

**Application Number: FYR13/0183/F**

**Minor**

**Parish/Ward: Tydd St Giles Parish Council**

**Date Received: 15 March 2013**

**Expiry Date: 10 May 2013**

**Applicant: Mr & Mrs D Moore**

**Agent: Mr M Williams, Anfoss (Builders) Ltd**

**Proposal: Erection of 3 x 3-bed 2-storey dwellings with garages.**

**Location: Land North of Windy Willows, Church Lane, Tydd St Giles.**

**Site Area: 0.33 ha/**

**Density: 9 dwellings/ha**

**Reason before Committee:** This proposal is before the Planning Committee due to the application being called in by Councillor Michael Humphrey, to ensure consistency of decision making due to the fact that a larger scheme at this location was refused by the planning committee and this smaller scheme attempts to address the concerns members had at that time.

## 1. EXECUTIVE SUMMARY/RECOMMENDATION

The current application is a revision of a scheme for 4 dwellings that was refused permission by the Planning Committee in November 2012 (F/YR12/0657/F).

This application seeks full planning permission to erect 3 x 3-bed 2-storey dwellings with attached single garages on an enclosed field, and is located on the west side of Church Lane. The site lies to the north of an existing dwelling, within an isolated group of houses and bungalows in the open countryside, approximately 130 metres from Tydd St Giles village.

The revised proposal is still not considered to be a sustainable location for residential development and accordingly is contrary to Policy H3 of the Fenland District Wide Local Plan and Policy CS10 of the emerging Core Strategy.

Notwithstanding the principle issues, even though the scheme has been reduced to 3 dwellings, the overall design and layout of the proposal is still considered to introduce a very dense and suburban building style, into this countryside location. In addition introducing a very incongruous building form and layout into the locality. It is considered that this is strongly out of character with the immediate surroundings resulting in a development of poor design quality.

In addition, it would result in the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside. It would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity, causing serious harm to the character and appearance of the locality

Consequently the proposal is in conflict with Policies H3, H16 and E8 of the Fenland District Wide Local Plan and Policies CS1, CS3 & CS16 of the draft Fenland Core Strategy – Submission Version (Feb 2013).

## 2. HISTORY

- 2.1 F/YR12/0657/F                      Erection of 4x 3-bed detached 2-storey dwellings                      Refused 19.11.2012

## 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 17 (5): Recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities.

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

Paragraph 55: In rural areas, housing should be located where it will enhance or maintain the vitality of rural settlements.

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

CS12: Rural Areas Development Policy

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

H16: Agricultural Dwellings

E8: Landscape and amenity protection

TR3: Car Parking

## 4. CONSULTATIONS

- 4.1 **Parish/Town Council**                      Concerns - access at this point is extremely dangerous (Black Spot) – Chalet style dwelling would be more in keeping with the area

4.2 **FDC Scientific Officer**

Please attach the contaminated land condition to this application, due to the more sensitive use of the land.

4.3 **Cambs CC Highways**

Awaited

4.4 **North Level Commissioners**

No objection in principle – Land drainage Consent to alter the watercourse will be required to create the new access.

4.5 **Local Residents:**

32 letters of representation received.

26 letters of objection raising the following concerns:

- site is on agricultural land outside of accepted development envelope of village – no agricultural justification to build on it
- unsustainable location
- conflict with FDC development plan policies
- access is dangerous
- will increase traffic close to school
- lots of other building sites in village still for sale
- site may contain medieval remains
- plans for proposed buildings not in keeping with village – chalet style houses more in keeping with city development not a village location
- buildings around site are all bungalows
- Tydd St Giles is unique and with a settlement pattern that needs to be preserved – will be harmed by proposed development
- area contains single storey dwellings
- lack of amenities in village
- no pavement to the school or village
- no material differences between this and previously refused applications

6 letters of support on the following grounds:

- development would enhance the character and appearance of the area as well as contributing to the sustainability and vitality of village
- preferable to develop houses along roads with open views to the rear
- need for family houses in village to ensure continued support for school
- village needs to progress
- need mix of houses for families and affordable to help young people get on the property ladder.

## 5. SITE DESCRIPTION

- 5.1 The application site comprises an enclosed field, which is located on the west side of Church Lane. The site lies to the north of an existing dwelling (Windy Willows) within an isolated group of houses and bungalows in the open countryside, approximately 130 metres from the edge of Tydd St Giles village.

The field is currently vacant although it is likely to have been grazed previously. There is a wooden stable building immediately to the west within another field that is being grazed, which is also owned by the applicant. There is a 1.0m high post and rail fence along the southern and western site boundaries. The northern site boundary comprises a mixed thorn hedge. The front (eastern) boundary is marked by a conifer hedge. The site is fairly level.

There is an existing single-track access into the site off Church Lane, across a small ditch that runs alongside the carriageway.

The site lies within Flood Zone 3.

Church Lane is classified as a Class B highway (B1165).

The site area measures 0.33 hectares.

## 6. PLANNING ASSESSMENT

### 6.1 Background

A housing scheme on this site for 4 dwellings was refused permission by the Planning Committee in November 2012 (F/YR12/0657/F), for the following reasons:

- 1. The proposed development is located in an unsustainable location in the open countryside where residential development is not normally supported unless justified. Development in this location would also harm the distinctive character of the locality as a result of the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside, and would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity.*

*The proposal is therefore considered to be contrary to Policies H3, H16 and E8 of the Fenland District Wide Local Plan and Policies CS1, CS10 and CS14 of the draft Fenland Core Strategy (July 2012).*

- 2. The design and layout of the proposal is considered to introduce a very dense and suburban building style, into this countryside location. The proposal will also contribute to the introduction of a very incongruous building form and layout into the locality, and it is considered that this is strongly out of character with the immediate surroundings resulting in a development of poor design quality.*

*The proposal is therefore considered to be contrary to Policies H3, and E8 of the Fenland District Wide Local Plan and Policy CS14 of the draft Fenland Core Strategy (July 2012).*

The current application seeks full planning permission to erect 3 x 3-bed 2-storey dwellings with garages on an enclosed field located on the west side of Church Lane, and attempts to overcome the above reasons for refusal.

