F/YR25/0382/O

Applicant: Mr A Redhead Agent : Mr R Papworth Morton & Hall Consulting Ltd

Land North Of 14, Guildenburgh Crescent, Whittlesey, Cambridgeshire

Erect 1no dwelling and the formation of a new vehicular access to 14 Guildenburgh Crescent (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer

recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission (with all matters reserved except access) for the erection of one detached dwelling on a corner plot at 14 Guildenburgh Crescent, Whittlesey. The proposal includes a new vehicular access to serve the existing dwelling. Indicative plans have been provided which, given the site constraints, are considered broadly reflective of the likely scale and layout.
- 1.2 The site lies within a Market Town where residential development is supported in principle under Policies LP1 and LP3 of the Fenland Local Plan and Policy 1 of the Whittlesey Neighbourhood Plan. However, the provision of a dwelling on this plot, is considered to represent overdevelopment of a constrained plot, introducing a detached form that is out of keeping with the prevailing semi-detached character of the area. The loss of openness, staggered building line, and visual prominence of the dwelling would detrimentally harm the character and appearance of the streetscene.
- 1.3 Further concerns relate to the relocated parking for the host dwelling, which would be situated to the rear resulting in a lack of natural surveillance and an impractical layout accessed via patio doors, raising usability and safety issues.
- 1.4 While acceptable in terms of flood risk, highway safety (subject to conditions), and amenity space provision, the harm identified above is not outweighed by the limited benefits of delivering a single market dwelling.
- 1.5 The proposal is therefore contrary to Policies LP15 and LP16 of the Fenland Local Plan and Policy 7 of the Whittlesey Neighbourhood Plan and is recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site forms part of a corner plot, to the northwest of Guildenburgh Crescent within a predominately residential area. The site is occupied by part of

the garden of a semi-detached two storey dwelling, with a detached outbuilding to the northwestern corner of the plot.

2.2 The site is not subject to constraints; however, there is a tree to the northern boundary which is publicly visible. The surrounding area is predominately characterised by pairs of semi-detached properties however, adjacent to the site there are larger detached properties.

3 PROPOSAL

- 3.1 Outline planning permission with all matters reserved besides access, is sought for the construction of one dwelling and the formation of a new vehicular access to serve 14 Guildenburgh Crescent. The existing parking area to the side of the dwelling is shown as forming the access for the proposed dwelling.
- 3.2 Indicative drawings have been provided, which given the constraints of the site are considered to be reflective of the proposed scale and layout of the site.

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

https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

There is no recent, relevant planning history pertaining to this site.

5 CONSULTATIONS

5.1 Whittlesey Town Council

Recommends refusal as over intensification of the site, not in keeping with the existing streetscene, loss of trees, parking concerns and sewage and drainage issues

5.2 Environment & Health Services (FDC)

No objections subject to a condition limiting construction hours should the application be approved.

5.3 Ecology (FDC)

No objection.

5.3 Cambridgeshire County Council (Highways)

No objections, subject to the inclusion of a condition securing a 2 metre x 2 metre pedestrian visibility splay to serve the new access, should the application be approved.

5.4 Local Residents/Interested Parties

Seven letters in support of the application have been received (from residents at Windmill Street, Violet Avenue, Glenfields, Monk's Close, Owls End and East Delph, Whittlesey and Thornham Way, Eastrea). These comments are summarised below:

- We need to encourage small households and get people on the property ladder
- Design well thought out
- Good use of existing space
- Construction temporary so no long term problems
- Single addition within an existing estate
- Good opportunity for first time buyers
- Low risk of flooding
- Low ecological impact
- No loss of neighbouring privacy
- Positive outweigh the negatives
- Walking distance from facilities and services

20 Letters of Objection have been received (14 of these were received from residents of Guildenburgh Crescent, with others received from Cemetery Road, Feldale Place, Coates Road, Oldfield Gardens, Bellmans Grove, Whittlesey and one from Manchester). These are summarised below:

