

Application Number: F/YR13/0267/F
Minor
Parish/Ward: Whittlesey Town Council
Date Received: 23 April 2013
Expiry Date: 18 June 2013
Applicant: Mr J Klimczuk
Agent: Mr L Delegate – Delegate Design

Proposal: Erection of a 2-storey 3-bed dwelling with attached garage
Location: Land North of 60 Stonald Road, Whittlesey

Site Area/Density: 0.02 ha

Reason before Committee: Member call in by Cllr G Swan who feels that all aspects of this new submitted plan would be in keeping with the character of the surrounding area and that the proposal will provide additional much needed housing as detailed in the core strategy.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a 2-storey 3-bed dwelling with attached garage at Land North of 60 Stonald Road, Whittlesey.

The site is located in the rear garden of the existing dwelling at 60 Stonald Road, Whittlesey, fronting Northgate Close.

The key issues to consider with regards to this application include –

- Policy Considerations;
- Form, Character, Layout and Impact on Amenity/Living Conditions
- Access and Parking.

There is an extensive history of planning applications on this site. Notwithstanding, these applications, the policy situation has changed since some of the previous decisions with the National Planning Policy Framework (NPPF) being published and replacing PPS3. Therefore, this application has been assessed under the NPPF and existing and emerging Local Planning Policies.

Most recently a very similar application (F/YR12/0780/F) for a 2-storey 3-bed dwelling with attached garage was refused in December 2012. This application attempts to overcome the previous refusal reasons.

Whilst, it is considered that the proposed plans have sufficiently addressed the issue of overlooking to the immediate private amenity areas of properties along Stonald Road, it is considered that the proposed development would represent an inappropriate and cramped form of development, which will be harmful to the character of the surrounding area. As a result, the proposal is considered to be contrary to Policy E8 of the existing Fenland District Wide Local Plan (1993), Policy CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013), and Paragraph 56 of the NPPF which attaches great importance to the design of the built environment and making places better for people.

In addition, the proposed parking provision and garage size would not result in a satisfactory and workable parking arrangement, contrary to Policy E8 and Appendix 2 'Car Parking Standards' of the Fenland District Wide Local Plan (1993), Policy CS15 (Part C) and Appendix A 'Parking Standards' of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

As a result this application is, therefore, recommended for refusal.

2. HISTORY

Of relevance to this proposal is:

- 2.1
- F/YR12/0780/F – Erection of a 2-storey 3-bed dwelling with attached garage – Refused (05/12/2012);
 - F/YR11/0627/F – Erection of 2 x 2-storey 2-bed dwellings – Refused (19/10/11);
 - F/YR09/0767/F - Erection of 2 x 2-bed semi-detached houses with associated parking – Refused (19/01/2010);
 - F/YR09/0133/F - Erection of 2 x 2-bed semi-detached houses – Refused (15/04/09);
 - F/YR08/0047/F – Erection of 2 x 2-bed semi-detached houses – Refused (10/03/08);
 - F/YR05/1436/O – Erection of a dwelling with integral garage – Refused (04/04/06) - ***Allowed on Appeal on 01.02.07***

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 Emerging Fenland Core Strategy:

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS15: Development Schemes and Parking Requirements (Part C)

CS16: High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E8: Landscape and Amenity Protection

TR3: Parking

4. CONSULTATIONS

4.1 Town Council

Note the revisions, however recommend refusal of this application due to over intensification of the site, layout of proposed

property on site, parking issues, not in keeping with the streetscene. Road traffic issues, with exit and entrance onto site, this is also garden grabbing.

4.2 **North Level IDB**

No response at time of report

4.4 **FDC Contaminated Land Officer**

No response at time of report

4.7 **Local Residents/Interested Parties**

Consultation period has yet to expire and a full update will be provided to members at the Planning Committee meeting.

However at the time of writing 2 letters of objection have been received with concerns including;

- increase in vehicle movements;
- traffic congestion
- highway safety;
- street is at its capacity;
- turning point is blocked with cars, delivery vans turn in private drives;
- out of keeping with area;
- detrimental to neighbours.

5. **SITE DESCRIPTION**

- 5.1 The site is situated within Flood Zone 1 and comprises part of the rear garden of no. 60 Stonald Road, Whittlesey. The site has a frontage to Northgate Close, a small unclassified cul-de-sac which suffers from on-street parking and mainly comprises semi-detached dwellings set back from the street with medium sized gardens that provide a mixture of parking and soft landscaping. To the south, east and west of the site are the rear gardens of properties fronting Stonald Road.

6. **PLANNING ASSESSMENT**

6.1 **Site History**

This site has an extensive history of planning applications and appeals. Most recently a very similar application (F/YR12/0780/F) for a 2-storey 3-bed dwelling with attached garage was refused in December 2012. The previous refusal reasons were as follows;

1. The proposed development would result in an inappropriate and cramped form of development, which would be out of keeping with the character of the surrounding area, contrary to the National Planning Policy Framework, ENV7 of the East of England Plan, CS14 of the emerging Fenland Communities Development Plan and E8 of the Fenland District Wide Local Plan.

