

F/YR15/0792/F

Applicant: Ms E Wheeler

Agent : Mr Chris Walford
Peter Humphrey Associates Ltd

Land North Of Hollingworth House Hockland Road Fronting, Cats Lane, Tydd St Giles, Cambridgeshire

Erection of a 2-storey 4-bed dwelling and detached double garage with store

Reason for Committee: Due to the level of objections received contrary to Officer Recommendation.

1 EXECUTIVE SUMMARY

This is a full application for the introduction of 1 dwelling and detached garage and store at Land North of Hollingworth House in Tydd St Giles. The site fronts onto Cats Lane and represents an infill plot. The site can accommodate the proposed dwelling and it is considered to be in keeping with the surrounding area in terms of form and character. The proposal involves a new access off Cats Lane and will provide parking and turning areas and a large area of residential amenity space.

The key issues for consideration are:

- Principle of Development
- Village Thresholds
- Layout, Design and Residential Amenity
- Highway Safety
- Trees and Wildlife
- Impact on Nearby Listed Building
- Health and wellbeing
- Economic Growth

The proposal has been considered against the relevant local and national planning policies and is considered to comply with these. As such the proposal is recommended for approval.

2 SITE DESCRIPTION

2.1 The site is located to the east of Cats Lane in Tydd St Giles and comprises an area of heavily landscaped residential garden land with a number of trees within and around the site. To the north of the site is a dwelling (Shallon) with the continuation of Cats Lane beyond. To the south of the site are dwellings which front onto Hockland Road (namely Hollingworth House, The Old Granary and Amley Grange). To the west, on the opposite side of Cats Lane, is a large dwelling, Padget Hall set within extensive grounds. The site is located within the main settlement of Tydd St Giles and is within Flood Zone 1.

3 PROPOSAL

- 3.1 This is a full application for the erection of a 2-storey 4-bed dwelling and detached double garage with store above. The dwelling is to be located to the southern side of the site, towards Hollingworth House, with the remainder of the site being retained for landscaped amenity space. A new access is proposed off Cat's Lane, which will lead to the garage/store and an ample parking and turning area for vehicles. The dwelling will be positioned approximately 43 metres from the dwelling to the north (Shallon) at its closest point and approximately 47 metres from the dwelling to the south (Hollingworth House) at its closest point.
- 3.2 The design of the dwelling is of a relatively traditional nature with a gable front feature and a single-storey side lean-to. The design includes an external chimney stack to the side and a large area of glazing to part of the rear elevation. The fenestration and detailing is relatively simple and the proposed materials include grey slate roof tiles, a light cream render finish and natural timber cladding.
- 3.3 The dwelling will provide a lounge, lobby, snug/office, dining room, kitchen, utility, wc and sun room to ground floor level and 4 bedrooms, 2 en-suites, a bathroom, airing cupboard and landing at first floor level. A balcony is proposed to the rear elevation at first floor and will measure approximately 5m in width by 2m in depth and will be sited at a distance of approximately 35m from the rear boundary of the site.

4 SITE PLANNING HISTORY

F/1303/88/O	Erection of a bungalow on garden Land adj Hollingworth House Cats Lane Tydd St Giles Land Adj Hollingworth House Cats Lane Tydd St Giles	Refused	15/12/1988
F/0763/88/O	Erection of a bungalow Land at Hollingworth House Tydd St Giles Land At Hollingworth House Tydd St Giles	Refused	08/09/1988
F/0532/87/O	Erection of a bungalow on garden Land adj. Hollingworth House Tydd St Giles Land Adj. Hollingworth House Tydd St Giles	Refused	16/07/1987

5 CONSULTATIONS

5.1 Parish Council

Cannot support the application and request that it is refused on the grounds of the land being part of the open countryside; loss of amenity to the Parish; concerns over highway safety and the inadequacy of the traffic survey; the application is not infill but has elements of backfill; no footpath is proposed and is considered essential; the Parish of Tydd St Giles has already provided more than its quota of new buildings therefore future development should only be granted where they fully comply with the Local Plan; and the tree survey is only relevant if the piece of land was to be developed.

5.2 North Level IDB

No comments to make with regards to this application.

5.3 FDC Tree Officer

The submitted tree report is a fair representation of the trees present on and adjacent to the site. The tree population is considered as part of the wider area and Cats Lane has a landscape of high amenity value. Due to the importance of the trees to the amenity of the area it may be prudent to protect them. Recommendation to grant.

