

Application Number: FYR13/0927/F
Minor
Parish/Ward: Whittlesey/St Marys Ward
Date Received: 16 December 2013
Expiry Date: 10 February 2014
Applicant: TUP Properties
Agent: Mr G Walker, Graham Walker Architects

Proposal: Erection of 4 x 2-storey 3-bed dwellings.
Location: Land East of 12, Whitmore Street, Whittlesey
Site Area/Density: 0.1353ha, 29.5 dwellings per hectare.

Reason before Committee: The Town Council recommendation is contrary to Officer recommendation.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks consent for 4 two-storey dwellings on land to the east of 12, Whitmore Street in Whittlesey. The site currently forms part of the Ivy Leaf Club car park and is within the main settlement core of Whittlesey and is considered sustainable given its proximity to a variety of facilities. The site benefits from an existing outline consent for 4 dwellings which was granted in 2012.

The key issues to consider are:

- Site History
- Layout and Design

The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in terms of the principle and layout of the proposal. It is considered that, on balance, there will be no adverse impacts on residential amenity, highway safety or the character of the surrounding area. Therefore the application is recommended for approval.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR12/0527/O	Erection of 4 dwellings.	Granted 19 th October 2012 – Delegated
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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: Seeks to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 32: Safe and suitable access to the site can be achieved for all people.

Section 6: Delivering a wide choice of quality homes.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

3.2 **Fenland Local Plan Core Strategy (Submission Version) – September 2013:**

CS1: Presumption in favour of sustainable development.

CS3: Spatial strategy, the Settlement Hierarchy and the Countryside

CS4: Housing.

CS11: Whittlesey

CS16: Delivering and Protecting High Quality Environments across the District.

3.3 **Fenland District Wide Local Plan:**

H3 – Settlement Development Area Boundaries

E8 – Proposals for new development.

4. **CONSULTATIONS**

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| 4.1 | <i>Town Council</i> | Recommend refusal on the grounds of the location of the bin store to the front of the site, this needs to be located to the rear, the pathway leading from the A605 to the Ivy Leaf will need to be removed. |
| 4.2 | <i>FDC Conservation Officer</i> | No response received at the time of writing this report. |
| 4.3 | <i>Whittlesey Society</i> | No objections to the proposal. The Ivy Leaf car park is relatively unused and these dwellings do not look out of place. |
| 4.4 | <i>North Level IDB</i> | No response received at the time of writing this report. |
| 4.5 | <i>CCC Highways</i> | The application accords with the principles set out in the previous permission retaining 48 – 49 spaces for the Ivy Leaf Club, with adequate parking for the proposed development. Therefore no objections to the proposal. Requests conditions relating to the provision of parking and turning areas and temporary construction facilities. |
| 4.6 | <i>EDF Energy</i> | No response received at the time of writing this report. |

- 4.7 **National Grid** NG has apparatus in the vicinity of the site which may be affected by the activities specified. Provides advisory comments in terms of the applicant's responsibilities.
- 4.8 **FDC Scientific Officer** No objections in terms of local air quality or the noise climate. The application site is a former car park and there is potential for made ground, therefore the contaminated land condition is required.
- 4.9 **CCC Archaeology** Request an archaeological condition to secure investigation prior to the commencement of development.
- 4.10 **Local Residents:** 2 letters of objection received concerning (in summary):
- Loss of light and overshadowing of neighbouring properties.
 - The proposal will visually impair the views the residents have been accustomed to.
 - Dwellings will cause overlooking and loss of privacy.
 - The appearance of the buildings will take away the character of the existing area.

