
F/YR22/1415/F

**Applicant: Mr Nigel Davies
Fenland Wind & Air Sports Centre**

**Agent : Mr Craig Brand
Craig Brand Architectural Design
Services**

March Airfield, Cross Road, March, Cambridgeshire PE15 0YS

Erect 1 x dwelling (2-storey 2-bed) in association with existing air sports activity centre, with integral office and associated facilities, and the temporary (retrospective) siting of a mobile home during construction

Officer recommendation: Refuse

Reason for Committee: Referred by Head of Planning on advice of Committee Chairman

1 EXECUTIVE SUMMARY

- 1.1 The application is for the erection of a 2-storey, 2-bed dwelling in association with the existing air sports activity centre, with integral office and associated facilities and the temporary (retrospective) siting of a mobile home during construction.
- 1.2 The application states that the dwelling is required on the site to provide additional security to the Air Sports Activity Centre and convenience for the applicants. The applicant's current permanent address is 1.6 miles (6-minute drive) from the site.
- 1.3 Security is a matter to be considered in relation to the acceptability or otherwise of a planning application, however it would not be uncommon or unreasonable for business premises of this type to operate under a scheme of security cameras and alarms.
- 1.4 Accordingly, the submission largely fails to address the requirements of Policy LP12 – Part D in terms of a functional need for a dwelling on site as it is not considered that the increased security from the applicant residing adjacent to the site is a material factor sufficient to overcome the policy requirement to direct development away from such sites.
- 1.5 A further permanent dwelling in this predominantly rural location is considered unjustified in this case and would significantly detract from, and undermine, the rural character of this part of the District.
- 1.6 The application is also not accompanied by a sequential test exploring the availability of alternative sites in location of lower flood risk.
- 1.7 The recommendation is therefore to refuse planning permission.

2 SITE DESCRIPTION

- 2.1 The site comprises a grassed field, served from Cross Road which is a narrow-metalled road. The site entrance is situated approximately 650 metres from the junction with Knights End Road.
- 2.2 There is an existing storage and machinery store on site, toilets and storage buildings, training room building and a static mobile home. A grassed parking area is situated to the front of the site.
- 2.3 The site lies in open countryside with fields surrounding.
- 2.4 The application site is situated within Flood Zone 3.

3 PROPOSAL

- 3.1 This application seeks to erect a 2-storey, 2-bed dwelling in association with existing air sports activity centre, with integral office and associated facilities, and the temporary (retrospective) siting of a mobile home during construction.
- 3.2 The proposed dwelling will be situated to the south of the existing storage building. The dwelling will be 2-storey, with accommodation in the dormer space. The roof will be dual-pitched with a ridge height of 7 metres approx. A single-storey flat-roof with balcony above is proposed to the rear of the dwelling.
- 3.3 The ground floor of the dwelling will serve a lobby, kitchen, lounge, utility room, reception/office and associated facilities which include a disabled toilet and shower. 2 bedrooms and a bathroom are proposed at first-floor.
- 3.4 Ground floor fenestration is proposed upon all elevations of the dwelling, with first-floor fenestration proposed only to the front and rear elevation of the dwelling through the use of dormer windows (front elevation) and dormer patio doors (rear elevation).
- 3.5 The materials proposed include a Traditional Brick and Stone Company Birkdale Blend Brick with SSQ Group 'Domiz First' Spanish Slates. The dormer walls will be finished in Light Grey Fibre Cement Cladding.
- 3.6 The dwelling will be enclosed by a 1.2 metre high square metal wire stock fence on wooden posts.
- 3.7 2 disabled parking bays are proposed to the front of the dwelling
- 3.8 The existing mobile home on site is to be retained during construction only.
- 3.9 Full plans and associated documents for this application can be found at:

[F/YR22/1415/F | Erect 1 x dwelling \(2-storey 2-bed\) in association with existing air sports activity centre, with integral office and associated facilities, and the temporary \(retrospective\) siting of a mobile home during construction | March Airfield Cross Road March Cambridgeshire PE15 0YS \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR15/0100/F	Continued use of land for an air sports activity centre (D2) involving the siting of a training room, 2 storage containers, 2 toilet blocks, erection of enclosure fencing and alterations to field access	Granted 27/04/2015
F/YR12/0024/F	Change of use of land for use as an air sports activity centre (D2) involving the siting of a training room, 2 storage containers, 2 toilet blocks, erection of enclosure fencing and alterations to field access	Granted 01/06/2012

5 CONSULTATIONS

5.1 March Town Council

Councillors Elkin and White declared personal interests in this application leaving the committee inquorate for this application.

5.2 Environment & Health Services (FDC)

I refer to the above application for consideration and make the following observations.

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on the local air quality and noise climate, or be affected by ground contamination.

5.3 Economic Growth (FDC)

The Economic Growth Team support the planning application.

The development will provide additional local jobs and retain those currently based at the facility.

The proposed development would provide security for the equipment on site and allow for further growth for a business in the tourism sector. The business provides activities for both local residents and for customers that travel from across the UK and then stay in the area, which benefits other local businesses, including those in hospitality, retail and tourism. The business secured a CRF Start and Grow grant in 2022 to enable the current growth.'

5.4 Environment Agency

Thank you for your consultation dated 05 January 2023 for the above application. We have no objection to this planning application, providing that you have taken into account the Groundwater and Contaminated Land and flood risk considerations which are your responsibility. We have highlighted these in the sections below.

Groundwater and Contaminated Land

Site-Specific Information

The current use of the proposed development site as a Wind and Airsports Centre is potentially contaminative. However, the site is located upon unproductive strata, and is therefore unlikely to pose a pollution risk to groundwater due to the low permeability of these strata and the protection which they provide to any sensitive aquifers that may be present beneath.

As a result, we have no objections to the application as submitted. We would like to draw attention to the informative comments in Appendix 1.

Flood Risk

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) by Ellingham Consulting Ltd, dated October 2022 are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.3m.*
- There will be no ground floor sleeping accommodation.*

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

We have reviewed the submitted FRA with regard to tidal and designated main river flood risk sources only.

