

Applicant: Mrs Bullard

**Agent : Mr N Lowe
Peter Humphrey Associates Ltd**

Land West Of Railway Carriage, Needham Bank, Friday Bridge, Cambridgeshire

Residential development of up to 4 x dwellings involving the formation of 4 x new accesses (application for Permission in Principle)

Officer recommendation: Refuse

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

1. EXECUTIVE SUMMARY

1.1 The proposal is an application for Permission in Principle to develop the site for up to 4 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues namely:

- (1) Location
- (2) Use, and
- (3) Amount of development proposed

And the second (Technical Details Consent) stage is when the detailed development proposals are assessed. Technical details consent would need to be applied for should this application be granted.

1.2 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process. Accordingly, matters raised via statutory bodies may not be addressed at this time.

1.3 The application site comprises open agricultural land. Friday Bridge is a 'Limited Growth Village' where a small amount of development will be encouraged and permitted in order to support their continued sustainability. Such development may be appropriate as a small village extension. The existing open character of the site is a key part of Friday Bridge and the proposed development would not relate well to the existing core shape of the settlement and would extend existing linear features of the settlement into the countryside harmful to the character of this countryside location contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014).

2. SITE DESCRIPTION

2.1 The site comprises approximately 0.38ha of flat agricultural land and forms part of a larger field located on the northern side of Needham Bank on the eastern side of Friday Bridge.

- 2.2 To the east of the site is a detached residence known as Railway Cottage. To the west is the main settlement of Friday Bridge. There is ribbon development of residential dwellings along the northern side of Needham Bank and along the western side of Bar Drove, which leads off Needham Bank to the west of the application site.
- 2.3 Part of the site, where it adjoins the highway, is identified as being within Flood Zone 2 with the rear part of the site within Flood Zone 1.

3. PROPOSAL

- 3.1 An indicative site plan at scale 1:500 accompanies this submission. This plan details a development of four detached dwellings each with detached garages. Each dwelling would have separate access points onto Needham Bank with additional parking and manoeuvrability areas in front of each dwelling.
- 3.2 The current proposal is the first part of the Permission in Principle application; this 'first stage' establishes whether a site is suitable in principle only, and assesses the 'principle' issues, namely;
- (1) Location
 - (2) Use, and
 - (3) Amount of development proposed.
- 3.3 Should this application be successful the applicant would have to submit a Technical Details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.4 The applicant is only required to submit a completed application form, a plan which identifies the land to which the application relates (drawn to scale and with a north point) and the application fee.
- 3.5 Full plans and associated documents for this application can be found at:
[F/YR22/1124/PIP | Residential development of up to 4 x dwellings involving the formation of 4 x new accesses \(application for Permission in Principle\) | Land West Of Railway Carriage Needham Bank Friday Bridge Cambridgeshire](https://fenland.gov.uk/F/YR22/1124/PIP)
(fenland.gov.uk)

4. SITE PLANNING HISTORY

- 4.1 There is no site history associated with this site.

5. CONSULTATIONS

5.1 Elm Parish Council

Elm Parish Council strongly objects to proposals submitted under application ref:F/YR/22/1124/PIP.

The site is currently utilised for agricultural purposes and falls outside the central area of residential development in Friday Bridge. This is contrary to Policy LP18 in the latest draft of the Emerging Local Plan.

The proposals are also in breach of Policy LP20 ‘ Accessibility and Transport’ for a number of reasons.

- 1. There is a 60mph limit along Needham Bank, the additional accesses will create hazards for motorists and other road users.*
- 2. There are no pavements or streetlighting which; in addition to the 60mph speed limit, would not encourage residents to walk or cycle.*
- 3. Lack of public transport facilities would impede access to employment/local services and encourage the use of motor vehicles.*

5.2 CCC Archaeology

Our records indicate that the site lies in an area of archaeological interest, to the east of the historic core of Friday Bridge. The proposed development lies on the crest of a roddon, an ancient tidal river infilled with marine deposits. In the wider vicinity are known to contain areas of archaeological remains, due to these hard, sand and clay filled channels representing areas of ‘high’ or more solid ground within the wider fen landscape. An example of this is shown to 250m to the south-west where crop-marks show a series of rectilinear enclosure believed to be dated to the medieval period (Cambridgeshire Historic Environment Record reference. 09708). Extensive cropmarks are also known to the south of the site where a Roman ditched enclosure has been identified, which is believed to have been sat on the edge of the roddon (CHER ref. 09707). A large number of ring ditches and circular crop marks are known to the south of the proposed development area (CHER ref. MCB31489, 09711 and 09712) which have been interpreted as being located on the line of minor roddons which would have crossed the area.

