
F/YR23/1016/O

Applicant: Maria Hobbs

**Agent : Mr Ian Gowler
Gowler Architectural**

Land East Of 54, Queensway, Chatteris, Cambridgeshire

Erect 1 x dwelling (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application is to erect one dwelling on land to the south-east of No. 54 Queensway, Chatteris. The application is for outline permission with all matters reserved.
- 1.2 The proposed development would be constructed within the residential garden of No. 54 and be out of character for the local area in terms of residential amenity space, which would conflict with and undermine the prevailing form of development within the local area.
- 1.3 The proposed development of the form indicated, if approved, would establish an unacceptable precedent, to the detriment of the local built form and character and the associated adverse effects on established residential amenity of existing occupiers. If approved, the proposal would result in difficulties refusing similar forms of development which would cumulatively significantly detract from the character and appearance of the area and undermine the amenities presently afforded to local residents. The proposal would therefore fail to accord with the provisions of the NPPF 2021 and Policies LP2 and LP16 of the adopted Fenland Local Plan 2014.
- 1.4 The recommendation is therefore to refuse this application as its contrary to the aforementioned planning policies as set out above.

2 SITE DESCRIPTION

- 2.1 The application site is directly to the south-east of 54 Queensway and is currently used as a residential garden space and parking for the adjoining dwelling. The site is 0.0212 hectares in size. The site is accessed off Queensway and is located on a corner plot.
- 2.2 The site is located within flood zone 1 and is considered to be very low risk.

3 PROPOSAL

- 3.1 The proposal is for the erection of one dwelling in the residential garden of No. 54 Queensway. The proposed dwelling is indicated as being a bungalow within the application submission, and illustratively consists of one bedroom, one bathroom and an open plan kitchen and lounge. The proposed dwelling will benefit from two off road parking spaces and a residential garden.
- 3.2 Full plans and associated documents for this application can be found at: [F/YR23/1016/O | Erect 1 x dwelling \(outline application with all matters reserved\) | Land East Of 54 Queensway Chatteris Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR23/0025/O	Erect 1 x dwelling (outline application with all matters reserved)	Refused 15/05/2023

5 CONSULTATIONS

5.1 Chatteris Town Council

Recommend Refusal. Over development. Erection of a dwelling would lead to poor levels of residential amenity for new dwelling and 54 Queensway and would set a precedent of building in gardens.

5.2 Cllr James Carney

Having viewed the planning documents, I have no objection to this application.

5.3 FDC Environmental Health

I refer to the above application for consideration and make the following observations.

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development as it is unlikely to have a detrimental effect on local air quality, the noise climate or be affected by ground contamination.

5.4 CCC Highways

This application is for matters reserved including access. However in principal the highways authority would have no objections to a new vehicle access off Queensway if it is laid out to a suitable standard and includes 2mx2m visibility splays either side of the access.

5.5 Local Residents/Interested Parties

Support has been received from 6 addresses within Chatteris (Doddington Road, Ash Grove, Huntingdon Road, High Street, Curf Terrace and London Road) although 5 of the support submissions did not give any reason for their support

with the remaining submission stating that the development would be in keeping with the area.

6 STATUTORY DUTY

- 6.1 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).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 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

LP10 – Chatteris

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

LP16 – Delivering and Protecting High Quality Environments across the District

7.5 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 48 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

LP4: Securing Fenland's Future

LP7: Design

LP8: Amenity Provision

LP22: Parking Provision

8 KEY ISSUES

- **Principle of Development**
- **Character, Indicative Layout, Scale and Parking**

9 BACKGROUND

- 9.1 An application was refused on this site on the 15th May 2023, application reference F/YR23/0025/O. The reasons for refusal were as follows.

1 Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment. The proposal is for the construction of a bungalow within the residential garden of No. 54 Queensway. The proposal would introduce a dwelling into the residential garden and set a precedent within the local area. This would fail to respect the existing character of the area, which contributes to a sense of openness and space within this residential setting. The proposal would therefore fail to accord with the above requirements and would be contrary to policy LP16 of the Fenland Local Plan (2014).

