
F/YR22/0724/F

Applicant: Mr N Sundavadra

**Agent : Mr Simon Lemmon
Distinct Designs UK Ltd**

Land South West Of Sapphire Close Accessed From Broad Drove East, Tydd St Giles, Cambridgeshire

Construction of building containing three units for use as a hot food takeaway (unit 1); retail shop with post office (unit 2) and retail convenience store (unit 3) with a one bedroom flat above units 1 and 2, with vehicular access, car park to the front and delivery and turning area to the rear with 1.8 metre close boarded boundary screening.

Officer recommendation: Refuse

Reason for Committee: Parish Council comments and number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application seeks permission to construct a building containing a hot food takeaway, 2 retail units, storage, a flat, access, parking and turning areas.
- 1.2 Policy LP3 identifies Tydd St Giles as a Small Village where development would normally be of a very limited nature and normally limited in scale to residential infilling of a small business opportunity. The site is not located within the continuous built form of the village and the size and scale of the proposed cannot be considered to be very limited in nature, infilling, or a small business opportunity. The location, size, and scale of the proposal is therefore considered to contravene the provisions of Policy LP3 and LP12.
- 1.3 The exemption under policy LP12 Part A(a) for sites in or adjacent to the existing developed footprint of the village does not apply to Tydd St Giles as a Small Village where only infill sites will normally be considered.
- 1.4 Policy LP1 of the emerging Local Plan reintroduces settlement boundaries and may allow some development within the 'settlement hinterland' where this respects and reinforces local distinctiveness. However, the emerging local plan is still in its infancy and carries very little weight, in any case the proposal does not meet the requirements relating to impacts within Part C of this.
- 1.5 The approach to the site along a narrow country road with far reaching views of open countryside over a flat farmland landscape contributes to a very rural character. Development within this setting would be harmful to the agrarian nature of the surrounding landscape and conflict with the requirements of Policy LP16.
- 1.6 The size of the proposed development exceeds the threshold which requires the submission of a retail impact assessment, the failure to submit an assessment contravenes policy LP6.

- 1.7 The search area for the application of a flood risk sequential test for a development of this size should cover the whole district and not be limited to Tydd St Giles therefore the sequential test is not considered to have been passed.
- 1.8 Any benefits in terms of provision of improved services associated with the proposed development would not override the harm caused by contravening national and local policy and would set an unwelcome precedent for inappropriate development.

2 SITE DESCRIPTION

- 2.1 This application relates to part of a large agricultural field set in open countryside located on the northern side of Broad Drove East and which separates the recent residential development (F/YR15/0637/F) at Sapphire Close from a large pair of semi-detached dwellings (Scotch Brook Cottage and Pinchpenny Farm) to the west. Full planning permission for 24 houses on the western part of this field was refused under application F/YR13/0905/F (see Background below). The application site relates to the eastern half of this field and covers an area of approximately 0.75 acres (0.30ha). A gap of some 60m comprising of the western section of the field therefore remains open and out with the application site.
- 2.2 The site is located away from the built settlement of Tydd St. Giles with the immediate area characterised by groups of dispersed and intermittent buildings.
- 2.3 Broad Drove East it should be noted is a narrow road barely passable by two vehicles abreast, with few passing places.
- 2.4 The site is located in Flood Zone 3.

3 PROPOSAL

- 3.1 This application seeks full planning permission to erect a single building across the site frontage comprising three commercial units: a hot food takeaway (Sui Generis); two retail units (Class E), stores to the rear of the units, a bike store, and a one bed flat is proposed in the roof space. The gross floor area measured externally is 410 m² for the ground floor and 110 m² for the flat on the first floor, totalling 520 m². The building is almost 30m wide, 7.25m high and 16.4m in depth, it has a steeply pitched roof with dormers to the front and rear to light the flat. The glazed front is marked by thick brick pillars.
- 3.2 A car park (11 spaces) and turning area will be laid to the front of the building with a 1.8m wide footway across the site frontage and along the length of the site. A new access will be formed from Broad Drove East running along the length of the western site boundary. A 1.8m high close boarded fence is shown around the rear delivery and turning area.
- 3.3 The proposal as originally submitted included a detached dwelling to the rear of the site in addition to the commercial uses with flat above. In October 2022, the detached dwelling was omitted from the application and the red lined application area amended to reflect this change; the description changed to detail the commercial uses in November 2022.

- 3.4 Tydd St Giles is a small village and does not currently have a shop or take away. Representations received note that there was formerly a shop in the village which closed some years ago, and mobile take aways have not succeeded in the past. Residents of the village consequently have to travel to meet all of their shopping needs at present.

Full plans and associated documents for this application can be found at: [F/YR22/0724/F | Construction of building containing three units for use as a hot food takeaway \(unit 1\); retail shop with post office \(unit 2\) and retail convenience store \(unit 3\) with a one bedroom flat above units 1 and 2, with vehicular access, car park to the front and delivery and turning area to the rear with 1.8 metre close boarded boundary screening. | Land South West Of Sapphire Close Accessed From Broad Drove East Tydd St Giles Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/0724/F)

4 SITE PLANNING HISTORY

LAND TO EAST

Reference	Description	Decision	Date
F/YR15/0637/F (Sapphire Close)	Erection of 12 x 2-storey dwellings comprising 8 x 2-bed and 4 x 3-bed with associated sheds and highway works Land North East Of Pinchpenny Farm Broad Drove East Tydd St Giles	Approved	06.12.2015

LAND TO WEST

F/YR13/0905/F	Erection of 12 x 2-storey dwellings comprising of 8 x 2-bed and 4 x 3-bed with associated sheds and 2.1m high (max) close boarded fence with trellis over Land South West Of The Bungalow Broad Drove East Tydd St Giles	Refused	06.03.2014
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5 CONSULTATIONS

5.1 Cambridgeshire Constabulary

Does not object but states:

- The application is not accompanied by a Design and Access Statement or information for assessing impact of the proposal on crime.
- Careful design and siting of the ATM will be required to reduce vulnerability of crime.