Whilst this site lies in an area of archaeological interest we cannot make specific recommendations without an understanding of the scale and impacts of the proposed development. We are however content that no works are required prior to determination of an application and consequently we wish to raise no objections for this application to secure Planning In Principle, however we would request to be consulted on any future planning application for development within the redline area indicated, with the expectation that a condition on development, if required, could be secured at Technical Details stage.

5.3 Environmental Health – No objection

5.4 Ward Member – Cllr. Will Sutton

Both sites, ref: F/YR22/1123/PIP and F/YR/22/1124/PIP, are adjacent to the built form so are policy compliant both locally and nationally. Under the local plan Friday Bridge is a limited growth village where it is expected to deliver 10% of the total dwellings during the life of the plan, (58 dwellings) currently it has only delivered 35 whereas most villages, including Elm, are way over the 10%. With a shortfall of 23 and generally linear development, it would appear that this type of proposal is the only option of Friday Bridge to take its share of development.

5.5 Local Residents/Interested Parties

Objectors

Letters of objections have been received from six households within Friday Bridge who raise the following issues:

- Does not comply with policy
- Site too dangerous for development

- Access
- Agricultural land
- Density/over development
- Devaluing property
- Drainage/Flooding. Negligent to approve in Flood Zone 2
- Local services unable to cope
- Outside DAB
- Traffic/highways
- Visual impact
- Village cannot take more development
- Would set a precedent

Supporters

Letters of support have been received from eight households within Friday Bridge and Elm, who make the following comments:

- Family friendly development
- Plots good size and not too big
- Will provide local employment for tradesmen
- Will promote local services

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)

Paragraph: 012 (Reference ID: 58-012-20180615). The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission but can advise applicants on the decision notice, where Permission in Principle is granted, what they would expect to see at Technical Details stage.

National Design Guide 2021

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

LP13 – Supporting and Managing the Impact of a Growing District
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
LP19 – The Natural Environment

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the location of residential development
LP4: Securing Fenland's Future
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP12: Meeting Housing Needs
LP18: Development in the Countryside
LP19: Strategic Infrastructure
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management
LP33: Development of Land Affected by Contamination

8. KEY ISSUES

- **Location**
- **Use**
- **Amount of development proposed**
- **Matters raised during consultation**

9. ASSESSMENT

9.1 Noting the guidance in place regarding Permission in Principle submissions assessment must be restricted to (a) location, (b) use and (c) amount of development and these items are considered in turn below:

Location

9.2 Policy LP3 of the Fenland Local Plan (2014) identifies Friday Bridge as being a 'Limited Growth Village'. For these settlements a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension.