2 Policy LP2 of the Fenland Local Plan requires development to promote high levels of residential amenity, whilst policy LP16 requires that development does not adversely impact on the amenity of neighbouring users. The proposed dwelling would be sited in close proximity to the other residential dwellings, and as a result, the proposed dwelling would be subject to poor levels of amenity. The resultant amenity space retained for No. 54 Queensway will fall below the one third of the plot threshold for minimum private amenity space resulting in a poor living environment for that dwelling. The proposal would therefore fail to provide high quality residential amenity levels for both the proposed dwelling and the existing dwelling and would therefore be contrary to the requirements of policies LP2 and LP16 of the Fenland Local Plan (2014).

- 9.2 The current application is similar to that which was previously refused, albeit the depth of the indicative dwelling has been slightly reduced by approximately 0.5 metres.

10 ASSESSMENT

Principle of Development

- 10.1 Chatteris is one of the four settlements within which the majority of the district's new housing development is proposed, in line with policy LP3 of the Fenland Local Plan.
- 10.2 However, in this instance, it is considered that the subdivision of the garden of No. 54 to allow for the erection of a new dwelling would not retain the character of the local area for the reasons that will be set out below, and therefore the principle of development of this site, is not considered to be acceptable, irrespective of the slight adjustment of the depth of the indicative dwelling on site in comparison to the previous refusal.

Character, Indicative Layout, Scale and Parking

- 10.3 Policy LP16 of the Fenland Local Plan requires new developments to deliver and protect high quality environments and make positive contributions of the street scene.

- 10.4 The details submitted for this proposal includes indicative elevations of the proposed dwelling, a floor plan and site plan. Within the surrounding area, many corner plots have larger residential gardens due to the layout of the residential area. This is an integral factor in the street scene of the local area and gives a sense of openness throughout the residential development. Therefore, it is considered that this proposal does not meet LP16 of the Fenland Local Plan.
- 10.5 The indicative layout shows the proposed dwelling to be located to the south-east of No. 54 Queensway. As stated above, this area is currently part of the residential garden of No. 54 which would be left with a smaller garden (less than one third of the overall plot size) in relation to neighbouring dwellings as a result of this application. It should be noted that due to No. 54 being a corner plot, the garden is currently larger than neighbouring dwellings, however if the proposed dwelling was to be built, the plot would reduce significantly in size. The current plot size of No. 54 is approximately 393m², with the proposed plot measuring 220m², which would be a reduction of approximately 56%.
- 10.6 The indicative scale of the proposed dwelling is in keeping with the neighbouring bungalows,. The siting of the proposed bungalow would back directly onto No. 52, however due to the scale of the build, it is likely there would be limited overlooking and overshadowing onto the neighbouring dwelling.
- 10.7 The proposed includes 2 parking spaces in front of the proposed dwelling are compliant with the Fenland Local Plan.

