
F/YR24/0557/F

Applicant: Mr J Doran

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

**Land South Of Swan Cottage Benwick Road Accessed From, Dykemoor Drove,
Doddington, Cambridgeshire**

**Erect a hay store, 1.5m high weld mesh and 1.8m high close board boundary
fencing (retrospective)**

Officer recommendation: Refuse

**Reason for Committee: Deferral from January 2025 in order for CCC Highways to
be consulted**

Government Planning Guarantee

Statutory Target Date For Determination: 3 September 2024

EOT in Place: Yes

EOT Expiry: 14 March 2025

Application Fee: £578

Risk Statement:

**This application must be determined by 14th March 2025 otherwise it will be out of
time and therefore negatively affect the performance figures.**

1 EXECUTIVE SUMMARY

- 1.1 This application was heard at planning committed on 8th January 2025 where it was agreed to defer the application to allow for consultation with CCC Highways.
- 1.2 CCC Highways provided comments suggesting further information is submitted with the application, including providing empirical speed and volume data which may result in a reduction in the speed limit dependant on the survey results. Notwithstanding this, the Highways Officer noted within their comments that the visibility splays provided on site are less than 30 metres. The required visibility splay for a 30mph road is 43 metres, therefore even with a speed reduction in place, the site would not be able to provide required visibility splays.
- 1.3 Consequently, the recommendation is to refuse this application with an additional reason for refusal on highway grounds.

2 UPDATE

- 2.1 This application was presented at Planning Committee on 8th January 2025 where it was agreed that the application be deferred to allow for consultations to be undertaken with CCC Highways.
- 2.2 The agent has also confirmed that the Hay Store has been painted green in the meantime.
- 2.3 Contained within Appendix A is the Officer's original committee report.

3 CONSULTATIONS

3.1 CCC Highways

I visited site yesterday with a colleague and note the position of the fence. Regarding its location in relation to the highway boundary, colleagues in our Highway Records Team have reviewed this. With the records available to the County Council at present, they wouldn't be able to definitively state whether the fence is encroaching the highway extent or not.

I note the visibility constraints regarding the new fence and expect the applicant to provide visibility splays in accordance with DMRB standards. For context, the required visibility for a de-restricted road is 215m in either direction, at our site visit, we observed visibility was less than 30m.

That said, it is accepted that vehicle speeds along Dykemoor Drove are unlikely to that of the speed limit, so if the applicant was to provide empirical speed and volume data, we would be able to consider reducing this in accordance with DMRB or Manual for Streets dependant on the results of the survey.

4 ASSESSMENT AND CONCLUSIONS

Highway Safety

- 4.1 The deferral in January was to allow for consultations to be undertaken with CCC Highways.
- 4.2 The Highways Officer notes that visibility of less than 30m was observed, rather than the 215m required for a 60mph road. This is clearly short of the required standard.
- 4.3 It is noted that the Highway Officer suggests that speed data could be provided to demonstrate that the actual speeds of vehicles on the road are less than the speed limit and that lesser splays may therefore be appropriate. However, given their observation that visibility is less than 30m and the required visibility for a 30mph road is 43m it is not considered that this would serve any purpose.
- 4.4 Policy LP15 of the Fenland Local Plan (2014) requires that developments provide well designed, safe and convenient access for all. The lack of adequate visibility and a likelihood of emerging vehicles from the application site would create unacceptable highway safety impacts contrary to policy LP15 of the Fenland Local Plan 2014.

Appearance

- 4.5 Members will recall from the 8th January committee meeting that the agent indicated that the hay store would be painted green, which has now taken place.
- 4.6 The green colour used to paint the hay store may be considered a more traditional colour commonly associated with agricultural buildings, however the building still does not reflect the design or appearance of a more traditional agricultural building. The hay store is still therefore considered to create an incongruous, highly visible feature within the street scene given its location, scale and materials used and is therefore considered to be unacceptable in a countryside location.
- 4.7 Given the above, the application is recommended for refusal with an additional reason for refusal relating to highway impact.

