

Application Number: FYR14/0189/F
Minor dwelling
Parish/Ward: Chatteris Town Council/Mills Ward
Date Received: 4 March 2014
Expiry Date: 29 April 2014
Applicant: Mrs J Pattrick
Agent: Morton and Hall

Proposal: Erection of a single-storey 3-bed dwelling with attached garage
Location: Land west of 25 Linden Drive, Chatteris

Site Area: 0.05ha

Reason before Committee: Called in by Cllr Melton as he considers there are conflicting member and public views on this project.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This is a full application for the erection of a single-storey 3-bed dwelling on land west of 25 Linden Drive, Chatteris. The site is located within the built form of Chatteris and Policy CS3 of the emerging Core Strategy indicates that a majority of the district's new housing should take place in these settlements. Policy CS16 seeks to deliver and protect high quality environments across the district.

The development proposed involves the construction of a dwelling on open amenity land which was originally identified as public open space when the Linden Drive development was approved. The area has not been formally adopted but is a well maintained area of land which contributes to the visual and environmental quality of the area.

Policy E2 states that development will not normally be granted for development on open spaces and gaps in the settlement framework which have intrinsically beneficial environmental qualities and are an important part of the settlement's character either in themselves or by virtue of the longer distance views they allow. Similarly Policy E8 of the Local Plan is also relevant which seeks to protect and enhance any special features on site and to ensure that the development will assimilate into the area and street scene and will not have a detrimental impact on existing residential amenity.

Officers consider that this open space area provides an attractive amenity area for Linden Drive which originally formed part of the overall public open space for the area. It is also considered that the land is an area of open space that is of public value and adds variety to the urban street scene breaking up an otherwise built up area.

The proposed development, whilst single-storey in nature and of a similar form and character to the existing dwelling, does not sit well within the site and will be dominant in the street scene. Whilst the site is in a sustainable location within the built settlement of Chatteris it is considered that the loss of this open space will be to the detriment of the character of the area and the environment in general.

The application is therefore recommended for refusal.

2. HISTORY

F/YR14/0040/F	Erection of a single-storey 3-bed dwelling with attached garage	Withdrawn 28 February 2014
F/YR03/0531/F	Erection of 2 x 2-bed detached bungalows with garages on previously approved public open space	Withdrawn 19 February 2004
F/96/0145/F	Erection of 2 x 2-bed detached bungalows with garages on previously approved public open space	Granted 8 October 1998 Committee
F/92/0311/F	Erection of 1 x 3-bed and 1 x 2-bed detached bungalows with garages on previously approved public open space	Refused 30 January 1996 Committee

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Section 6: Delivering a wide choice of high quality homes
Section 8: Promoting healthy communities

3.2 Fenland Local Plan Core Strategy (September 2013):

CS1: A presumption in favour of sustainable development
CS3: Spatial strategy, the Settlement Hierarchy and the Countryside
CS16: Delivering and Protecting High Quality Environments across the District

3.3 Fenland District Wide Local Plan:

E2: Open spaces and gaps in settlement
E8: Residential amenity
H3: Development within Development Area Boundaries

4. CONSULTATIONS

- 4.1 **Chatteris Town Council:** Raise no objection.

4.2 **Conservation Officer:**

The site is adjacent to the Chatteris Conservation Area. It is located at the end of a cul-de-sac of bungalows which would appear to date from the 1980s or early 1990s.

Given the principal aspect of numbers 24, 25 and 26 (which overlook the site) I would imagine this area was left undeveloped to satisfy the planning requirements for public open space or to provide access to the adjacent field.

The proposal would undoubtedly cause overlooking and be detrimental to the amenity of neighbouring properties, particularly number 25. The principal elevation of number 25 is only 2.5 m off the shared boundary and will either face a blank gable 10.5 m away or, the most likely scenario, an increase in the existing close boarded fence height to 1.8 m (6").

