F/YR23/0115/F

Applicant: Mr J Jolly Agent: Mr Liam Lunn-Towler Peter Humphrey Associates Ltd

Land East Of Highland View, Benwick Road, Doddington, Cambridgeshire

Erect 2 x dwellings (2-storey 4-bed), and the formation of an access

Officer recommendation: REFUSE

Reason for Committee: The Doddington Parish Council comments and the number of representations is contrary to the Officers recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application site comprises agricultural land on the northern side of Benwick Road, approximately 1.3km west of the settlement of Doddington. Apart from the occasional sporadic dwelling, horticultural nursery and Fields End leisure/tourism site, the surrounding area is characterised by open and generally undeveloped arable farmland.
- 1.2. This planning application seeks full planning approval for the erection of 2no. 2- storey 4-bed dwellings at the site, with the formation of an access in the south-east corner. The access is proposed to be shared by the proposed two dwellings and will also form a field access to the agricultural land to the rear of the site.
- 1.3. The site has a history of refused planning applications. Most recently, a full application (ref: F/YR22/1149/F) for three dwellings and a new access was refused on the basis of (1) the principle of development and (2) its impact on the open countryside character.
- 1.4. The fundamental issues in respect of the principle of development and its impact on the character of the countryside have not been addressed. Therefore, the proposal remaining in contravention of Policies LP3, LP12, and LP16 and is recommended for refusal.

2 SITE DESCRIPTION

2.1. The application site comprises agricultural land on the northern side of Benwick Road, approximately 1.3km to the west of the settlement of Doddington and is within a Flood Zone 1 (low risk). The site has an area of approximately 2964sqm, lies between the neighbouring properties of Highland View which is to the west and Meadow Field House which is to the east. The site has a frontage along Benwick Road which is defined by hedgerows and benefits from an informal access which appears to be used for agricultural purposes located centrally along the front boundary.

2.2. Apart from the occasional sporadic dwelling, horticultural nursery, Fields End leisure/tourism site, the surrounding area is characterised by open and generally undeveloped arable farmland.

3 PROPOSAL

- 3.1 This planning application seeks full planning approval for the erection of 2no. 2-storey 4-bed dwellings at the site, with the formation of an access to the south-east corner. The access is to be shared by the proposed dwellings and will also form a field access to the agricultural land to the rear of the site.
- 3.2. The dwellings are proposed to be separated into two plots; Plot 1 & Plot 2. Both dwellings are of the same design, with the dwelling occupying Plot 2 being mirrored. The dwellings would be of a barn-style, benefit from a gable roof with a central, two-storey projection feature along the front elevation, finished with a pitched roof. The dwellings would also benefit from small window openings across their elevations.
- 3.3. The dwellings are proposed to be constructed of Hoskins Flemish Antique facing brickwork, natural grey slate roof tiles, with anthracite uPVC joinery.
- 3.4. The site is proposed to be bounded to the front by 2m high hedging, to the rear by 1.2m high timber post and rail fencing and 1.8m high fencing separating the plots. The eastern boundary will see the retention of existing hedging.
- 3.5. Hard and soft landscaping is proposed, including a shared gravel driveway with gravel parking areas (8m wide sealed access to highways spec for the first 10m of carriageway is also proposed), and rear gardens predominately laid to lawn with the inclusion of planted hedgerows and some trees throughout the site.

Full plans and associated documents for this application can be found at: F/YR23/0115/F | Erect 2 x dwellings (2-storey 4-bed), and the formation of an access | Land East Of Highland View Benwick Road Doddington Cambridgeshire (fenland.gov.uk)

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR22/1149/F	Erect 3 x dwellings (2- storey 4-bed), and the formation of an access	Refused	15/12/2022
F/YR22/0793/O	Erect up to 3 x dwellings (outline application with matters committed in respect of access)	Declined to determine	20/07/2022
F/YR21/1423/O	Erect up to 3 x dwellings and the formation of 4 x accesses (outline application with matters committed in respect of access)	Refused	12/05/2022
F/YR11/0207/NONMAT	Non-material amendment: Change the dormer window from curved lead work roof to pitched roof with tiles, relating to planning permission F/YR10/0956/F	Approved	01/04/2011
F/YR10/0956/F	Erection of a single storey extension and insertion of a dormer window to rear of existing dwelling Meadow Field House, Benwick Road, Doddington	Approved	21/02/2011
F/YR05/1120/F	Erection of an agricultural storage building	Granted	02/11/2005

5 CONSULTATIONS

5.1 **Doddington Parish Council**

Doddington Parish Council at a recent meeting agreed to support the above planning application.

