
F/YR19/0726/O

Applicant: Mr Gary Caulfield

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

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

Erect 1no dwelling with attached garage (outline application with matters committed in respect of access and layout)

Officer recommendation: Grant

Reason for Committee: Number of representations received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

1.1 The application seeks outline planning permission for the erection of a dwelling with layout and access committed on land north of 20, St Francis Drive, Chatteris. A wider site has the benefit of an extant planning permission for 2 dwellings off the same access. This application was approved by Planning Committee in 2017 (F/YR16/0875/F).

1.2 The layout plan is 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, subject to the scale of the development being restricted to single storey.

1.3 As with the previous application, a number of objections have been received to the proposal. However, although 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, the extent of those impacts is not considered to be such that it would warrant the refusal of planning permission.

1.4 Furthermore, several of these concerns regard matters which fall outside the scope of the planning application process. Therefore, subject to a number of conditions the proposal is considered to be acceptable.

2 SITE DESCRIPTION

2.1 The site lies within the built form of Chatteris and consists of an area of garden land approximately 53m x 15m to the west of No 36a New Road and to the south of No 34 New Road.

2.2 Access to the site runs between Nos 20 and 35 St Francis Drive. This is a small section of the estate road which is private and appears to be shared between these properties as well as Nos 16 and 18 St Francis Drive. The road leads out onto a hammerhead which is adopted. The applicant has retained right of access across the private drive into the site.

- 2.3 Adjacent to the western boundary is a row of bungalows (St Peters Drive) and a group TPO which covers their rear gardens (TPO 1/1967). A number of trees are within the site -mostly Leylandii. The site is surrounded by residential development and falls within Flood Zone 1.
- 2.4 In 2016, Planning Committee approved a development consisting of two dwellings which included the site. (F/YR16/0875/F)

3 PROPOSAL

- 3.1 The application seeks outline planning permission for the erection of a dwelling with only the access and layout committed at this stage. However, an illustrative drawing indicates the dwelling will be single storey with an integral garage.
- 3.2 The committed layout shows the dwelling towards the centre of the site, 1m (minimum) from the boundary with No 36 and 2m from the boundary with Nos 9 and 11 St Peters Drive. This will involve the removal of a number of the Leylandii trees. The driveway includes a turning head and bin collection area. However, an amended plan has been received removing the bin collection area because the collection lorries do not drive off the adopted highway onto the block paving.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PWHFS3HE0D800>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR16/0875/F	Erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage Land North Of 20 St Francis Drive Chatteris Cambridgeshire	Granted	02/02/2017
F/YR16/0043/F	Erection of a 2-storey 4 bed dwelling involving demolition of existing outbuilding Land To The South Of 36A New Road Chatteris Cambridgeshir	Granted	22/06/2016
F/YR15/0921/F	Erection of 2 x 2-storey 4 bed dwellings involving demolition of existing outbuilding Land To The South Of 36A New Road Chatteris Cambridgeshir	Withdrawn	25/11/2015
F/YR05/1448/F	Erection of a 4-bed detached house with integral garage Land South Of 34 New Road Chatteris Cambridgeshire	Granted	13/02/2006
F/YR05/0211/F	Erection of a 4-bed detached house with integral garage Land South Of 34 New Road Chatteris Cambridgeshire	Withdrawn	12/12/2005

5 CONSULTATIONS

- 5.1 **Chatteris Town Council:** Support the proposal.
- 5.2 **FDC Scientific Officer (Land Contamination):** *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 and the noise climate, or be affected by ground contamination.*

5.3 Cambridgeshire County Council Highways Authority: *The proposed development will be accessed via a private drive with no adverse impact to the highway network. No highways objections.*

5.4 FDC Tree Officer: *The proposed development requires the removal of a group of trees (G1) and 5 individual trees to facilitate the development; 4 of the trees are recommended for removal on arboricultural grounds alone.*

I have no objection to the proposed removals as the trees do not merit a TPO, I also note that trees are recommended for replanting as part of the proposal.