- Can't maintain existing property shouldn't be allowed to build more to fall into a state of disrepair. No.14 has a drainage leak waste water overflows structure/foundation issues as a result
- Overlooking/Loss of privacy
- Noise/disruption from construction works
- Highway safety
- Parking concerns
- New accesses will impede existing residents accessing their driveways
- Impact on condition of the Road
- Health and Safety during construction
- Impact on neighbouring residents mental wellbeing
- This is not affordable housing.
- Land was previously open public green space
- Potential restrictive covenants on the land
- Impact on avian and terrestrial wildlife
- Site opposite my driveway and no letter has been received (No.45 Gilden)
- Guildenburgh crescent does not need any further housing built
- Impact on neighbouring house prices
- Several new build estates in Whittlesey which offer affordable housing
- Supporting comments are coming from people who do not live nearby

Two letters commenting on the application have been received from a resident on Guildenburgh Crescent and are summarised below:

- It is not necessary to remove all the trees on site.
- Definite need for the fence/division between No.16 and the new driveway
- Concerns regarding structure and foundations of neighbouring properties

6 STATUTORY DUTY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and the Whittlesey Neighbourhood Plan (2023)

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Uses

Homes and Buildings

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
- LP6 Employment, Tourism, Community Facilities and Retail
- LP11 Whittlesey
- LP14 Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 Delivering and Protecting High Quality Environments across the District
- LP19 The Natural Environment

Whittlesey Neighbourhood Plan 2021-2040

Policy 1 - Spatial Planning

Policy 2 - Local Housing Need

Policy 7 – Design Quality

Policy 10 – Delivering Sustainable Transport

Policy 11 – Adapting to and Mitigating Climate Change

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 - Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP7: Design

LP8: Amenity Provision

LP12: Meeting Housing Needs

LP20: Accessibility and Transport

LP22: Parking Provision

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP28: Landscape

LP32: Flood and Water Management

8 KEY ISSUES

- Impact on Character and Appearance of the Area
- Access, Parking and Highway Safety

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. The application site is located within Whittlesey which is identified as a 'Market Town', whereby Policy LP3 sets out housing development should be directed, this stance is supported by Policy 1 of the Whittlesey Neighbourhood Plan. Therefore, it is considered the principle of providing an additional dwelling in this location is acceptable in principle, subject to other material considerations as discussed below.
- 9.2 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This stance is supported by Policy 2 of the Whittlesey Neighbourhood Plan. This is material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.

Design and Impact on Character and Appearance of the Area

- 9.3 Policy LP16 of the Fenland Local Plan, sets out a number of criterion which proposals are required to meet, to ensure that high quality environments are provided and protected. Most relevant to the proposal are:
 - (d) makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 9.4 The above stance is supported by Policy 7 of the Whittlesey Neighbourhood Plan. Further guidance is provided within the Delivering and Protecting High Quality Developments SPD.
- 9.5 Given the outline nature of the proposal the assessment of the application on design grounds is limited. Ultimately, design considerations are limited to whether the quantum of development proposed is appropriate in the context of the site and whether the application demonstrates that the site is capable of successfully accommodating the quantum of development proposed in an appropriate manner.
- 9.6 Notwithstanding the above, it is acknowledged that the immediate locality is primarily characterised by pairs of semi-detached dwellings, which contribute to a consistent and coherent streetscape. However, it is recognised that detached properties do exist within the wider streetscene, including Nos. 37, 37a, and 37b located directly opposite the site, as well as Nos. 2, 4, 6, and 17 situated further to the south. These examples, however, are relatively limited in number and do not override the prevailing pattern of development, which is defined by the predominance of semi-detached forms.
- 9.7 The introduction of a detached dwelling on this plot would significantly diminish the spatial character and visual openness of the corner, which currently contributes positively to the streetscene. The built form would result in a pronounced alteration to the established character, introducing a bulk and massing that would appear discordant and at odds with the rhythm and layout of surrounding area.
- 9.8 In respect of the indicative siting of the proposed dwelling, it is noted that the building has been set back slightly within the plot, seemingly to preserve a sense of openness at this prominent corner location and to provide appropriate parking provision. However, the resultant staggered building line created by the proposed siting would disrupt the visual continuity of the street frontage, introducing an incongruous element that fails to respond sympathetically to the prevailing pattern of development.
- 9.9 While the scale and overall proportions of the proposed dwelling are broadly comparable to those of the host property and other nearby semi-detached dwellings, the detached form does not reflect the architectural typology of these neighbouring properties. This divergence from the established pattern undermines the coherence and legibility of the streetscene, particularly in this location where a strong sense of uniformity and design consistency is evident.

