

Application: F/YR14/0908/F
Minor
Parish/Ward: Whittlesey Town Council

Applicant: Mr L Rose
Agent: KL Elener Architectural Design

Proposal: Erection of a 2-storey 3-bed dwelling
Location: Land North Of 106 Stonald Road Fronting, Commons Road,
Whittlesey, Cambridgeshire

Reason before Committee: This application has been called in to Planning Committee by Councillor Mrs K Mayor citing concerns over Highways Safety and over intensification of the site.

1. EXECUTIVE SUMMARY/ RECOMMENDATION

This application seeks full planning permission for the erection of 1No. 2-storey 3-bed dwelling.

The key issues to consider are;

- Principle of development;
- Access, Layout, Scale and Appearance
- Impact on Amenity
- Health & Wellbeing
- Economic Growth
- Other Matters (over intensification of site & devaluation of property)

The application has been considered in-line with core planning principles of the National Planning Policy Framework and with policies LP1, LP2, LP3, LP15 and LP16 of the Fenland Local Plan 2014.

The proposal will introduce a development that makes a positive contribution to the local distinctiveness and character of the area, providing a high quality living environment for future occupants with good access and adequate levels of private amenity space. In addition, the development will not adversely impact upon the amenity of neighbouring residents. It is therefore considered to accord with the Fenland Local Plan as being sustainable development is therefore recommended for approval.

2. HISTORY

Of relevance to this proposal is:

- 2.1** F/YR08/0856/O Erection of 2x3-bed semi-detached houses
Refused 5 November 2008

Refusal reason: The proposal is contrary to Policies E8 and H3 of the Fenland District-Wide Local Plan 1993 in that it would result in a development which would be cramped and unsympathetic to the character and amenity of the location by virtue of the size of the site and the proposed amenity space.

In addition the proposal would result in a lack of amenity space for the existing dwelling.

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: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Section 7: Requiring Good Design

3.2 Emerging Fenland Core Strategy:

LP1: Presumption in favour of Sustainable Development

LP2: Health and wellbeing

LP3: Spatial Strategy, the Settlement Hierarchy and the countryside.

LP15: Transport

LP16: High Quality Environments

4. CONSULTATIONS

4.1 Town Council

The Town Council recommend refusal of this application on the following grounds, over intensification of site, highways issues with the potentially for accidents due to entrance and exit.

4.2 FDC Environmental Health

No Objections. Recommend imposing an Unsuspected Contamination condition

4.3 Local Highways Authority (LHA)

The revised layout detailing parking and access off Commons Road offers a better arrangement. I would rather the parking was provided parallel rather than tandem so vehicles can move independently, but I acknowledge this would leave an awkward private amenity area for No.106 Stonald Road. Whilst this isn't a preferable layout from a highway view point I have no highway objections to the layout shown in Drawing R3233 Rev A.

This provides an improved access and parking arrangement for No.106 in comparison to the existing arrangement off the shared access to the north of the site.

No highways objections subject to the following conditions(summarised);

1.Prior to occupation - Engineering scheme for vehicular access

2.Prior to occupation - visibility splays

3.Prior to occupation - on-site parking /turning provided

4.Removal of PD Rights to erect gates at access

4.4 North Level Internal Drainage board

No objections.

4.5 Local Residents

1 objection received from neighbouring property citing concerns over;

- a) Devaluing of property
- b) Overlooking/ loss of privacy

5. SITE DESCRIPTION

5.1 The site lies in the established settlement of Whittlesey and currently forms approximately 300m² rear garden land of 106 Stonald Road. No. 106 sits on the corner of Stonald Road to the South and Commons Road which leads northwards along the western boundary. The site is currently screened from the public realm with established evergreen along the western boundary. The northern and eastern boundaries are screened off by a mixture of fence and outbuildings. The northern boundary of the site comprises a short, single track access road which is shared to provide vehicular access and parking for 104 and 106 Stonald Road.

The area is characterised Stonald Road by 2-storey terraced properties found along Stonald Road to the south and Commons Road immediately north. Larger detached properties can also be found directly opposite the site along Commons Road. On-street parking is a prevailing feature of both Stonald Road and Commons Road.

The site lies in Flood Zone 1.

6. PROPOSAL

The application seeks planning permission to erect a 2-storey detached 3 bedroom dwelling to the rear of 106 Stonald Road, Whittlesey. The dwelling comprises a relatively simple design of dwelling with a footprint of approximately 50m², measuring 9m in width by 5.5m in depth with an overall height of 7.3m to ridge.

