

F/YR15/0352/F**Applicant: Mr G Hall****Agent : Mr Ken Elener
KL Elener Architectural Design****Land North East Of, 7 - 9 Railway Lane, Chatteris, Cambridgeshire****Erection of a 2-storey 3-bed dwelling involving demolition of existing outbuildings****Reason for Committee:** Called in by Cllr Mrs Newell raises concerns over vehicle access and impact of the development on the pathway to No. 9 Railway Lane.

1 EXECUTIVE SUMMARY

The application seeks planning permission for the erection of detached 2-storey dwelling. The site lies in the established settlement of Chatteris and within the Chatteris Conservation Area. It is considered that the development satisfies the requirements of policies LP2 and LP15 of the Fenland Local Plan (FLP) in that adequate and safe access is provided with the development and the development as a whole will not adversely affect users of the adjacent highways. Additionally it is considered that the scale, appearance and layout of the proposed development generally respects the character of the Conservation area and will make a positive contribution to the local distinctiveness and character of the area and will not adversely affect the streetscene in respect of its design thereby satisfying policies LP16 and LP18 of the FLP. Likewise, it is considered that the amenity of neighbouring residents will not be adversely affected through the introduction of the development and the amenity of future occupiers will be safeguarded again in accordance with policy LP16 of the FLP.

It is concluded therefore that the proposal would introduce an acceptable form of development in a sustainable location which provides a high level of amenity for future occupants whilst protecting that of existing residents and users of the highways.

The recommendation is therefore to approve the application.

2 SITE DESCRIPTION

- 2.1 The site lies in the established settlement of Chatteris and within the Chatteris Conservation Area. The site comprises approximately 380m² of land formerly associated with 9 Railway Lane and lies to the rear of No's 7-9 Railway Lane and immediately adjacent to a recently completed 2-storey dwelling to the east built under permission F/YR13/0615/F. Two dilapidated sheds currently occupy the site and the land has most recently been used as a construction access for the adjacent dwelling and therefore the site is relatively sterile with the exception of an immature tree and shrub.
- 2.2 The site is partially enclosed with a 1.5m high brick wall to the north and a 2.0m high close boarded fence screening off the rear gardens to 7 and 9 Railway Lane.

To the north of the site is a group of flats known as Hereward Court and to the south is a private allotment and rear garden to 'The Firs'. The area includes a variety of architectural styles and scales built in the late Victorian era to present.

2.3 The site lies in Flood Zone 1.

3 PROPOSAL

3.1 The application seeks planning permission for the erection of detached 2-storey dwelling. Since the application was submitted, the applicant has made changes to the layout in an effort to address initial concerns over access arrangements.

3.2 The dwelling's vehicular access will be via a private drive off Railway Lane between No.9 Railway Lane and Hereward Court and will provide parking for 2 cars at the rear (north) of the property. The dwelling's principal elevation will face south and will mirror the recently completed dwelling adjacent in respect of scale and appearance but is proposed to be finished in facing brick (specification to be confirmed) rather than the timber boarding found on the adjacent dwelling.

3.3 The dwelling will measure approximately 10.5 in width by 6.5m in depth and 7.1m in height to the ridge with an eaves height of 3.5m. The roof will incorporate dormer windows serving bedrooms to the southern roof plane which will sit either side of the central 2-storey high glazed frontage detail. Rooflights are proposed to the rear roof plane and will serve a bedroom, en-suites and a bathroom.

3.4 The site is proposed to be enclosed with 2.0m high close boarded fence to the east, west and part of the northern boundary where the existing brick wall finishes and will provide a rear garden area for future occupiers. The front of the site will be open and pedestrian access is proposed utilising the existing access between 7 and 5 Railway Lane.

4 SITE PLANNING HISTORY

F/YR13/0945/F	Erection of 2 x 2-bed flats (land adjacent north)	Withdrawn 28.01.2014
F/YR13/0615/F	Erection of a 3-bed detached 2-storey house with attached car port (land adjacent east)	Granted 23.09.2013
F/YR11/0215/F	Erection of 2 x 2-bed flats (Land adjacent north)	Granted 12.05.2011
F/YR08/0160/F	Erection of 4 x 1-bed flats	Granted 21.05.2008

5 CONSULTATIONS

5.1 Conservation Officer (FDC)

Considers the principle is on balance deemed acceptable due to the precedent on the adjacent site. A brick finish would be desirable and can confirm that the use of pantile would be preferable to slate in this location.

5.2 Kasia Gdaniec, Senior Archaeologist (CCC)

No objections

5.3 Middle Level Commissioners (IDB)

Advised will be commenting. No comments yet received

5.4 Parish/Town Council

Raise No Objections

5.5 FDC Scientific Officer (Land Contamination)

No objections subject to imposition of unsuspected contaminated land condition.

