
F/YR21/0060/F

Applicant: Mrs J Pattrick

**Agent : Mr R Papworth
Morton & Hall Consulting Ltd**

Land West Of, 25 Linden Drive, Chatteris, Cambridgeshire

Erect a single-storey 3-bed dwelling with detached garage

Officer recommendation: Refuse

**Reason for Committee: No of representations contrary to Officer
Recommendation**

1 EXECUTIVE SUMMARY

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| <p>1.1 This is a full application for the erection of a single-storey 3-bed dwelling on land west of 25 Linden Drive, Chatteris, on open amenity land which was originally identified as public open space when the Linden Drive development was approved. The area has not been formally adopted. It was previously a well maintained area of grass which contributed to the visual and environmental quality of the area.</p> <p>1.2 Recently the grass has been neglected. The site is now unkempt. However, this should not be a way of enabling development on a site which would otherwise be unsuitable.</p> <p>1.3 Since 2003 four applications have been received to develop this land which resulted in two applications being withdrawn and 2 applications refused, one which was refused by Planning Committee.</p> <p>1.3 The amenity land is directly in front of No 25 and to the side of Nos. 24 and 26 Linden Drive. As such, the proposed bungalow will be sited in a forward position between Nos. 25 and 26 with the parking and turning area immediately to the front of No. 24. The siting of the bungalow will appear at odds in the street scene and will be prominent at the end of this cul-de-sac. The impact will be that No.26 will appear to be 'hemmed' in and No.24 will ensure vehicles parking and turning to the immediate front of their property. This will result in a negative impact on the street scene and amenity of neighbouring property together with the general character of the area and due to the restricted size of the site there is little opportunity to screen the proposal with landscaping. This would be contrary to Policy LP16 of the Fenland Local Plan 2014.</p> <p>1.4 Whilst a side garden is proposed directly in front of No.25 to ensure sufficient distance between the bungalow and the front of No.25, there is no way the Local Planning Authority can control boundary planting in the future and if such planting was implemented, then the impact on the outlook and lighting to No. 25 would be unacceptable as the planting matured.</p> <p>1.5 The loss of this green space would be to the detriment of the area and residents in general as green spaces positively contribute to create a healthy environment</p> |
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facilitating health and wellbeing of Fenland residents as set out in Policy LP2 of the Fenland Local Plan.

- 1.6 It is therefore considered that development on this piece of land would be very difficult to accommodate without harm to the residential amenity of adjoining property owners, the street scene and the character of the area. The recommendation is therefore to refuse the application as being contrary to Policy LP16 (d), (e) of the Fenland Local Plan 2014.

2 SITE DESCRIPTION

- 2.1 The site is an area of open space located at the southern end of Linden Drive which is a cul-de-sac. The land was until recently set to grass and well maintained. However a close boarded fence has been erected across the rear boundary of the site and further fencing has been erected in front of Nos. 25 and 26 to define the land as an enclosed area instead of the original open aspect of the site. There is an existing turning head in front of the site and further vehicular access to both No.25 and 26 Linden Drive. The site is within Flood Zone 1. Part of the rear boundary abuts the conservation area.

3 PROPOSAL

- 3.1 The proposal is for a shallow gable fronted, single-storey dwelling with a hipped roof, box window and detached single garage. The dwelling would measure 12.8m x 9m with a ridge height of 5m. The dwelling will benefit from private rear amenity space of 5.8m deep. The front of the dwelling will be set back from the existing turning head by 10m to allow for two parking spaces and access to the detached garage (3m x 7m). A new dropped kerb is proposed.
- 3.2 The proposed garage will be more or less in line with the garage to No 26. The proposed dwelling will be sited 10.4m to the east of No 26, and 4m in front of it. The proposed dwelling will be set back from the front elevation of No 25 by 6m approximately, with 10m distance between the two. The front aspect of No 25 overlooks the open amenity area but is now obstructed by the 1.8m high fence that has been erected.
- 3.3 Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QMTKWEHE01U00>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR18/0115/O	Erection of 2no dwellings (outline application with matters committed in respect of access and layout)	REFUSE	27.03.2018
F/YR14/0189/F	Erection of a single-storey 3-bed dwelling with attached garage	REFUSE	30.05.2014
F/YR14/0040/F	Erection of a single-storey 3-bed dwelling with attached garage	WDN	28.02.2014
F/YR03/0531/F	Erection of 2 x 2-bed detached bungalows with garages on previously approved Public Open Space	WDN	19.02.2004

5 CONSULTATIONS

5.1 Chatteris Town Council- support the application

5.2 CCC Archaeology

The site lies just beyond the western periphery of the precinct of Chatteris Priory, an area likely to have formed a focus for medieval settlement, and the modern Linden Road follows the line of the rear boundaries of the burgage plots on the west side of West Park Street. However archaeological evaluation of another 2-house plot 150m to the north of the development area in 2017 (Cambridgeshire Historic Environment Record reference ECB4943) revealed deposits of building material and pottery of post-medieval date only, suggestive of a location just beyond the western boundary of the medieval settlement.

As it is not thought likely that a further evaluation on the small scale of the outlined scheme would add significantly to our understanding of the development of this part of Chatteris I can confirm that we have no objections or requirements for this development as proposed.