The dwelling is proposed to front Commons Road with laid lawn to the front and parking for 2 cars to the south in tandem arrangement accessed from Commons Road. The proposed private amenity space consists of garden to the east (rear) of the property and the southern side and will be enclosed with 2.0m high close boarded fence and existing conifer hedging.

The development will also provide a driveway for 2 cars for occupants of 106 Stonald Road. This driveway will sit alongside that of the proposed dwelling, separated by close boarded fence which will essentially create the dividing boundary between the 2 properties.

The primary views from the first floor of the proposed dwelling will be onto Commons Road to the west but with a single window at the rear serving the third bedroom at the north-east of the dwelling. A fixed obscure glazed feature window will also face east providing natural light into the stairs and landing.

The existing garage at the north east of the site is proposed to be demolished and a line of conifers to the east and some along the western boundary are proposed to be removed to facilitate the development.

7. BACKGROUND

This application follows a previous submission for the erection of 2 dwellings on this site F/YR08/0856/O determined under the Fenland Local Plan 1993. This application was refused on the grounds that the siting of 2 dwellings would constitute a cramped form of development, unsympathetic to the character and amenity of the area due to the limited private amenity space afforded to future occupants of the proposed dwellings and of No.106 Stonald Road. Therefore the harm identified related to layout and scale.

8. PLANNING ASSESSMENT

8.1 Key Issues

- Principle of development;
- Layout, Scale, Appearance and Access
- Impact on Amenity
- Health & Wellbeing
- Economic Growth
- Other Matters (devaluation of property)

8.2 Principle of Development

Policy LP3 seeks to focus the majority of growth in and around Fenland's four market towns as these are seen as the most sustainable areas for growth. The site is located within the market town of Whittlesey within a residential area. Therefore the principle of residential development of the site is supported.

8.3 Layout, Scale, Appearance and Access

Policy LP15 of the Fenland Local Plan 2014 seeks to ensure that development provides well designed, safe and convenient access and parking appropriate to the scale of development. LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. Policies LP16 and LP2 both seek to promote a good level of amenity for adjoining users and the locality in general, avoiding adverse impacts such as overlooking and overshadowing and providing high quality living environments for existing residents and future occupants.

Layout

The layout of the proposed dwelling has undergone revision following the initial round of consultations. The revised layout now continues the alignment of the established built form along Commons Road, set back approximately 6m from the footway edge with laid lawn at the front with footpath leading to the dwelling.

The private amenity space for the proposed dwelling and that remaining for No. 106 calculate to approximately 36% and 42% respectively which satisfies the requirements of LP16(h) which seeks to retain around one third of the overall plot for such use.

Concerns have been raised with the over-intensification of the site. These comments have been noted.

The planning history of the site (F/YR08/0856/O) has also been considered whereby permission was refused in 2008 for the erection of 2 dwellings on the land citing reasons of cramped development not in-keeping with the character of the area and poor amenity space provision for future occupants of the proposed dwelling and for occupants of No.106 Stonald Road.

Therefore the previous application raised issues with the layout of the site.

Policies contained within The Fenland Local Plan seeks to ensure that adequate and proportionate amenity space is provided for the development site (LP16), that suitable access and parking provision and is allocated dependant on the area (LP15) and that the amenity of existing residents is safeguarded, avoiding adverse impacts such as overlooking, overshadowing and overbearing (LP2 and LP16). This application seeks planning permission for the erection of one dwelling which has been assessed in-line with relevant policies and is found to satisfy the requirements in respect of parking and private amenity space afforded to future occupants. In addition, it is considered that the proposal accords with the form and character of the area and is not anticipated to give rise to harmful amenity issues.

Therefore the proposal is not considered to constitute an over intensification of the site. Notwithstanding this, it is considered appropriate to impose a condition restricting permitted development rights that would otherwise allow for the erection of extensions and outbuildings without approval by the LPA which could compromise the private amenity space afforded to future occupants.

In respect of the layout therefore the proposal is considered to accord with policies LP2, LP15 and LP16 of the Fenland Local Plan and is considered to satisfactorily overcome the reasons for refusal for the previous submission (F/YR08/0856/O).

Scale & Appearance

The dwelling will incorporate a hipped end roof in-keeping with the terrace properties immediately north along Commons Road and will be constructed of a facing brick and roof tiles sympathetic to the area in general. The window arrangement is more modern in appearance than that of its neighbouring properties which consists of narrow windows which may not necessarily comply with current Building Regulations for fire escape and would therefore not be suitable for a modern dwelling. The scale of the dwelling is characteristic with those immediately north with a ridge height of 7.3m and an overall width proportionate to a pair of terraced dwellings.

