



AGENDA

PLANNING COMMITTEE

WEDNESDAY, 13 MAY 2020

1.00 PM

A VIRTUAL MEETING VIA ZOOM VIDEO CONFERENCING SYSTEM

Committee Officer: Jo Goodrum Tel: 01354 622285

e-mail: memberservices@fenland.gov.uk

Due to the Covid-19 outbreak and the restrictions by the Government on gatherings of people, this meeting will be conducted remotely using the Zoom video conferencing system. There will be no access to this meeting at the Council offices, but there will be public participation in line with the procedure for speaking at Planning Committee.

The meeting will be available to view on YouTube

- 1 To receive apologies for absence.
- 2 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 3 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 4 F/YR20/0120/O Land West Of Gaultree Lodge, London Road, Chatteris, Cambridgeshire, Erect a dwelling (outline application with matters committed in respect of access) (Pages 5 -14)

To determine the application





Fenland District Council • Fenland Hall • County Road • March • Cambridgeshire • PE15 8NQ

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5 F/YR20/0167/O

Land north of The Barn, High Road, Bunkers Hill, Cambridgeshire, Erect up to 5x dwellings involving the formation of a new access (outline application with matters committed in respect of access) (Pages 15 - 24)

To determine the application

6 F/YR20/0182/O

Land South Of Norbrown, Hospital Road, Doddington, Cambridgeshire, Erect up to 2 x dwellings (outline application with matters committed in respect of access) (Pages 25 - 34)

To determine the application

7 F/YR20/0188/F

Land South West Of, 32 Eastwood End, Wimblington, Cambridgeshire, Erect a 2-storey 4-bed dwelling with garage (Pages 35 - 48)

To determine the application

8 Items which the Chairman has under item 2 deemed urgent

Friday, 1 May 2020

Members: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton,

Note:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council Offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented and in Regulations made under Section 78 it gives local authorities the power to hold meetings without it being necessary for any of the participants or audience to be present together in the same room.

It is the intention of Fenland District Council to hold Planning Committee meetings for the foreseeable future as online meetings, using the Zoom video conferencing system. If you wish to view the meeting you can do so by accessing www.youtube.com/user/FenlandCouncil.

2. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak at the Planning Committee, please contact Member Services, memberservices@fenland.gov.uk or 01354 622285, to register your wish to speak by Noon on the day before the meeting.

When registering to speak you will need to provide:

- Your name
- E-mail address
- Telephone number
- What application you wish to speak on
- In what capacity you are speaking, ie supporter/objector.

You will be speaking remotely via the Zoom video conferencing system and will receive an e-mail confirming that you are registered to speak along with the relevant details to access the meeting. You will also be contacted by the Council's ICT Team to check that you can access Zoom. You can choose to speak being either seen and heard, or just heard, and we would also ask that you submit a written representation in case of any issues with the software. If you do not wish to speak via a remote link, you are able to just submit a written representation.

Please note that public speaking is limited to 5 minutes in total for each of the following groups:

- Local Parish/Town Council
- Objectors
- Supporters
- Applicant/agent



F/YR20/0120/O

Applicant: Mr & Mrs J Fuller Agent: Mr Lee Bevens L Bevens Associates Ltd

Land West Of Gaultree Lodge, London Road, Chatteris, Cambridgeshire

Erect a dwelling (outline application with matters committed in respect of access)

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 This proposal seeks outline planning permission for the erection of a dwelling with details in relation to access committed at this stage on land west of Gaultree Lodge, London Road, Chatteris.
- 1.2 The main issues associated with the proposal are whether the site is a suitable location for a dwelling having regard to the settlement hierarchy and accessibility to services and the effect of the proposal on the character and appearance of the area.
- 1.3 The site relates to a small cluster of built roadside development in the area of countryside between Chatteris (to the north) and Somersham (to the south). Policy LP3 says that development in such 'elsewhere' locations will be restricted to that which is demonstrably essential (relative to set uses and criteria which are set out within the policy). The application is not presented as being necessary in relation to such exceptions. The proposal is evidently contrary to Local Plan Policy LP3.
- 1.4 The site is located approximately 2km from the closest part of the town centre of Chatteris, with the lack of footpath and street lighting from the site to these services, in all reality future occupiers would be reliant on the private car, thereby conflicting with the sustainability objectives of Policy LP3 and to the NPPF.
- 1.5 London Road is characterised in the main by random and sporadic forms of development built along both sides of the road. There is no built development to the west on this side of London Road beyond the host dwelling. The provision of an additional dwelling in this location would lead to an unacceptable and unnecessary urbanisation of the character of the area. The proposal therefore conflicts with Local Plan Policy LP16.
- 1.6 Accordingly the proposal is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site forms part of the side garden to Gaultree Lodge, is mainly laid to lawn and is of approximately 853sqm, outside the Market town of Chatteris, within the open countryside. Gaultree Lodge is a relatively new dwelling and is the easternmost property of a group of 3 dwellings on this side of the road. The site lies on the south side of London Road (B1050). There is hedging and trees to the site frontage (north) and hedging with post and rail fencing to the side (west) marking the boundary of the site to the agricultural fields beyond.
- 2.2 A new access would be formed onto London Road, which at this point is unlit and has no pedestrian pavements, although a rural verge exists. The land is within Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks outline planning permission for one dwelling. Access is committed at this stage with all other matters reserved for later consideration.
- 3.2 An illustrative site plan has been submitted and shows a dwelling positioned in a similar configuration as the host dwelling at Gaultree Lodge. The layout shows the new 5 metre wide vehicular access off of London Road together with parking (via a drive and single detached garage) and turning area to the front of the proposed dwelling with associated garden space to the rear. The illustrative layout shows the existing hedging to the north and west boundaries being retained (except where the new access would be formed).
- 3.3 Full plans and associated documents for this application can be found at:

https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&kevVal=Q5LKLCHE01U00

4 SITE PLANNING HISTORY

F/YR18/0222/O	Erection of a dwelling (outline	Refused 26/04/2018			
	application with matters				
	committed in respect of access)				
Relative to the host dwel	Relative to the host dwelling – Gaultree Lodge				
F/YR12/0869/F	Erection of a single storey 3-	Granted 13/12/2012			
	bed dwelling with integral				
	garage				
F/YR12/3015/COND	Details reserved by condition 2	Approved 23/03/2012			
	of planning permission				
	F/YR11/0637/F				
F/YR11/0835/NONMAT	Handing of dwelling including	Approved 18/11/2011			
	alteration to position of garage				
	doors, removal of window to				
	North elevation, insertion of				
	additional window to West				
	elevation and 2 additional				
	windows to East elevation				
	(garage) and amendment to				
	layout of parking and turning				
	area, relating to planning				
	permission F/YR11/0637/F				
F/YR11/0637/F	Erection of a 2 storey 3-bed	Granted 27/09/2011			
	dwelling with integral garage				
F/YR11/0331/F	Erection of 2-storey 3-bed	Withdrawn on			
	dwelling with attached garage	30/06/2011			

5 CONSULTATIONS

- **5.1 Chatteris Town Council**: Recommend Refusal, outside the development area and footpath along that part of London Road no longer exists.
- **5.2 Environment & Health Services (FDC)**: Note and accept the submitted information and have no objections 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**: No highway objections subject to planning conditions that the dwelling is not occupied until the vehicular access is laid out and constructed and permanent space for vehicle turning and parking.
- **5.4 Local Residents/Interested Parties:** No objections received. 6 proforma type letters of support received from residents living predominately within the town of Chatteris. The comments are summarised as follows:
 - There have been recent planning approvals in close proximity to the application site;
 - The proposal will continue the linear form of development along London Road:

- The site will contribute to the local distinctiveness and character of the area and will contribute to the street scene of London Road; and
- The site is not within the open countryside but is within the town of Chatteris
 as noted by the position of road signage which is located further along
 London Road to the west.

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).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Chapter 2: Achieving sustainable development

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities

Para 79: Decisions should avoid the development of isolated homes in the countryside unless one or more exceptions are met

Para 108: Safe and suitable access to the site can be achieved for all users Para 170: Decisions should contribute to and enhance the natural and local environment, by, amongst other things, recognising the intrinsic character and beauty of the countryside

7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

7.3 National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

Resources

Lifespan

7.4 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

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Febland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

8 KEY ISSUES

- Principle of Development (including Sustainability)
- Character and Appearance
- Access and Highway Safety
- Other Considerations

9 BACKGROUND

- 9.1 This application follows an application for the same development refused in April 2018 (planning reference: F/YR18/0222/O). That application was refused for the following reasons:
 - (1) Policy LP16 (d) requires development to contribute to local distinctiveness and the character of the area, and would not allow development that adversely impact on the street scene, settlement pattern or the landscape character of the open countryside. The development proposal indicates development that appears out of keeping with the rural location and the resultant additional dwelling would result in unacceptable changes to the character of the area which fails to enhance its local setting and adversely impacts on the landscape character of the surrounding area. The development is therefore considered to be contrary to Policy LP16 of the Fenland Local Plan and aims and objectives of the NPPF.
 - (2) The proposed development would result in an additional dwelling located in the open countryside with no direct correlation with the main settlement of Chatteris, with no footpath link or street lighting, and as such the household would largely have to rely on private modes of transport to access goods and services. Similarly there would be no opportunities for community cohesion given the location of the site outside a settlement. Therefore the proposal is considered unsustainable development contrary to the aims and objectives of Policy LP3 of the Fenland Local Plan and the NPPF.
- 9.2 The main reason for this re-submission appears to be a recent (November 2019) outline planning approval for 3 dwellings on land to the north-east on the opposite side of London Road (planning reference: F/YR19/0760/O). Members may recall this application was determined at the November 6th Planning Committee. Unlike this application that permission (which has yet to be implemented) was on land between two existing dwellings, whereas this proposal has no dwellings to the west and would not constitute any form of infill.