5.3 FDC Environmental Health

I have no objection to the proposed application on the grounds of noise and air quality. However, I do recommend that the applicant consider the potential for land contamination. Ideally, a preliminary contaminated land risk assessment will need to be submitted to demonstrate that the potential for land contamination has been fully considered. However, considering we hold little or no record to link the application site with historical contaminative use, we would recommend the 'Unsuspected Contaminated Land' condition be imposed in order to protect the future occupiers and the environment.

5.4 FDC Conservation Officer

It does not appear as though the Conservation Team has been previously consulted on this site, despite previous planning history and I would agree that there is no conservation comment to make in regard to this application.

The site is not within the conservation area, and though the boundary falls either side of Linden Road, the introduction of one further bungalow in keeping with others will not impact on the character or appearance [of the Conservation Area]. Given too, that the development will fall within the boundary alignment of the present development it is not considered to fall within the setting of those listed buildings along

London Road, whose gardens back on to the meadow behind.

I therefore have no comment or objection to this development.

5.5 Local Residents/Interested Parties

17 letters of support have been received from residents of Linden Drive.

Comments include:

It will finish off the estate;

The proposed bungalow is in keeping with existing;

One bungalow is better than the two previously proposed;

It will ensure Linden Drive remains a cul de sac;

Support as long as trees /hedges are not planted along boundaries with adjacent properties;

Concerns regarding the use of the open space by dog owners, drinkers, vermin, children and drug dealers, causing a nuisance and security concerns

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

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide 2019

Context

Identity

Built Form

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

8 KEY ISSUES

- **Principle of Development**
- **Character of the Area/ Conservation Area/ Residential Amenity**

9 ASSESSMENT

Principle of Development

- 9.1 The application site is located within the Market Town of Chatteris, which is one of four settlements within which the majority of the District's new housing development is proposed according to Policy LP3 of the Fenland Local Plan 2014. The principle of the development is therefore considered to be acceptable, subject to there being no conflict with other policies in the Fenland Local Plan 2014.

Character of the Area/ Conservation Area/ Residential Amenity

- 9.2 Policy LP16 of the Fenland Local Plan 2014 seeks to deliver and protect high quality environments which should make a positive contribution to the local distinctiveness and character of the area. Development should not adversely impact, either in design or scale, on the street scene, settlement pattern or landscape character of the surrounding area. Policies LP16 and LP18 also seek to protect and enhance heritage assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. Policies LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers.
- 9.3 The site is not within the Conservation Area, but the boundary falls either side of Linden Road and abuts the rear boundary of the site. Notwithstanding this, the

introduction of one further bungalow is not considered to impact on the adjacent Conservation Area.

- 9.4 However, due to the forward position of the new dwelling on the site, its siting will appear at odds in the street scene and will be prominent at the end of this cul-de-sac. The impact will be that No.26 will appear to be 'hemmed' in, resulting in a negative impact on the street scene and general character of the area.
- 9.5 No.25 is orientated with its main front aspect overlooking the open space. However the existing boundary treatments, which have been changed from one metre to 2 metre already obstructs some of the previous views across the open space. It is unlikely that No.25 will be unduly affected by overshadowing from the proposed dwelling.
- 9.6 Notwithstanding this, the proposed site layout, extensive block paving to form the drive and the turning space in close proximity of neighbouring dwellings and windows all conspire to leave inadequate space for landscape planting which would help soften and frame any new development. This is particularly important as the new dwelling would be prominent at the end of the cul-de-sac. Tree planting on either side of the property, but especially to the east, is likely to be detrimental to the occupiers of No 25, by blocking out light to the habitable rooms.
- 9.7 Although it is possible through the imposition of a planning condition to remove permitted development rights for the erection of any garden structures or extensions to the east of the proposed dwelling, the right to plant trees and hedges cannot be removed by a planning condition. Although the applicant may provide reassurance to the neighbour at this time, this may not be the case if the new dwelling is sold on in the future.
- 9.8 These concerns add further weight to the argument that development on this piece of land would be very difficult to accommodate without harm to the street scene and character of the area, and potential harm to the occupiers of the adjacent dwellings.
- 9.9 The proposal is therefore considered to be contrary to Policy LP16 as it would not deliver a high quality environment or make a positive contribution to the street scene, and Policies LP2 and LP16 as it has the potential to adversely affect the amenity of neighbouring occupiers.

10 CONCLUSIONS

- 10.1 This is a full application for the erection of a single-storey 3-bed dwelling on land west of 25 Linden Drive, Chatteris on open amenity land which was originally identified as public open space when the Linden Drive development was approved. The area has not been formally adopted. It was previously a well maintained area of grass which contributed to the visual and environmental quality of the area.
- 10.2 Recently the grass has been neglected. The site is now unkempt. This should not be a way of enabling development on a site which would otherwise be unsuitable. Members have previous refused development on this piece of amenity land.
- 10.3 The amenity land is directly in front of No 25 and to the side of Nos. 24 and 26 Linden Drive. As such, the proposed bungalow will be sited in a forward position between these properties. The siting will appear at odds in the street scene and will be prominent at the end of this cul-de-sac. The impact will be that No.26 will

appear to be 'hemmed' in, resulting in a negative impact on the street scene and general character of the area and due to the restricted size of the site there is little opportunity to screen the proposal with landscaping. This would be contrary to Policy LP16 of the Fenland Local Plan 2014.