2. The proposed development would result in an unacceptable level of overlooking to the private amenity areas of properties along Stonald Road and would be contrary to the National Planning Policy Framework, ENV7 of the East of England Plan, CS14 of the emerging Fenland Communities Development Plan and E8 of the Fenland District Wide Local Plan.

This application attempts to overcome these concerns.

In addition to the most recent refused application, it should be noted that the site has an extensive planning history including;

- 4 previous refusals for 2 dwelling schemes (one in 2008, two in 2009, and one in 2011), all cases were dismissed on appeal.

- There was an outline consent (F/YR05/1436/O) for the erection of one dwelling which was allowed on appeal (2007) following Members refusal.

This application seeks full planning permission for the erection of a 2-storey 3-bed dwelling with attached garage.

6.2 Policy Considerations

The principle of building on this piece of land, therefore, was established under PPS3 and in light of policy direction at the time the principle of developing this garden land was granted on appeal.

However, since the previous applications were made the National Planning Policy Framework has been published. The NPPF excludes residential gardens from the definition of previously developed land which was the case under PPS3 (Planning Policy Statement 3). However, whilst land that might previously have fallen within this category is no longer a priority for development, neither the NPPF nor local policies preclude applications affecting garden land from being considered on their own particular merit. Therefore, it is necessary to assess how the proposal now fits with policy at the current time.

The National Planning Policy Framework attaches great importance to the design of the built environment, and Paragraph 9 of the NPPF outlines that pursuing sustainable development involves seeking positive improvements in the quality of the built environment. The 'Core Planning' principle of 'always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings' is outlined in Paragraph 17 of the NPPF.

Furthermore, in light of Paragraph 53 of the NPPF, consideration should be given to whether the proposal would cause harm to the local area. This paragraph also points out that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens.

Local Policies such as Policy E8 of the existing Fenland District Wide Local Plan (1993) and Policy CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) seek to ensure that when considering proposal for new development issues including the scale, style, character, appearance, amenity and access and parking are taken into consideration.

The site is located within the existing settlement and, therefore, the location is considered sustainable notwithstanding any other material planning considerations including character, appearance, layout, design and impact on amenity.

6.3 Form, Character, Layout and Impact on Amenity/Living Conditions

The site comprises part of the rear garden of no. 60 Stonald Road, Whittlesey. The site has a frontage to Northgate Close, a small cul-de-sac which suffers from on-street parking and mainly comprises semi-detached dwellings set back from

the street with medium sized gardens that provide a mixture of parking and soft landscaping. To the south, east and west of the site are the rear gardens of properties fronting Stonald Road.

In comparison to the most recent refused scheme (F/YR12/0780/F) the following alterations have been made to this current application in an attempt to overcome the reasons for refusal;

- Removal of the garden room (single storey rear projection);
- The overall footprint of the property has been slightly reduced to provide greater distances between the house and the eastern boundary;
- The first floor rear window on the previous application has been repositioned on the east (side) elevation to avoid overlooking of the rear gardens of properties fronting Stonald Road. The revised window now overlooks a garage/outbuilding and the area of the rear garden furthest and least used by the occupants of Stonald Road properties;
- Some minor internal alterations.

The requirement to reposition the first floor rear window on the side (east) elevation (with only the provision of obscure glazed bathrooms window at first floor level on the rear elevation), in itself highlights the constrained nature of the site. However, it is considered that the proposed plans have sufficiently addressed the issue of overlooking to the immediate private amenity areas of properties along Stonald Road.

Notwithstanding this it is considered that the proposed development would still create the appearance of a cramped form of development that would not be in keeping with the shape and form of the settlement pattern and would harm the character and appearance of the surrounding area.

Furthermore, in terms of private amenity space it is noted that criteria (h) of Policy CS16 requires that new developments provide sufficient private amenity space and as a guide this means a minimum of a third of the plot curtilage should be set aside as private amenity space. Whilst the proposed rear garden would be slightly larger than the previous scheme, in view of the policy guidance and character and form of surrounding development it is considered that the area provided is relatively small and limited.

Therefore, despite the alterations made to the scheme since the last application, it is considered that the proposed development would still create the appearance of a cramped form of development that would not be in keeping with the core shape and form of the settlement pattern and would harm the character and appearance of the surrounding area.

6.4 Access and Parking Arrangement

The parking situation within Northgate Close is acknowledged and this proposal includes the provision of 2 car parking spaces (including one of which is an integral garage space). The previous application questioned if the dimensions of the garage were workable, however, it was considered that this could perhaps be altered to overcome this issue.

With regards parking provision the LPA's emerging Core Strategy Appendix A sets out parking standards and garage sizes. It is noted that the garage sizes are very generous and as the document is still emerging and not adopted the

LPA could not insist that the specified sizes (3.0m x 7.0m) are delivered on the site. However, the LPA to ensure a workable arrangement request that the sizes are increased to a minimum of 2.3m door width with internal measurements of at least 2.7m x 6.5 m.

In light of policy, the garage sizes shown on the submitted could not reasonably be considered as a parking space with garage doors of only approx 2.1 m and internal widths of approximately 2.4m x 6.7m. It is also noted that emerging Core Strategy requires that the space in front of the garage should be a minimum of 6 metres in depth.