The site lies to the north of an existing dwelling, within an isolated group of houses and bungalows in the open countryside, approximately 130 metres from Tydd St Giles village.

The main features of the proposal are as follows:

- The site is accessed via two new accesses off Church Lane, which will result in two breaks in the hedgerow.
- The site layout has been designed with a service road running alongside the frontage hedge and the 3 dwellings sited to step away from the road resulting in each dwelling being set back behind its neighbour to the north. Each dwelling has a large rear garden – between 16 and 40m in depth.
- The two end dwellings have been designed in a ‘chalet-style’ bungalow style with rooms in the roof space and a ‘rectangular-shaped’ floor plan. Plot 1 has a single-storey garage projection to the front. Plot 3 has a detached single garage. The first floor rooms in the roofspace are lit by rooflights in the front elevation and dormer windows at the rear. Both dwellings measure 2.3m in height to the eaves on the main part of the building and 7.0m to the ridge.
- Plot 2 is a larger dwelling with an ‘L-shaped’ floor plan and is sited between the two other dwellings. It has a hipped roof style and again has rooflights in the front elevation at first floor level and dormer windows at the rear. To the rear of Plot 2, a double garage (with one space open) is proposed to be sited
- A combination of brick and wood cladding is proposed to be used on the proposed houses and garages, with interlocking pantiles on the roofs.

The application is considered to raise the following key issues;

- Principle and policy implications
- Character and density
- Amenity
- Access
- Flood risk

## **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. Policy H16 restricts development in the open countryside unless associated with agriculture, horticulture or forestry

The emerging Fenland Core Strategy – Further Consultation Draft (February 2013), seeks to concentrate new housing development in the most sustainable locations principally in the main market towns, to a lesser extent in the growth villages and very limited amounts in either Limited Growth Villages or Small Villages.

Policy CS3 continues the policy approach set out in Policy H3 and seeks to restrict development that falls outside of the above locations, unless it is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation etc.

The site is located around 130 metres from the nearest part of the built-up limits of Tydd St Giles, which is identified as a small village in Policy CS3 – where new development will normally be of a very limited nature and limited in scale to residential infilling.

It is considered that notwithstanding the presence of other dwellings in the locality, the site has no real linkage or connection with the 'developed footprint' of the village - there is no public footway outside of the site and an open field and drain separates the site from the nearest part of the village). Therefore the site has to be considered as being located in the open countryside

Policy CS4 deals with criteria for assessing housing development proposals. In the case of development in and around villages, it requires proposals to be considered against criteria in Policy CS12.

Policy CS12 sets out detailed criteria for the assessment of new housing proposals in and around 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 CS3, as well as all of the criteria set out in Policy CS12.

Given the existing character of the site – comprising an area of open land partly located next to some sporadic housing development along parts of Church Lane- it is not considered to be located in or adjacent to the existing developed footprint of the village.

Instead the proposal is considered to have an adverse impact on the existing open character and appearance of adjoining countryside. (Criteria (a) and (c)).

Of particular importance is Criteria (d) of Policy CS12 which requires that any 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. The village core of Tydd St Giles is centred on the four roads which form a square around a central area of open agricultural land, with limited ribbon development extending along Church Lane and

It is also important to re-iterate that there is no footpath on either side of Church Lane. Therefore pedestrians would have to walk some distance on grass verges to access the village facilities. This reinforces concerns about the sustainability of the location of this site.

As the site is therefore considered to comprise an important open gap site within the more sporadic residential development around it, its development is not in keeping with the core shape and form of the settlement, and it thus fails to comply with Criteria (d).

In addition, the proposal would also extend existing sporadic housing development further along Church Lane and could also result in further coalescence of isolated development outside of the developed footprint of the village, and this fails to comply with Criteria (e).

The principle of developing this site is therefore considered unacceptable as it does not respect the prevailing character and form of the village.

There are no concerns about satisfying the other criteria in Policy CS12 as it; respects existing trees and boundaries, respects any possible ecology and archaeology on the site, and can be acceptably served in terms of necessary infrastructure (access, drainage etc).

For these reasons the proposal is not considered to respect the existing form and character of the village. The principle of developing the site is therefore unacceptable and is contrary to guidance contained in Policies H3, H16 & E8 of the saved Fenland Local Plan (1993) and Policies CS3 & CS12 of the emerging Fenland Core Strategy (2013).

### 6.3 ***Character and Design.***

As discussed above, the site lies within an isolated group of properties in the open countryside.

The reduction in numbers from 4 to 3 and the re-planning of the layout has addressed the very worst design and layout features of the previously refused scheme.

However, the overall design and layout of the current proposal is still considered to introduce a more dense and suburban building style, into this countryside location. Features including; the siting of the dwellings stepping back from the road, their fairly close proximity to one another, and the building style which does not reflect this rural setting, all contribute to the introduction of a very incongruous building form and layout into the locality. It is considered that this building form and layout is strongly out of character with the immediate surroundings and would result in a development of poor design quality.