5.2 **FDC Environmental Health**

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 local air quality or be affected by ground contamination.

This service would however welcome a condition on working times due to the close proximity to existing noise sensitive receptors, with the following considered reasonable:

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

5.3 **CCC Highways**

The Local Highway Authority raises no objections to the proposed development.

I note that the access arrangements from Benwick Road are the same as those previously considered with respect to planning application F/YR22/1149/F.

I note that appropriate visibility can be achieved fully within the public highway.

While parking spaces are not dimensioned, and turning within each plot has not been demonstrated, there would appear to be sufficient capacity to park and turn outside of the public highway.

In the event that the LPA are mindful to approve the application, please append the following conditions and informative to any consent granted:

Access Gradient: The gradient of the vehicular access shall not exceed 1 in 12 for a minimum distance of 5 metres from the edge of the existing carriageway (or longer if in connection with a commercial development) into the site as measured from the near edge of the highway carriageway. Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

Highway Drainage: The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014

Gates Restriction: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order

revoking, amending or re-enacting that order): Class A – no gates or other means of enclosure shall be erected across the vehicular access hereby approved.

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

Parking/Turning Area: Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Reason: In the interests of highway safety.

5.4 Local Residents/Interested Parties

7 letters of support have been received which are summarised below:

- Support modern housing
- Will not overwhelm the village
- More housing needed in the area
- · More variety of housing
- Prevention of rural crime

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

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

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

LP7: Design

LP8: Amenity Provision

LP18: Development in the Countryside

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP28: Landscape

LP32: Flood and Water Management

8 KEY ISSUES

- Background
- Principle of Development in a Rural Area
- Visual Amenity, Form and Character of the Countryside
- Residential Amenity
- Flood Risk
- Highway Safety

9 BACKGROUND

- 9.1 The site has a history of refused planning applications. The recently refused application (ref: F/YR22/1149/F) for three dwellings and a new access was refused on the 15TH of December 2022 for the following reasons:
 - (1) Policy LP3 of the adopted Fenland Local Plan 2014 sets out the settlement hierarchy within the District, setting out the scale of development considered appropriate to each level of the hierarchy. The application site is situated within a rural location and an 'Elsewhere' location under Policy LP3, isolated from the nearest settlement and as defined under Policies LP3 and LP12. In such rural locations development is to be limited to specific uses only within a countryside location. The proposal is for the construction of three unjustified new dwellings that will not be associated with any of the specified criteria, and the proposal would therefore be contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014).
 - (2) Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. The proposal is for the construction of three new dwellings on currently undeveloped land within a streetscape characterised by sporadic development with a close relationship to the wider open countryside. The development would result in the consolidation of existing sporadic built form and

an urbanisation of the street scene, 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 policies LP12, and LP16 of the Fenland Local Plan (2014).

9.2 The difference in this application in comparison with the recently refused application is that the number of dwellings has been reduced from three to two dwellings and design alterations (barn-style, amended footprint and elevation features) have been incorporated. It is acknowledged there is a better build-to-plot ratio as larger garden spaces are proposed.

10 ASSESSMENT

Principle of Development in a Rural Location

- 10.1 Whilst the site is located within the Parish of Doddington, the site is not located in the built-up area of the settlement and would not conform to the policy requirements of representing a small-scale infill development within a continuously developed area within the built form of the settlement, and nor would it represent a small extension to the built form of village given its remote nature and surroundings.
- 10.2 This revised application submission has offered no justification for new development within the countryside and within a defined 'Elsewhere' location as set out under Policy LP3 of the Fenland Local Plan to justify the development as being demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport, utility services or minerals or waste development. Accordingly, the proposal for new residential development in this location would fail to accord with Policy LP3 of the development plan.
- 10.3 Policy LP12 of the Local Plan sets out the criteria required following the application of LP3 in which new development will be considered. Under the development of a site within or adjacent to the existing 'developed footprint' of specified villages, the policy clearly defines that this excludes the following:
 - 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; and
 - c) agricultural buildings and associated land on the edge of the settlement.
- 10.4 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 commenced, the site is indicated as being outside of the defined settlement boundary of Doddington, and is therefore classed as open countryside, where development will only be permitted in the circumstances set out within the NPPF. Paragraph 80 of the NPPF is relevant. It states that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area
- 10.5 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 at considerable distance from the nearest settlement and could not be described as infill.
- 10.6 Clearly, the justified proposal in this location would remain in conflict with Policies LP3 and LP12 of the adopted Fenland Local Plan, nor would it comply with the policies of the emerging Plan.