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

5.5 Local Residents/Interested Parties

2 letters of support were received with regard to this application (1 from Cross Road and 1 from Burrowmoor Road). The reasons for support are as follows:

- Appreciate applicants' desire to be closer to their business for convenience and security
- Wise decision to live alongside their business

1 letter of objection was received with regard to this application (from Burrowmoor Road). The reasons for objection are as follows:

- Anti-social behaviour
- Noise
- Increase possibility of local residences being flown over at low levels
- Open and ongoing complaint regarding breaches of previous planning permission

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)

Para 2 – NPPF is a material consideration in planning decisions

Para 7 - Purpose of the planning system is to contribute to the achievement of sustainable development

Para 11 – A presumption in favour of sustainable development

Para 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 80 – Avoid development of isolated homes in the countryside

Para 130 – Achieving well-designed places

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2021

Context

Identity

Built Form

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

LP6 – Employment, Tourism, Community Facilities and Retail

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 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
LP5 – Health and Wellbeing
LP7 – Design
LP8 – Amenity Provision
LP15 – Employment
LP17 – Culture, Leisure, Tourism and Community Facilities
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP32 – Flood and Water Management

7.6 March Neighbourhood Plan 2017

H2 – Windfall Development

8 KEY ISSUES

- Principle of Development
- Justification of Need
- Residential Amenity
- Access and Parking
- Flood Risk

9 ASSESSMENT

Principle of Development

- 9.1 The application site is situated on the western side of Cross Road, which is situated to the south-west of the built-up settlement of March. This is an 'elsewhere' location when applying the criteria outlined in Policy LP12; given that it is clearly outside the built-up settlement of March. Whilst the existence of other dwellings along Cross Road result in the site not being 'physically' isolated, the lack of nearby services and facilities would render the location 'functionally' isolated.
- 9.2 As identified under Policy LP3, development in such areas should be restricted to that which is essential for agriculture, horticulture, forestry, outdoor recreation, transport or utility services and to minerals or waste development. The current use of the site is for outdoor recreation.
- 9.3 In addition to compliance with Policy LP3, Policy LP12 Part D requires the application to demonstrate the following:
- (a) The existing functional need for the dwelling
 - (b) The number of part time and full-time worker(s) to live in the dwelling
 - (c) The length of time the activity has been established
 - (d) The financial viability of the enterprise

- (e) The availability of other suitable accommodation on site or in the area
- (f) How the proposed size of the dwelling relates to the viability of the enterprise

Justification of Need

- 9.4 The justification provided for the functional need for the dwelling as detailed within the justification statement are as follows:
- The applicants have been living on site whilst their home is refurbished in Almond Drive. Whilst residing on site, the applicants have realised how inefficient the business was having to travel back and forth as well as the increased convenience for accepting deliveries on site.
 - The design and access statement also notes the increase in enquiries made by local people passing by when travelling along Cross Road.
 - The proposal will provide an on-site security presence for the equipment on site. The approval of the application will allow the expansion of the business due to the on-site security presence to protect business equipment.
- 9.5 A further letter was received from the agent dated 20th February which reiterated the need for the dwelling on site for the following reasons:
- Security due to the value of specialist equipment stored on-site.
 - Living off site means an early start and late finish for the applicants to get equipment out of storage, assembly, safety tests and test runs prior to customers arriving on site.
 - Since the application was submitted, the applicants have secured a grant to double their Blokart fleet to 20 with attachable side cars – allowing disabled groups & young children
 - Following the increased Blokart fleet, the applicants propose to build a suitable storage unit so these Blokarts can be stored fully assembled.
 - Applicants reported an unsuccessful break-in attempt in 2014 into the storage and training facilities
 - Dwelling includes an office/reception to help efficiently run the business bookings and any enquiries made from drop ins.
 - Security is the main reason for justifying the proposal as it will allow the Blokarts to be stored fully assembled
 - Living on site removes the need to visit site when there are no advance bookings and allows for casual visitors
 - Prior to submitting the 2012 application, the applicants agent sought confirmation from the Environment Agency that the proposed change of use and buildings did not require a flood risk assessment. No EA objections were raised on F/YR15/0100/F.
 - Unreasonable to ask for a district wide sequential test as the objective is for an existing business
 - No properties nearby suitable to offer protection of the applicant's investment on site and insurance premiums for the site continue to rise due to rural crime.
- 9.6 An unauthorised mobile home is already situated on site which does not benefit from planning permission. The application proposes to retain this mobile home on site whilst construction works take place should permission be granted.
- 9.7 The application notes that the dwelling on site would be more convenient for the applicants due to time saved setting up and packing away the Blokarts as well as

being available on site for casual visitors. From the application form submitted, and as aforementioned above, the applicant currently resides along Almond Drive, March. The address given is located approximately 1.6 miles from the application site, which is a 6 minute drive, and as a result is not considered that the scheme would result in significant sustainability benefits given that the existing distances involved in travelling from their permanent address to the site would be considered to be reasonable.

- 9.8 The application also states that there will be increased security for the business from living on site. Security is a matter to be considered in relation to the acceptability or otherwise of a planning application, however it would not be uncommon or unreasonable for business premises of this type to operate under a scheme of security cameras and alarms.
- 9.9 The agent has noted that following the increased Blokart fleet, the applicants propose to build a suitable storage unit so these Blokarts can be stored fully assembled. No such storage buildings have been proposed under this application.
- 9.10 Accordingly, the submission largely fails to address the requirements of Policy LP12 – Part D in terms of a functional need for a dwelling on site as it is not considered that the increased security or convenience from the applicant residing adjacent to the site is a material factor sufficient to overcome the policy requirement to direct development away from such sites.
- 9.11 In addition to the above, Paragraph 80(a) of the NPPF states that the development of isolated homes in the countryside should be avoided unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. As aforementioned, whilst the existence of other dwellings along Cross Road results in the site not being ‘physically’ isolated, the lack of nearby services and facilities would render the location ‘functionally’ isolated.
- 9.12 The application submitted has failed to demonstrate that there is an essential need for a rural worker to live permanently on site and thus the application is also considered to be contrary to Paragraph 80 of the NPPF.
- 9.13 Similar developments to the proposed have been dismissed at appeal elsewhere in the country. These decisions give an indication as to how a Planning Inspector would consider any appeal against a decision to refuse this application:

Appeal reference APP/F1610/A/03/1117770 at Kemble Airfield, Cirencester for the continued siting of a temporary portakabin/mobile home in connection with the aviation business on site was dismissed due to insufficient justification being provided for the creation of a retention of a dwelling outside the established settlement in respect of security problems.