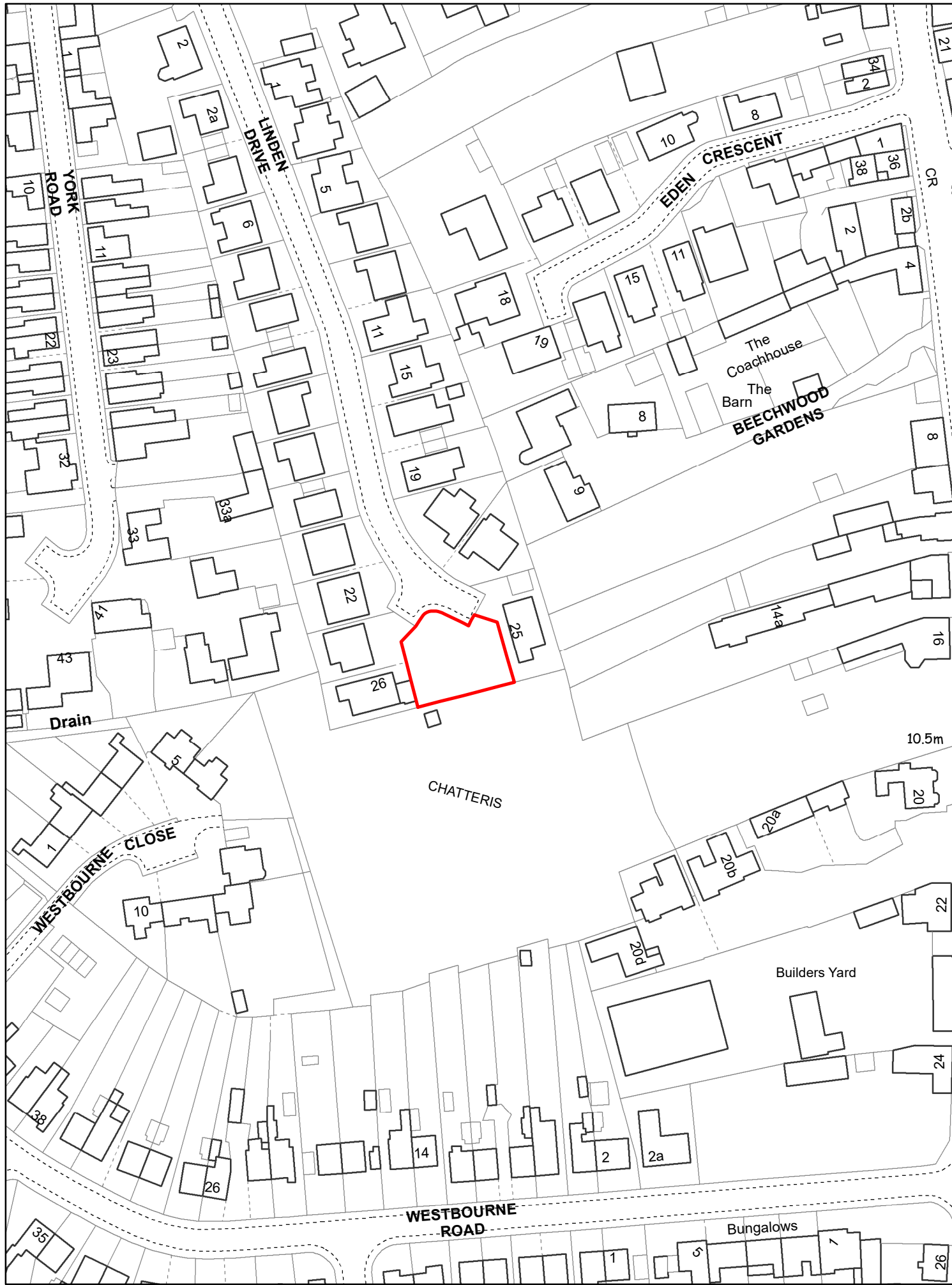
10.4 An extensive side garden to the new dwelling is proposed directly in front of the main (front) elevation of No 25. New tree/ hedge planting here, which would be outside the control of any planning permission, is likely as it matures to be detrimental to the occupiers of No 25 by blocking out light to the habitable rooms contrary to Policies LP2 and LP16 of the Fenland Local Plan 2014.

10.5 It is therefore considered that development on this piece of land would be very difficult to accommodate without harm to the street scene and character of the area, and potential harm to the occupiers of the adjacent dwellings.

11 RECOMMENDATION

11.1 The recommendation is therefore to refuse the application for the reasons set out below.

1	Policy LP16 seeks to deliver a high quality environment and for development to make a positive contribution to the street scene The proposal would result in the unacceptable redevelopment of an area of green space. The siting of the dwelling does not assimilate into the area by virtue of its forward position resulting in development that will be prominent in the streetscene. The contrived parking and turning area will impact on the amenity of both No.24 and No.26 Linden Drive due to the close proximity of the turning area. The proposal is therefore contrary to the provisions of Policy LP16 of the Fenland Local Plan 2014.
2	Policies LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers. The proposal by way of its orientation and siting in relation to No 25 Linden Drive has the potential to adversely impact of the amenity of the occupiers of this property due to potential loss of light to habitable rooms. This would be contrary to Policies LP2 and LP16 of the Fenland Local Plan 2014.



