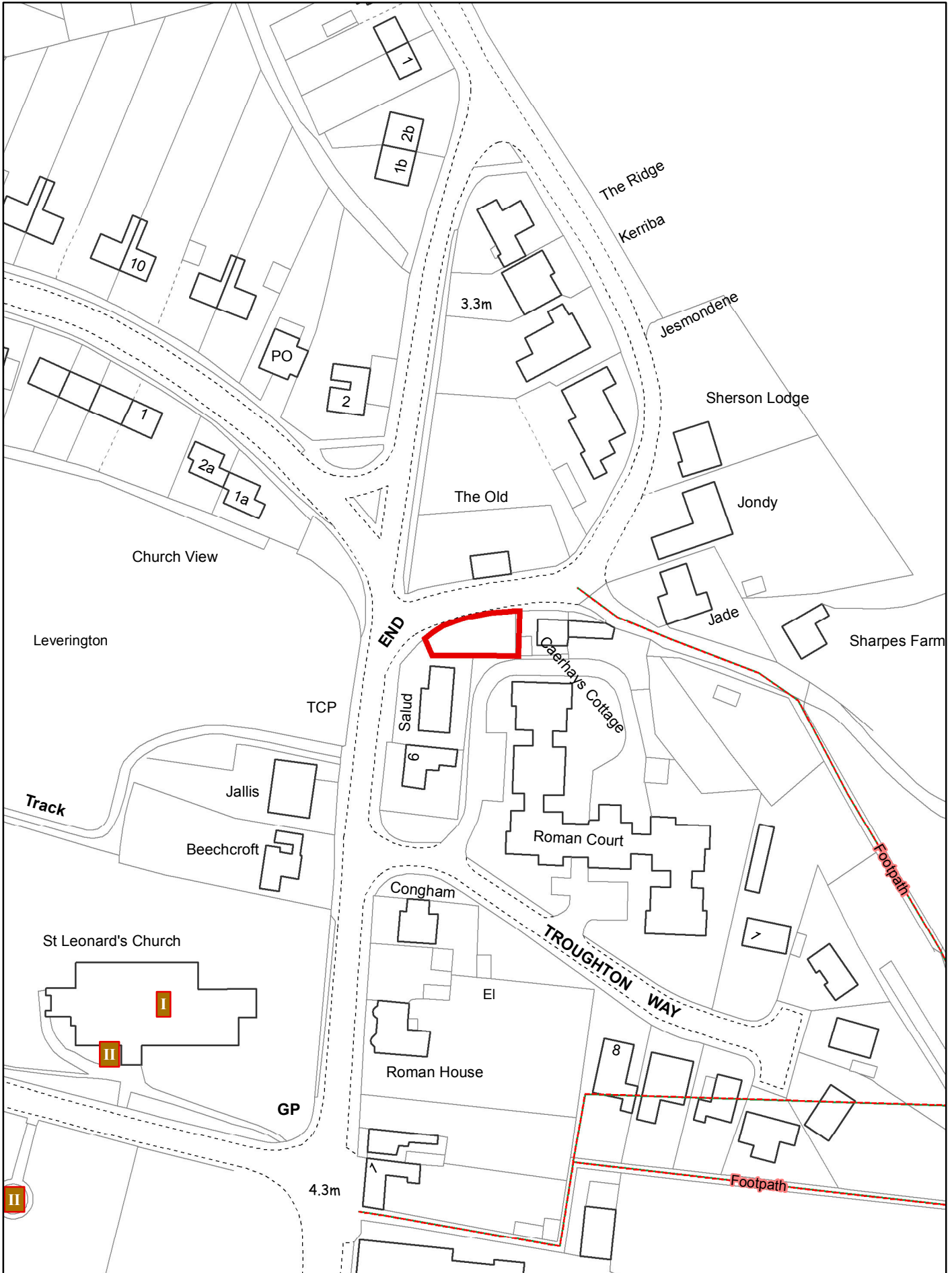
- 1 **The proposed development would result in a cramped form of development, which is out of keeping with the character of the surroundings, and the dwelling, by reason of its height and bulk, would constitute a dominant feature in relation to adjoining dwellings. As a result, the proposal would cause harm to the visual amenities of the area and the residential amenities of nearby properties, contrary to CS14 of the emerging Fenland Communities Development Plan, E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and the National Planning Policy Framework.**
- 2 **The proposed development and achieving the required visibility splays are beyond the control of the applicant. This solution would result in a form of development that could be to the detriment of highway safety. The application is, therefore, contrary to E8 of the Fenland District Wide Local Plan.**

