
F/YR19/0684/O

Applicant: Mr & Mrs Chambers

**Agent : Mr Sam Herring
Swann Edwards Architecture Limited**

Land East Of 4A, Primrose Hill, Doddington, Cambridgeshire

Erect up to 3no dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission (with only access committed) for residential development of the site for up to 3 dwellings.
- 1.2 The site considered to fall outside the developed footprint of Doddington having regard to the criteria laid out under policy LP12 and is therefore contrary to policy LP3 being in an 'Elsewhere' location. Consequently the development would erode the rural, open character of the countryside, introducing a detached linear form of development which fails to respect the core settlement form of Doddington contrary to Policies LP3, LP12(c, d and e) and LP16(d) of the Fenland Local Plan, and Policy DM3 of the Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014) and paragraph 127 of the NPPF.
- 1.3 Whilst the site offers no technical issues e.g. in respect of highways, flood risk, contamination or biodiversity, the significant harm resulting from the development is considered to substantially outweigh the modest benefits that the development could achieve.
- 1.4 The recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1 The site lies of the east of Doddington and comprises approximately 0.3Ha of agricultural land set along the southern side of Primrose Hill. A hedgerow runs across the frontage of the site. The site itself is undeveloped. No.2 Primrose Hill (immediately east) sits on an established farmstead of which the application site forms part of. To the west is No.4a – a single storey dwelling built in the early 1990's which is separated from the site by a hedgerow and a c.30m strip of land.
- 2.2 Notwithstanding the existing built form, the site and surroundings are predominantly rural in character and distinctly different to the development pattern on the northern side of Primrose Hill.
- 2.3 The site lies in Flood Zone 1 (low risk).

3 PROPOSAL

- 3.1 The application seeks outline planning permission for the residential development of the site for up to 3 dwellings.
- 3.2 The application is in outline with only access committed. Matters of layout, scale, appearance and landscaping are reserved for future consideration. Notwithstanding this, the applicant has provided an illustrative layout and elevations plan to indicate how the dwellings could be arranged within the site and could appear on the street scene.
- 3.3 The indicative plan denotes a linear row of 3 dwellings extending along the frontage with individual accesses onto Primrose Hill. The elevational plans denote 2-storey chalet-style dwellings with integral garages. (Note that these are for illustrative purposes only).
- 3.4 The application includes the following supporting documents:
- Application Form
 - Existing site layout ref: SE-1232
 - Location plan, Indicative Site and Street view plan ref: SE-1232 PP- 1000 E
 - Design and Access Statement
 - Initial biodiversity checklist
- 3.5 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
19/0125/PREAPP	Erection of a 4 bed bungalow.	Planning application not encouraged by Officers

5 CONSULTATIONS

Doddington Parish Council

- 5.1 No comments received

CCC Highways (LHA)

- 5.2 [Following receipt of amended access layout] raises no objection subject to conditions controlling specific details of access surfacing and drainage and delivery of accesses and footpath prior to first occupation.

FDC Environmental Protection

- 5.3 Raises no objection or requirements

Local Residents/Interested Parties

- 5.4 11 letters of support received from 8 local residents providing the following comments (summarised);
- Will help to calm traffic
 - Would infill between existing properties
 - Would create jobs for local builders and trades

- Would support local services/ facilities
- The applicants are local and business owners
- Would enable future generations of the same family to continue living in the village
- Would enable the applicants to return to the village

5.5 One resident, while supportive of the proposal has requested the following amendments to the scheme;

- Requests that the driveway opposite 7 Primrose Hill is offset slightly (no reason provided)
- The speed limit should be reduced to 30mph following the introduction of these 3 additional dwellings

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF);

Paragraph 2 & 47: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 8: The three dimensions to sustainable development.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 78: Promoting sustainable development in rural areas.

Paragraph 127: Seek to ensure a good standard of amenity for all existing and future occupants.

Paragraph 102: Promoting sustainable transport

Chapter 5: Housing land supply

Paragraphs 124-130: Requiring good design

Paragraphs 170, 175: Conserving and enhancing the natural environment

Paragraphs 54-56: Planning conditions and obligations.

