
F/YR20/0120/O

Applicant: Mr & Mrs J Fuller

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

Land West Of Gaultree Lodge, London Road, Chatteris, Cambridgeshire

Erect a dwelling (outline application with matters committed in respect of access)

Officer recommendation: Refuse

**Reason for Committee: Number of representations received contrary to the
Officer recommendation.**

1 EXECUTIVE SUMMARY

- 1.1 This proposal seeks outline planning permission for the erection of a dwelling with details in relation to access committed at this stage on land west of Gaultree Lodge, London Road, Chatteris.
- 1.2 The main issues associated with the proposal are whether the site is a suitable location for a dwelling having regard to the settlement hierarchy and accessibility to services and the effect of the proposal on the character and appearance of the area.
- 1.3 The site relates to a small cluster of built roadside development in the area of countryside between Chatteris (to the north) and Somersham (to the south). Policy LP3 says that development in such 'elsewhere' locations will be restricted to that which is demonstrably essential (relative to set uses and criteria which are set out within the policy). The application is not presented as being necessary in relation to such exceptions. The proposal is evidently contrary to Local Plan Policy LP3.
- 1.4 The site is located approximately 2km from the closest part of the town centre of Chatteris, with the lack of footpath and street lighting from the site to these services, in all reality future occupiers would be reliant on the private car, thereby conflicting with the sustainability objectives of Policy LP3 and to the NPPF.
- 1.5 London Road is characterised in the main by random and sporadic forms of development built along both sides of the road. There is no built development to the west on this side of London Road beyond the host dwelling. The provision of an additional dwelling in this location would lead to an unacceptable and unnecessary urbanisation of the character of the area. The proposal therefore conflicts with Local Plan Policy LP16.
- 1.6 Accordingly the proposal is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site forms part of the side garden to Gaultree Lodge, is mainly laid to lawn and is of approximately 853sqm, outside the Market town of Chatteris, within the open countryside. Gaultree Lodge is a relatively new dwelling and is the easternmost property of a group of 3 dwellings on this side of the road. The site lies on the south side of London Road (B1050). There is hedging and trees to the site frontage (north) and hedging with post and rail fencing to the side (west) marking the boundary of the site to the agricultural fields beyond.
- 2.2 A new access would be formed onto London Road, which at this point is unlit and has no pedestrian pavements, although a rural verge exists. The land is within Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks outline planning permission for one dwelling. Access is committed at this stage with all other matters reserved for later consideration.
- 3.2 An illustrative site plan has been submitted and shows a dwelling positioned in a similar configuration as the host dwelling at Gaultree Lodge. The layout shows the new 5 metre wide vehicular access off of London Road together with parking (via a drive and single detached garage) and turning area to the front of the proposed dwelling with associated garden space to the rear. The illustrative layout shows the existing hedging to the north and west boundaries being retained (except where the new access would be formed).
- 3.3 Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=Q5LKLCHE01U00>

4 SITE PLANNING HISTORY

F/YR18/0222/O	Erection of a dwelling (outline application with matters committed in respect of access)	Refused 26/04/2018
<u>Relative to the host dwelling – Gaultree Lodge</u>		
F/YR12/0869/F	Erection of a single storey 3-bed dwelling with integral garage	Granted 13/12/2012
F/YR12/3015/COND	Details reserved by condition 2 of planning permission F/YR11/0637/F	Approved 23/03/2012
F/YR11/0835/NONMAT	Handing of dwelling including alteration to position of garage doors, removal of window to North elevation, insertion of additional window to West elevation and 2 additional windows to East elevation (garage) and amendment to layout of parking and turning area, relating to planning permission F/YR11/0637/F	Approved 18/11/2011
F/YR11/0637/F	Erection of a 2 storey 3-bed dwelling with integral garage	Granted 27/09/2011
F/YR11/0331/F	Erection of 2-storey 3-bed dwelling with attached garage	Withdrawn on 30/06/2011