5 RECOMMENDATION

- 5.1 **Refuse;** for the following reasons:

1	<p>Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.</p> <p>The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.</p>
2	<p>Policy LP15 of the Fenland Local Plan 2014 requires development schemes to demonstrate that they have had regard to several criteria, including providing a well-designed, safe and convenient access for all. The NPPF states (at paragraph 116) that developments should ensure that safe and suitable access to the site can be achieved for all users and development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists, and vehicles.</p> <p>The visibility splays provided as a result of the development lead to poor visibility and a likelihood of emerging vehicles from the application site conflicting with other road users. As a result, safe and suitable access to the site for all people as required in the NPPF would not be achieved. Policy LP15 (c) is consistent with the NPPF in requiring well designed, convenient and safe access for all. The proposal would conflict with Policy LP15 (c) of the Fenland Local Plan 2014, and paragraph 116 of the NPPF.</p>

Appendix A – Case Officer’s report to committee on 8th January 2025

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**Land South Of Swan Cottage Benwick Road Accessed From, Dykemoor Drove,
Doddington, Cambridgeshire**

**Erect a hay store, 1.5m high weld mesh and 1.8m high close board boundary
fencing (retrospective)**

Officer recommendation: Refuse

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

Government Planning Guarantee

Statutory Target Date For Determination: 3 September 2024

EOT in Place: Yes

EOT Expiry: 17 January 2025

Application Fee: £578

Risk Statement:

**This application must be determined by 17th January 2025 otherwise it will be out
of time and therefore negatively affect the performance figures.**

1 EXECUTIVE SUMMARY

- 1.1 This application seeks retrospective planning permission for the erection of a hay store, 1.5m high weld mesh and 1.8m high close boarded fence.
- 1.2 The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character.
- 1.3 As such, the application is considered to be contrary to Policy LP16 of the Fenland Local Plan and is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is situated on the eastern side of Dykemoor Drove, which is situated to the south-west of the built-up settlement of Doddington.
- 2.2 The site is currently enclosed by a 1.8m high close board boundary fence along the boundary of the site adjacent to Dykemoor Drove, with a hay store currently in situ.
- 2.3 To the north-east of the site is an existing dwelling, as well as a site with extant permission for the erection of a dwelling which appears to be in the early stages of development.
- 2.4 The application site is situated within Flood Zone 3.

3 PROPOSAL

- 3.1 This application seeks retrospective planning permission for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. The application form states that development commenced on the 20th May 2024.
- 3.2 The hay store is situated to the north-east of the site. The maximum height of the hay store is approximately 4.8 metres, with a footprint of 10.2 x 7.3 metres approx. The hay store is finished in a white metal cladding.
- 3.3 The 1.8m high close board boundary fence is situated on the north-east, south-west and north-west of the site and the 1.5m high weld mesh is situated on the south-east boundary of the site.
- 3.4 The Hay Store is proposed to be used to store Hay to feed horses in an adjacent field.
- 3.5 Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR23/0886/F	Erect a dwelling (2-storey 5-bed) with detached 2-storey triple garage involving demolition of existing dwelling (Swan Cottage, Benwick Road, Doddington)	Granted 21/12/2023

5 CONSULTATIONS

- 5.1 **Doddington Parish Council**

Doddington Parish Council at its meeting last night supported the above planning application but would like a caveat included in any approval that the hay store would at no time in the future be converted or used for residential accommodation.

5.2 FDC Environment & Health Services

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

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

5.3 CCC Archaeology

As the pill box is no longer extant, we would have no comment or objection for the scheme. I will ensure our records of the pillbox are also updated to reflect this change

5.4 Local Residents/Interested Parties

No comments received.