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014 (FLP);

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

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

7.4 Supplementary Planning Documents/ Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)

- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Impact on the character and appearance of the area**
- **Access & Highways**
- **Biodiversity & Ecology**
- **Resident Comments**

9 BACKGROUND

- 9.1 The applicant undertook pre-application advice prior to the submission of the application. The pre-application enquiry was for the erection of 1 dwelling but captured the same extent of land as with this application.
- 9.2 In summary, officers made the following comments;
- Officers considered that the application site fell outside of the developed footprint having regard to the criteria under policy LP12 and therefore contrary to LP3.
 - Officers considered development of this site would erode the character and appearance of the surrounding countryside and farmland and would result in the unjustified loss of agricultural land contrary to LP12 and LP16.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan, 2014 ('the FLP') 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.
- 10.2 The development site forms part of the existing farmstead of 2 Primrose Hill. Beyond No.2 (eastwards) is an extent of undeveloped open countryside before it then meets with the continuous built frontage along Newgate Street leading into the settlement. Heading west, away from the settlement are dispersed and intermittent buildings.
- 10.3 The developed footprint of the village is defined under policy LP12 as the continuous built form of the settlement excluding:
- (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;
 - (d) outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.
- 10.4 Having regard to these criteria, it is concluded that the site is set amongst an area of intermittent buildings that are clearly detached from the continuous built up area of Doddington. As such the site does not fall within or (particularly for the purposes of small village extensions) directly adjacent to the established settlement and relates more to the open countryside than to the urbanised part of the settlement. This assessment is made acknowledging that the northern side of

Primrose Hill does form a continuous built frontage, whereas this site is notably detached and comprises a very different character area.

10.5 Notwithstanding this, regard is had to the NPPF whereby Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities through supporting services and businesses in nearby settlements, whilst avoiding new isolated homes in the countryside. In this regard it is noted that whilst the site is clearly detached from the main settlement it benefits from links to the core of Doddington including a footpath immediately opposite where frontage development can be found. The proposed development would therefore not be in an isolated location in the context of paragraphs 79 of the NPPF and occupiers could sustainably access Doddington's services which are located approximately 1km from the site.

10.6 In this regard therefore, whilst there is conflict with the aims of LP3 in terms of the detached location of the site as set out under LP12, this policy is somewhat superseded by paragraph 78 of the NPPF and the principle of development can be supported subject to compliance with other relevant policies of the development plan.

Impact on the character and appearance of the area

10.7 The site comprises agricultural land with views extending southwards across the countryside and farmland leading to the A141 highway. Due to the drop in land levels to the south, the openness and expanse of open countryside is notable when viewed from the highway. Whilst it is noted that linear development exists along the north of Primrose Hill opposite the application site, the site itself has a completely different character comprising agricultural land with open southerly views extending across the countryside and farmland.

10.8 It is considered that development of this site would fail to respect the core shape and form of the settlement, instead introducing a detached development creating a visually isolated linear feature which would stifle the open views currently enjoyed. Consequently, the development would erode the rural character and appearance of the surrounding countryside and farmland resulting in a suburbanising effect through the loss of openness. Chapter 15 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment, for example; through protecting valued landscapes and recognising the intrinsic character and beauty of the countryside.

10.9 Whilst policy LP12 (Part A)(c, d and e) applies to development in villages (which this site is not considered to fall within), it nonetheless seeks to achieve development which respects the core shape and form of the settlement, does not adversely affect the character of an area and does not result in linear or ribbon development. Furthermore, LP16(c) requires development to retain natural features such as field patterns and criteria (d) amongst other things, to make a positive contribution to local distinctiveness and character of an area.

10.10 The development is therefore contrary to the aims of policy LP12- Part A (c, d and e) as it would erode the rural character of the area and fails to make a positive contribution to the settlement pattern contrary to policy LP16 and Policy DM3 of the Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland 2014.

