

10/00975/FUL: DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF THREE-BED DWELLING WITH DETACHED GARAGE AT THE HAVEN SECOND DRIFT WOTHORPE STAMFORD

VALID: 20 JULY 2010

APPLICANT: HEReward HOMES LTD

AGENT: IPLAN

REFERRED BY: CLLR OVER

REASON: THERE IS NO LOCAL NEED, CONDITION OF ROAD AND SERVICES, IMPACT ON CHARACTER OF AREA

DEPARTURE: NO

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development
- The impact on the character of the area
- Impact on the amenities of occupiers of neighbouring dwellings

The Head of Planning Services recommends that the application is APPROVED.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Key policies highlighted below.

- DA1** Development shall be compatible with its surroundings create or reinforce a sense of place and not create an adverse visual impact.
- DA2** Development shall be satisfactorily accommodated on the site, not have an adverse affect on the character of the area and have no adverse impact on the amenities of occupiers of nearby properties.
- DA6** Tandem, backland and piecemeal development.
- H15 Development to be carried out at highest net residential density
- H16 Seeks residential development if the following amenities are provided to a satisfactory standard; daylight and natural sunlight, privacy in habitable rooms, noise attenuation and a convenient area of private garden or amenity space.
- T1** New development should provide safe and convenient access for all user groups and not unacceptably impact on the transportation network.
- T9 Cycle parking requirements.
- T8** Permission will only be granted for a development if vehicular access is on to a highway whose design and function is appropriate for the level and type of vehicular traffic likely to be generated by the proposed development.
- T10** Car parking provision to be in accordance with maximum car parking standard

Planning Policy Statement 3 – Housing. This requires Local Planning Authorities to make best use of land for new residential development and to ensure that it is well integrated with

and complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

Planning Policy Statement 7: The Countryside, Environmental Quality and Economic and Social Development seeks to integrate development necessary to sustain economic and social activity in rural communities whilst protecting the character of the countryside. It indicates that new development should be sensitively related to existing settlement patterns and to historic, wildlife and landscape resources.

Village Design Statement Implications: Wothorpe VDS sets out a series of guidelines on Architectural Character, Scale, Relationship between buildings, Overdevelopment, Location, Building lines, Building heights and Landscaping. However, the village design statement no longer forms part of the development plan and therefore only very limited weight can be given to it in deciding this application.

3 DESCRIPTION OF PROPOSAL

The proposed development is a three-bedroom house with a detached double garage. The house proposed is of two storeys, of a main block with projecting gable-end features to front and rear. The proposed dwelling would be about 10.5m wide, set 6m from the boundary with the neighbouring plot (Thomas House) and 1m from the indicative boundary with the plot on the other side. Height to eaves would be about 5.2m and height to ridge about 9.4m. Access is proposed via a new entrance from Second Drift.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is part of a plot known as The Haven. The site has already been divided, with the rear part of the garden to be developed as a single dwelling. The front part of the site is shown as two plots known as plot A (subject of the current application) and plot B (to the north-west). The application site comprises an area of about 40m deep and 18m wide at the front, narrowing to about 14.5m wide at the rear. The front section of the plot comprises existing verge and hedge line, behind this would be the garage, then the house and garden. The site slopes in two directions.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
01/00575/OUT	Erection of four dwellings	26.07.2001	WDN
01/01295/OUT	Erection of dwelling (Revised access)	12.03.2002	PER
02/00842/OUT	Residential development comprising one house and garage	24.09.2002	PER
03/00360/OUT	Residential development comprising two dwellings and garaging	14.05.2003	WDN
04/02018/WCPP	Variation of Condition 1 of planning permission 01/01295/OUT to allow a further three years for the submission of reserved matter	08.02.2005	PER
05/00477/WCPP	Variation of condition 1 of planning permission 02/00842/OUT (erection of house and garage) to allow a further three years for the submission of reserved matters	22.09.2005	PER
08/01203/REM	Reserved matters for the siting, design, external appearance of buildings, means of access and landscaping for a four-bed dwelling as consented under 02/00842/OUT	08.04.2009	PER
10/00204/FUL	Construction of five-bed dwelling with detached garage	19.07.2010	PER

10/00688/FUL	Demolition of existing dwelling and construction of 1 x four-bed dwelling and 1 x five bed dwelling with detached double garage (on the front part of the Haven site)	09.07.2010	REF
10/00872/FUL	Erection of dwelling with detached garage and studio above		

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Relevant consultation responses are reported within the Consideration section below.

EXTERNAL

Parish Council – We note that the front plot has been split into two separate plots with the proposed developing occupying the southerly plot leaving the northern plot available for further development. We are opposed to this arrangement and believe that the plot should not be split and that only one dwelling should be constructed on it.

