
F/YR23/0070/O

Applicant: Mr & Mrs John Cutteridge

**Agent : Mr Ian Gowler
Gowler Architectural**

Land East Of The Hollies, Hospital Road, Doddington, Cambridgeshire

Erect up to 5 x dwellings including highway works (outline application with all matters reserved) including demolition of stables and haystore

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for 5 dwellings with all matters reserved, though access is indicated from Hospital Road.
- 1.2 The site is located outside of any defined settlement boundary and therefore is classed as 'Elsewhere Development.' 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 a further five 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.
- 1.3 The meaningful benefits derived from five 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.
- 1.4 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.
- 1.5 Hospital Road in its current form, lacks provision for passing vehicles and is absent of any pedestrian provision. As such, there is increased risk due to the intensification of vehicles needing to reverse excessive distances and there is also increased likelihood of pedestrians walking in the carriageway where they are at risk of conflict with motorised traffic.
- 1.6 Consequently, the recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1 The application site is situated on the eastern side of Hospital Road, which is situated outside the settlement boundary to the north-west of Doddington, defined as a growth village. At the time of the site visit, it was evident one of the plots to the frontage of Hospital Road was nearing completion with the second having just been started.
- 2.2 The site is open and flat in nature with evidence of a redundant stable block to its eastern edge with a row of established trees delineating the boundary with the hospital to the south. Designated within Flood Zone 1, the site also displays several electricity poles running alongside the access.
- 2.3 Hospital Road itself 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

- 3.1 This application is an outline application proposing the erection of 5no dwellings on the site and following the removal of a stable block and haystore, with all matters reserved.
- 3.2 The indicative plan demonstrates four of the dwellings taking the same layout as two recently approved under outline permission to the west of the site and be perpendicular to the access road with the fifth dwelling set at right angles and fronting the access road.
- 3.3 The plans also demonstrate works to the highway which include a widening of the road and provision of a footpath, however, this is in outline form with all matters reserved with an indicative plan submitted.
- 3.4 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=R5C4HAHE0D800>

4 SITE PLANNING HISTORY

Most recent and relevant. Whilst these are not site specific, the sites lie adjacent to the application site.

F/YR21/1522/O Erect up to 2no dwellings (outline application with all matters reserved) Approved 7/4/22

F/YR21/0475/RM Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale (for 1 x plot only) pursuant to outline permission F/YR20/0182/O to erect 1 x dwelling (2-storey, 4-bed) Approved 29/07/2021

F/YR20/0182/O Erect up to 2 x dwellings (outline application with matters committed in respect of access) Granted 15/06/2020

5 CONSULTATIONS

5.1 Doddington Parish Council - *The Parish Council objects to this application which it sees as a further erosion of open countryside and sets a serious precedent for the development of fields with access onto Hospital Road. This road is not suitable for the amount of traffic that already uses it. There are no footpaths or street lights and is unmade with very few passing places. The roadway is a popular access for pedestrians who currently have to walk in the roadway to make their way onto the public footpaths that originate from this unmade road. An increase in traffic that this development will create will cause further issues for the pedestrians. Two applications, each consisting of two four bedroom units have been approved by the planning committee against the recommendation of their officers and the Parish Council sincerely hopes that the Planning Committee will agree that this application should be rejected.*

5.2 Environmental Health - *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality. I note the proximity of this development to nearby existing noise sensitive dwellings and therefore, in the event that planning permission is granted, I recommend a condition is placed on the permission that stipulates work is conducted between the hours of 8am and 6pm, Monday to Friday; 8am – 1pm on Saturdays and no noisy work to be conducted on Sunday and Bank Holidays. I also recommend a condition that requires measures are put in place to ensure dust escape from the site is mitigated so that the construction phase does not impact upon any nearby existing sensitive receptors. As the proposal involves demolition of existing structures, we ask for the following condition to be imposed in the event planning consent is granted;*

UNSUSPECTED CONTAMINATION CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

5.3 Ecology Officer - *The application scheme is acceptable but only if conditions are imposed.*

Pre-Commencement Conditions(s) –

- *Notwithstanding the submitted details, no development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:*

-Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting, with the purpose to result in no net loss of biodiversity;

-Placement, type and number of any recommended biodiversity enhancements; and

-Boundary treatments.