5.4 Wildlife Officer

Consider the application site has not been adequately addressed for the presence of protected species and recommend that a Preliminary Ecological Appraisal/Phase 1 Habitat Survey is carried out.

Following these comments a survey has been carried out and the Wildlife Officer's comments are as follows:

No objection to the granting of permission subject to the imposition of conditions relating to the provision of bat roosting features, bird boxes, the clearance of on-site vegetation and details of fencing to avoid impenetrable barriers for wildlife.

5.5 CCC Highways

No highway objections to the proposal subject to conditions relating to access construction, provision of gates and the provision of parking and turning areas.

5.6 Local Residents/Interested Parties

Objectors

8 letters of objection received concerning (in summary):

- Concern over the accuracy of the biodiversity checklist, bats and barn owls are often seen in the area;
- Cats Lane is not within the main developed settlement of Tydd St Giles;
- The site is backfill and not infill as required by Policy LP3;
- Concerns over the drainage of the site;
- The Heritage Statement is biased as no survey of local residents was carried out to support that the development would enhance Cats Lane;
- The proposal does not accord with the building line;
- The speed survey was biased in favour of the applicant due to the times it was carried out;
- The development will destroy the rural lane and have an adverse effect on Wildlife;
- The proposal will result in an unwelcome precedent;
- Concerns over highway safety due to the access location;
- The dwelling will be tall and imposing and out of character with the existing dwellings;
- Concerns over loss of privacy;
- Trees were felled before the application was submitted;
- Object to the location of the detached garage and store;
- A footpath should be provided on the East side of Cats Lane;
- Concerns over the noise and disturbance during construction;

6 POLICY FRAMEWORK

6.1 National Planning Policy Framework (NPPF)

Paragraph 14: A presumption in favour of sustainable development;
Paragraph 17: Core planning principles;
Section 6: Delivering a wide choice of high quality homes;
Section 7: Requiring good design;
Section 11: Conserving and enhancing the natural environment;

6.2 National Planning Policy Guidance (NPPG)

Design;
Health and Wellbeing;
Rural Housing

6.3 Fenland Local Plan 2014

LP1: A presumption in favour of sustainable development;
LP2: Facilitating health and wellbeing of Fenland residents;
LP3: Spatial strategy, the settlement hierarchy and the countryside;
LP4: Housing;
LP12: Rural areas development policy;
LP15: Facilitating the creation of a more sustainable transport network in Fenland;
LP16: Delivering and protecting high quality environments across the District;
LP18: The Historic Environment;
LP19: The Natural Environment

7 KEY ISSUES

- **Principle of Development**
- **Village Thresholds**
- **Layout, Design and Residential Amenity**
- **Highway Safety**
- **Trees and Wildlife**
- **Impact on Nearby Listed Building**
- **Health and wellbeing**
- **Economic Growth**

8 ASSESSMENT

Principle of Development

- 8.1 Policy LP3 of the Fenland Local Plan, identifies Tydd St Giles as a small village where development will be considered on its merits but will normally be limited in scale to residential infilling. This application is for one dwelling on a site that is located between Hollingworth House to the south and Shallon to the north. The site is considered to adjoin the main settlement and is considered to represent the infilling of an otherwise built up frontage and as such complies with LP3.
- 8.2 Furthermore, Policy LP12 Part A (a) to (e) considers the requirements for development in villages and states that sites should be in or adjacent to the

developed footprint of the settlement, should be in a scale and location that is in keeping with the core shape and settlement and not adversely harm the character and appearance of the surrounding countryside, not extend linear features and retains and respects natural boundaries, amongst other things. The site is within the main settlement of Tydd as it represents an infill plot which sits adjacent to the continuous built up area of Tydd St Giles. The site does not extend linear features as it is within existing residential development sites and the dwelling will front onto Cat's Lane which is consistent with the existing form and character of this part of Tydd St Giles. As such the proposal complies with LP12 Part A criteria (a) to (e).

Village Thresholds

- 8.3 Policy LP12 Part A states that if proposals within or on the edge of a village, in combination with other development built since April 2011 and committed to be built, increase the number of dwellings in a small village by 10% then the proposal should have demonstrable evidence of clear local community support for the scheme and if, despite a thorough pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the relevant Parish Council.
- 8.4 Tydd St Giles has been assessed against this criteria and it has been identified that there is scope for one more dwelling to be approved before the 10% threshold is reached. As such, this proposal falls within the 10% threshold and does not require a community consultation to be carried out. The proposal therefore complies with LP12 in this regard.