- Details of external lighting, car park boundary treatment and roller shutter doors will be required for further comment.
- Details of design and layout need to be revised to comply with 'Secured by Design' (**07.11.2022**).

5.2 Environment Agency

No objections (**23.11.2022**).

5.3 Environmental Health Protection Team

No objections, recommends conditions relating to 'unsuspected contamination' and controlling construction hours (**22.07.2022**).

5.4 Highways

No objections, recommends conditions and informatives (**30.03.2023**).

5.5 North Level Drainage Board

No objections (**06.07.2022**).

5.6 Tydd St Giles Parish Council

Resolved to offer no objections but have mentioned concerns expressed about viability and crime (**26.11.2022**).

5.7 Wildlife Officer

Recommends conditions relating to soft landscaping, CEMP and informatives (**12.10.2022**).

5.8 Local Residents/Interested Parties

A total of 67 letters of representations (including those following renotification) have been received, of which 26 are from the same source (property or writer). 56 letters are in support, the remaining 11 object. Summarised below are the grounds for support and opposition.

Support

- Shopping, Post Office, and ATM facilities are needed in the village.
- Less reliance on the car.
- Greater social interactions.
- Inward investment.
- Help community grow.
- Well located, as cars can be parked outside Community Hall and not outside houses.
- Walking will be good for health.
- Good for the environment.
- Good access.
- Help support other local businesses.
- Processing the application has been slow.

- The applicants run a successful business in a nearby village and have the knowledge and experience to succeed here.

Objections

- Although a single shop with a Post Office counter would be welcome, 3 units are not viable.
- Loss of agricultural land.
- Antisocial behaviour.
- Density/Overdevelopment.
- Design/Appearance.
- Devaluing property.
- Drainage.
- Environmental concerns.
- Light pollution.
- Loss of view/outlook.
- Noise.
- Out of character/not in keeping with the area.
- Outside DAB.
- Overlooking/loss of privacy.
- Parking arrangements.
- Proximity to property.
- Smell.
- Traffic/highways.
- Visual impact.
- Waste/Litter.
- Precedent.
- Site not related to village/creeping ribbon development/incursion into open countryside.
- There are shops/takeaways within 2 miles.
- Shops in the village have closed due to viability.
- There are Post Offices in Gorefield and Sutton St James.
- 3 bed dwelling behind the retail development is backfill.
- Increased crime.
- Poor access.
- Flooding.
- Residential amenity
- Represents a mini retail complex and not a village shop.
- The Post Office has no plans to open in the village.
- Inadequate parking and turning within the site.
- Local services cannot cope.
- The addition of a 3-bed dwelling must be backfill directly behind the retail proposal

6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

- C1 – Understand and relate well to the site, its local and wider context
- B2 – Appropriate building types and forms
- U1 – A mix of uses
- H1 – Healthy, comfortable and safe internal and external environment
- H3 – Attention to detail: storage, waste, servicing and utilities
- L1 – Well-managed and maintained

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
- 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
- LP17 – Community Safety
- LP19 – The Natural Environment

Emerging Local Plan

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

- LP1 – Settlement Hierarchy
- LP3 – Spatial Strategy for Employment Development
- LP15 – Employment
- LP18 – Development in the Countryside
- LP20 – Accessibility and Transport
- LP24 – Natural Environment
- LP25 – Biodiversity Net Gain
- LP28 - Landscape
- LP32 – Flood and Water Management
- LP47 – Employment Allocations in Chatteris

Supplementary Planning Documents/Guidance:

Cambridgeshire Flood & Water SPD (2016)

8 KEY ISSUES

- Principle
- Settlement hierarchy
- Retail Use
- Flood Risk
- Other Considerations

9 BACKGROUND

- 9.1 The greater part of the western section of the field separating Sapphire Close from Pinchpenny Farm was the subject of a planning application (F/YR13/0905/F) for 12 affordable houses, this application was refused on the grounds it constituted development in the open countryside and within Flood Zone 3. The current application includes a belt some 10m wide which formed the eastern part of the application site under F/YR13/0905/F and the remainder of the field out with that application.
- 9.2 Under F/YR15/0637/F planning permission was granted, against officer advice, for 12 dwellings on the field adjacent and to the east of the current application, the development around Sapphire Close has since been completed. Sapphire Close was permitted by Members on the basis of “needs of local people who require accommodation and the Health and Wellbeing comments included within the report.”