11 CONCLUSIONS

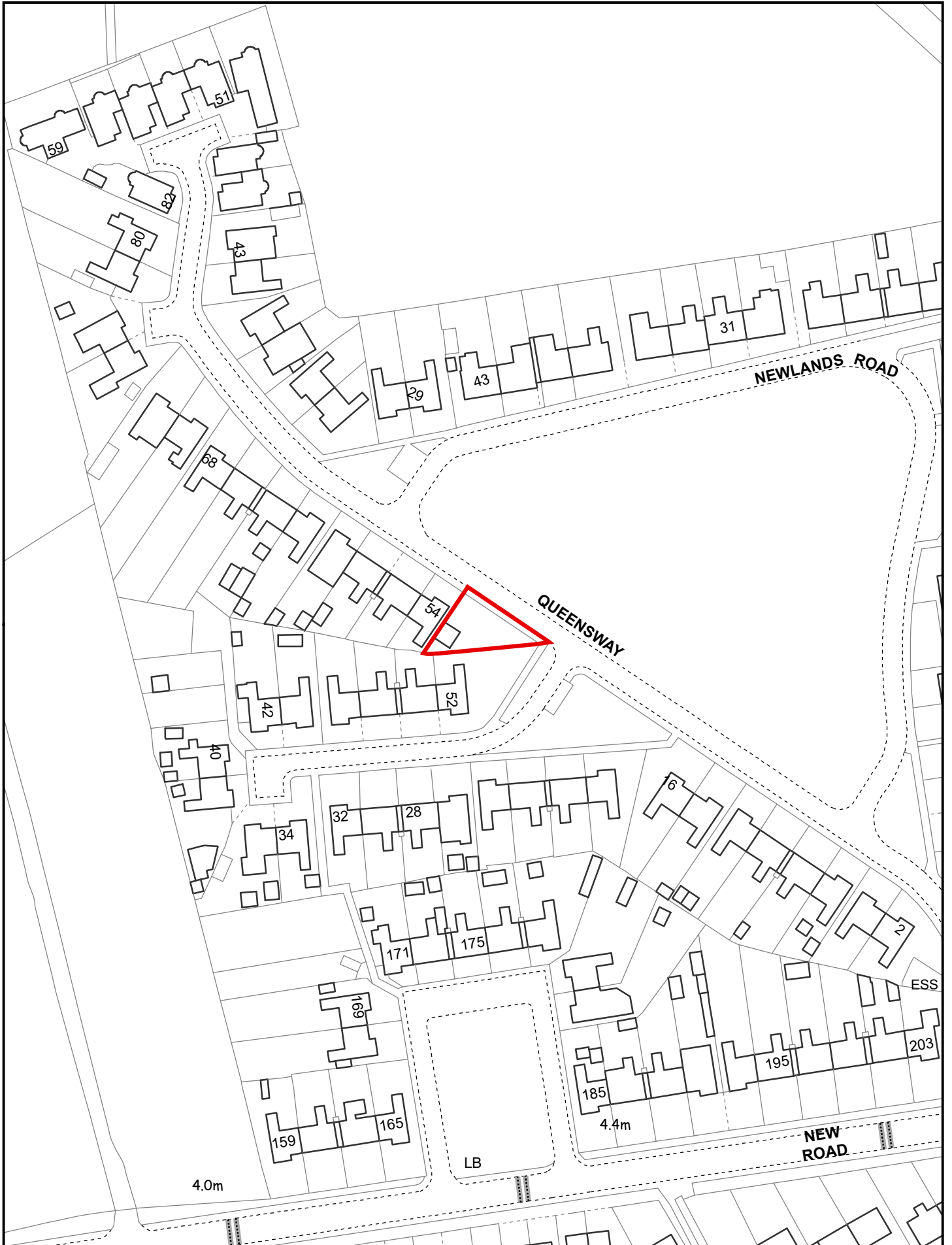
- 11.1 The broad principle of the development of the site for residential purposes is not opposed by the policies of the development plan, however the impact of the scheme on the surrounding area would result in harm to the character of the area and residential amenity contrary to policies LP2 and LP16.

12 RECOMMENDATIONS

- 12.1 **Refuse;** for the following reasons:

1	Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment. The proposal is for the construction of a bungalow within the residential garden of No. 54 Queensway. The proposal would introduce a dwelling into the residential garden and set a precedent within the local area. This would fail to respect the existing and prevailing character of the area, which contributes to a sense of openness and space within this residential setting. The proposal would therefore fail to accord with the above requirements and would be contrary to Policy LP16 of the Fenland Local Plan (2014).
2	Policy LP2 of the Fenland Local Plan requires development to promote high levels of residential amenity, whilst policy LP16 requires that development does not adversely impact on the amenity of neighbouring users. The proposed dwelling would result in a 56% loss of the garden to 54 Queensway. The resultant amenity space retained for No. 54 Queensway will fall below the one third of the plot threshold for minimum private amenity

	<p>space resulting in a poor living environment for the occupiers of that dwelling. The proposal would therefore fail to provide high quality residential amenity levels for both the proposed dwelling and the existing dwelling and would therefore be contrary to the requirements of policies LP2 and LP16 of the Fenland Local Plan (2014).</p>
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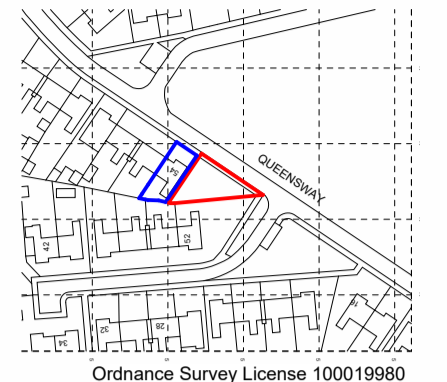
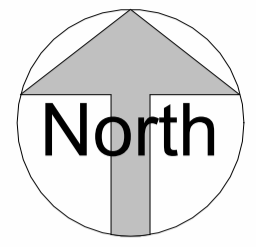
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Scale = 1:1,250