Access & Highways

- 10.11 The LHA has raised no objection to the proposal following amendments to the scheme including the reduction of access widths from 5m to 3m and the inclusion of a footpath link to the adjacent bus stop. The accesses are now considered to provide safe and effective access to the development in accordance with LP15 and specific details of their finishes and drainage could be reasonably secured through planning condition.
- 10.12 The LHA has requested that a footpath is introduced across the frontage, connecting the accesses to the existing bus stop immediately west to encourage sustainable modes of transport as per LP15. The applicant has amended their scheme to provide this and whilst this satisfies LHA requirements, the infrastructure would only seek to further urbanise the area, compounding the character harm already identified. Notwithstanding this, given that each dwelling is served by its own access with adequate visibility achieved and the existence of a footpath opposite the site which residents could use before re-crossing the road to the bus stop if required, it is concluded that this infrastructure would not be strictly required in order to make the development acceptable. Therefore having regard to the tests of planning conditions, to insist that the infrastructure is secured would not be reasonable.
- 10.13 Two residents have concluded that the introduction of the dwellings would slow vehicles down however no evidence has been advanced to indicate that the development would have an effect on current traffic flows/ speeds. The LHA raises no specific objection or support to the development on this point and as such little weight can be given to this.
- 10.14 One resident has asked that the access opposite No 7 is offset slightly but no reason is provided for this. The LHA has not raised this as a safety issue and therefore it would not be reasonable to request such an amendment. Furthermore, the same resident has requested that a new traffic regulation order (TRO) should be introduced to reduce speed limits from the current 40mph to 30mph. Again, the LHA has raised no concerns in this regard and it would not therefore be reasonable or proportionate to secure the cost of a new TRO through this proposal. The LHA has powers to secure this should they feel it necessary in the future.
- 10.15 In summary, given that only the access is committed at this time, with matters of layout to be determined through reserved matters, the application satisfies Policy LP15 and LP16 in respect of access design and highways impacts, subject to conditions securing timing of access delivery and specific construction details.

Biodiversity & Ecology

- 10.16 The proposal raises no significant concerns on biodiversity grounds subject to biodiversity enhancement opportunities being incorporated into the scheme at design stage (reserved matters). It is considered that this could be controlled via a suitably worded planning condition secured under the outline application and could meet the aims of policies LP16 (b) and LP19 in this regard.

Resident Comments

- 10.17 Whilst a number of residents' comments have been addressed above, the following matters are considered;

Would create jobs for local builders and trades

- 10.18 It is acknowledged that there would be some economic benefits to tradespeople and builders merchants etc. during the build of the project. However, there would be no specific requirement for services to be locally sourced, nor could this be reasonably controlled through any planning obligation. Furthermore the development is for only 3 properties and therefore the economic benefits would be modest. Weight however can be given to general economic benefits of the scheme.

Would support local services / facilities

- 10.19 It is acknowledged that there would be economic benefits in respect of supporting local businesses and facilities and this is a material consideration to be given weight.

The applicants are local business owners

- 10.20 The development is for 3 dwellings with no reference to any specific ownership requirements e.g. personalised permissions. As such, this application is to be determined based on 3 market dwellings with unrestricted occupancy.

Would enable future generations of the same family to continue living in the village/ would enable the applicants to return to the village

- 10.21 Doddington is identified as a growth settlement and since 2011 around 167 dwellings have been built or permitted to be built in the village – exceeding the anticipated Local Plan growth by at least 20 dwellings. Whilst it is acknowledged that this development would enable a family to live locally, given the growth ambitions of Doddington and previous/ extant permissions for dwellinghouses, it is assumed that other sites would also be available for development or occupation – more appropriately located within the settlement, which could accommodate these needs. As such, limited weight is afforded to this point.