10 ASSESSMENT

Principle

- 10.1 The proposal is to construct a building for commercial and residential use in open countryside outside the settlement of Tydd St Giles. The scheme is contrary to Policies LP3, LP6, LP12, LP14 and LP16 in the adopted plan and would be contrary to draft local plan policy LP1 given that it does not represent infill development, is harmful to its setting and does not demonstrate compliance with retail and flood risk policy.
- 10.2 Policy LP3 identifies Tydd St Giles as a Small Village where development would normally be of a very limited nature and normally limited in scale to residential infilling of a small business opportunity. The site is not located within the village being some 215m away and set in the context of dispersed and intermittent buildings. A development with a gross external floor area which exceeds 500m², and which comprises three units with extensive storage and claimed security needs cannot be considered to be very limited in nature, residential infilling, or a small business opportunity. The location, size and scale of the proposal is therefore considered to contravene the provisions of Policy LP3
- 10.3 Policy LP 12 reflects Policy LP3 in only allowing infill sites to be developed in Small Villages. Infill development is described as the development of a relatively small gap between existing buildings. The site is clearly in the open countryside with openness to Hall Bank over 700m to the north, and some 60m to Pinchpenny Farm to the west. A contention that the site is adjacent to the recent development at Sapphire Close and therefore represents infill fails to acknowledge the wider setting and that the decision to permit Sapphire Close

was itself an exception in allowing development in the open countryside. The proposal therefore cannot be construed to be infill.

- 10.4 Policy LP1 of the emerging Local Plan reintroduces settlement boundaries and may allow some development within the 'settlement hinterland' where this respects and reinforces local distinctiveness. However, the emerging local plan is still in its infancy and carries very little weight, in any case the proposal does not meet the requirements relating to impacts within Part C of this.
- 10.5 Policy LP16 also seeks to protect open countryside by seeking to ensure development enhances local setting and the character of the local built environment and landscape. The approach to the site along a narrow country lane with far reaching views over a flat farmland landscape contributes towards a very rural character. Development consisting of a building double the breadth of the buildings in the immediate surroundings at 30m wide, and about 5m wider than the Tydd St Giles Community Centre, within this setting would sit in stark contrast to the agrarian nature of the site surroundings. The proposal would therefore conflict with the requirements of LP16 by being harmful to the setting and character of the open local landscape
- 10.6 Policy LP6 requires applications to demonstrate that the vitality and viability of defined centres will be protected and enhanced through the submission of a retail impact assessment for development over 500m². An assessment has not been submitted and the proposal conflicts with Policy LP6 for the reasons discussed below.
- 10.7 Policy LP14 and the SPD on Flood and Water requires the submission of a Flood Risk Assessment for sites within Flood Zones 2 and 3, and the SPD a sequential test for development in excess of 250m² of commercial development where the search area is usually the district. In the absence of a district wide coverage sequential test is considered to be failed.
- 10.8 Consequently the principle of the development applied for is considered to conflict with the relevant policies.

Character and Visual Amenity

- 10.9 The settlement of Tydd St Giles is unusually shaped as an irregular rectangle with detached dwellings set on either side of roads forming the village. In contrast, the application site is located in open countryside amidst scattered and intermittent buildings some 200 m away from the last dwelling in the southwestern corner of the village. The views from the narrow country lane from which the site would be accessed, the mature hedgerow boundaries and far-reaching views over a flat farmland landscape contribute to a very rural character. The verdant, open, and agrarian nature of the application site causes it to synthesise wholly with its distinctly rural context. The transition from village to the countryside to the village is therefore clearly evident, that the site lies in open countryside is factual.
- 10.10 It is unequivocal that the proposed scheme by introducing substantial and isolated development and alien form of activity in the open countryside would be harmful to the local distinctiveness and character of the area of the surrounding area. An open agrarian landscape with far reaching views would be changed to form an urbanised and ribbon continuation of the settlement into the countryside.

- 10.11 Piecemeal and cumulative development, firstly through Sapphire Close, and now the current proposal would result in significant and incremental erosion of the openness of the area resulting in the loss of distinctiveness.
- 10.12 For these reasons the proposal would not deliver and protect an environment of high quality and would therefore conflict with the provisions of Policy LP16.

Residential Amenity

- 10.13 As mentioned above, the proposed building is almost 30m wide, 7.25m high and 16.4m in depth. It is set back some 22.5m from the back of the highway and is sited along the eastern boundary of the application site.
- 10.14 The rear elevations of two dwellings on Sapphire Close (No 3 and No 5 Sapphire Close) would back directly onto the eastern gable wall of the application building, these dwellings have rear gardens with a depth of about 11.3m beyond which there is a landscaped strip some 4.3m wide which forms a buffer to the application site. The cross section included within the submitted drawing (GA)1020 Rev E indicates a separation distance of 16.4m from the gable wall of the proposed building to the rear elevations of No 3 and No 5 Sapphire Close) and a height to ridge for the dwellings shown as 8.4m, compared to 7m of the application building.
- 10.15 The FLP does not include a policy or guidance on minimum separation distances between dwellings. Nationally, the norm for minimum distances between gable ends to rear elevations of dwellings is 12m. In this case although the application relates to a commercial building and not a dwelling the separation distance is 16.4m with the application building being some 1.4m lower than Nos 2 and 5 Sapphire Close. Given the separation distances and relative heights involved it is considered that residential amenity should not be adversely affected. Impact on visual amenity however remains unacceptable for the reasons described above.

