

F/YR16/0875/F

Applicant: Mr J Hall

**Agent : Mr David Broker
David Broker Design Services**

Land North Of 20, St Francis Drive, Chatteris, Cambridgeshire

Erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage

Reason for Committee: Due to the level of objection received from local residents.

1 EXECUTIVE SUMMARY

The application seeks full planning permission for the erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage on land north of 20, St Francis Drive, Chatteris. The site has the benefit of an extant planning permission for a house: albeit this was to be accessed from New Road.

The layout plan and elevations are considered to provide sufficient detail in order to demonstrate that the scheme would not have any unacceptable impacts with regard to the relationship with adjoining residential properties. The design, scale and landscaping details are considered to be sufficient.

The application has demonstrated that technical considerations such as highway impacts have all been considered to the satisfaction of the relevant consultees. It is acknowledged that the intensification of the use of the access would have some adverse impacts upon the amenity of the existing occupiers of the dwellings that share the access but the extent of those impacts is not considered to be such that it would warrant the refusal of planning permission. Subject to a number of conditions the impacts of the proposal are considered to be acceptable.

2 SITE DESCRIPTION

- 2.1 The site lies within the built form of Chatteris and consists of the rear garden of No.36a New Road and an area of land laid to lawn to the west of this garden. The property forms part of an area of backland development, including No.36b.
- 2.2 Access to the site runs between No. 20 and 35 St Francis Drive. There is a small section of road which is private and appears to be shared between these properties as well as No 18 St Francis Drive. The road leads out onto a hammerhead which is adopted.
- 2.3 The site is surrounded by residential development and falls within Flood Zone 1.

3 PROPOSAL

3.1 The application seeks full planning permission for the erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage. Amended plans have been submitted which show the 2-storey dwelling moved 1 metre to the west, access to the proposed bungalow eased, and bin collection point re-positioned nearer to the adopted section of St Francis Drive.

3.2 Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=ODLEURHE06P00>

4 SITE PLANNING HISTORY

F/YR16/0043/F	Erection of a 2-storey 4 bed dwelling involving demolition of existing outbuilding	Granted 22/06/2016
F/YR15/0921/F	Erection of 2 x 2-storey 4 bed dwellings involving demolition of existing outbuilding	Withdrawn 25/11/2015
F/YR05/1448/F	Erection of a 4-bed detached house with integral garage	Granted 13/02/2006

5 CONSULTATIONS

5.1 **Chatteris Town Council:** Recommend Refusal - access problems along a private road and over-development of the site.

5.2 **FDC Scientific Officer (Land Contamination):** No objections. Note and accept the submitted information. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. However given nearby land use the unsuspected contamination condition should be imposed.

5.3 **Cambridgeshire County Council Highways Authority:** No objections subject to planning conditions relating to temporary facilities and on-site parking and turning. The application is for the erection of two dwellings including the formation of a new access.

5.4 **Local Residents/Interested Parties:** A total of 7 objections have been received from 7 properties (5 properties on St Francis Drive and 2 properties on St Peters Drive). The objections can be summarised as:

- Concerns with the proposed access – which is onto a private unadopted road. The residents of 18, 20 and 33 are liable for the upkeep and repair of this area – if any work needs to be carried out in this area are we liable for repair work? If it remains private will the new residents have to bring their refuse bins outside of my house for collection?
- The access is very narrow and concerned with damage to property during construction.
- Overlooking and loss of privacy to existing properties;
- Devaluing property.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

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.

Paragraph 47: Supply of housing

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraphs 203-206: Planning conditions and obligations.

National Planning Policy Guidance (NPPG)

Determining a planning application

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

LP5 – Meeting Housing Need

LP15 – Facilitating the creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

RECAP Waste Management Design Guide SPD (February 2012)

Resource Use and Renewable Energy SPD (July 2014)

Delivering and Protecting High Quality Environments in Fenland SPD (July 2014)

7 KEY ISSUES

- **Principle of Development**
- **Design and Character of the Area**
- **Residential Amenity**
- **Access, parking and turning**
- **Health and wellbeing**
- **Economic Growth**
- **Other Considerations**

8 ASSESSMENT

8.1 Principle of Development

Chatteris is identified as a Market Town as outlined in Policy LP3 where the majority of development should be located. The site is considered to be within the built form and urban area and therefore the principle of the proposal is acceptable subject to other policy considerations.