In addition, it would also result in the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside. It would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity, causing serious harm to the character and appearance of the locality.

The proposal is therefore considered to be harmful to the character and appearance of the locality and thus contrary to Policies H3, E8 & CS16.

### 6.4 ***Amenity***

The proposed dwellings are sited some distance from nearby dwellings (including Windy Willows to the south). Therefore there are no amenity issues of concern identified in the proposal.

## 6.5 **Access**

The site is accessed via two new accesses off Church Lane at each end of the site, leading onto a private driveway serving each dwelling. There is satisfactory room within each plot for vehicles to park and turn.

The consultation comments of Cambs CC Highways are awaited and will be reported verbally at your meeting.

## 6.6 **Flood Risk**

The site lies within Flood Zone 3.

A Flood Risk Assessment has been submitted. This concluded that the proposed development is not in the functional flood plain and is protected by existing tidal defences. It also recommends that floor levels be raised to 300mm above the existing Church Lane carriageway level.

The consultation comments of the Environment Agency are awaited and will be reported verbally at your meeting.

## 7. **CONCLUSION**

### 7.1 ***Conclusion.***

This site is not considered to be an appropriate location for residential development being in the open countryside and some distance from the nearest sustainable settlement (Tydd St Giles village).

The overall design and layout of the proposal is considered to introduce a very dense and suburban building style, into this countryside location. The proposal will also contribute to the introduction of a very incongruous building form and layout into the locality, and it is considered that this is strongly out of character with the immediate surroundings resulting in a development of poor design quality.

In addition, it would result in the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside. It would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity, causing serious harm to the character and appearance of the locality

Consequently the proposal is in conflict with Policies H3, H16 and E8 of the Fenland District Wide Development Plan and Policies CS3, CS12 & CS16 of the Fenland Core Strategy – Submission Version (Feb 2013).



## **8. RECOMMENDATION**

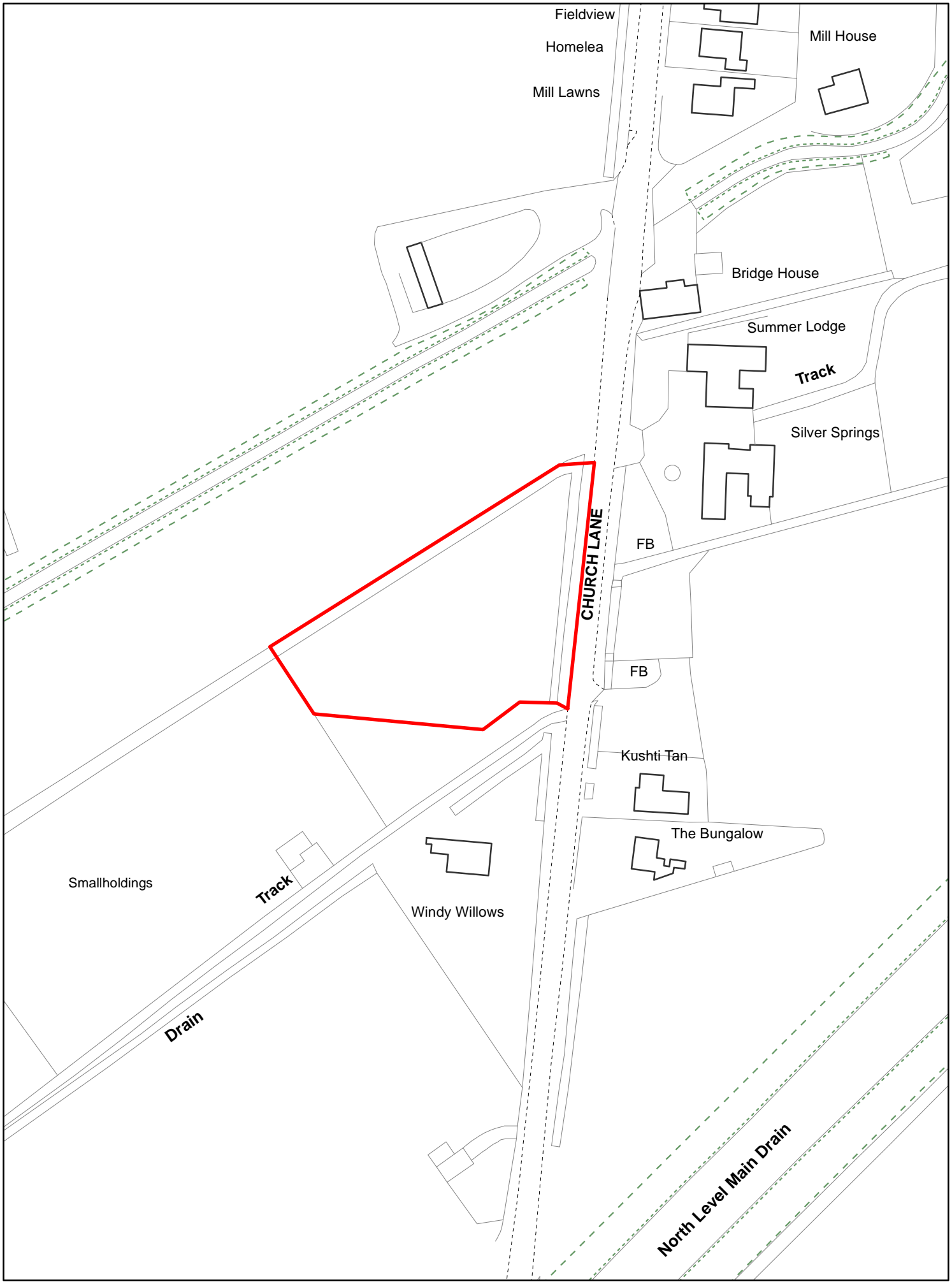
**Refuse for the following reasons:**

- 1. The proposed development is located in an unsustainable location in the open countryside where residential development is not normally supported unless justified. Development in this location would also harm the distinctive character of the locality as a result of the introduction of another element of built form in what is generally a loose knit collection of buildings in the open countryside, and would thus begin to change the fairly open and fragmented nature of development in the immediate vicinity.**