5. SITE DESCRIPTION

- 5.1 The application site currently forms part of the existing car park to the Ivy Leaf Club. The application site is the part of the car park which fronts on to Whitmore Street. The site is within the main settlement core of Whittlesey and is in close proximity to the Conservation Area. The site is currently accessed off Orchard Street. There are dwellings to the east and west of the site and the proposal will infill the frontage of the car park between these dwellings.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Site History
 - Layout and Design

(a) Site History

In 2012 outline planning permission was given on this site for 4 dwellings, under planning permission reference F/YR12/0527/O. The application committed access with appearance and layout reserved for a later application. As part of this application the loss of this area of parking was justified and fully considered by the LPA and the Local Highway Authority and it was considered that the loss of these parking spaces would not be detrimental to the parking arrangements for the Ivy Leaf Club.

In addition the access via the existing Ivy Leaf Club access was considered and found to be acceptable. As such, the principle of residential development in this location, including the access and parking arrangements, has been established and it the subject of an extant planning permission.

(b) Layout and Design

The proposal seeks consent for 4 two-storey semi-detached dwellings. These are to front onto Whitmore Street with parking and amenity space to the rear of the dwellings. Access will remain via the existing Ivy Leaf Club access, as per the previous 2012 approval. Each dwelling has 2 parking spaces with the Ivy Leaf Club retaining 49 spaces. The layout will see the dwellings sit forward of the existing dwelling at number 12 and sited in a staggered form to continue the building line to that of number 24. The proposal includes a footpath running centrally. It is considered that this layout would not have an adverse impact on the existing character and form of the area.

The design of the dwellings is two-storey semi-detached with a two-storey pitched rear outcropping to add character. The dwellings front onto Whitmore Street with two-upstairs windows and a ground floor window and door to the front elevation. The side elevations have 2 small windows, one at ground floor and one at first floor serving an en-suite and wc. These will be obscure glazed and will not result in any overlooking to neighbouring properties. The design is considered to be acceptable in general terms given the mix of dwelling types and designs in the surrounding area, however the Agent has been approached to amend some minor aspects of the scheme, namely relocating the small front first floor windows to align with the front doors and the addition of chimneys to the properties. Any amended designs will be updated to Members' at the Committee Meeting.

The comments regarding loss of privacy and overlooking made by the neighbouring objectors have been noted and considered however in this instance it is considered that the layout and design of the dwellings would not result in an unacceptable impact on residential amenity. The dwellings are sited approximately 2.3 metres from the dwelling to the west (no. 12) at its closest point and approximately 3 metres from the dwelling to the east (no. 24) at its closest point. In addition, the proposed fenestrations to the side elevations are 2 small, obscure-glazed windows which would not result in unacceptable levels of overlooking.

It is considered that the proposal is acceptable in terms of the layout and design when considered against the character of the area. The existing garages are somewhat untidy and it is considered that the redevelopment of this site will improve the visual appearance of the area. There will be no adverse impacts on the character of the area and the site has the benefit of a recent outline consent for 4 dwellings.

7. CONCLUSION

- 7.1 The proposal has been assessed in line with Local and National Planning Policies in relation to the design, scale and impact on the surrounding area and residential amenity.

There is an extant outline consent on the site and such a proposal remains acceptable in terms of siting and design as it will not give rise to any adverse visual, highway or residential amenity impacts. The proposal is therefore recommended for approval with appropriate conditions.

8. RECOMMENDATION

Grant – 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. Prior to the commencement of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.**

Reason - To safeguard the visual amenities of the area.

- 3. Prior to the first occupation of the development the proposed on-site parking / turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with a detailed scheme to be submitted to the approved by the Local Planning Authority.**

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 4. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction in accordance with a detailed scheme to be submitted to the LPA for approval.**

Reason: In the interests of highway safety.

