Application Number: F/YR13/0088/F Minor Parish/Ward: Whittlesey Town Council Date Received: 5 February 2013 Expiry Date: 2 April 2013 Applicant: Mr S Fradley Agent: Mr J Dickie

Proposal: Variation of Condition 8 of planning permission F/YR12/0552/F (Erection of 2x 2-storey 3-bed and 2x3-storey 3-bed dwellings and 2.0 metre high close boarded fencing involving demolition of existing public house) in relation to the amendment in the design of the dwellings.

Location: The Oatsheaf Inn, 70 West End, Whittlesey.

Site Area/Density: 0.07 ha

Reason before Committee: This proposal is before the Planning Committee due to the application being called in by Councillor D Stebbing. The reason is because of representations against the application being made by local residents.

1. EXECUTIVE SUMMARY/RECOMMENDATION

Full planning permission was previously granted under delegated powers for the demolition of the existing pub and the replacement with a block of 4 terraced houses – 2 no. 2-storey 3-bed houses and 2 no. 2-storey 3-bed houses – which was approved on 20.11.2012 (F/YR12/0552/F).

Permission is now sought to change the design of the dwellings, in the form of a minor material amendment to the approved scheme.

The changes between the originally approved scheme for this site and those proposed in the minor amendment are considered to be very limited in terms of changes to the design and layout of the site and impact on neighbouring amenities. In addition there have been no significant changes to national or local policy that would warrant a re-assessment of the acceptability of this proposal.

Consequently for the reasons set out above, the minor material amendment is still considered to comply with Policies H3, H16 and E8 of the Fenland District Wide Development Plan and Policies CS3, CS4, CS15 and CS16 of the draft Fenland Core Strategy – Submission Version (Feb 2013).

2. HISTORY

Of relevance to this proposal is:

2.1 F/YR13/0025/NO Non-material amendment to house Withdrawn designs 04.02.2013

2.2 F/YR12/0552/F Erection of 2 x 2-storey 3-bed and Granted 20.11.2012 2 x 3-storey 3-bed dwellings and 2.0 metre high close boarded fencing involving demolition of existing public house

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(4): Seek to ensure high quality design and a good standard of amenity for all existing and future occupants (repeated and expanded on in paragraphs 56 to 56).

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

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

3.2 Draft Fenland Core Strategy – Proposed Submission Feb 2013:

CS3: Spatial Strategy & Settlement Hierarchy and the Countryside

CS4: Housing

CS15: Creation of a More Sustainable Transport Network in Fenland

CS16: 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* The Town Council have no objection and therefore recommend approval.
- 4.2 Cambs CC Highways Awaited

4.3 Local Residents:

3 letters of objection received from local residents raising the following concerns:

- strongly object to the new height and size of the dormer windows in the rear of both centre houses

- these would allow full views downwards into the living area, bedroom and garden

- attempt to get more space and higher price for the dwelling seem to be to our disadvantage

- the new development is already higher than the original pub building

- our previous objections were completely ignored. The amended plans are even worse and will further impact on neighbours

- building height has been raised even further

- if this is passed what will stop further amendments making all 4 houses 3-storey in height in the future

- loss of privacy as the occupants will be able to look directly into our bedroom, kitchen and conservatory

- insufficient time given for residents to object to current proposal

proposal is now sited closer to my property
loss of enjoyment of rear garden which is currently very private.

-scale appearance and design of the building is not in keeping with neighbouring dwellings.

5. SITE DESCRIPTION

5.1 The site is located within a predominantly residential area on the north side of West End and is bounded on three sides by residential properties. The site was until recently occupied by a vacant public house (which has now been demolished) with a car parking area to the rear.

A public footpath linking West End to Irving Close runs alongside the western site boundary. A line of conifer trees runs along the northern boundary.

The area is characterized by a range of mainly 2-storey dwellings on either side of West End. To the rear of the site there are some 2-storey dwellings and bungalows in Irvine Burgess Close, whose rear gardens adjoin the site.

The site lies within Flood Zone 1

The site area measures 0.07 hectares.