Development shall be carried out in accordance with the submitted details and at the following times:

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Compliance Condition(s) -

- No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*
- Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.*

Assessment/Comment:

The proposed application is unlikely to have significant negative impacts on biodiversity or protected species so long as the proposed removed biodiversity is adequately compensated for within a landscaping document. There is an assumption made that the landscaping document and construction will not include any vegetation removal associated with the hedge along the south and eastern borders of the development. This assumption is made based off of question 6 of the biodiversity checklist. Any plans to remove this vegetation or negatively impact it will require ecological assessment.

Planning Policies/Legislation:

The Council is required to have regard to the safeguarding of species and habitats protected under UK, European and International legislation when determining all planning applications. The main legislation includes:

- the Wildlife and Countryside Act 1981 (as amended)*
- the Hedgerows Regulations 1997*
- the Conservation of Habitats & Species Regulations 2017 (The Habitats Regulations)*
- the Protection of Badgers Act 1992 and*
- Wild Mammals (Protection) Act 1996*

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August.

Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to intentionally kill, injure or take a great crested newt or intentionally or recklessly destroy or disturb a great crested newt breeding or resting place. Great crested newts are likely to be hibernating in tree root systems, underground crevices, mammal burrows, rubble piles or old walls between October and February. Great crested newts will become active both terrestrially and within ponds between March and the middle of June. Any works impacting aquatic and terrestrial breeding and resting places which is used by great crested newts at any time needs to be certain that great crested newts are not present before the works take place.

Government Circular ODPM 06/2005 Biodiversity & Geological Conservation:

The advice given above takes into account the following guidance:

Paragraph 98 states “the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult Natural England before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species’ protection provisions affecting the site concerned. For European protected species (i.e. those species protected under the Habitats Regulations) further strict provisions apply, to which planning authorities must have regard”.

Paragraph 99 states “it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted”.

The advice given above is in accordance with the policies in the adopted Fenland Local Plan. The Local Plan provides the framework of local planning policies with which to make planning decisions. These policies are in conformity with the National Planning Policy Framework.

The biodiversity policies relevant to the proposal are:

LP19 – The Natural Environment:

The Council, working in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland. Through the processes of development delivery (including the use of planning obligations), grant aid (where available), management agreements and positive initiatives, the Council will:

- Protect and enhance sites which have been designated for their international, national or local importance to an extent that is commensurate with their status, in accordance with national policy in the National Planning Policy Framework.*
- Refuse permission for development that would cause demonstrable harm to a*

protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.

- Promote the preservation, restoration and re-creation of priority habitats, and the preservation and increase of priority species identified for Fenland in the Cambridgeshire and Peterborough Biodiversity Action Plans.*
- Ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments, including, where possible, the creation of new habitats that will contribute to a viable ecological network extending beyond the District into the rest of Cambridgeshire and Peterborough, and other adjoining areas*

5.4 County Highways – Updated comments 16th March 2023 *Highways, through previous applications within this neighbouring site, raised concerns of Hospital Road and its accommodation of additional traffic. These concerns were based on the lack of footway, street lighting and passing bays. Furthermore, the impact of incremental developments on inadequate Highway infrastructure along Hospital Road, without suitable mitigation measures, resulted in objections from Highways. This application has included mitigating measures to highway concerns on the infrastructure. These measures are the widening of the carriageway and the addition of the footway.*

Therefore, following a careful review of the documents provided to the Highway Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission. Subject to this the future reserved matters application to provide access details (including widths), highways works details and car parking and turning arrangements that meets FDC parking standards

21st April 2023 *Subsequent to the comments above, a site visit was carried out by County Highways with further comments received. The applicant is proposing to widen the carriageway to 4.8m and instal a footway of varying width (1.4m – 1.8m). These widths have presumably been selected in reflection of the constrained site, but it is worth noting that footways should generally be 2m (as per DfT inclusivity guidance) but a reduction to a minimum of 1.5m can be accessible in some circumstances. Furthermore, while Manual for Streets makes provision for 4.8m carriageways, CCC generally require 5m to avoid clipping of vehicle wing mirrors – of particular importance due to the de-restricted speed limit.*

In any case, on balance I consider the applicant's proposed package of mitigation sufficient to offset the impact associated with five new dwellings, albeit it has some short comings. However, a width of 6.2m – 6.6m is required for the carriageway and footway plus an additional variable width for accommodating earth works and the applicant has failed to demonstrate a corridor of this width is available.