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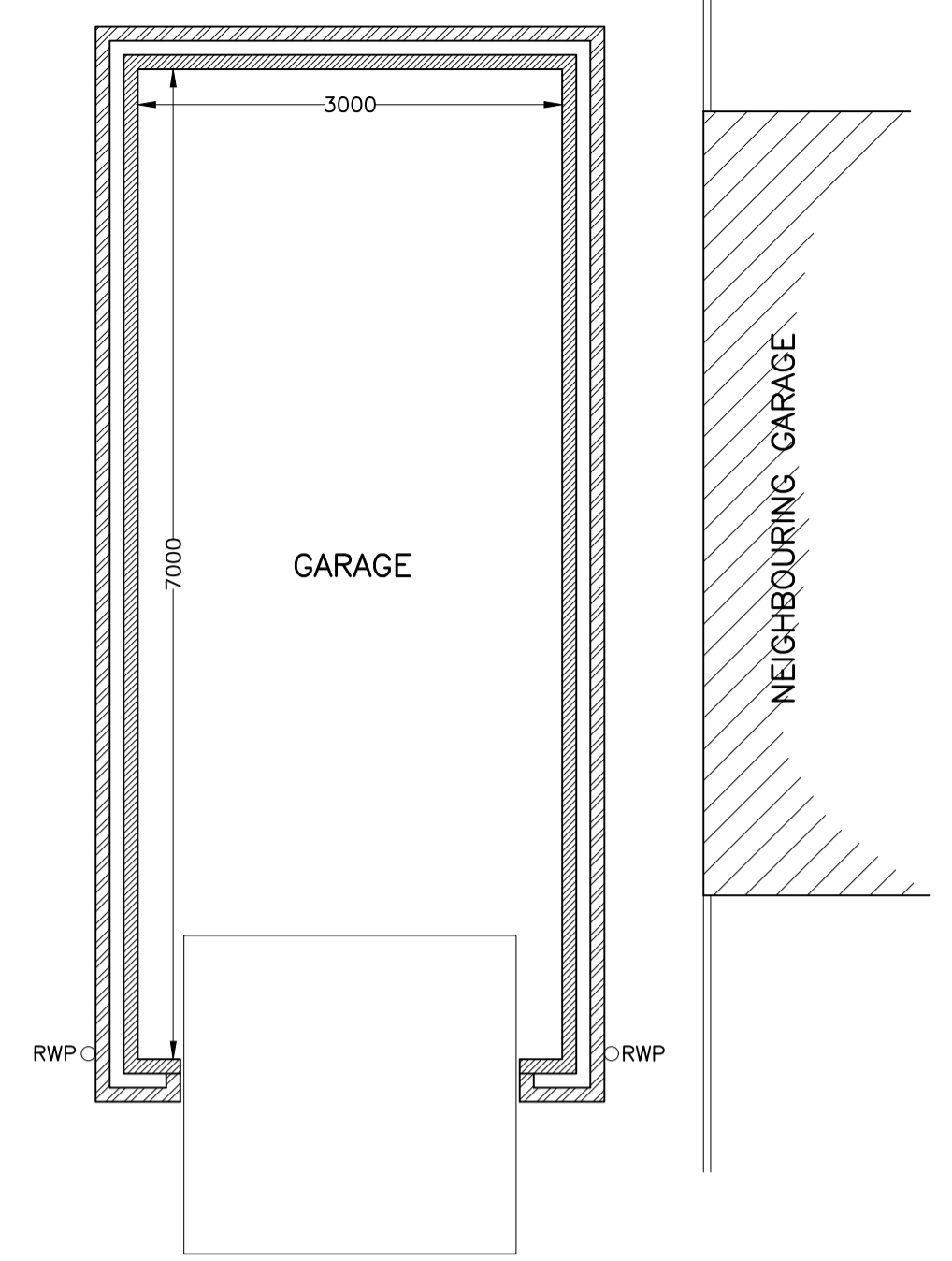
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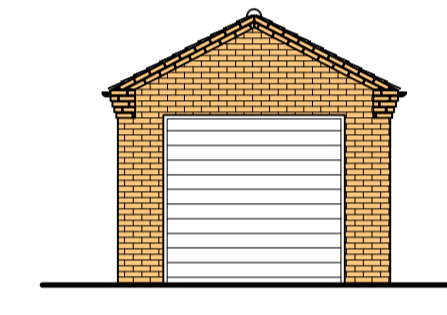
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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer



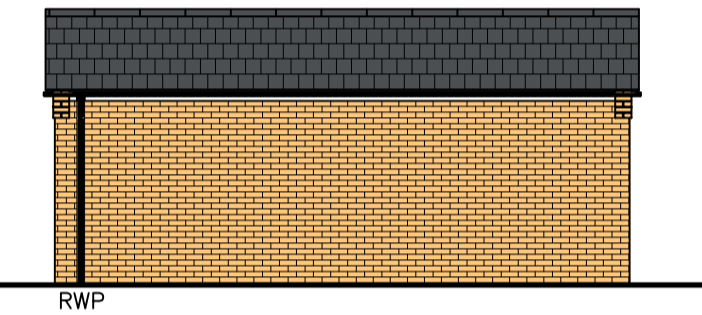
PROPOSED SITE PLAN (1:200)