10 ASSESSMENT

Principle of Development (including Sustainability)

- 10.1 The main policy documents which are relevant to the consideration of this application are the Fenland Local Plan 2014 and the NPPF. The weight that should be attributed to these policies and documents are considered below.
- 10.2 The Fenland Local Plan 2014 Policy LP3 sets out a clear spatial strategy for sustainable growth in the plan period. The strategy is based on a defined settlement hierarchy and directs the majority of growth to the district's larger settlements. The settlement hierarchy comprises 6 levels of settlement type which are, in descending order, 'market towns', 'growth villages', 'limited growth villages', 'small villages', 'other villages' and 'elsewhere'.

- 10.3 The application site falls within the 'elsewhere' category because the site relates to a small cluster of built roadside development in the area of countryside between Chatteris (to the north) and Somersham (to the south). Policy LP3 says that development in such 'elsewhere' locations will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport and utility services. It also says that any such development will be subject to a restrictive occupancy condition. No justification has been included within the submission to illustrate that the dwelling is required to support such an enterprise and accordingly the principle of development cannot be considered to be acceptable.
- 10.4 Whilst the site would not be considered physically 'isolated' for the purposes of paragraph 79 of the NPPF due to there being a number of dwellings along London Road, it is considered that the site is not reasonably accessible to services when considered in the context of other requirements of the NPPF. The site is approximately 2km away from the town centre boundary and as such a further dwelling in this location would not offer any future residents appropriate access to goods and services. There is no pedestrian footpath and street lighting along this section of London Road, and whilst there is a footpath on the southern side of London Road which terminates at the top of the junction of Stocking Drove, the distances involved to reach the shops and services are not reasonably walkable and therefore it is considered that the majority of journeys would be by private car.
- 10.5 Accordingly, it is considered that the site would not be a suitable location for a dwelling having particular regard to the settlement strategy and accessibility to services. The proposal would conflict with Local Plan Policy LP3, which among other things seeks to focus development in sustainable locations that offer the best access to services and facilities.

Character and Appearance

- 10.6 London Road is characterised in the main by random and sporadic forms of development built along both sides of the road as it leaves the town of Chatteris. As the road approaches the site, development is sparse and intermittent. There is no built development on this side of London Road beyond the host dwelling (Gaultree Lodge), albeit the application site is part of the domestic garden of the host property. The provision of an additional dwelling in this location would lead to an unacceptable urbanisation of this rural road, which is characterised at this point by a mix of sporadic residential and agricultural development.
- 10.7 The proposal would be seen as an unwelcome and unnecessary intrusion into the countryside. Accordingly the development would be materially harmful to the character and appearance of the surrounding area. Therefore the application would conflict with Policy LP16 (d) which requires development to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting and not adversely affect the landscape character of the surrounding countryside and farmland. Furthermore, it would conflict with the aims of the NPPF which recognise the intrinsic "character and beauty of the countryside".

Access and Highway Safety

10.8 The site is located on an area of the road that has adequate inter-vehicle visibility. The Highway Authority has raised no objection to the proposal to create

a new vehicular access subject to conditions with regard to the laying out of the access, parking and turning areas prior to occupation of the dwelling. Notwithstanding the acceptability of the access arrangements, it is noted that the site is located some distance from Chatteris, with no pavement or street lights along this section of London Road, which raises the issue of safe passage for pedestrians.

Other Considerations

10.9 The site is located within Flood Zone 1 and therefore flood risk is not considered to be a constraint. The details of surface water drainage disposal have been indicated to be via soakaway; full details would be secured through Building Regulations.

11 CONCLUSIONS

11.1 The proposal is considered to be contrary to the Council's Spatial Strategy in that it would result in unjustified development of an area of countryside, which would erode the open rural character of this part of London Road. Policy LP3 of the Local Plan identifies the site as falling within the 'elsewhere' category and as such is in an unsustainable location where there is no reasonable access to services other than by the private car. Accordingly for the reasons given above the proposal is recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons:

- The proposed development would result in an additional dwelling located in the open countryside with no direct correlation with the main settlement of Chatteris, with no footpath link or street lighting, and as such the household would largely have to rely on private modes of transport to access goods and services. Similarly there would be no opportunities for community cohesion given the location of the site outside a settlement. Therefore the proposal is considered unsustainable development contrary to the aims and objectives of Policy LP3 of the Fenland Local Plan and the NPPF.
- 2. Policy LP16 (d) requires development to contribute to the local distinctiveness and the character of the area, and would not allow development that adversely impacts on the street scene, settlement pattern or the landscape character of the open countryside. The development proposal indicates development that appears out of keeping with the rural location and the resultant additional dwelling would result in unacceptable changes to the character of the area which fails to enhance its local setting and adversely impacts on the landscape character of the surrounding area. The development is therefore considered to be contrary to Policy LP16 of the Fenland Local Plan and aims and objectives of the NPPF.



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F/YR20/0167/O

Mr David Broker Applicant: Mr Alan White Agent:

David Broker Design Services

Land north of The Barn, High Road, Bunkers Hill, Cambridgeshire

Erect up to 5x dwellings involving the formation of a new access (outline application with matters committed in respect of access)

Reason for Committee: Parish Council recommendation and number of representations contrary to the officer recommendation.

1. EXECUTIVE SUMMARY

- 1.1. The proposal is for the construction of five new dwellings adjacent to the existing edge of Bunkers Hill, to the south west of Wisbech St Mary in the open countryside. Bunkers Hill is not listed as a settlement within policy LP3 and is therefore an 'Elsewhere' location where development is normally restricted to that supporting existing countryside uses.
- 1.2. The application site is located on land that falls within flood zone 1, 2 and 3, however the application is not accompanied by a sequential test indicating that the development could not be accommodated on alternative land within the District at a lower risk of flooding.
- 1.3. The application site has previously been refused permission for residential development, albeit under the policies of the previous development plan, in 2013.
- 1.4. The scheme indicates a linear form of development extending out into the countryside beyond the existing limits of the settlement, and the regular form that would result from the limitations of the application site would result in a development at odds with the character of its surroundings.
- 1.5. The proposed access to the site is not supported by detailed plans of its geometry, and the visibility splays shown are drawn incorrectly, and thus fail to demonstrate that the appropriate visibility can be achieved.
- 1.6. The application is recommended for refusal.

2. SITE DESCRIPTION

2.1. The application site is part of an open field adjacent to the highway in the Bunkers Hill hamlet. The land was previously separated from the public highway by a hedgerow, however this has recently been removed with only sporadic planting remaining within the line of that former hedgerow. The hedgerow was located on a raised section of land separating the field from the highway, with the field itself located on lower ground.

- 2.2. The field itself is surrounded on the remaining sides by mature hedgerow/tree planting and a post and rail fence to the north boundary with a close boarded fence separating the land from the dwelling to the south.
- 2.3. The field itself lies partly within flood zone 1, but with the majority of the site within flood zones 2 and 3, zones of higher flood risk.

3. PROPOSAL

- 3.1. The proposal is an outline application for the construction of up to five dwellings on the land, with a new vehicular access directly onto High Road to the north west of the site, and a separate pedestrian footway leading to Willock Lane to the south.
- 3.2. Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=map-kevVal=Q6B58VHE06P00

4. SITE PLANNING HISTORY

F/YR13/0910/F	Erection of 3x 2-storey 4-bed dwellings with detached car port (Plot 1), attached car ports (Plots 2 and 3)	Refused 7/2/14
F/YR13/0048/F	Erection of 3x 2-storey 4-bed dwellings with detached car port (Plot 1), attached car ports (Plots 2 and 3)	Withdrawn 11/3/13

5. CONSULTATIONS

- 5.1. **Parish Council:** Recommend approval.
- 5.2. **FDC Environmental Health:** No objections.
- 5.3. **North Level Internal Drainage Board:** No comments to make.
- 5.4. **Cambridgeshire County Council Highways Authority:** The visibility splays where they cross third party land should be included within the application site, the splays should terminate at the nearside kerb edge. The access should be 5m wide by 10m deep, sealed and drained.
- 5.5. **Environment Agency:** No objection. Note that although the EA raises no objection on flood risk grounds that should not be taken to mean that the application is considered to have passed the Sequential Test.
- 5.6. **Local Residents/Interested Parties:** 11 responses have been received in relation to the proposal, 7 in support and 4 raising objection.
- 5.7. The letters of support identify the following reasons:
 - New homes will help to support and sustain the hamlet
 - Development on both sides of the road will act as a traffic calming measure.
 - Further development will hopefully allow the footpath to be extended to Wisbech St Mary.
 - The land has not been used for agricultural purposes for many years.