A detailed investigation is required to verify the exact highway boundary which would include cross referencing our records with on-site features (ditches, hedgerows etc.). There are well defined ditches along the southern length of Hospital Road which become increasingly shallow as you progress north. Presuming the existing ditches are in riparian ownership (highway boundary extending to the nearside top of slope), I conclude that the highway boundary likely is no more than 5m – 6m for most of the length. This is insufficient to facilitate the highway mitigation package so in absence of more detailed investigation, I must conclude the construction is unfeasible.

I welcome an opportunity from the applicant to consider alternative proposals, but based on the current submission I must recommend a refusal to the application on highway safety grounds. Hospital Road in its current form, lacks provision for passing vehicles and is absent of any pedestrian provision. As such, there is increased risk due to the intensification of vehicles needing to reverse excessive distances and there is also increased likelihood of pedestrians walking in the carriageway where they are at risk of conflict with motorised traffic, particularly in hours of darkness.

5.5 County Planning, Minerals and Waste - *The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable, none of which relevant in this case. It then goes on to set out that that development will only be permitted in certain circumstances (criteria (i) – (k)). The application documentation does not appear to make any reference to the safeguarded minerals, or Policy 5. Consequently criteria (i) – (k) have not been demonstrated, leaving criterion (l), which states that: “development will only be permitted where it has been demonstrated that there is an overriding need for the development (where prior extraction is not feasible) **”. It is noted that the proposed development is, as per the description, a relatively small development, consisting of a site area of 0.74 ha, and that Doddington Community Hospital is located adjacent to the south of the development site. The MWPA considers that, although the extent of the resource within the site is unknown, the nature of the development, size of the site and proximity of hospital means that complete prior extraction is, in this case, unlikely to be feasible. Should the Planning Authority be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 has been addressed, subject to the following informative being included in any permission: “The site lies within a Sand and Gravel Mineral Safeguarding Area, which indicates that there may be an underlying sand and gravel resource. In this instance, the Planning Authority considers that prior extraction is unlikely to be feasible and that there is an overriding need for the development. Prior extraction of the resource has, therefore, not been required in this instance. However, the applicant is encouraged to make best use of any sand and gravel that may be incidentally extracted as part of the development.”*

5.6 Local Residents/Interested Parties

Two letters of objection received in respect of the scheme, both within the Doddington Ward. These may be summarised as:

- Access issues
- Agricultural land
- Density/Overdevelopment
- Not policy compliant
- Drainage issues
- Environmental concerns
- Flooding
- Local services/schools unable to cope
- Loss of view/outlook
- Noise
- Out of character/not in keeping with the area
- Parking arrangements

- Proximity to property
- Traffic and highways
- Trees
- Wildlife concerns
- Precedent

Ten letters of support received in respect of the scheme. Of these, 6 address points were found to be inside the ward with three outside the ward, namely Chatteris, March and Wimblington. They may be summarised as follows:

- New houses are always needed
- Plans won't affect anyone
- No encroachment onto any other neighbouring properties
- New housing will improve the roadway
- Better to do incrementally than 100-200 houses all at once
- Excellent opportunity for self-build
- Support local economy
- Close to village centre

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 2021

Context – C1
Identity – I1, I2
Built Form – B2
Movement – M3
Homes and Buildings – H2, H3

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
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

8 KEY ISSUES

- Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Highways/parking
- Ecology
- Flood Risk

9 BACKGROUND

9.1 An initial application for the frontage plots (F/YR19/0667/O) was refused for the following reasons:

'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.'