Retail Use

- 10.16 In relation to retail development in local centres such as Tydd St Giles Policy LP6 follows the Settlement Hierarchy set out in Policy LP3, thus Policy LP6 requires the development to normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity. Furthermore, Policy LP6 requires the scale of retail provision to be proportionate in providing convenience shopping to meet local needs and local services and retail development exceeding 500 m² of gross floorspace to undertake an impact assessment.
- 10.17 As already described the proposal comprising of three commercial units with extensive storage and a flat cannot be considered as one that is of a very limited nature, nor is the site in or adjacent to the existing 'developed footprint' of the village. The proposal therefore fails at the first hurdle of Policy LP6. Although it is not then necessary to assess the proposal against the remaining requirements of Policy LP6 these are nonetheless considered as set out below.
- 10.18 The size of the proposed development is indicative of a facility to serve a settlement larger than Tydd St Giles, and the inclusion of a takeaway and level of parking to be provided and site location also suggests that the proposal seeks to

attract business from a wider area. In other words, the catchment area is greater than the village and not proportionate to it as required by Policy LP6. Exceedance of Policy LP6 threshold of 500 m² triggering the need to submit a retail impact assessment also indicates that the scale of retail provision will not be proportionate to meet local needs.

- 10.19 The gross floor area of the proposed development, measured externally, is 410 m² for the ground floor and 110 m² for the flat on the first floor, totalling 520 m². Under the provisions of Policy LP6 there is therefore a requirement to submit a retail impact assessment as the threshold of 500 m² threshold has been passed.
- 10.20 It could be argued that a retail impact assessment is not required to be submitted as the threshold quantum applies exclusively to the retail element of a proposal. Given that the flat is required to provide security to the commercial uses it would be disingenuous not to measure the total built floor area of the premises as a whole taking into account supporting secondary areas. If this is done the 500 m² threshold is exceeded requiring the submission of an impact assessment. Such an approach would be consistent with the Inspector's approach on impact assessment/quantum in APP/Q1153/W/19/3230781. The absence of an assessment fails to establish whether a sequentially preferable site exists.
- 10.21 Even if the proposal would not have a significant adverse impact on the vitality and viability of an existing centre such a finding would not negate the need for the adoption of a sequential approach as a first step. Moreover, the PPG is clear that compliance with sequential and impact tests does not guarantee permission will be granted; but failure to undertake either could itself constitute a reason for refusing permission.
- 10.22 For the above reasons the proposal would not accord with the requirements of Policy LP6.

Flood Risk

- 10.23 The main issue is whether the development would be in a suitable location with regard to national and local policies relating to flood risk.
- 10.24 The entirety of the site falls within Flood Zone 3, where the Planning Practice Guidance (PPG) advises there is a high probability of flooding.
- 10.25 The National Planning Framework (NPPF) sets strict tests to protect people and property from flooding. Where these tests are not met, national policy is clear that new development should not be allowed. Accordingly, the NPPF requires that, where possible, development should be directed away from areas at highest risk from flooding using a sequential, risk-based approach. The PPG confirms that this general approach is designed to ensure that areas of little or no risk of flooding are developed in preference to areas at highest risk. The aim being to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. Locally this approach is set out in Policy LP14 of the Fenland Local Plan (FLP) 2014 and the adopted Cambridgeshire Flood & Water SPD (2016).
- 10.26 The site is within Flood Zone 3 representing the highest risk of flooding and meaning that the application is required to be supported by a Flood Risk

Assessment. The planning application is accompanied by a Flood Risk Assessment (FRA) relating to the entire development (3 commercial units and two dwellings) which acknowledges the location of the site within Flood Zone 3 and the need to apply a sequential test (ST). As part of the application a search for alternative sites limited to Tydd St Giles has been carried out. Table 1 included in the FRA lists 20 sites with planning permission granted post 2017, all of these are listed as not being available, and on this basis the applicant has considered the sequential test to have been passed.

- 10.27 The Cambridgeshire Flood and Water Supplementary Planning Document requires the submission of an FRA for new development (including minor development and changes of use) in Flood Zones 2 and 3 and a sequential test for commercial development where the footprint exceeds 250m² (in this case the footprint of the commercial element is around 410m²).
- 10.28 Although the separate dwelling to the rear of the site has been omitted from the proposals, the flat above the commercial units remains part of the application. In an email dated 22 July 2022 the agent stated that the flat is required “to ensure that people are on site for security purposes at all times”. In a further email (dated 3 November 2022) in response to the Council’s query whether the proposal was speculative the agent stated, “in relation to the development, our client is a shop owner having several establishments and it is his intention at the moment to operate them himself with a manager running the premises and living in the first floor flat above.”
- 10.29 The statements from the agent have not been accompanied by any evidence or information supporting the need for a flat for security or managerial purposes, in the absence of which there is no justification for disapplying the sequential test to the residential element.
- 10.30 The NPPF places onus onto the applicant to demonstrate that there is an absence of reasonably available sites. Whereas the applicant has restricted the search area for applying the sequential test to the village, the SPD advises that the search area should usually cover the entire district. A district wide search would be the correct and consistent approach for flood risk given that the size of the proposal triggers the need of a retail impact assessment where the search area would be at the district level. In circumstances where it has not been sufficiently demonstrated that there are no other sites which could possibly accommodate the proposed development in areas of lesser flood risk at a district wide level the sequential test is considered not to have been passed.
- 10.31 For these reasons it is considered that the proposal remains unacceptable in flood risk terms and contrary to the provisions of Policy LP12 and the SPD.