Layout, Design and Residential Amenity

- 8.5 The proposal will introduce one dwelling into the plot with a detached garage and store, and will involve the formation of a new access point onto Cats Lane. The layout of the site allows for a large area of private amenity space and ample parking and turning for vehicles and as such is considered to be acceptable and accord with Policy LP16 in this regard. It is noted that some of the points of objection relate to loss of privacy, noise and disturbance and the proximity of the garage to the neighbouring trees.
- 8.6 The dwelling is to be positioned over 40 metres away from each of the properties to the north and the south and as such, overlooking is unlikely to be an issue, particularly with the dwelling's orientation. Consideration has been given to the proposed balcony and due to its distance from the neighbouring properties, which is approximately 44m to the north and 56m to the south, there are no concerns with regards to overlooking, loss of privacy or adverse impacts on residential amenity. The proposal is therefore considered to comply with LP16 in terms of its impact on residential amenity.
- 8.7 In terms of the design of the dwelling, there are a variety of designs present in the surrounding area and as such there is no established design in this locality. The proposed design is relatively traditional and would not have an adverse impact on the character of the area. As such, the proposal is considered to be in keeping with the surrounding area in terms of design, form and character and layout as neighbouring plots are large with large dwellings, which accords with the proposed development. The proposal therefore complies with LP16 in this regard.

Highway Safety

- 8.8 The proposal involves the formation of a new access to the southern part of the site which will lead onto Cats Lane. The access will lead to an ample parking and turning area for the development. The proposed access is to be 5 metres in width and visibility splays of 61 x 2.4 metres can be provided. It is noted that a number of the points of objection raised relate to concerns over highway safety and question the speed survey. The speed survey and the access and visibility splays have been assessed by the Local Highway Authority and they have raised no objections to the proposal in terms of access provision or highway safety. It is noted that one of the points of objection relates to the need for a footpath however the LHA have not requested a footpath in this instance. The proposal is therefore considered to comply with Policy LP15 in terms of access and highway safety.

Trees and Wildlife

- 8.9 The site is currently heavily landscaped with a number of trees present. Furthermore there are a number of trees with Tree Preservation Orders located on the adjacent site to the north (Shallon). The proposal involves the retention of many of the trees around the site including an area of cherry scrub to the site frontage to retain the rural appearance of the site and Cats Lane. There are some trees to be removed at the eastern (rear) boundary of the site, 4 within the site and one willow. The proposal also involves tree protection during construction for the trees on and adjacent to the site during construction.
- 8.10 The application has been accompanied by a Tree Survey and report which has been assessed by the Tree Officer. The Tree Officer considers that the report is sufficient to assess the trees on site and raises no objections to the proposal and the removal of some trees. The Tree Officer notes that some of the trees in and around the site may be worthy of protection and this will be pursued separately to this application. It is considered that the proposal will retain a sufficient number of trees to ensure that the visual integrity and character of Cats Lane is retained and furthermore, the positioning of the garage in relation to the trees is not considered to be likely to have an adverse effect on the existing trees in this instance.
- 8.11 Due to the level of vegetation on the site there is the potential for some habitats for protected species on site. The Wildlife Officer has considered the proposal and has requested that a Phase 1 Habitat Survey is carried out. An Ecological Survey has been carried out and has been assessed by the Wildlife Officer, who raises no objections to the proposal subject to conditions to protect and provide biodiversity enhancements. As such the proposal is considered to comply with Policy LP12 Part A (f) and (g) and Policy LP19 of the Fenland Local Plan.

Impact on Nearby Listed Building

- 8.12 The dwelling located to the west of the site (across Cats Lane, Padget Hall) is a Grade II Listed Building. The application has been accompanied by a Heritage Statement. The site is located approximately 48 metres from Paget Hall itself and the site boundary for Padget Hall comprises of close boarded fencing and trees. It is considered that due to the distance between the properties, the level of existing screening and the proposed design and layout of the development the proposal would be unlikely to have any significant adverse effects on the Listed Building or its setting and as such complies with Policy LP18.

Health and wellbeing

- 8.13 Policy LP2 seeks to ensure that development proposals contribute to creating a healthy, safe and equitable living environment. This proposal will introduce a new dwelling into a sustainable location within the main settlement of Tydd St Giles, will provide a dwelling which is easy to warm and safe from flooding and promote high levels of residential amenity through the proposed layout of the site. As such the proposal complies with LP2 of the Local Plan.