The plot will incorporate a mixture of close boarded fence and existing conifer hedging to provide the necessary screening to ensure private amenity is maintained whilst providing an acceptable visual impact on the streetscene and surrounding properties.

The scale of the development is therefore considered to accord with the character of the area and its impact upon the streetscene and therefore satisfies policy LP16 of the Fenland Local Plan in this regard.

Access

The proposed access has undergone revision following initial consultation which raised concerns over the access being located close to the junction of Stonald Road and Commons Road. Therefore, following advice from the LHA the access for both the proposed dwelling and that of 106 Stonald Road will be located along Commons Road and will provide parking for 2 cars which is commensurate to the Council's adopted parking standards.

The LHA have indicated that they are satisfied with this proposal and recognise that a parallel parking arrangement would limit the private amenity space for both the existing and proposed dwelling.

The LHA have accepted the proposed arrangement subject to conditions outlined in para 4.3. Subject to these conditions therefore, the access arrangements proposed are considered to accord with policy LP15 and address concerns raised by the Town Council and District Councillor in respect of Highways impacts.

8.4 Impact on amenity

The dwelling has been redesigned to address the impact of overlooking as identified by a neighbouring resident and the LPA. Following proactive negotiation, the bedroom window positioning has been amended so that the window serving bedroom 3 is positioned at the north east of the dwelling. Whilst it is accepted that this window will enable some views out across the ends of the rear of gardens and rear access roads along Stonald Road, this is not considered to be any more harmful than views already achieved by existing residents along Stonald Road, who have clear sight of the top ends of neighbouring gardens and access roads. In addition, the rear feature window serving the stairs and landing is proposed to be obscure glazed and fixed shut and will therefore prevent direct overlooking. It is considered therefore that the introduction of the dwelling will not introduce harmful overlooking to the detriment of residential amenity.

Notwithstanding this, it is considered necessary to impose a condition restricting the ability to install dormer windows and casement windows without express planning permission in order to ensure that the development will comply with policies LP2 and LP16 of the Fenland Local Plan.

8.5 Health and Wellbeing

Policy LP2 requires development proposals to positively contribute to creating a healthy, safe and equitable living environment, for example by creating a mix of homes to meet people's needs, promoting high levels of residential amenity and avoiding adverse impacts. The proposed dwelling has been designed to provide a family home in a sustainable location which provides a high level of amenity for future occupants whilst protecting that of existing residents. It is considered therefore that the proposal accords with LP2 of the Fenland Local Plan.

8.6 Economic Growth

The introduction of a further dwelling in this growth location will support the growth of Whittlesey and the district in general thereby expediting Fenlands drive towards sustainable development as outlined in policy LP1 of the Fenland Local Plan.

8.7 Other Matters

Devaluation of Property

The objection in respect of devaluation of property has been noted however, this is not a material planning consideration. Notwithstanding this, the perceived reason for devaluation, namely from the impact of overlooking, is considered to have been addressed through the aforementioned redesign

9. CONCLUSION

- 9.1** The application has been considered in-line with core planning principles of the National Planning Policy Framework and with policies LP1, LP2, LP3, LP15 and LP16 of the Fenland Local Plan 2014.
- 9.2** The proposal will introduce a development that makes a positive contribution to the local distinctiveness and character of the area, providing a high quality living environment for future occupants with good access and adequate levels of private amenity space. In addition, the development will not adversely impact upon the amenity of neighbouring residents. It is therefore considered to accord with the Fenland Local Plan as being sustainable development and therefore, in accordance with policy LP1 the proposal is recommended for approval.

10. RECOMMENDATION

10.1 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 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason - In the interests of the protection of human health and the environment in accordance with policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).

- 3 Prior to the occupation of the dwelling hereby approved, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the LPA, and such a scheme shall include, levels, forms of construction and surface water drainage.**

Reason - In the interests of highway safety and to ensure satisfactory access into the site in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).

- 4 Prior to the occupation of the dwelling hereby approved, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.**

Reason - In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).

- 5 Prior to the first occupation of the development the proposed on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use.

Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).

- 6 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates, shall be erected across the accesses.

Reason - To ensure the free flow of traffic along Commons Road in the interests of Highway safety in accordance with policy LP15 of the Fenland Local Plan (Adopted May 2014).

- 7 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 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);

Reasons - To ensure that adequate private amenity space is provided to future occupants of the dwellinghouse and to protect the privacy and amenity of adjoining properties in accordance with policies LP2 and LP16 of the Fenland Local Plan (Adopted May 2014).