**9. UPDATE**

Members will recall that this application was deferred from 12 December 2012 Planning Committee meeting arising from issues relating to the proposed access and pedestrian visibility splays which cross over third party land. Following a request by the Officer the applicant has provided a plan which displays the required pedestrian visibility splays. However, it should be noted that the pedestrian visibility splays provided do cross over third party land. Whilst the applicant has provided the required splays the control and retention in perpetuity

of such splays cannot be guaranteed.

No comments were received in response to this issue at the time of writing, however, an update of consultations will be provided at Committee. It is, therefore, recommended that this application is refused on the grounds set out in Section 8.1 and 8.2 above.



Created on: 02/11/2012

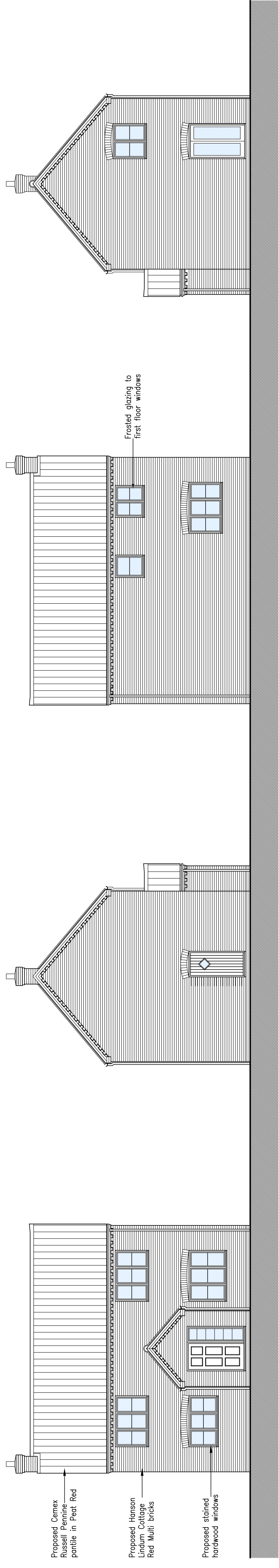
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Scale = 1:1,250