'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 Subsequent application F/YR20/0182/O, which made no attempt to address the reasons for refusal, was granted by Planning Committee contrary to officer recommendation and plot 1 of this scheme is nearing completion.

9.3 A more recent application, F/YR21/1522/O, was granted by Planning Committee, contrary to officer recommendation for two dwellings located behind the frontage plots.

9.4 A PIP application, F/YR22/1243/PIP for 3 dwellings was refused at committee on 5th April. This site lies west of Hospital Road and due south-west of the application site. The application was refused due to a failure to recognise the intrinsic character of the countryside and pattern character of the natural landscape and lead to a significant loss of hedgerow. Further to this, it was considered the development would not make efficient use of the land.

9.5 The development of five 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.

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. The application site, however, lies beyond the northern boundary of the hospital and the eastern side of Hospital Road and is outside of the settlement boundary and thus classed as 'Elsewhere development.' Within such areas, development is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; and to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents (LDDs).'

10.2 Part A of Policy LP12 of the Local Plan, Rural Areas Development Policy states that for villages, new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Any proposal will need to satisfy the applicable policies of this document (including the settlement hierarchy set out in Policy LP3), as well as all the following criteria:

(a) The site is in or adjacent to the existing developed footprint of the village (except for those villages listed in the settlement hierarchy in Policy LP3 as being 'Small' or 'Other' villages, where only infill sites will normally be considered favourably); and, inter alia, (c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland; (d) The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance; (e) It would not extend existing linear features of the settlement, or result in ribbon development; (j) It would not put people or property in danger from identified risks; and (k) It can be served by sustainable infrastructure provision, such as surface water and waste water drainage and highways.

The policy also states that '...if a proposal within or on the edge of a village would, in combination with other development built since April 2011 and committed to be built (i.e. with planning permission),

(i) increase the number of dwellings in the village by 10% or more (or 15% for Growth villages); or

(ii) for non-dwellings, have a floorspace of 1,000sq m or more or have an operational area (including, for example, parking and storage spaces) of 0.5ha or more, then the proposal should have demonstrable evidence of clear local community support for the scheme (with such support generated via a thorough and proportionate pre-application community consultation exercise or a Neighbourhood Plan exercise).

If, despite a thorough and proportionate pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council.'

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 NPPF para 78 sets out that 'in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.' 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 five market dwellings.

10.5 NPPF paragraph 79 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.'

10.6 The site is accessed from 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. Given this, it is considered that the site relates more closely to the open countryside than the built form with clear natural boundaries in existence. There are three dispersed dwellings to the north along Hospital Road, however these all obtained planning permission as agricultural dwellings, therefore justified through policy. It is also acknowledged that two further applications for four dwellings to an adjacent site have been supported at committee, however, the site clearly lies outside of the growth village of Doddington and the developed footprint of the built form of the settlement. Further to this, no evidence has been submitted that demonstrates compliance with any of the exemptions allowed through policy LP3.

10.7 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 five further dwellings would indeed enhance the vitality of Doddington. Compounding this is the limited opportunities to sustainably access these services with pedestrians and cyclists currently having to use a single-track road with no footpath or lighting. Whilst the application has been supplemented with an indicative plan that shows proposed highway works which would include a footpath and widening of the existing carriageway, it is not clear whether these works would be deliverable in the context of the constraints that currently exist along Hospital Road and therefore would 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.

10.8 It is therefore considered that the introduction of an additional market dwellings in this location will be at odds with the prevailing form of development and is clearly contrary to Policies LP3 and LP12, Part A, of the Fenland Local Plan.

Design and Visual Amenity

10.9 Policy LP16(d) of the Local Plan requires development to make a positive impact to local distinctiveness and the character of the area and, inter alia, should not have an adverse impact on landscape character.