Visual Amenity, Form and Character of the Countryside

- 10.7 Policy LP12 part (c) seeks to resist development in locations beyond the built-up area of defined settlements where it would have an adverse effect on the character and appearance of the surrounding countryside and farmland.
- 10.8 Policy LP16 refers to development making a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. 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.
- 10.9 The applicant has submitted a Design and Access Statement which suggests the proposal is appropriate within the area given its design, appearance, and scale. This has been considered however, the wider issue with the proposal is with regards to the siting of the dwellings within the rural context.
- 10.10 Not only does the proposal fail to accord with requirements of Policies LP3 and LP12 in respect of the definition of appropriate development within, and forming an appropriate extension to, particular settlements, the proposal is located within an essentially rural and agriculture-dominated location with only very sporadic development within the rural area.
- 10.11 Accordingly, in addition to the principle of unjustified new housing in this location failing to accord with the development plan, the construction of two new detached

- dwellings within a principally isolated area, located on and effectively surrounded by rural countryside would undermine the rural character and appearance of the countryside to the detriment of the visual amenity.
- 10.12 The proposal would harm the open character of the area and conflict with Policies LP12 and LP16 of the adopted Fenland Local Plan.

Residential Amenity

- 10.13 The nearest dwelling to the site is Highland View, situated to the west of the development site. The location of both proposed dwellings is not likely to cause harm to this neighbouring property on either overlooking or overshadowing grounds. The western elevation of Plot 1 has one first-floor window fronting onto Highland View. Should this application be approved, will be conditioned to ensure installation of obscured glazing.
- 10.14 The other neighbouring dwelling, Meadow Field House, is situated 64m (approx.) to the north-east from the proposed dwellings which, given this separation distance is considered to mitigate against overlooking and overshadowing impacts. Although the proposed dwelling occupying Plot 2 would benefit from a first-floor east facing bedroom window, it would only front onto the bottommost garden part severing Meadow Field House which is least used and on balance, less protected, therefore impacts would be negligible.
- 10.15 The location of the agricultural access adjacent the dwelling occupying Plot 2 and potential noise concerns are acknowledged however, the agricultural land and the application site is under the ownership of the applicant. Additionally, any future land ownership or rights of way changes would be a civil matter outside of planning control. The FDC Environmental Health consultee has no objection to the proposal.
- 10.16 The proposal would be in accordance with Policies LP2 and LP16 (e) of the adopted Fenland Local Plan.

Flood Risk

- 10.17 The application site lies within flood zone 1 and issues of surface water will be considered under Building Regulations.
- 10.18 The site lies within the Middle Level Commissioners Drainage Board area and were subsequently consulted. However, no comment was made in regard to this application.
- 10.19 It is considered reasonable to determine that this part of the proposal is acceptable in terms of flood risk and there are no issues to address in respect of Policy LP14.

Highway Safety

- 10.20 Policies LP15 requires new development to provide well designed, safe and convenient access for all.
- 10.21 The proposed access scheme put forward is the same arrangement as the previously refused application (ref: F/YR22/1149/F) in which there was no

objection to access or highway safety. The proposed single access is intended to be shared by the two new dwellings, leading to a shared drive with separate private parking areas for the dwellings and also utilised as field access to the agricultural land to the north of the site. The Highways consultee has reviewed the proposal and has no objection, subject to conditions.

- 10.22 The scheme proposes the creation of 2no, 4-bed dwellings, which require 3 parking spaces, as per the current parking standards. The private areas of driveway offer sufficient parking availability of the quantum of accommodation proposed.
- 10.23 The proposal would be in accordance with Policy LP15 of the adopted Fenland Local Plan.

11 CONCLUSION

10.1 The proposal has not overcome the previous two reasons for refusal outlined in planning application F/YR22/1149/F. Although the proposal is for two dwellings instead of three and of a different design, there are still fundamental issues in respect of the principle of development and its impact on the rural character of the countryside. The scheme remains in contravention of Policies LP3, LP12, and LP16 and is recommended for refusal.