Other Considerations

- 10.32 Objections have referred to loss of agricultural land, The Agricultural Land Classification Map for the Eastern Region shows that the land as Grade 3 (Good to moderate quality). The best and most versatile (BMV) land is defined as Grades 1, 2 and 3a. The agricultural land classification map is at a very large scale and not sufficiently accurate for use in assessment of individual fields or sites. Furthermore, Grade 3 is not subdivided, and a site would have to be individually assessed for detailed grading.

10.33 The majority of land in the district falls within the BMV definition and it would not be possible to meet housing targets without developing areas of BMV. Having said this, the site area in this instance is relatively modest and not 'significant' having regard to the NPPF and the extent of BMV land which would remain were the site developed. In this respect there is no conflict with the requirements of paragraph 174(b) of the NPPF.

10.34 An additional dwelling proposed as part of the scheme as originally submitted, on the rear section of the site, has been subject of an objection on grounds of 'backfill'. This second dwelling has been removed from the proposal.

11 CONCLUSIONS

11.1 Drawing all the above together, it is considered that the proposal would not advance a small-scale development within or adjacent a settlement. Rather than meet the shopping needs of the village the scale of the proposal is geared towards a wider catchment, which together with the remote location of the site mitigates against sustainable development.

11.2 The proposal is not accompanied by a Retail Impact Assessment required to be submitted as the development size threshold has been exceeded. The site is located within Flood Zone 3, the requisite sequential test has not been passed.

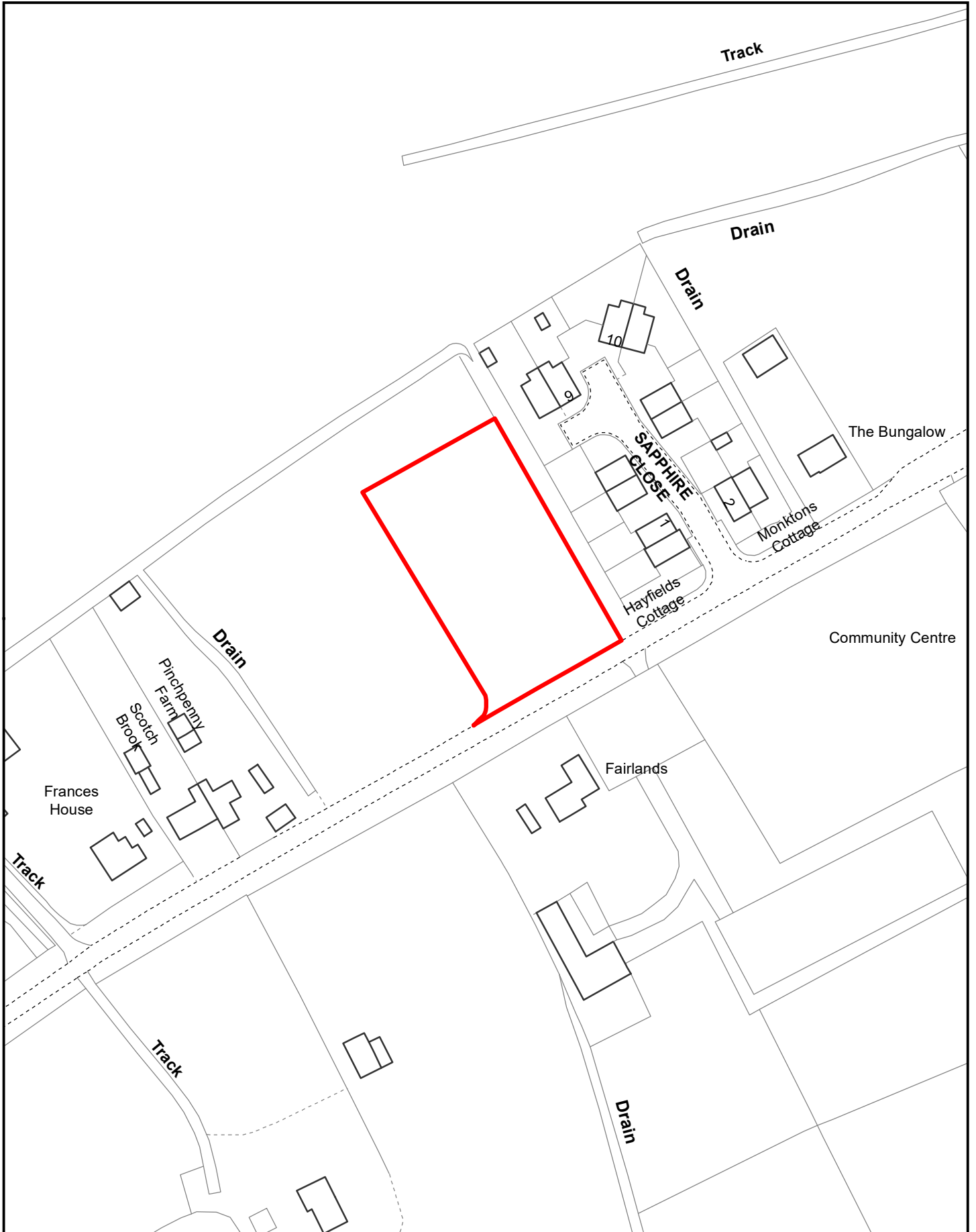
11.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission should be determined in accordance with the development plan unless material consideration indicate otherwise. Paragraph 12 of the NPPF requires that where a planning application conflicts with an up-to-date development plan, permission should not be usually granted. The proposal is considered to conflict with relevant national and local policy and should therefore be refused.