Appeal reference APP/C3430/A/04/1164958 at Otherton Airfield, Penkrudge for the erection of a bungalow for airfield security was dismissed due to the limited security benefits to the recreational airfield from the presence of a dwelling on site is not sufficient to overcome the normal presumption against residential development in the Green Belt, and also the usual controls over such development in the open countryside. The inspector noted that the security requirements on site are adequately covered by daytime and weekend staff.

Character and Appearance

- 9.14 The application proposes the construction of a permanent new dwelling to the south of the existing storage building on site.
- 9.15 The character of development along Cross Road can be described as sporadic and loose knit, due to the large and spacious fields forming gaps between the occasional dwellings along Cross Road and the inter-relationship between existing residential properties and the broad agricultural hinterland between and surrounding them.
- 9.16 Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.
- 9.17 The proposal by its very nature and location would detract from the relationship between Cross Road and its rural and undeveloped surroundings. The proposed development would undermine this relationship by the consolidation of existing sporadic and loose-knit built form notable in this area and would therefore be contrary to Policy LP16 of the adopted Fenland Local Plan.

Residential Amenity

- 9.18 There are no immediate neighbours surrounding the application site and therefore the scheme will not adversely impact upon residential amenity.
- 9.19 One letter of objection was received with regard to the application, predominantly with regard to an ongoing complaint regarding non-compliance with conditions on a previous application on site. The non-compliance with conditions on the previous application are not material to this application for a dwelling and therefore cannot be considered as part of the assessment for this application.
- 9.20 With regard to concerns of noise, no objections have been raised by FDC Environmental Health. Notwithstanding this, the granting of planning permission would not indemnify against statutory nuisance action being taken in the event that complaints of excessive noise were received and subsequently substantiated.

Access and Parking

- 9.21 There are no matters of highway safety arising from the proposal given that it will utilise an existing/established access and sufficient land is included within the application site to provide parking commensurate with the use. Accordingly, there are no matters to reconcile with regard to Policy LP15.

Flood Risk

- 9.22 The application site is located within Flood Zone 3. Policy LP14 of the Fenland Local Plan requires new development to be the subject of a sequential test, which aims to direct new development to the areas at the lowest risk of flooding.

- 9.23 The application is accompanied by a flood risk assessment, which states that *Large parts of Fenland District Council between the River Nene and River Great Ouse, around the towns of March and Chatteris, lie in Flood Zone 3. As such opportunities to undertake the development at an alternative site with a lower flood risk are limited.*
- 9.24 The matter of need for the dwelling to be located on site is addressed above. It is concluded that there is no site specific need for the dwelling on site and therefore the sequential test needs to be applied.
- 9.25 It is considered that applying the sequential test across the whole of the District, as is the Council's adopted approach for a site outside the settlement, would result in identifying sites at lower risk, capable of accommodating a single dwelling. Therefore, the proposal is deemed to have failed the sequential test.
- 9.26 On matters of flood risk, therefore, the application site would not accord with the planning requirements at set out under the NPPF and Policy LP14.

10 CONCLUSIONS

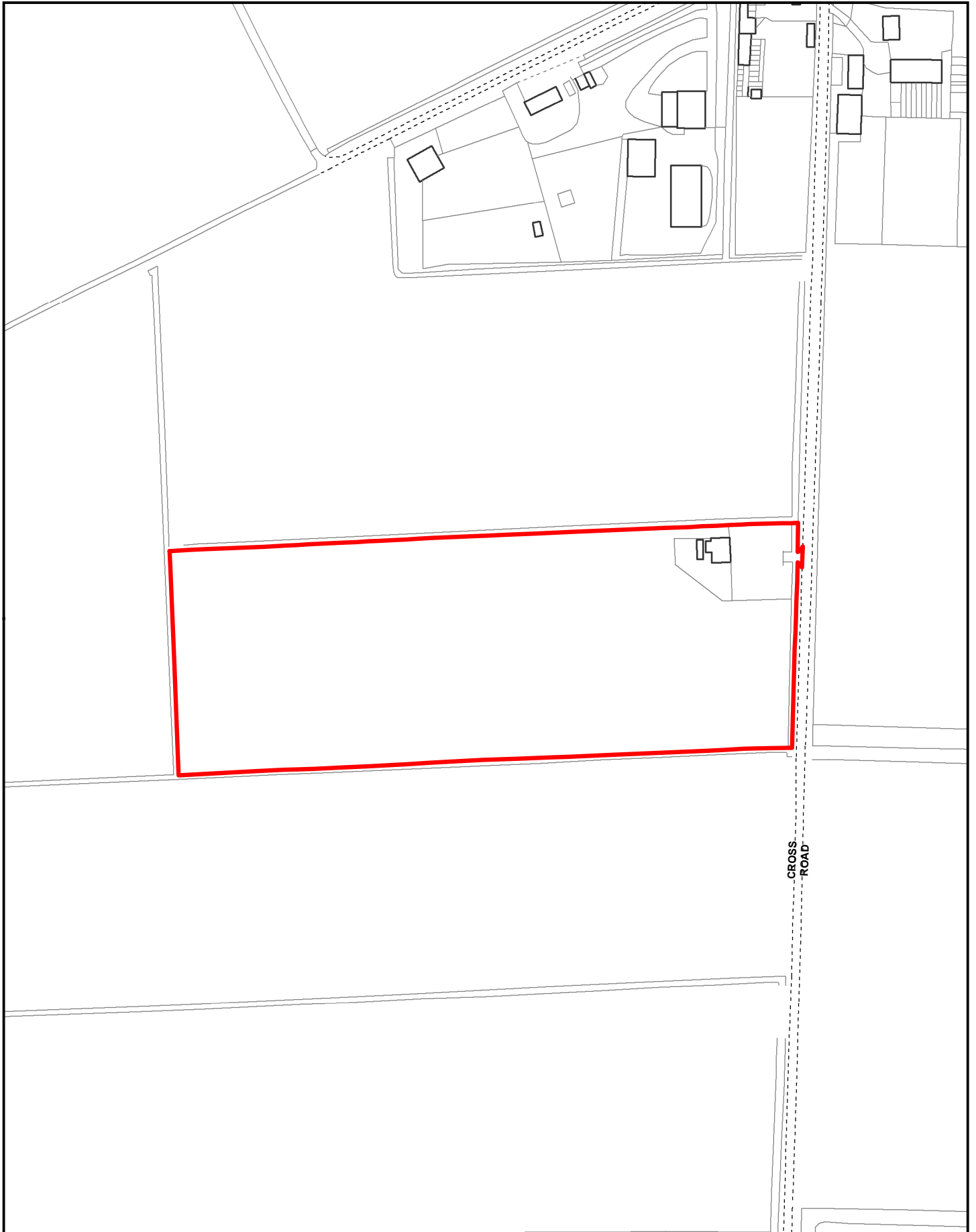
- 10.1 The site lies within an 'elsewhere' location as such, the erection of a dwelling is contrary to the settlement policies outlined in Policy 3 of the Fenland Local Plan 2014. Furthermore, the scheme fails to evidence the 'need' for the property in this location as required by Policy LP12 – Part D and would detrimentally impact on the character of the area. Given that the scheme fails to demonstrate that the development is justified in terms of a functional need, and also fails in terms of its sequential acceptability in relation to flood risk, there can be no other response but to recommend refusal.
- 10.2 As the mobile home remains unauthorised it should be removed from the site following the refusal of planning permission and the file will be passed to the Planning Compliance Team.