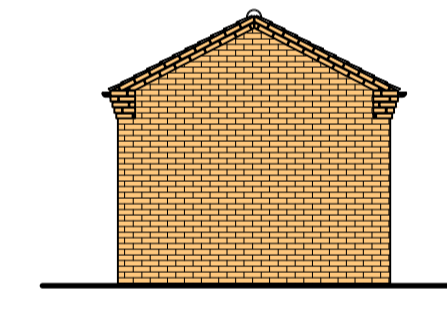
PROPOSED GROUND FLOOR PLAN (GARAGE) (1:50)



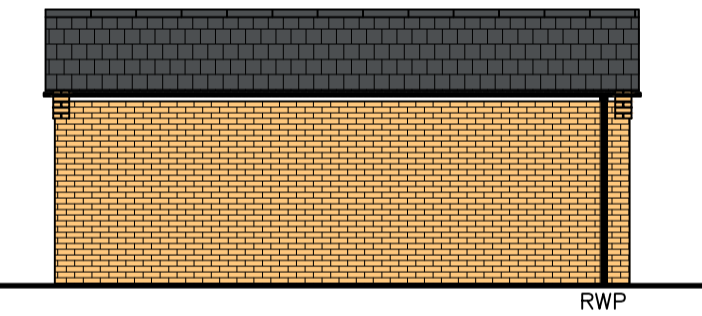
PROPOSED FRONT ELEVATION (1:100)



PROPOSED RHS ELEVATION (1:100)



PROPOSED REAR ELEVATION (1:100)



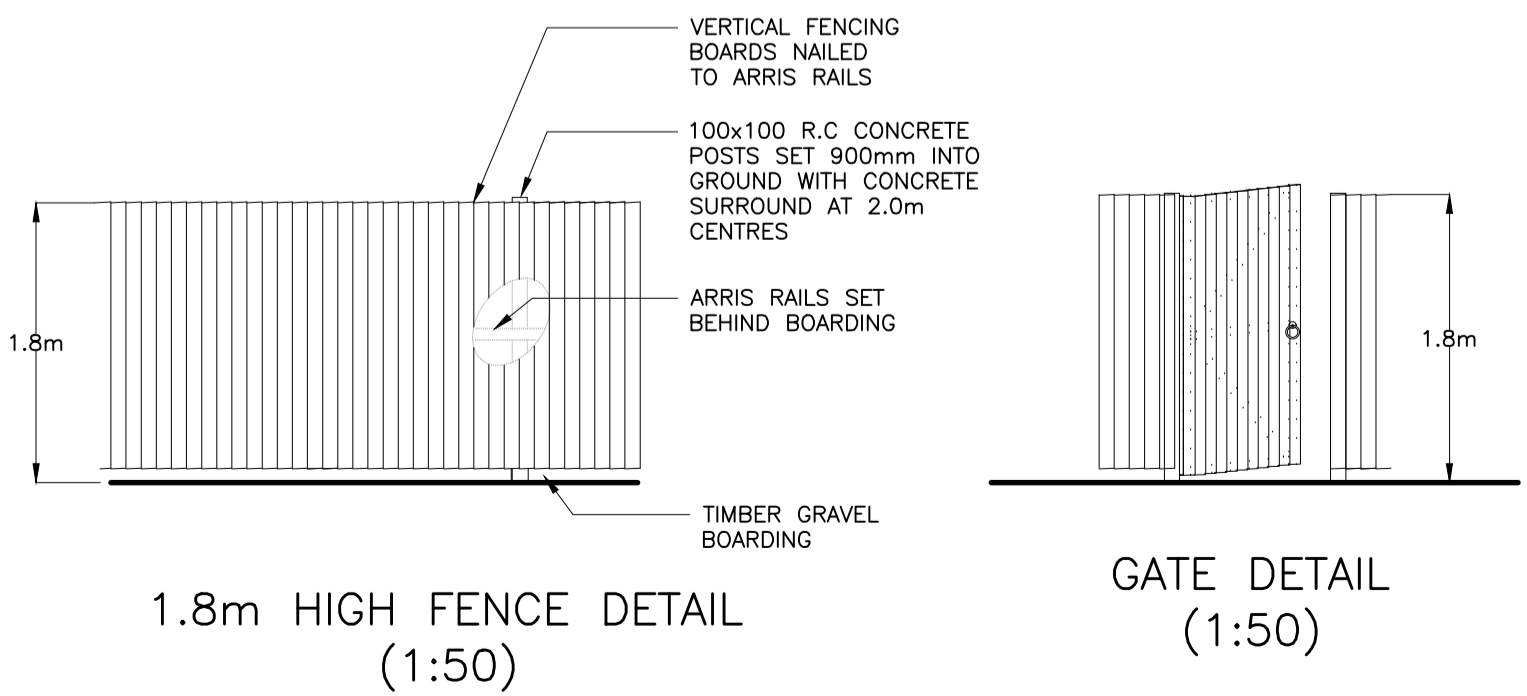
PROPOSED LHS ELEVATION (1:100)