**The proposal is therefore considered to be contrary to Policies H3, H16 and E8 of the Fenland District Wide Local Plan and Policies CS3, CS12 and CS16 of the Fenland Core Strategy – Submission Version (Feb 2013).**

- 2. The design and layout of the proposal is considered to introduce a very dense and suburban building style, into this countryside location. The proposal will also contribute to the introduction of a very incongruous building form and layout into the locality, and it is considered that this is strongly out of character with the immediate surroundings resulting in a development of poor design quality.**

**The proposal is therefore considered to be contrary to Policies H3, and E8 of the Fenland District Wide Local Plan and Policy CS16 of the Fenland Core Strategy – Submission Version (Feb 2013).**



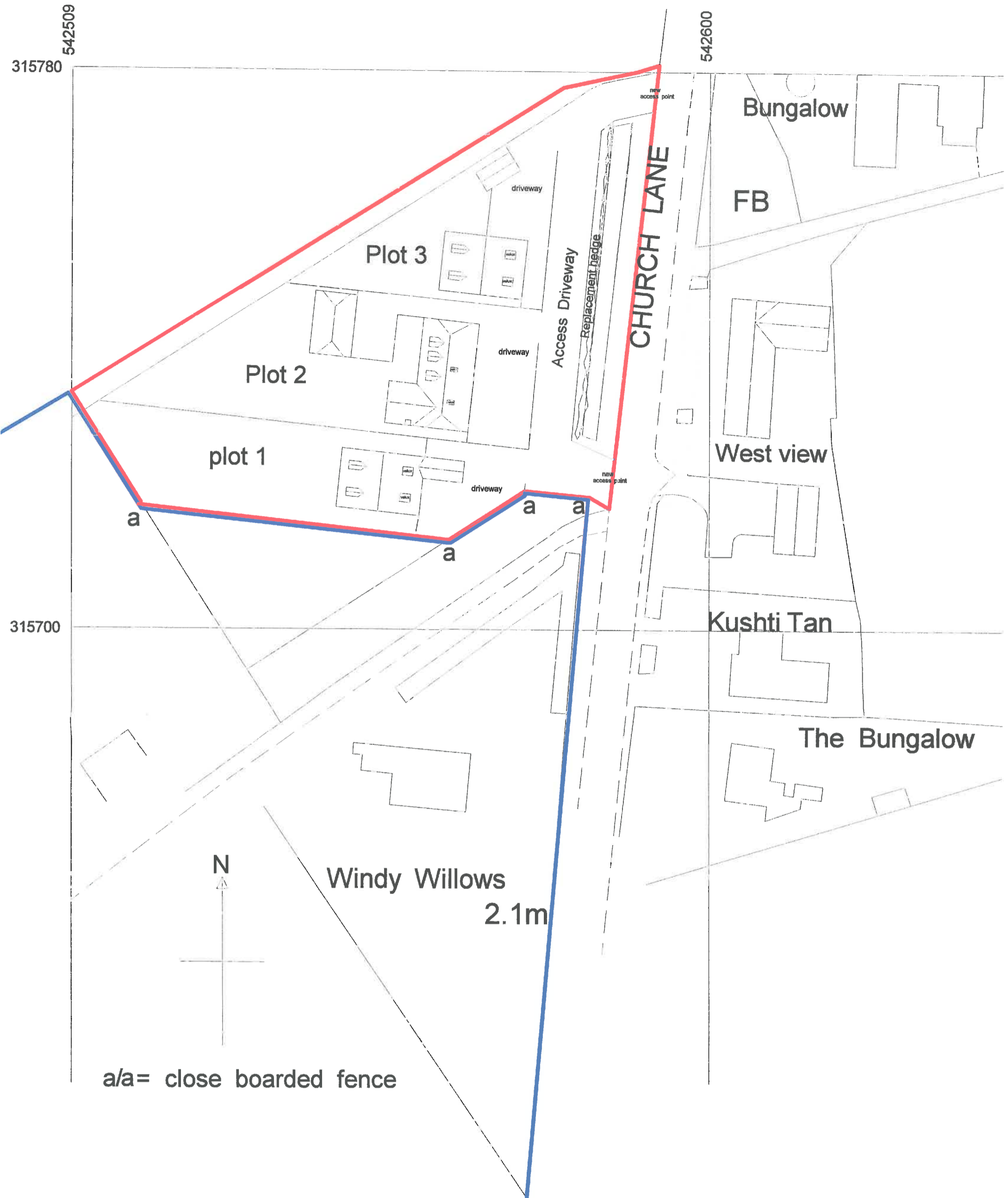
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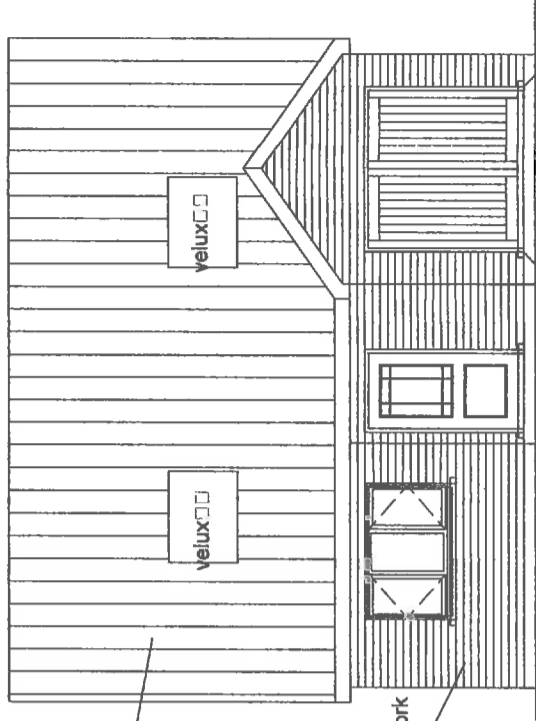