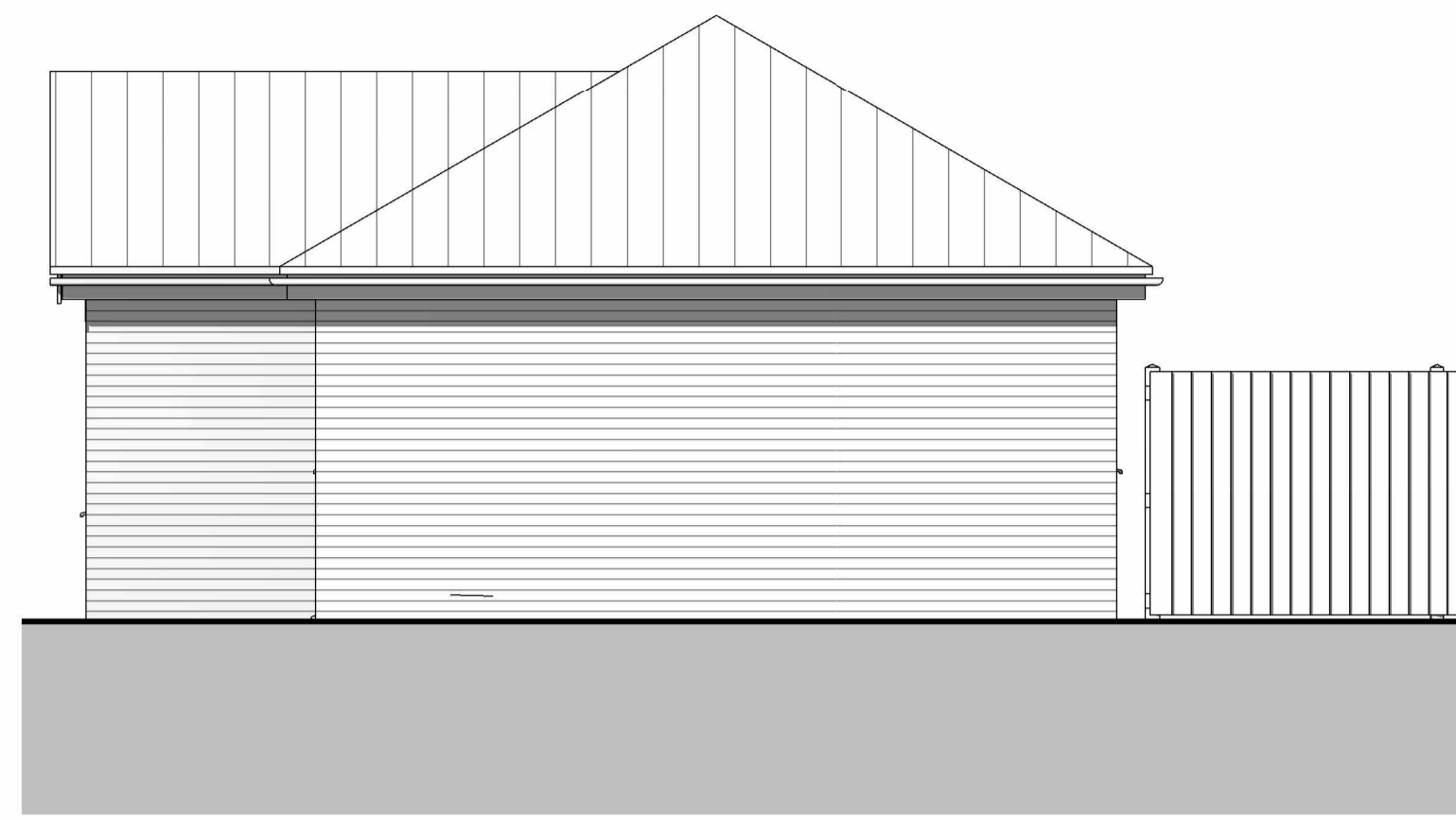
Notes
 Any discrepancies to be brought to attention of Author as soon as possible.
 All dimensions shown in "mm" unless otherwise shown.
 Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.