It is noted that a TPO runs along the rear boundaries of properties in St Peters Drive. The TPO shows area A21 to run along the boundaries, composed of 33 Elm trees, these trees no longer exist and likely died some years ago from Dutch Elm Disease. It is not considered that there will be any adverse impact to neighbouring vegetation on the west boundary

5.5 Local Residents/Interested Parties: A total of 9 objections have been received from 8 properties on St Francis Drive. The concerns can be summarised as follows:

- The use of the private access road which is maintained by Nos 16, 18, 20 and 35. If the road is damaged during construction who will be liable for its repair? This should be conditioned. It's not possible for large construction vehicles to access the site.
- How will the new occupier contribute to its upkeep/ become jointly responsible?
- The access road becomes very narrow adjacent to No 20, concerns about possible damage to this property during construction.
- A condition should be attached preventing construction vehicles from parking and/or waiting on the private road.
- Parking in general on St Francis Drive is insufficient, especially around No 21- this will increase.
- Noise and the safety of children during construction.
- Location of refuse bins

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).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

8 KEY ISSUES

- **Principle of Development**
- **Layout**
- **Residential Amenity**
- **Access, parking and turning**
- **Refuse Collection**
- **Other Considerations**

9 ASSESSMENT

Principle of Development

- 9.1 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.
- 9.2 Furthermore, a larger site benefits from full planning permission (F/YR16/0875/F) for the erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage. This expires in February 2020. That development would be accessed via the same route as this proposal, demonstrating that Members have previously accepted the use of the access road to serve the dwellings.

Layout

- 9.3 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.
- 9.4 The committed layout places the dwelling towards the centre of the site, with private amenity land to the north. The driveway leading to the indicative integral garage will be adjacent to the garage of No 36. As before, there would be some glimpsed views of development in this location but the development would not appear harmful in those views; the layout is therefore considered to be compliant with Policy LP16. A number of trees are proposed to be removed. The Tree Officer has no objection to the proposed removals as the trees do not merit a TPO. A TPO runs along the rear boundaries of properties in St Peters Drive. The TPO shows area A21 to run along the boundaries, composed of 33 Elm trees, these trees no longer exist and likely died some years ago from Dutch Elm Disease. It is not considered that there will be any adverse impact by the proposal to neighbouring vegetation along the western boundary.
- 9.5 New planting can be dealt with as part of the landscaping details and reserved matters application. In addition, a condition has been included requesting the inclusion of bat slips/ bird boxes to enhance the biodiversity on the site.

Residential Amenity

- 9.6 Policies LP2 and LP16 seek to provide a high level of residential amenity. As noted above a larger site benefits from 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. This expires in February 2020.

- 9.7 Although scale has not been committed, a single storey dwelling is indicated. A bungalow would have no significant impact on nearby dwellings, whereas anything above single storey is likely to impact detrimentally on the bungalows backing onto the site, along St Peters Drive. Therefore the scale of the proposed dwelling should be conditioned to be single storey only. For similar reasons, permitted development rights should be removed to prevent additional windows to the roof or roof alterations. The size of the proposed private amenity area is considered to be sufficient (representing at least one third of the properties) to serve the dwelling.
- 9.8 There would be some harm to the amenity of the occupiers of 16, 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 harm would be limited though in duration and the vehicular movements associated with one property would be relatively low and so the impact is considered to fall within an acceptable threshold.
- 9.9 Overall the proposal is considered to comply with Policy LP16 with regard to residential amenity.

Access, parking and turning

- 9.10 The proposal is to be accessed off a private shared driveway which serves 4 other existing properties, numbers 16, 18, 20 and 35 St Francis Drive. The access width reduces down to 3.4 metres between No 20 and No 35. However, there is a wide turning area shown within the site with sufficient space for turning to allow vehicles to enter and exit the site in forward gear.
- 9.11 The Highway Authority raises no objection to the proposal subject to suitable planning conditions regarding temporary facilities and parking and turning provision there are no highway grounds to resist the proposal.

Refuse collection

- 9.12 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. Therefore a condition has been added requiring the submission of a refuse collection strategy.

Other Considerations

- 9.13 The use of a private drive is considered to be acceptable in that the number of dwellings which would use it is appropriate. The comments of the objectors are noted, including the request for a planning condition. However, the future maintenance of the private access road and any damage caused during construction is considered to be a private matter and the Council would expect the applicant/ developer to liaise with the other existing users of the access road
- 9.14 It is noted that following discussions at Committee last time, Members requested an additional planning condition requiring a Construction Management Plan to be approved prior to the commencement of development. This is considered appropriate again and will help to alleviate the concerns of the neighbouring residents.

10 CONCLUSIONS

- 10.1 The proposal is within the built up area of Chatteris and as such the principle of the development is acceptable. A wider site benefits from an extant planning permission for the erection of 2 dwellings off the same access. Therefore the access is considered to be sufficient to serve the proposed dwelling – there would though be some impacts upon the occupiers of the existing dwellings which currently use the access.
- 10.2 The scale, appearance and landscaping are reserved matters for consideration at a later date. However, subject to a condition restricting the scale of the development to single storey, it is considered that the submitted details are acceptable. The impacts upon residential amenity have been assessed and an acceptable level of amenity would be retained or provided to serve the proposed dwelling. Accordingly the proposal is recommended for approval subject to a number of planning conditions.