11 RECOMMENDATION

Refuse, for the following reasons:

1	Policy LP3 of the Fenland Local Plan 2014 and National Planning Policy Framework (NPPF) steer new development to sustainable areas that offer the best access to services and facilities. This is unless it can be demonstrated that such development is essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services, or that there is a justifiable reason for locating development in otherwise unsustainable locations. The proposed dwelling would be located in the open countryside and whilst it is asserted that it is essential for business reasons, therefore consistent with LP3, the justification given does not meet the requirements of LP12(D) in terms of evidencing a clear functional need or that no other suitable accommodation is available . Whilst the NPPF seeks to support a prosperous rural economy this does not override the need to ensure that development is located in the most accessible and sustainable locations. The proposed development is located outside any settlement limits and the justification given in terms of site security is not sufficient to warrant the development being considered as an exception. The proposal is therefore contrary to Local Plan Policies LP3 and LP12 of the Fenland
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	Local Plan (adopted May 2014).
2	<p>Policy LP14 of the Fenland Local Plan, and paragraphs 155-165 of the National Planning Policy Framework 2021, set out the approach to developing land in relation to flood risk, with both documents seeking to steer new development in the first instance towards available land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site, and only resorting to development in higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.</p> <p>Fenland District Council's adopted approach to sequential testing is that where a site is located in the countryside, the area of search for application of the sequential test is the whole District. The Sequential Test accompanying the application (contained within the submitted flood risk assessment) does not consider sites across the whole of the District and therefore the Sequential Test is lacking proper application and is accordingly failed. As a result, the proposal would fail to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.</p>
3	<p>Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals are required to demonstrate that they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The proposal is for the construction of a new dwelling on currently undeveloped land within an area characterised by sporadic development with a close relationship to the wider open countryside.</p> <p>The development would result in the consolidation of existing sporadic built form and an urbanisation of the area, detracting from the open and sporadic character of this rural location. The result would be a development that results in harm to the existing distinctiveness and open character of the area which would be contrary to policy LP16 of the Fenland Local Plan (2014).</p>