- 10.10 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.
- 10.11 Whilst the application for planning permission is in outline form with all matters reserved, the Council must be satisfied that an appropriate design can be brought forward through any subsequent reserved matters application before granting planning permission.
- 10.12 The hospital fronts Benwick Road with the built form contained with a clear defined boundary that separates the hospital site to the north and west by established high hedges with no relationship with Hospital Road. Beyond the application site to the north and east and Hospital Road to the west are open fields with the overriding character open countryside interspersed with the odd dwelling which front Hospital Road. The high hedges along Hospital Road contribute to the distinct rural character as it leads away from the village and the built environment.
- 10.13 Notwithstanding the extant permission F/YR/21/1522/O, the introduction of 5no more dwellings will extend built development further out into the countryside and an area that is predominantly open in nature. The proposal would not fill a gap in what is appearing to be a more developed frontage and would lead to associated cumulative harm and urbanisation of the rural setting.
- 10.14 The topography is relatively flat with visual screening to the south of the site which limits views. However, the remainder of the site and surroundings are open in nature with any additional built form considered to create a substantial degree of prominence in the wider landscape. Cumulatively, the extension beyond the established pattern of development in conjunction with a substantial degree of prominence within the landscape would cause harmful erosion to the character and appearance of the open countryside.
- 10.15 To approve such a scheme would see the countryside, incrementally, being eroded to the detriment of the wider area, and would set a precedent for additional in depth piecemeal development; urbanisation and loss of openness with even more significant cumulative impacts.
- 10.16 The development is therefore contrary to Policy LP16 (d) of the Fenland Local Plan, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 130 of the NPPF 2021 and chapters C1 and I1 of the NDG 2021 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.

Residential Amenity

- 10.17 Policy LP2 states that development proposals should contribute to the Council's goal of Fenland's residents, inter alia, promoting high levels of residential amenity whilst policy LP16 states that development should not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.

10.18 Whilst a 'site plan' has been submitted, this is purely indicative as the application only seeks outline consent with all other matters reserved for subsequent consideration. Other than for the form stating the dwellings will be market housing, no other details have been provided. It is considered that the dwellings could be designed, with the appropriate orientation, window layout and landscaping to limit any adverse overlooking and could also be designed to limit any overbearing and shadowing. The impact on residential amenity in terms of overlooking and loss of privacy would be re-visited at the reserved matters stage once the scale and appearance of the dwellings can be fully assessed and, upon which, neighbours would have further opportunity to comment.

Highways/parking

10.19 The site is located along Hospital Road which is a narrow unclassified road with no street lights or footpaths and ditches either side. In relation to highway safety, the proposal does show the inclusion of a new public footpath along the western side of Hospital Road.

10.20 Whilst the application is in outline form with all matters reserved, the agent has submitted an indicative plan that shows 'proposed highway works.' However, there is no key to clarify the colours and no reference made to the dimensions annotated in both red and blue on the plan, although it is presumed that these refer to the existing and proposed highway widths.

10.21 Whilst the eventual highway details would come forward as part of any reserved matters application, there should be a certainty that a scheme is capable of being achieved that does not impinge on highway/pedestrian safety/sustainability of a scheme.

10.22 Through previous applications to neighbouring sites, Highways raised concerns of Hospital Road and its potential to accommodate additional traffic. These concerns were based on the lack of footway, street lighting and passing bays. Furthermore, the impact of incremental developments on inadequate Highway infrastructure along Hospital Road, without suitable mitigation measures, resulted in objections.

10.23 Original comments from County Highways stated that the mitigating measures to overcome highway concerns were accepted. The works proposed relate to the widening of the carriageway and the addition of the footway. However, it has not been demonstrated that the proposed works are actually deliverable in the context of the constraints along Hospital Road which could see the removal of a portion of hedgerow and impacts upon the ditches either side. These issues, however, would relate to the landscape character/ecological issues along with possible flooding. A further site visit was carried out on 21st April 2023.

10.24 A detailed investigation is required to verify the exact highway boundary which would include cross referencing highways records with on-site features (ditches, hedgerows etc.). There are well defined ditches along the southern length of Hospital Road which become increasingly shallow as you progress north. Presuming the existing ditches are in riparian ownership (highway boundary extending to the nearside top of slope), it is concluded that the highway boundary likely is no more than 5m – 6m for most of the length. This is insufficient to facilitate the highway mitigation package so in absence of more detailed investigation, it has been concluded that the construction is unfeasible.