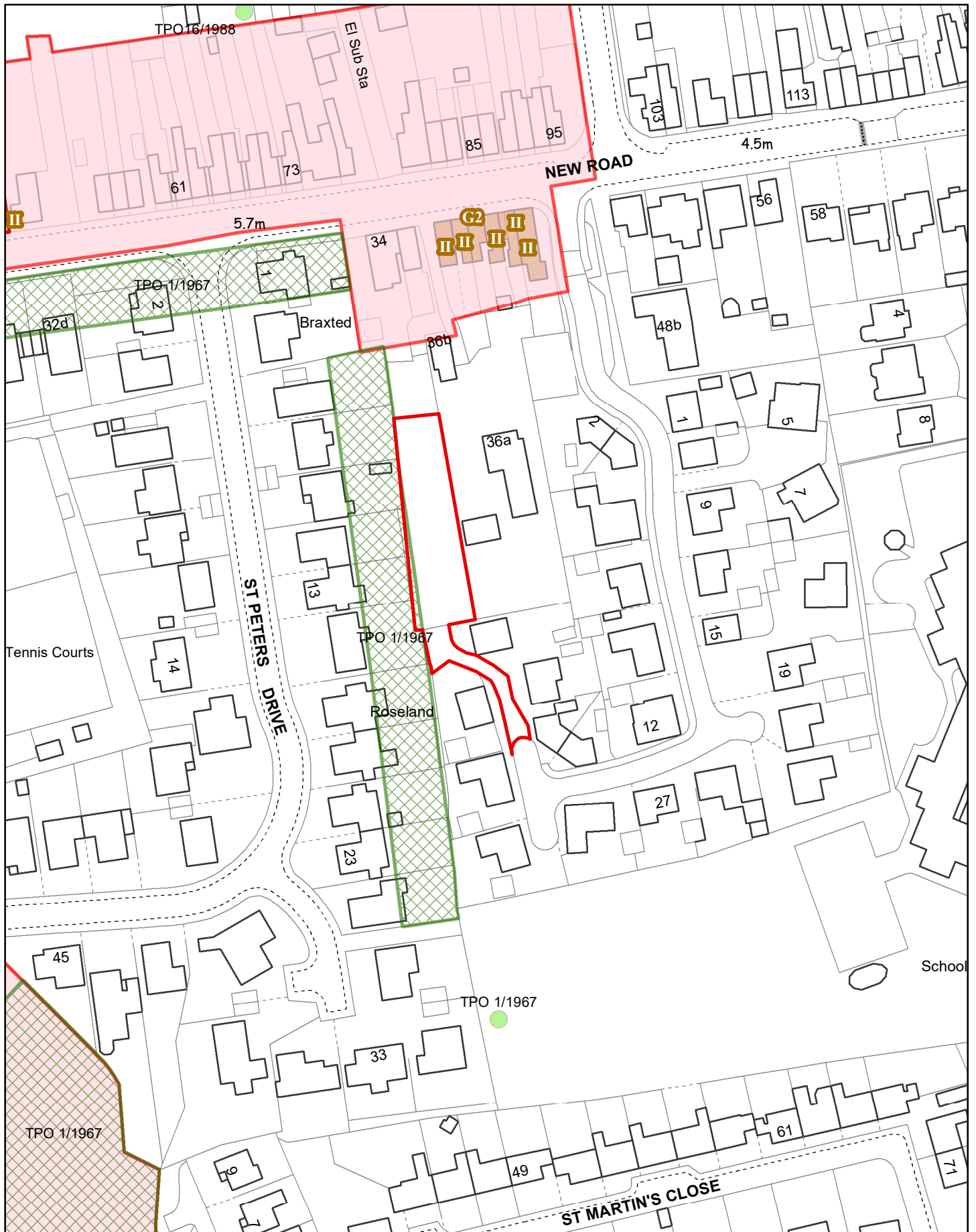
11 RECOMMENDATION

Grant subject to the following conditions

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the scale of the building(s); ii. the external appearance of the building(s); iii. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>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.</p> <p>Reason- In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan.</p>
5	<p>No development shall take place until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:</p> <ul style="list-style-type: none"> - Parking of vehicles of site operatives and visitors

	<ul style="list-style-type: none"> - routes for construction traffic - hours of operation - method of prevention of mud being carried onto highway - pedestrian and cyclist protection - any proposed temporary traffic restrictions and proposals for associated safety - Signage <p>Reason - To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
6	<p>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.</p> <p>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.</p>
7	<p>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:</p> <ul style="list-style-type: none"> i) 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); ii) alterations to the roof of the dwelling house (as detailed in Schedule 2, Part 1, Class C) <p>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.</p>
8	<p>All hard and soft landscape works shall be carried out in full accordance with the details submitted to discharge condition 1. 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 dwelling. 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.</p> <p>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.</p>
9	<p>The details submitted to discharge Condition 1 shall include: The location and design of the bat box/ tiles and bird nesting boxes to be incorporated into the new dwelling as a biodiversity enhancement. Details of the location of any external lighting proposed on site which should be designed to be baffled downwards away from retained trees.</p>