- 5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:**

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);**
- ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);**

- iii) alterations including the installation of replacement or additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
- iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

Reason: In order to control future development and to prevent the site becoming overdeveloped

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:

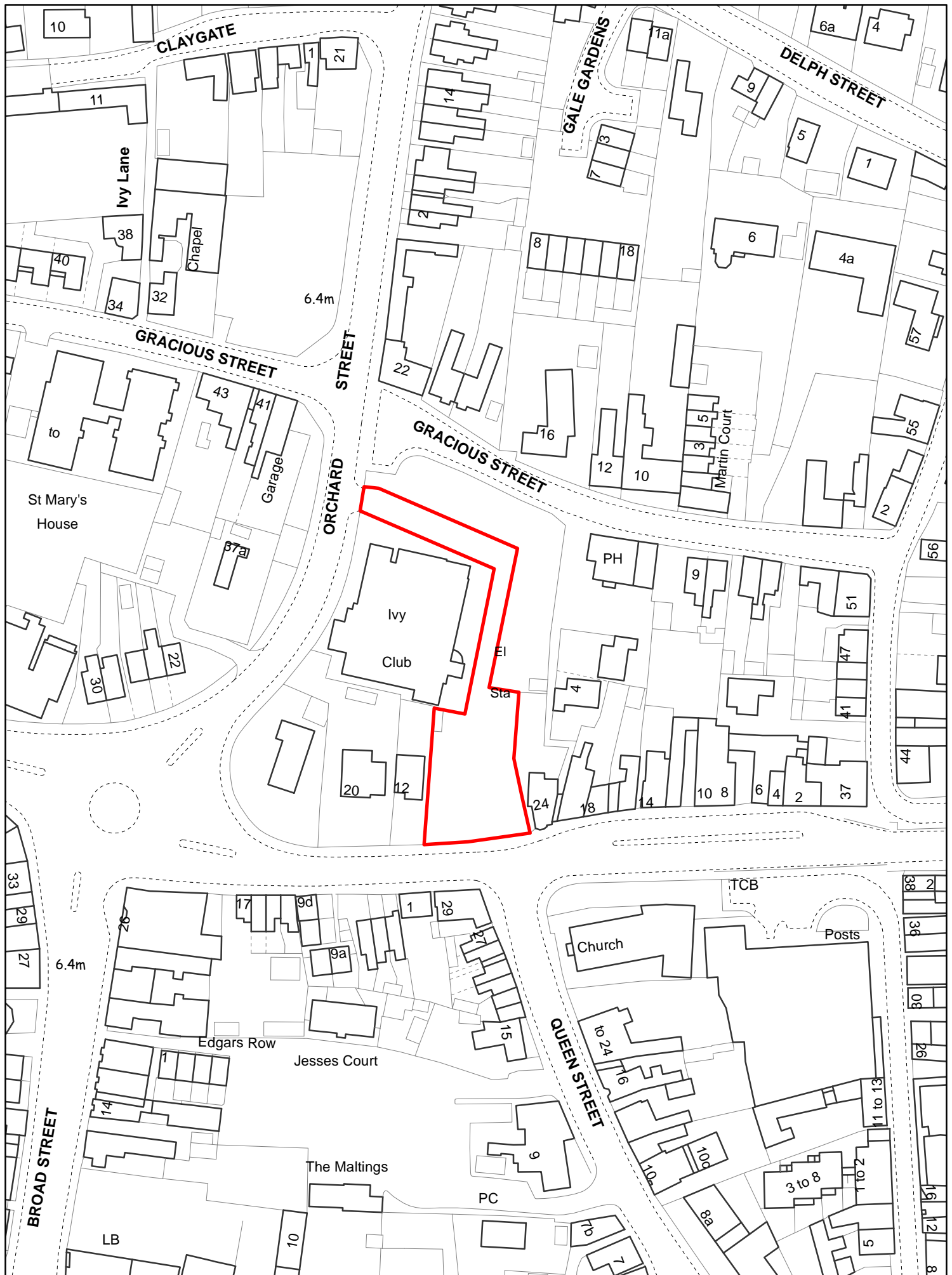
- c) A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the 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. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.**

Reason – To protect the archaeological potential of the site.