5.6 Cambridgeshire County Council Highways Authority

No objection to location of access subject to conditions controlling;

- a) The maintenance of adequate visibility at the access (boundary features max 600mm high within 2m of the highway)
- b) Hard surfaced and drained access 5m from the junction with Railway Lane
- c) Parking and turning to be provided prior to occupation

5.7 Anglian Water

No comments received

5.8 Local Residents/Interested Parties

2 representations received from local residents raising the following concerns;

- The potential use of the access between 7 and 5 Railway Lane for further cars
- Lack of parking of recently completed dwelling which was supposed to include a side car port. The area designated for the car port will not be available as a result of the proposed dwelling
- The land is used for parking by the owners of 26 High Street and therefore where are they to now park?
- Concerns over narrowness of access between 7 and 5 Railway Lane

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Fenland Local Plan 2014 (FLP):

LP2: Health and Wellbeing

LP3: Settlement Hierarchy

LP14: Responding to climate change and managing flood risk

LP15: Highways

LP16: Delivering High Quality Environments

LP18: The Historic Environment

7 KEY ISSUES

- **Principle of Development**
- **Access and Highways considerations**
- **Scale, Layout and Appearance**
- **Impact on amenity**
- **Drainage**
- **Health and wellbeing**
- **Economic Growth**

8 ASSESSMENT

8.1 Principle of Development

8.1.1 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 Chatteris within a residential area. Therefore the principle of residential development of the site is supported.

8.2 Access and Highways considerations

8.2.2 Policy LP2, together with LP15 seeks to ensure that well designed and safe access is provided with new development.

8.2.3 The development will be accessed via 2 locations. A pedestrian access is proposed at the front (south) of the dwelling which leads from the access road between 5 and 7 Railway Lane. This access serves a small number of dwellings to the east of the site. The vehicular access is located at the rear of the site and leads directly onto Railway Lane. Parking for 2 cars is proposed commensurate to the Council's standards based on the number of bedrooms and cars will have sufficient room to enable turning and exit in forward gear within the site. A boundary wall is proposed along the northern boundary of the access where it meets Railway Lane and it is proposed to retain this at no higher than 600mm in order to maintain adequate visibility.

8.2.4 The LHA have raised no objections to the proposal subject to securing conditions in respect of hard surfacing to the immediate access from Railway Lane, the retention of parking and turning and the restriction of height to boundary treatments at the access to the site.

8.2.5 Representations received have raised concerns over the proposal in respect of highways impacts as follows;

8.2.6 *The potential use of the access between 7 and 5 Railway Lane for further cars.*

Whilst the development does rely on the access between 5 and 7 Railway Lane for pedestrian access, there is no proposal for vehicular access or parking for future occupiers of the unit within this access. To park along this access would likely block other users which would constitute a civil matter. Adequate on-site parking is provided with the development and the development could be controlled through conditions to ensure that this is retained during the lifetime of the development thereby making it acceptable in highway terms and compliant with policy requirements in this regard.

8.2.7 *Lack of parking of recently completed dwelling which was supposed to include a side car port. The area designated for the car port will not be available as a result of the proposed dwelling*

The proposed development does utilise an area previously allocated for the erection of a car port for the adjacent, recently completed dwelling. However this car port has not been built and instead occupants of the existing adjacent dwelling park in tandem on an area allocated to the east of the site and can adequately park, turn and exit in forward gear onto Railway Lane and therefore there is no harm to the highway as a result of this modification.

8.2.8 The land is used for parking by the owners of 26 High Street and therefore where are they to now park?

It is assumed that the land referred to is the aforementioned area now used for parking by the occupants of the recently completed dwelling who own the land and retain it as part of their residential curtilage. It would appear that if the land in question is within the ownership of the recently completed dwelling, there would be no assumed right for others to park on this land.

8.2.9 Concerns over narrowness of access between 7 and 5 Railway Lane

As previously stated, the access between 5 and 7 Railway Lane is already used for vehicular access but the development subject of this application does not propose to use this for vehicular access. The access road is narrow c.3.0m and therefore vehicle speeds would generally be assumed to be low. In addition, the access serves only a small number of properties and therefore it is considered that the road would be acceptable for pedestrian access to the site.

8.2.10 In conclusion, the development satisfies the requirements of policies LP2 and LP15 of the FLP in that adequate and safe access is provided with the development and the development as a whole will not adversely affect users of the adjacent highways.

8.3 Scale, Layout and Appearance

8.3.1 Policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area, improves the local built environment and does not adversely impact on the character of the area or the streetscene in general. LP16 together with LP18 seeks to protect and enhance the historic environment.