Economic Growth

- 8.14 The proposal will introduce a new dwelling into the village of Tydd St Giles and will provide an additional dwelling for Fenland's housing stock. As such the proposal supports the economic growth of the district and complies with Policy LP6 of the Fenland Local Plan, 2014.

9 CONCLUSIONS

- 9.1 The proposal has been assessed in line with the relevant local and national planning policies and has been found to comply with these in terms of principle, design and layout, highway safety and impact on the nearby Listed Building. It is considered therefore that the proposal is acceptable in this instance.

10 RECOMMENDATION

Grant

Conditions

1. **The development 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 development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently these works shall be carried out as approved. The landscaping details to be submitted shall include:**
 - a) **Proposed finished levels**
 - b) **Hard surfacing, other hard landscape features and materials**
 - c) **Existing trees, hedges or other soft features to be retained**
 - d) **Planting plans, including specifications of species, sizes, planting centres number and percentage mix**
 - e) **Details of planting of features to be provided to enhance the value of the development for biodiversity and wildlife;**
 - f) **Details of siting and timing of all construction activities to avoid harm to all nature conservation features**
 - g) **Location of service runs**
 - h) **Management and maintenance details.**

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies LP16 and LP19 of the Fenland Local Plan, 2014.

- 3. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.**

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan.

- 4. Prior to the commencement of the development hereby approved, adequate temporary facilities, details of which shall be submitted to and approved in writing by the Local Planning Authority, 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.**

Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan.

- 5. Prior to the first occupation of the development hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:
 - a) Enter, turn and leave the site in forward gear;**
 - b) Park clear of the public highway**Shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.**

Reason: In the interests of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan.

- 6. Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with Drawing Number 5231/02C.**

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.

7. **Any gate or gates to the vehicular access hereby approved shall be set back a minimum of 6m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.**

Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan.

8. **No demolition, site clearance or building operations of any type shall commence nor equipment, machinery or materials brought onto site until a protective fence (of at least 2 metres in height and in all other respects in accordance with BS 5837:2012 and previously approved in writing by the Local Planning Authority), has been erected around the trees to be retained within the site and around those trees outside the site whose Root Protection Areas (RPA) (as defined in BS 5837 (2005)) fall within the site, at the outer limit (or beyond) of their RPA or in a position agreed in writing by the Local Planning Authority. This tree protective fencing should remain in place until all construction and associated ground-works have been completed.**

To ensure the wellbeing of the trees to be retained and continuity of tree cover and, maintaining and enhancing the quality and character of the area in accordance with Policies LP16 and LP19 of the Fenland Local Plan (Adopted May 2014).

9. **Prior to the commencement of the development hereby approved, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of measures including the timing of clearance of on site vegetation, provision of bird nest boxes, permeable fencing to allow the movement of wildlife through the site and bat roosts shall be submitted to and approved in writing by the Local Planning Authority. The works so approved, shall be carried out in accordance with the approved programme of implementation.**

Reason: To enhance biodiversity in accordance with Policies LP16 and LP19 of the Fenland Local Plan (Adopted May 2014).