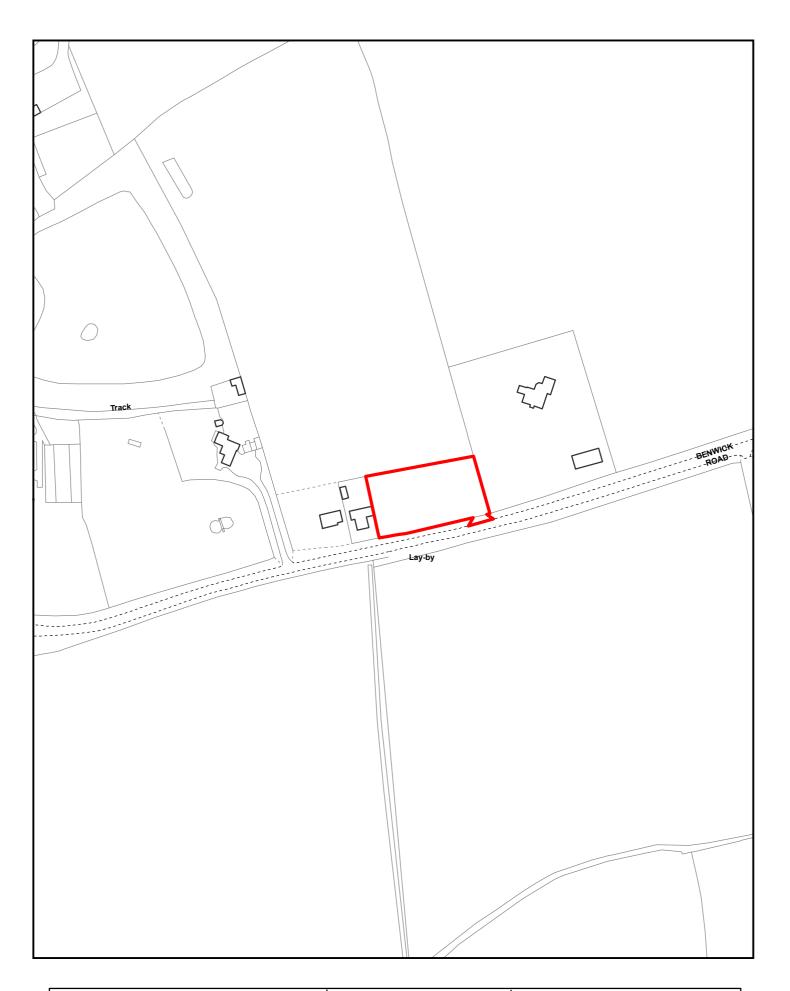
11 RECOMMENDATION

1

REFUSE; for the following reasons:

	settlement hierarchy within the District, setting out the scale of development considered appropriate to each level of the hierarchy. The application site is situated within a rural location and an 'Elsewhere' location under Policy LP3, isolated from the nearest settlement and as defined under Policies LP3 and LP12. In such rural locations development is to be limited to specific uses only within a countryside location. The proposal is for the construction of two new dwellings that will not be associated with any of the specified criteria, and the proposal would therefore be contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014).
2	Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. The proposal is for the construction of two new dwellings on currently undeveloped land within a streetscape characterised by sporadic development with a close relationship to the wider open countryside. The development would result in the consolidation of existing sporadic built form and an urbanisation of the street scene, 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 policies LP12, and LP16 of the Fenland Local Plan (2014).