- The site provides self-build opportunity.
- 5.8. The letters of objection identify the following issues:
 - Additional traffic accessing High Road with blind bends and a 60mph speed limit. Accidents have already occurred with traffic trying to exit side roads and other vehicles avoiding them.
 - The proposed 5 new dwellings are totally out of character with the existing dwellings in Bunkers Hill, which is a small hamlet with bespoke dwellings.
 - Hedgerow and trees have already been removed prior to the application being submitted.
 - Proposed footpath does not address the lack of pedestrian link to Wisbech St Mary.
 - The houses will adversely affect the landscape.
 - A barn has been demolished, resulting in the loss of habitat for barn owls, and an adverse impact on the wildlife in the area.
 - Construction of the dwellings will entail significant disruption to the existing dwellings and their residents.
 - Road facing housing development is out of character for Bunkers Hill.
 - Approving the application would premature given the consideration of proposed sites as part of the Local Plan review.

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).

7. POLICY FRAMEWORK

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 12: Conflict with an up-to-date plan should not usually be granted

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 155: Development should be directed away from areas at highest risk of flooding.

Para 157: Need to apply the sequential and exceptions tests.

Para 158: Development should not be permitted if there are reasonably available sites in areas at lower risk of flooding.

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

Para 175: Harm to habitats and biodiversity.

National Planning Practice Guidance (NPPG)

Determining a planning application

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

- LP12 Rural Areas Development Policy
- LP16 Delivering and Protecting High Quality Environments across the District

8. KEY ISSUES

- Principle of Development
- Visual Impact & Character
- Flood Risk & Sequential Test
- Highway Safety
- Other Matters

9. BACKGROUND

9.1. The application form notes that the proposal has not been the subject of any pre-application contact with the Local Planning Authority, however the site history notes two previous applications on the site dating back to 2013 under the previous development plan. One of those applications was withdrawn, and the other refused on the grounds of resulting in ribbon development beyond the established settlement, the location of the site within flood zones 2 and 3 despite alternative sites being available at lower flood risk, and the formal appearance of the development detracting from the character of the existing buildings in the vicinity.

10. ASSESSMENT

Principle of Development

- 10.1. Policy LP3 defines the settlement hierarchy within the district. Bunkers Hill falls outside any of the defined settlement categories and as such is considered to be an 'Elsewhere' location where development "will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services".
- 10.2. Policy LP12 details further the requirements for supporting evidence in relation to proposals for new accommodation within such locations, however as the proposals are not submitted on the basis that they meet the above criteria, no such evidence accompanies the application.
- 10.3. On that basis, the principle of the proposed development does not accord with the relevant policies of the development plan. This approach is supported by recent appeal decisions in relation to proposals within the District, in particular schemes at Kings Delph (F/YR18/0515/F), Westry (F/YR17/1114/O) and Four Gotes (F/YR18/0725/O).

Visual Impact & Character

- 10.4. Policy LP16 of the Fenland Local Plan sets out the requirements for development proposals with regard to delivering and protecting high quality environments throughout the district. In particular it notes that proposals will be required to make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, and responding to and improving the character of the local built environment, whilst reinforcing local identity and not adversely impacting on the street scene, settlement pattern or the landscape character of the area.
- 10.5. Planning policy within the development plan discourages development proposals that would result in ribbon style development. The Design and Access Statement states that the proposal is intended to *"reinforce the linear"*

character of the hamlet." The linear nature of the proposal when combined with its location beyond the existing developed extent of Bunkers Hill would result in ribbon style development. As it stands, the site is of a particularly open character in this location, and this makes a significant contribution to the overall rural character of the area and the relationship of the countryside to Bunkers Hill in this location. Development along the frontage of the field in this location would therefore result in demonstrable harm to the character and appearance of its surroundings and the character of Bunkers Hill at odds with policy LP16 noted above, and National Design Guidance.

10.6. In addition to the above, Bunkers Hill is also distinctive due to the sporadic nature of its development, in particular on the east side of High Road where the application site is also located. The shape of the application site and its extent, combined with the proposed number of dwellings forming part of the scheme would result in a regular form of development at odds with this distinctive character that by its nature would therefore be contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).

Flood Risk & Sequential Test

- 10.7. The application site lies within flood zones 2 and 3. National and Local Planning Policy requires development to be directed to areas of lowest flood risk in preference to those within higher risk areas, unless a sequential test demonstrates that there are no such areas capable of accommodating the level of development proposed on the site. Fenland District Council sequential test protocol is that for development in elsewhere locations, such as the application site, the area of search for preferential locations will be the entirety of the district.
- 10.8. No separate sequential test has been submitted alongside the application, however two other documents do comment on the proposals from a sequential test perspective. The first of these is the Flood Risk Assessment (FRA), dated December 19 and undertaken by Ellingham Consulting Ltd. This document under its sequential test section states that "It should be noted that the existing building includes residential accommodation and the proposed conversion provides additional living area and does not increase the number of dwellings" despite section 2.3 of that report noting that "The proposed development consists of five new dwellings." The FRA therefore is not considered to satisfactorily address the sequential test, and contains contradictory information.
- 10.9. The second document is the Design and Access Statement, however rather than undertaking a formal sequential test, this document merely identifies that the Planning Committee approved residential development within Bunkers Hill on land within Flood Zone 3 in January 2019, and references an appeal where the Inspector allowed a residential use on land in Flood Zone 3. Notwithstanding those decisions, the current application site is of distinctly different character and relationship to the existing group of dwellings forming Bunkers Hill, and therefore there is no precedent established by those decisions that must be followed in the consideration of the current application.
- 10.10. On the basis of the above, the lack of a sequential test is sufficient to result in the proposal being contrary to policy LP14 of the Fenland Local Plan (2014) and National Planning Policy set out under chapter 14 of the National Planning Policy Framework (2019).

Highway Safety

- 10.11. Policy LP15 of the Fenland Local Plan (2014) requires development to provide well designed, safe and convenient access for all.
- 10.12. The proposal includes the provision of vehicular access to the site directly onto High Road, towards the northern extent of the application site. The application form states that access is committed for approval at this stage, although it is noted that no dimensioned details of the proposed access are included with the application.
- 10.13. Concerns have been raised by residents regarding the safety of any vehicular access onto High Road at this point, given the road is only subject to restriction to the national speed limit (60mph) rather than any lower speed. Traffic survey work undertaken in 2013 indicates that the 85th percentile speed along High Road was in fact 47mph, however it must be acknowledged that this survey work is over six years old, originally having been undertaken to support the previously refused application, and therefore cannot be relied upon to give an accurate portrayal of the current situation with regard to traffic speeds in the vicinity.
- 10.14. Notwithstanding that matter, it is noted that the Local Highways Authority does not raise an objection to the principle of the development, although they do request amended details regarding the technical specification of the visibility splays, and general access arrangement that are not present despite the access being a matter committed for approval at this stage.
- 10.15. It is acknowledged that amended plans have not been requested from the applicant/agent in that regard at this time, however due to the in principle objection to the proposal identified above it was not deemed appropriate to request such alterations as they would not have resulted in a change to the recommendation.

Other Matters

10.16. Several other matters are identified by the responses received in relation to the application, relating to the following points.

Sustainability of the hamlet.

10.17. The group of dwellings known as Bunkers Hill does not achieve classification beyond an 'Elsewhere' location in the settlement hierarchy precisely because it does not currently benefit from any services or community facilities. The comments regarding support for growing such places and the potential for them to support community facilities are noted, however such matters are considered during the categorisation of villages when developing planning policy, and the policy does not allow for such development.

Development acts as traffic calming.

10.18. There is no evidence submitted to suggest that granting permission on the application site would result in a reduction of vehicular speeds passing through the settlement, and any such impact would be likely to be marginal.

Footpath extension to Wisbech St Mary.

10.19. The current separation between the hamlet and Wisbech St Mary to the north east is approximately 400m. None of this section of road benefits from a

footpath. The scale of the proposal is not sufficient to justify the provision of such a footpath.

Site not actively used for agriculture.

10.20. It is accepted that on the basis of the evidence available, the site has not been used for agriculture for some time, however there is no requirement in planning terms for such a use to be actively undertaken in order to safeguard land from development. The site itself makes a contribution to the character of the area as a section of open land adjacent to the built up part of the hamlet, and the proposal would result in harm to that character contrary to the requirements of the relevant planning policies.

The site provides self-build opportunity.

10.21. It may be the case that granting the proposal would result in opportunity for the plots to come forward as self-build units, however as with several of the points above, the provision of such opportunity does not override the need for the site to be located in an acceptable location in principle. There are several sites elsewhere in the District that have come forward and are still being brought forward as self-build projects.

Removal of hedgerow and trees.

10.22. Any removal of hedgerow or trees undertaken prior to the application being submitted is not a matter for consideration as part of the current application, but may however be subject to alternative legislation.

Disruption during construction.

10.23. The construction impacts of a proposal are not material to the consideration of the principle of development, and alternative legislation exists to control those impacts.

Premature due to Local Plan review.

10.24. Whilst the policies of the Local Plan are currently being reviewed, this does not supersede the existing policies of the development plan currently in place.