12 RECOMMENDATION

Refuse; for the following reasons:

1	The proposal does not represent infill development of a very limited nature and scale. The location, size and scale of the proposal therefore conflicts with the provisions of the NPPF and policies LP3 and LP12 of the Fenland Local Plan (2014) which seek to direct growth on the basis of the Fenland Settlement Hierarchy.
2	Development of a substantial building, as proposed, would result in the introduction of an alien form of activity in an essentially open countryside location which would be fundamentally at odds with the visual characteristics and role of the countryside. The proposal would therefore conflict with the provisions of Policy LP16 which seeks to deliver and protect high quality environments.
3	The proposed development falls outside the built settlement of Tydd St Giles, is not proportionate to meeting local needs and services, and has failed to submit a retail impact assessment. The proposal therefore conflicts with the provisions of Policy LP6 of the Fenland Local Plan (2014) which seeks to protect the Fenland Retail Hierarchy.

4	<p>The onus on demonstrating within the Flood Risk Assessment that there are no reasonably available alternative sites out with Flood Zone 3 where the development could take place rests with the applicant. It has not been adequately demonstrated there are no such alternative sites within the District and in the absence of this information the sequential test is not passed. Consequently, there are no justifiable reasons for the proposal to be located in an area of highest flood risk. Therefore, the proposal is in conflict with the flood risk requirements of the NPPF, policy LP14 of the Fenland Local Plan (2014) and Cambridgeshire Flood & Water SPD (2016).</p>
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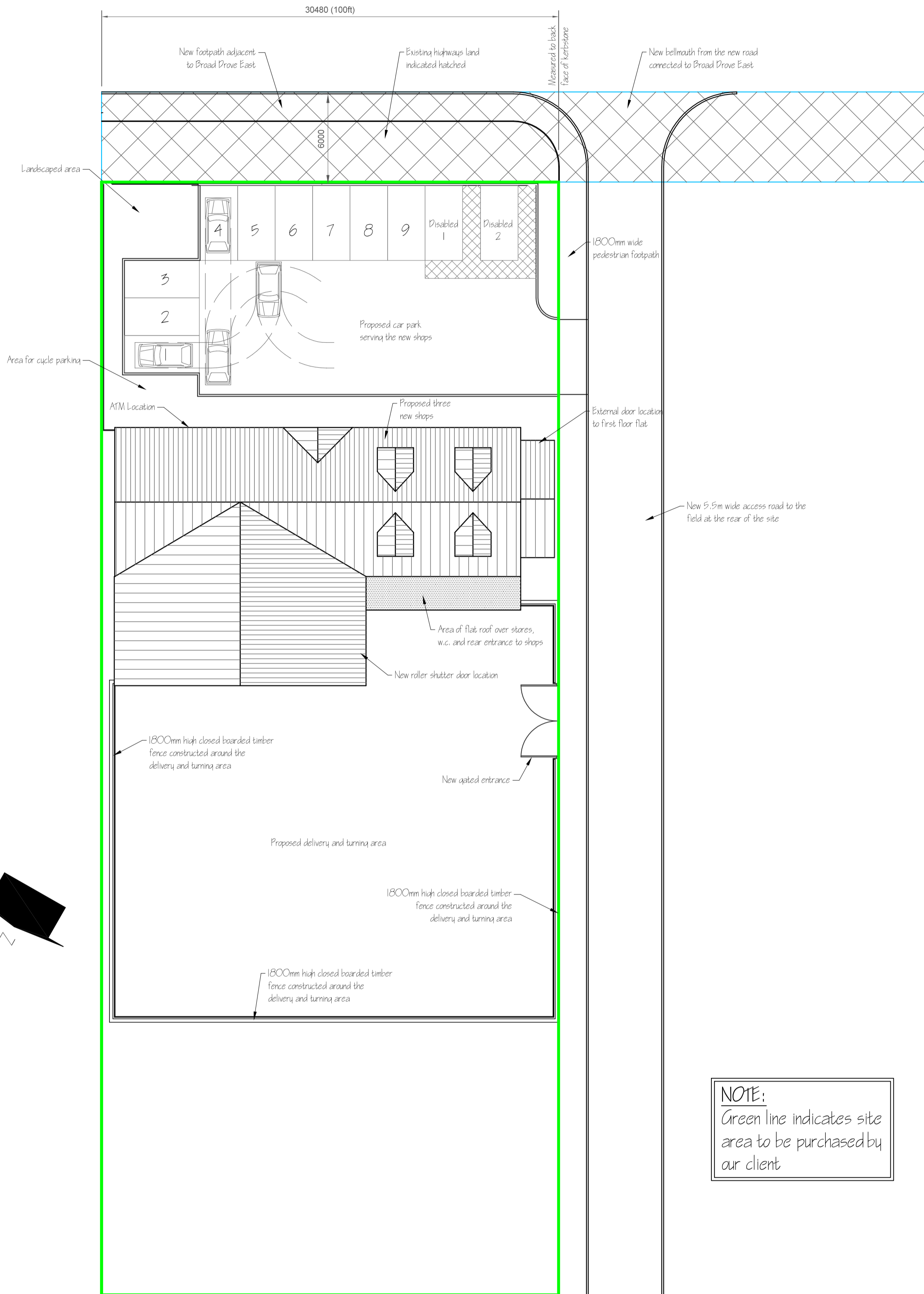
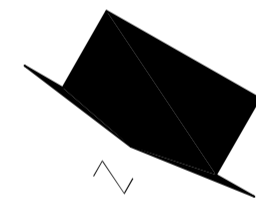
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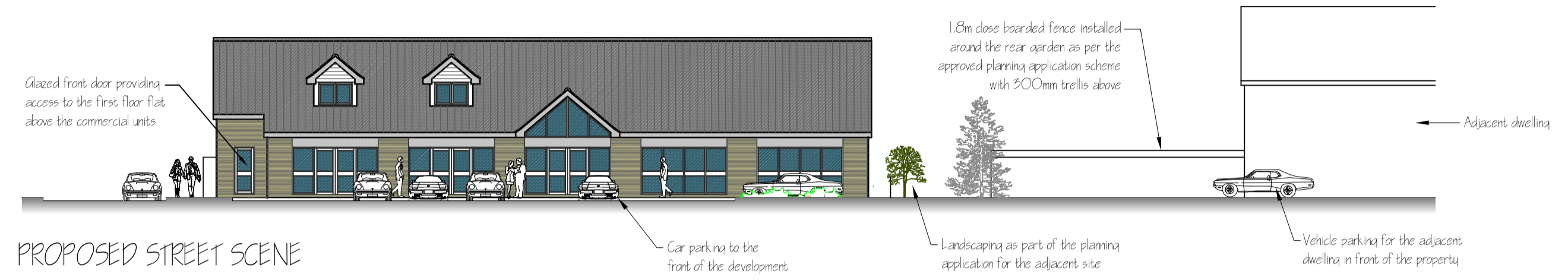
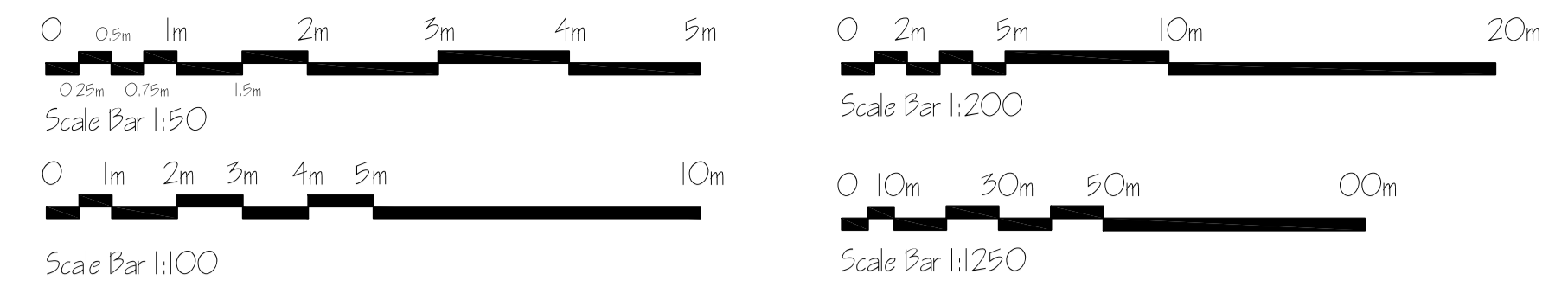
PROPOSED NEW COMMERCIAL DEVELOPMENT BROAD DROVE EAST, TYDD ST. GILES, WISBECH, PE13 5LN