ALONG THIS SIDE BOUNDARY ENSURE THERE ARE NO STRUCTURES/GREEN HOUSE/SHED ETC

ALONG THE REAR BOUNDARY ENSURE THERE ARE NO TREES GREATER THAN 2m HIGH

LEGEND

- CONCRETE SLABS (NON SLIP)
- PERMEABLE BLOCK PAVING (NON SLIP)
- WASTE BINS
- GRASS
- VEGETATION
- GRAVEL



1.8m HIGH FENCE DETAIL (1:50)

GATE DETAIL (1:50)



EXISTING SITE PLAN (1:200)

C	CLIENTS COMMENTS	JAN 21
B	CLIENTS COMMENTS	JAN 21
A	CLIENTS COMMENTS	DEC 20
	REVISIONS	DATE

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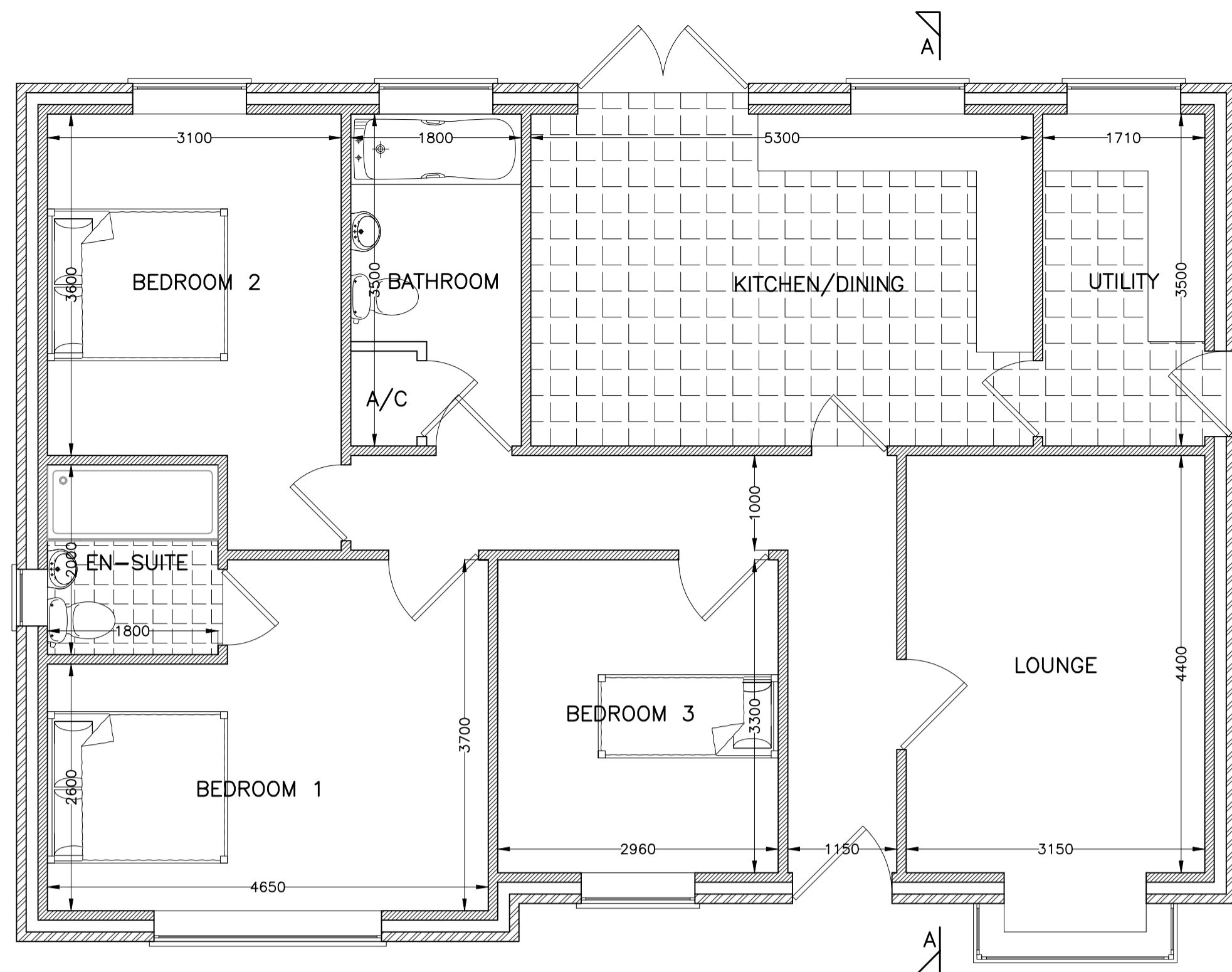
Fenland District Council
 Building Design Awards
 Building Excellence in Fenland

