
F/YR19/0860/FDC

**Applicant: Ms Becky Francis
Fenland District Council**

Agent :

Land North Of, 7 Glebe Close, Chatteris, Cambridgeshire

Erect a dwelling (outline application with all matters reserved)

Officer recommendation: Grant

Reason for Committee: Fenland District Council are the applicants and own the application site

1 EXECUTIVE SUMMARY

The application seeks Outline planning permission with all matters reserved for a single dwelling.

This is an outline application with all matters reserved, hence details of the proposed design, appearance, landscaping, access and scale have not been submitted. It is considered that on the basis of the proposed dwelling being single-storey, suitable siting and boundary treatments the site is capable of providing a policy compliant proposal.

It is acknowledged that there is limited parking available for the existing properties on Glebe Close and the site is used for informal parking, however there are no planning conditions limiting this area for use as parking serving the existing dwellings and the land is in separate ownership meaning that the use for parking could cease at any time, hence there is no planning justification to refuse the application on this basis.

The principle of developing this site is supported by Policy LP3. There are no issues to address with regard to flood risk and the plot is reflective of the character of the area, subject to detailed design, which requires careful consideration to achieve acceptable levels of residential amenity with onsite parking and turning; the site has the potential to accommodate a policy compliant development and a favourable recommendation is therefore forthcoming.

2 SITE DESCRIPTION

The application site is located at the north eastern corner of Glebe Close, Chatteris. The site provides informal parking and consists of unmade land and broken tarmac, there is a narrow, kerbed access leading from the site to meet Glebe Close. There is close boarded fence to the east and west of the site and green metal fencing to the north alongside the TPO'd tree belt. To the south part of the boundary treatment appears to have been removed to allow for access from the site to park at 7 Glebe Close (site photographs for the previous application show a fence along the entire boundary with the site).

3 PROPOSAL

- 3.1 The application seeks Outline planning permission with all matters reserved for a single dwelling.
- 3.2 Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PYQVN2HE06P00>

4 SITE PLANNING HISTORY

F/YR06/0753/FDC	Residential Development (0.034 ha)	Refused 17/08/2006
CU/66/2/D	The erection of 14 old persons bungalows	Granted 14/2/1966

5 CONSULTATIONS

5.1 Environment & Health Services (FDC)

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.

Not knowing the complete history of land use, and acknowledging that it has certainly been used to park vehicles in recent times, it would be prudent to impose the following condition in the event that planning consent is granted.

UNSUSPECTED CONTAMINATION

CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

5.2 Cambridgeshire County Council Highways Authority

I am unable to raise any objections in terms of the suitability of the access due to the access already providing access to gravelled parking area.

FDC need to consider the impact of any parking displacement that will occur as result of the parking area being developed.

No highway objections subject to the standard outline condition securing reserve matters.

5.3 Arboricultural Officer (FDC)

The site is currently utilised for parking and has little vegetation present.

However, there is a belt of protected trees to the north of the site adjacent to the boundary fence and within Glebelands Primary School.

The belt of vegetation forms essential screening to and from the school and must be protected from damage during construction.

Whilst it is unlikely that the construction of the building will impact on the belt of trees, the developer must ensure that any plant operating on site and the storage of materials is kept outside the root protection areas (RPA) of the trees. This is best achieved by installing protective fencing as per BS5837:2012 prior to any works on site. If there is insufficient space to install the fencing so as to fully protect the RPA, then ground protection must be installed to cover those parts of the RPA that are not protected by the fencing. Ground protection must be fit for purpose and capable of supporting the anticipated loadings without leading to compacted soil.

5.4 Town Council

Recommend Refusal, will result in the loss of a long established car parking area.

5.5 Local Residents/Interested Parties

One representation has been received advising that the resident would appreciate access being maintained to their property to enable parking in the garden.

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)

National Design Guide 2019

Fenland Local Plan 2014; LP1, LP2, LP3, LP4, LP10, LP14, LP15, LP16

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk**

9 BACKGROUND

- 9.1 The original planning permission for the site (CU/66/2/D) for the erection of 14 bungalows indicated that this area was intended to provide a garage area for the residents. However the garages were never provided and there was no condition attached to retain the area for parking in perpetuity.