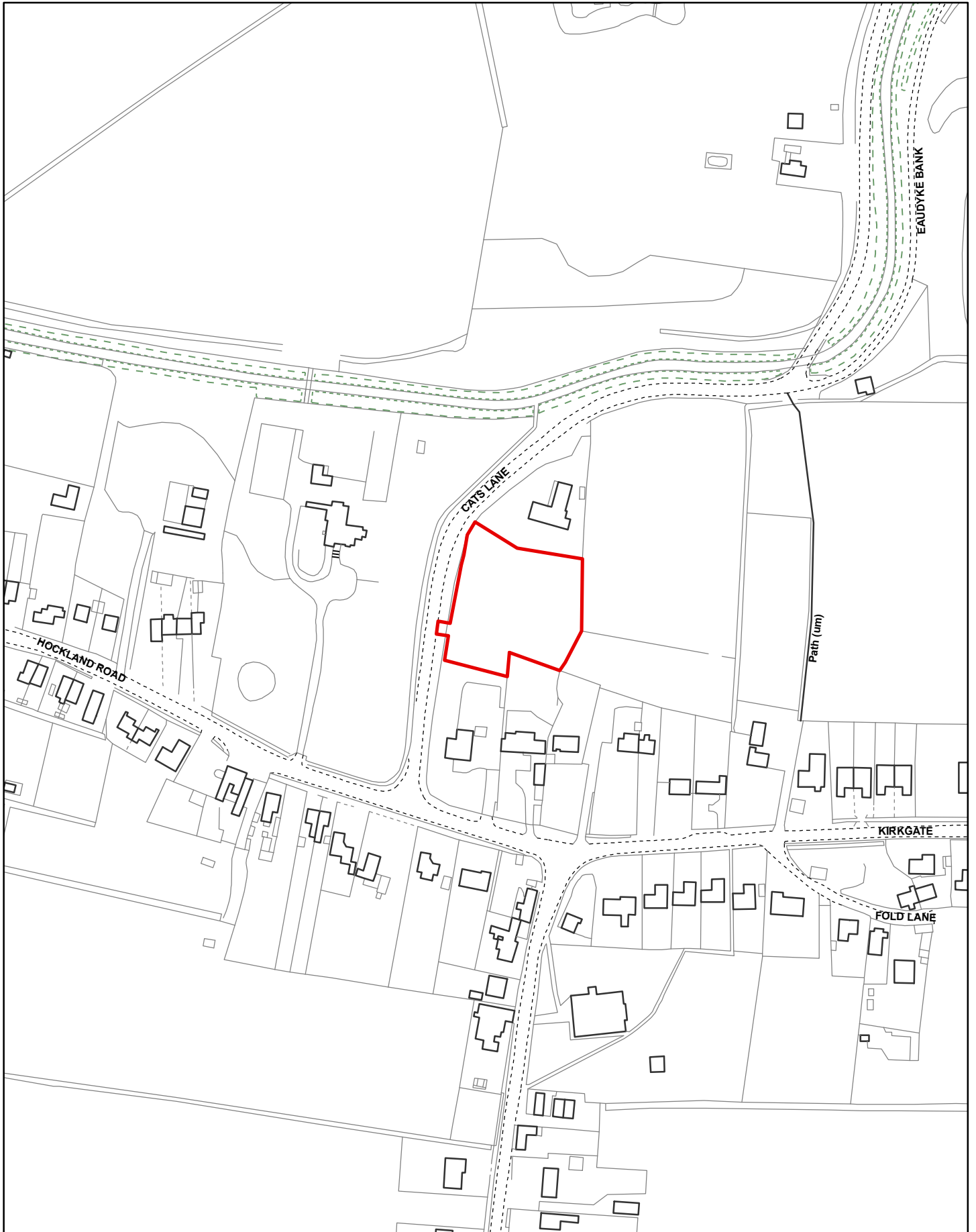
10. **Any ground works that fall within the root protection areas of all retained trees must be carried out by air spade by an Arboricultural contractor using hand excavation rather than mechanical excavation.**

Reason - To ensure that the proposed works will not harm the retained trees and that they are adequately protected.

11. **All service runs should be designed and routed outside the root protection areas of all retained trees. Any works required within root protection areas must be carried out by air spade by an arboricultural contractor and hand excavation rather than mechanical excavation shall be used.**

Reason - To ensure that the proposed works will not harm the retained trees and that they are adequately protected.