PROPOSED SITE PLAN LAYOUT

NOTE:
Green line indicates site area to be purchased by our client.

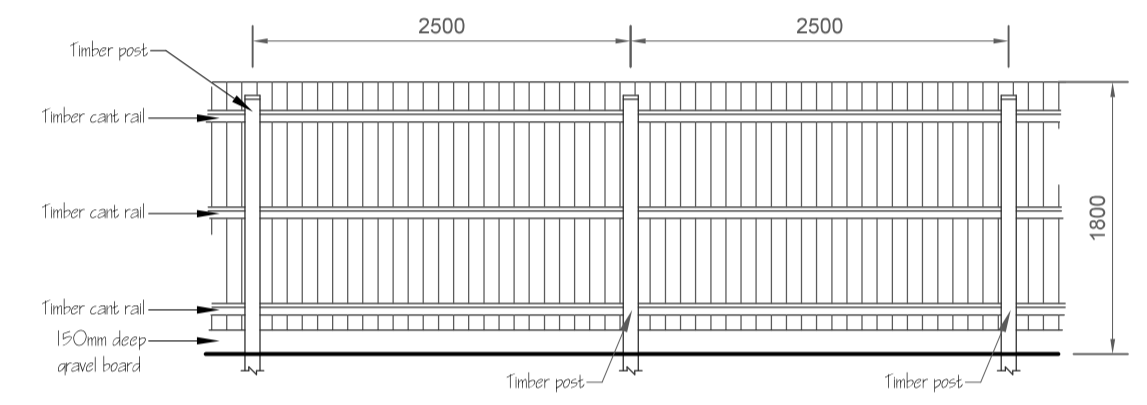
NOTE:
The wording 'DO NOT SCALE' has been removed from this drawing as requested by the planning department. This drawing has been drawn to the relevant scales as indicated by the scale bars on the drawing and the paper size indicated however we cannot hold responsible for the printing of this drawing.



