
F/YR19/0139/F

Applicant: Ms R Pasqualino

**Agent : Mr B Samila
Headley Stokes Associates**

Rear of 50 Wood Street, Chatteris, Cambridgeshire

Erection of 2no single-storey 2-bed dwellings and erection of a single-storey double garage for No. 50 including removal of existing garage and alterations to access

Reason for Committee: 6 or more unresolved responses contrary to the officer recommendation.

1. EXECUTIVE SUMMARY

The proposal is for the construction of a pair of detached, single-storey dwellings on land at the rear of the host property on Wood Street, Chatteris.

The application site is adjacent to the conservation area, however there are extremely limited views into the site from any public vantage point.

The limited height of the proposal and the lack of potential for any future first-floor accommodation within the dwellings ensures that the scheme has an acceptable impact on the residential amenity of the surrounding properties.

The scheme uses the existing access point to the site, widening it at the entrance to allow two vehicles to pass each other safely.

The scheme is within flood zone 1, the zone of lowest flood risk and there are no other material considerations that would indicate the application should be refused.

2. SITE DESCRIPTION

- 2.1. The application site is an area of land to the rear of an existing two-storey dwelling off Wood Street. The access to the site is an existing concrete driveway between the flat-roofed garages of numbers 48 and 50, alongside which is a closeboard 1.8m high fence to the boundary with 48 Wood Street. To the rear of the site the land opens out, with a range of ancillary domestic buildings located on the site, which is largely unkempt grassland.
- 2.2. The site boundaries to the rear are a mixture of closeboard fencing of 1.8m height and brick walling with some of the surrounding properties having limited or longer-distance views over the site.
- 2.3. There is a single tree of any significance on the site, located in the approximate centre of the land to the rear. The application site is located on land designated as flood zone 1, and is outside, but adjacent to, the Chatteris Conservation Area.

3. PROPOSAL

- 3.1. The proposal is for the construction of two detached, single-storey dwellings and parking/turning area for those dwellings at the rear of the existing dwelling. A new double garage is also proposed to be provided for the host dwelling in place of the existing summerhouse within its rear garden.
- 3.2. The application includes a bin collection point adjacent to the highway within the current plot of 50 Wood Street for all three dwellings.
- 3.3. Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PMM6PAHE0D800>

4. SITE PLANNING HISTORY

- 4.1. No previous planning history

5. CONSULTATIONS

- 5.1. **Chatteris Town Council**
Support

- 5.2. **Cambridgeshire County Council historic Environment Team (Archaeology)**
Programme of archaeological investigation required.

- 5.3. **FDC Scientific Officer (Land Contamination)**
No objections, request condition regarding unsuspected contamination

5.4. Local Residents/Interested Parties

6 responses have been received from local residents objecting to the proposal raising the following matters. 4 of the responses are identical letters.

- Don't want any of the trees to be touched.
- Concerned damage will occur to fencing during construction.
- Will result in greater noise impact on adjacent properties.
- Impact on public services.
- Overdevelopment of the site with associated impacts on urban grain and housing density. Lack of private amenity space and dwellings sited too close to boundaries.
- Parking provision is insufficient for the likely need.
- Access is not wide enough to allow two cars to pass, or for delivery vehicles, and will result in reversing onto the highway.
- Driveway will result in conflict between vehicles and pedestrians.
- Tracking should be provided to demonstrate the parking for the existing property is viable.
- Contrary to the policies of the Local Plan.
- Proposal makes no reference to the local vernacular and doesn't reflect the design character of the area.
- Proposal is visible from the conservation area and does not make a positive contribution to it.
- Protection and replacement of trees has not been considered.
- Loss of light to garden and habitable rooms of the adjacent dwellings.
- No details of lighting.
- No details are provided in relation to sustainable resource use features of the proposals.

- No details of drainage are provided.

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).
- 6.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7. POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 127: Well-designed development

Para 170: Contribution to and enhancement of the natural and local environment.

Para 184: Heritage assets should be conserved in a manner appropriate to their significance.

7.2. National Planning Practice Guidance (NPPG)

Determining a planning application

7.3. 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

LP10 – Chatteris

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

LP18 – The Historic Environment

LP19 – The Natural Environment

8. KEY ISSUES

- **Principle of Development**
- **Flood Risk & Drainage**
- **Neighbouring Amenity**
- **Highway Safety**
- **Design, Character and Visual Appearance**
- **Conservation Area Impact**

9. BACKGROUND

- 9.1. The application was the subject of a pre-application enquiry submitted in 2018, originally involving the construction of 2 bungalows and a 2-storey dwelling. Advice provided in relation to this proposal was that 3 dwellings would be

excessive for the site, and that a reduction in the number of dwellings should be considered, but that the principle of development of the site was likely to be favourably looked upon subject to the satisfactory resolution of several site-specific matters relating to trees on the site, amenity, drainage and parking provision.

- 9.2. A revised layout was provided also indicating 3 dwellings and a further response given reiterating that a reduction in the number of dwellings proposed was necessary if the development were to be considered acceptable.

10. ASSESSMENT

Principle of Development

- 10.1. The application site is located within the market town of Chatteris, one of four settlements where the Fenland Local Plan states that the majority of the district's new housing should take place.
- 10.2. The application site is a backland site, however there is no policy in the development plan that opposes development of this type as a matter of principle.
- 10.3. As the site lies within flood zone 1, the zone of lowest flood risk, there is no in principle objection to its development on flood risk grounds requiring a sequential test to be undertaken to demonstrate that the development could not be accommodated on land less susceptible to flooding.
- 10.4. The site does not lie within a conservation area or any other area of special designation, nor are there any listed buildings that would indicate the principle of development is unacceptable.

Flood Risk & Drainage

- 10.5. The application site lies within flood zone 1, which is the zone of lowest flood risk and the area to which development is directed in the first instance in relation to flood risk matters. It is also categorised as at a very low risk of flooding from surface water.
- 10.6. The application does not include detailed plans of the proposed drainage however a connection to the mains sewer is specified, with soakaways to dispose of surface water. There is no indication that such a method is unacceptable and no objections have been received from the Internal Drainage Board responsible for the area. Plans submitted alongside the application details the existing foul drainage inspection chamber locations and heights along with the existing ground levels within the site and these would suggest that the proposed method of drainage is possible. Specific details of the drainage will therefore be considered under the Building Regulations and there is no need to consider the matter further at this stage.