8.3.2 The dwelling will be orientated with its principal elevation facing south as per the adjacent dwelling. It will be sited approximately 4m away from the existing dwelling thereby providing adequate separation and will incorporate an area of rear private amenity space meeting the minimum third of the plot required by policy LP16(h). A small area of front garden is also proposed leading onto the access road between 5 and 7 Railway Lane.

8.3.3 The scale, mass and appearance of the dwelling almost mirrors that of the adjacent property in respect of ridge and eaves heights (7.1m and 3.6m respectively), overall width and depth of the unit (10.5m by 7.4m) and the window styles. The external finish of the dwelling will however be different with a facing brick and concrete tiles which is considered to respect the existing built form fronting Railway Lane and buildings to the east of the site within the Conservation Area. Comments received from the Council's Conservation Team conclude that a brick and tile finish is preferable and that the introduction of a dwelling at this location and of this design is acceptable given the existence of the adjacent dwelling.

8.3.4 Rooflights are proposed in the rear, northern roof plane which again can be found on the adjacent dwelling and therefore continue this established characteristic.

8.3.5 The development will result in the demolition of 2 existing garages. These garages are in a dilapidated condition and do not enhance the character of the Conservation area and their loss is therefore not considered to be harmful.

8.3.6 It is considered therefore that the scale, appearance and layout of the proposed development respects the character of the Conservation area and would make a positive contribution to the local distinctiveness and character of the area and will not adversely affect the streetscene in respect of its design and therefore accords with the requirements of LP16 and LP18 in this regard.

8.4 Impact on amenity

8.4.1 Policies LP2 and LP16 of the FLP seek to ensure that development does not adversely impact upon the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.

8.4.2 The development will be sited 4m away from the adjacent, recently completed dwelling. The 1st floor western facet of the adjacent dwelling incorporates a bedroom window. Views from this window will be partially restricted as a result of the proposed development and the outlook will be of the side gable wall of the proposed dwelling. However, whilst the immediate outlook from this window would be restricted to the top half of the brick gable, the distance separation enables views of between 45° and 55° out of the existing bedroom window which is considered adequate.

8.4.3 The upper floor windows of the proposed dwelling would enable views into the rear garden of the dwelling to the south, 'The Firs' which has also been considered. The proposal would introduce a dwelling at a distance of c.30m to windows of 'The Firs' and c.16m to its associated formal garden area. Therefore, it is considered that adequate distance separation is achieved at these points. Likewise the development to the north, Hereward Court has also been considered and again with the proposed development c.17m from Hereward Court, the amenity of existing residents is not considered to be compromised with the introduction of the development

8.4.4 As previously identified, the development would deliver an area of private amenity space which accords with the requirements of policy LP16(h). In addition, the site is proposed to be enclosed with a mixture of new 2m high fence and through the use of the existing boundary wall along the north of the site which will provide adequate screening for future occupiers of the development and existing residents.

8.4.5 It is considered therefore that the amenity of neighbouring residents will not be adversely affected through the introduction of the development. Likewise the amenity of future occupiers will be safeguarded. The development is therefore considered to accord with the aims of policies LP2 and LP16 of the FLP.

8.5 Drainage

8.5.1 LP14 seeks to ensure that suitable drainage means have been secured with proposals. The site is located in Flood Zone 1 and therefore in the lowest area of flood risk and accordingly a flood risk assessment is not required. The development proposes to utilise an on-site soakaway to dispose of surface water. Whilst no comments have been received from the IDB, matters of surface water drainage would be addressed through the Building Regulations element which would require demonstration that ground conditions were conducive to this method. It is noted that the adjacent, recently completed dwelling disposes of its

surface water via the mains sewer and it would therefore appear that options are available to the developer.

- 8.5.2 It is considered therefore that the proposal satisfies the requirements of LP14 of the FLP in respect of drainage.

8.6 Health and wellbeing

- 8.6.1 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 FLP.

8.7 Economic Growth

- 8.7.1 The introduction of a further dwelling in this growth location will support the growth of Chatteris and the district in general thereby expediting Fenlands drive towards sustainable development as outlined in policy LP1 of the FLP.

9 CONCLUSIONS

- 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, LP14, LP15, LP16 and LP18 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 relevant policies of the FLP as being sustainable development and therefore the proposal is recommended for approval.

10 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 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (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 house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);

- ii) 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);
- iii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

Reason - To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of residential amenity and the development's architectural and visual integrity and character of this part of the area/conservation area in which it is set in accordance with policies LP16 and LP18 of the Fenland Local Plan (adopted May 2014).