11. CONCLUSIONS

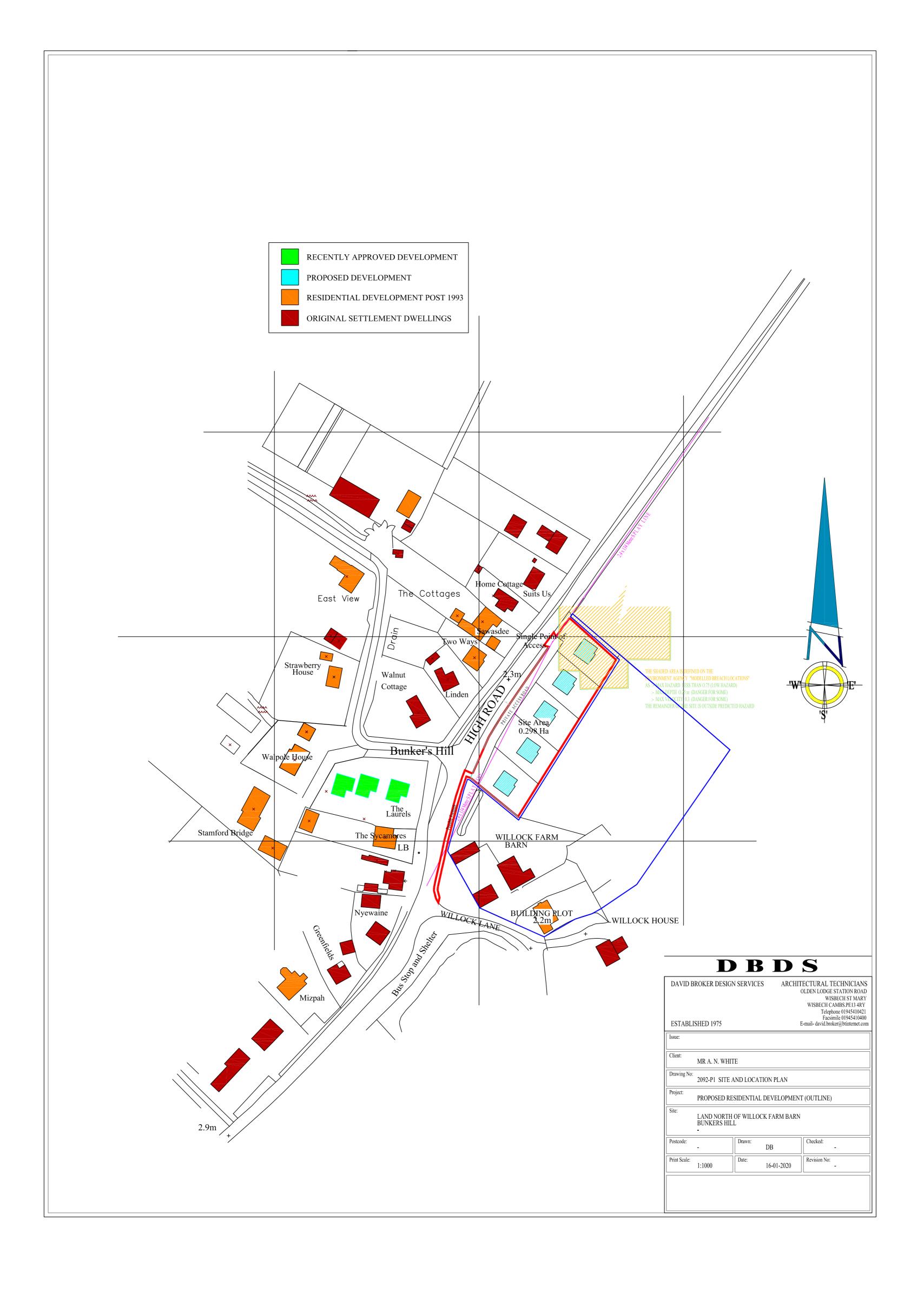
- 11.1. In accordance with the matters considered above, it is concluded that the principle of the development does not accord with the relevant policies of the development plan (in particular policy LP3), and the lack of any evaluation of the site in terms of flood risk and the sequential test also conflicts with the requirements of both local (LP14) national planning policy (NPPF chapter 14).
- 11.2. Insufficient details are provided of the proposed access geometry to the site to allow for a proper assessment of the suitability of that access for the scale of development proposed, in addition to the visibility splays associated with the point of access being incorrectly shown on the plans. The scheme therefore fails to demonstrate that it can achieve and safe and convenient access for all and would be contrary to policy LP15 of the Fenland Local Plan (2014).
- 11.3. The plans submitted with the application detail a site that would result in adverse impacts to both the overall shape and form of the hamlet and its distinctive character and the proposal would therefore be contrary to policy LP16 of the Fenland Local Plan (2014).

12. RECOMMENDATION

- 1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlements hierarchy within the district, with the application site location being considered as an 'Elsewhere' location where new dwellings are only to be permitted if they are demonstrably essential to the effective operation of a range of countryside type uses. The proposal is made in outline for the construction of up to five open market residential dwellings and contains no indication that the dwellings are required to support any of the uses identified. The proposal would result in the construction of several residential dwellings in an area of the district where supporting facilities for such development are not available, and as a result the scheme would be contrary to the requirements of policy LP3 of the Fenland Local Plan.
- 2. Policy LP16 of the Fenland Local Plan (2014) requires development to demonstrate that it makes a positive contribution to the local distinctiveness and character of an area, enhancing its local setting, responding to and improving the character of the local built environment whilst reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The application site is located beyond the existing built up edge of the hamlet in an open field that forms a distinct visual boundary to Bunkers Hill, and is of a shape and size that would result in ribbon development extending into the countryside that would have a detrimental effect on the distinctive local character of the existing hamlet. The proposal would therefore be contrary to policy LP16 of the Fenland Local Plan (2014).
- 3. Policy LP15 requires development proposals to demonstrate that they can provide well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. The application commits access, however the submitted plans do not provide any detailed access geometry, and the southern visibility splay is incorrectly drawn and therefore fails to demonstrate acceptable visibility and a safe access can be provided. The scheme is therefore contrary to policy LP15 of the Fenland Local Plan (2014).
- 4. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework (2019) require residential development to be steered towards areas of lowest flood risk unless a sequential test identifies that there are no other suitable and reasonably available sites capable of accommodating the development. The proposal is located within flood zones 1, 2 and 3, and the scheme is not accompanied by a sequential test document indicating consideration of alternative sites. The proposal would therefore result in residential development within zones of higher flood risk without any justification indicating that the development could not be accommodated in areas of lower risk, and would therefore be contrary to policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework (2019).



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F/YR20/0182/O

Applicant: Mr & Mrs Cutteridge Agent : Mr Ian Gowler Gowler Architectural

Land South Of Norbrown, Hospital Road, Doddington, Cambridgeshire

Erect up to 2 x dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer

recommendation

1 EXECUTIVE SUMMARY

1.1 This application is a resubmission of application F/YR19/0667/O which was refused on 23/9/2019. No attempt has been made to address the reasons for refusal which are further strengthened by the publication of the National Design Guide 2019.

- 1.2 The site is considered to be located away from the built footprint of Doddington as set out in Policy LP12 (a) and does not benefit from either being within or adjacent to the existing developed footprint as caveated within Policy LP12.
- 1.3 The development of this site which is located between the hospital site and the residential dwelling known as Norbrown would be at odds with the dispersed nature of the development along Hospital Road and would result in an urbanising effect on this rural area to the significant detriment to the character of Hospital Road.
- 1.4 The development would result in visual harm and intrusion into this countryside location and will be contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 127 of the NPPF 2019 and chapters C1 and I1 of the NDG 2019.
- 1.5 The recommendation is to refuse the application.

2 SITE DESCRIPTION

The application site is at present paddock land enclosed by post and rail fencing, with a small timber outbuilding and an informal gated field access off Hospital Road, the frontage of the site is formed of a high hedge and a number of trees in the north western corner, there are electricity poles running alongside the access. Hospital Road is a single track country lane characterised by high hedges and landscaping along both sides of the road. There are no footpaths only grass verges and a distinct lack of lighting along the road.

3 PROPOSAL

The application seeks outline planning permission for up to 2 dwellings with matters committed in respect of access only.

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

https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=Q494CMHE0D800

4 SITE PLANNING HISTORY

F/YR19/0667/O Erect up to 2 x dwellings (outline Refused

application with matters committed 23/9/2019

in respect of access)

NW/67/63/D Erection of a pavilion Granted

20/12/1967

5 CONSULTATIONS

5.1 Parish/Town Council

Doddington Parish Council considered the above planning application at their meeting last Wednesday evening and voted to support the application.

5.2 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, or be affected by ground contamination.

5.3 Cambridgeshire County Council Highways Authority

I have no highway objections to the application in principle.

Hospital road is devoid of footways, street lighting and passing bays. FDC should take into consideration the impact of incremental development and the inadequate Highway infrastructure to support further development along Hospital Road.

In the absence of any segregated pedestrian provision along Hospital Road, occupants of the proposed dwellings are likely to have a greater reliance upon the private motor vehicle or will be forced to walk along the carriageway. FDC to consider whether securing some form of footway provision along Hospital Road will meet the conditions test, if not does the absence of a footway provide sufficient justification for this application to be refused on policy grounds.