Neighbouring Amenity

- 10.7. Due to the backland nature of the proposals, there is the potential for the scheme to impact significantly on adjacent properties and the amenities they currently experience. These relate to impacts from the physical structure proposed to be built, and also from the proposed use of the site as residential land.
- 10.8. The submitted details show two dwellings of single-storey height, approximately 4.7 metres to the ridge with eaves heights of approximately 2.5 metres. They would be oriented with their front elevations facing west and the rear gardens on

the eastern side of the site, adjacent to the nearest residential property bordering the site, 38a Wood Street. Parking provision for the dwellings would be on the western side of the site and is denoted on the plans as being a permeable hard surface, which would limit noise generated by vehicles using the area in comparison to a loose surface such as gravel. Whilst it is accepted that the proposed use would bring vehicles into an area where they are currently not present, it is also the case that this area could be more intensively and intrusively used as part of the existing residential use, and that the presence of two new dwellings on the land would not automatically lead to an intrusive noise nuisance reducing neighbouring residential amenity by an unacceptable amount. Although the increased use of the driveway alongside the host dwelling and 48 Wood Street has the potential for negative impacts on residential amenity of the neighbouring property, given the existing use of this driveway to provide access to the rear of the site and the relatively low level of the proposed use at 2 dwellings, the proposal will not result in an unacceptable impact.

- 10.9. The dwellings are located a minimum of 6 metres from the eastern boundary of the site, with a 1.5 metre separation on the north and south boundaries and 13 metres to the west. A single kitchen access door/window is proposed to each property, on the north elevation of plot 1 and the south elevation of plot 2 facing towards the shared boundaries with the neighbouring dwellings. The adjacent dwelling at 38a Wood Street has a single window looking out over the application site on the eastern boundary, however this is at ground floor level as that property is a bungalow, and there is a separating fence of 1.5 metre height between the window and the proposed dwelling on plot 2. Given the limitation of the dwellings proposed to a single-storey a condition requiring a minimum 1.8 metre high boundary treatment to this side of the application site could be imposed to ensure there will be no unacceptable privacy impacts from the site on the surrounding dwellings.
- 10.10. With regard to the amenity of the proposed dwellings themselves, plot 2 of the scheme complies with the guidelines set out in policy LP16 of the Fenland Local Plan (2014) for one third of the plot to be dedicated to private amenity space, as does the reduced plot for the existing property. The rear garden to plot 1 forms slightly less than one third of its plot curtilage, however this is due to the allocation of a grassed area to its front increasing the overall plot size without increasing the amount of private space provision. If that additional amenity space provision is discounted then the garden of the dwelling meets the guidelines. The rear garden of plot 1 is in excess of 100 m², which given the character of the development and the relative seclusion of the site from all views except the adjacent dwelling proposed under the scheme, is sufficient to ensure that the proposed dwelling does not suffer from a lack of private amenity space and the shortfall would not be sufficient to justify refusal of the scheme.
- 10.11. Although plot 2's kitchen/diner looks out across the access drive at the side elevation of the new double garage for 50 Wood Street, its main living area aspect is to the rear and although the limited separation between that kitchen window and the garage is limited, it does provide supervision of the parking area for the property and would give an enhanced feeling of security within the dwelling.

Highway Safety

- 10.12. Several of the objections received in relation to the application have raised a range of matters relating to highway safety arising from the proposal, including insufficient parking provision, narrowness of the access drive, conflict between

vehicles and pedestrian traffic at the entrance of the site and the potential for vehicles to need to reverse out onto Wood Street.

- 10.13. The first consideration in this respect is that the driveway is an existing feature of the site, and therefore is already in use, with an established relationship between vehicular and pedestrian traffic. The proposal does increase the intensity of this use to three dwellings, but also widens the access at the entrance to the site to allow vehicles to pass each other. In that regard therefore, there is no demonstrable detrimental impact. Parking provision within the site is made on the basis of 2 places per dwelling, which is in line with the required standard. It would be preferable for the indicated space to be made wider, and there is ample land within the site to allow this, however the Local Planning Authority does not have defined parking space sizes and the spaces indicated are in line with conventional norms. It is highly unlikely that the arrangement indicated will result in vehicles reversing out onto the Wood Street carriageway, however most of the dwellings on the street have parking provision that requires such a manoeuvre to be undertaken and therefore this is not considered to represent a danger to highway safety, in fact given the turning space available to all the units as a result of the proposal it is likely that fewer cars will need to reverse onto Wood Street than is currently the case.

Design, Character and Visual Appearance

- 10.14. Wood Street is a relatively modern development of dwellings accessed directly from the road, with a more traditional style and combination of semi-detached dwellings to the south side, and more recent development along the north side. The traditional style of dwellings extends along the eastern boundary of the site along Wood Street and to the west along London Road, whilst immediately to the north of the site is a modern development of two-storey dwelling accessed via a private drive off London Road. There is a significant history of backland type development in the immediate vicinity of the proposal therefore, with a range of property sizes, types and styles resulting in a mixed character of development that would not be harmed by the proposals.
- 10.15. The proposed dwellings as noted earlier are single-storey properties, orientated within the site so as to have a ridge running north/south. Each dwelling benefits from a projecting gable to its front elevation accommodating the kitchen/dining room area, with the heights of these gables set down from the main ridge by approximately 0.8 metres. The dwellings are otherwise unremarkable in appearance and although they are not replicating the generally two-storey nature of development in the area, the backland nature of the site and the lack of public visibility of the proposal is such that this does not justify their refusal.
- 10.16. The property is proposed to be constructed from yellow facing brick and a brown concrete tiled roof. There is a wide variety of materials in use within the area including yellow, red and grey facing bricks, and render – used both for fully rendered properties and part-rendered. Roof materials tend to be either natural slate on older more historic properties, or concrete tiles as proposed. On this basis whilst the specific brick and tile to be used are not identified within the application details the general materials are appropriate and a suitable specification could be agreed. Notwithstanding this matter however, the separation of the site from the majority of public views is such that the scheme will not have a significant impact on the public views of the area, and it is not considered necessary to impose a condition requiring materials specifications to be agreed.