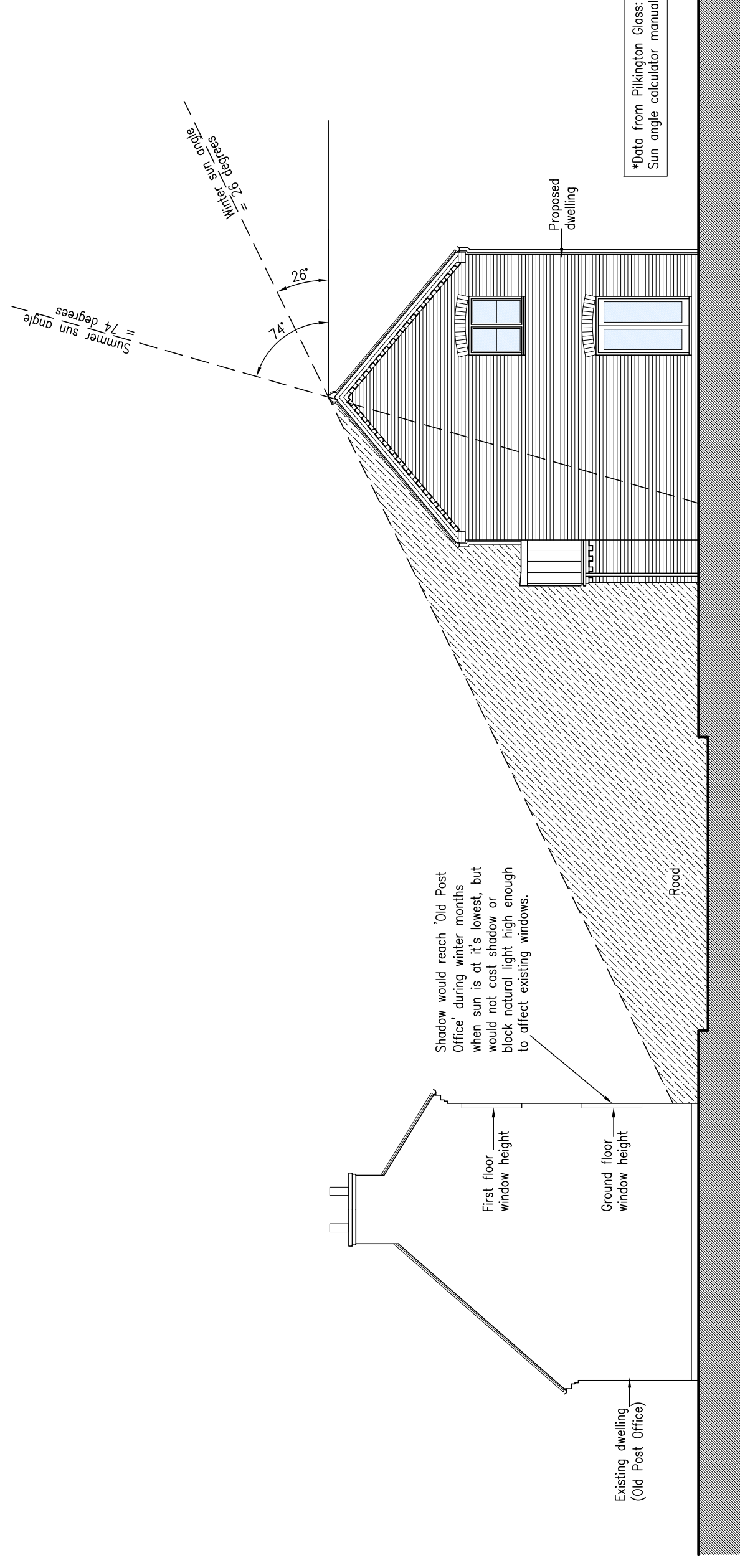


Proposed Front Elevation 1:100

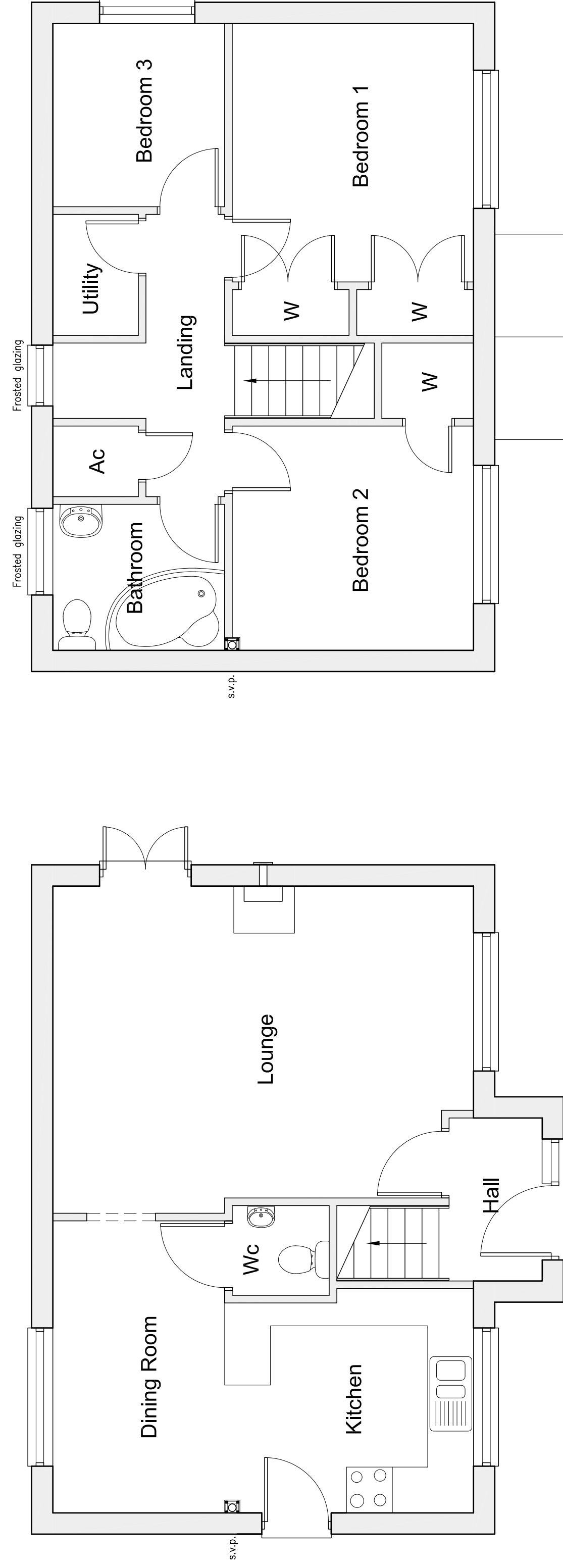