	<p>The development shall be carried out in accordance with the approved scheme.</p> <p>Reason- In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
10	<p>The details to be submitted to discharge Condition 1 shall include: details of the finished floor level of the dwelling and associated external ground levels.</p> <p>The development shall be implemented in accordance with the approved details.</p> <p>Reason- In the interests of visual and residential amenity in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
11	<p>Prior to occupation of any part of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason - To ensure a satisfactory form of refuse collection and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p>The scale of the dwelling hereby permitted shall be restricted to single storey only.</p> <p>Reason- in the interests of protecting the residential amenity of the occupiers of the neighbouring properties, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
13	Approved Plans



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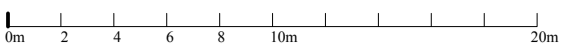
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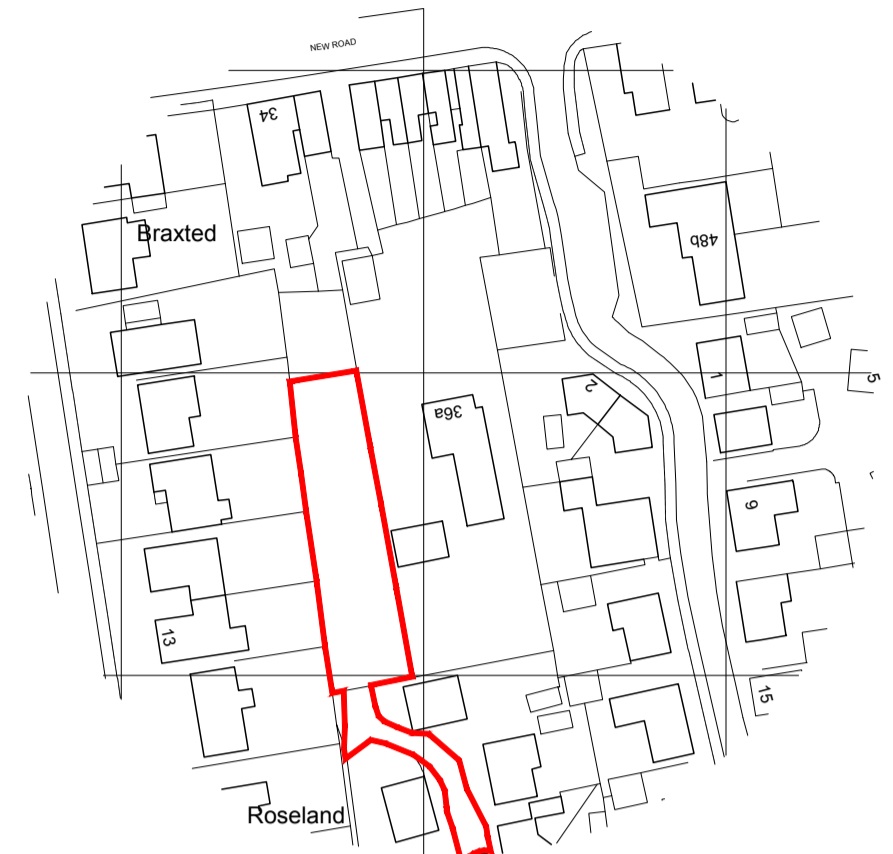
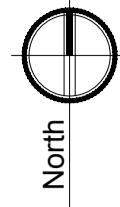
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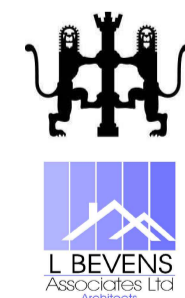


Proposed Site Plan



Illustrative Front Elevation.

Rev A Oct. 2019 Bin collection point removed as per discussion planning officer.



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DRAWING STATUS	PRELIMINARY	<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>
	PLANNING	<input type="checkbox"/>	FILE COPY	<input type="checkbox"/>

CLIENT
Mr G Caulfield

PROJECT
Land north of 20 St. Francis Drive,
Chatteris, Cambridgeshire.

DRAWING TITLE
Proposed Site Plan
Location Plan

SCALE	DATE	DRAWN	CHECKED
1:200 @ A2	July 2019	LB	
DRAWING NUMBER	REVISION		
CH19/LBA/514/OP-1-100	A		