5 CONSULTATIONS

- 5.1 Chatteris Town Council:** Recommend Refusal, outside the development area and footpath along that part of London Road no longer exists.
- 5.2 Environment & Health Services (FDC):** Note and accept the submitted information and have no objections as it is unlikely to have a detrimental effect on local air quality and the noise climate, or be affected by ground contamination.
- 5.3 Cambridgeshire County Council Highways Authority:** No highway objections subject to planning conditions that the dwelling is not occupied until the vehicular access is laid out and constructed and permanent space for vehicle turning and parking.
- 5.4 Local Residents/Interested Parties:** No objections received. 6 proforma type letters of support received from residents living predominately within the town of Chatteris. The comments are summarised as follows:
- There have been recent planning approvals in close proximity to the application site;
 - The proposal will continue the linear form of development along London Road;

- The site will contribute to the local distinctiveness and character of the area and will contribute to the street scene of London Road; and
- The site is not within the open countryside but is within the town of Chatteris as noted by the position of road signage which is located further along London Road to the west.

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)

Chapter 2: Achieving sustainable development

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities

Para 79: Decisions should avoid the development of isolated homes in the countryside unless one or more exceptions are met

Para 108: Safe and suitable access to the site can be achieved for all users

Para 170: Decisions should contribute to and enhance the natural and local environment, by, amongst other things, recognising the intrinsic character and beauty of the countryside

7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

7.3 National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

Resources

Lifespan

7.4 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

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

8 KEY ISSUES

- **Principle of Development (including Sustainability)**
- **Character and Appearance**
- **Access and Highway Safety**
- **Other Considerations**

9 BACKGROUND

9.1 This application follows an application for the same development refused in April 2018 (planning reference: F/YR18/0222/O). That application was refused for the following reasons:

(1) Policy LP16 (d) requires development to contribute to local distinctiveness and the character of the area, and would not allow development that adversely impact on the street scene, settlement pattern or the landscape character of the open countryside. The development proposal indicates development that appears out of keeping with the rural location and the resultant additional dwelling would result in unacceptable changes to the character of the area which fails to enhance its local setting and adversely impacts on the landscape character of the surrounding area. The development is therefore considered to be contrary to Policy LP16 of the Fenland Local Plan and aims and objectives of the NPPF.

(2) The proposed development would result in an additional dwelling located in the open countryside with no direct correlation with the main settlement of Chatteris, with no footpath link or street lighting, and as such the household would largely have to rely on private modes of transport to access goods and services. Similarly there would be no opportunities for community cohesion given the location of the site outside a settlement. Therefore the proposal is considered unsustainable development contrary to the aims and objectives of Policy LP3 of the Fenland Local Plan and the NPPF.

9.2 The main reason for this re-submission appears to be a recent (November 2019) outline planning approval for 3 dwellings on land to the north-east on the opposite side of London Road (planning reference: F/YR19/0760/O). Members may recall this application was determined at the November 6th Planning Committee. Unlike this application that permission (which has yet to be implemented) was on land between two existing dwellings, whereas this proposal has no dwellings to the west and would not constitute any form of infill.

10 ASSESSMENT

Principle of Development (including Sustainability)

10.1 The main policy documents which are relevant to the consideration of this application are the Fenland Local Plan 2014 and the NPPF. The weight that should be attributed to these policies and documents are considered below.

10.2 The Fenland Local Plan 2014 Policy LP3 sets out a clear spatial strategy for sustainable growth in the plan period. The strategy is based on a defined settlement hierarchy and directs the majority of growth to the district's larger settlements. The settlement hierarchy comprises 6 levels of settlement type which are, in descending order, 'market towns', 'growth villages', 'limited growth villages', 'small villages', 'other villages' and 'elsewhere'.

- 10.3 The application site falls within the 'elsewhere' category because the site relates to a small cluster of built roadside development in the area of countryside between Chatteris (to the north) and Somersham (to the south). Policy LP3 says that development in such 'elsewhere' locations will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport and utility services. It also says that any such development will be subject to a restrictive occupancy condition. No justification has been included within the submission to illustrate that the dwelling is required to support such an enterprise and accordingly the principle of development cannot be considered to be acceptable.
- 10.4 Whilst the site would not be considered physically 'isolated' for the purposes of paragraph 79 of the NPPF due to there being a number of dwellings along London Road, it is considered that the site is not reasonably accessible to services when considered in the context of other requirements of the NPPF. The site is approximately 2km away from the town centre boundary and as such a further dwelling in this location would not offer any future residents appropriate access to goods and services. There is no pedestrian footpath and street lighting along this section of London Road, and whilst there is a footpath on the southern side of London Road which terminates at the top of the junction of Stocking Drove, the distances involved to reach the shops and services are not reasonably walkable and therefore it is considered that the majority of journeys would be by private car.
- 10.5 Accordingly, it is considered that the site would not be a suitable location for a dwelling having particular regard to the settlement strategy and accessibility to services. The proposal would conflict with Local Plan Policy LP3, which among other things seeks to focus development in sustainable locations that offer the best access to services and facilities.