- 8.2 The site benefits from full planning permission (F/YR16/0043/F) for the erection of a two-storey house on part of the site – additional land to the west is now included within this application. That dwelling was to be accessed from New Road. This

demonstrates that the Council has previously accepted two-storey development at this site. The proposed two-storey dwelling is located within a similar (albeit different siting) location to the previously approved house.

8.3 Design and Character of the Area

Policy LP16 is also relevant as it promotes the delivery and protection of high quality environments across the District. Part (d) requires all new development to make a positive contribution to the local distinctiveness and character of the local built environment, to reinforce local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

- 8.4 The proposed development is considered to comply with this requirement given the character of the local area which includes 2-storey and single-storey dwellings. The materials which are proposed within the application are considered to be appropriate and complimentary to the local area. Landscaping is proposed and this would aid to mitigate the impacts of the scheme. A condition will be required to ensure that the landscaping is provided at an appropriate time and retained for 5 years. There would be some glimpsed views of the development and the development would not appear harmful in those views; the development is compliant with Policy LP16.

8.5 Residential Amenity

As noted above the site does benefit from an extant permission for a 2-storey dwelling. This proposal has been amended such that the proposed 2-storey dwelling would have a similar (but slightly improved) relationship with the dwelling to the south as no south facing windows are proposed. The scale of the proposed house would be slightly reduced when viewed from the houses to the east. There would though be first floor windows which would be 19.8 metres from the rear elevation of 6 St Francis Drive. This distance is considered to be sufficient to enable a good standard of amenity to be available to the existing and future occupiers of nearby dwellings and that of the proposed house. However in order to retain an appropriate level of impact it is considered appropriate to remove permitted development rights for new extensions and roof alterations to the proposed dwellings.

- 8.6 The proposed bungalow would have no significant impact owing to the scale of the property and the proximity of the nearby dwellings.
- 8.7 The size of the private amenity area of each dwelling is considered to be sufficient (representing at least one third of the properties) to serve the dwellings.
- 8.8 There would be some harm to the amenity of the occupiers of 18, 20 and 35 St Francis Drive arising from the increased use of the vehicular access, particularly to No. 20 where the existing access road is located adjacent the front and side of this property. This would be exacerbated at the times where the vehicles have to wait to pass each other. This harm would be limited though in duration and the vehicular movements associated with two properties would be relatively low and so the impact is considered to fall within an acceptable threshold.
- 8.9 Overall the proposal is considered to comply with Policy LP16 with regard to residential amenity.

8.10 Access, parking and turning

The proposal is accessed off a private shared driveway which serves 3 other existing properties (numbers 18, 20 and 35) in St Francis Drive. The access width reduces down to 3.4 metres between No.20 and No.35. It also widens to 7.7 metres where it accesses the proposed turning area.

8.11 On site there is space for three vehicles to serve the 4-bed 2-storey dwelling and two spaces for the proposed 2-bed bungalow; this would accord with the parking standards set out in Appendix A of the Local Plan. There is sufficient space for turning to allow vehicles to enter and exit the site in forward gear.

8.12 Overall, the Highway Authority raises no objection to the proposal subject to suitable planning conditions regarding temporary facilities and parking and turning provision. Officers concur with this view and so there are no highway grounds to resist the proposal.

8.13 Refuse collection

As the access would be along a private road (the extent of the public highway ceases close to 16 St Francis Drive) the Council's refuse vehicles would not enter the site. A bin collection point has been located along the shared access road to cater for the two dwellings. A maximum of 4 bins would be located here temporarily once a week on collection day. The bins are positioned within 25m from the adopted highway and are therefore located in accordance with the RECAP guidance (page 25).

8.14 Health and wellbeing

In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people's needs, and in the right location. It is considered that this location represents a sustainable location where residents will be able to easily access local services and facilities without dependence on a private motor vehicle. The scheme will provide 1 smaller 2-bedroom unit and 1 larger family home.

8.15 Economic Growth

The development would be likely to provide a degree of local employment during construction which would support the continued sustainability and economic growth of Chatteris.

8.16 Other Considerations

8.17 Devaluation of property

Case Law has determined that this is not a material planning consideration and therefore no weight should be given to this point.

8.18 Use of and Future Maintenance of the Private Drive

The use of a private drive is considered to be acceptable in that the number of dwellings which would use it is appropriate. The future maintenance of the access is considered to be a private matter and the Council would expect the developer to liaise with the other existing users of the access.