Policy LP3 of the adopted Fenland Local Plan 2014 sets out the



Created on: 14/02/2023

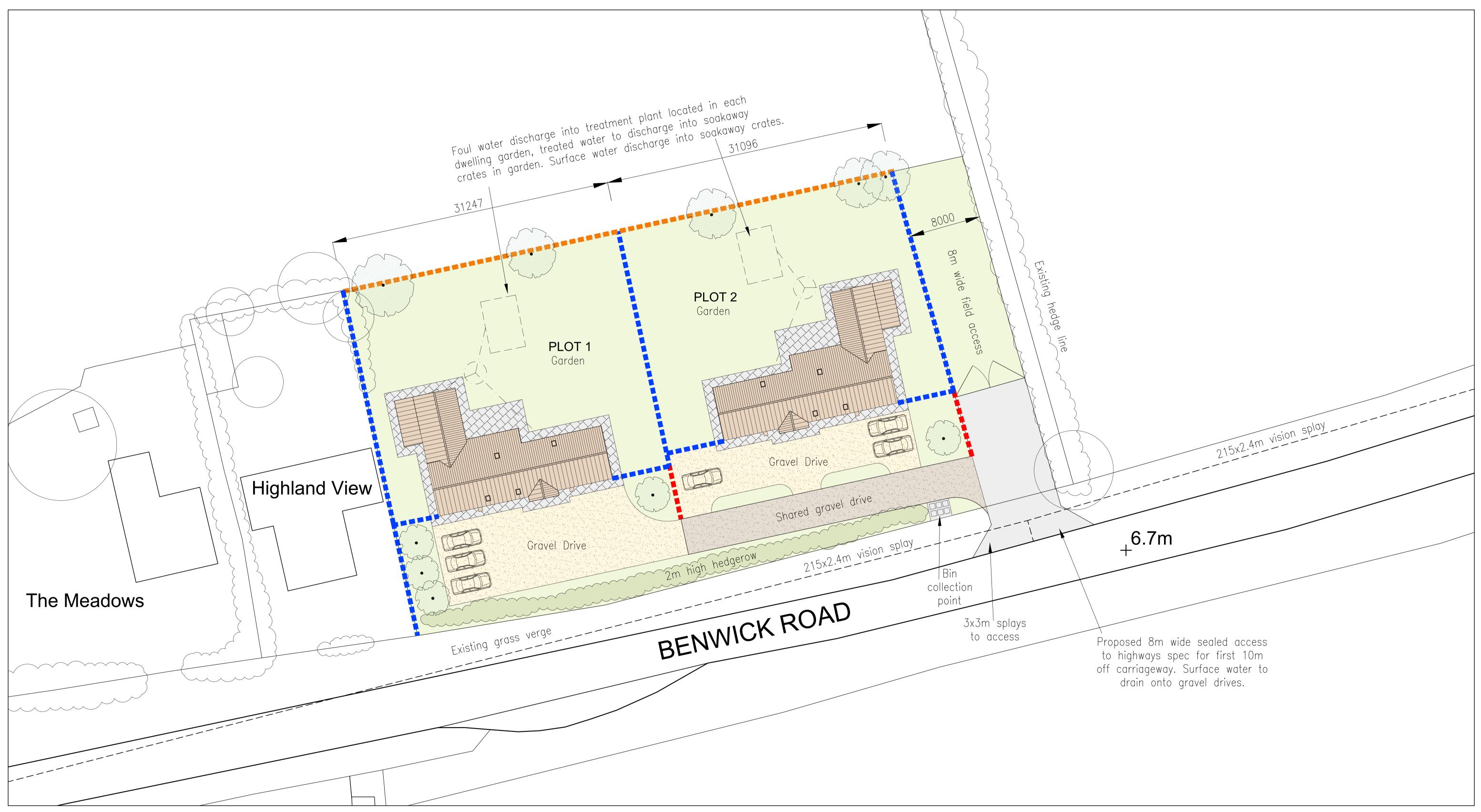
© Crown Copyright and database rights 2023 Ordnance Survey 10023778

F/YR23/0115/F

Scale = 1:2,500







Proposed Site Plan 1:200

BOUNDARY TREATMENT KEY

1.8m Close Boarded Fencing

1.8m Close Board Fencing sloping down to 1.2m

--- 1.2m Post and Rail Fencing

C - 08.02.23 - Remove 1no unit and dwelling design changed. B - 09.01.23 - Remove 1no unit and dwelling design changed. A - 10.10.22 - Addition of boundary treatment info.

| REVISIONS | DATE | DATE | FEB 2023 |

This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

The Construction (Design and Management) Regulations 2015:

Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

CLIENT
MR JASON JOLLEY

PROPOSED 2No. DWELLINGS/PLOTS

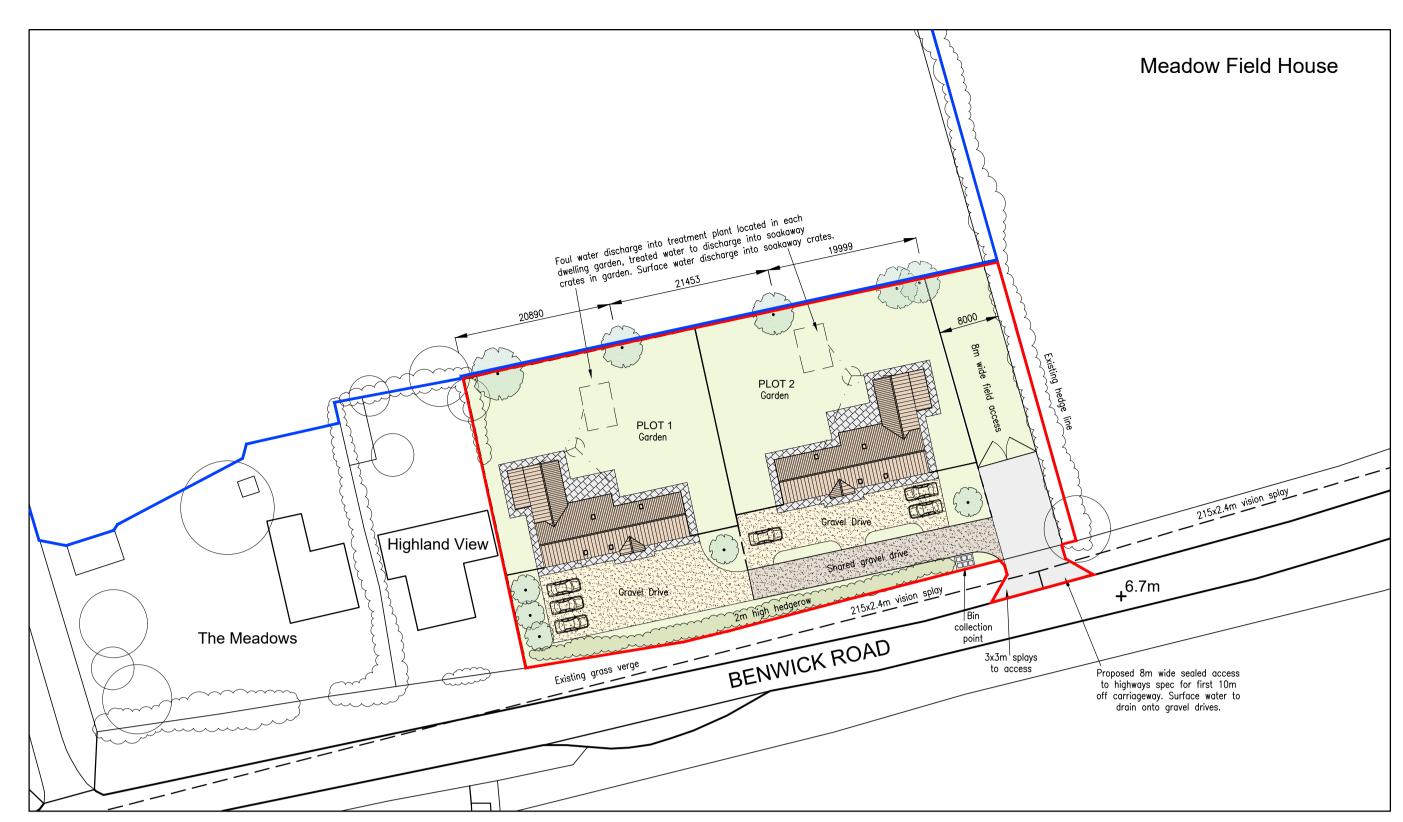
LAND ADJ 'HIGHLAND VIEW'
BENWICK ROAD
DODDINGTON
CAMBS
PE15 0TY

DRAWING PLANNING DRAWING 3



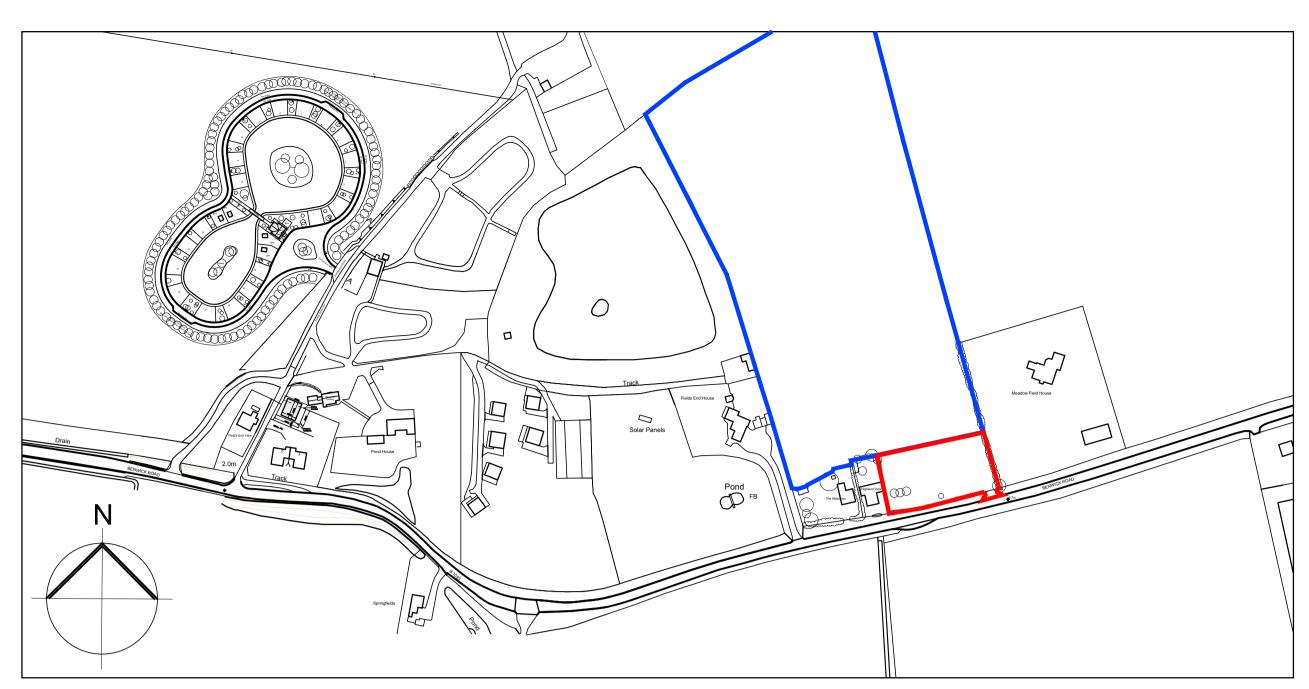
ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