The proposed site layout, extensive block paving to form the drive and the close proximity of neighbouring windows all conspire to leave inadequate space for landscape planting which would help soften and frame any new development. This is particularly important as the new dwelling would be prominent at the end of the cul-de-sac. Any attempt at small to medium sized tree planting on either side of the property would be of further detriment to the neighbours shading out the windows of habitable rooms. Therefore recommend refusal of the application.

4.2 **Environmental Health:**

No objection and from the information provided contaminated land is not considered an issue.

4.3 **Local Residents:**

1 letter of support summarised as follows:

- Whilst the grassed area is maintained regularly and always looks neat and tidy visually it holds little interest and it is considered the bungalow will enhance the overall street scene;

- Recent changes to the street light has compromised security and building a bungalow would solve this issue;
- Building the bungalow will ensure that Linden Drive remains a cul-de-sac.

1 letter of objection summarised as follows:

- Loss of light to main living room window;
- Outlook from No.25 will to a blank brick wall;
- The development will create a sense of being 'hemmed in' due to a lack of open aspect;
- The land is regularly maintained (assumed by FDC)
- Loss of habitat for wildlife

5. **SITE DESCRIPTION**

- 5.1 The site is an area of open space located at the southern end of Linden Drive which is a cul-de-sac. The land is presently set to grass and appears to be regularly maintained. There is a belt of landscaping on the rear boundary and on both sides of the site there is an existing bungalow. Boundary treatments are formed by wooden fencing which is approximately 1 metre high on the east and west of the site. There is an existing turning head in front of the site and further vehicular access to both No.25 and 26 Linden Drive.

6. **PLANNING ASSESSMENT**

The key issues for consideration to this application include:

- Principle of development and policy considerations
- History of the site and surrounding area
- Form and character of the area
- Planning proposal
- Other considerations

Principle of development and policy considerations

The site is located within the built settlement of Chatteris and accordingly local policies E2 and E8 of the Fenland District Wide Local Plan 1993 and Policies CS3 and CS16 of the emerging Fenland Local Plan Core Strategy together with the National Planning Policy Framework are considerations in this respect.

The Inspector's Report into the Core Strategy has concluded that the Core Strategy is 'sound,' subject to a number of 'main modifications.' The most up-to-date version of the Core Strategy is the Pre-Submission version (September 2013), as amended by the schedule of modifications. Due to its advanced stage, in accordance with paragraph 216 of the NPPF, significant weight can be accorded to the Core Strategy when considering planning applications

The Council will consider the adoption of the Core Strategy (with main and minor modifications) at Cabinet and Full Council on 8 May 2014. Provided it is approved, the Core Strategy (incorporating main and minor modifications) will have full statutory weight as of 9 May 2014.

Although the Core Strategy will replace all of the existing or "saved" policies of the Fenland Local Plan, this document remains part of the statutory development plan for the District until the Core Strategy is formally adopted by the Council.

Policy CS16 seeks to deliver and protect high quality environments across the district and proposals should demonstrate that the development meets the relevant criteria. In particular development should make a positive contribution to the local distinctiveness and character of the area, enhance its setting, responds to and improves the character of the local built environment and will not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. Development should not adversely impact on the amenity of neighbouring users through, for example, loss of privacy or loss of light.

Policy E8 of the Local Plan is also relevant which similarly seeks to protect and enhance any special features on site and to ensure that the development will assimilate into the area and street scene and will not have a detrimental impact on existing residential amenity.

Policy E2 states that development will not normally be granted for development on open spaces and gaps in the settlement framework which have intrinsically beneficial environmental qualities and are an important part of the settlement's character either in themselves or by virtue of the longer distance views they allow.

History of the site and surrounding area

The site is presently a green open space which is well maintained and provides an attractive amenity space within the cul-de-sac. The land was originally approved as part of the open space requirement when Linden Drive was built but it does not appear that the land was ever transferred to Fenland District Council and appears to be privately maintained.