Location Plan
 1 : 2500



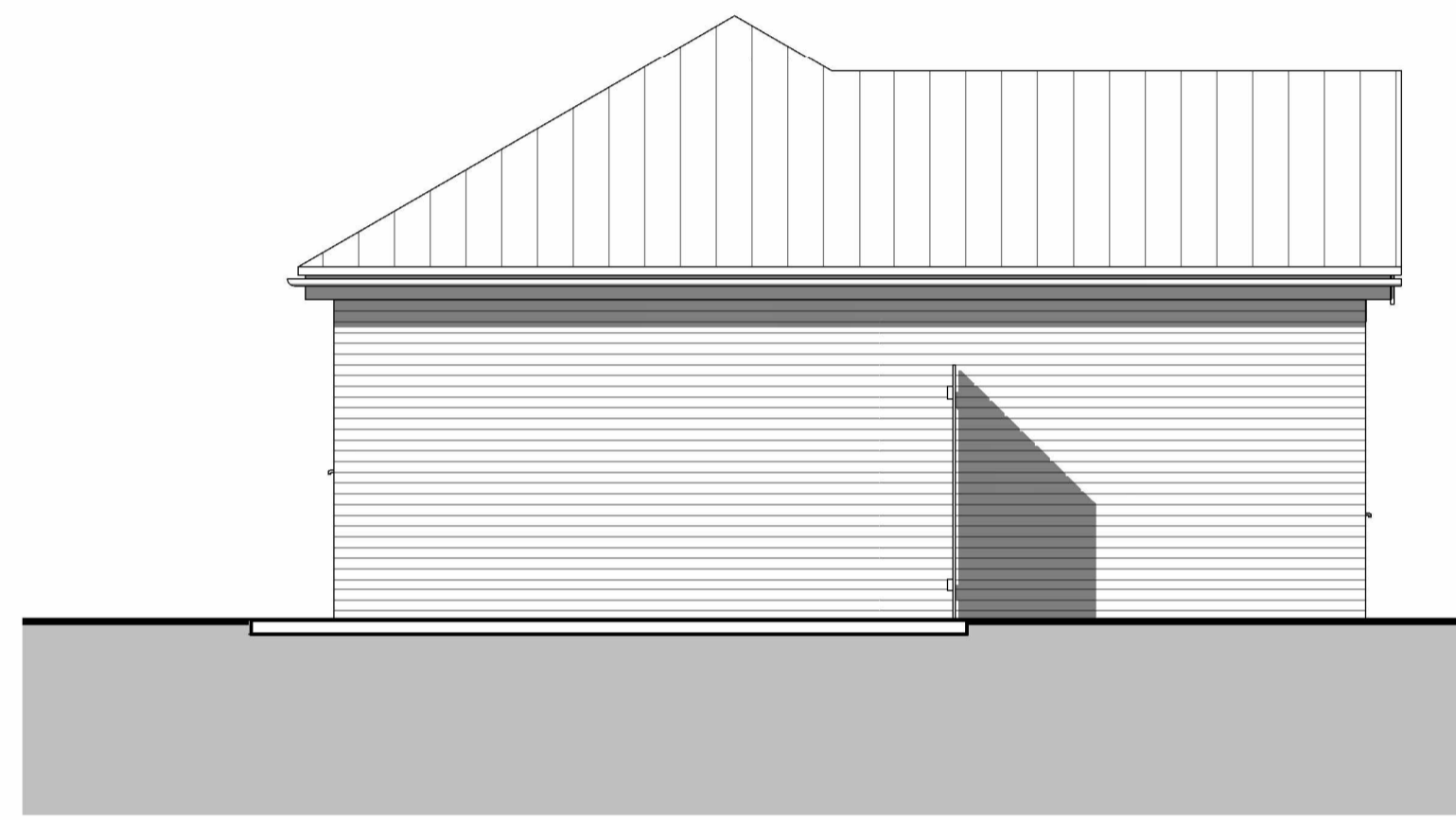
Indicative Front Elevation