Proposed Side Elevation 1:100

Proposed Rear Elevation 1:100

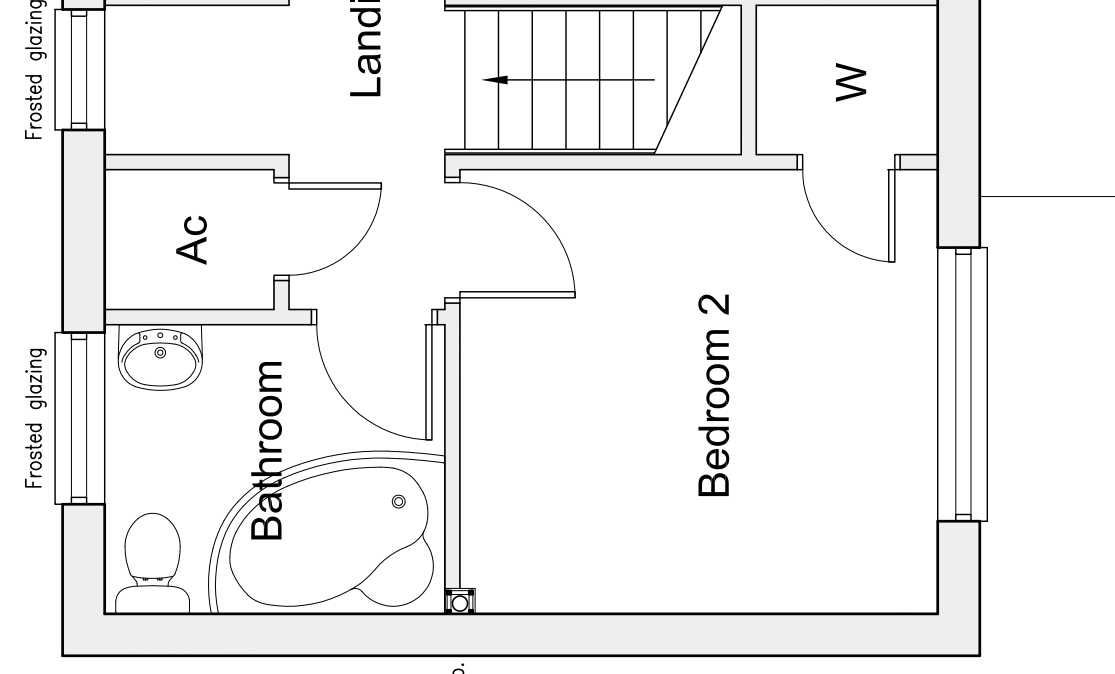