- 9.10 The proposal indicates provision for two on-site parking spaces, which would occupy a significant portion of the frontage and contribute to a visually cardominated appearance. Whilst it is acknowledged that similar parking arrangements are observed at a number of nearby properties, this should not automatically justify further erosion of the visual quality of the streetscape. However, in this instance, the parking provision alone is not considered to result in significant visual harm, when viewed in the context of the surrounding pattern of development.
- 9.11 In conclusion, the proposed development of a single, detached dwelling on this prominent corner plot is considered to result in a detrimental impact on the character and appearance of both the site and the wider area. Whilst the drawings provided are indicative, it is considered giving the limited size of the plot, that these would be reflective of the proposed formal layout of the development. The proposal fails to respond appropriately to the established form, pattern, and spatial characteristics of the locality, and would introduce features that are incongruous and visually disruptive. The development is therefore considered contrary to Policy LP16 of the Fenland Local Plan and Policy 7 of the Whittlesey Neighbourhood Plan, which together seek to ensure high quality design that reinforces local distinctiveness and preserves the character of the area.

Residential Amenity

- 9.12 Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 requires development proposals to not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 9.13 The application site is bordered by twelve neighbouring properties. To the north are No.37b 43 Guildenburgh Crescent, to the west are No.31-37a Guildenburgh Crescent, to the south is No.12 Guildenburgh Crescent and to the east is No.16 Guildenburgh Crescent.
- 9.14 This is a matter that will be dealt with via the reserved matters as the layout is only for indicative purposes. However, based on the indicative layout of the proposal, it is unlikely that the provision of a dwelling in this location would have a detrimental impact, by way of overlooking, loss of light, loss of privacy or an overbearing nature, on neighbouring occupants. Notwithstanding this, careful consideration should be given as part of any detailed proposal to window positioning to ensure the private amenity spaces to No.14 and No.16 are not overlooked.

Amenity Space

- 9.15 It is pertinent to note that any plans submitted as part of this application are for indicative purposes only and any detailed assessment would take place under the subsequent reserved matters application. However, as previously stated, based on the site constraints these are considered to be reflective of the proposed scale and layout of the site.
- 9.16 Policy LP16 (h) states that development should provide sufficient private amenity space, suitable for the type and amount of development proposed and for dwellings other than flats, a minimum of a third of the plot curtilage should be set aside as private amenity space.

9.17 The provision of a dwelling on site would remove a large proportion of private amenity space associated with 14 Guildenburgh Crescent. Based on the indicative site plan, the resultant plot area for No.14 would be 231.7m² with the amenity space measuring 84.8m² (36%), the proposed new dwelling would have a plot area of 200.3m² with an amenity space measuring 84.1m² (42%) and therefore, it is considered that sufficient amenity space could be provided for both dwellings as part of a subsequent reserved matters application, in accordance with Policy LP16.