Despite the previously questioned parking arrangement it appears that the proposed parking provision and garages size would not result in a satisfactory and workable parking arrangement. Given the parking issues which already exist with Northgate Close it is important that the proposed development would not contribute to further on street parking.

7. CONCLUSION

- 7.1 There is an extensive history of planning applications on this site. Notwithstanding, these applications, the policy situation has changed since previous decisions with the National Planning Policy Framework (NPPF) being published and replacing PPS3. Therefore, this application has been assessed under the NPPF and existing and emerging Local Planning Policies.

Whilst, it is considered that the proposed plans have sufficiently addressed the issue of overlooking to the immediate private amenity areas of properties along Stonald Road, it is considered that the proposed development still represents an inappropriate and cramped form of development which will be harmful to the character of the surrounding area. As a result, the proposal is considered to be contrary to Policy E8 of the existing Fenland District Wide Local Plan (1993), Policy CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013), and Paragraph 56 of the NPPF which attaches great importance to the design of the built environment and making places better for people.

In addition, the proposed parking provision and garages size would not result in a satisfactory and workable parking arrangement, contrary to Policy E8, TR3 and Appendix 2 'Car Parking Standards' of the Fenland District Wide Local Plan (1993), Policy CS15 (Part C) and Appendix A 'Parking Standards' of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

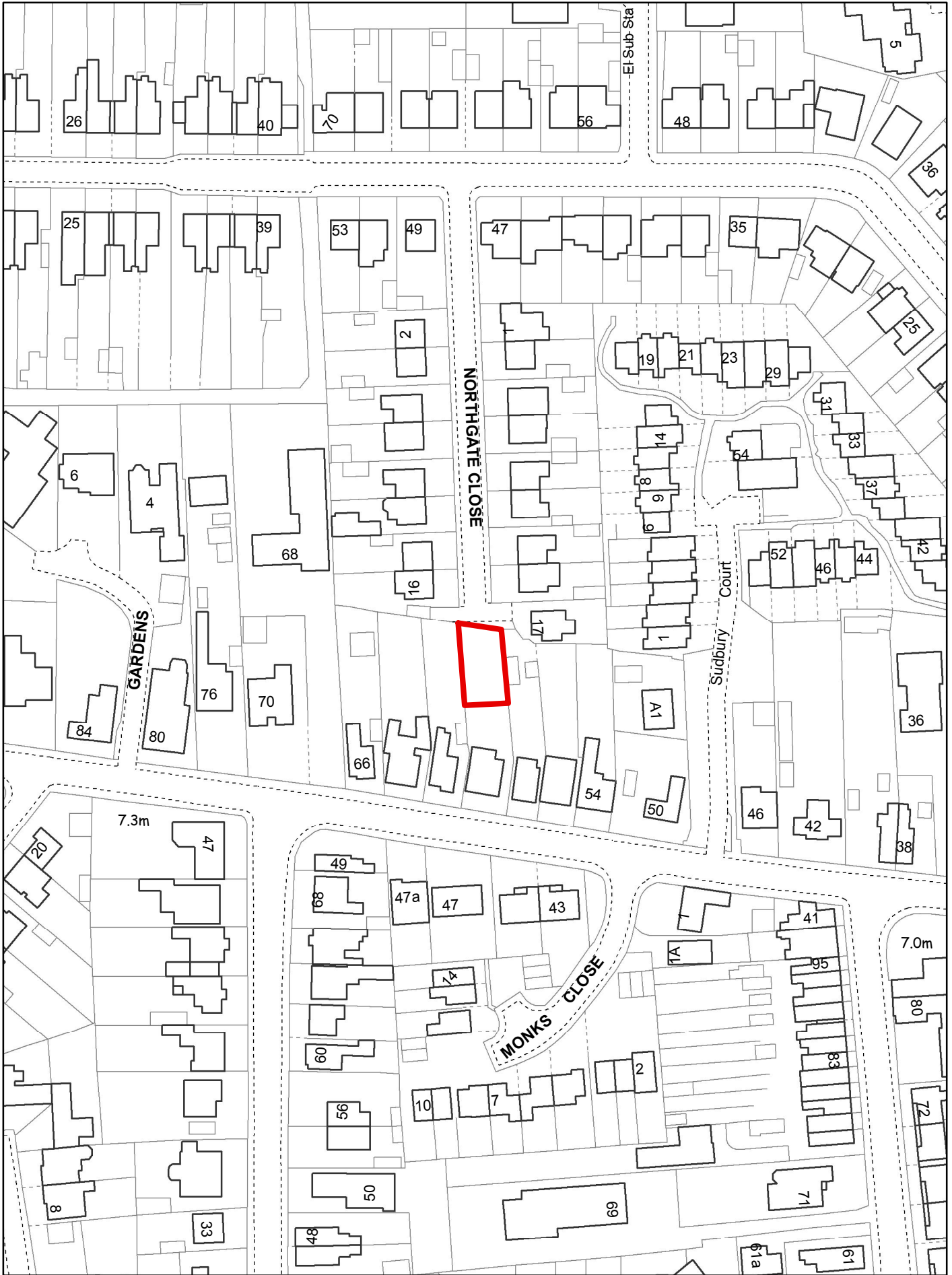
The proposal has been assessed in line with the National Planning Policy Framework, the existing Fenland District Wide Local Plan (1993), and the emerging Fenland Local Plan – Core Strategy (Feb 2013) and is not considered to be in line with the criteria contained within these policies. It is, therefore, recommended for refusal.