Character and Appearance

- 10.6 London Road is characterised in the main by random and sporadic forms of development built along both sides of the road as it leaves the town of Chatteris. As the road approaches the site, development is sparse and intermittent. There is no built development on this side of London Road beyond the host dwelling (Gaultree Lodge), albeit the application site is part of the domestic garden of the host property. The provision of an additional dwelling in this location would lead to an unacceptable urbanisation of this rural road, which is characterised at this point by a mix of sporadic residential and agricultural development.
- 10.7 The proposal would be seen as an unwelcome and unnecessary intrusion into the countryside. Accordingly the development would be materially harmful to the character and appearance of the surrounding area. Therefore the application would conflict with Policy LP16 (d) which requires development to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting and not adversely affect the landscape character of the surrounding countryside and farmland. Furthermore, it would conflict with the aims of the NPPF which recognise the intrinsic "character and beauty of the countryside".

Access and Highway Safety

- 10.8 The site is located on an area of the road that has adequate inter-vehicle visibility. The Highway Authority has raised no objection to the proposal to create

a new vehicular access subject to conditions with regard to the laying out of the access, parking and turning areas prior to occupation of the dwelling.

Notwithstanding the acceptability of the access arrangements, it is noted that the site is located some distance from Chatteris, with no pavement or street lights along this section of London Road, which raises the issue of safe passage for pedestrians.

Other Considerations

- 10.9 The site is located within Flood Zone 1 and therefore flood risk is not considered to be a constraint. The details of surface water drainage disposal have been indicated to be via soakaway; full details would be secured through Building Regulations.