6. PLANNING ASSESSMENT

6.1 Background

Full planning permission was previously granted under delegated powers for the demolition of the existing pub and the replacement with a block of 4 terraced houses – 2 no. 2-storey 3-bed houses and 2 no. 2-storey 3-bed houses – which was approved on 20.11.2012 (F/YR12/0552/F).

The approved scheme comprised a terrace containing 4 dwellings with an overall building footprint measuring $17.4m \times 10.8m$. The two end dwellings measured 4.5m to the eaves and the two centre ones measure 5.2m. The terraces were designed with a hipped roof at each end and a central ridge, with the highest point 9.0m above ground level.

The end dwellings (Plots 1 and 4) are 2-storey in height and in the approved scheme, the two central dwellings had a room in the roof with a dormer window facing towards the rear. An access from West End is provided and 8 parking spaces are shown in the rear courtyard.

Permission is now sought to change the design of the dwellings, in the form of a minor material amendment to the approved scheme, following a detailed consideration of the construction of the building by structural engineers.

The main features of the minor material amendment which differ from that previously approved, are set out below.

- Removal of render from projecting buttresses and replacement with contrasting brickwork detail
- The central frontage is brought forward by a further 150mm to break up the massing of the front elevation and provide a natural shadow line
- Replacement of pitched roof to rear elevation with a high performance flat roof.
- The introduction of a larger render panel on the front elevation

6.2 **Principle and Policy Implications**

The site comprises 'previously-developed' land which is located within the 'builtup' limits of Whittlesey. This is identified in Policy CS3 as a Market Town in the Fenland Core Strategy (Proposed Submission 2013), where the majority of the district's new housing development should take place. Therefore new housing development is acceptable in this location subject to the consideration of detailed design and layout issues.

The scheme already benefits from a recent planning permission for a scheme which has very similar characteristics to the current proposal.

The Communities and Local Government guidance document 'Greater flexibility for planning permissions' (2009), sets the mechanism for dealing with amendments to previously approved development schemes under s.73 of the Town & Country Planning Act 1990. In this case a minor material amendment comprises:-

an amendment whose scale and nature results in a development which is not substantially different from the one which has been approved.

A minor material amendment to a scheme can only be applied for if there is a suitable planning condition that can be modified. In this instance condition 8 of F/YR12/0553/F contains a plan schedule, and the applicant is seeking to substitute the existing approved plans with a series of amended plans.

The above guidance also sets out how Local Planning Authorities (LPAs) should approach the consideration of applications for minor material amendments:-The development which the application under s.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. These applications should be determined in accordance with s.38(6) of the Planning & Compulsory Purchase Act 2004, but LPA's should, in making their decisions, focus their attention on national or local policies or other material considerations which may have changed significantly since the original grant of permission as well as the changes sought.

The previous permission was granted in November 2012 and was considered to be in accordance with the NPPF as well as guidance contained in Policies H3 of the saved Fenland Local Plan (1993) and Policies CS14 of the emerging Fenland Core Strategy (2012).

The only policy change has been the publication of the Fenland Core Strategy Proposed Submission in February 2013. In this Policy CS14 relating to design matters became Policy CS16. Therefore there have been no substantive changes to policy since the granting of the original planning permission in November 2012.

In terms of other material planning considerations that may have changed, these are considered below.

Layout & Design

The key features of the originally approved development were as follows:

- the proposal involves the construction of a new building on roughly the same position on the site as the existing pub building but set slightly back from the site frontage to enable appropriate visibility at the site access.
- A contemporary building design and front boundary detail
- The roof design was amended so that the reduced height eaves for Plots 1 and 4 sit much better in the street-scene, when seen against the adjoining dwelling.
- The car parking is located at the rear screened by boundary fencing and the existing conifer hedge.
- Tree planting is to be provided in rear parking area to soften appearance suitable species to be agreed via landscaping condition

The layout of the site and positioning of the building shown in the minor material amendment remains broadly the same as that previously approved.