8. RECOMMENDATION

Refuse

- 1 The proposed development would result in an inappropriate and cramped form of development, which would be out of keeping with the character of the surrounding area, contrary to the National Planning Policy Framework, CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and E8 of the Fenland District Wide Local Plan.**

- 2 The proposed development would result in an unsatisfactory and contrived parking provision which would be contrary to Policy E8, TR3 and Appendix 2 ‘Car Parking Standards’ of the Fenland District Wide Local Plan (1993), Policy CS15 (Part C) and Appendix A ‘Parking Standards’ of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the National Planning Policy Framework.**



Created on: 07/05/2013

F/YR13/0267/F

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Scale = 1:1,250



Additional Notes:

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.

External Materials:

ROOF
Fibre cement slate, type & colour: to be agreed with the Local Planning Authority.

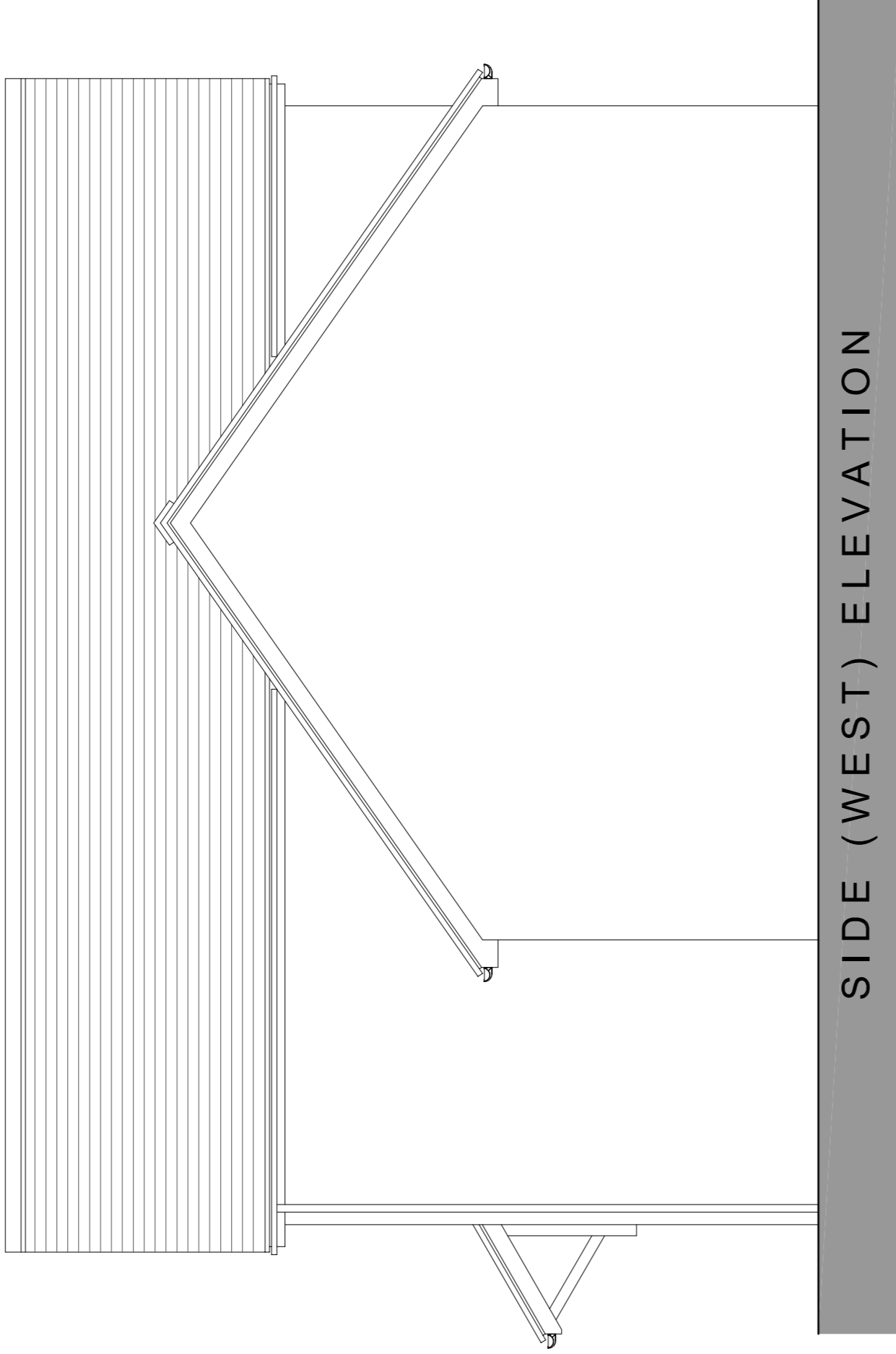
WALLS
Facing brickwork, type: to closely match existing houses on Northgate Close, to be agreed with the Local Planning Authority.