Proposed Side Elevation 1:100



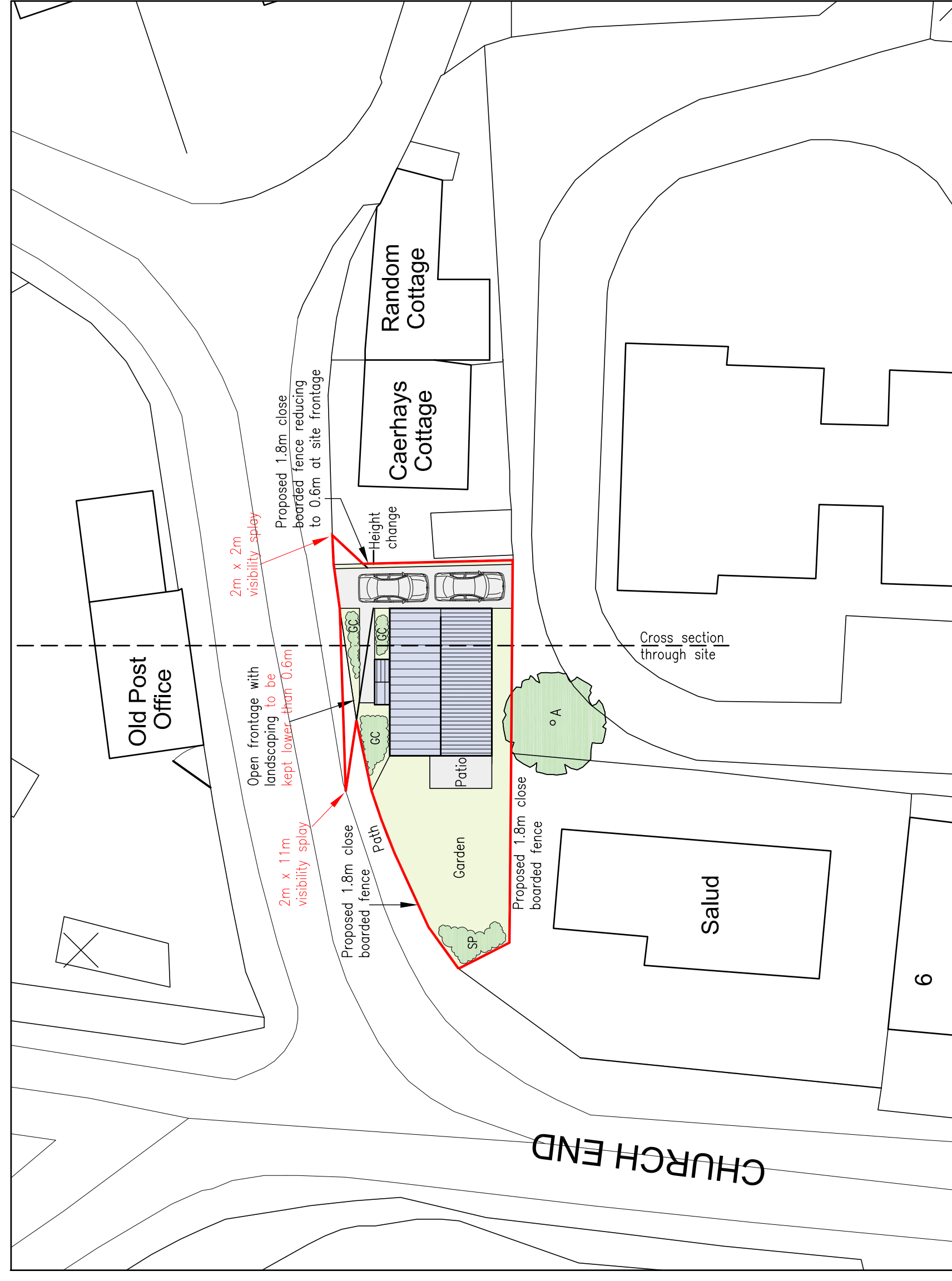
Proposed Cross Section Through Site 1:100