- 9.3 Policy LP12 identifies that to receive support, the site must be in or adjacent to the existing developed footprint of the village, defined as the continuous built form of the village. Immediately to the west of the site is residential development along Bar Drove, Needham Bank and The Stitch. However, the site is separated from these dwellings by Bar Drove and appears as part of the open countryside. Thus, the site is not considered to be adjacent to the existing developed footprint of Friday Bridge and therefore the principle of residential development would not accord with the requirements of Policy LP3 and Policy LP12 part A (a).
- 9.4 Part A of Policy LP12 states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland (part c), that proposals are in a location that is in keeping to the core shape and form of the settlement (part d) and that proposals would not extend existing linear features of the settlement (part e). Policy LP16 (part d) requires proposals to make a positive contribution to the local distinctiveness and character of the area and not to have an adverse impact on the settlement pattern or the landscape character of the surrounding area. The site is rural in character with open fields to the front and rear of the site. The proposal would result in linear development, extending outwards into the countryside and would not relate to the core parts and form of Friday Bridge. As such any residential development on this site would be contrary to the above policy considerations and thus, in terms of location, the Planning in Principle application fails.
- 9.5 A significant portion of the site lies within Flood Zone 2, an area at medium probability of flooding. National and local planning policies set out strict tests to the approach to flood risk, aiming to locate development in the first instance to areas at lowest risk of flooding (Flood Zone 1). Policy LP14 requires applicants to demonstrate this through the application of the sequential test. In order to justify the development in Flood Zone 2, the sequential test would be expected to demonstrate that there are no reasonably available sites in Flood Zones 1 which could accommodate the development.
- 9.6 Section 4.4 of the adopted Cambridgeshire Flood and Water SPD sets out that the initial approach to carrying out a sequential test should be to agree the scope of the test with the LPA i.e. agree the geographical area for the search which should be justified in the sequential test report. Given that the site does not lie within or adjacent to the village (having regard to the definition under LP12 Part A (a)) the scope for the sequential test would need to be the whole of the rural area (villages and open countryside). No sequential test has been submitted with the application and clearly given the area of search required there would be sequentially preferable sites available within the district to accommodate the development. The application therefore fails in this regard.
- 9.7 With regard to the consultation draft of the emerging Local Plan, which carries limited weight at this time as per paragraph 48 of the NPPF, given that consultation has only recently occurred, the site is outside of the defined settlement boundary of Friday Bridge, and is therefore classed as open countryside, where development will only be permitted in the circumstances set out within the NPPF. Policy LP1 of the emerging Plan does contain an element relating to Frontage Infill Development, applicable at the edge of settlements. It is considered that this conflicts with the NPPF and therefore can carry no weight. However, for the sake of completeness, if this policy were to be applied the development would not accord given the circumstances of the site.

Use

- 9.8 The site is situated on the edge of the settlement, however as stated above it would be contrary to Policy LP12 - Rural Areas Development Policy and Policy LP16 – Delivering and Protecting High Quality Environments across the District. It is therefore accepted that the site is not suitable to use for additional dwellings.

Amount of development proposed

- 9.9 The application seeks Permission in Principle for up to 4 dwellings on a site of 0.38ha which would equate to a density of approximately 11 dwellings per hectare. This is low density, commensurate with development to the west of the site and could comfortably be accommodated on-site without being considered an overdevelopment of the site. However, the detailed layout and design would be for consideration at the Technical Details stage, should permission be granted. In terms of consideration of amount, the proposal is acceptable.

Matters raised during consultation

- 9.10 Matters other than location, use and amount of development proposed would be for consideration at the Technical Details Stage.
- 9.11 Reference has been made to the housing growth figures referenced within Policy LP12 of the Local Plan. These figures are not targets *per se*, but were intended to guide when community support would be needed to be shown for proposals. That Friday Bridge has not reached 10% growth is therefore not a material factor which would outweigh any of the issues identified previously in the assessment of the application.