11 CONCLUSIONS

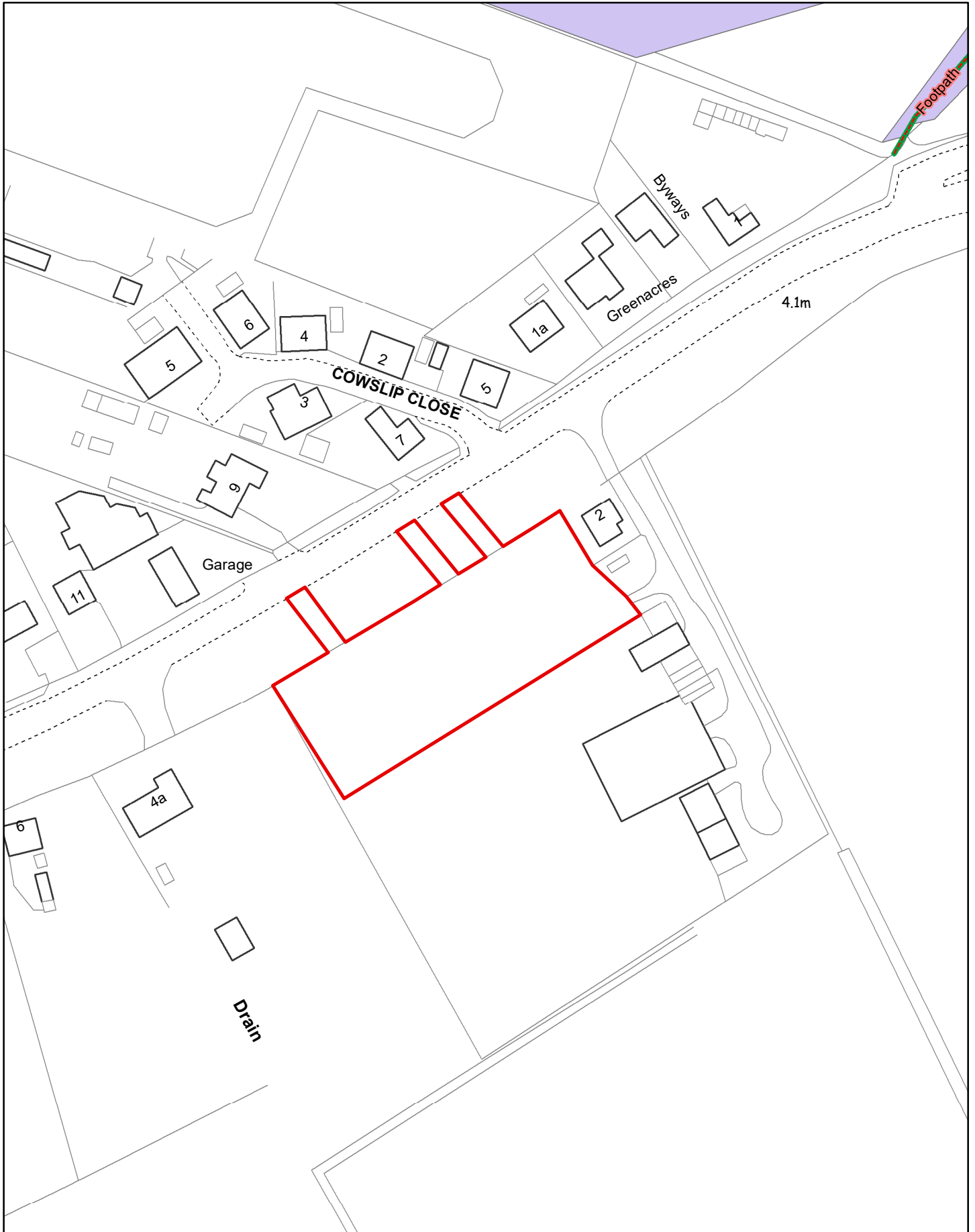
- 11.1 It is acknowledged that the proposal would make a modest contribution towards economic growth, both during the construction phase and in the longer term through assisting the local economy e.g. local services/facilities, thereby helping to sustain the village of Doddington and the wider district and would make a modest contribution towards the district's housing stock. This also has social benefits.
- 11.2 Weighing against the proposal however is the introduction of development which would not be in-keeping with the pattern of the settlement, resulting in a visually detached, linear form of development which would have a significant, adverse impact on the spacious rural character and openness of this area.
- 11.3 It is considered that the harm substantially outweighs the benefits of the development.
- 11.4 The Council can demonstrate a 5 year supply of housing and therefore the 'tilted balance' under paragraph 11 of the NPPF is not engaged. In this regard therefore, the policies within the development plan are considered up to date and robust enough to determine this proposal.
- 11.5 The proposal fails to accord with the development plan when taken as a whole and is considered unsustainable development. The Local Planning Authority is required in law to determine planning applications in accordance with the

Development Plan unless material planning considerations indicate otherwise. Officers consider that there are no material considerations that have been presented to indicate that a departure from the development plan would be justified in this instance. Therefore, Officers recommend that the application is refused for the reason set out in section 12 below;

12 RECOMMENDATION

12.1 Refuse for the following reason;

The application site constitutes an area of open countryside located outside the developed footprint of the settlement. The development proposal would result in an unwarranted incursion into the open countryside resulting in the loss of the open character of the site and an urbanisation of the area through the introduction of a detached, linear form of development. Therefore, the proposal is considered to be contrary to Policies LP3, LP12 Part A (c, d and e) and LP16(c and d) of the adopted Fenland Local Plan (2014), Policy DM3 of the Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014) and paragraph 127 of the NPPF.