 1 : 50



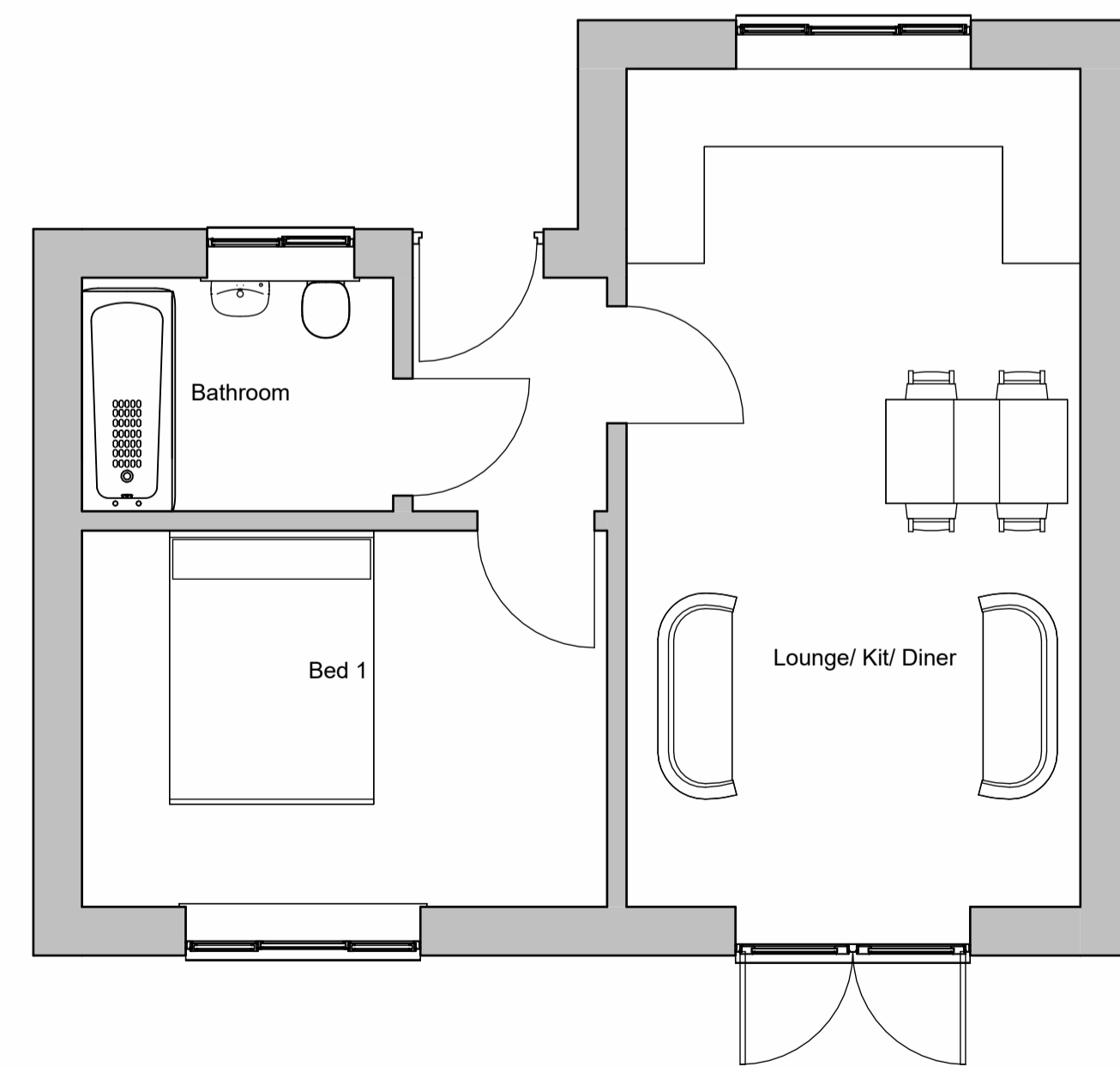
Indicative Side Elevation (north west)
 1 : 50