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework 2024 (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 12 – Achieving well-designed and beautiful places

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP12 – Rural Areas Development Policy

LP14 – Responding to Climate Change and Managing the Risk of Flooding in

7.5 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 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
LP7: Design
LP18: Development in the Countryside
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Visual Amenity of the Area**
- **Residential Amenity**
- **Flood Risk**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

- 9.1 This application seeks retrospective planning consent for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. Policy LP3 of the Fenland Local Plan denotes the site as an 'Elsewhere' location as it does not fall within any of the Town or Village categories detailed within the settlement hierarchy. Development in such locations will be 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).
- 9.2 The proposed use of the site for a hay store is considered to fall within the remit of local agriculture.

Design and Visual Amenity of the Area

- 9.3 Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.

- 9.4 Dykemoor Drove is predominantly characterised by agricultural fields, with few sporadic dwellings therefore presenting a strong open countryside character. The proposed hay store is situated in close proximity to Dykemoor Drove and therefore is significantly visible from the street scene given this proximity and the height of the Hay Store at 4.8 metres. The Hay Store is also finished in a white metal cladding and does not reflect the design of a traditional agricultural building. The proposed Hay Store therefore is considered to create an incongruous, highly visible feature within the street scene given its location, scale and materials used and is therefore considered to be unacceptable in such a countryside location.
- 9.5 The scheme also includes the provision of a 1.8m high close boarded boundary fencing, which encloses the majority of the site. As aforementioned, Dykemoor Drove has a strong open countryside character. The dwelling to the north of the site has an open frontage to Dykemoor Drove and the extant permission F/YR23/0886/F does not include the provision of any boundary treatments adjacent to Dykemoor Drove. The introduction of the expanse of close-boarded fencing creates a significant incongruous feature within the streetscene, extending into the countryside which appears intrusive and unsympathetic to the surrounding countryside. The proposed close-boarded fencing is therefore considered to be out of character with the existing countryside character and is therefore considered to be unacceptable in this location due to the impact upon the character of the open countryside.
- 9.6 The 1.5-metre-high weld mesh fencing on the south-east boundary of the site is currently predominantly obscured from view by the expanse of close-boarded fencing. However, it is not considered that the weld mesh fencing significantly impacts upon the character of the area.
- 9.7 The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.

Residential Amenity

- 9.8 The closest neighbouring properties are situated to the north-east and south-east of the application site. However, there is sufficient distance between these properties and the Hay Store. The view of the Hay Store is also partially obscured by existing vegetation on site. As such, it is unlikely that the scheme would detrimentally impact on adjacent neighbouring amenity.

Flood Risk

- 9.9 The site is situated within Flood Zone 3, the highest level of flood risk. As agricultural development, the proposal is categorised as being less vulnerable in terms of flood risk vulnerability and as such is appropriate within this location.

Biodiversity Net Gain (BNG)

- 9.10 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This

approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 9.11 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application is a retrospective planning permission.
- 9.12 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.13 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