10. CONCLUSIONS

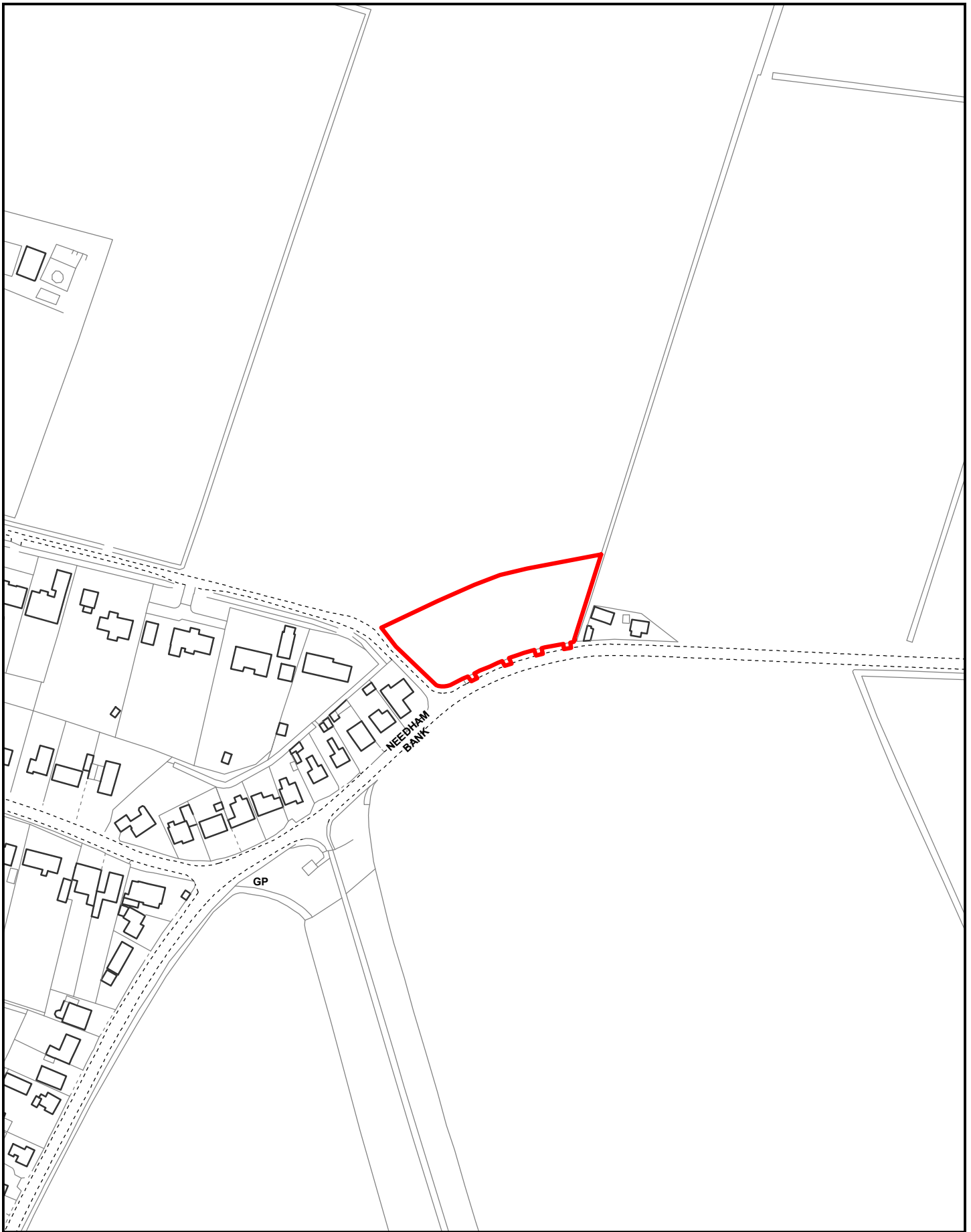
- 10.1 As indicated above it is only location, use and amount of development that may be considered at the first 'permission in principle' stage and that the location and use of the land for residential development would be contrary to elements of Policies LP12 and LP16. It is therefore considered that in terms of location and land use considerations the Planning in Principle application fails.
- 10.2 The grant of permission in principle alone does not grant planning permission with the second part of the process requiring the 'technical' details to be found 'sound' in order for the site to achieve the equivalent to a grant of planning permission.
- 10.3 It should be further noted that there is no mechanism to attach conditions to a Stage 1 permission in principle with the application either being granted or refused

11. RECOMMENDATION

Refuse Permission in Principle; for the following reasons:

| | |
|----|--|
| 1. | Policy LP12 of the Fenland Local Plan (2014) states that proposals should be within or adjacent to the developed footprint of the settlement (part a), not have an adverse impact on the on the character and appearance of the surrounding countryside and farmland (part c), that proposals are in a location that is in keeping to the core shape and form of the settlement (part d) and that proposals would not extend existing linear features of the settlement (part e). Policy LP16 (part d) requires proposals to make a positive contribution to the local |
|----|--|

| | |
|----|--|
| | <p>distinctiveness and character of the area and not to have an adverse impact on the settlement pattern or the landscape character of the surrounding area. The site is rural in character with open fields to the front and rear of the site. The proposal would result in linear development, extending outwards into the countryside, on a site not adjacent to the built footprint of the settlement and would not relate to the core shape and form of Friday Bridge. As such any residential development on this site would be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails.</p> |
| 2. | <p>The site is located within Flood Zone 2 where there is a medium probability of flooding. No Sequential Test for flood risk has been submitted with the application. As the site is located beyond the core settlement in the open countryside the area of search would be district wide, and clearly would be incapable of being met. Consequently, the application fails to demonstrate that there are no alternative sites to accommodate the development which are reasonably available and with a lower probability of flooding. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016) and Chapter 10 of the NPPF.</p> |