We believe that the scale of the proposed property is too large. A four bedroom dwelling on two floors situated more centrally on the plot would not present such an overbearing aspect from Thomas House to the South as well as from the road.

For these reasons we believe that the application should be rejected.

NEIGHBOURS

Letters of objection have been received from seven local households raising the following issues. These responses are to the initial proposal, which was a five bedroomed house, significantly larger than that before you. Responses to the consultation on the revised proposal for a three bedroomed house will be reported in the Update Report.

- Developer is submitting two applications separately having had the previous application refused
- Footprint is the same as the house previously refused [Members should note this has been revised]
- Plans for The Haven should be considered as a whole
- Wothorpe is marked as a Character Area
- Proposal is against the design statement for Wothorpe
- Contravenes sections of Residential Design Guide
- Gardens have been removed from definition of brownfield development
- Proposal does not respect local character, which is of varying building designs
- Same style of building as neighbouring houses, by the same developer
- Roofline does not fit in with established buildings
- House should be set centrally on the plot
- Increase in number of dwellings will increase activity and nuisance and reduce privacy
- Impact on privacy at Thomas House – is only 2m away [Members should note this has been revised]
- No visual separation between proposed house and Thomas House [Members should note this has been revised]
- Overlooking to Thomas House, Latimer House and Exeter House
- Road cannot cope with additional traffic
- Danger to children playing in the road
- Construction traffic
- Problems with drainage and water pressure will be made worse
- Will erode green area
- No provision for open space
- Proposal to remove near perfect dwelling is outrageous
- Demolition will release dust and harmful chemicals

- Energy/waste implications of demolition and removing rubble

COUNCILLORS

Cllr Over has made the following comments:

H9 Wothorpe is a limited growth settlement and this application is one of a constant flow of small applications which is significantly enlarging the settlement

H16 The application is one of many similar designs which has no connection with local designs. Indeed this type of reconstituted stone building is a glaring clash against local designs.

H20 There is no evidence to suggest a need for this building. No local survey was conducted and it is a purely speculative build similar to others which have remained half built and/or unsold for many months.

H21 No attempt has been made to discover the need for affordable housing

H22 This settlement will be an 'excepted' site and this application is being rushed through, along with other applications in the same back garden of the 'Haven'

T1 No survey has been done regarding public transport. It is likely that at least two cars will be at this property if built

T8 There is no legally confirmed owner of the road with no right of access

CC4 There is no Section 106 agreement with regard to leisure and recreational green spaces

CF7 There are no health facilities in the area to meet the needs of an increasing population

DA6 This is a significant example of piecemeal development which has had a significant effect on the settlement and has changed the nature of the area.

There is no attempt to help develop a balanced and mixed community. Instead yet another £500,000 plus house is being built for unknown buyers.

LNE1 Another example of the authorities countryside being eaten up by piecemeal speculative building

U1 There is no legal ownership of drains, sewage disposal and water pipes.

U2 Water drainage is a significant problem on 2nd Drift with a number of springs in gardens. Water drainage is inadequate to cope with heavy rain or water from seasonal springs

This application makes no attempt to provide a development for the benefit for the settlement. No evidence was collected to assess the need for this proposed house and it offers no advantages for the people of the area. The building has no local distinctiveness and is directed at one type of buyer irrespective of local needs. It is not sustainable development and it does not improve the quality of life. Power supplies, water pressure and broadband connections are often poor.

I am already being contacted on a regular basis by new residents in Wothorpe complaining of a poor road surface, narrow roads, poor water pressure, low voltage and dangerous road junctions. These problems are continually pointed out by local residents, the parish council and myself at each planning application only for them to be brushed aside.

7 REASONING

a) Introduction

This application is subsequent to a refusal of two larger dwellings on the front part of The Haven.

The applicant has submitted an appeal against that refusal.

This application is for one dwelling on plot A, and the applicant has stated that an application will be submitted for a separate dwelling on plot B in due course.

b) Policy issues

Wothorpe is an Infill Settlement (not a limited growth statement, or in the countryside) and development is limited to infill of no more than two dwellings on an undeveloped plot in a built up frontage. This definition is taken from the Structure Plan which was replaced by the Regional Spatial Strategy (which Government intends to withdraw).

Once the existing dwelling is demolished the plot will effectively be undeveloped, and therefore two dwellings could, in principle, be accommodated on the front.

The approved dwelling to the rear is located on a separate plot that does not relate in planning terms to the two frontage plots.

It is considered that there is no reason to resist the principle of allowing two dwellings at the front of the site.

c) **Character of the area**

The character of Wothorpe is, broadly, variety in building style, and separation between dwellings. Most dwellings are detached, apart from the Victorian terraces, which create their own small character area. It is inevitable that the character of an area will change over time, and this has happened to Wothorpe with the development of many plots and the increase in the overall number of dwellings. The predominant character however is still of large dwellings on good sized plots, with significant separation between dwellings.