9 CONCLUSIONS

9.1 The proposal is within the built up area of Chatteris and as such the principle of the development is acceptable. The site benefits from an extant planning permission for the erection of a house. The proposed development would see a more dense

development at the site (although the site area is increased from that which was approved previously). The access is considered to be sufficient to serve the proposed dwellings – there would though be some impacts upon the occupiers of the existing dwellings which currently use the access. The design, scale and landscaping scheme are all considered to be acceptable and the impacts upon residential amenity have been assessed and in each instance an acceptable level of amenity would be retained or provided. Sufficient private amenity space is provided to serve the proposed dwellings. Refuse collection has been appropriately provided with an acceptable location proposed within sufficient distance of the public highway. Health and wellbeing and economic impacts provided limited weight in favour of the development. Overall there are not considered to be any impacts which would individually or cumulatively result in a level of adverse impact which would lead to the development being deemed to be unacceptable – accordingly the proposal is recommended for approval subject to a number of planning conditions.

10 RECOMMENDATION

Grant

- 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 The development hereby approved shall be finished externally in materials as specified in the submitted application.

Reason - To safeguard the visual amenities of the area and ensure compliance with Policy LP16 of the Fenland Local Plan 2014.

- 3 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.

- 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.

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

- 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 and in accordance with Policy LP15 of the Fenland Local Plan.

6 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 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 E);
- 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 dwelling house (as detailed in Schedule 2, Part 1, Class C)

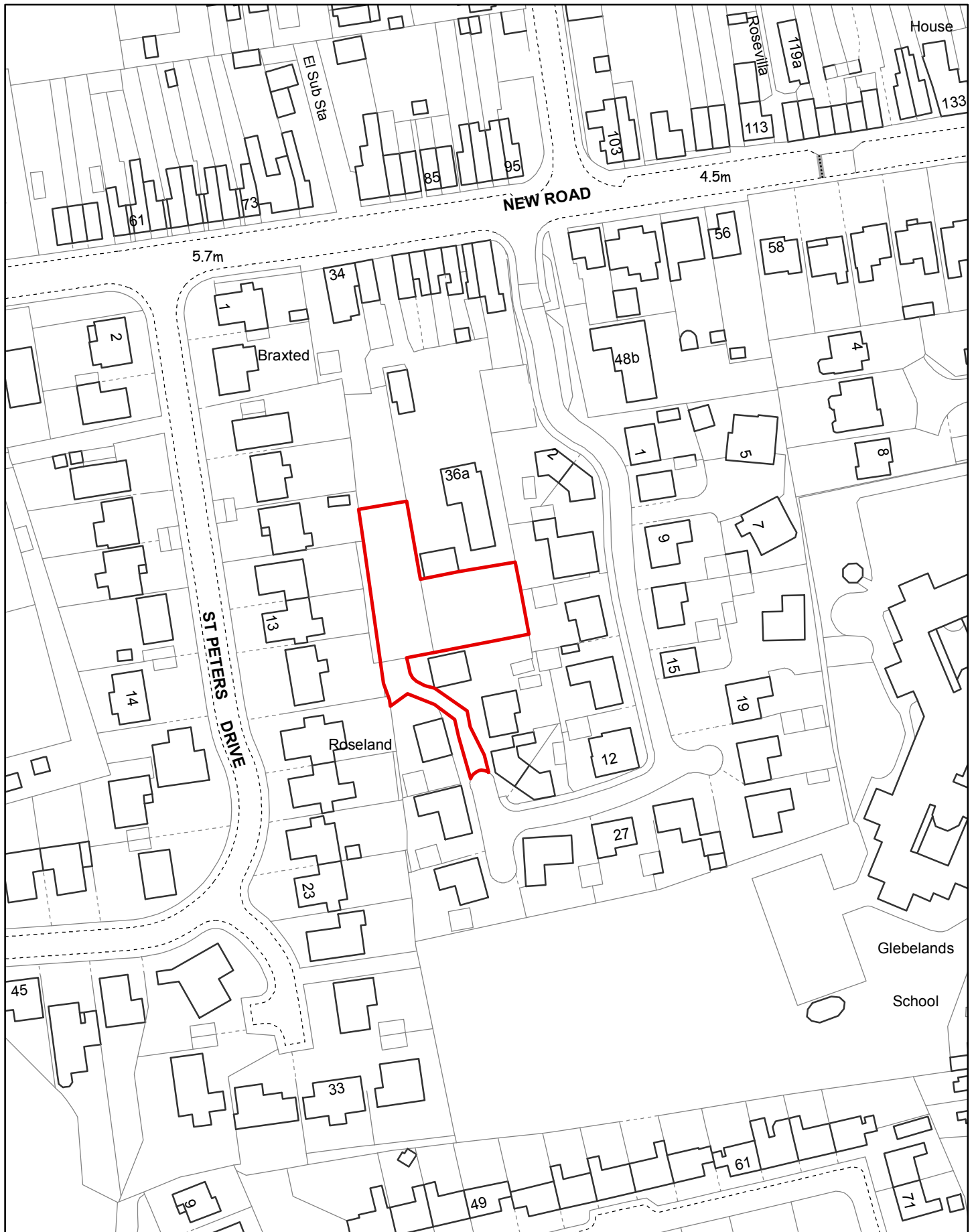
Reasons- To prevent overlooking of neighbouring properties and to safeguard the amenities currently enjoyed by the occupants of adjoining dwellings, in the interest of the protection of residential amenity and in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.