No highways objections subject to the following conditions

- 1.) Standard outline condition
- 2.) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with detailed plans to be submitted and approved in writing by the Local Planning Authority

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

5.4 Local Residents/Interested Parties

76 (mostly proforma) support letters have been provided by the applicant's agent, many do not have any reasons for supporting the scheme, comments which were made are as follows:

- More affordable housing needed/shortage of small/medium sized housing
- Village expansion
- More housing would benefit the village bringing value to the area
- Already extending Doddington to the north in Wood Street. Appropriate development and not excessive, low impact on rest of the village.
- Already houses on Hospital Road
- Single-storey dwellings with low impact
- Plenty of land that isn't being used, attract more interest, nice area for a small development
- Enhance the area
- Site is easily accessible
- No privacy issues for other residents
- To support businesses at this end of the village/local economy.
- Infill between Hospital Road and Askham House, would not affected anybody's view.
- Security, staffing and servicing of the need of a growing business
- Within walking distance to local amenities
- Many walkers and dog walkers already use the road and the verges are big enough to step out of the way of any approaching vehicle.
- Controlled and considerate development
- 5.5 To clarify, it should be noted that the application is for market housing and a development of this scale would not attract affordable housing provision. The submitted dwelling drawings are indicative only as the appearance of the dwellings does not form part of this application; only the principle of development and access is being considered. The proposal is not in relation to a commercial enterprise.

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

Context - C1 – Understand and relate well to the site, it's local and wider context.

Identity – I1- Respond to existing local character and identity Movement – M1 – an integrated network of routes for all modes of transport

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
- LP12 Rural Areas Development Policy
- 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

Delivering and Protecting High Quality Environments in Fenland SPD DM3 – Making a positive contribution to local distinctiveness and character of the area

8 KEY ISSUES

- Principle of Development
- Character and Appearance
- Residential Amenity/Health and wellbeing
 - Highways/Parking
- Flood Risk

9 BACKGROUND

- 9.1 This application is a resubmission of application F/YR19/0667/O which was refused on 23/9/2019 for the following reasons:
 - 1. The site is considered to be an 'elsewhere' location in respect of Policy LP3 and the settlement hierarchy, which seeks to direct development to the most sustainable areas; the proposal does not fall within any of the categories which would be considered acceptable under Policies LP3 and LP12 and is considered to be located within an unsustainable location where future occupants would be reliant on private motor vehicles to access services and facilities. As such the development would be contrary to Policies LP3 and LP12 of the Fenland Local Plan 2014 and the aims of the NPPF 2019.
 - 2. Policy LP16 (d) of the Fenland Local Plan, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD and para 127 of the NPPF 2019 seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area and do not adversely impact on the landscape character. The development of two dwellings on this site and infilling the space between the hospital site and Norbrown would be at odds with the dispersed nature of the development along Hospital Road and would have an urbanising effect on this rural site, to the significant detriment to the character of the area and contrary to the aforementioned policies.
- 9.2 No attempt has been made to address the reasons for refusal, the only difference between this and the previous submission is the reduction in the number of bedrooms on the indicative plans, which forms no bearing on the consideration of the application as only access is being committed. The previous reasons for refusal are further strengthened by the publication of the National Design Guide 2019.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan identifies Doddington as a 'growth Village' where development and new service provision either within the existing urban area or as a small extension will be appropriate.
- 10.2 The site is located north of Doddington Hospital and to the east of Hospital Road. The site is adjacent to the northern edge of the Doddington Hospital site and given that the Hospital is considered such an anomalous feature in the settlement pattern and which is heavily screened to the north and west, therefore, as set out in the footnote (a) to Policy LP12, it is considered that the site does not benefit from adjoining the built area of Doddington and is therefore considered contrary to Policy LP12 (a) of the Fenland Local Plan 2014.
- 10.3 Policy LP12 defines the developed footprint of the village as the continuous built form of the settlement and excludes:
 - a) Individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement:
 - b) Gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built up area of the settlement;
 - c) Agricultural buildings and associated land on the edge of the settlement.
- 10.4 The site is located off Hospital Road, a single track road with no footpaths or street lighting, narrow verges and high hedges either side with open undeveloped areas of land surrounding, hence it is considered to relate more closely to the open countryside than the built form. There are three dispersed dwellings to the north along Hospital Road, however these all obtained planning permission as agricultural dwellings; Norbrown (NR/70/45/D); Woodfield (F/YR04/3004/F) and Cutteridge (F/0790/76/F) further supporting this view. The proposal would not therefore be compliant with Policy LP12 (Part A-D).
- 10.5 Therefore the introduction of 2 market dwellings in this location will be at odds with the prevailing form of development and is clearly contrary to Policy LP3 of the Fenland Local Plan 2014 which only supports development that has a connection with agriculture, horticulture etc. in such a location.
- 10.6 NPPF para 77 sets out that:
 - "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs."
- 10.7 No specific evidence has been provided as to why there is a need for housing in this particular area. Such evidence may be a functional need e.g.

agriculture, or for example a rural exception site to bring forward affordable housing. This application seeks permission for two market dwellings.

10.8 NPPF paragraph 78 sets out that;

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities".

It is acknowledged that development should help to enhance or maintain the vitality of rural communities, however given that Doddington is a growth village which has exceeded its growth projection it is difficult to argue that two further dwellings would indeed enhance the vitality of Doddington. Compounding this is the limited opportunities to sustainably access these services with pedestrians and cyclists having to use a single track road with no footpath or lighting which undoubtedly would place a reliance on the use of private motor cars which runs contrary to the aims of the Local Plan and the transport aims of the NPPF.

Character and appearance

- 10.9 Policy LP16(d) requires development to make a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. Policy DM3(d) of the 'Making a Positive Contribution to Local Distinctiveness and Character of the Area' SPD sets out that the character of the landscape, local built environment and settlement pattern should inform the layout, density, proportions, scale, orientation, materials and features of the proposed development, which should aim to improve and reinforce positive features of local identity. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside therefore consideration needs to be given to any harm caused.
- 10.10 Notwithstanding the in depth development of the hospital site, which fronts Benwick Road, and has no relationship with Hospital Road, due to significant screening, the pattern of development is open countryside interspersed with sporadic dwellings, Hospital Road itself is a single track lane with high hedges alongside contributing to the distinct rural character as it leads away from the village and the built environment.
- 10.11 The development of two dwellings on this site between the boundary of the hospital site and Norbrown would be at odds with the dispersed nature of the development along Hospital Road and would have an urbanising effect on this rural site, to the significant detriment to the character of the area and contrary to Policy LP16 (d) of the Fenland Local Plan, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 127 of the NPPF 2019 and chapters C1 and I1 of the NDG 2019 which seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area and do not adversely impact on the landscape character. The retention of the vegetation along the road frontage would not overcome this issue.

Residential Amenity

10.12 Whilst layout, scale, external appearance and landscaping are reserved matters, the application site is of such a scale that there is scope for a policy compliant scheme in relation to the impact on residential amenity of Norbrown to the north and the proposed dwellings.

Access and Highways

- 10.13 The site is approximately 230m from Benwick Road, with the potential for pedestrian/cycle and vehicle conflict as there are no footpaths or street lighting along the single track Hospital Road to enable Benwick Road and then the services and facilities within the village of Doddington to be reached safely. As such the proposal would be contrary to Policy LP2 and LP15 which seek to provide sustainable, adequate and safe access to essential services and chapter M1 of the NDG 2019 which seeks to prioritise pedestrians and cyclists by ensuring that routes are safe, direct, convenient and accessible for people of all abilities and that people should not need to rely on the car for everyday journeys.
- 10.14 Highways comments concur that the location of the site is likely to be reliant on private motor vehicles and suggests that a footpath link is considered, however this would require the widening of the road which would have an urbanising effect on this rural lane and the loss of vegetation which characterises the area.
- 10.15 Highways have no objection to the proposed access into the site and there is potential for the level of on-site parking provision required by Policy LP15 and Appendix A to be achieved.

Flood Risk

10.16 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. There are capacity issues in the sewage network leading to the Waste Water Treatment Works in Doddington, hence full details of foul and surface water drainage would be required.

11 PLANNING BALANCE AND CONCLUSION

- 11.1 It is considered that the development will result in significant and demonstrable harm to the character and appearance of the area. The limited benefits derived through the erection of two dwellings are not considered sufficient enough to outweigh this harm, particularly given the location of the dwellings in relation to local services which will likely result in a primary reliance on private motor vehicles contrary to the transport aims of the Local Plan and the NPPF.
- 11.2 The meaningful benefits derived from two market dwellings to the vitality and viability of the nearest settlement would be very modest.