The main changes to the building design – the slightly larger linked rear dormer windows (each measuring $1.7m \times 1.2m$ compared to $1.25m \times 0.85m$ on the original scheme), the introduction of dormer windows to the front roof slope and the minor changes to the design of the elevations – are considered to be acceptable. The height to the ridge of the proposed building remains the same.

The amendment also include additional details relating to materials – Seaford Blend (red) bricks for the main elevations, with Smooth Grey bricks for the quoins, cills piers and soldier courses as well as the main walling with the roof constructed in double pantile (anthracite) and saddleback coping on the parapet gables. A landscaping scheme has also been provided. Both matters are considered to be acceptable.

Amenity

Concern continues to be expressed by adjoining residents about the potential overlooking from the two dormer windows in the rear roof slope at second floor level. These windows were positioned at a distance of 19m from the rear site boundary and 28.5m from the rear elevation of No. 9d Irving Close, in the previously approved scheme. This relationship was considered to be acceptable in terms of the protection of the amenities of nearby dwellings by virtue of the separation distance, when the previous application was approved.

Although the scheme submitted in relation to the minor material amendment contains slightly larger dormer windows, the distance to the rear boundary is still significant. To alley any possible fears from adjoining residents the applicant has offered to obscure glaze the lower halves of the windows (to a height of 1.7m above the floor level), to prevent any possible downward views from these windows into neighbouring dwellings and gardens to the rear.

This matter is the subject of an additional planning condition.

Access

The site layout plans for the originally approved scheme were amended to meet Cambs CC Highway design requirements for an acceptable site access, which incorporates 1.5m x 1.5m pedestrian visibility splays.

8 parking spaces are provided which meets FDC's adopted parking standards

No changes to the approved scheme are proposed in the minor material amendment application

7. CONCLUSION

7.1 The changes between the originally approved scheme for this site and those proposed in the minor amendment are considered to be very limited in terms of changes to the design and layout of the site and impact on neighbouring amenities. In addition there have been no significant changes to national or local policy that would warrant a re-assessment of the acceptability of this proposal.

Consequently for the reasons set out above, the minor material amendment is still considered to comply with Policies H3, H16 and E8 of the Fenland District Wide Development Plan and Policies CS3, CS4, CS15 and CS16 of the draft Fenland Core Strategy – Submission Version (Feb 2013).

8. **RECOMMENDATION**

Approve subject to the following conditions:

1. The 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. All materials to be used on the walls and roof of the proposed dwellings and the hard and soft landscape works including any management and maintenance plan details shall be carried out in accordance with the All planting seeding or turfing and soil preparation approved details. comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed building materials and landscape details in the interest of the amenity value of the development.

3. 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.

4. 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 15.0 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.

Reason - In the interests of highway safety.

5. Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:

a)enter, turn and leave the site in forward gear; b)park clear of the public highway; c)load and unload;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

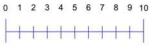
Reason - In the interests of satisfactory development and highway safety.

6. The dormer windows in the rear elevation of the development hereby approved shall be glazed with obscure glass and fixed shut to a height of 1.7m above the finished floor level of the bedroom that they serve, as indicated on the amended plans submitted with the application, and so maintained in perpetuity thereafter.

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

7. Approved Plans.





Scale Bar

Grassed areas

All areas shown green are to be grassed formed on suitably prepared ground with either approved seeding or approved turf. Areas shown grassed are to be formed with a 150mm wide graveled strip where shown abutting any wall.

10.0

There are no existing trees on the application site area

Planting and establishment notes

All trees shall be adequately staked and tied, and half a bag of peat free tree and shrub planting compost incorporated into tthe backfill for each treehole.

A topdressing of enmag fertiliser should be applied to all landscaped areas in accordance with the manufacturers instructions following planting.