<p><b>Site Plan</b> <b>Scale 1:500</b></p>	<p>Proposed chalets north of Windy Willows, Church Lane, Tydd St Giles, Wisbech PE13 5LG For Mr &amp; Mrs Moore</p>	<p>Plans by AAB (Anfoss Ltd) Builders 87 Leverington Common, Leverington, Wisbech, Cambs, PE13 5Bh Feb 2013 second app Planning 1/a</p>
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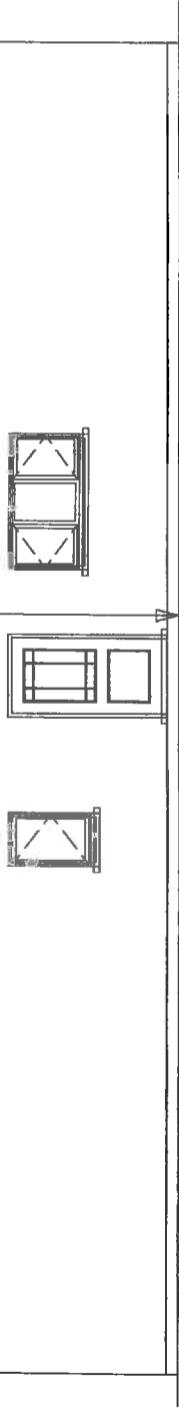
ground to top of ridge

Interlocking concrete tiles

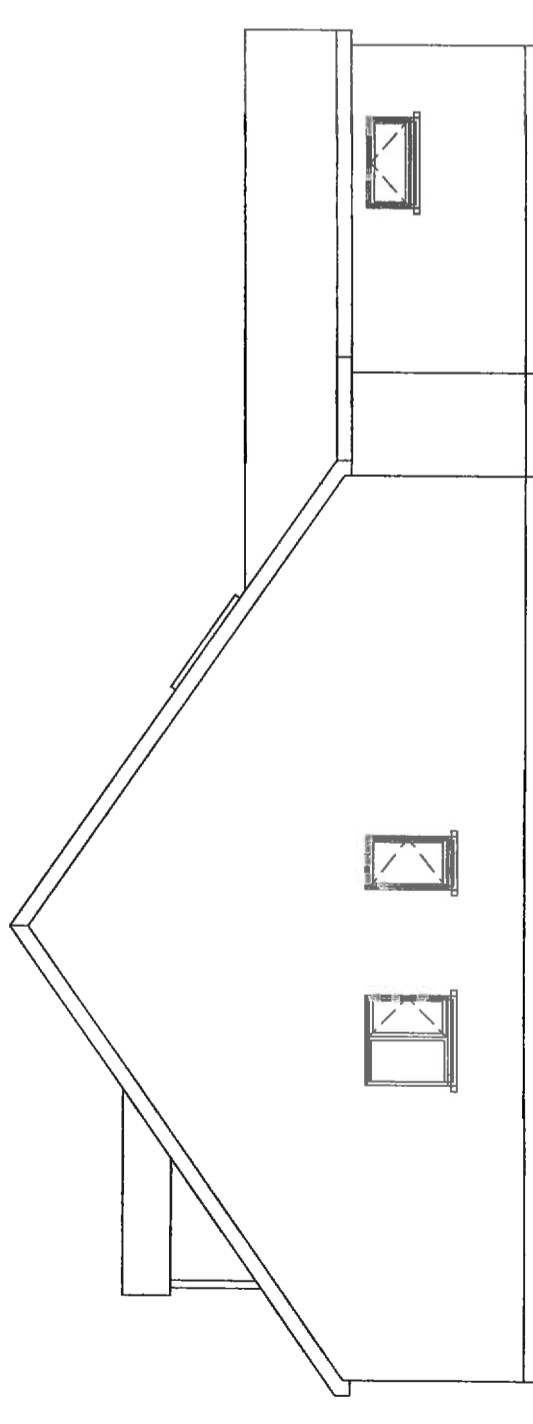
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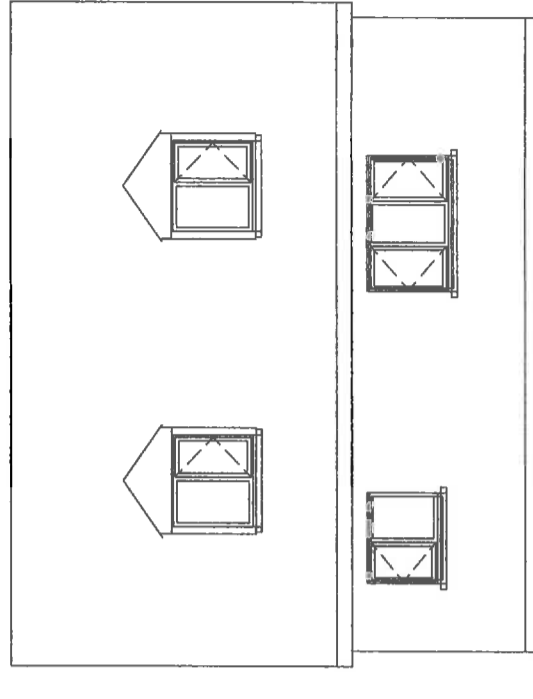
Elevation Front