Conservation Area Impact

10.17. The proposed dwellings are located adjacent to the Chatteris Conservation Area, however public views of the buildings will be extremely limited due to the secluded nature of the site and their single-storey nature set amongst mainly two-storey dwellings. The scheme is a low-level development in comparison to its surroundings, including the 2.5m wall along the west boundary.

10.18. The impact of the proposal on the Conservation is considered to be minimal on these grounds and the scheme does not conflict with the relevant policies of the development plan.

11. CONCLUSIONS

11.1. The proposal is in accordance with the relevant policies of the development plan and there are no material considerations that justify its refusal contrary to those policies.

12. RECOMMENDATION

Grant planning permission

From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

There are no pre-commencement conditions proposed and therefore it is considered that the requirements of section 100ZA(5) have been met.

The proposed conditions are as follows;

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. 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 Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.

Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.

3. Prior to the first occupation of the development the proposed on-site parking/turning area and access widening and driveway improvements including those alterations for 50 Wood Street shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, access driveway, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Reason: In order to ensure that adequate vehicular and pedestrian access is provided in the interests of highway safety in accordance with Policy LP15 and to ensure an acceptable impact on neighbouring amenity in accordance with Policy LP16 of the Fenland Local Plan 2014.

4. No demolition/development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:

- a. 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);
- b. the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
- c. 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);
- d. alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
- e. the erection of any walls, fences or other means of enclosure to all boundaries of the site (as detailed in Schedule 2, Part 2, Class A).

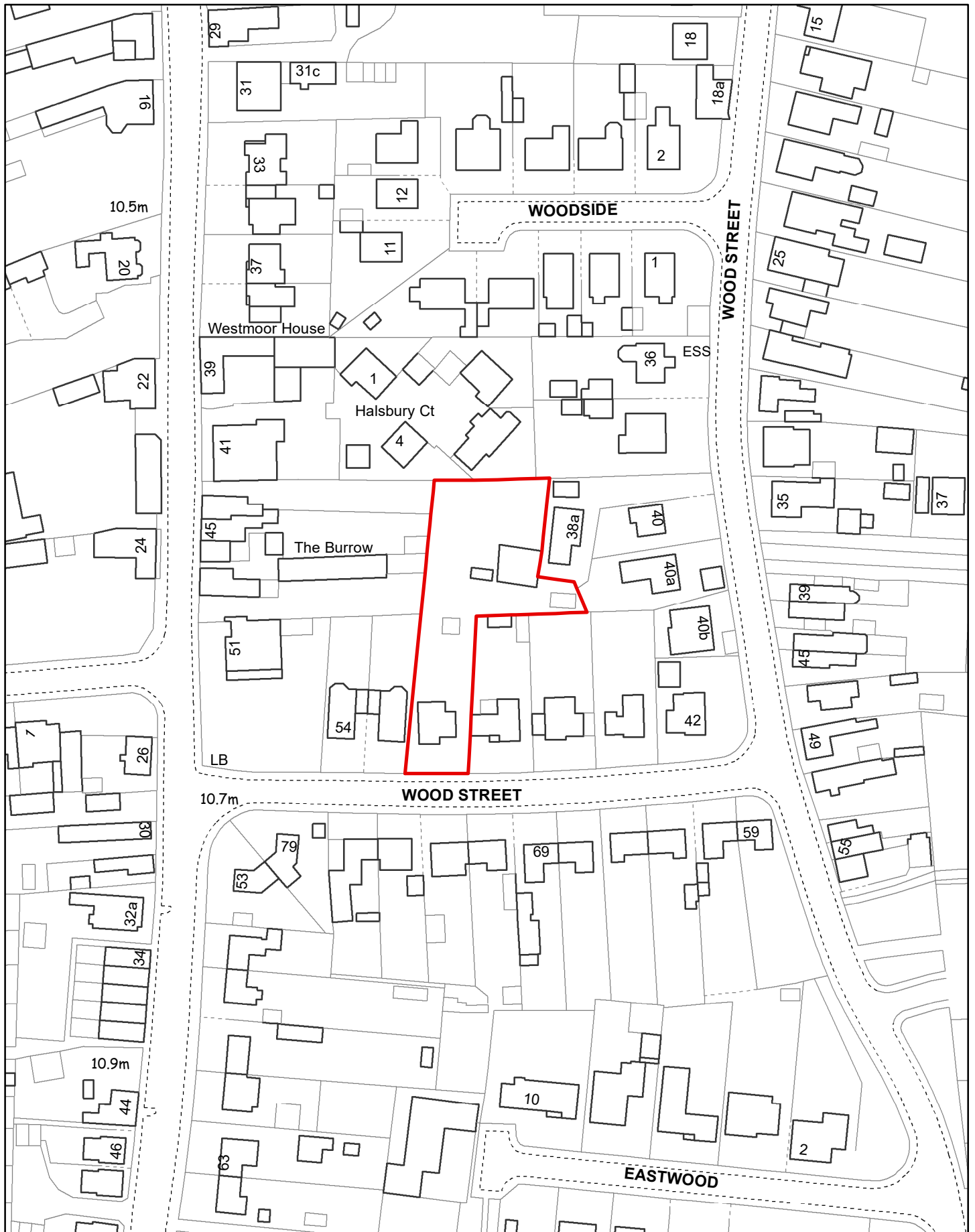
Reason: To prevent overlooking of and unacceptable impact on neighbouring properties, in the interest of the protection of residential amenity in accordance with Policy LP16 of the Fenland Local Plan 2014.

6. Details of the height, design and materials of all new screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority before commencement of the relevant parts of the work. The approved scheme shall be implemented concurrently with the erection of the dwelling(s) fully in accordance with the agreed details prior to occupation and thereafter retained in perpetuity.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development and its neighbours are afforded an acceptable measure of privacy in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.