FRONT DOOR
Painted timber, colour: black.

WINDOWS & REAR PATIO DOORS
UPVC, colour: white.

FASCIAS
Painted timber boarding, colour: white.

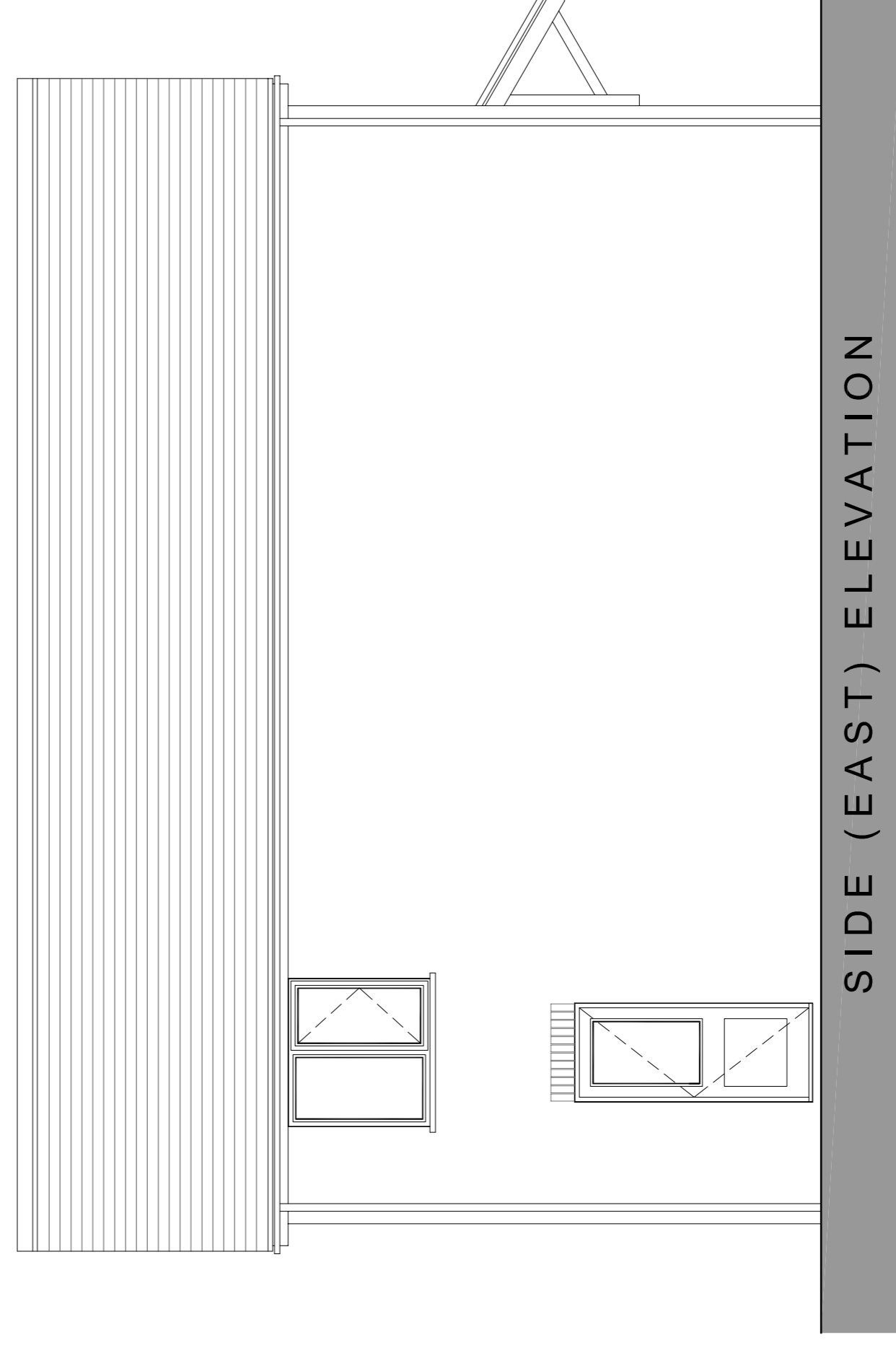
RAIN WATER GOODS
UPVC, colour: black.