Elevation Side



Elevation Side



Elevation Rear

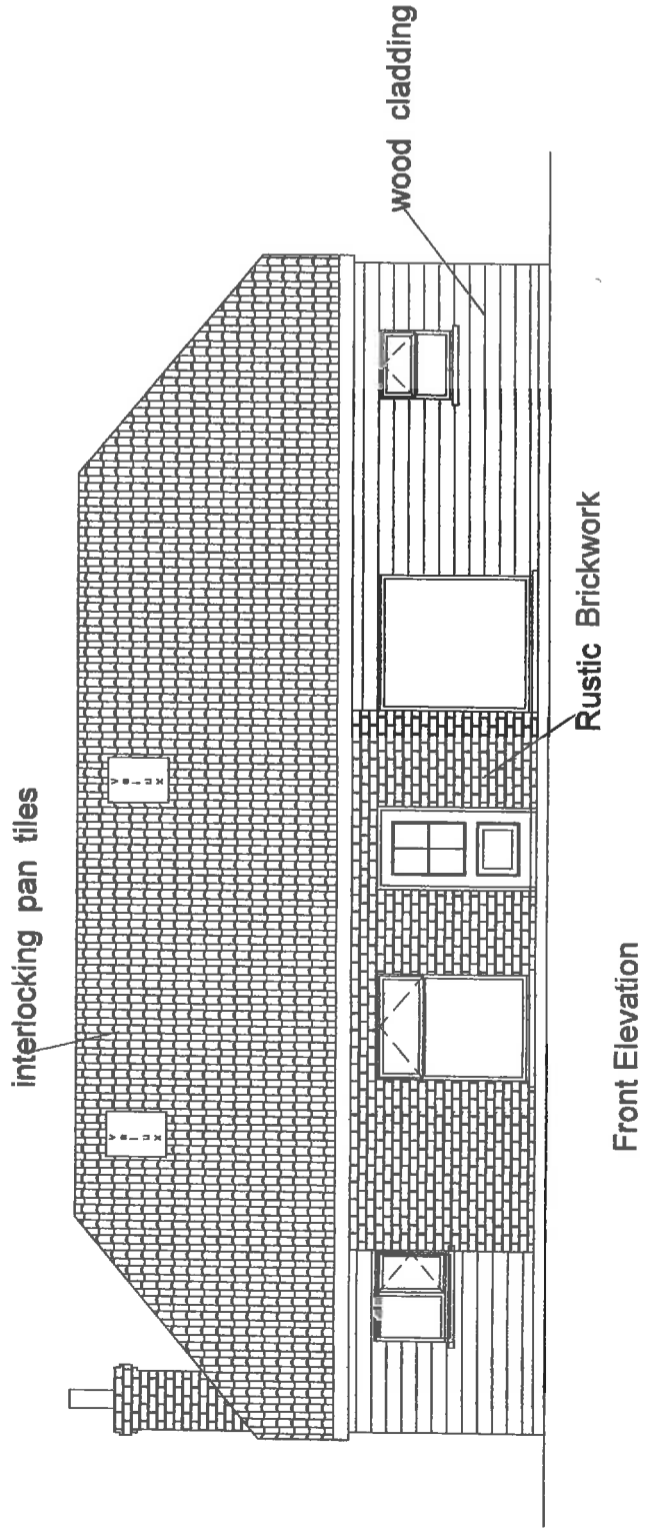
Proposed chalet Plot 1  
 Land north of  
 Windy Willows,  
 Church Lane, Tydd St Giles,  
 Wisbech PE13 5LG  
 for  
 Mr & Mrs Moore

Plans by  
 AAB Anfoss (Builders) Ltd.  
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 Leverington, Wisbech,  
 PE13 5BH  
 Tel 01945 466266 or 07836246446  
 email [building55@live.co.uk](mailto:building55@live.co.uk)