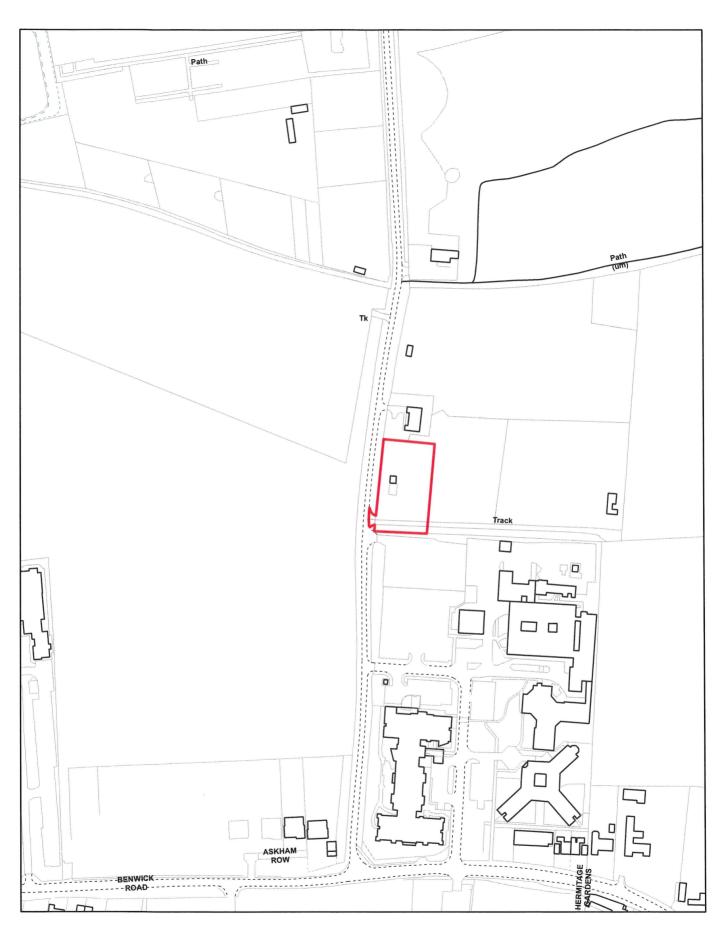
 Notwithstanding this, there appears to be no demonstrable need for dwellings in this location which is located away from the village of Doddington. Nor has any argument been made which could justify the dwellings being considered as essential in the countryside.

11.3 The proposal is therefore considered to constitute unsustainable development due to an unacceptable harm to the character of the area and the introduction of dwellings in an unsustainably linked area having regard to the development plan when taken as a whole. Likewise the development is considered to conflict with the design and overall sustainability aims as set out in the NPPF.

12 RECOMMENDATION

Refuse for the following reasons:

- The site is considered to be located within an unsustainable location where future occupants would be reliant on private motor vehicles to access services and facilities due to the lack of footpaths and street lighting, as such it would not provide a suitable location for housing. Consequently, it also conflicts with Policy LP15 of the FLP, which requires development to be located so that it can maximise accessibility, help to increase the use of non-car modes and provide safe access for all, giving priority to the needs of pedestrians.
 - The development is therefore contrary to Policies LP3, LP12 and LP15 of the Fenland Local Plan 2014 and the aims of the NPPF 2019 and NDG 2019.
- Policy LP16 (d) of the Fenland Local Plan, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 127 of the NPPF 2019 and chapters C1 and I1 of the NDG 2019 seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area and do not adversely impact on the landscape character. The development of two dwellings on this site between the hospital site and Norbrown would be at odds with the dispersed nature of the development along Hospital Road and would have an urbanising effect on this rural site, to the significant detriment to the character of the area and contrary to the aforementioned policies.



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Indicative Planning Proposed Front



2.4x90m visibility splay

Indicative Planning Proposed Rear

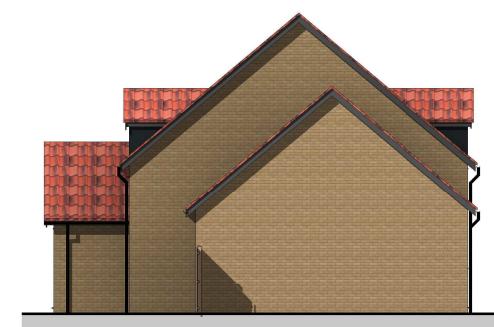
NORBROWN



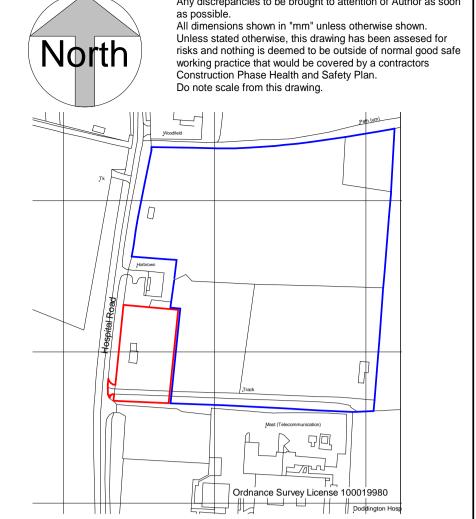
Indicative Planning Proposed Side (North)

Hospital Site

2.4x90m visibility splay



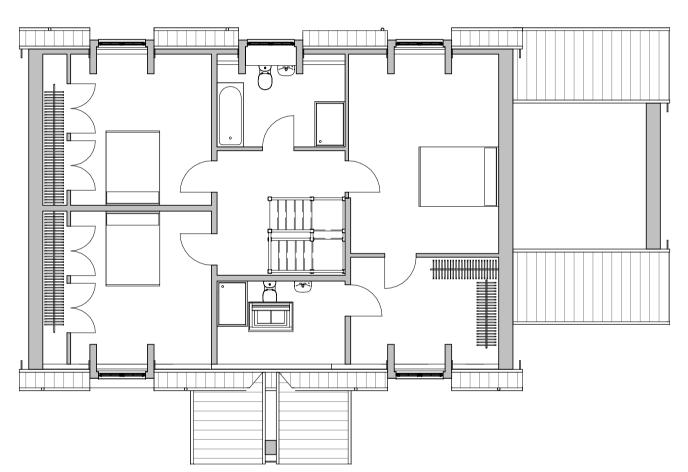
Indicative Planning Proposed Side (South)