SIDE (WEST) ELEVATION



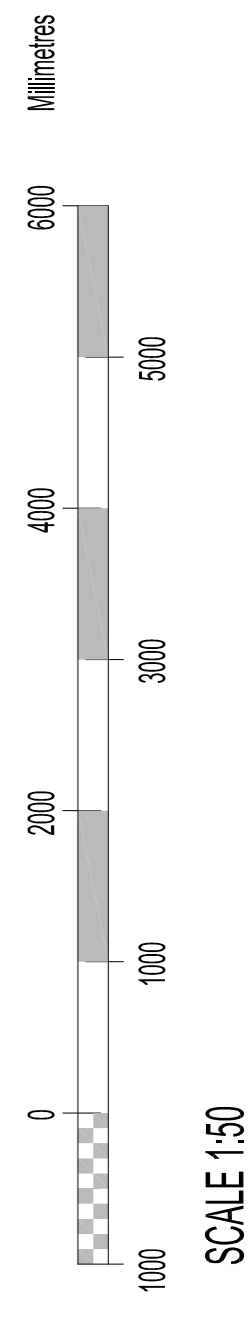
FRONT (NORTH) ELEVATION



SIDE (EAST) ELEVATION



REAR (SOUTH) ELEVATION



Client:
JAY KLIMCZUK

Project:
NEW DWELLING ON LAND TO REAR
OF 60 STONALD ROAD, WHITTLESEY

Drawing Title:
PROPOSED ELEVATIONS

Drawing No:
P-LE-20

Date:
APRIL 2013

Scale @ A1:
1:50

Scale @ A3:
1:100

NOTE: DO NOT SCALE OFF THIS DRAWING. USE ONLY DIMENSIONS SHOWN. ALL DIMENSIONS TO BE CHECKED ON SITE, IF IN DOUBT, ASK.