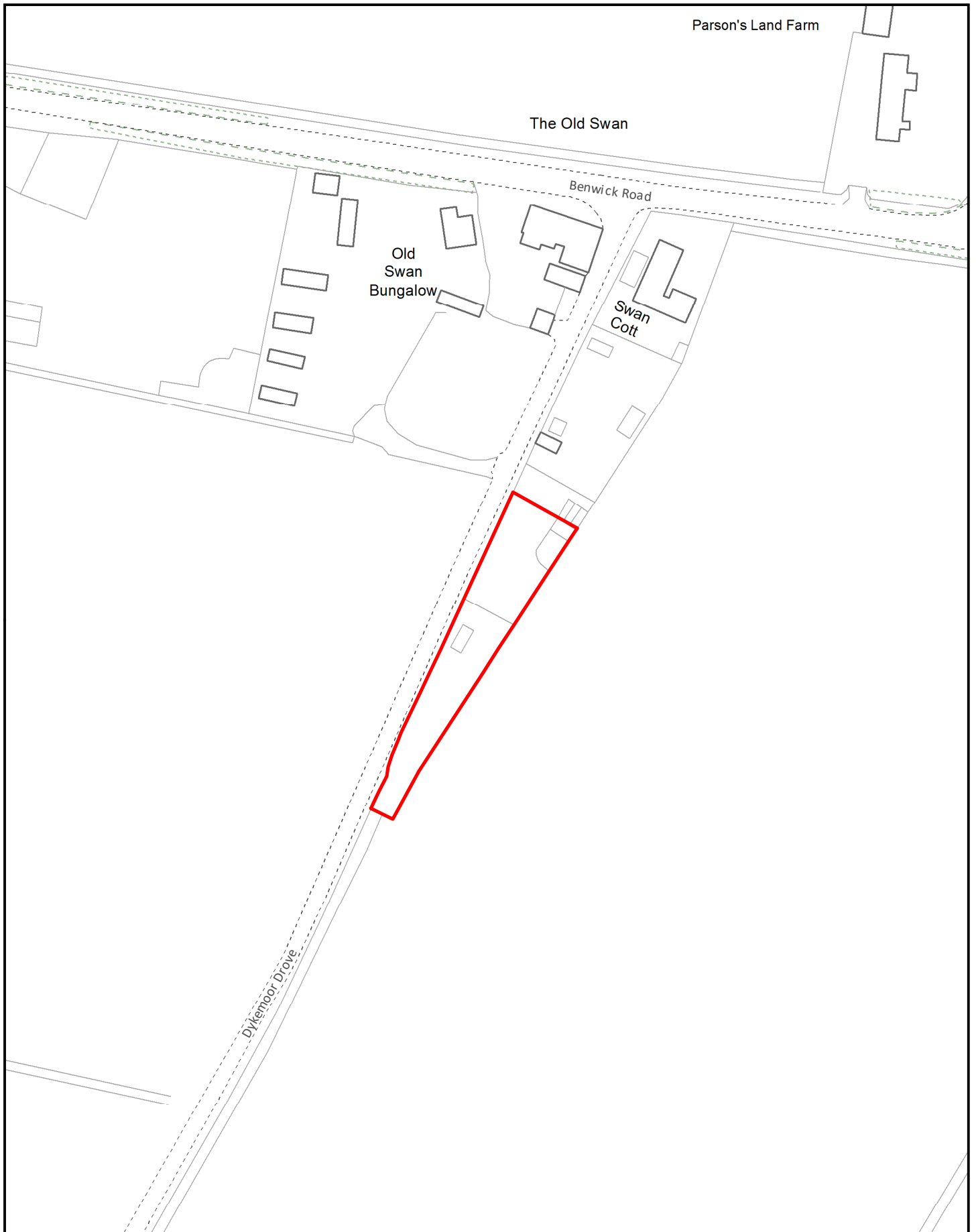
10 CONCLUSIONS

- 10.1 This application seeks retrospective planning consent for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.

11 RECOMMENDATION

- 11.1 **Refuse;** for the following reason:

1	<p>Policy LP16 of the Fenland Local Plan requires development to ‘make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area’.</p> <p>The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.</p>
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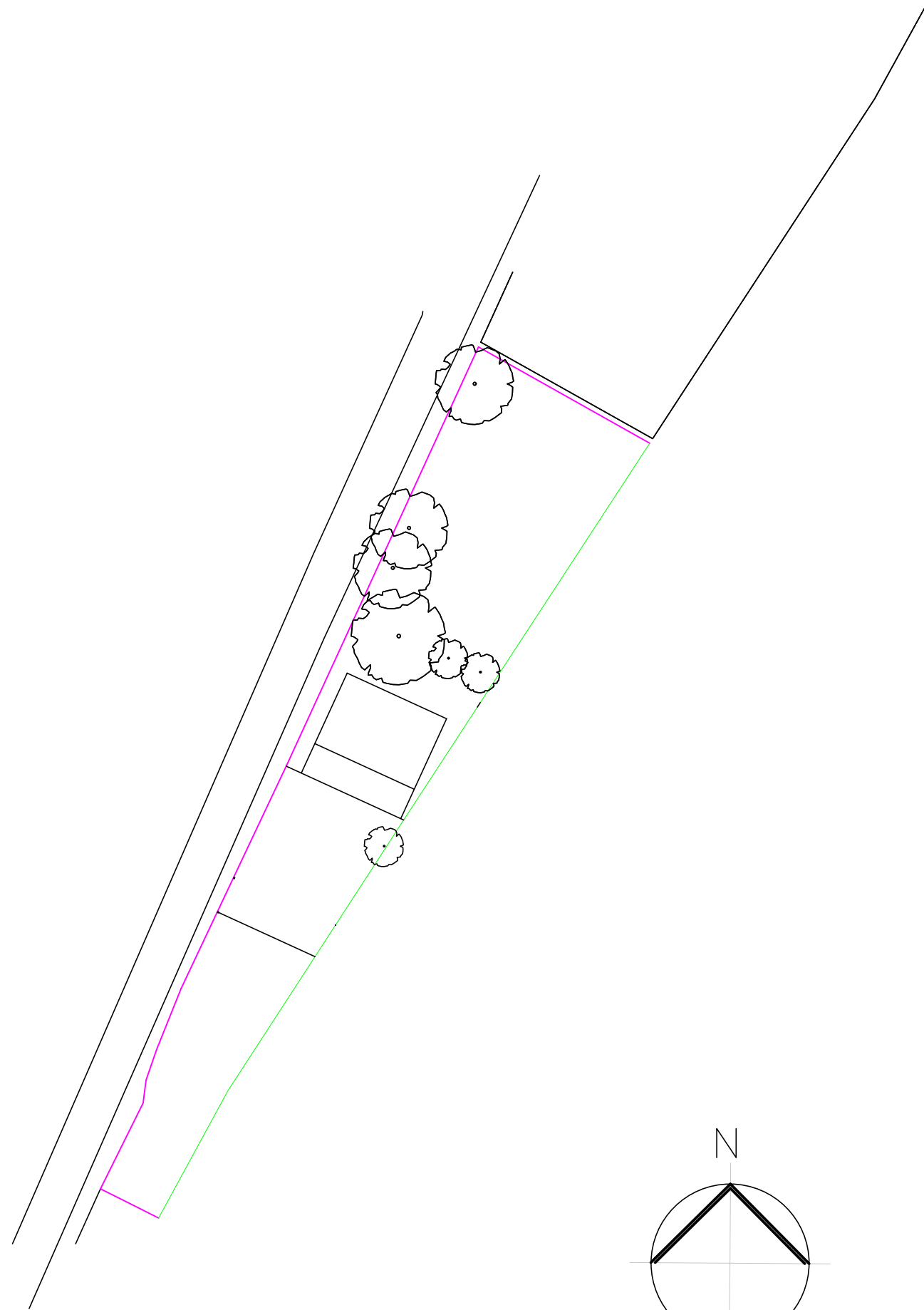
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