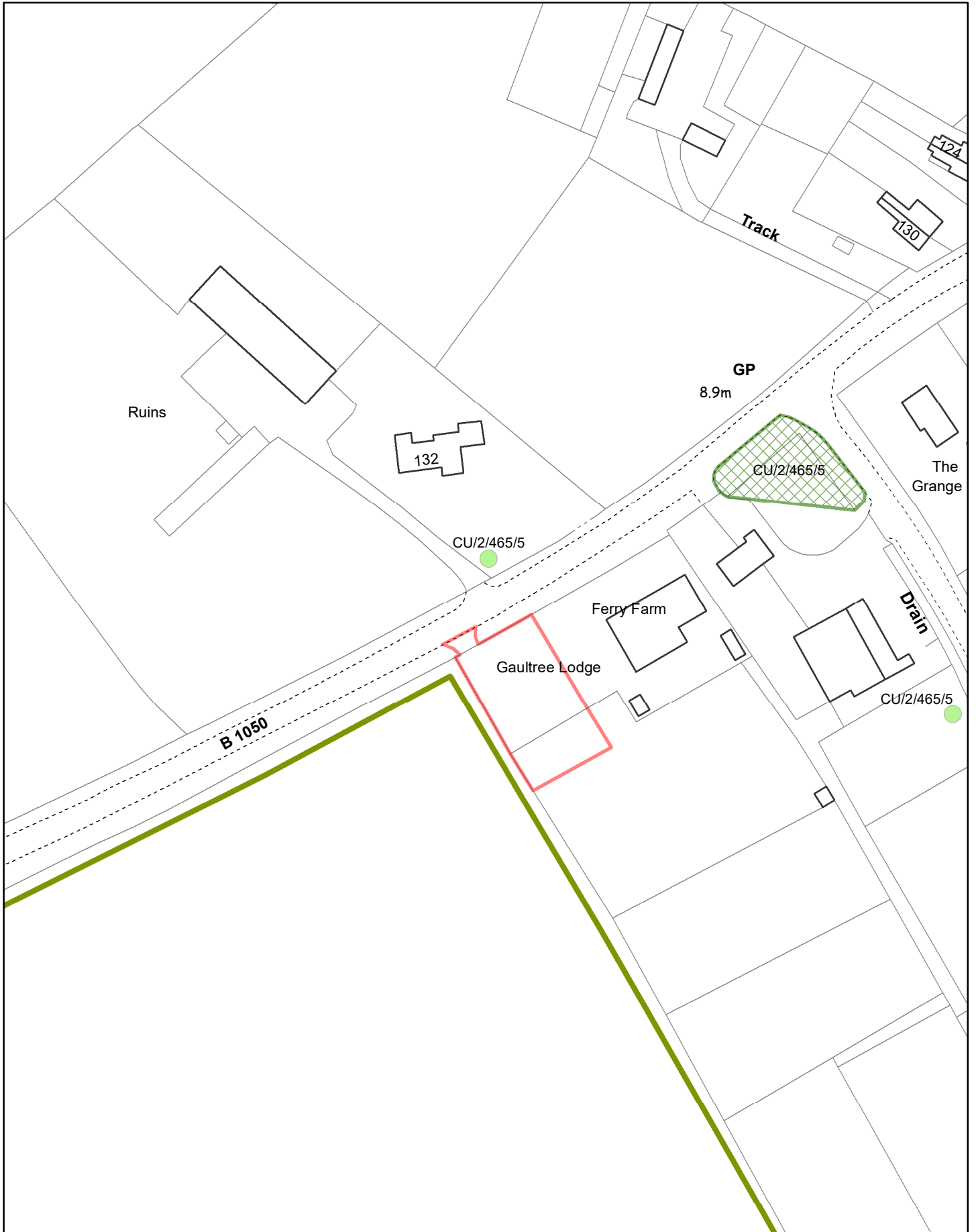
11 CONCLUSIONS

- 11.1 The proposal is considered to be contrary to the Council's Spatial Strategy in that it would result in unjustified development of an area of countryside, which would erode the open rural character of this part of London Road. Policy LP3 of the Local Plan identifies the site as falling within the 'elsewhere' category and as such is in an unsustainable location where there is no reasonable access to services other than by the private car. Accordingly for the reasons given above the proposal is recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons:

1.	The proposed development would result in an additional dwelling located in the open countryside with no direct correlation with the main settlement of Chatteris, with no footpath link or street lighting, and as such the household would largely have to rely on private modes of transport to access goods and services. Similarly there would be no opportunities for community cohesion given the location of the site outside a settlement. Therefore the proposal is considered unsustainable development contrary to the aims and objectives of Policy LP3 of the Fenland Local Plan and the NPPF.
2.	Policy LP16 (d) requires development to contribute to the local distinctiveness and the character of the area, and would not allow development that adversely impacts on the street scene, settlement pattern or the landscape character of the open countryside. The development proposal indicates development that appears out of keeping with the rural location and the resultant additional dwelling would result in unacceptable changes to the character of the area which fails to enhance its local setting and adversely impacts on the landscape character of the surrounding area. The development is therefore considered to be contrary to Policy LP16 of the Fenland Local Plan and aims and objectives of the NPPF.



Created on: 17/02/2020

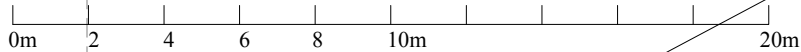
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Scale = 1:1,250