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Client:
JAY KLIMCZUK

Project:
NEW DWELLING ON LAND TO REAR
OF 60 STONALD ROAD, WHITTLESEY

Drawing Title:
PROPOSED SITE PLAN
& BLOCK PLAN

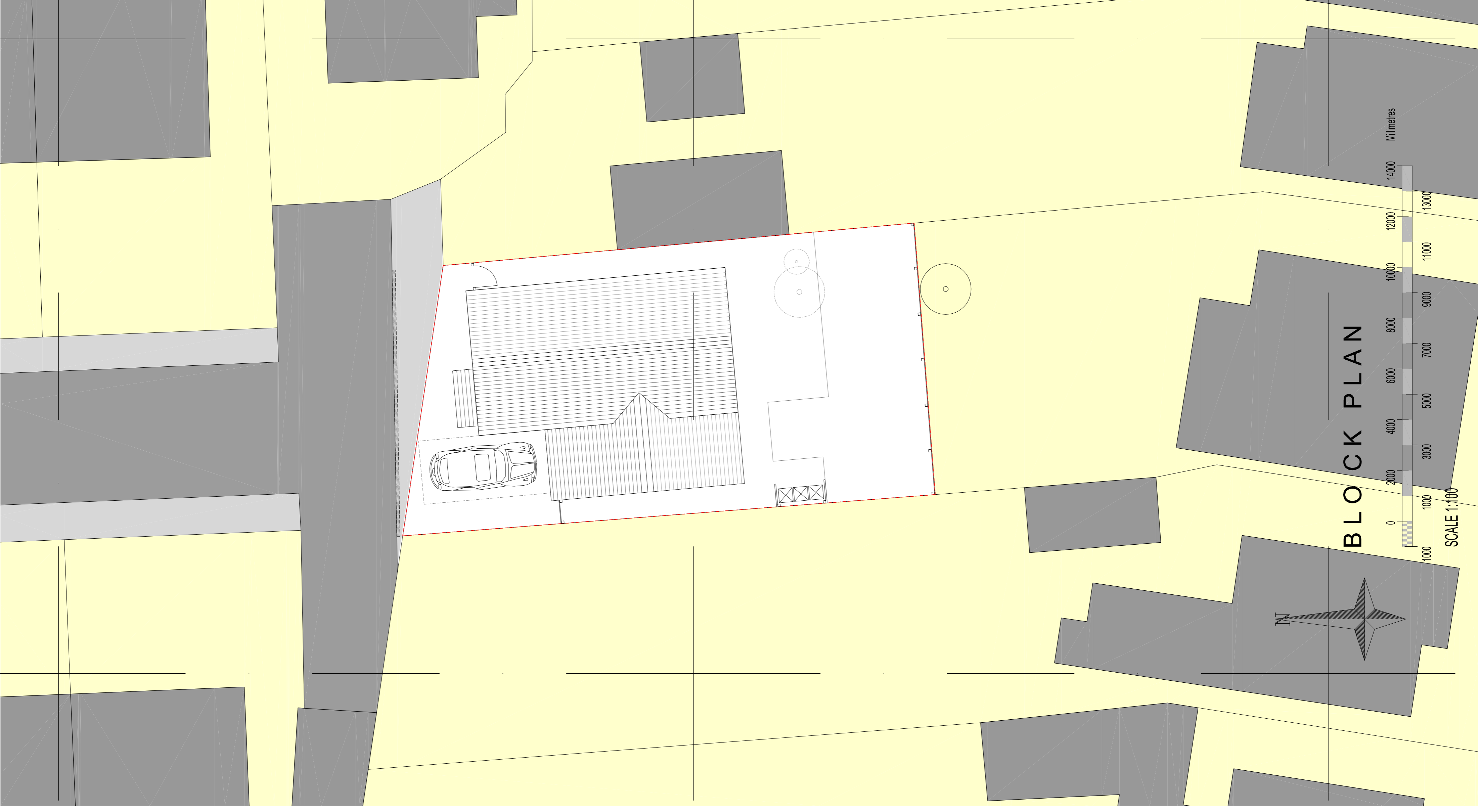
Drawing No:
P-LP-21

Date:
APRIL 2013

Scale @ A1:
1:50 & 1:100

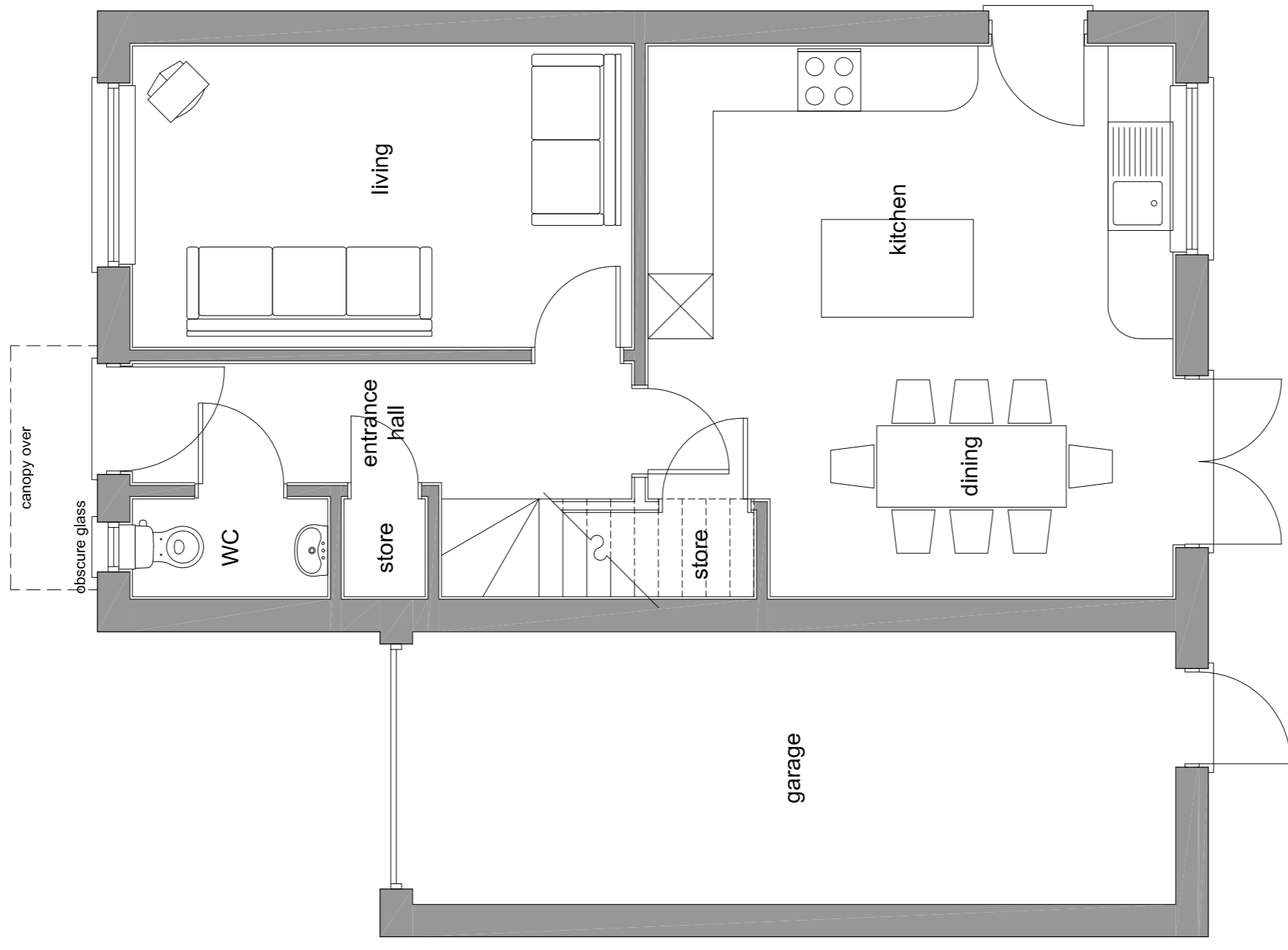
Scale @ A3:
1:100 & 1:200

NOTE: DO NOT SCALE OFF THIS DRAWING. USE ONLY DIMENSIONS SHOWN. ALL DIMENSIONS TO BE CHECKED ON SITE, IF IN DOUBT, ASK.