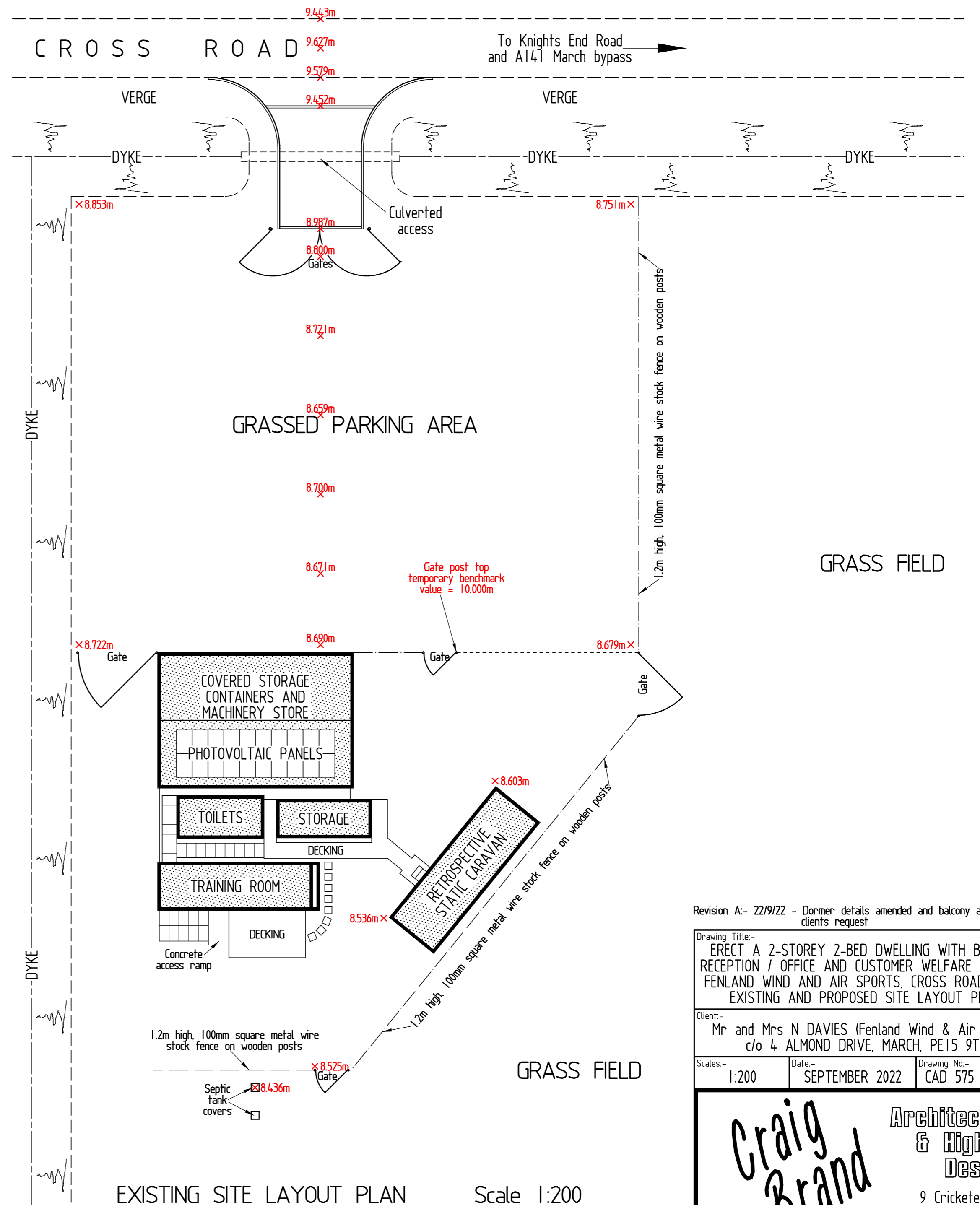
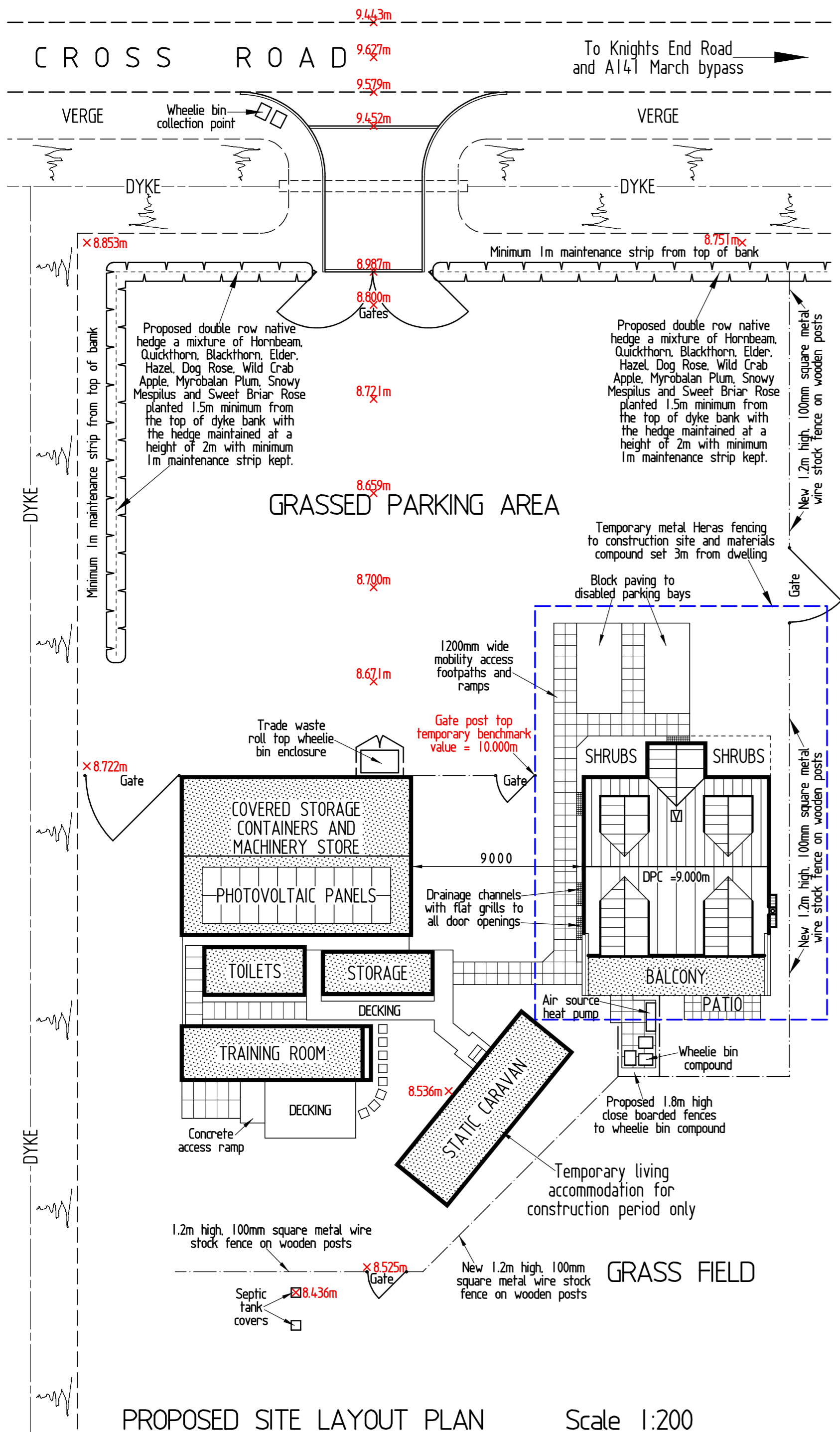
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Revision A:- 22/9/22 - Dormer details amended and balcony added at clients request

Drawing Title:-
ERECT A 2-STOREY 2-BED DWELLING WITH BUSINESS RECEPTION / OFFICE AND CUSTOMER WELFARE FACILITIES FENLAND WIND AND AIR SPORTS, CROSS ROAD, MARCH EXISTING AND PROPOSED SITE LAYOUT PLANS

Client:-
Mr and Mrs N DAVIES (Fenland Wind & Air Sports) c/o 4 ALMOND DRIVE, MARCH, PE15 9TU.