- 8. Approved Plans**



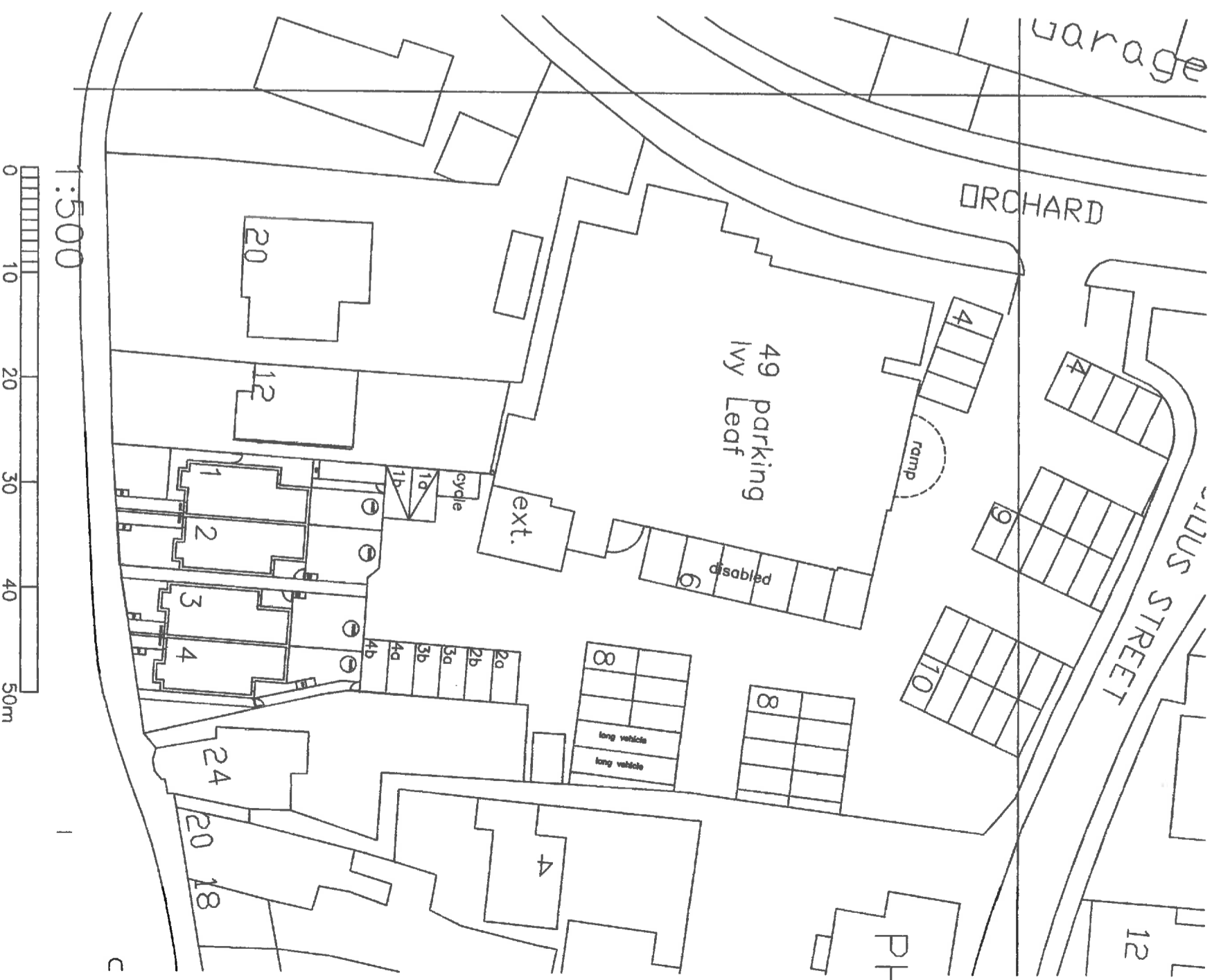
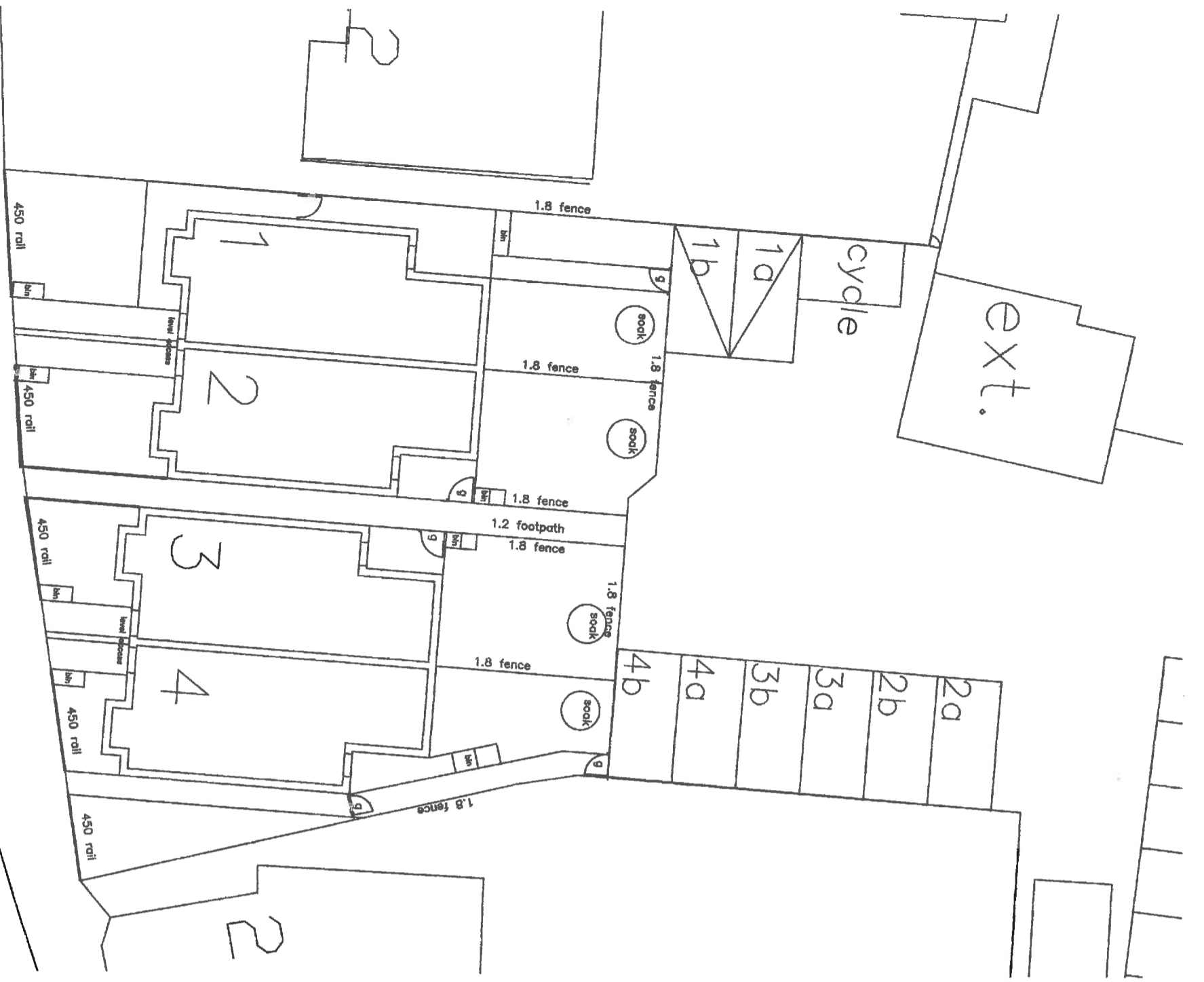
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Scale = 1:1,250





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