In 1996 permission was granted for the erection of 2 detached bungalows on the site which has time expired. This permission was approved subject to a Section 106 contribution in lieu of the loss of the open space.

Form and character of the area

Linden Drive is characterised by detached bungalows set in a cul-de-sac with access off Huntingdon Road. Each dwelling benefits from off-road parking and rear private amenity space. To the north, east and west of Linden Drive is further residential development and to the south is an area of undeveloped land.

Planning Proposal

The proposal is for a single-storey dwelling located at the end of the cul-de-sac on the existing open space. The dwelling is of similar design and scale to the existing dwelling in Linden Drive with an overall ridge height of approx. 5.2 m. The dwelling will benefit from approx. 6 m of private rear amenity space.

The front of the dwelling will be located in close proximity to the existing turning head and is sited approximately 4 m in front of No.26 Linden Drive. The flank wall of the dwelling is located approximately 10.5 m away from the front elevation of No.25, the front aspect of which overlooks the open space area.

Due to the forward position of the new dwelling on the site, its siting will appear at odds in the street scene and will be prominent at the end of this cul-de-sac and will result in No.26 appearing to be 'hemmed' in.

No.25 Linden Drive is orientated with its main front aspect overlooking the open space. A one metre high boundary fence is located approx. 2.5 m from the front elevation increasing to 1.8 m beyond the side wall to provide private amenity space. The new dwelling is located 8 m from this fence and it is unlikely that No.25 will be unduly affected by overshadowing from the development. Similarly the separation distance should not create a sense of enclosure to the occupiers of No.25. However in order to provide private amenity space for the new dwelling it is likely that any fencing beyond the east elevation could significantly harm the outlook of No.25.

Other considerations

Pre-application discussions have taken place on this site which indicated the following:

The main considerations when evaluating a proposal on this site will be whether the loss of this open space is acceptable in policy terms i.e. green spaces are an important element for quality developments; consideration of the previous history of the site and whether the proposal will have an unacceptable impact on the residential amenity of No. 25 Linden Drive.

I cannot confirm if development could be supported on this site and a full evaluation of all items mentioned above would have to be carried out if an application was submitted.

CONCLUSION

The main consideration of this proposal relates to whether development of this open space is acceptable. The open space provides an attractive amenity area for Linden Drive and originally formed part of the overall public open space for the area.

Open spaces can perform a variety of functions which can include being a visual amenity which, even without public access, can provide people with an enjoyable outlook and add variety to the urban scene. Whilst the site has not been laid out as a traditional play area, when the Linden Drive development was originally approved, the site was clearly intended to be an open area for the benefit of the residents and was not just a gap site for later development. As a result, the site has remained as an area of open space which is visible at the head of this cul-de-sac from some distance along the access road and as such is a visual benefit not just for people living in the dwellings in the immediate area.