7. The refuse storage and collection facilities detailed on the hereby approved plans shall be provided prior to the first occupation of the units to which they relate and shall be retained thereafter in perpetuity.

Reason: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability as required by Policy LP16 of the Fenland Local Plan, adopted May 2014.



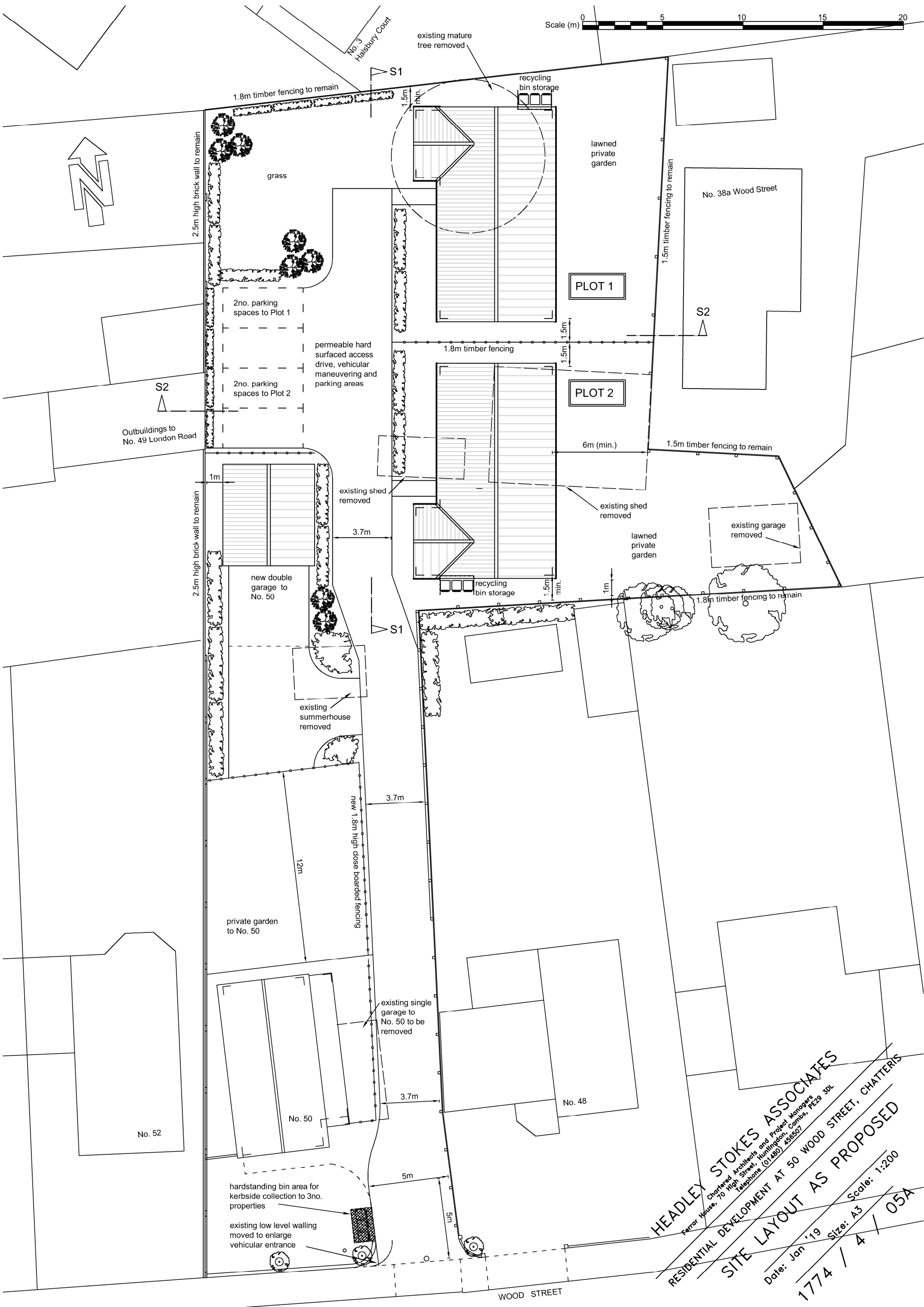
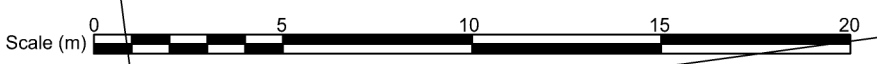
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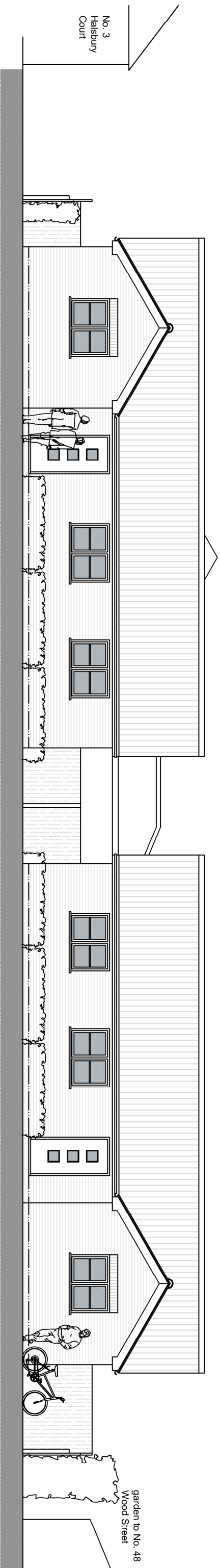