Scale: 1:200



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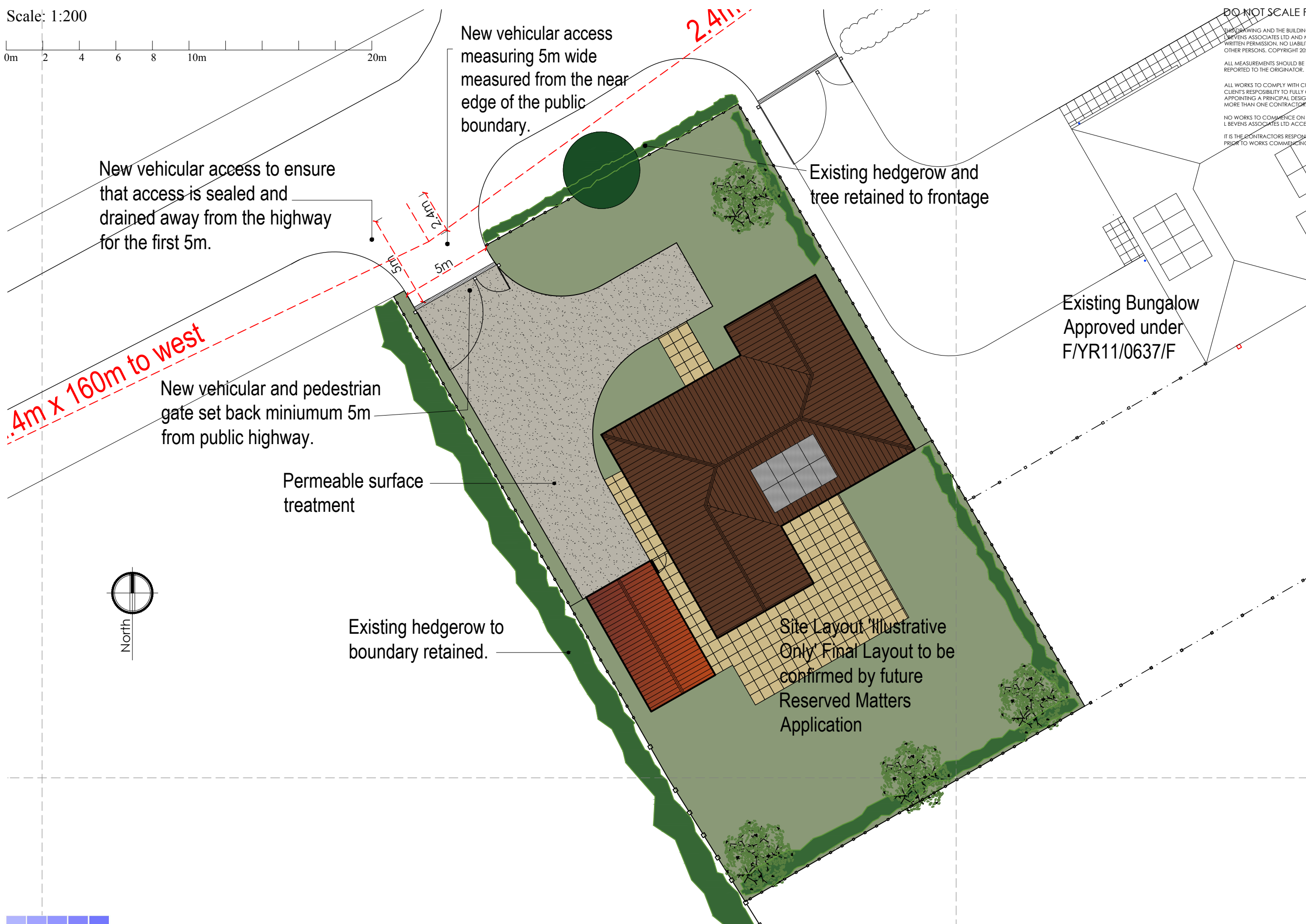
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ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.



New vehicular access to ensure that access is sealed and drained away from the highway for the first 5m.

New vehicular access measuring 5m wide measured from the near edge of the public boundary.

Existing hedgerow and tree retained to frontage

Existing Bungalow Approved under F/YR11/0637/F

New vehicular and pedestrian gate set back minimum 5m from public highway.

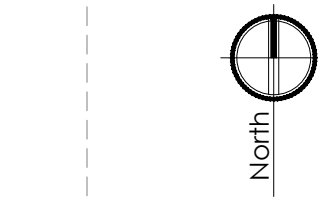
Permeable surface treatment

Existing hedgerow to boundary retained.

Site Layout 'Illustrative Only' Final Layout to be confirmed by future Reserved Matters Application

4m x 160m to west

2.4m



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Land West of Gaultree Lodge,
 London Road, Chatteris, Cambridgeshire.
 Project: Mr J Fuller

Title	Illustrative Site Plan		Scale	Date	Drawn	Checked
			1:200 @ A3	Feb. 2020	L B	
Drawing Number					Revision	
CH17/LBA/447/OP-1-101						