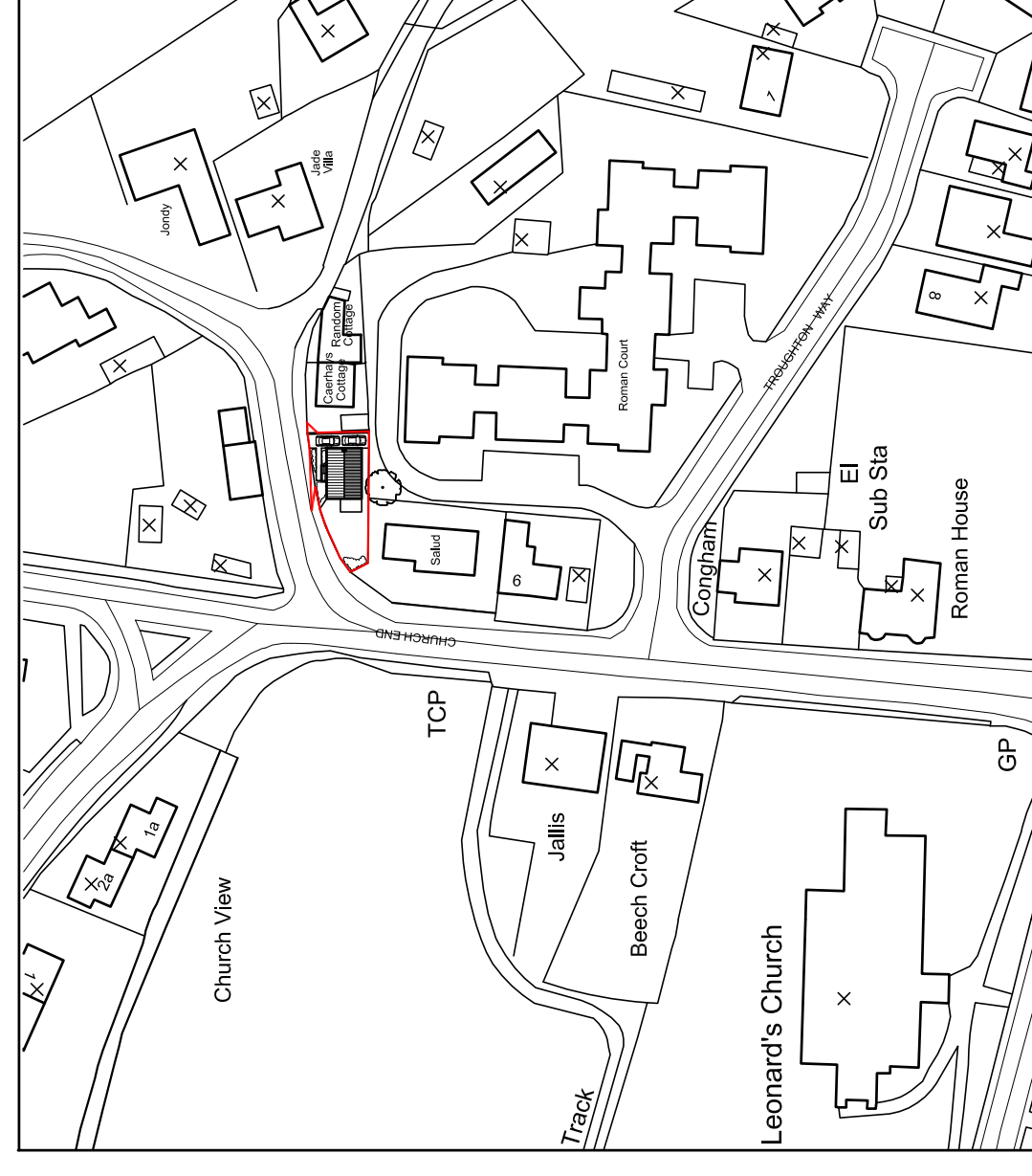
Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50



Proposed Site Plan 1:250



Location Plan 1:1250

| Tree No. | Common tree name | Height (m) | Canopy diameter (m) | Trunk diameter (m) | Tree age | Condition | Recommendations |
|----------|------------------|------------|---------------------|--------------------|----------|-----------|-----------------|
| 1        | Alder            | 6.000      | 3.000               | 0.200              | Mature   | Good      | Retain          |

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 BS 5837 unless otherwise agreed in writing with the local Planning Authority.

- 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.

Landscaping: Mr. SB - Strub Planting Barbary (Berberis) Guelder Rose (Viburnum) Buddleia Davidi Snowy Mesquias (Fenestranier) C3 pot size Planting size 40-60cm Planted at 750mm cts. GC - Ground Cover Plants Cotoneaster Horizontalis Lonicera Yellow Lonicera Spica 6 plants per metre squared.

06/12/2012 - Visibility splay amended for Highways. REV F.  
04/12/2012 - Visibility splay amended for Highways. REV E.  
30/11/2012 - Drive amended & visibility splay added for Highways. REV D.  
01/09/2012 - Amended for resubmission. REV C.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT: PROPOSED DETACHED DWELLING  
SITE: LAND ADJ. 'SALLUD' CHURCH END LEVERINGTON WIBECH PE13 5DD

DATE: Sept 2012 SCALE: As Shown JOB No: 470101F  
CLIENT: Mr I Esgate

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