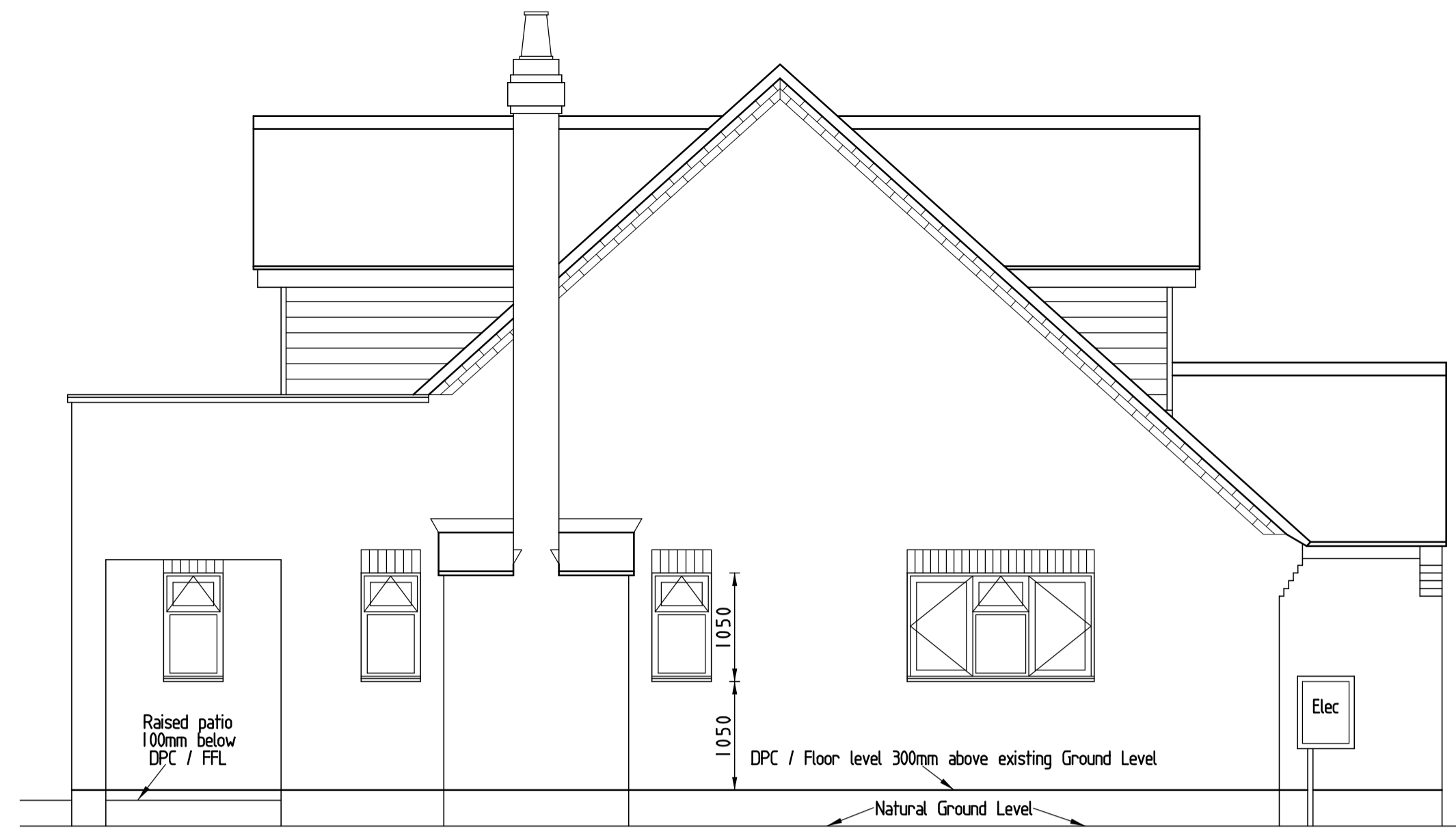
Scales:- 1:200 Date:- SEPTEMBER 2022 Drawing No:- CAD 575 / 1 / 1 Rev:- B

Craig Brand Architectural & Highway Design.