7 All hard and soft landscape works shall be carried out in full accordance with the approved site layout 1859-1B. 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 and in accordance with Policy LP16 of the Fenland Local Plan 2014.

8 Approved Plans.

Case Officer Date:	Team Leader Date:
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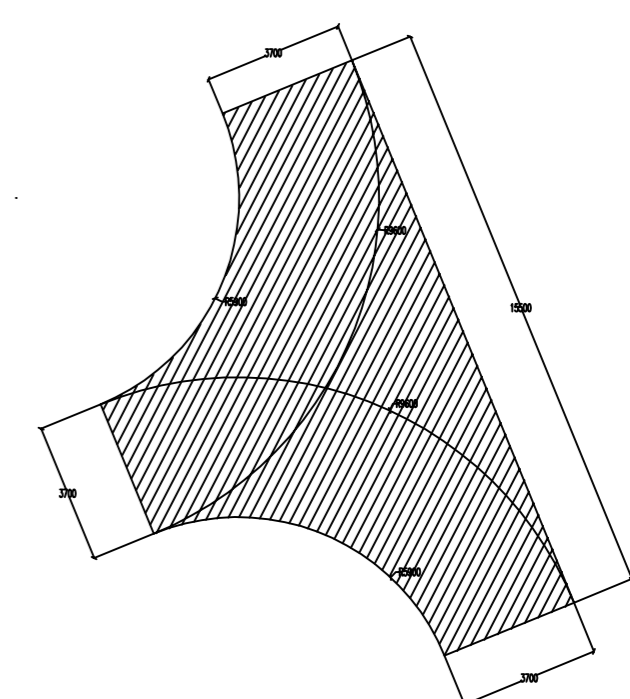
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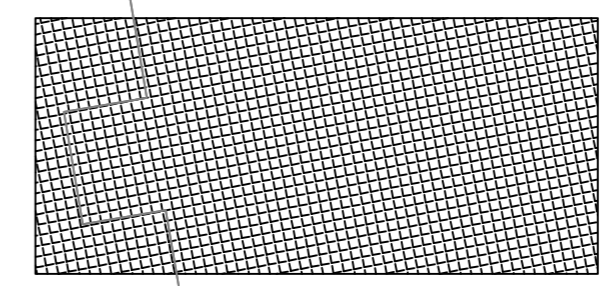