12. **Approved Plans**



Created on: 17/09/2015

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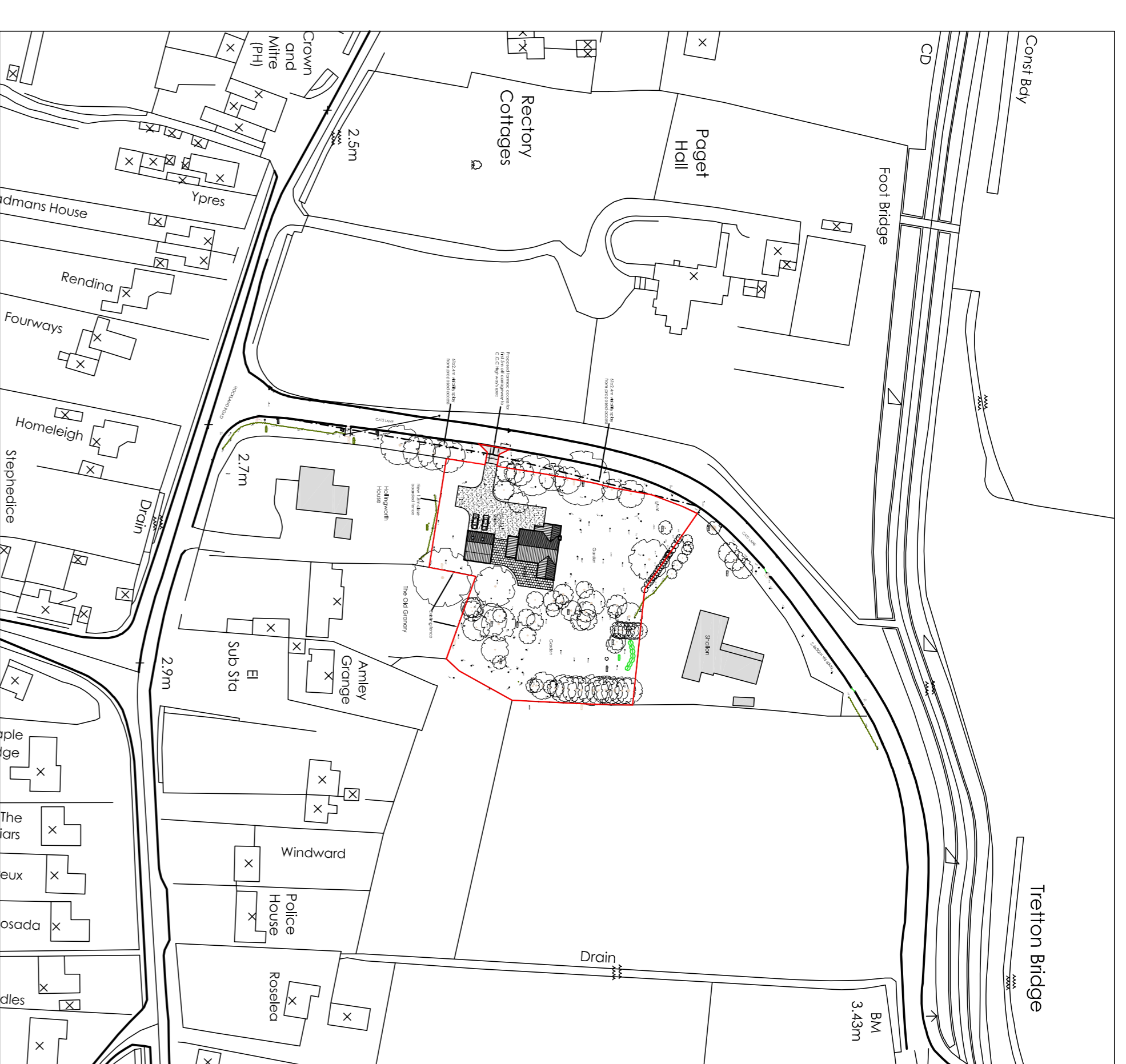




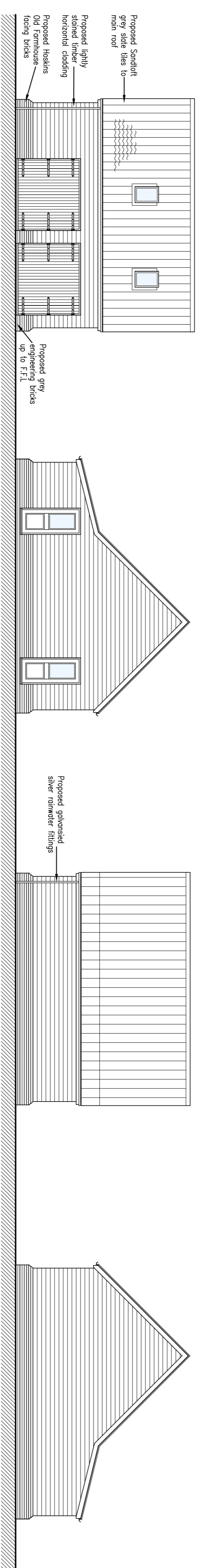
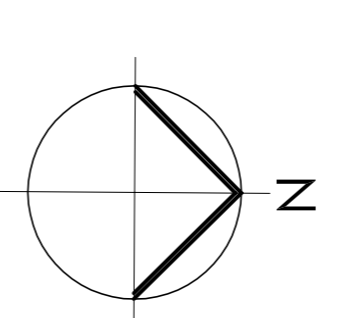
Existing Site Plan 1:500