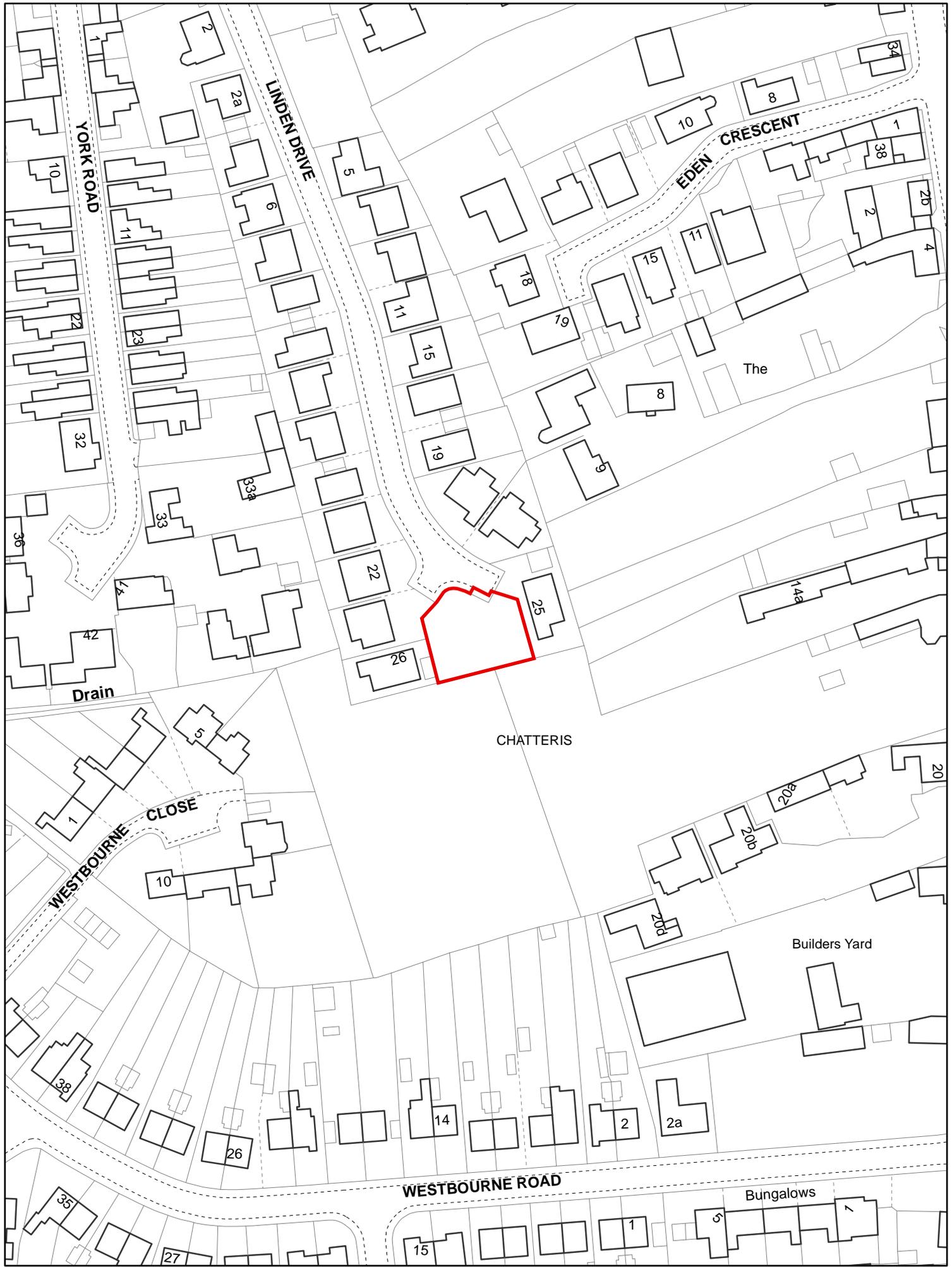
Officers consider that the land is an area of open space that is of public value and adds variety to the urban street scene breaking up an otherwise built up area.

In conclusion, whilst considerable effect has been made to design a house to fit in with the existing development, Officers consider that the retention of the open area is of greater benefit in preserving the character of the area than if it were developed for a dwelling. Although the site is not publicly maintained, this does not devalue its role as an amenity green space and therefore it is considered that the proposal is contrary to Policy E8 of the Local Plan and CS16 of the emerging Core Strategy.

RECOMMENDATION

REFUSE

- 1. The proposed dwelling would result in an unacceptable loss of a green open space within the estate, which is considered to add visual amenity to the location and therefore contributes to the character of the area as a whole. The proposal is therefore contrary to the provisions of Policies E2, E8 of the Fenland District Wide Local Plan 1993 and Policy CS16 of the emerging Fenland Local Plan Core Strategy September 2013.**



Created on: 26/03/2014

© Crown Copyright and database rights 2014 Ordnance Survey 10023778

F/YR14/0189/F

Scale = 1:1,250