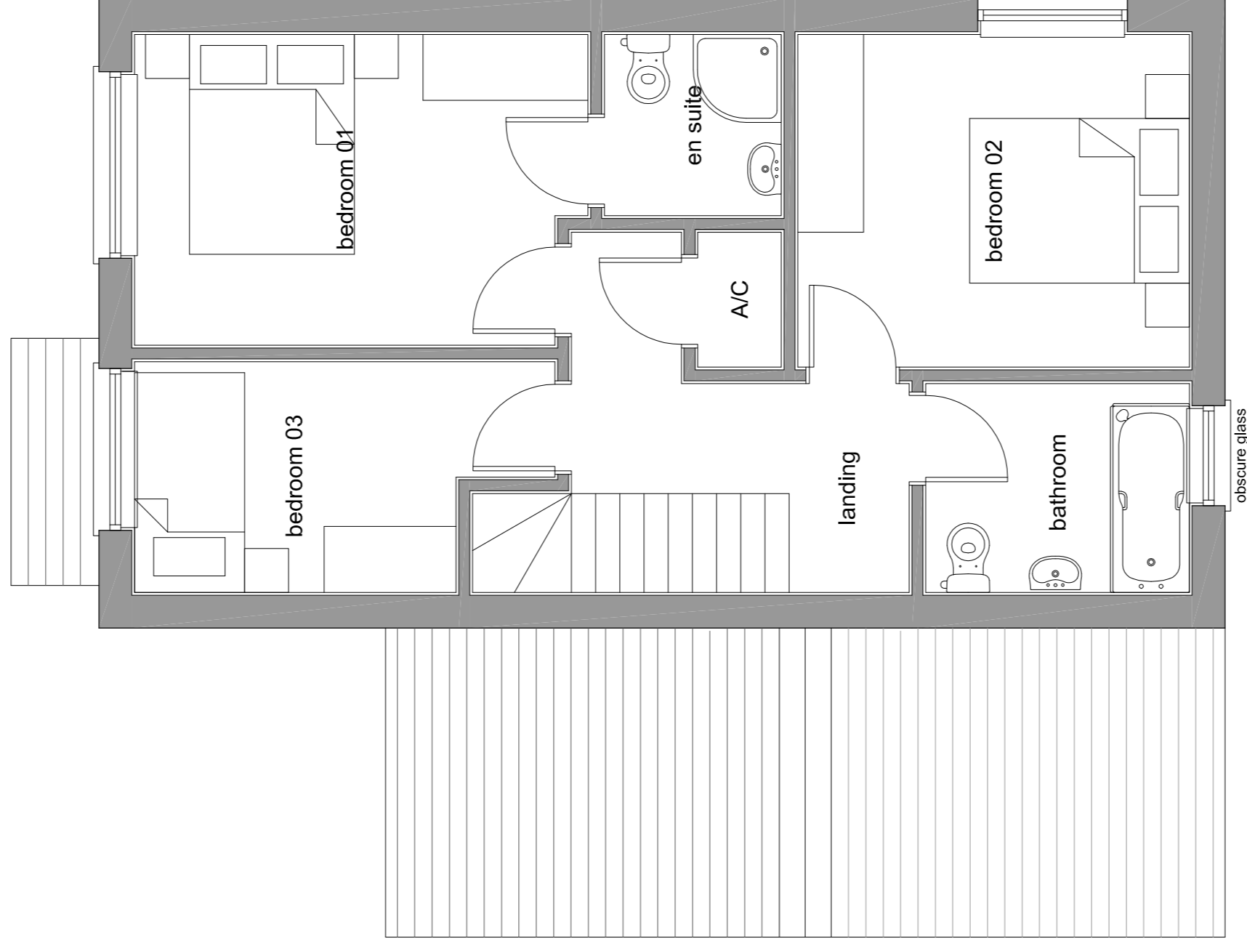


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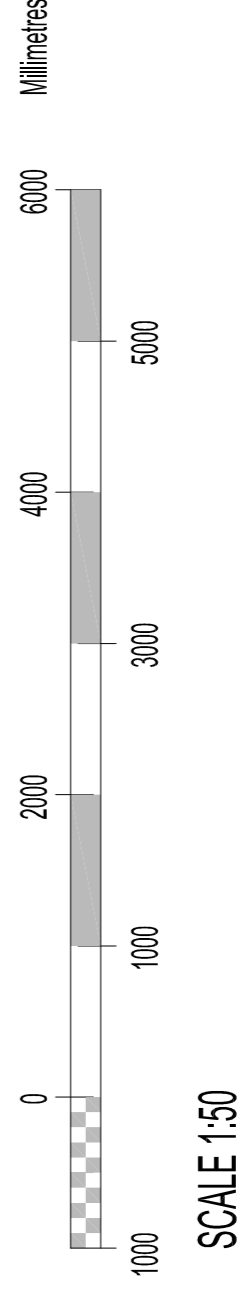
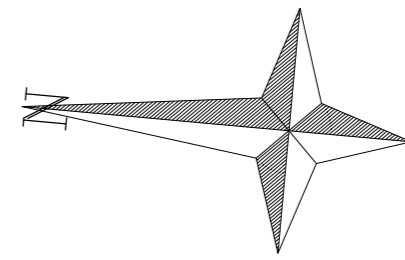
GROUND FLOOR PLAN



FIRST FLOOR PLAN



ROOF PLAN



Client:
JAY KLIMCZUK

Project:
NEW DWELLING ON LAND TO REAR
OF 60 STONALD ROAD, WHITTLESEY

Drawing Title:
PROPOSED GROUND & FIRST FLOOR
PLANS & ROOF PLAN

Drawing No: P-LP-22
Date: APRIL 2013

Scale @ A1: 1:50
Scale @ A3: 1:100

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