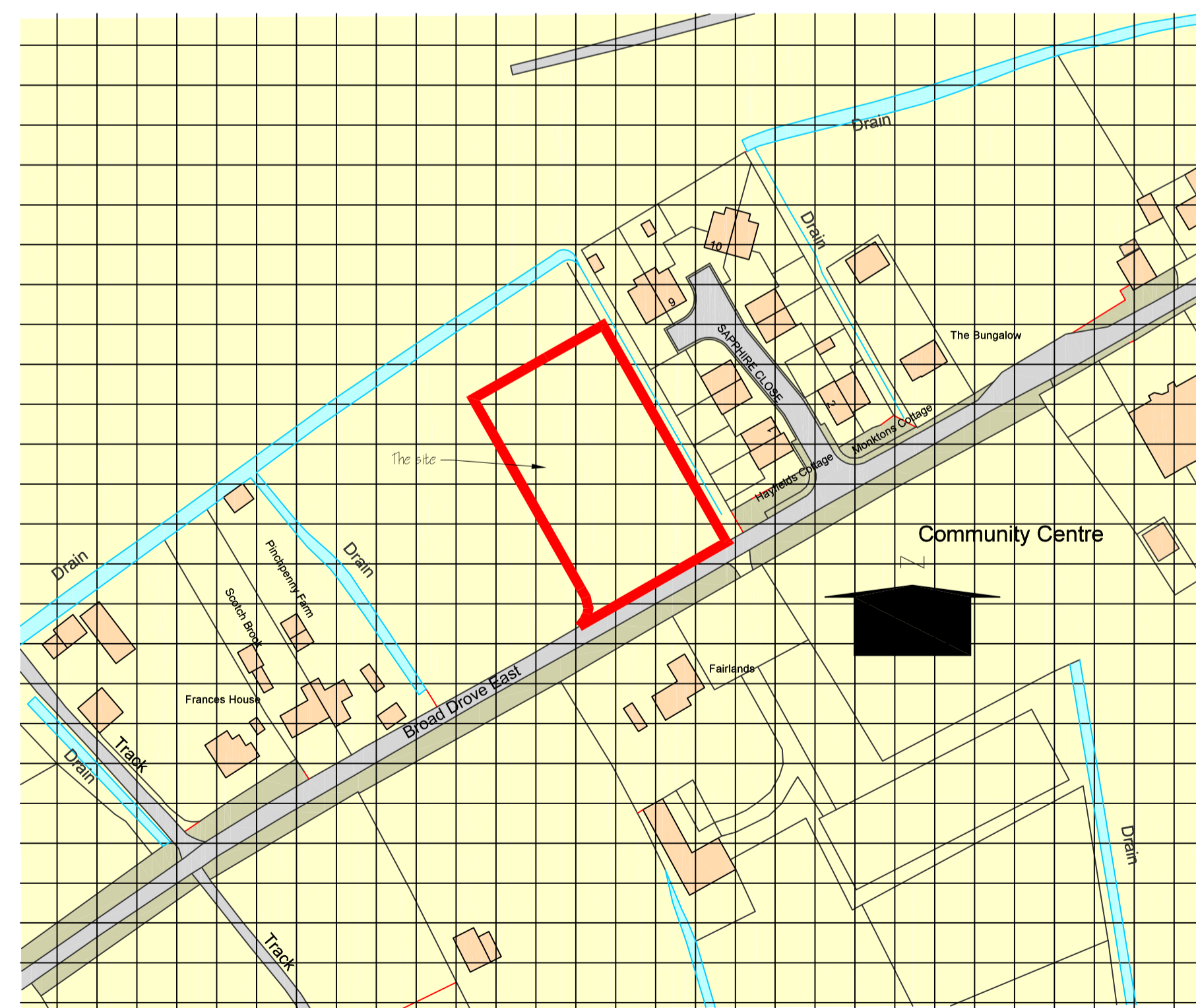
PROPOSED STREET SCENE

NOTE:
Information in relation to Sapphire Close indicated on the street scene has been obtained from the approved planning application for the development.

NOTE:
Detail of boundary treatment around the delivery and turning area and around the proposed new dwelling.



CLOSE BOARDED FENCE ELEVATION



PROPOSED LOCATION PLAN LAYOUT

E	DATE	DESCRIPTION
19-02-22	ISSUED FOR PERMITTING	
D	DATE	DESCRIPTION
19-02-22	ISSUED FOR PERMITTING	
C	DATE	DESCRIPTION
19-02-22	ISSUED FOR PERMITTING	
B	DATE	DESCRIPTION
19-02-22	ISSUED FOR PERMITTING	
A	DATE	DESCRIPTION
19-02-22	ISSUED FOR PERMITTING	

CLIENT: MR. N. SUNDAYADRA
 PROJECT: PROPOSED NEW COMMERCIAL DEVELOPMENT
 PROJECT NO: 22/965 (GA) 1020 E
 DRAWN: S.S. | CHECK: S.S. | SCALE: 1:1000 | ORIGIN: 20-02-22
 STATUS: PRELIMINARY

distinct DESIGN GROUP

PROPOSED NEW COMMERCIAL DEVELOPMENT

PROPOSED SITE & LOCATION PLAN LAYOUTS, PROPOSED STREET SCENE AND CLOSE BOARDED FENCE ELEVATION

22/965 (GA) 1020 E

PRELIMINARY