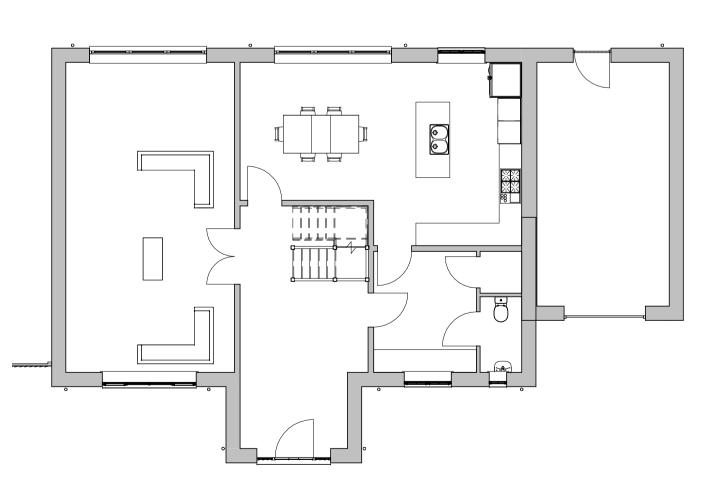
Notes

Any discrepancies to be brought to attention of Author as soon

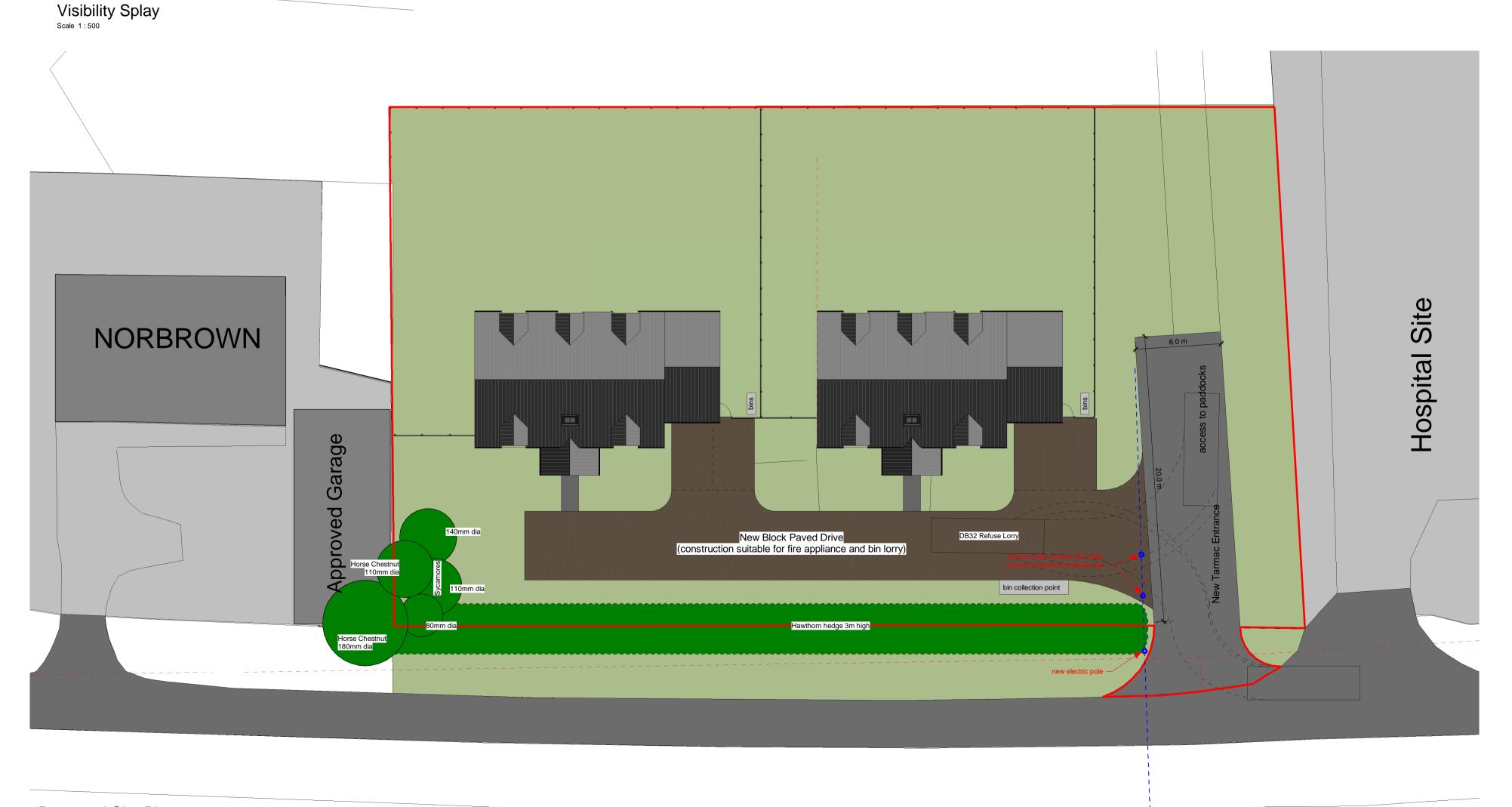
Location Plan



Proposed First Floor
Scale 1:100



Proposed Ground Floor
Scale 1:100



lan Gowler Consulting Ltd
Architectural and Domestic
Energy Consultant
Grove House, 22 Primrose Hill, Doddington, Cambs, PE15 0SU
tel. 01354 667005 email. ian@gowler-architectural.co.uk Proposed Development of 2 Dwellings at Land South Norbrown for Mr and Mrs Cutteridge Planning Drawing

Proposed Site Plan
Scale 1:200

date created 25/06/19 scale drawing no. As indicated @ A1 319 - P02

F/YR20/0188/F

Applicant: Mr & Mrs King Agent : Mrs Shanna Jackson Swann Edwards Architecture Limited

Land South West Of, 32 Eastwood End, Wimblington, Cambridgeshire

Erect a 2-storey 4-bed dwelling with garage

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer

recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks planning permission for a detached 2-storey dwelling. The site lies at the south of Eastwood End and comprises a parcel of agricultural land.
- 1.2 This site has a comprehensive planning history with 4 previous applications for a dwelling being refused planning permission, the latest 3 also dismissed at appeal and considered under the NPPF. The reasons for refusal on all applications cited by the LPA were on visual harm and countryside intrusion and the unsustainable location of the site relative to services and facilities of the nearest settlement.
- 1.3 The revisions to this latest scheme are not considered to overcome the visual harm previously found and would still result in a substantial dwelling in the open countryside which conflicts with the settlement pattern of the area.
- 1.4 The latest appeal decision determined that the site was *not* unsustainably linked to nearby settlements which departs from previous Inspectors' findings notwithstanding that the visual, character harm was still agreed. Officers do not agree with this latest conclusion regarding sustainability of site location and having regard to more recent appeal decisions which focus on this issue, albeit regarding different sites across the District, Officers consider that the site does not accord with the sustainability aims of the Local Plan or NPPF when weighed against the benefits it would derive.
- 1.4 It is concluded that the development results in unacceptable visual harm and is located in an unsustainable location contrary to policies LP3, LP15 and LP16 of the Local Plan and the sustainability aims of the NPPF.
- 1.5 The recommendation is to refuse the application.

2 SITE DESCRIPTION

2.1 The site is rectangular in shape and approximately 0.109 ha in size. The site is grassland which lies lower than the adjacent right of way with the remains of a derelict Nissen hut in the centre and a dilapidated outbuilding located in an overgrown section of the site. To the north of the site is an existing 2-storey dwelling; to the west is a development of 3 houses and to the south and east is the open countryside. There is a public byway which runs immediately to the west of the site.

3 PROPOSAL

- 3.1 The dwelling proposed is 2 storeys with an overall ridge height of 8.4m and provides for 4 bedrooms. The dwelling is approximately 800m higher than No.32 Eastwood End which lies immediately to the north of the site. The site levels fall away from the site frontage in an eastern direction and the proposal will include the levelling of the site. The plans indicate a finished floor level near the centre of the northernmost gable at 1.355aOD (approx. 0.65m above existing land levels at that point).
- 3.2 An integral double garage together with parking and turning is to be provided at the front of the dwelling.
- 3.3 A Walnut tree is found in the eastern corner of the site which is proposed to be protected during construction.
- 3.4 Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR17/1181/F	Erection of a 3-storey 6-bed dwelling with	Refused 01.03.2018
	integral double garage involving demolition	
	of existing outbuildings	Appeal dismissed 17.10.2018
F/YR13/0755/F	Erection of a 3-storey 6-bed dwelling with	Refused 27.08.2013
	integral double garage involving demolition	
	of existing outbuildings	Appeal dismissed 19.08.2014
F/YR13/0422/F	Erection of a 6-bed 3-storey dwelling	Refused 27.08.2013
	involving demolition of outbuildings	
		Appeal dismissed 11.03.2014
F/YR01/0140/O	Erection of a house	Refused 04.04.2001
		Appeal dismissed 25.01.2002

5 CONSULTATIONS

Wimblington Parish Council

5.1 Objects. Considers it is in open countryside and is not in keeping with the character of the area.

CCC Highways

5.2 Raises no objection subject to a condition regarding on-site parking /turning being provided and retained.

Recommends CCC rights of way team are consulted in view of the public footpath

CCC Rights of way (Definitive map team)

5.3 No comments received. **Note that comments received on former application raised no objection but recommends informative advising of existence of right of way and requirement to keep it clear of obstruction.**

FDC Environmental Protection

5.4 No Objections. Considers the development is unlikely to have a detrimental effect on local air quality or the noise climate. Recommends imposition of unsuspected contaminated land condition as the proposal involves removal of existing structures.

Local Residents/Interested Parties

- 5.5 13 letters of support received from local residents with the following comments;
 - Would be an asset to the area
 - In-keeping with neighbouring houses
 - · Would improve the aesthetics of the street
 - Would utilise a piece of unused land
 - Will bring another family to the village
 - Is infill development
 - Wimblington's facilities are easily accessible by foot or bicycle
 - Land not suitable for agriculture
 - Would bring more trade to the village
 - Would have no impacts on the countryside

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).

7 POLICY FRAMEWORK

- 7.1 National Planning Policy Framework (NPPF)
- 7.2 National Planning Practice Guidance (NPPG)
- 7.3 National Design Guide 2019

Context

Identity

Built Form

Nature

Public Spaces

7.4 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

LP12 - Rural Areas Development Policy

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

7.5 Supplementary Planning Documents/ Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- Principle of Development
- Character and Appearance
- Flood risk and the sequential test
- Highway Safety
- Residential amenity

9 BACKGROUND

- 9.1 This site has a comprehensive planning history with 4 previous applications being refused planning permission, the latter 3 also dismissed at appeal and considered in-line with the NPPF. The most recent F/YR17/1188/F was refused by the LPA on the following grounds;
 - 1. The proposed development, which is located outside the settlement of Wimblington is considered to be situated within the open countryside. Therefore under policy LP3 of the Fenland District Local Plan the proposal is considered to be an 'Elswhere Location'. The application is not supported by sufficient justification for a dwelling in this location. Furthermore the dwelling is poorly located for pedestrian or public transport access to services and facilities. It is considered likely to rely upon the use of private motor vehicles and is contrary to the aims of the NPPF in that it is not a sustainable location and therefore constitutes unsustainable development.
 - 2. The proposal will result in a prominent large and partly elevated dwelling in the open countryside resulting in an urbanising impact detrimental to the character of the area and the open countryside. The proposal is therefore considered contrary to Policies LP12(c, d and e) and Policy LP16(d) of the Fenland Local Plan (adopted 2014) and the aims of the NPPF which recognises the intrinsic character and beauty of the countryside.
- 9.2 The Planning Inspector at the last appeal for this site whilst concluding that Eastwood End was not a defined settlement under FLP policy LP3 considered that;
 - "...although future residents would be likely to depend on the private car to reach the essential services and employment available in nearby larger settlements, some day to day trips could be undertaken by sustainable means. Consequently, I conclude in relation to the first main issue that the site would not be in the optimum location to maximise the use of walking, cycling or public transport to access services and facilities to meet daily needs. However, the Framework recognises that opportunities to maximise sustainable transport will vary from urban to rural areas and different policies and measures will be required in different communities."

- 9.3 Consequently the Inspector did not agree with refusal reason 1 and in doing so acknowledged that;
 - "...this issue departs from the Inspectors conclusion in the appeal decisions on the appeal site in 2014 in relation to the accessibility of the site. However, I have come to my conclusion on this issue based on the circumstances of the appeal scheme and the evidence before me based on the specific circumstances of the appeal site including its location in relation to the facilities and services available in Wimblington."
- 9.4 This is considered in more detail below.