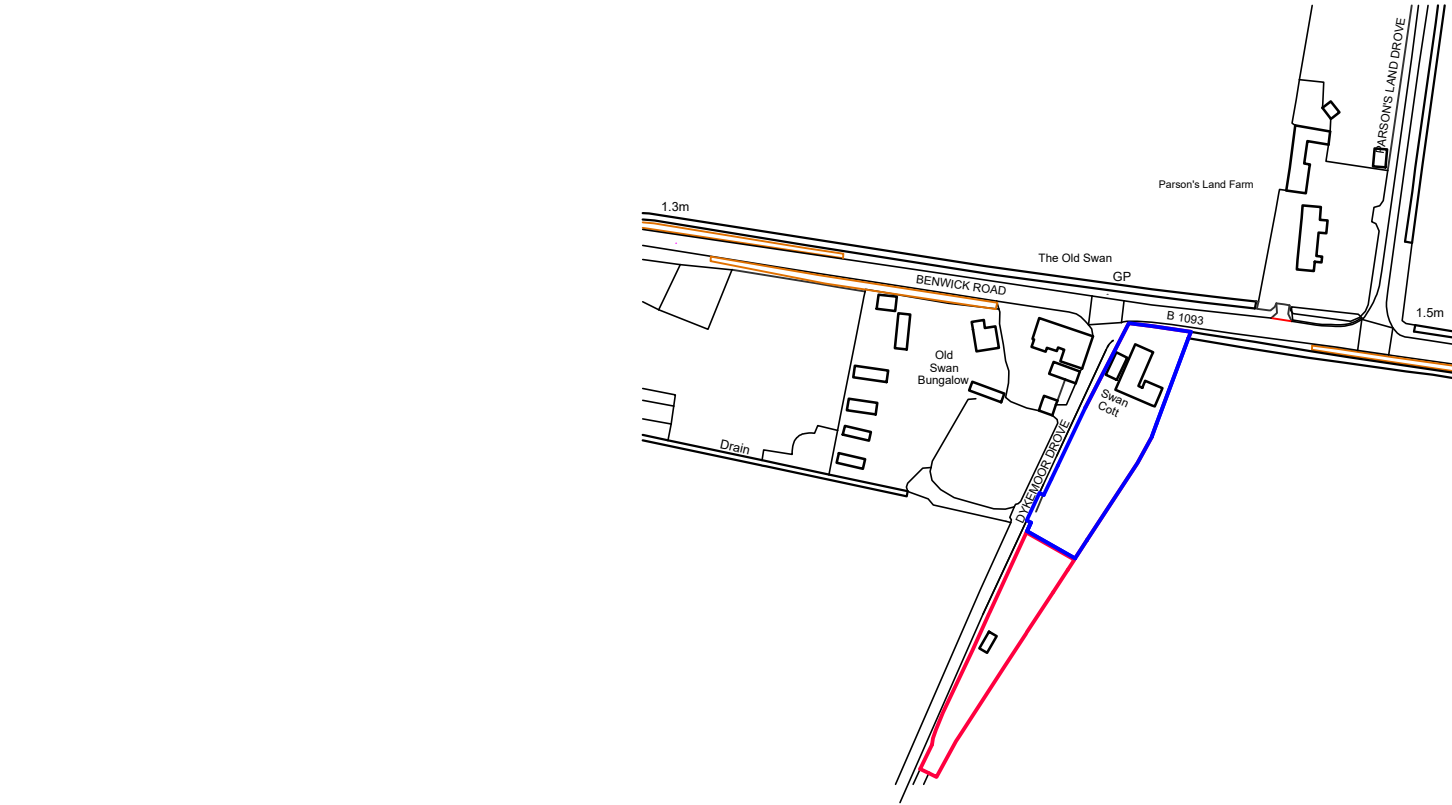
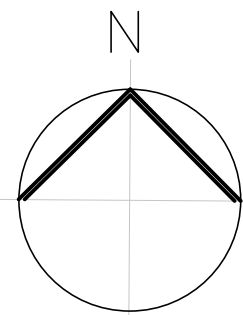
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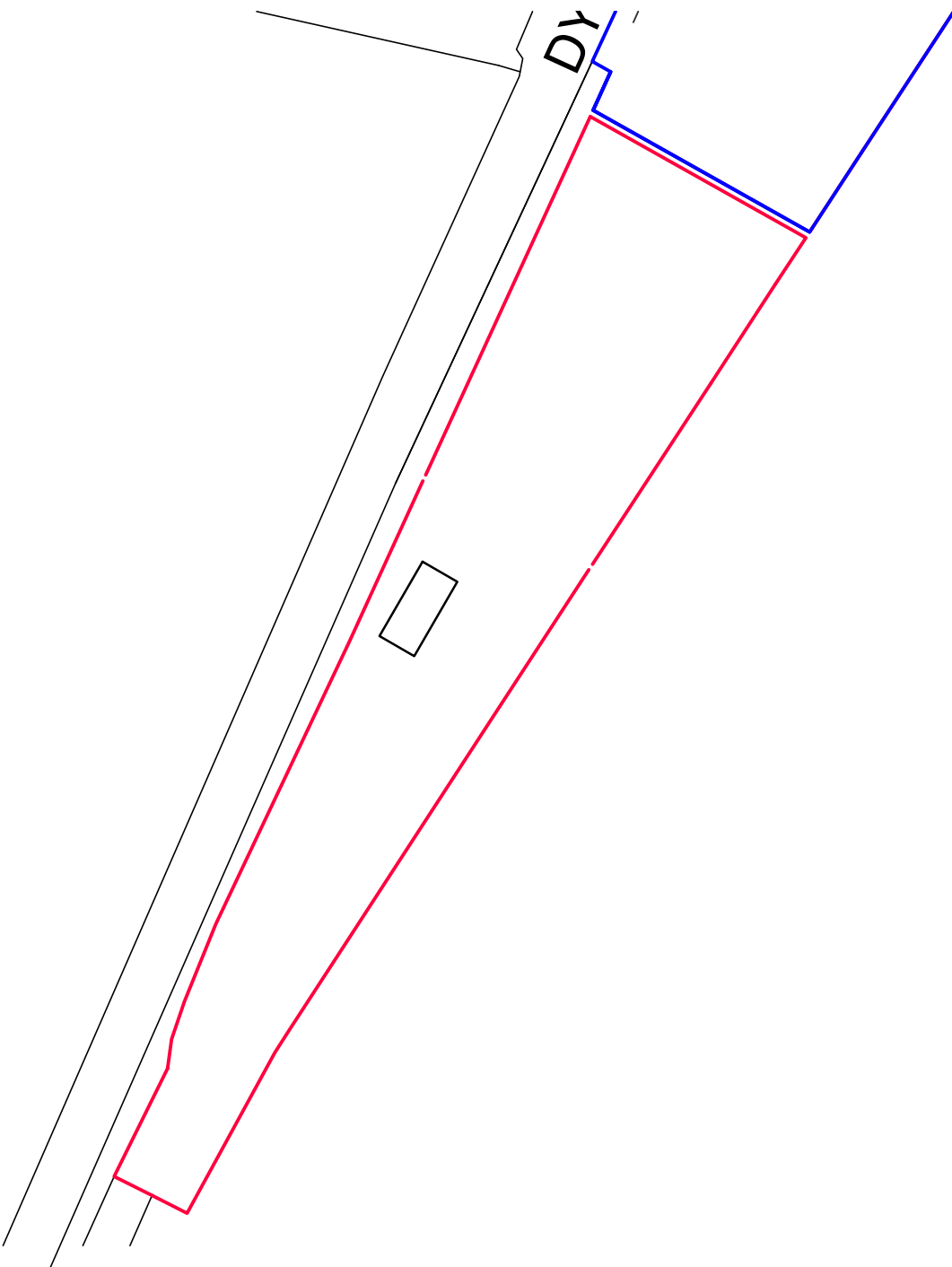