CLIENT
 Mrs J Pattrick

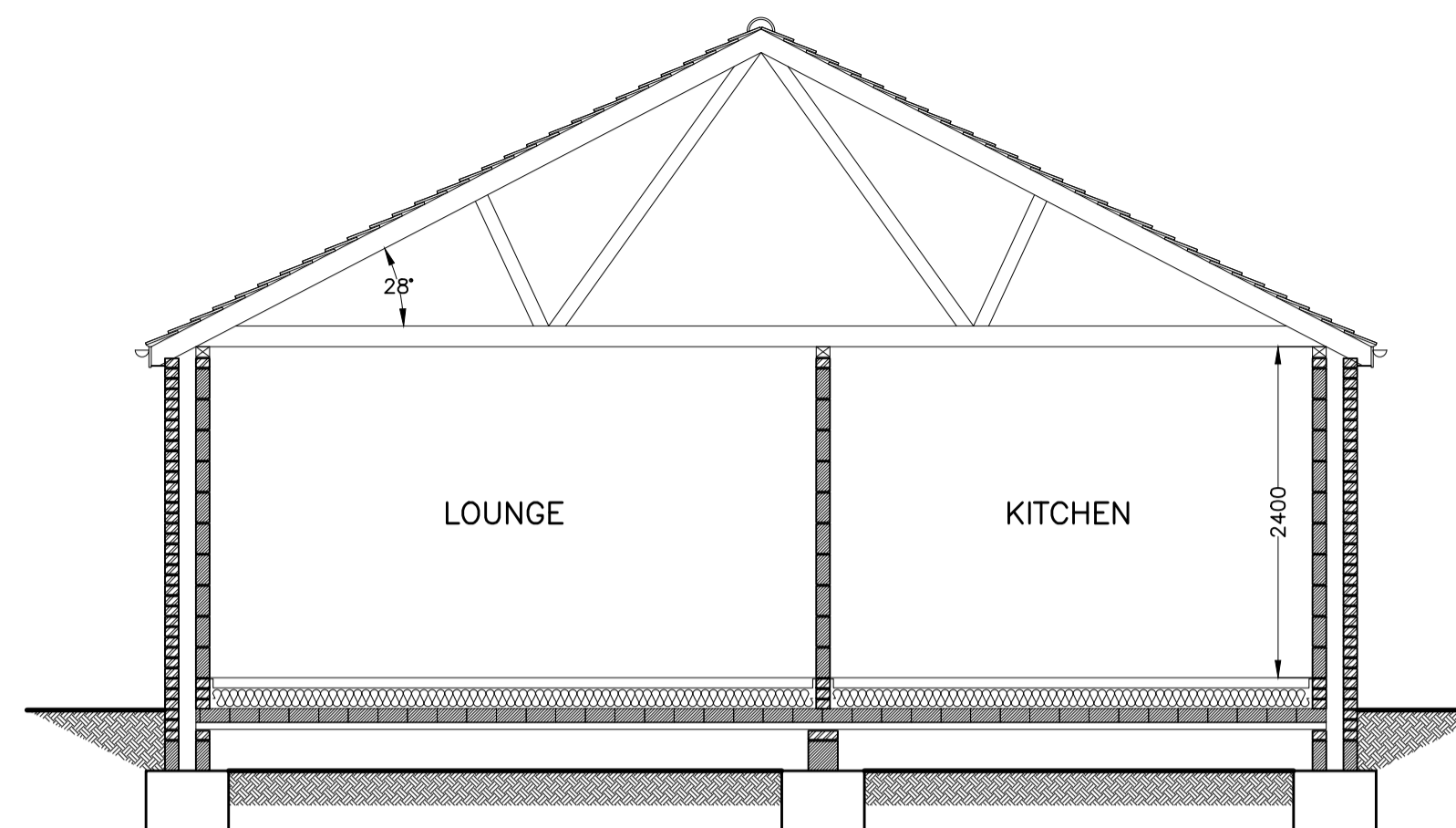
PROJECT
 Proposed Bungalow Adj
 25 & 26 Linden Drive
 Chatteris
 Cambs, PE16 6DZ

TITLE
 Existing and Proposed
 Site Plans

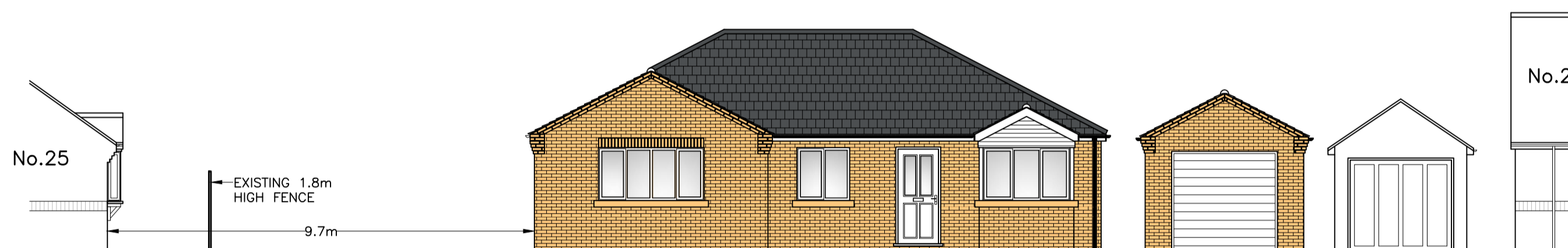
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DATE	Dec 2020	DRAWING NUMBER
SCALE	1:200	H7337/02c



PROPOSED GROUND FLOOR PLAN
(1:50)



SECTION A-A
(1:50)



PROPOSED STREET SCENE
(1:100)