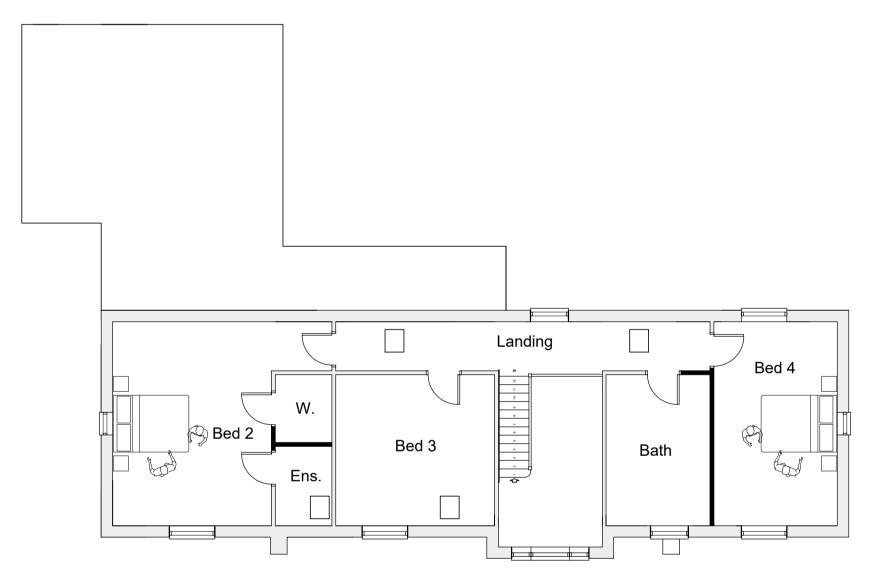


Proposed Site Plan 1:500

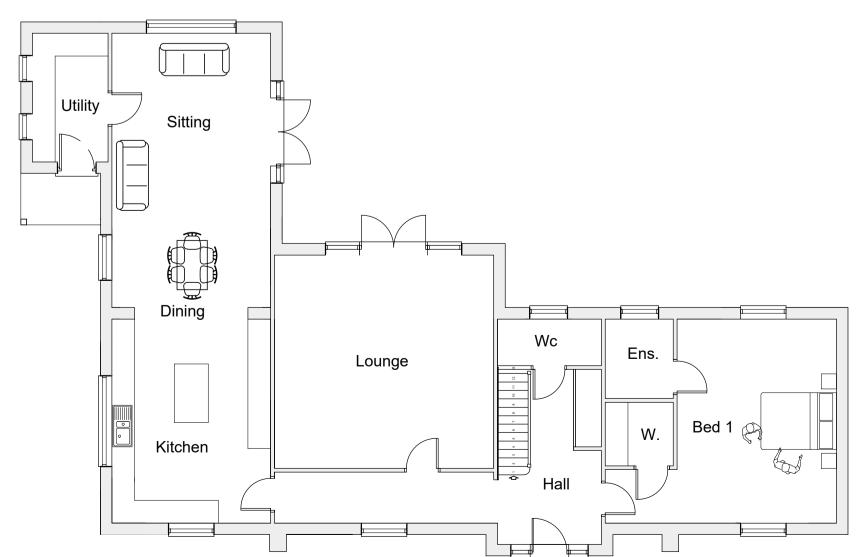




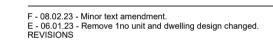
Location Plan 1:2500



Proposed First Floor Plan 1:100 (Plot 1)



Proposed Ground Plan 1:100 (Plot 1)





PETER HUMPHREY ASSOCIATES

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466966 E-MAIL: info@peterhumphrey.co.uk WEB: www.peterhumphrey.co.uk