Parking, Access and Highway Safety

- 9.18 Policy LP15 requires all new development proposals to contribute to the delivery of the sustainable transport network by providing well designed, safe, convenient access for all. Development proposals should provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring parking provision is provided in accordance with the standards. Appendix A sets out that for up to three bedroom properties, parking provision for two vehicles is required.
- 9.19 Based on the indicative layout provided, the proposed parking spaces to serve No.14 are shown as measuring 3.2 metres in width. This accords with the dimensional requirements outlined in Appendix A for spaces enclosed by physical boundaries, such as fences or walls on either side, which may otherwise constrain ease of use. As such, in terms of dimensions, the proposed parking spaces are considered acceptable.
- 9.20 However, the overall parking arrangement for the host dwelling (No.14) raises concerns. The relocation of existing parking to the rear of the property—within an enclosed area surrounded by 2-metre-high close-boarded fencing—is considered suboptimal. It is likely that this would result in a lack of natural surveillance in this rear parking area, in conflict with Secured by Design principles. Additionally, from a usability perspective, access from the parking area into the dwelling is shown to be via patio doors leading directly into the main living space. This is unlikely to represent a convenient or practical point of entry for future occupiers, and it is not considered realistic that regular access would be taken via the formal front entrance. As a result, the proposed arrangement could result in poor user experience and limited functionality.
- 9.21 The Local Highway Authority has been consulted on the proposal and has not raised any objections in principle. However, to safeguard pedestrian and highway safety, they have recommended the imposition of a planning condition requiring the provision of visibility splays on either side of the proposed new access. Specifically, pedestrian visibility splays to the east and west must be maintained free of obstruction exceeding 600mm in height for the lifetime of the development. This condition is considered both reasonable and necessary to ensure the development does not result in any adverse impact on highway safety. Should the application be approved, the inclusion of this condition would therefore be required.

Flood Risk

9.22 Policy LP14 of the Fenland Local Plan and paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding.

9.23 The application is located within Flood Zone 1 and therefore, there are no objections to the proposal in this respect.

Biodiversity Net Gain (BNG)

- 9.24 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.25 The accompanying biodiversity net gain report advises that the proposal will result in loss of hard standing and vegetated garden and would therefore, result in a slight increase in the area of vegetated garden, which will achieve a 14.37% gain. This is shown in Appendix B of the document. Therefore, there are no objections in this respect and the Biodiversity Gain Condition is required to be approved before development is begun.

Other Matters

- 9.26 It is noted that a number of neighbouring representations have raised the issue over land ownership. Reviewing the information available, the LPA can confirm that this area is not registered as being FDC maintainable or as a designated park/open space. It is also noted that another resident who has made a representation has looked into the land registry and whilst the 1970's title does not show it as being owned by No.14 more recent plans do. Notwithstanding the above, land ownership and restrictive covenants do not directly impact on the ability of the LPA to determine the planning application and are not material planning considerations.
- 9.27 Other issues raised are that supporting comments are being made by people who do not reside on Guildenburgh Crescent and should be ignored. The planning process allows for anyone to comment on planning applications and regardless of where they reside, all material considerations will be taken into consideration
- 9.28 Lastly, one neighbour raised concerns that they did not receive a letter despite living opposite. Having reviewed the letters of consultation sent out, the LPA can confirm that all properties abutting the site, including that of the person who raised concerns were sent letters regarding the application.
- 9.29 It is also pertinent to note that the proposal would result in the loss of existing vegetation at the site, which could impact on protected species and habitats. However, FDC's ecologist has raised no objections to the proposal and has not recommended any conditions in this instance. Therefore, there are no objections in this respect.

Planning Balance

9.30 In terms of sustainability the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental, which are interdependent and need to be pursued in mutually

- supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)
- 9.31 This stance is supported by Local Plan Policy LP1. In respect of the first of these, the current proposal would provide economic benefits, for example in respect of employment during the construction phase, as well as support for existing and future businesses, services, and facilities by introducing additional residents that would make use of them and provide future spend in the local economy. However, given the proposal would relate to one unit, it is considered this would be negligible.
- 9.32 In respect of the social strand, it is noted that the proposal would result in one smaller unit being provided, however, again, as this would be a market dwelling this is considered to be negligible.
- 9.33 Lastly, in respect of the environmental objective; it is considered that the site is well located in terms of access to services and facilities. However, given the constraints of the site, it is considered that the proposed development of the corner plot would have a detrimental impact on the site and its contribution to the character and appearance of the surrounding area. This is exacerbated by the siting of parking provision to serve both dwellings and is therefore, considered to represent the overdevelopment of the site. This harm is not outweighed by any prevailing benefits.