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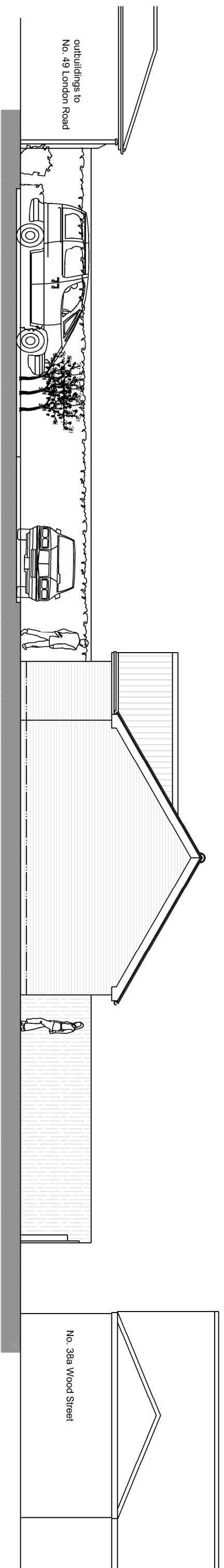
RESIDENTIAL DEVELOPMENT AT 50 WOOD STREET, CHATTERIS

SITE LAYOUT AS PROPOSED

Date: Jan '19 Size: A3 Scale: 1:200
 1774 / 4 / 05A