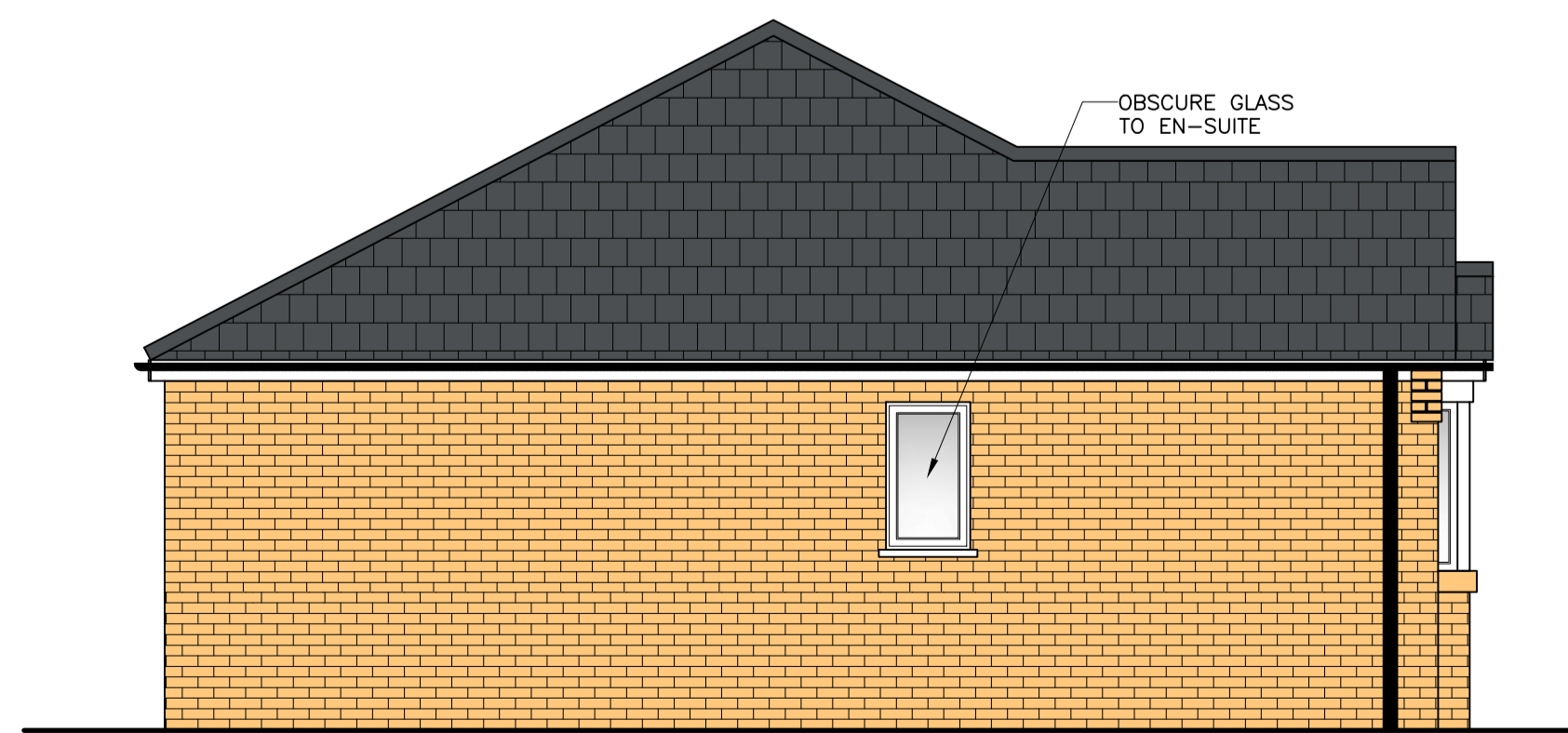
PROPOSED FRONT ELEVATION
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PROPOSED RHS ELEVATION
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PROPOSED REAR ELEVATION
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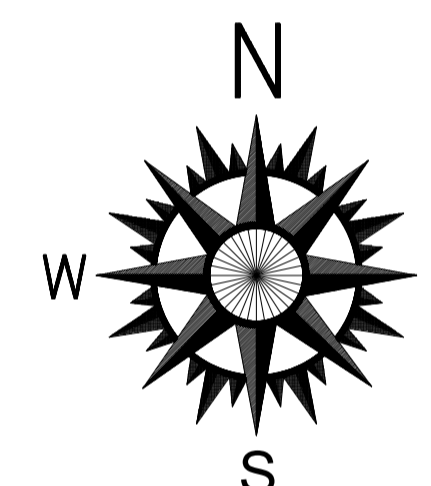


PROPOSED LHS ELEVATION
(1:50)

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All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer



LOCATION PLAN
(1:1250)
LICENCE NUMBER : 100022432



D C B A	CLIENTS COMMENTS	JAN 21
	CLIENTS COMMENTS	JAN 21
	CLIENTS COMMENTS	JAN 21
	CLIENTS COMMENTS	DEC 20
REVISIONS		DATE

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CLIENT
Mrs J Pattrick

PROJECT
Proposed Bungalow Adj
25 & 26 Linden Drive
Chatteris
Cams, PE16 6DZ

TITLE
Proposed Plans
& Elevations

DRAWN R.Papworth	DATE OF ISSUE
CHECKED	
DATE Dec 2020	DRAWING NUMBER H7337/01b
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