10 ASSESSMENT

Principle of Development

- 10.1 The starting point relevant to the consideration of this application is the Fenland Local Plan, 2014. Policy LP3 does not identify Eastwood End within any defined settlement category and consequently development is restricted to that which is essential to the effective operation of the countryside land based enterprise. The application does not seek to argue that the proposal accords with this requirement. No evidence of justification is given for development in the open countryside. Therefore the proposal is not considered to comply with Policy LP3 or LP12.
- 10.2 Wimblington is identified by Policy LP3 as a Growth Village. However, Eastwood End and Wimblington are separated by the A141 and the services and facilities in Wimblington are a substantial distance away from Eastwood End and in particular the application site. The following table illustrates the walking distances and times to local facilities notwithstanding the A141 which would have to be crossed.

Primary School	1.4km (17mins walking time)
Doctors	1.2km (15mins)
Post Office	1.3 km (16 mins)
Pub	1.2 Km (15 mins)

- 10.3 The Planning Inspector on the 2014 decisions considered the application site to be remote from Wimblington and the only opportunity to walk or cycle to Wimblington would be via unlit road with no footpaths in places and across the busy A141.
- 10.4 Having regard to the latest Inspector's opinion on this point, it is firstly noted that subsequent appeals in different parts of the District have taken a firmer approach to applying the settlement strategy under LP3. An appeal in June 2019 at a site in Kings Delph (ref: F/YR18/0515/F) found that;
 - "Policy LP3 is consistent with paragraph 78 of the Framework, as its hierarchy does identify opportunities for growth in smaller rural settlements. It is simply a fact that the appeal site does not lie within such an identified settlement."
- 10.5 A subsequent appeal for 4 dwellings at a site just outside Newton (F/YR18/0888/O) and concluded that;

"...occupiers of the proposed development would be likely to rely on use of the private car for access to almost all of the day-to-day services and facilities they would require. Therefore the proposed development would not provide a suitable location for housing, having regard to the accessibility of services and facilities. It consequently conflicts with Policy LP15 of the FLP, which requires development to be located so that it can maximise accessibility, help to increase the use of non-car modes and provide safe access for all, giving priority to the needs of pedestrians. Additional conflict exists with the transport aims of the Framework."

- 10.6 Other such appeals in Four Gotes (F/YR18/0725/O) and Westry (F/YR17/1114/O) concluded that given the distances and lack of adequate pedestrian/ cycle infrastructure to access services and that given the sites are not identified as a settlement under LP3, the development would be contrary to the development plan.
- 10.7 Therefore, whilst the latest appeal decision for this application site is a material consideration, there appears to be several other conclusions made by Inspectors which differ significantly on the matter of defined settlements under LP3 and rural development outside of these and the relevant paragraphs of the NPPF. Officers consider that given the site falls outside of any defined settlement, it is contrary to policy LP3.
- 10.8 NPPF paragraph 77 sets out that;

"In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs."

- 10.9 No specific evidence has been provided as to why there is a need for housing in this particular area. Such evidence may be a functional need e.g. agriculture, or for example a rural exception site to bring forward affordable housing. This application seeks permission for a single market dwelling.
- 10.10 NPPF paragraph 78 sets out that;

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities".

- 10.11 Given that Eastwood End does not have any services to support, the introduction of a single dwelling would have a negligible impact on any enhancement of the immediate settlement. Furthermore, given the level of existing services in Wimblington and the growth already experienced which exceeds the ambitions set out under the Local Plan, it is difficult to argue that there is a need for this single dwelling to support the existing services in Wimblington which one could reasonably assume is already well supported from established growth within that settlement. Compounding this is the limited opportunities to sustainably access these services with pedestrians and cyclists having to cross the busy A141 with no pedestrian/ cycle priority routes e.g. to access schools, shops, doctors. This would undoubtedly place a heavy reliance on the use of private motor car which runs contrary to the aims of the Local Plan and transport aims of the NPPF.
- 10.12 Paragraph 103 of the NPPF acknowledges that;

"opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."

- 10.13 Officers consider that this means that development in villages may result in less sustainable travel means. However, this is the rationale for policy LP3 which has set out a clear settlement strategy directing growth to those more sustainable areas in the first place, cascading down to settlements with least opportunity for sustainable travel and limiting their growth accordingly. Eastwood End does not fall within any of these defined settlements and it is reasonable to conclude that Eastwood End was purposely left out due to its limited services and constrained access to nearby services.
- 10.14 In conclusion, it is clear that this particular matter is for the decision maker to take having regard to all material considerations and Inspector's opinions on this point appear to be somewhat divided at least with this application site. Whilst the previous appeal Inspector's findings for this site are noted, Officers consider that more recent appeal decisions (and the previous appeal decisions of the application site) are more consistent with the aims of the Local Plan and the NPPF and conclude that the site is not a suitable place for general market housing growth.

Character and Appearance

- 10.15 Policy LP16(d) requires development to make a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. Policy DM3(d) of the 'Making a Positive Contribution to Local Distinctiveness and Character of the Area' SPD sets out that the character of the landscape, local built environment and settlement pattern should inform the layout, density, proportions, scale, orientation, materials and features of the proposed development, which should aim to improve and reinforce positive features of local identity. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside therefore consideration needs to be given to any harm caused.
- 10.16 The proposal seeks to site a large dwelling on what is predominantly an undeveloped and visually prominent space alongside the public right of way with open countryside abutting the site. It is set back notably from the highway, behind No.32 whereas adjacent dwellings and those extending northwards set out a defined pattern of frontage development. Due to the close proximity to No 32 it will result in a slightly elevated developed footprint infilling the area alongside the public right of way, appearing as an awkward block of development when viewed from the open countryside and the streetscene.
- 10.17 Whilst it is acknowledged that the dwelling has been modified following the previous refusal, its overall scale and massing has only been reduced slightly most notably through the removal of the 1st floor element above the garage and the height of the dwelling has only been reduced by c.200mm, with its footprint increasing by c.20m². Its overall massing is still therefore very prominent on the streetscape and would restrict the current open views across the countryside and vice versa.
- 10.18 It is important to note that the LPA and Planning Inspectors have been consistent in concluding that a substantial dwelling in this location would result in significant and unwarranted harm to the character of the area. This latest application is not considered to have adequately overcome this harm.
- 10.19 It is considered that the scale, layout and appearance of the dwelling is contrary to Policies LP16(d) of the Fenland Local Plan and DM3 of the SPD in that it results in harm to the open countryside, harms the core shape of the settlement

and fails to positively contribute to local distinctiveness and the character of the area.

Flood risk and the sequential test

- 10.20 Policy LP14 considers the issue of Flood Risk. The Flood and Water SPD provides guidance on the implementation of the Sequential and Exceptions Test.
- 10.21 The proposed house is partly within Flood Zone 2 and the northern section of the garden is in Flood Zone 3. The applicant has failed to supply evidence on sequential or exceptions test. However it is a material consideration that planning permission was not refused on this ground previously, and only a small section is within Flood Zone 2. In this instance it is not considered this by itself forms a reason to refuse the application, although it is a negative aspect in the overall assessment of sustainability.

Access & Highways

10.22 The Local Highway Authority raised no objection to the previous scheme which was not refused on Highway safety grounds. The proposed parking complies with Appendix 1 Parking Standards and there are no highway safety concerns. The development of the site is considered to accord with Policy LP15.

Residential amenity

10.23 Policy LP16(e) considers the impact of development on residential amenity. No concerns are raised in respect of loss of privacy, overshadowing or overbearing impacts in respect of residential amenity impacts due mainly to the adequate separation distance from existing properties. The application is therefore considered to accord with LP16(e).

11 PLANNING BALANCE AND CONCLUSION

- 11.1 It is considered that despite modest amendments to the design of the dwelling, the scale appearance and layout of the proposal results in significant and demonstrable harm to the character and appearance of the area. The limited benefits derived through the erection of a single dwelling are not considered sufficient enough to outweigh this harm, particularly given the location of the dwelling in relation to local services which will likely result in a primary reliance on private motor vehicles contrary to the transport aims of the Local Plan and the NPPF.
- 11.2 The meaningful benefits derived from a single market dwelling to the vitality and viability of the nearest settlements would be very modest. Notwithstanding this, there appears to be no demonstrable need for a dwelling in this location which is located in an area not identified for growth, likely due to its lack of facilities and poor sustainable transport links to nearby services.
- 11.3 The proposal is therefore considered to constitute unsustainable development due to an unacceptable harm to the character of the area and the introduction of a dwelling in an unsustainably linked area having regard to the development plan when taken as a whole. Likewise the development is considered to conflict with the design and overall sustainability aims as set out in the NPPF.

12 RECOMMENDATION

Refuse for the following reasons;

- 1. The proposal will result in a prominent large and partly elevated dwelling in the open countryside resulting in an urbanising impact detrimental to the character of the area and the open countryside. The proposal is therefore considered contrary to Policy LP16(d) of the Fenland Local Plan (adopted 2014) and DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 in addition to Chapter 12 of the NPPF 2019.
- 2. The proposed development, which is located outside the settlement of Wimblington is considered to be situated within the open countryside. Therefore under policy LP3 of the Fenland District Local Plan the proposal is considered to be an 'Elsewhere Location'. The application is not supported by sufficient justification for a dwelling in this location. Furthermore the dwelling is poorly located for pedestrian, cycle or public transport access to services and facilities thereby resulting in likely reliance upon the use of private motor vehicles. The development is therefore contrary to Policy LP3 and LP15 of the Fenland Local Plan, 2014 and the sustainability aims of the NPPF.



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Mr and Mrs King