SITE ELEVATION "S1"



SITE ELEVATION "S2"

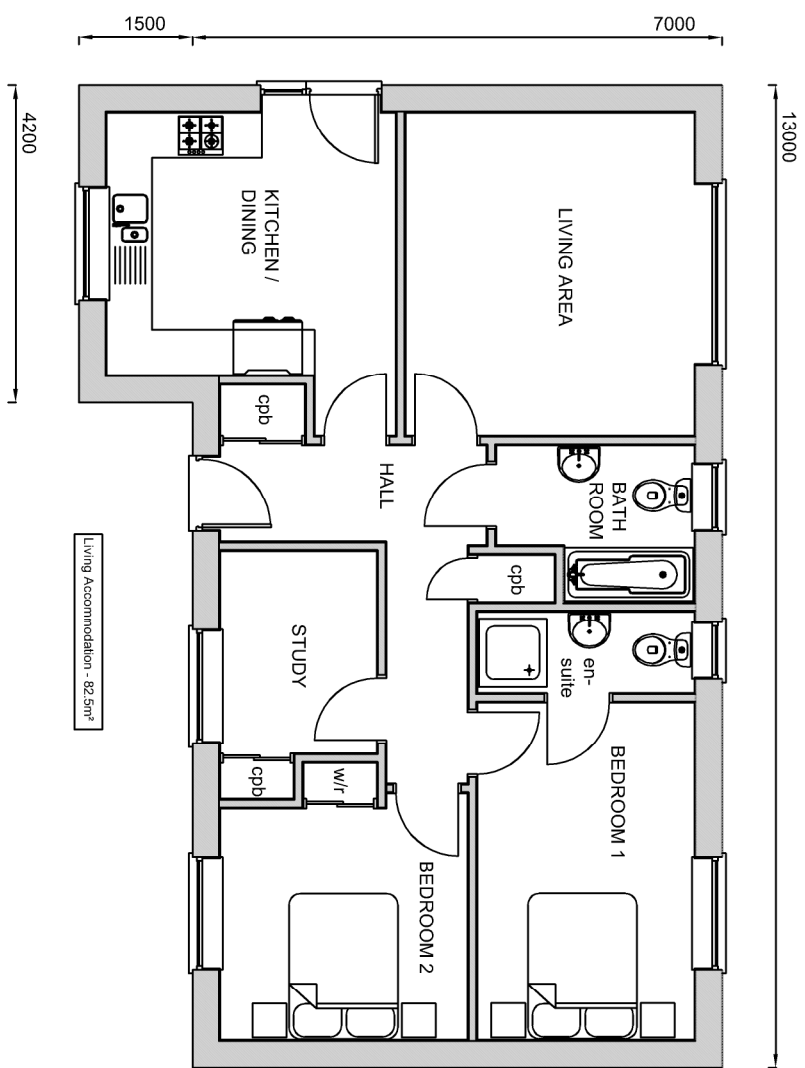
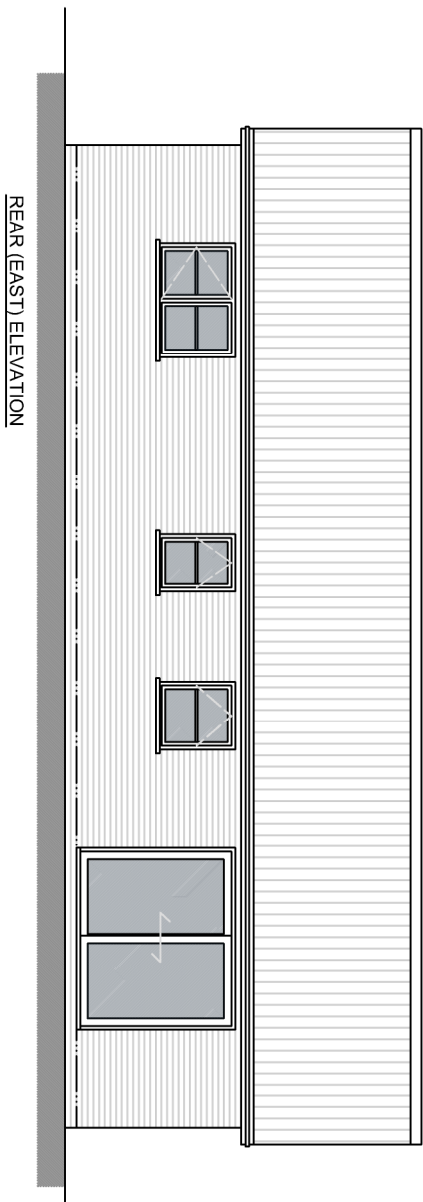
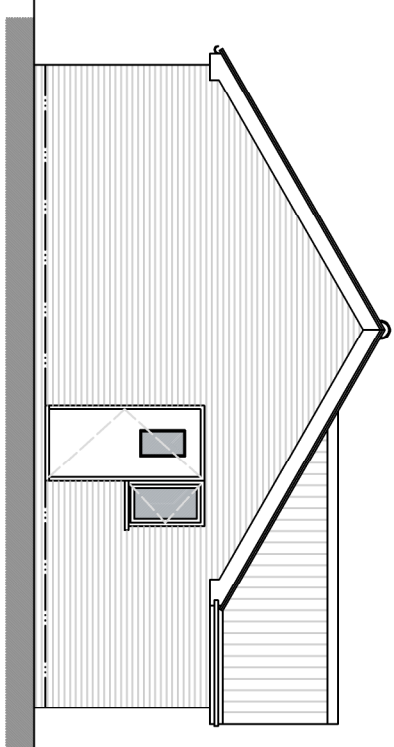
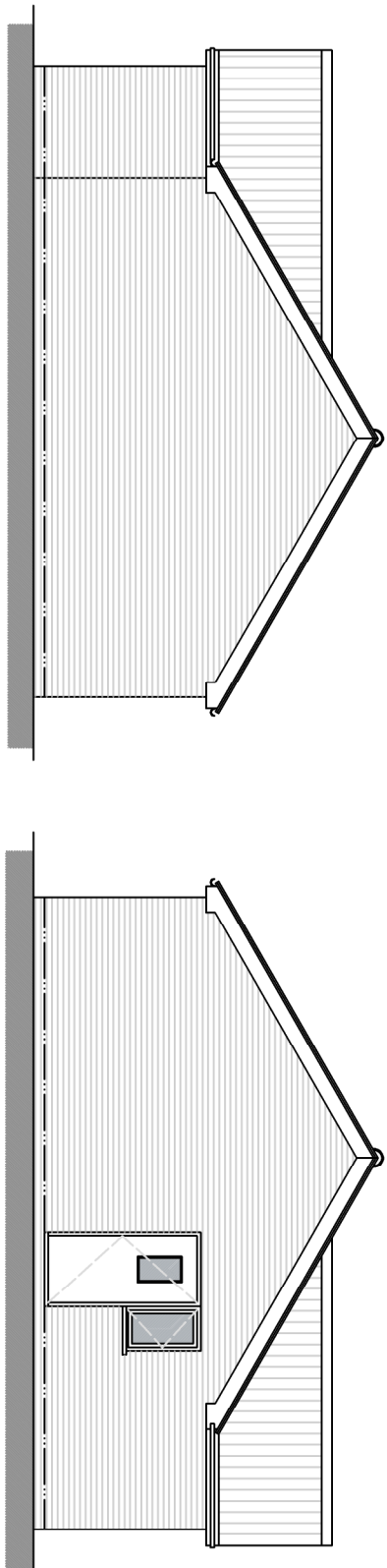
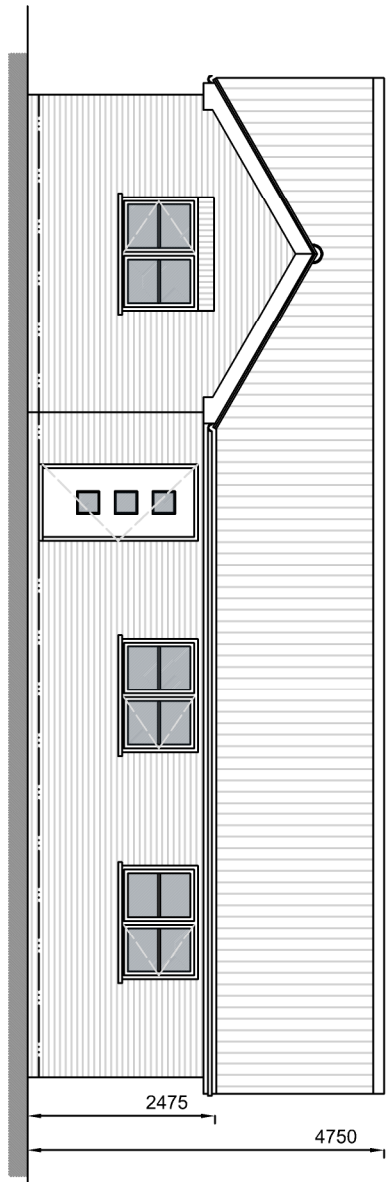