9 Cricketers Close, MARCH, PE15 9RU. Tel: (01354) 656977.



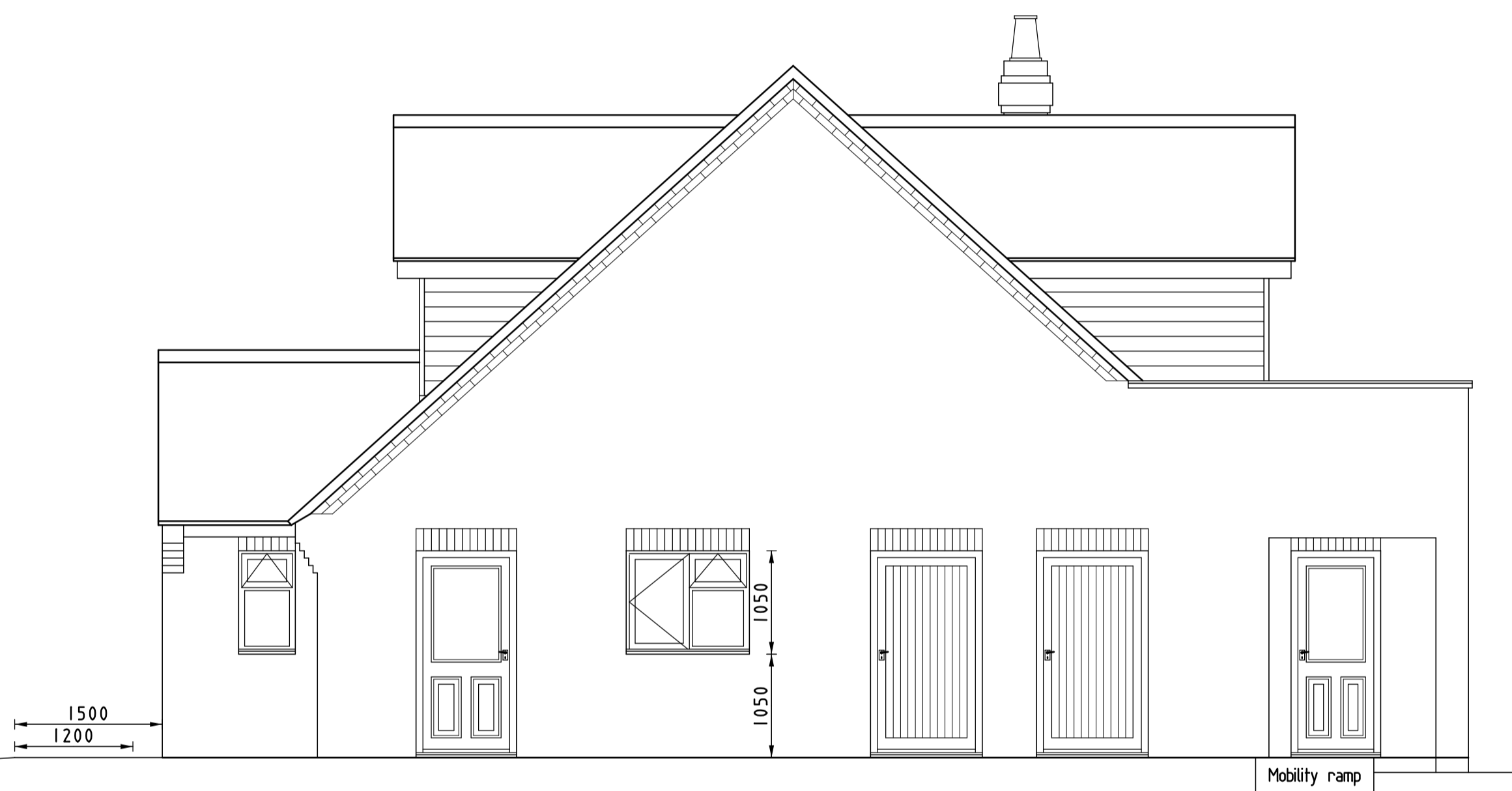
PROPOSED WEST ELEVATION



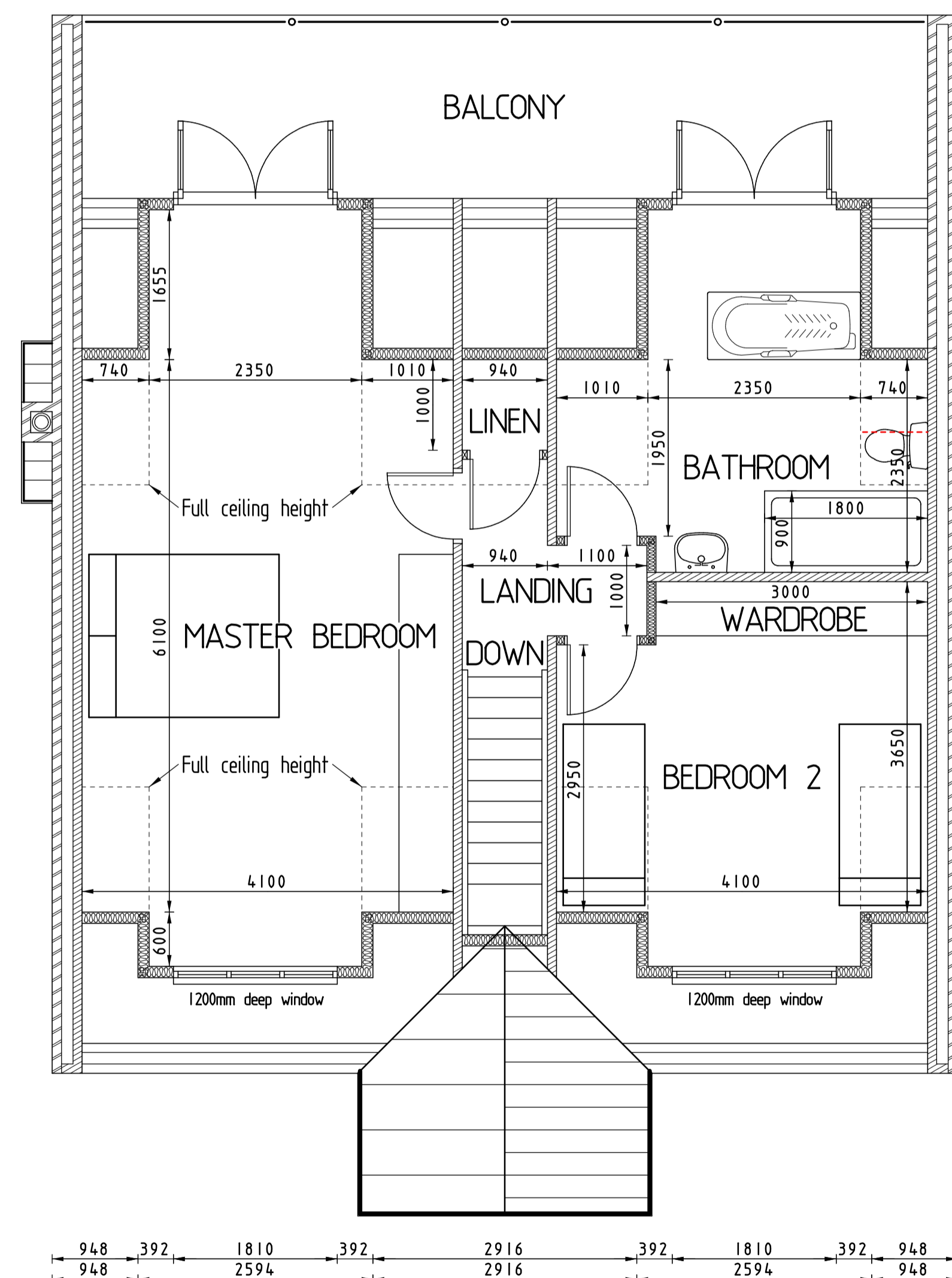
PROPOSED SOUTH ELEVATION



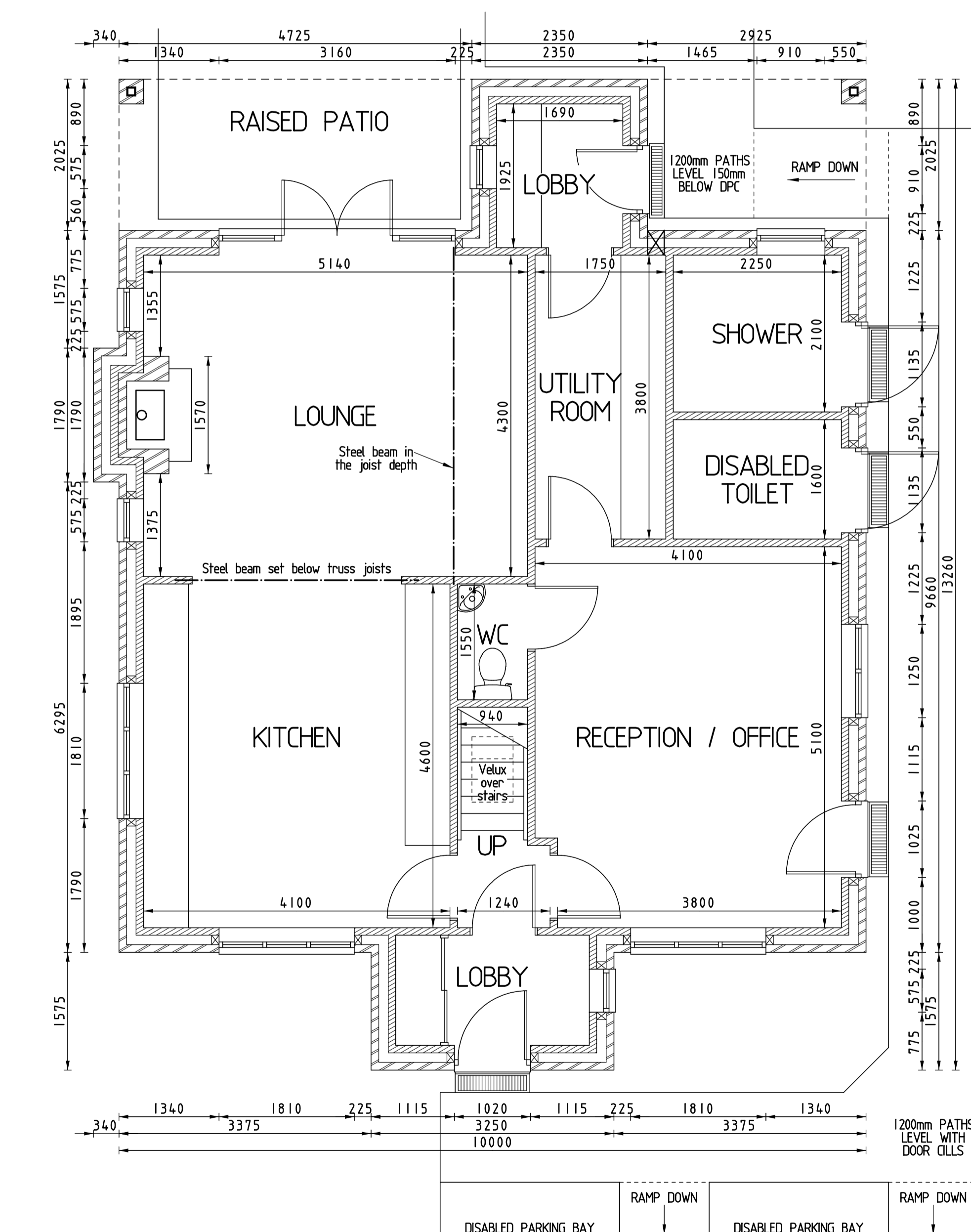
PROPOSED EAST ELEVATION



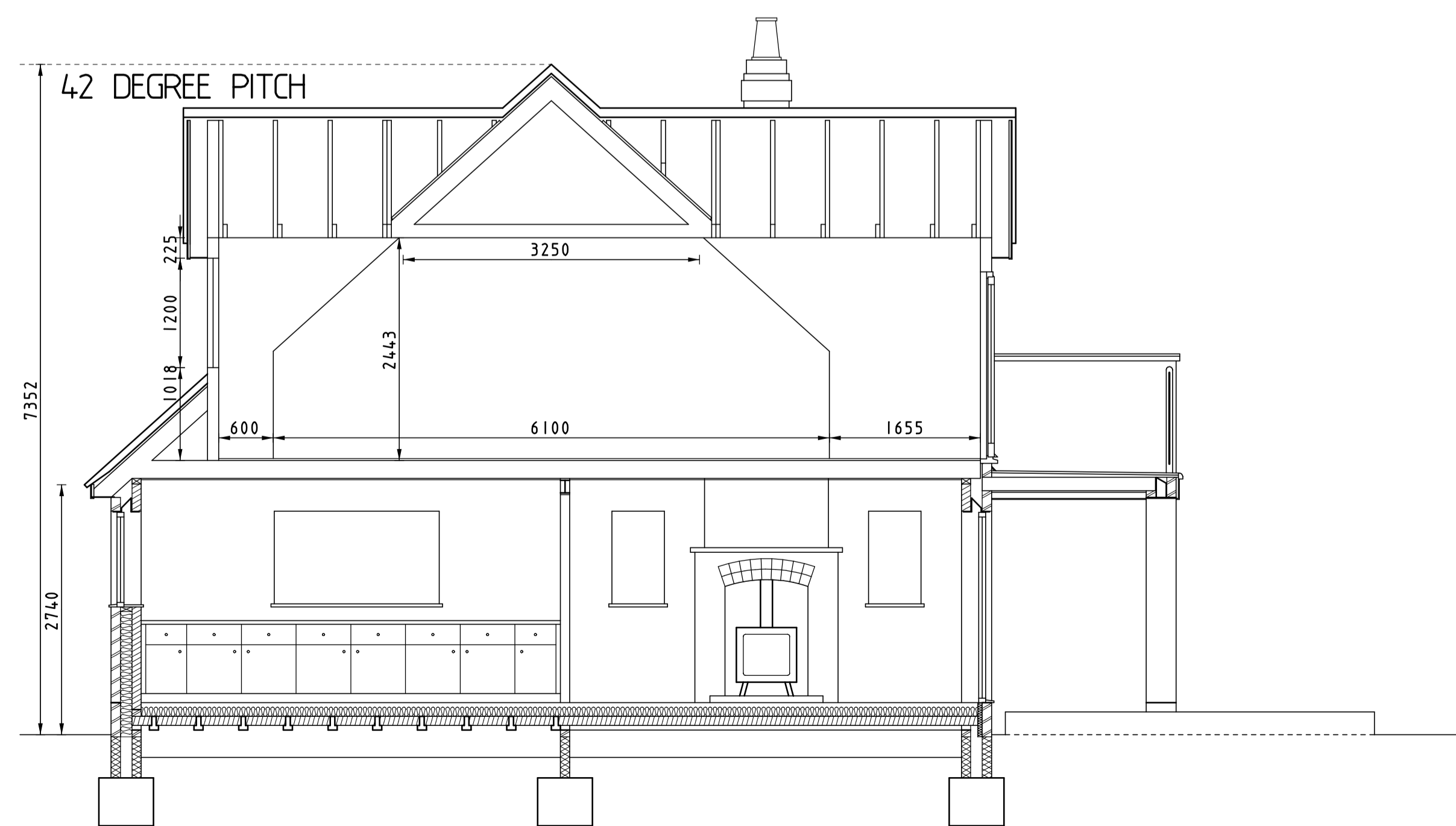
PROPOSED NORTH ELEVATION



PROPOSED FIRST FLOOR LAYOUT PLAN



PROPOSED GROUND FLOOR LAYOUT PLAN



SECTION THROUGH KITCHEN / LOUNGE / MASTER BEDROOM

Revision A- 22/9/2022 - Dormer details amended and balcony added at clients request

Drawing Title-
ERECT A 2-STORY 2-BED DWELLING WITH BUSINESS RECEPTION / OFFICE AND CUSTOMER WELFARE FACILITIES FENLAND WIND AND AIR SPORTS, CROSS ROAD, MARCH PLANNING APPLICATION - PROPOSED DWELLING DESIGN

Client-
Mr and Mrs N DAVIES (Fenland Wind & Air Sports) c/o 4 ALMOND DRIVE, MARCH, PE15 9TQ.

Scales- 1:50 Date- SEPTEMBER 2022 Drawing No- CAD 575 / 2 Rev- A

Craig Brand Architectural & Highway Design.
9 Cricketers Close, MARCH, PE15 9RU. Tel: (01354) 656977.