The majority of the detached houses in Second Drift are two-storey, with two-and-a-half storey development in the Victorian terraces and in two of the new houses to the south of the site. There is also two-and-a-half storey development opposite the application site, on the old Havering site. Most of the dwelling styles relate to their time rather than their place, and there are few buildings which are typical of the local vernacular.

The north-east side of Second Drift has eight buildings along its length. The first is a terrace of Victorian houses, then there are 7 detached houses. The spacing between them varies from 1m to 7m, apart from at The Haven where separation to each side is about 16-18m. Although the current proposal is only for part of the front of The Haven, it can be established that the space between the south-east side of the proposed house and Thomas House would be about 10m, and the space between the north-west side of any house proposed in the future for the neighbouring plot, and Cromwell House, would be at least 8m.

This indicates that the proposed development would respect the established level of separation between dwellings, which has altered over time firstly with the infill dwelling on part of the Cromwell House plot, and later with the three new dwellings to the south-east of The Haven. The varying styles of the houses, and the varying set back distances, aid in establishing the spacious detached character.

All of the dwellings are set back several metres from the roadway, and there is some planting which helps to screen dwellings and contribute to the wooded character of the area.

The initially submitted proposal for this site, which was of two-and-a-half storeys, was the same height as the revised proposal and Members should be aware that there is potential for accommodation to be added into the roofspace, and it would be open to the applicant to apply at a later date to convert the roofspace into accommodation. The height of the dwelling, and the proportion of wall to roof, would be about the same as at Thomas House, to the south-east.

Part of the character of Wothorpe is large plots/gardens. Although the gardens to the proposed dwelling would be smaller than many in the area it would be over 300 sq m, which is a good size in itself, and large enough to mitigate for the north-east orientation. It is the space between dwellings which often supports a public perception of large plots, and the proposal respects this.

The proposed materials are natural stone and slate, not reconstituted stone, which fits in with many of the more recent homes in Wothorpe, although the Victorian and most of the 20th century buildings are of brick. Some comments have been made regarding the design of the proposed house, which is very similar to the style of the three new dwellings to the south-east. If the current proposal, and another dwelling on plot B, were to be built in the proposed style there would be six detached dwellings in a loose group, all of a similar style. It is this, rather than the siting or spacing of dwellings, that could potentially have the most impact on the character of Second Drift, although the landscaping along the street screens dwellings to an extent so that the impact is reduced.

A garage is proposed in front of the dwelling, and it is likely that a garage would also be proposed in front of any dwelling on plot B. Garaging to the front is to be discouraged as a general rule, however a garage to the front is already in evidence at Thomas House, to the immediate south-east, and in 2003 permission was granted for a garage to the front of Cromwell House, although this was not built. The proposed garage has a shallow roof pitch and a low profile.

Overall it is considered that subject to a good landscaping scheme the impact of the garage and the similarity in design and materials can be incorporated into the overall streetscene satisfactorily, and that the character of the area would not be unacceptably affected.

Several comments have been made regarding the status of Wothorpe as an "excepted village". This refers to the emerging allocation of Wothorpe as a Special Character Area. This allocation is part of the emerging Local Development Framework and should be borne in mind, but cannot be given significant weight at this stage. The emerging policy presumes against sub-division of gardens and establishes the local character as low-density development mainly individually designed family houses set in large landscaped gardens giving a semi-woodland setting.

d) **Impact on neighbour amenity**

The neighbour most closely affected would be Thomas House to the south-east. The side elevation of the proposed new dwelling would be about 10m from the side of Thomas House, and there would be no windows which could give rise to direct overlooking.

Windows to the front of the new dwelling would look over the road, with no particular impacts on neighbours.

Windows to the north-west would be about 26m from the side of Cromwell House and would not give rise to any detrimental overlooking.

Windows to the rear of the dwelling would look towards the new dwelling recently approved to the rear of The Haven. The closest window would be 13m from the side of the new garage and about 20m from the side of the new house. Views towards the garden of the new house would be partially screened by the garage.

Neighbours have commented on loss of privacy to Thomas House, however there would be no overlooking to the house itself. Thomas House has been extended to the rear such that the sitting out area is further back and higher than the rear of the proposed dwelling so there would be oblique views from one of the bedroom windows towards the patio at Thomas House. This level of overlooking is considered to be usual for residential areas.

e) **S106**

As the demolition of the existing house is part of this proposal, and the proposed house has fewer bedrooms than the existing, there is no additional infrastructure burden and therefore no requirement for a S106 agreement.

f) **Highways/parking**

A double garage forms part of the proposal, and there would be sufficient space to park visitor's vehicles in front of the garage. There would be ample space to accommodate cycle parking.