- 3 Notwithstanding the approved plans, prior to the commencement of the development full details of the external finishes shall be submitted to and approved in writing by the Local Planning Authority and the development shall be executed in accordance with the approved scheme and retained in perpetuity thereafter.

Reason - To safeguard the visual amenities of the area in accordance with policies LP16 and LP18 of the Fenland Local Plan (adopted May 2014)..

- 4 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 / manouvering area, in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).

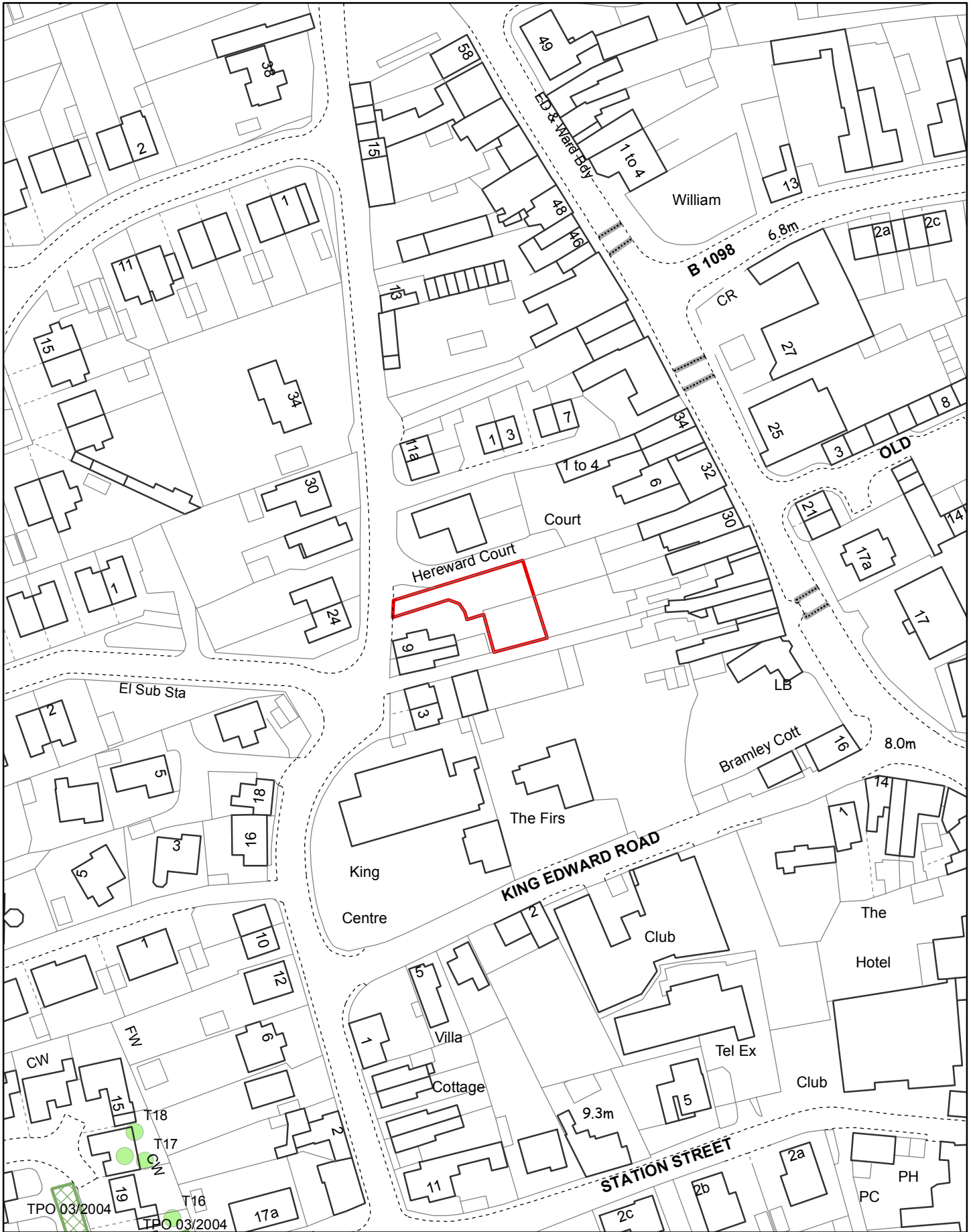
- 5 Prior to the first occupation of the development, the vehicular access from Railway Lane shall be hard surfaced, sealed and drained away from the highway for a minimum length of 5m from the back edge of the existing footway.

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

- 6 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: To ensure that the development complies with approved details in the interests of the protection of human health and the environment in accordance with policy LP2 of the Fenland Local Plan (adopted May 2014).

- 7 Approved Plans



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