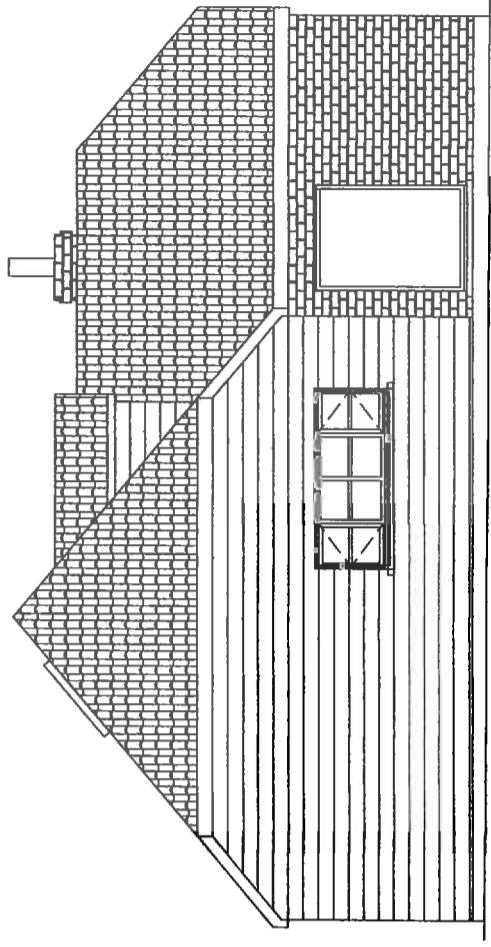
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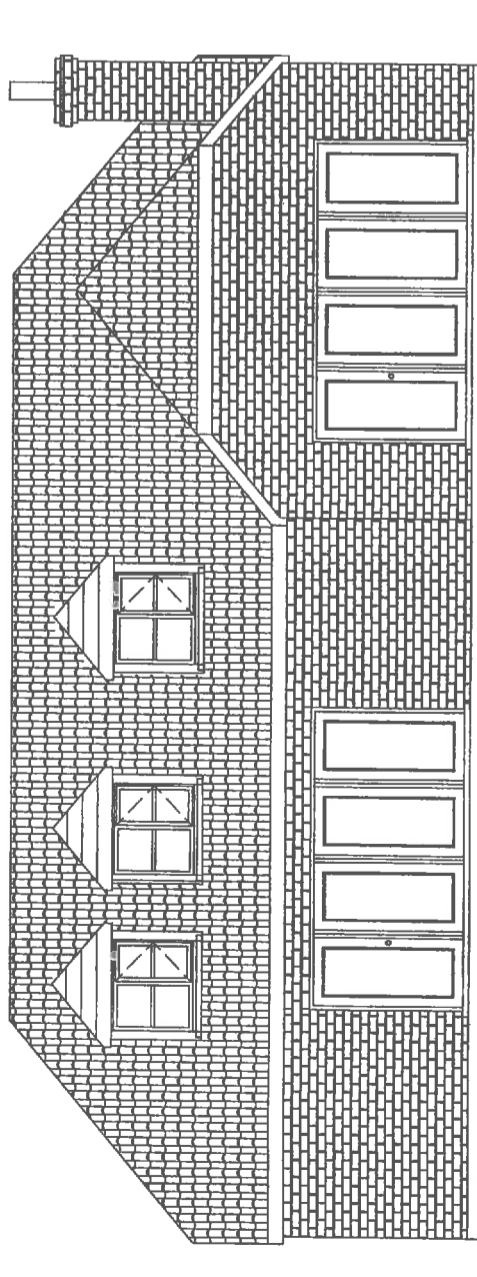
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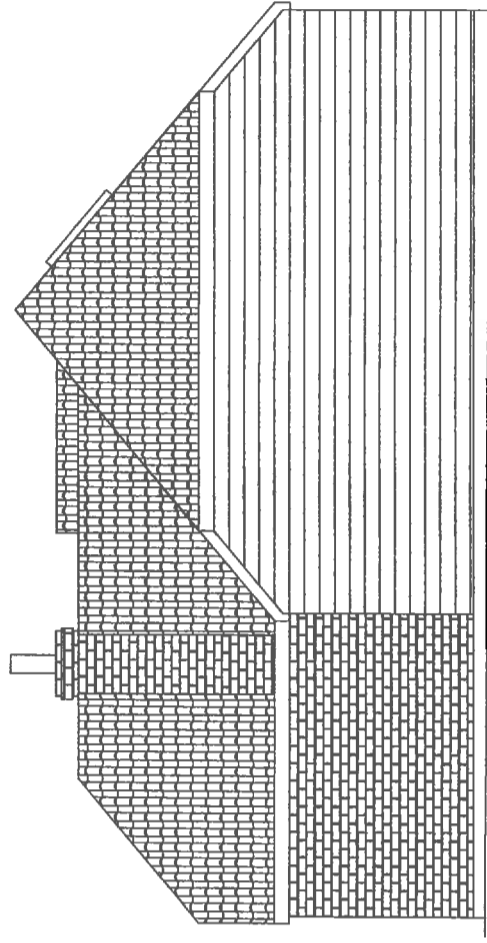
Front Elevation