- 10.25 Based on the current submission, County Highways recommend a refusal to the application on highway safety grounds. Hospital Road in its current form, lacks provision for passing vehicles and is absent of any pedestrian provision. As such, there is increased risk due to the intensification of vehicles needing to reverse excessive distances and there is also increased likelihood of pedestrians walking in the carriageway where they are at risk of conflict with motorised traffic, particularly in hours of darkness.
- 10.26 Para 111 of the NPPF (2021) is explicit in that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’
- 10.27 Policy LP2 of the Local Plan sets out the Council’s aims of promoting high levels of residential amenity, promoting and facilitating healthy lifestyles and providing and maintaining effective and sustainable transport networks. Policies LP15 and LP16 reinforce these aims. The development proposed would be accessed via Hospital Road, a single carriageway road with no separate pedestrian or cycle facilities or streetlighting. It is considered that the increased vehicle movements arising from the development, combined with these physical limitations, would result in an environment which would not be conducive to pedestrian or cycle usage of Hospital Road by residents of the development, and which would, instead, result in a reliance on the motor car for residents to access local services and facilities and which overall would not result in the creation of a high quality residential environment with high levels of amenity for residents. The development would therefore be contrary to the principles of achieving sustainable development as espoused under the aforementioned national and local policies.

Ecology

- 10.28 The site is identified as being in a Green/Amber Zone for Great Crested Newts (GCN); Amber zones contain main population centres for GCN and comprise important connecting habitat that aids natural dispersal. Further to this, the proposal seeks the removal of the existing stable building to facilitate the development. Advice has been obtained from the Wildlife Officer in this regard and confirmed that the proposed application is unlikely to have significant negative impacts on biodiversity or protected species so long as the proposed removed vegetation is adequately compensated for within a landscaping document. The loss of native hedge in particular is a concern however the 3D image suggests that it will be replaced. This hedge should be comprised of at least five native woody species.
- 10.29 Subject to the imposition of conditions, the proposed development would be considered acceptable and compliant with policy LP19 of the Fenland Local Plan (2014).

Flood Risk

- 10.30 The application site is demonstrated to fall 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.
- 10.31 The site has a very low risk of surface water flooding and issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

Waste and Minerals

- 10.32 The site is located within a Sand and Gravel Mineral Safeguarding Area (MSA) which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised.
- 10.33 Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable, none of which are relevant in this case. Development within MSAs which is not covered by the exemptions is only permitted where it is demonstrated that: (i)the mineral can be extracted where practicable prior to development taking place; or (j)the mineral concerned is demonstrated to not be of current or future value; or (k)the development will not prejudice future extraction of the mineral; or (l)there is an overriding need for the development (where prior extraction is not feasible).
- 10.34 The application documentation does not make any reference to the safeguarded minerals, or Policy 5, consequently criteria (i) – (k) have not been demonstrated as being met.
- 10.35 With regards to (l) the Minerals and Waste Planning Authority (MWPA) considers that, although the extent of the resource within the site is unknown, the nature of the development, size of the site and proximity of dwellings means that complete prior extraction is, in this case, unlikely to be feasible and that should the Council be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 has been addressed.
- 10.36 As detailed above, the proposal is for up to 5no market dwellings, however the growth village of Doddington has already exceeded its growth projection, hence there is no overriding need for the development and it is considered contrary to the aforementioned policy.

Other issues

- 10.37 The proposed scheme as it is unlikely to have a detrimental effect on local air quality which has been confirmed by the Councils EHO.
- 10.38 Given the proximity of the development to nearby existing noise sensitive dwellings, should the application be recommended for approval, a condition is to be imposed at the request of the Councils EHO relating to construction hours and, further to this, a condition that requires measures are put in place to ensure dust escape from the site is mitigated so that the construction phase does not impact upon any nearby existing sensitive receptors.
- 10.39 As the proposal involves demolition of existing structures, the EHO has requested a condition to be imposed in the event planning consent is granted that if contamination is found to be present, then work shall cease until a Method Statement has been submitted and approved in writing by the LPA.