Level access :

level access from paving slab pathway at max gradient of 1 in 20 to a level accessible threshold Entrance door to properties to have a clear opening of min 775mm. All internal doors -- min clear opening of 750mm

Runs with 36no 0.06w leds. Height 750mm Length 110mm, width 120mm. 59 Lumens output with a single 3w natural light led. Part L compliant with motion sensor.

indicates 9550SS LED wall/fence mounted downlighter Class 1 150mm high, 140mm protusion built in motion sensor. Stainless steel Runs with 36no 0.06w leds

The new internal private drive is to have pedestrian visibility splays of 1.5m x 1.5m at the access point with no obstructions over 600mm high within the visibility splays. The access width will be 5.0m for a min length of 15m into the site.

indicates a Sandtex Ivory Stone masonry painted rendered panel on blockwork outer skin HO CJ SMB

CL

PLANTING TO OTHER AREAS

VINCA MAJOR VARIEGATA

HYPERICUM HIDCOTE

CHAMAECYPARIS LAWSONIONA

PLANT NAME

CODE

CJ

CL

PT

PPB

PTC

SMB

EGG

EEG

HHC

LLP

PTe

PBS

BC

DD

EF

EW

HC

HN

но

SC

HH

VMV

CLMA

ASQ

HP

Condition 2 details

Roof tiles are to be Marley Mendip Interlocking Double Pantile in Anthracite Facing brick types are proposed to be Seaford Blend by All About Bricks for the main walling with the quoins, cills, piers and soldier courses to be formed in Smooth Grey by All About Bricks



mild steel

Front garden areas to be enclosed with 1200mm high

'Cheshire style' horizontal railings in black painted

Proposed Front Elevation With Railings Shown

Planning Condition 3

"Prior to commencement of development full details of both hard and soft 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 landscaping details to be submitted shall include:-

9cm

20-30

9cm

a) proposed finished levels - all shown on the site layout

b) means of enclosure - including new close boarded fence along the eastern

and northern site boundaries and new fencing along site frontage all shown on the site layout c) car parking layout all shown on the site layout

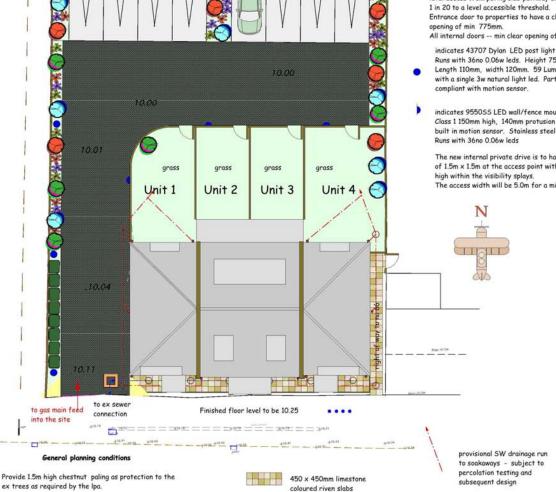
d) hard surfacing, other hard landscape features and materials all shown on the site layout

e) existing trees, hedges or other soft features to be retained and new trees and shrubs to be planted there are no existing trees, hedges of other soft landscaping features anywhere on the site. All new planting is fully specified on the drawing f) details of siting and timing of all construction activities to avoid harm to all

nature conservation features the Public House has been demolished and the site cleared and there are no existing nature conservation features. The new soft landscaping as detailed on the site layout plan will not be implemented until the superstructure and hard landscaping works have been completed in order to prevent any conflict. g) location of service runs all shown on the site layout