MR JASON JOLLEY

PROPOSED 2No. DWELLINGS/PLOTS

LAND ADJ 'HIGHLAND VIEW' BENWICK ROAD DODDINGTON

CAMBS PE15 0TY

PLANNING DRAWING 1

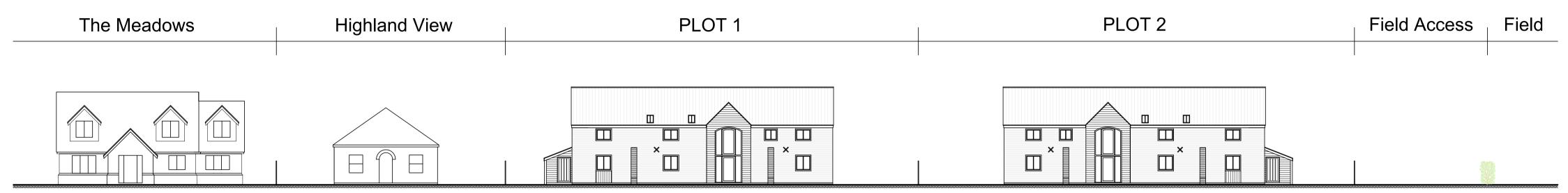
JOB NO. PAPER SIZE FEB 2023 6328/PL01F A1

Notes:
This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

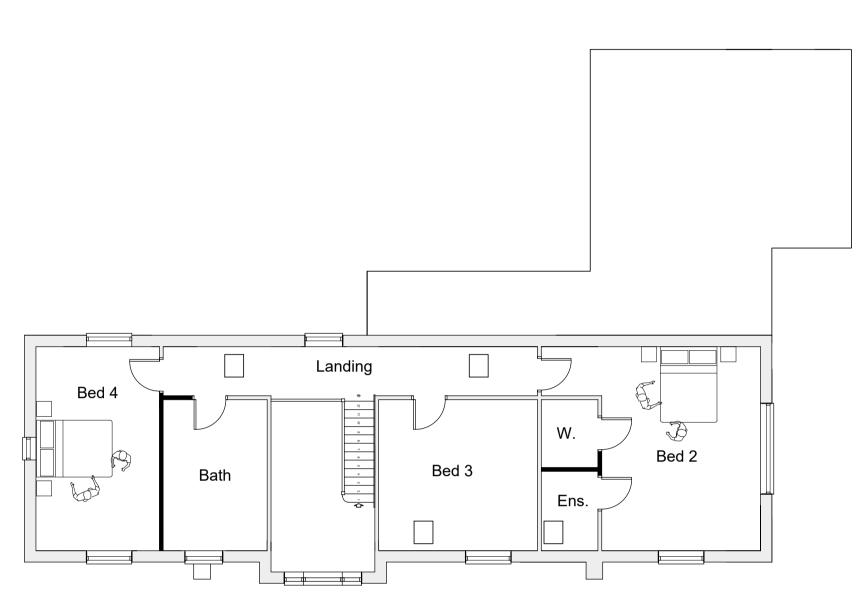
The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

Existing Street Scene 1:200

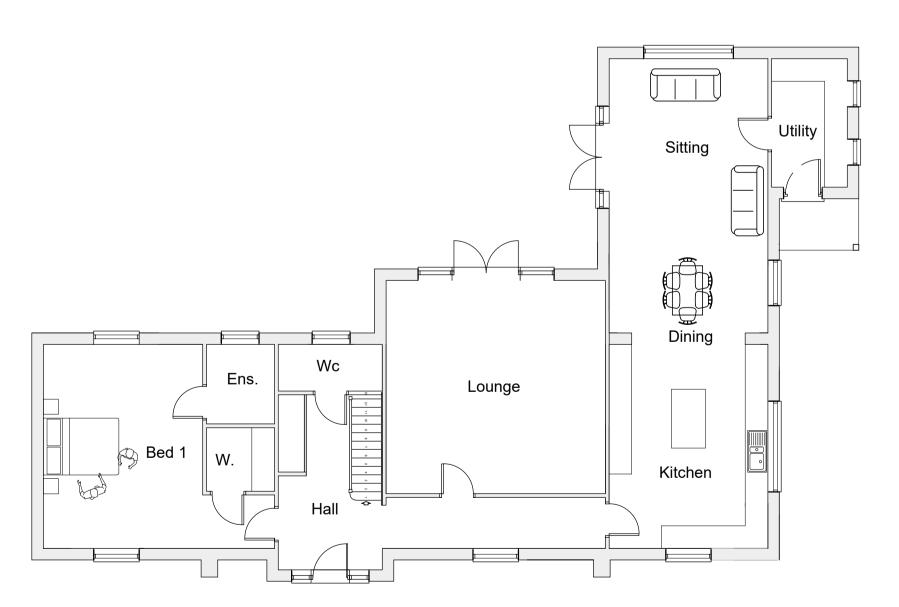


Proposed Street Scene 1:200





Proposed First Floor Plan 1:100 (Plot 2)



Proposed Ground Plan 1:100 (Plot 2)