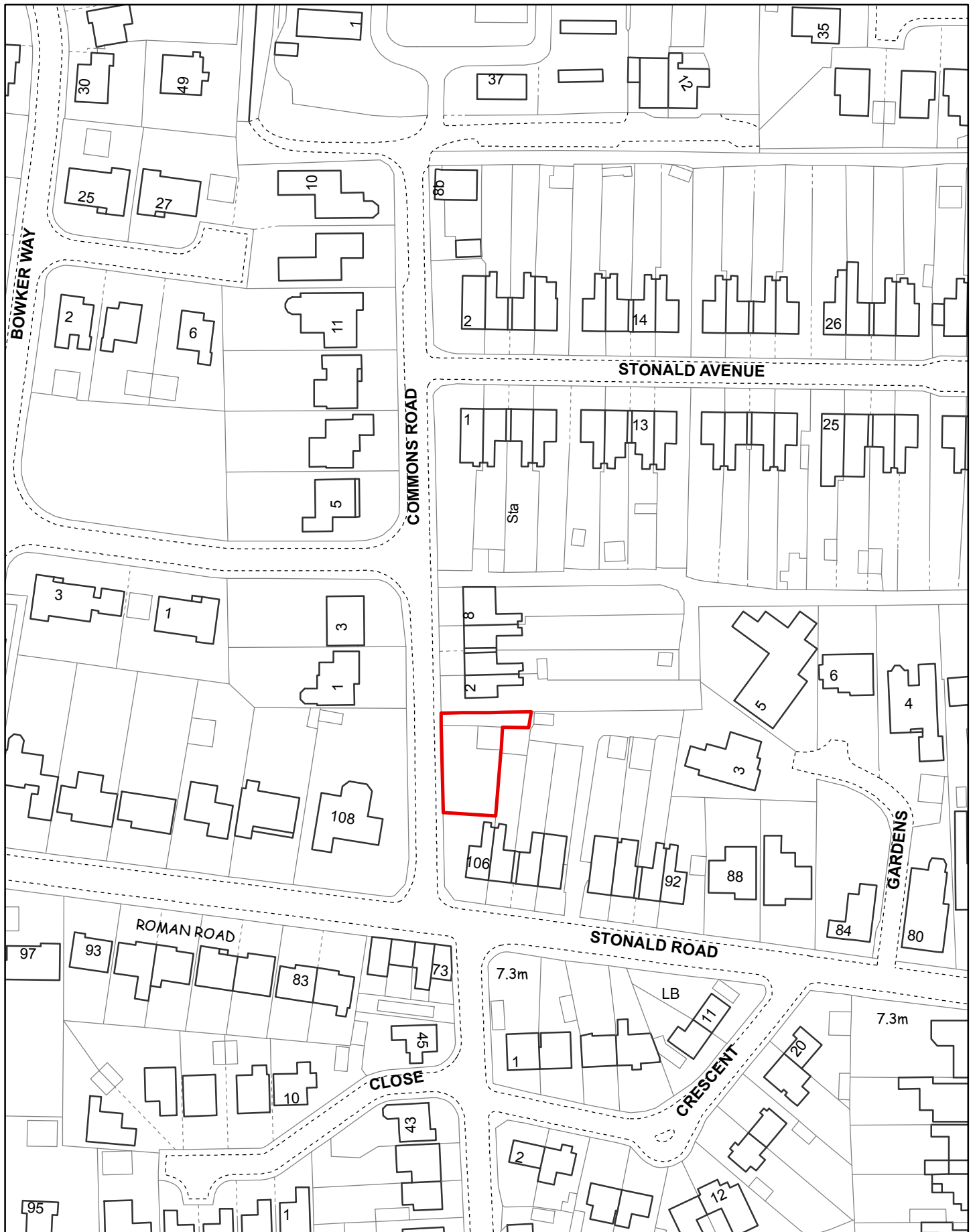
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (or any other Order revoking or re-enacting that Order with or without modification), no additional windows other than those shown on the plans hereby approved shall be placed in the 1st floor of the south and east elevations of the development hereby approved.

Reason - To protect the amenities of the adjoining properties in accordance with LP2 and LP16 of the Fenland Local Plan (adopted May 2014).

- 9 The window serving the stairwell on the eastern elevation of the dwelling hereby approved shall be fixed shut and obscure glazed and so maintained in perpetuity.

Reason - To protect the privacy of neighbouring properties in accordance with policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).

10 Approved Plans



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