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RESIDENTIAL DEVELOPMENT AT 50 WOOD STREET, CHATTERIS

STREET ELEVATIONS AS PROPOSED

Date: Jan '19 Size: A3 Scale: 1:100
 1774 / 4 / 06



MATERIALS

- Roof:
 - Brown concrete pan tiles
- Walls:
 - Yellow facing brickwork
- Windows and Doors:
 - White upvc double glazed units
- Rainwater Goods:
 - black upvc half-round gutters and matching downpipes

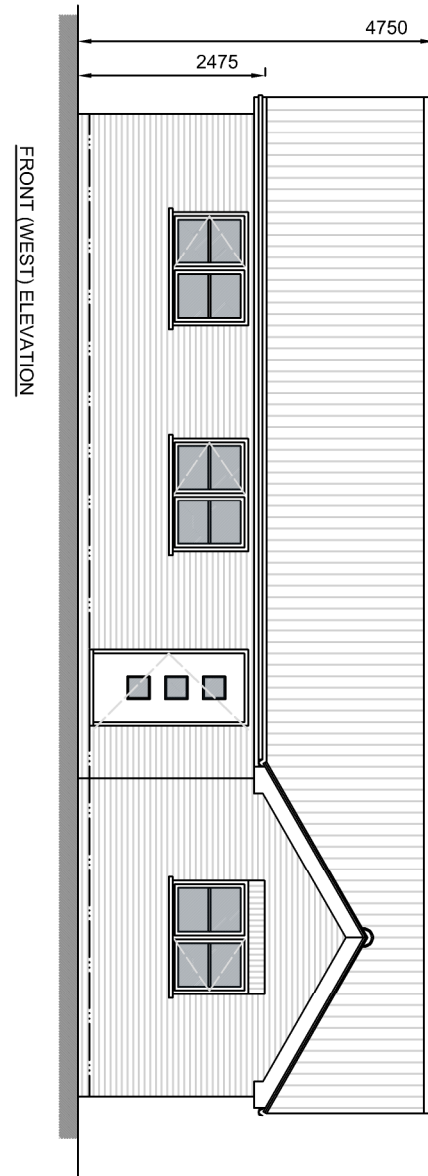
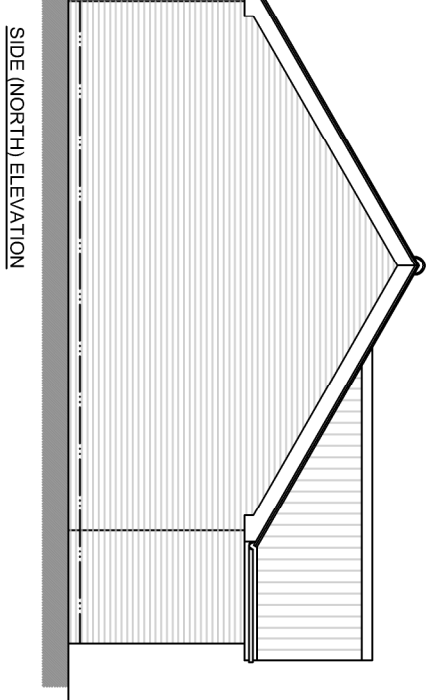
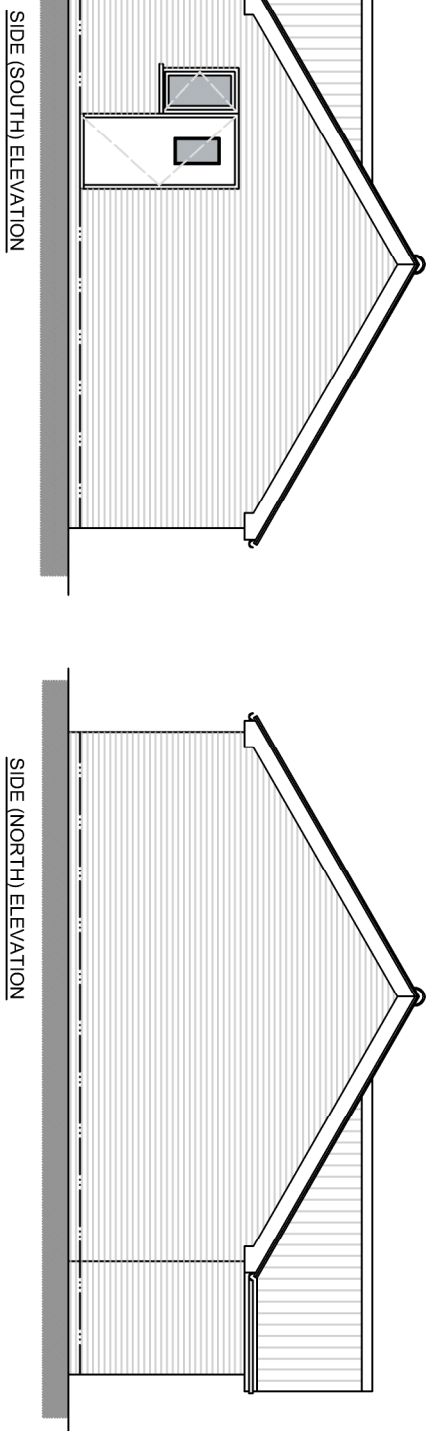
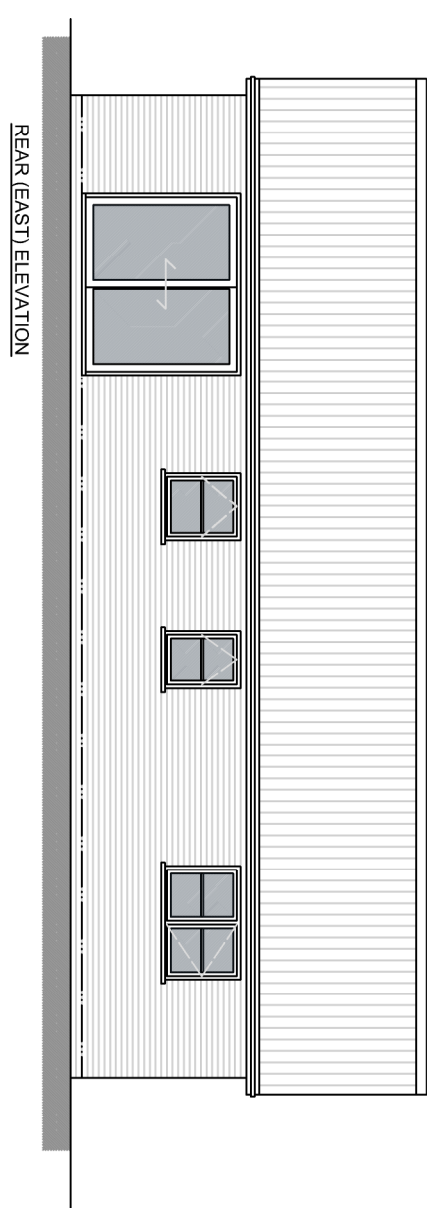