- 9.2 Application F/YR06/0753/FDC was refused on the grounds of harm to the residential amenities of adjoining properties by virtue of increased vehicular activity and increased pressure on the existing parking situation.

10 ASSESSMENT

Principle of Development

- 10.1 The application site is located within the settlement of Chatteris which is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways or flood risk.

Design considerations and visual amenity of area

- 10.2 This is an outline application with all matters reserved, hence details of the proposed design, appearance, landscaping and scale have not been submitted and will be dealt with as reserved matters where these issues will be considered.
- 10.3 The size of the plot is sufficient to accommodate a dwelling reflective of the area. The surrounding dwellings on Glebe Close are single-storey on modest plots and it is considered that only a single-storey dwelling would be acceptable in this location due to the impact on visual amenity and the overlooking of adjoining properties.
- 10.4 The trees to the north of the site are protected by virtue of Tree Preservation Order 1/1997 and whilst these are not located within the site they do adjoin and there is potential for any development of this site to have a detrimental impact, hence it is felt necessary to impose a condition to ensure that the trees are sufficiently protected.

Residential Amenity/Health and wellbeing

- 10.5 This is an outline application with all matters reserved, hence details of the proposed design, appearance, landscaping and scale have not been submitted. It is considered that on the basis of the proposed dwelling being single-storey, suitable siting and boundary treatments the site is capable of providing a policy compliant proposal.
- 10.6 The site is overlooked by the 2-storey dwelling of 4 Saddlers Way to the east of the site, this would not create direct overlooking due to the siting of No.4 and is it considered that there is scope for any proposal to be designed in such a way to minimise the harm created in this respect.
- 10.7 The existing dwellings of 4 and 6 Glebe Close are located in close proximity to the access, however the area is used as informal parking currently and the vehicle movements associated with a single dwelling are not considered to create a significant detrimental impact in relation to noise and disturbance.

Parking and Highways

- 10.8 Whilst access to the site has not been committed the existing access is incorporated within the application site and there do not appear to be any alternative access points. The existing access is not ideal, being narrow and situated between two existing dwellings, there is also a pedestrian dropped kerb near 6 Glebe Close in close proximity to the entrance of the site. There is

reduced visibility due to existing boundary treatments, due to this and the narrow length of the existing access it is considered necessary to ensure that turning is achievable on site; parking provision in accordance with Policy LP15 and Appendix A will also be required.

- 10.9 It is acknowledged that there is limited parking available for the existing properties on Glebe Close and that the application site appears to be used for informal parking, however there are no planning conditions limiting this area for use as parking serving the existing dwellings and the land is in separate ownership meaning that the use for parking could cease at any time, hence there is no planning justification to refuse the application on this basis.

Flood Risk

- 10.10 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

11 CONCLUSIONS

The principle of developing this site is supported by Policy LP3. There are no issues to address with regard to flood risk and the plot is reflective of the character of the area, subject to detailed design, which requires careful consideration to achieve acceptable levels of residential amenity with onsite parking and turning; the site has the potential to accommodate a policy compliant development and a favourable recommendation is therefore forthcoming.

12 RECOMMENDATION

Grant subject to conditions:

1.	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the means of access thereto; v. 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</p>

	<p>approved.</p> <p>Reason – To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4.	<p>The residential elements of the development shall not exceed 1 dwelling (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5.	<p>Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, 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).</p> <p>Reason - To ensure the permanent availability of the parking in the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
6.	<p>The details submitted in accordance with Condition 01 of this permission shall include:</p> <p>An Arboricultural Method Statement (AMS) which shall include justification and mitigation for any tree removal/works proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.</p> <p>Reason - To ensure that the trees adjoining the site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies LP16 of the Fenland Local Plan, adopted May 2014.</p>
7.	<p>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 for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.</p> <p>Reason - To control pollution of land and controlled waters in the</p>

	interests of the environment and public safety.
8.	The development hereby permitted shall be carried out in accordance with the following approved plans and documents.



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