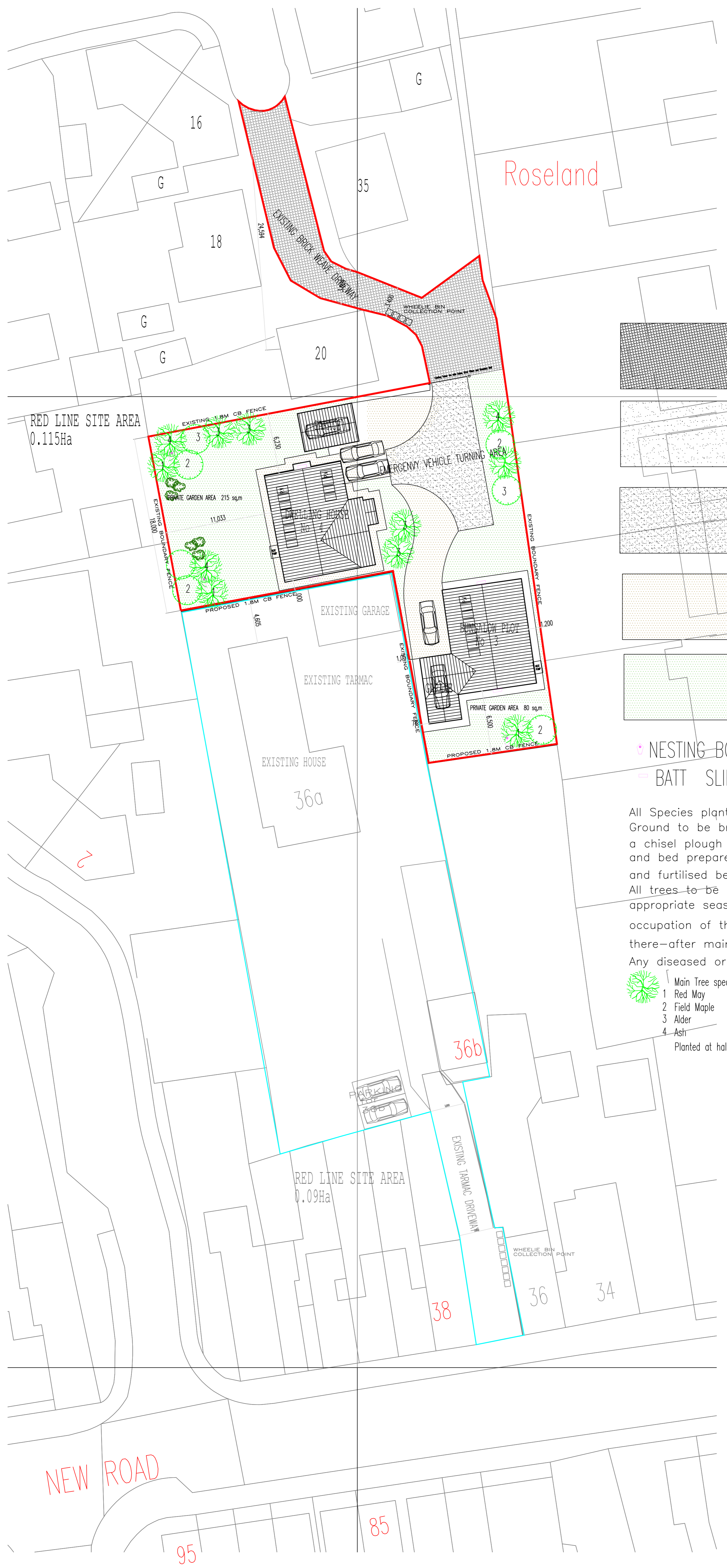
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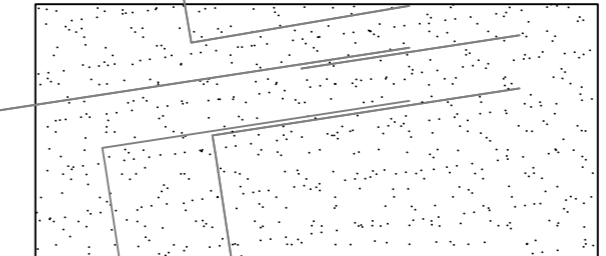




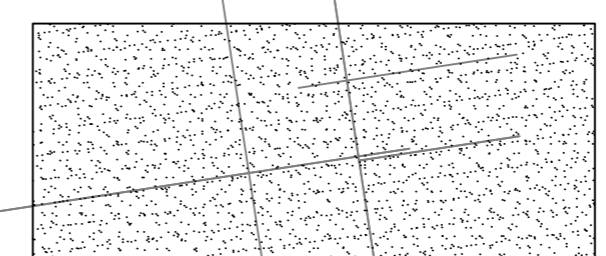
MIN AREA OF ROADWAY REQUIRED FOR EMERGENCY SERVICES ACCESS AND COMPLIANCE WITH BUILDING REGULATIONS PART B5. ROADWAY CONSTRUCTION UP TO AND INCLUDING THIS AREA TO BE CONSTRUCTED TO CARRY MIN WEIGHT VEHICLE 12.5 tonnes