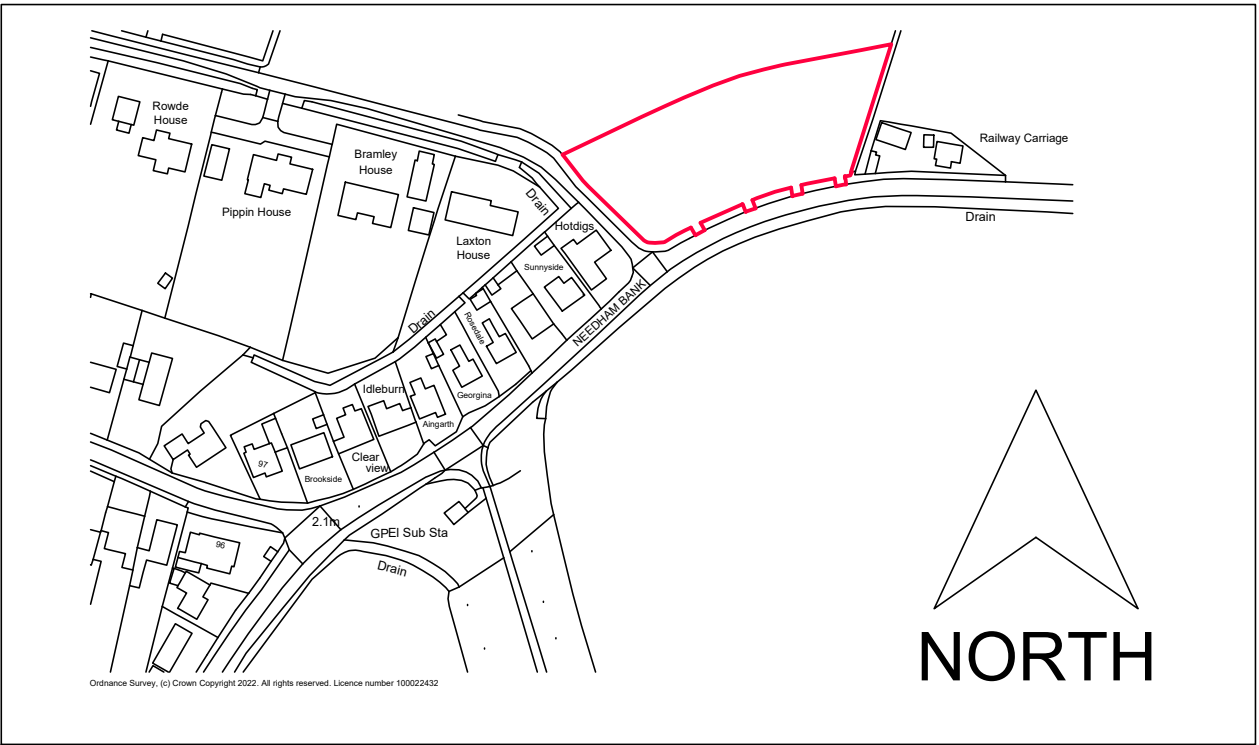
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F/YR22/1124/PIP

Scale = 1:2,500





LOCATION PLAN 1:2500



SITE PLAN 1:500 (0.375Ha)
INDICATIVE ONLY

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REVISIONS



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PROJECT

RESIDENTIAL DEVELOPMENT

SITE

LAND ADJ. RAILWAY COTTAGE
NEEDHAM BANK
FRIDAYBRIDGE

DRAWING

| JOB NO. | PAPER SIZE | DATE |
|-----------|------------|------------|
| 6550 PL02 | A2 | MARCH 2022 |

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