Side Elevation



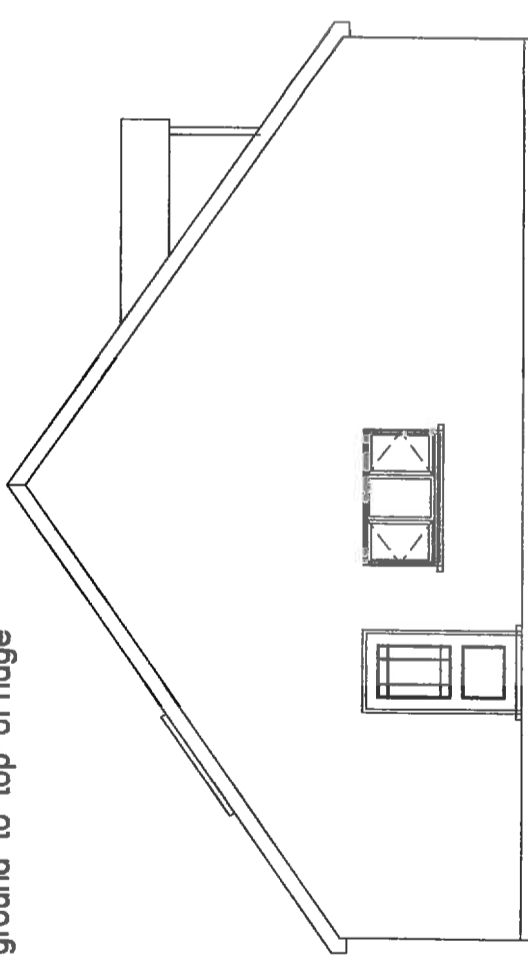
Rear Elevation



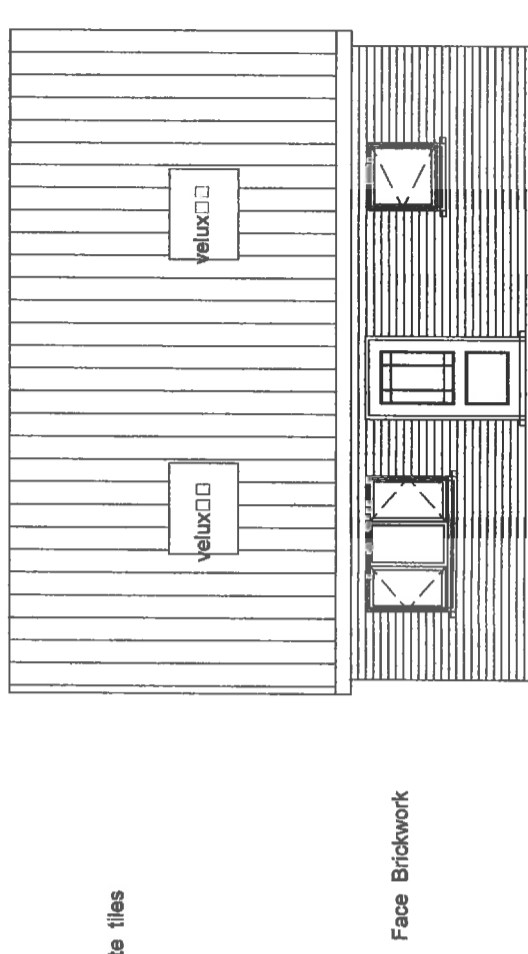
Side Elevation

<p>Proposed Middle Plot Land north of Windy Willows, Church Lane, Tydd St Giles, Wisbech, PE13 5LG for Mr &amp; Mrs Moore</p>	<p>Plans by Anfoss (Builders) Ltd., 87, Leverington Common, Leverington, Wisbech, PE13 5BH Tel 01945 466266 or 07836 246446 email building55@live.co.uk</p>
<p>Scale 1:100 Do not scale from drawing</p>	<p>Feb 2013 second app Planning 1/a</p>

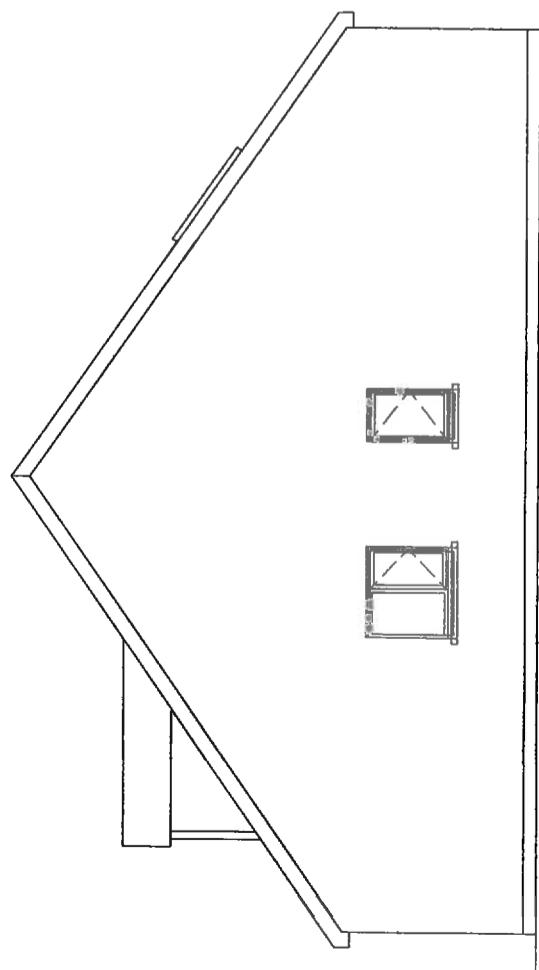
ground to top of ridge



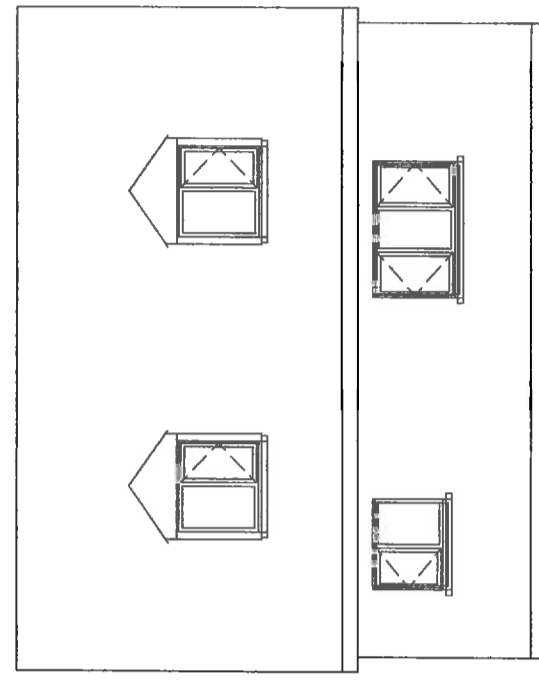
Side Elevation



Elevation Front



Elevation Side



Elevation Rear

Proposed chalet Plot 3  
 Land north of  
 Windy Willows,  
 Church Lane, Tydd St Giles,  
 Wisbech PE13 5LG  
 for  
 Mr & Mrs Moore

Plans by  
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Scale 1:100  
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Feb 2013 second appPlanning 1/a