PAVING



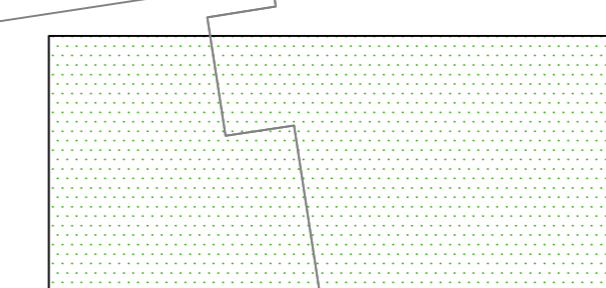
EXISTING TARMAC DRIVE



ADDITIONAL TARMAC DRIVE TURNING AREA



GRAVELLED DRIVEWAY




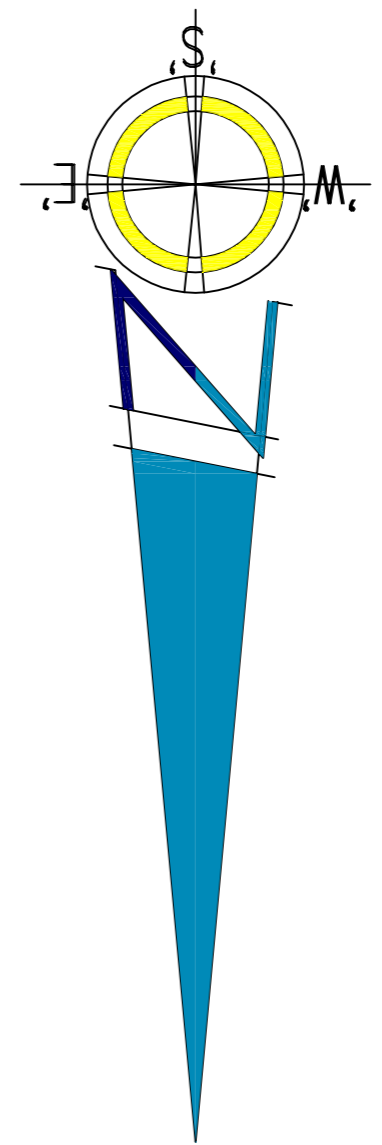
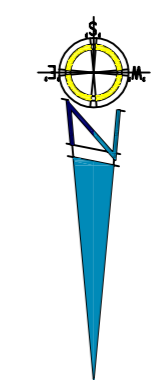
LAWNED GARDEN

NESTING BOXES

BATT SLIPS

All Species planted in combination
Ground to be broken in depth with a chisel plough or similar and bed prepared and fertilised before planting
All trees to be planted in the first appropriate season following the occupation of the Dwellings and there-after maintained
Any diseased or dead items to be

-  Main Tree species
 - 1 Red May
 - 2 Field Maple
 - 3 Alder
 - 4 Ash
- Planted at half standard



Highly Commended
Borough Council of Kings Lynn Residential New Build
West Norfolk The Mayors Award for Design in the Environment 2011

Winner, New Small Scale 2011 housing development
Highly commended 2011 Commercial category building Design and Construction award 2010

Building Design Awards
Winner, Heritage award 2010 for Conversion or Renovation
Highly commended 2010 for Conversion or Renovation
Building Excellence in Fenland Heritage award New Build 2009

Rev Purpose By Date

DBDS

Web site www.davidbrokerdesignservices.co.uk

DAVID BROKER DESIGN SERVICES ARCHITECTURAL TECHNICIANS
at DANBROOKE HOUSE STATION ROAD WISBECH ST MARY'S
CONCEPT 2000 WISBECH CAMBS PE13 4RW
DESIGN AND DEVELOPMENT Telephone 01945 410421
LTD Facsimile 01945 410400
ESTABLISHED 1975 E-mail: david.broker@btinternet.com

Issue:	
Client:	GERRY HALL
Drawing No:	1859-1B (NORTH) SITE LAYOUT
Project:	PROPOSED RESIDENTIAL DEVELOPMENT 1x4 BED DWELLING HOUSE, 1x2 BED BUNGALOW & DET GARAGES
Site:	LAND NORTH OF 20 ST FRANCIS DRIVE CHATTERIS
Postcode:	PE16 6BT
Drawn:	DB
Checked:	-
Print Scale:	1:200
Date:	NOV-16
Revision No:	-

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CDM, Construction Design Management, 6th April 2015
Laws are in force that affect every building project.
The Principal Contractor is responsible to ensure compliance at all stages of the project. A health and safety Construction phase plan must be in place reviewed and maintained to manage Health and Safety Risks involved with the project.