	nent and maintenance details - commo ce Specification document	on parts of the site as detailed in the Landscaping Performance And
		John Dickie Associates
ANTING TO OTHER AREAS		Manor Barn,
		Wilsthorpe, Stamford,
PLANT NAME	SIZE	Lincs
	10.10	
CHAENOMELEA JAPONICA	40-60	Pe9 4pe
CRATAEGUS LAEVIGATA 'PAUL'S SCARLET'	40-60	
POTENTILLA TANGERINE	30-45	Tel 01778 560811
POTENTILLA PRIMROSE BEAU		Fax 01778 561167
POTENTILLA TILFORD CREAM		E.mail jda@ndirect.co.uk
SYMPHORICARPUS MAGIC BE	2.362.675 - 7.67.6567	
EUONYMUS GREEN CARPET	20-30	
EUONYMUS EMERALD AND GO	DLD 20-30	
HEBE PAGEI	20-30	
HEDERA HELIX CANARIENSIS	50-80	Proposed Residential Development at
LAVENDULS LODDON PINK	2litre -	The Oatsheaf,
PACHYSANDRA TERMINALIE	15-20	70, West End, Whitlessey, Peterborough
PERVOAKIA BLUE SPIRE	2litre	
ARTEMISIA SILVER QUEEN	13cm	
BERGENIA CORDIFOLIA	13cm	Drawing Title : Proposed Site Layout
DIANTHUS DORIS	13cm	
EUPHORBIA FIREGLOW	13cm	Client : Steven Fradley
EUPHORBIA WULFERIL	13cm	Date January 2013
HELLEBOROUS CORSICUS	2litre -	Scale 1 to 200
HELLEBOROUS NIGER	2 litre	State 1 to 200
HELLEBOROUS ORIENTALIS	2 litre	Drawing No. ID & /2012/125/MD 007 A
SANTOLINA CHAMAECYPARI	SSUS 2litre	Drawing No JDA/2012/125/WD.007A

Drawing No JDA/2012/125/WD.007A **Rev A February 2nd 2013 Front elevation** rendered panel introduced following observations from the LPA Case Officer.



- Note
- No site huts are to be erected within the spread of the crowns of the trees.
- No materials, including fuels, shall be stored within the spread of the crowns of the trees and no development shall be carried out within the spread of the crowns of the trees without the written consent of the lpa.
- No burning of any goods shall take place within 3m of the crown spread of the trees
- No services shall be routed under the spread of the crowns of the trees without the written consent of the lpa.
- No roots to be cut, trenches dug or soil removed within the spread of the ex trees
- Levels shall not be raised or lowered in relation to the spread of the branches of the ex trees.

provisional SW drainage run to soakaways - subject to percolation testing and

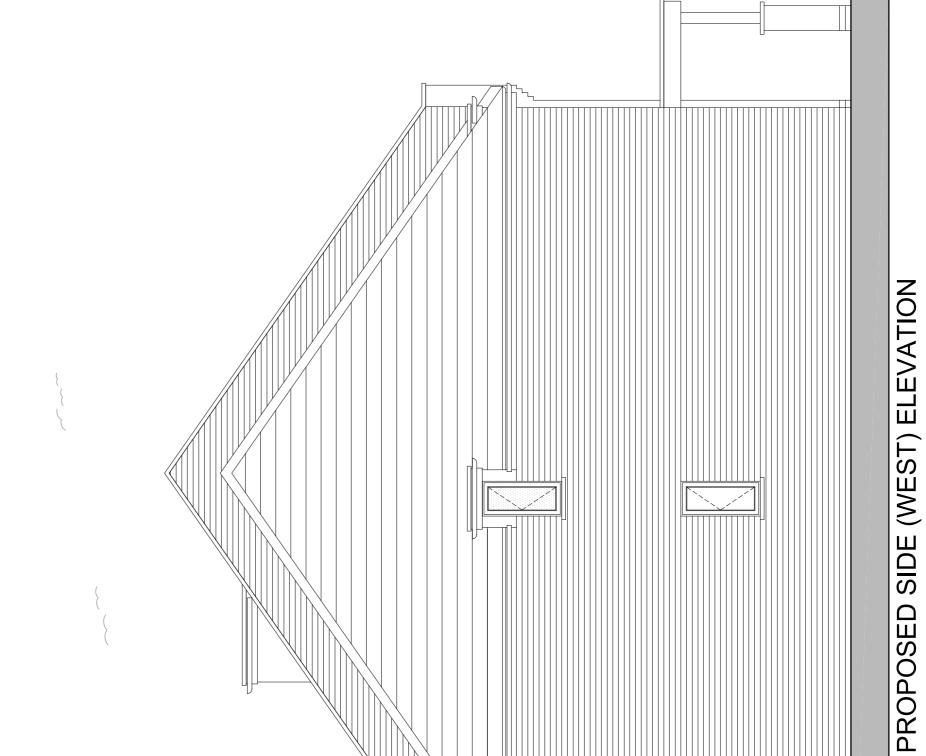
Hard surfaced private driveway

Charcon Europa buff block paviors to be used throughout the maneuvering areas - lay to fall from centre line to edge as shown. Parking areas formed in grey tarmacadam