11 CONCLUSIONS

- 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 five 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.

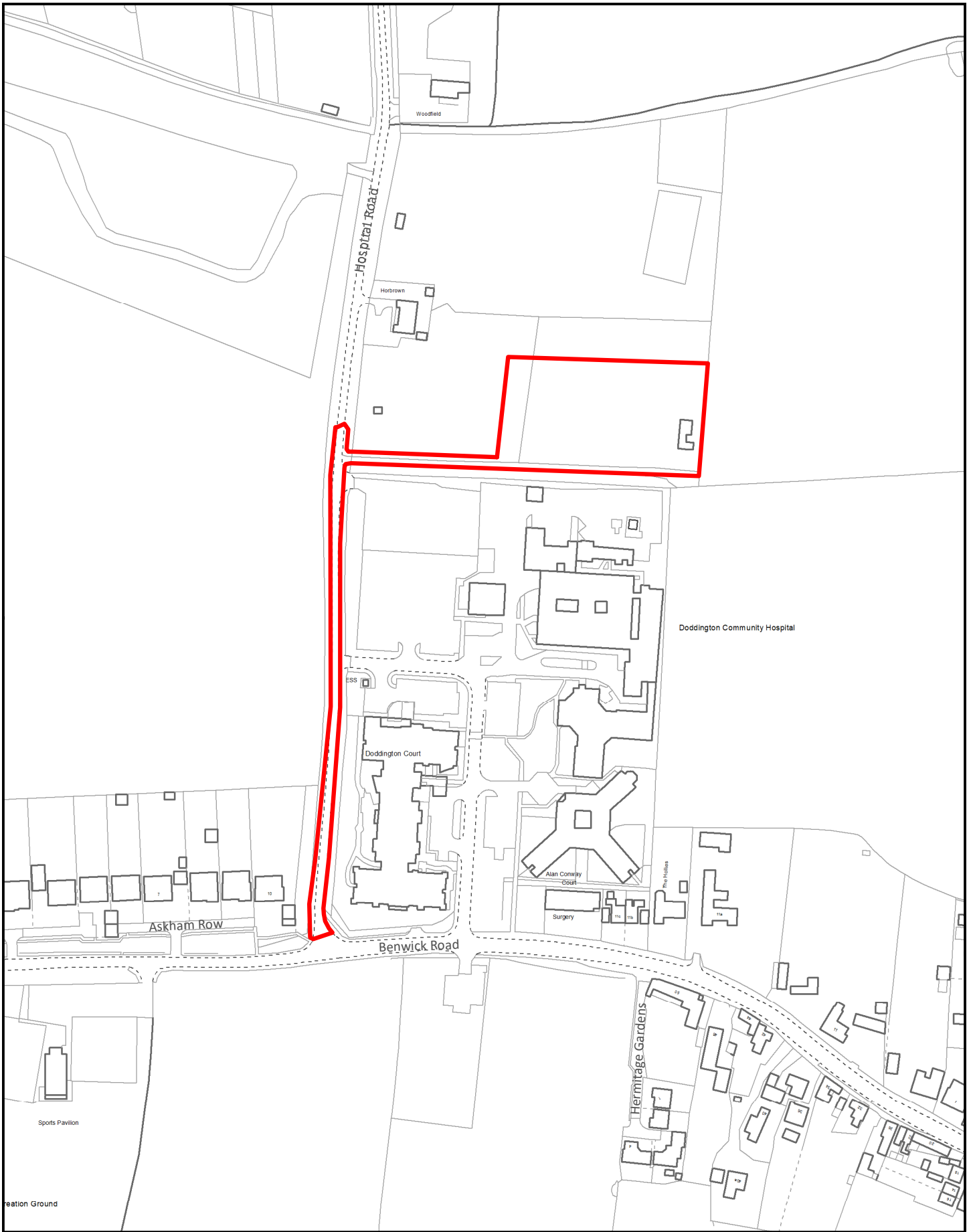
- 11.2 The meaningful benefits derived from five market dwellings to the vitality and viability of the nearest settlement would be very modest. Notwithstanding this, there appears to be no demonstrable need for dwellings in this location.
- 11.3 The proposal is therefore considered to constitute unsustainable 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.
- 11.4 The site is located within a Sand and Gravel Mineral Safeguarding Area, the development is does not fall within any of the exemptions listed in Policy 5, there has been no demonstration that criteria (i) – (k) have been complied with and whilst the MWPA consider extraction is unlikely to be feasible there is no overriding need for the development and as such the proposal is contrary to the aforementioned policy.