Created on: 09/08/2019

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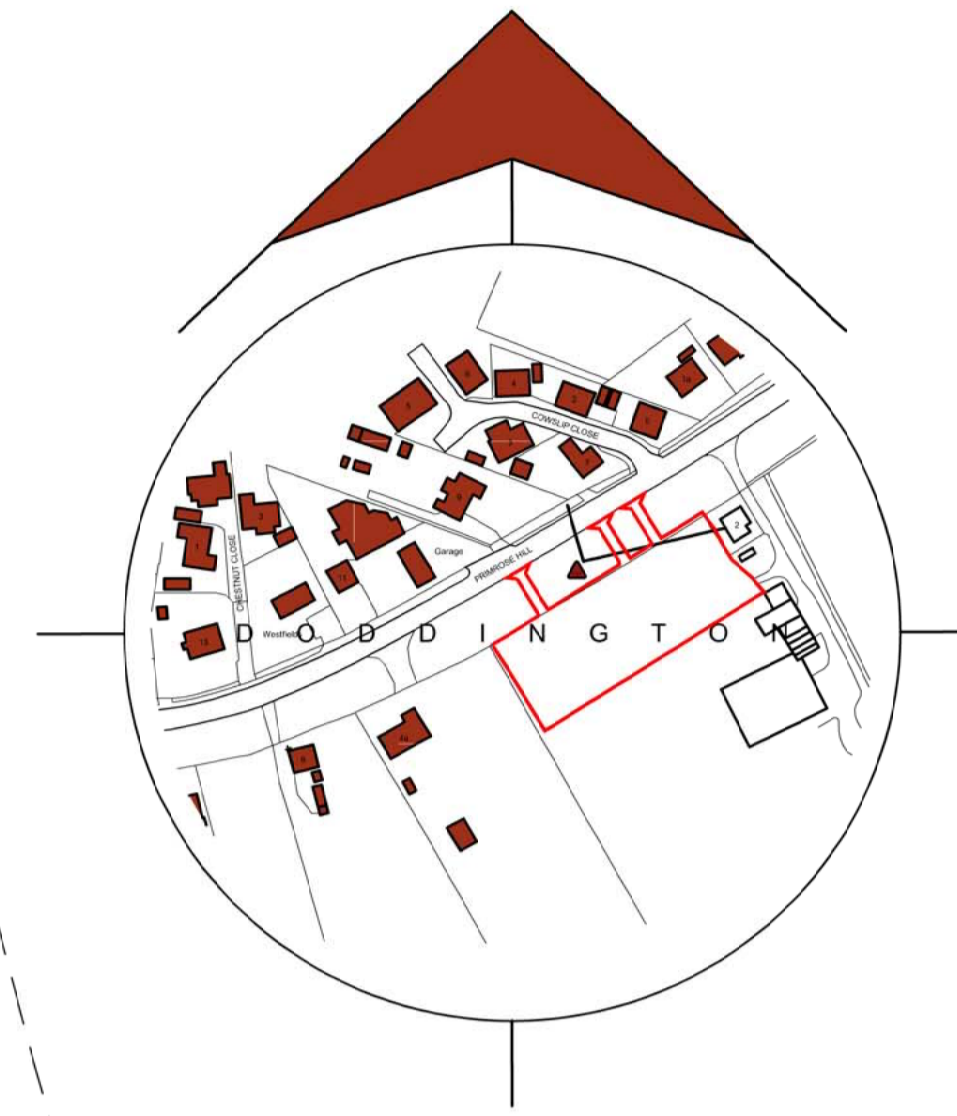




Indicative Street Elevation
Scale: 1:200
metres




Indicative Site Plan
Scale: 1:200
metres



Location Plan
Scale: 1:2500
metres

SITE PLAN KEY

-  Indicates surveyed buildings
-  Indicates proposed site access
-  Indicates surveyed trees and hedging
-  Indicates features to be demolished
-  Indicates proposed trees and hedging
-  Indicates proposed lawned garden
-  Indicates proposed gravel driveway
-  Indicates proposed patios and footpaths
-  Indicates extent of application site

General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in 'mm' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.

Revisions	
E	Sept 2019 Amendments following Highways Comments received 23/09/2019

Status
FOR APPROVAL

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Job Title	Date	Drawn by
Proposed 3No. Dwellings	June 2019	SH-e
2 Primrose Hill		Checked by
Doddington		G.E.
Mr & Mrs A Chambers		
Drawing Title	Job No.	Sheet Size
Outline Planning Drawing	SE-1232	A1
	Dwg No.	Revision
	PP-1000	E