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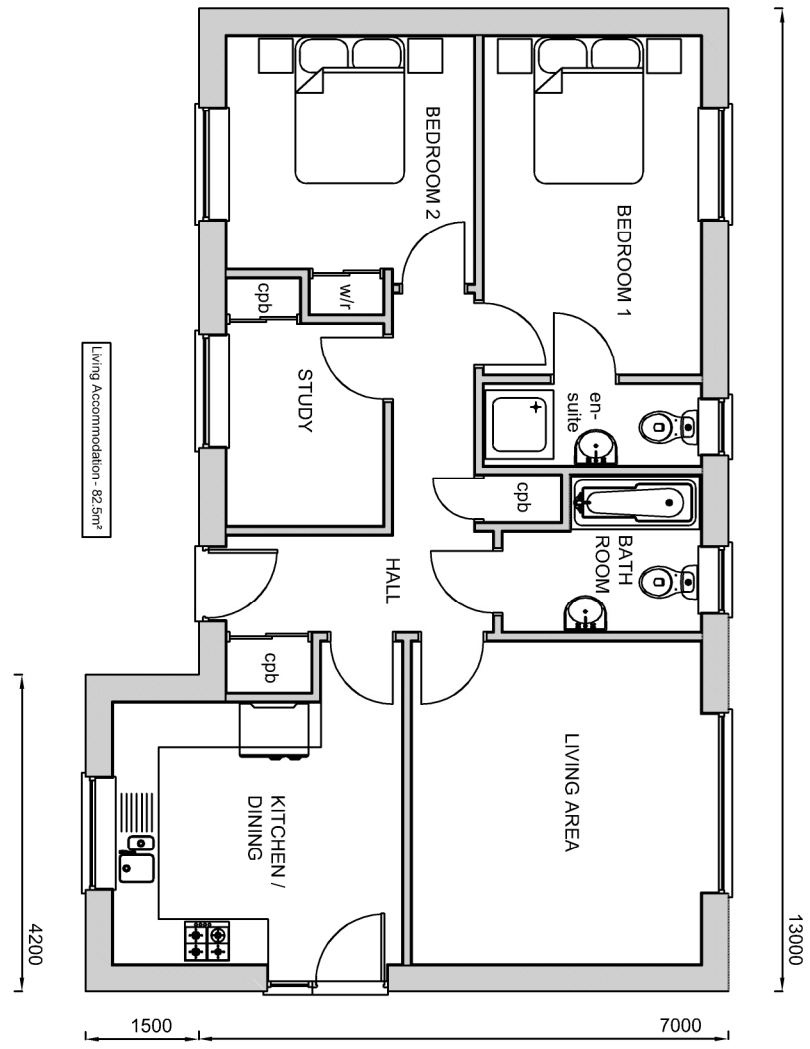
RESIDENTIAL DEVELOPMENT AT 50 WOOD STREET, CHATTERIS

PLOT 1 DETAILS

Date: Jan '19 Size: A3 Scale: 1:100
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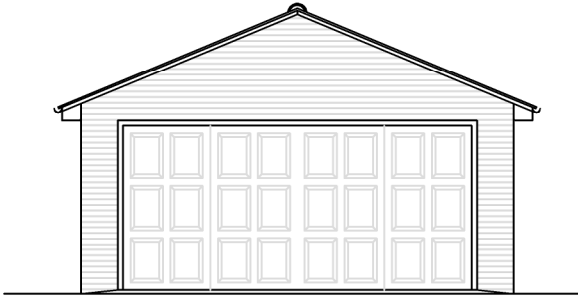
- MATERIALS**
- Roof: Brown concrete pan tiles
 - Walls: yellow facing brickwork
 - Windows and Doors: white upvc double glazed units
 - Rainwater Goods: black upvc half-round gutters and matching downpipes



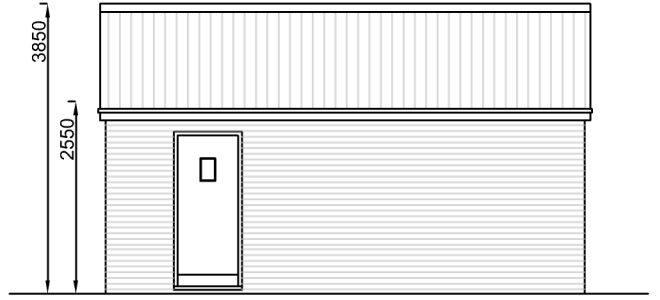
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PLOT 2 DETAILS
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 Size: A3

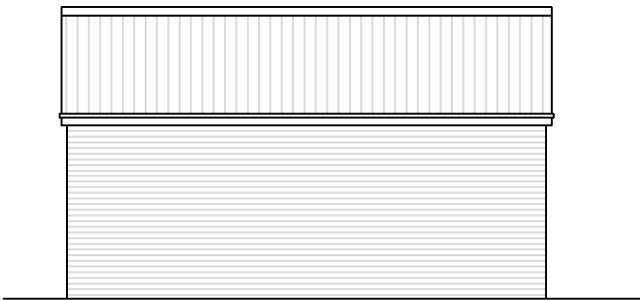
RESIDENTIAL DEVELOPMENT AT 50 WOOD STREET, CHATTERIS
 Date: Jan '19
 1774 / 4 / 08A



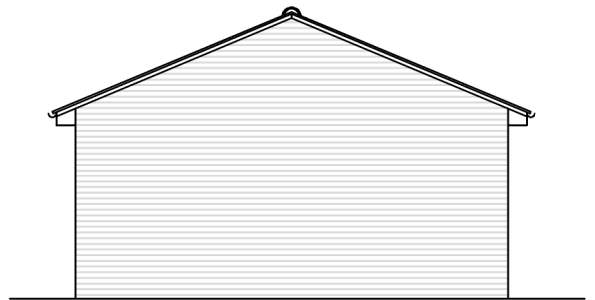
FRONT (SOUTH) ELEVATION



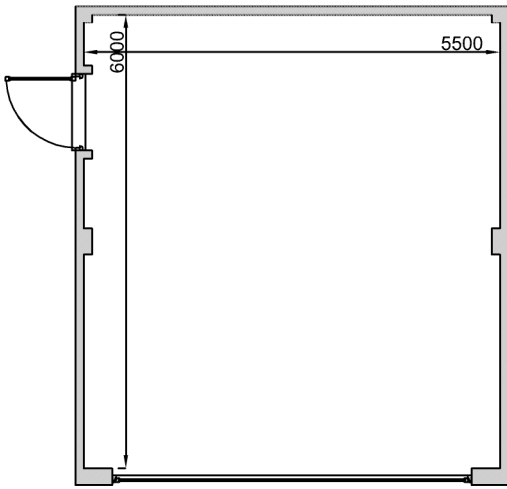
SIDE (WEST) ELEVATION



SIDE (EAST) ELEVATION



REAR (NORTH) ELEVATION



PLAN

MATERIALS

- Roof:
 - Brown concrete pan tiles
- Walls:
 - yellow facing brickwork
- Windows and Doors:
 - white upvc double glazed units
- Rainwater Goods:
 - black upvc half-round gutters and matching downpipes



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RESIDENTIAL DEVELOPMENT AT 50 WOOD STREET, CHATTERIS

GARAGE DETAILS

Date: Jan '19 Size: A4 Scale: 1:100

1774 / 4 / 09