Fencing Site Plan 1:500



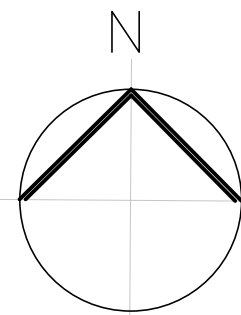
Location Plan 1:2500



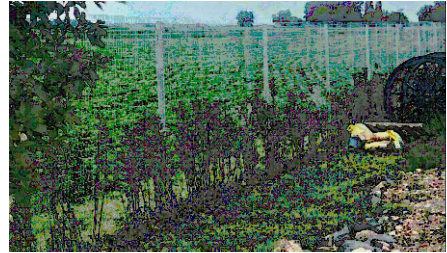
Existing Site Plan 1:500



Proposed Site Plan 1:500



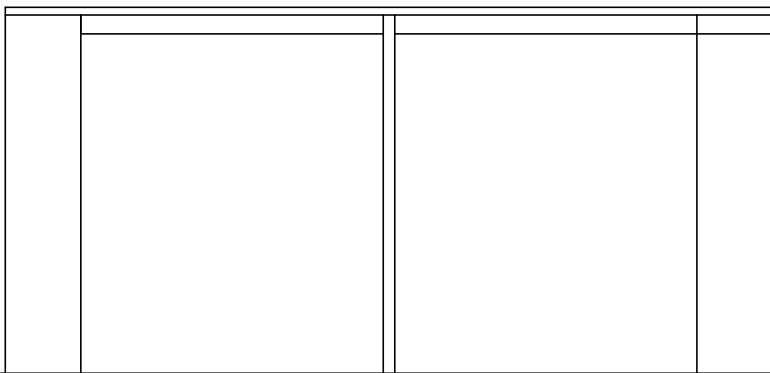
Green denotes weld mesh fence 1.500m



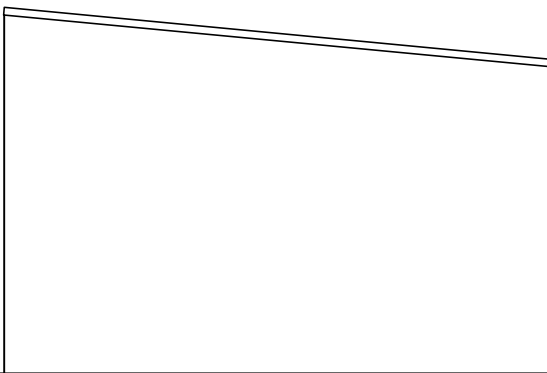
Pink denotes close boarded fence 1.800m



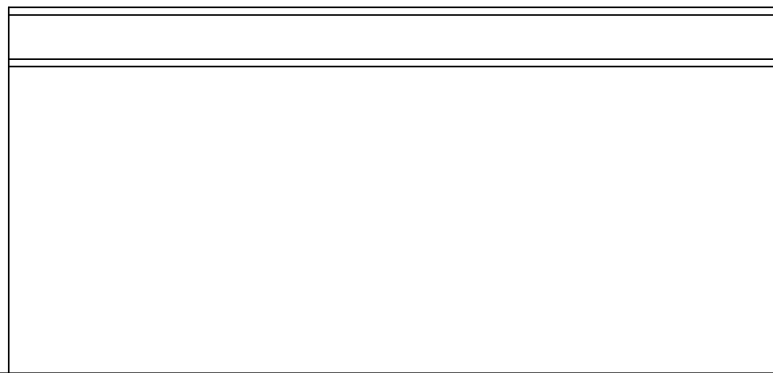
Hay Store



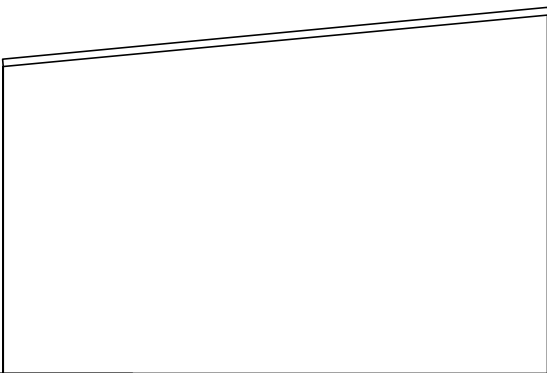
Front Elevation 1:100



Side Elevation 1:100



Rear Elevation 1:100



Side Elevation 1:100

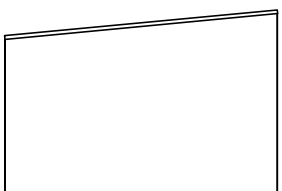


Floor Plan 1:100



STREET SCENE 1:200

Existing ground levels to remain the same



A -
REVISIONS



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CLIENT
MR DORAN

PROJECT
Retrospective Hay Store and fence

SITE
LAND REAR OF SWAN COTTAGE
BENWICK ROAD
DODDINGTON
PE15 0TY

DRAWING
PLANNING

JOB NO. 7013-PL01	PAPER SIZE A1	DATE JUNE 2024
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