Proposed Site Plan 1:500



Location Plan 1:1250

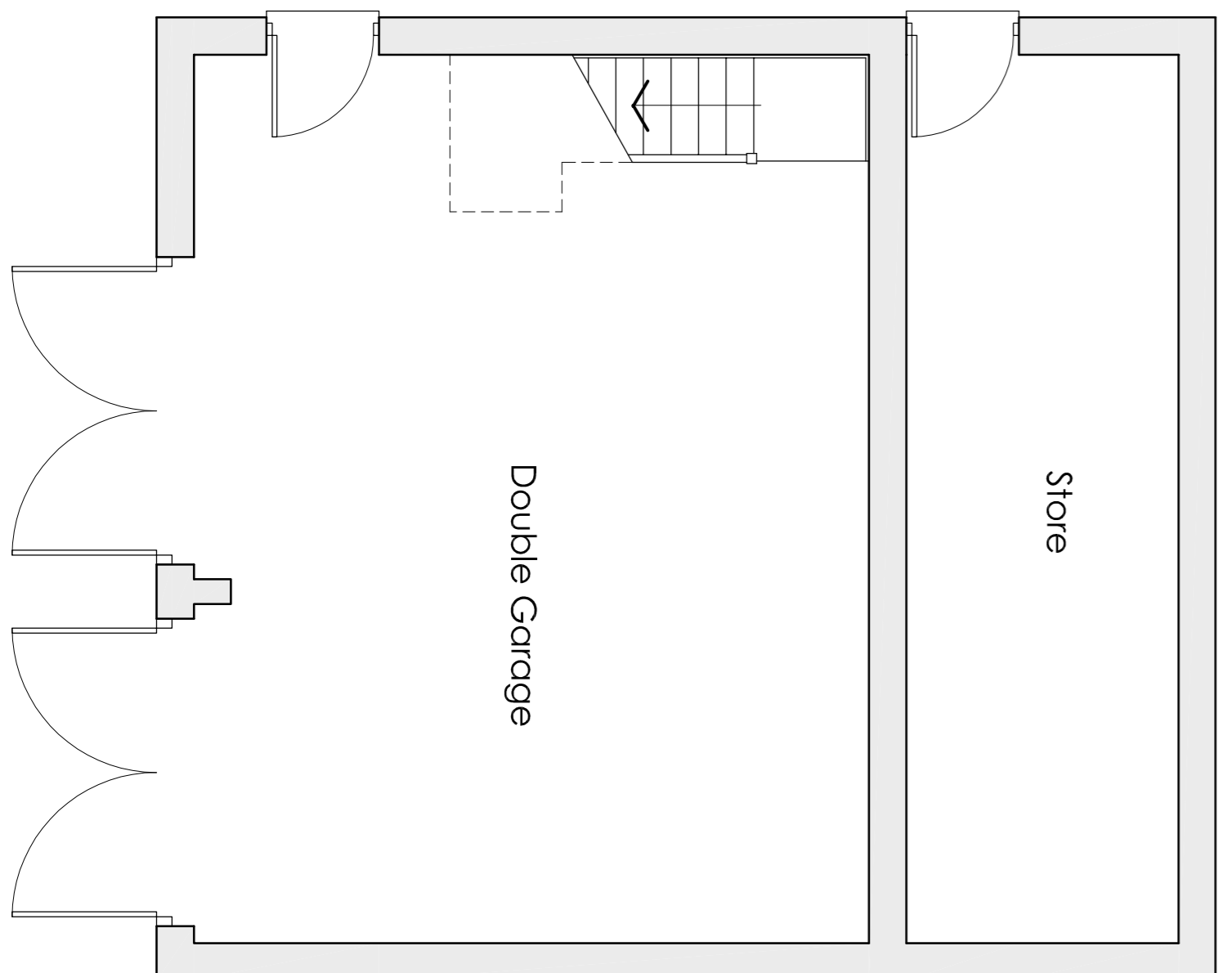


Proposed Front Elevation 1:100

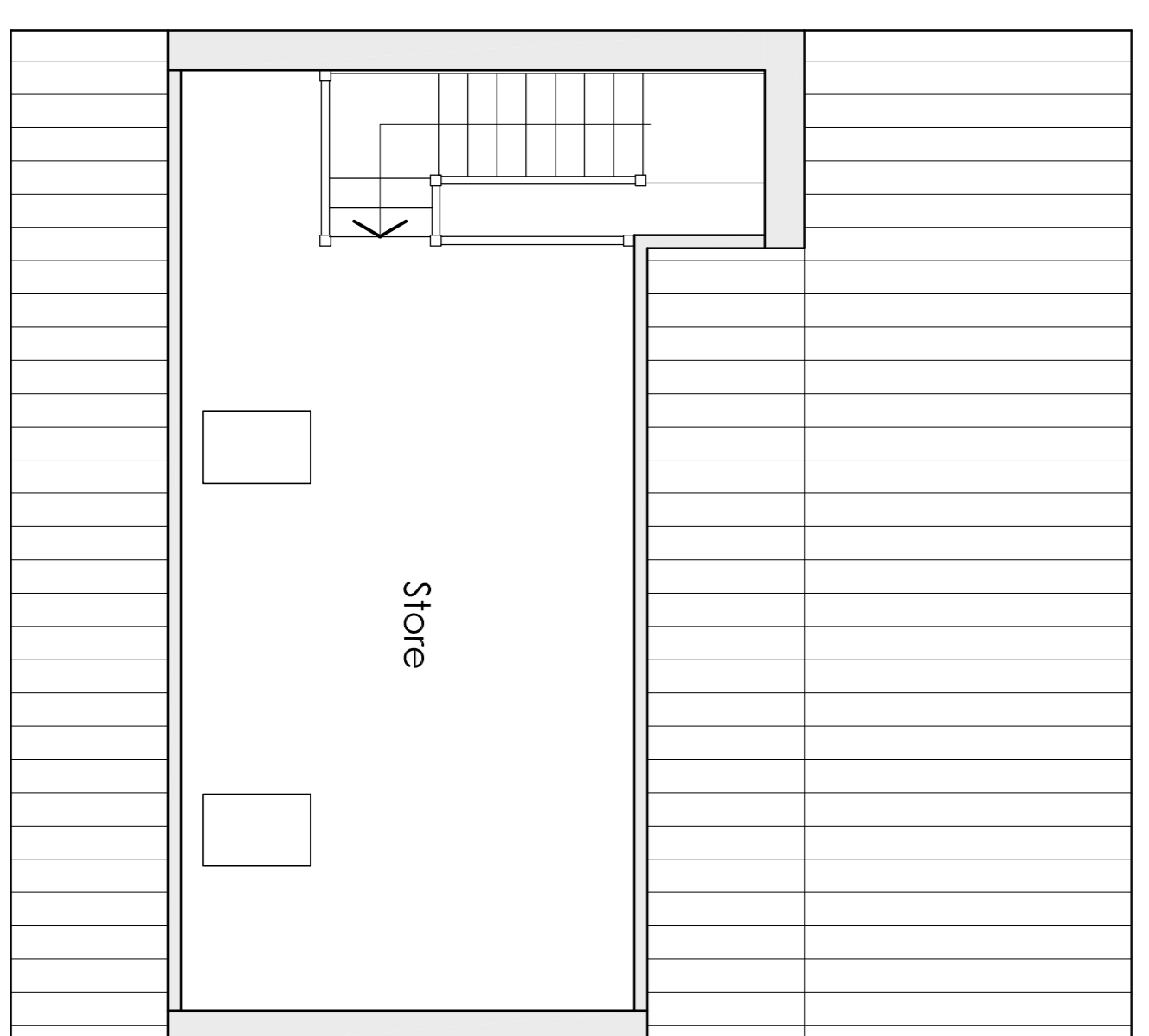
Side Elevation 1:100

Rear Elevation 1:100

Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

27/10/2015 - Access amended for Highways. REV. C.

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

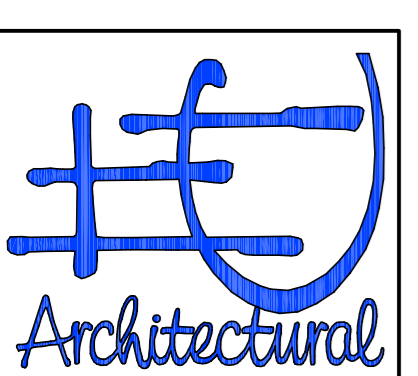
PROJECT
New Dwelling
Cat's Lane
Tydd st Giles
Cambridgeshire

CLIENT
ELEEN WHEELER

DRAWING TITLE
PROPOSED 2

DATE August 2015 SCALE AS SHOWN JOB NO. 5231/02C

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Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
TELEPHONE 01945 466 966
FAX 01945 466 433
E-MAIL: info@peterhumphrey.co.uk
30 OLD MARKET WISBECH CAMBS PE13 1NB
Building
Inspired Architecture & Interiors
Category Winner 2008