There are no Highway objections to the proposal.

g) **Other matters**

The following comments have been made

No evidence of housing need/affordable housing need

There is evidence of housing need within the Peterborough City Council area, and within the country as a whole. Within the PCC area, the housing growth sought and set out within the emerging Core Strategy is significant. The evidence base for the Core Strategy has identified a shortfall of large houses within the City Council area.

The proposed development does not meet the trigger for affordable housing. It is unlikely that any development within Wothorpe would meet the trigger as sites are small.

Condition of road

Several neighbours have commented on this, and there are clearly significant concerns about the road in terms of condition and safety. Most of the residents on the Drift, as the dwellings have front parking areas, do not need to park vehicles on the road, although there is very little allowance for visitor's vehicles to be parked on the road. There are some areas of grass verge which could be used for informal parking and passing, but in some cases these have been blocked with stones to protect the grass.

While local concerns are understandable, the road is private, and it is up to the owners to look after it. The concern of the Local Planning Authority and the Local Highway Authority is with safety on the adopted Highway, which would not be affected by this proposal. The LHA has raised no objections.

Condition and provision of other services

Utilities are not for the planning system to consider, rather they are for the utility companies to provide in accordance with local need.

Access to public transport is available via a CallConnect service, and there are buses and trains in Stamford.

The centre of Stamford, with shops, other facilities and a railway station, is less than a mile from the application site.

Open space and health facilities would be provided for via the Planning Obligations Implementation Strategy, however as set out above in this case the proposal is to replace an existing house so no contribution would be required.

Impact of demolition/loss of existing house

There is no particular reason to resist the loss of the existing house. It is not listed or otherwise protected and while it is a pleasant enough building it is not worthy of being retained for its own sake.

Demolition must be notified to Building Control, and Health and Safety controls would apply.

Gardens have been removed from definition of brownfield development

This is true, but makes very little difference to any individual planning application. There is no reason in principle why a garden should not be developed, and it has always been possible to refuse applications for development on existing gardens where proposals are unacceptable.

8 CONCLUSIONS

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- the site is within the settlement boundary
- a dwelling can be accommodated without unacceptable detrimental impact on the amenities of occupiers of neighbouring dwellings
- a suitable level of amenity can be provided for residents, including access and parking
- the proposed dwelling would not affect the character of the area to an unacceptable degree
- the proposal is therefore in accordance with Policies H16, T1, DA2 and DA6 of the Peterborough Local Plan 2005 (First Replacement).

9 RECOMMENDATION

The Head of Planning Services recommends that this application is APPROVED subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- C2 Materials to be used in the construction of the approved development shall be as described in approved plan 2009/51-4 C, unless agreed otherwise in writing by the Local Planning Authority.**
Reason: In the interests of the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).
- C 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no garage, carport or domestic enlargement to the dwelling or the garage shall be constructed other than as those expressly authorised by this permission.**
Reason: In the interests of visual and residential amenity, in accordance with Policy DA2 of the Adopted Peterborough Local Plan (First replacement).
- C4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re enacting that Order with or without modification), no windows shall be inserted into any elevation or roof slope at second floor level, or to the south-east or north-west elevations at first floor level.**

Reason: In order to ensure that the Local Planning Authority can protect the amenity of the adjoining occupiers or the visual amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C5 The dwelling and garage shall be constructed at the level shown on plan 2009/51-20/A, unless otherwise agreed in writing with the LPA.**

Reason: In the interests of visual and residential amenity, in accordance with policy DA2 of the Adopted Peterborough Local Plan (First replacement).

- C6 Surface water disposal shall be by means of soakaway unless percolation tests prove negative in which case an alternative means of disposal shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The soakaway or alternative approved means of disposal shall be implemented prior to the first occupation of the dwelling.**

Reason: To prevent surface water flooding in accordance with the aims of PPS25.

- C7 Before the development hereby permitted is first occupied, the proposed first floor windows on the north-west and south-east elevations shall be obscure glazed and apart from any top hung fan lights shall be incapable of being opened and shall subsequently be maintained as such.**

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

- C8 Prior to the commencement of development and notwithstanding submitted plans, a landscape planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the existing landscape features within the site that are to be retained; the enhancement and creation of natural features within the site; the retention, enhancement and creation of wildlife corridors and the use of native species in planting.**

The landscape planting scheme shall be implemented in the first planting season following completion or first occupation of the dwelling, whichever is sooner.

Reason: In order to enhance the visual amenities of the area, in accordance with Policy LNE10 of the Peterborough Local Plan (First Replacement).

Copy to Councillor D Over