12 RECOMMENDATION

REFUSE; 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. Whilst there proposes some highways improvements, including the provision of a footpath and the widening of the carriageway, these are purely indicative with no details submitted to prove these works would be deliverable based on site constraints along Hospital Road. The site is therefore 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 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 2021 and NDG 2021.
2	The development of five dwellings on this site behind the frontage plots and creating in depth development would be at odds with the dispersed, frontage nature of the development along Hospital Road and would restrict views of the open countryside beyond, having an urbanising effect on this rural site, to the significant detriment to the character of the area. Furthermore, if approved, the development would set a precedent for additional in depth piecemeal development, with further incremental encroachment into the countryside. The development is therefore contrary to Policy LP16 (d) of the Fenland Local Plan, DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 130 of the NPPF 2021 and chapters C1 and I1 of the NDG 2021 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.
3	The development proposed would be accessed via Hospital Road, a single carriageway road with no separate pedestrian or cycle facilities or streetlighting. It is considered that the increased vehicle movements arising from the development, combined with these physical limitations would see an increased risk due to the intensification of vehicles needing to reverse excessive distances which would prejudice highway safety. The development would therefore be contrary to paragraph 111 of the NPPF with an unacceptable upon highway safety and policies LP2 and LP15 which aims to provide safe transport networks.
4	Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. The site is located within a Sand and Gravel Mineral Safeguarding Area, the development is does not fall within any of the exemptions listed, there has been no demonstration that criteria (i) – (k) have been complied with and whilst the MWPA consider extraction is unlikely to be feasible, there is no overriding need for the development and as such the proposal is contrary to the aforementioned policy.



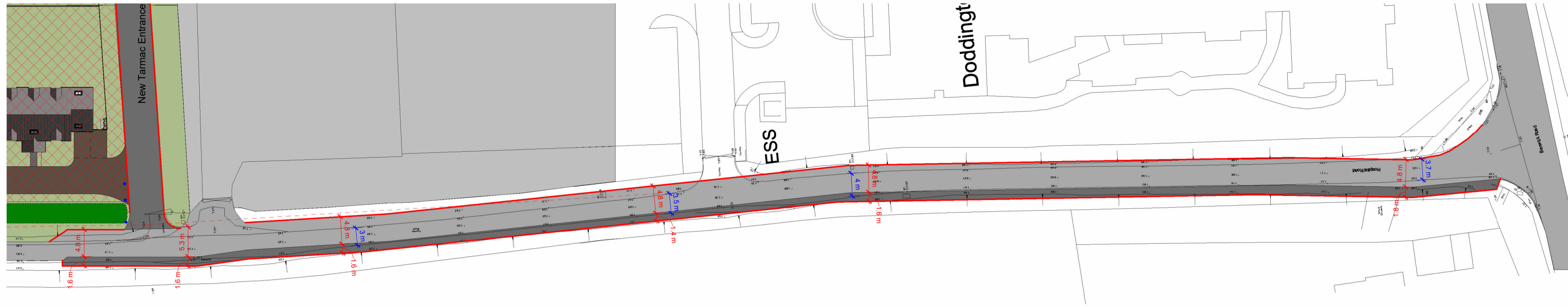
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Proposed Development of 2 Dwellings at Hospital Road, Doddington Land South Norbrow for Mr and Mrs Cutteridge			
Planning			
date created 12/16/22	scale As indicated @ A1	drawing no. 319 - P50	rev NW