Indicative Rear Elevation
 1 : 50



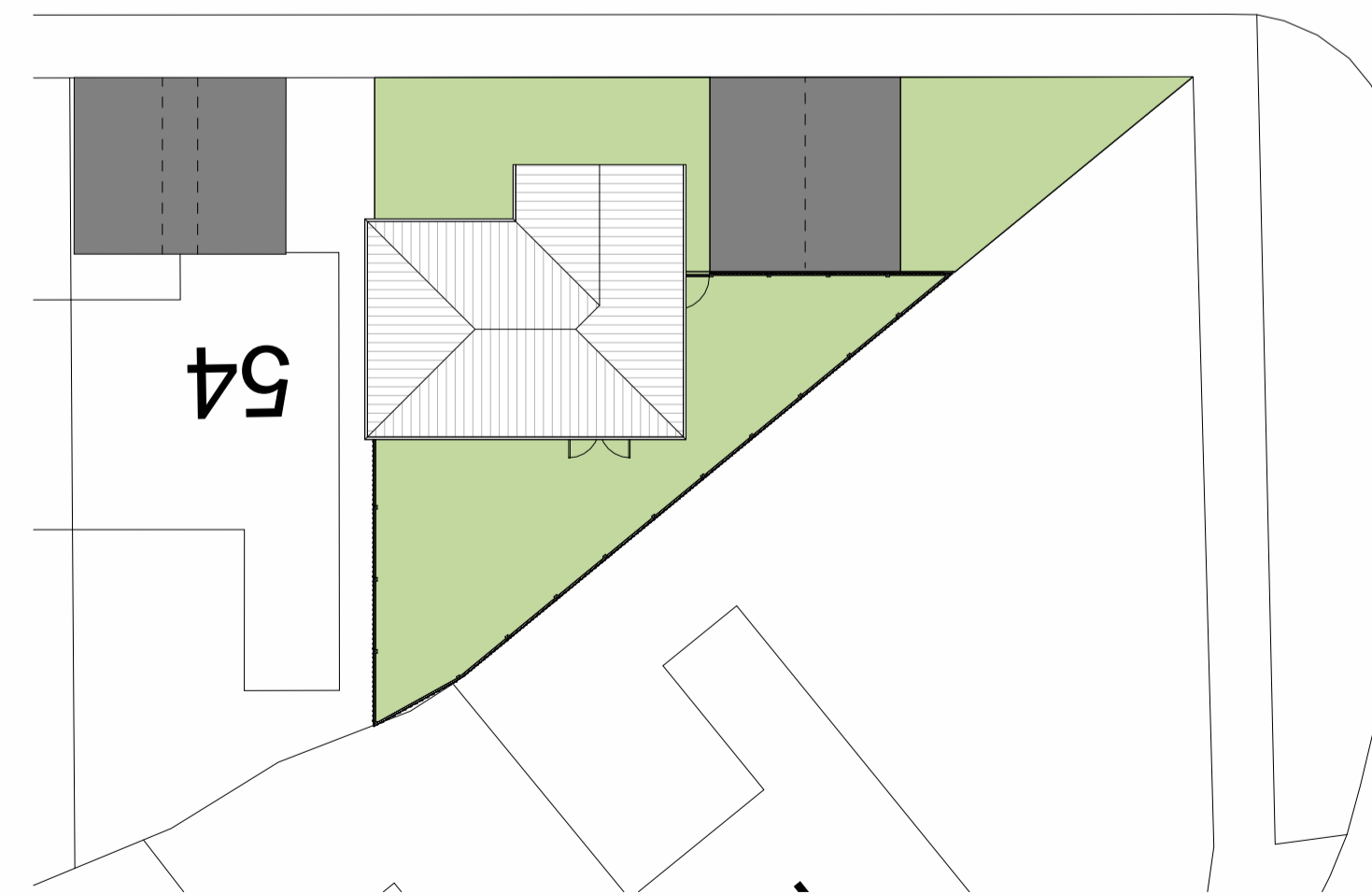
Indicative Side Elevation (south east)
 1 : 50



Indicative Ground Floor
 1 : 50



Indicative Site Plan
 1 : 200



Indicative Block Plan
 1 : 200

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Proposed Bungalow at Land East 54
 Queensway, Chatteris for Maria Hobbs

Planning

date created 6/12/22	scale As indicated @ A1	drawing no. 554 - P02	rev nw
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