2m high close boarded fencing

indicates waste collection storage area

 new water meters with feed to each new house

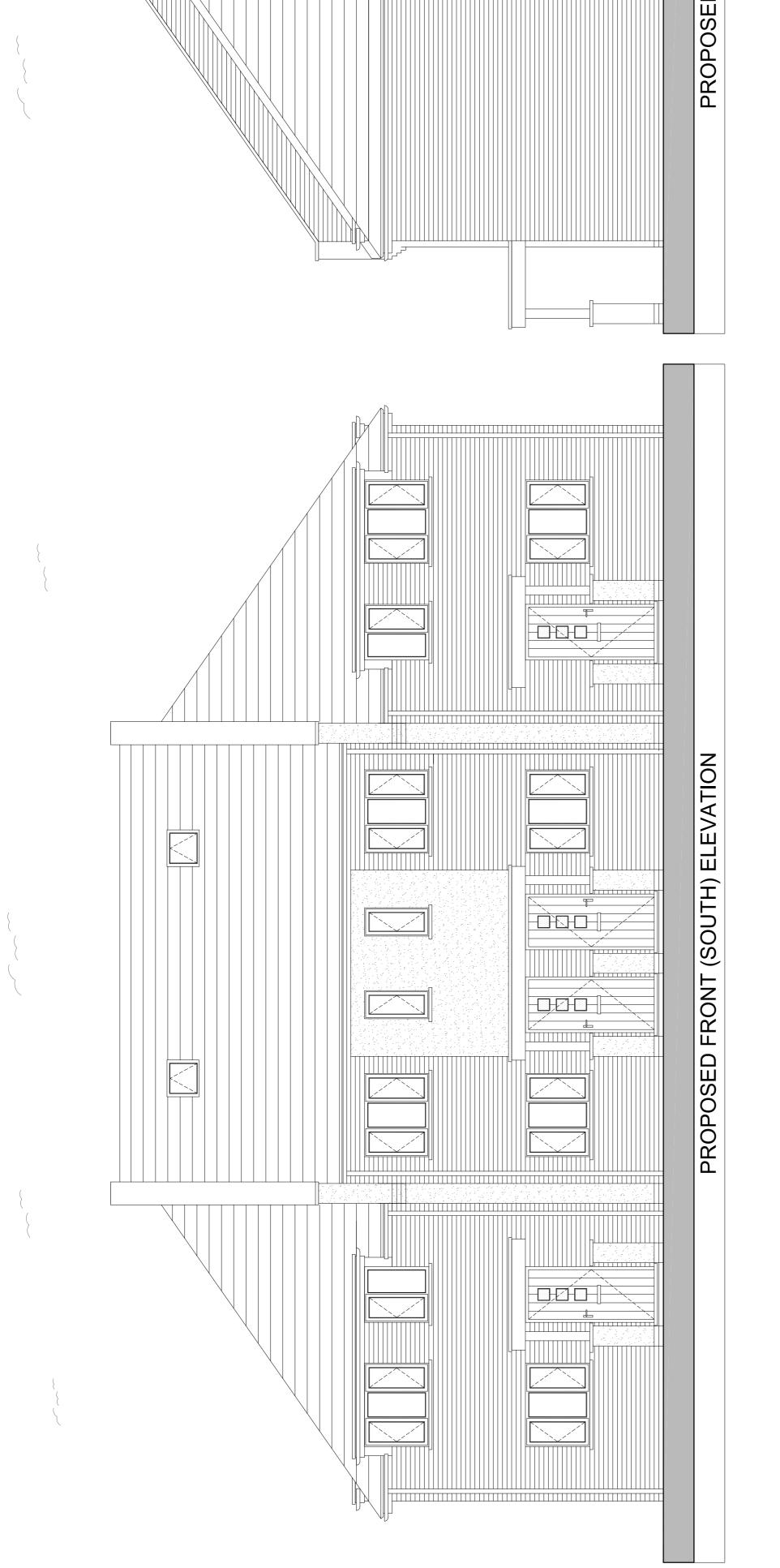


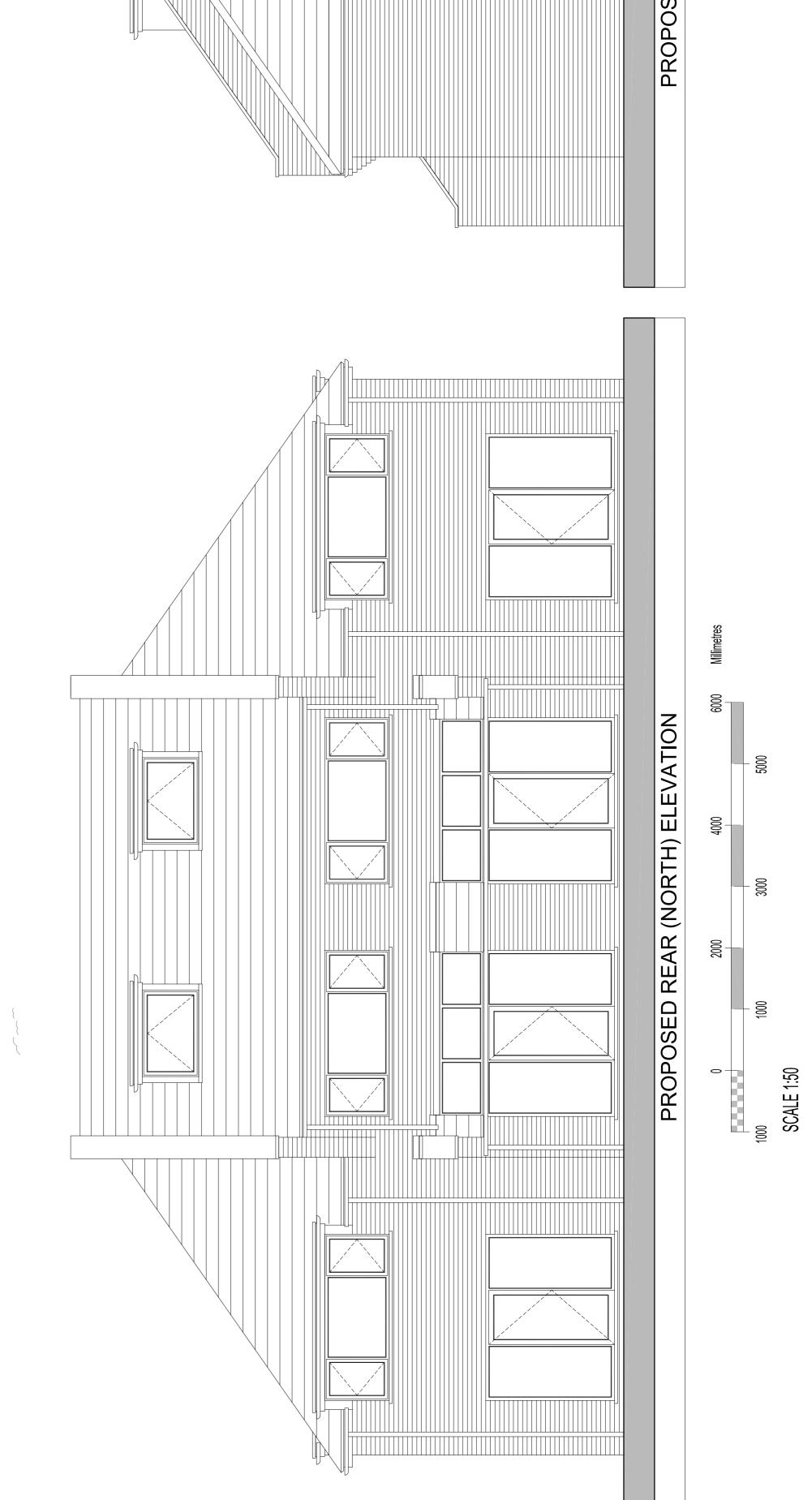
Ś
Ŭ
5
Ž
_
σ
Ü
÷
Ē
č
Ì

This drawing has been produced for the purposes of obtaining planning consent only, therefore it should not be relied on for setting out. All site boundary locations, plan dimensions, & height levels are to be checked and verified on site prior to any construction works. Any discrepancies between the drawing and site conditions are to be reported to the client immediately.

	E : 29.10.12 : D : 28.10.12 : C : 19.09.12 : B : 03.09.12 : A : 18.07.12 :	Amendments to LPA requirements. Amendments to LPA requirements. Amendments to LPA requirements. Amendments to LPA requirements. Site address amended.
	Client: STEVE FRADLEY	LEY
	Project: NEW DWELLI OATSHEAF P 70 WEST ENI	Project: NEW DWELLINGS ON LAND @ OATSHEAF PUBLIC HOUSE, 70 WEST END, WHITTLESEY
	Drawing Title: PROPOSED ELEVATIONS	
	Drawing No: P-LE-01_E	Date: JUNE 2012
	Scale @ A1: 1:50	Scale @ A3: 1:100
	NOTE: DO NOT SCALE OF SHOWN. ALL DIMENSIONS	NOTE: DO NOT SCALE OFF THIS DRAWING. USE ONLY DIMENSIONS SHOWN. ALL DIMENSIONS TO BE CHECKED ON SITE. IF IN DOUBT ASK.
T	delegate	te design