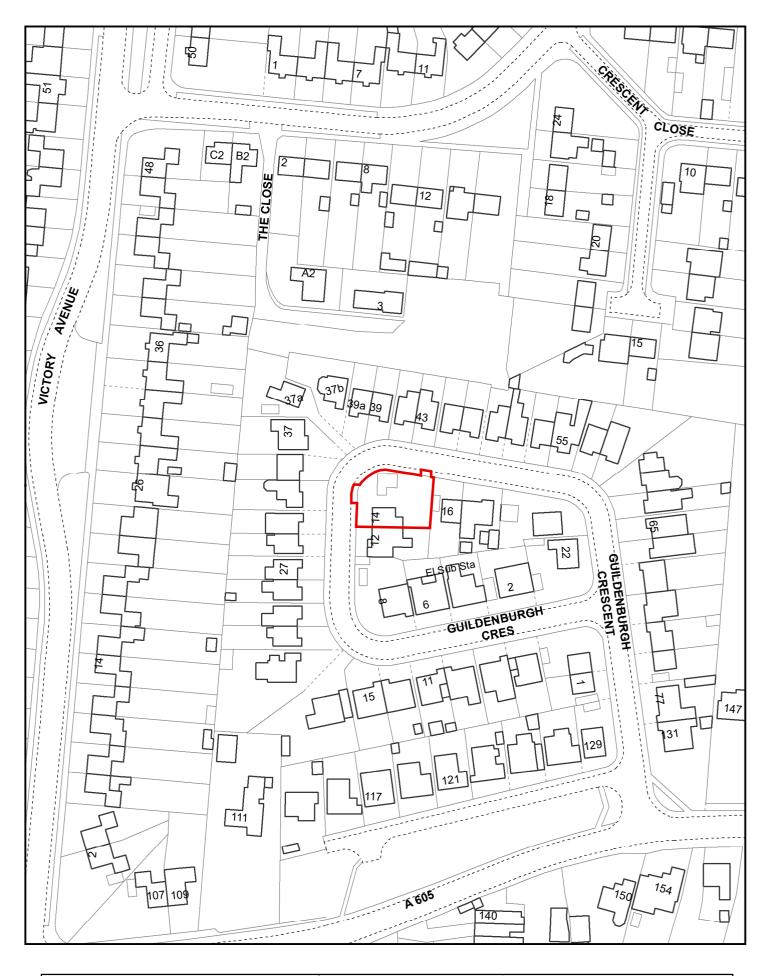
10 CONCLUSIONS

- 10.1 Taking into account the above assessment, the proposed development, by reason of its siting, scale, form and layout, is considered to represent an overdevelopment of a visually prominent corner plot. The introduction of a detached dwelling in an area predominantly characterised by semi-detached properties would appear incongruous within the streetscene and would significantly erode the openness and spatial character of the existing site. The resulting staggered building line and overall design fail to respect the established pattern of development, to the detriment of the character and appearance of the surrounding area.
- 10.2 Furthermore, the associated parking arrangements for the host dwelling (No.14) are considered substandard, with spaces relocated to the rear of the site in an enclosed area with limited natural surveillance. This raises concerns in relation to safety, and usability, particularly given the reliance on access via patio doors directly into the main living area. This further exacerbates the harm identified above.
- 10.3 It is therefore considered, the proposed development would constitute overdevelopment and is contrary to Policies LP15 and LP16 of the Fenland Local Plan (2014) and Policy 7 of the Whittlesey Neighbourhood Plan, which collectively require development to deliver high-quality, contextually appropriate design and well-planned access and parking that contributes positively to the character and functionality of the area.

11 RECOMMENDATION

Refuse, for the following reasons:

1. The proposed development represents overdevelopment of a prominent corner plot, resulting in a form of development that fails to respect the established character and pattern of development of the surrounding area. The introduction of a detached dwelling, in an area primarily characterised by semi-detached properties, would appear visually incongruous and erode the openness of the corner location. The resultant staggered building line and overall layout as a result of the constrained site and space would further disrupt the streetscene. In addition, the proposed parking arrangements are poorly designed, with rear parking provision lacking natural surveillance and convenient access, raising concerns regarding safety, security, and functionality. The proposal therefore fails to demonstrate that any development of the site would not result in a cramped and visually intrusive form of development, contrary to Policies LP15 and LP16 of the Fenland Local Plan (2014) and Policy 7 of the Whittlesey Neighbourhood Plan, which seek to ensure high-quality, contextually appropriate development.



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