0	domestic	architecture

83 Four Chimneys Crescent, Hampton Vale, Peterborough PE7 8JF m. 07946 845537 | e. leon@delegatedesign.co.uk





Building Regulation Drawing



Condition 2 details

Matching tile hanging on timber frame



carry out all drain testing in accordance with Building Control requirements.

door types to be chosen by client.

all rainwater goods to be OSMA Square section

FRONT ELEVATION

grey coloured contrasting facing bricks to match as closely as possible the artificial stone copings

SIDE ELEVATION (EAST)

choice of windows to be agreed with client all windows are to be double glazed - to BS 5713 (25mm air gap in all cases with argon gas) use soft low E glass throughout - max 'u' value 2.0 provide background ventilators to all habitable rooms - use trickle ventilators to windows to achieve a total area of not less than 8000 sq mm per room.

patio doors are to be fitted with louvre vents to give not less than 10,000 sqmm

Client : Stephen Fradley Date December 2012 Scale 1 to 100

Drawing No JDA/2012/125/WD.003B Rev A Feb 2013 Rendered panel introduced to front elevation following comments from the LPA Case Officer **Rear dormer glazing amended following** LPA comments

> porch canopy structures to be formed with 100 x 50mm SC4 grade joists at 400mm centres. 25mm Marine Ply decking on firring pieces laid to fall to guttering. Soffit to be formed in white PVCU T & G boarding with recessed lighting. The 150 x 150mm timber posts are to be fixed into the brickwork piers with galvanised steel 'shoes' bolted into the brickwork. The header beams that support the joists between the posts are to be 2no 100 x 50mm timber sections bolted together at 400mm centres with 12mm MS bolts with double sided toothed plate connectors and 50mm diameter plate washers. Connect to posts with stainless steel or galvanised steel framing anchors. White PVCU fascia boards.

windows to all rooms are to provide at least 5% floor area ventilation.

Additional Notes: This drawing harm been produced for the purpases of relation planting planting planting planting planting planting relation of no setting out, therefore it should not related and the production state planting planting relation state planting planting planting planting planting planting planting planting planting planting planting proposition is are blanting planting planting planting relation in the production of the planting planting planting planting planting planting planting planting planting planting planting planting plan
--

