

Applicant: Mr & Mrs Bassett

**Agent: Mrs Shanna Jackson
Swann Edwards Architecture Ltd**

Land west of Bradley's Farm, Honeyhill Road, Gorefield

Erect 1x dwelling (2-storey 4-bed), 1.8metre high steel fence railings and gate, and extension to existing workshop (B2).

Reason for Committee: Called in by Cllr Humphrey.

1. EXECUTIVE SUMMARY

- 1.1. The proposal is for the extension of an existing workshop and the construction of a dwelling on the site.**
- 1.2. The application site is located beyond any of the existing settlements in an area defined in the Fenland Local Plan as an 'Elsewhere' location.**
- 1.3. The proposal does not meet any of the identified exceptions to national and local planning policy for new dwellings in such locations.**
- 1.4. The construction of a dwelling on the site has been refused planning permission on two previous occasions due to lack of justification in policy terms for location of the dwelling on the site.**
- 1.5. Two earlier applications were submitted for the stationing of a mobile home on the land, the first of which was withdrawn and the second refused due to the lack of justification for location of the building in this location beyond the settlement boundary.**
- 1.6. The justification for the current proposal is stated as being to allow prompter response to work requests, being present on site for deliveries and to provide additional security to the business premises.**
- 1.7. The above matters do not meet the policy requirements for justification of dwellings in elsewhere locations, and the proposal is therefore recommended for refusal.**

2. SITE DESCRIPTION

- 2.1. The site lies to the north of Honeyhill Road and comprises an area of land that addresses both Honeyhill Road and Goredike Bank. It is located to the west of Gorefield, approximately 1.8km from the main village along a highway that features several farmyard style developments typical within the district. The area is generally rural in character within open countryside surrounding the immediate vicinity of the site.**

- 2.2. There is an existing former agricultural building on the site to the east of its centre, a typical example of its type with a brick lower wall with profile sheet cladding around its upper part, and corrugated roofing. The building is currently used as an 'engineering workshop' associated with the welding/fabrication business operated from the site.
- 2.3. The western boundary of the site is a low post and rail fence, with full hedges to the north and south boundaries and a more sporadic hedgerow to the east.
- 2.4. There are two vehicular accesses to the site, one to each of the north and south boundaries. The southern boundary access is closed by a wrought iron style gateway with decorative finials more reminiscent of a residential dwelling, whilst the northern access is of a more utilitarian nature. Neither gateway is secure in terms of preventing access, with gaps between the gates and hedgerow, although they would prevent access by unauthorised vehicles.

3. PROPOSAL

- 3.1. The proposal is for the construction of a new dwelling on the western half of the site of 2-storeys, incorporating four bedrooms, a double garage and an office in addition to the usual residential features of such a property. The scheme also includes the extension of the existing workshop, doubling the existing floorspace of the building.
- 3.2. The scheme proposes replacement of the existing western boundary post and rail fence with a new 1.8m close boarded boundary treatment, and the introduction of 1.8m steel railings along the southern border, with new hedge planting behind, and a driveway extending north and south from the boundary to provide a visual separation of the proposed dwelling from the workshop part of the site.

4. SITE PLANNING HISTORY

F/YR19/1004/F	Erect a 2-storey 4-bed dwelling (C3) with garage; 1.8 metre high steel fence railings and gate and extension to existing workshop (B2)	REFUSE 21/1/2020
F/YR17/1182/VOC	Variation of conditions 2 (hours of operation) and 4 (storage) of planning permission F/94/0325/F to change hours of operation to 0700 and 2000 Mondays to Fridays, 0900 to 1600 Saturdays and at no times on Sundays or Bank / Public Holidays and materials or equipment to only be stored on site within the areas of hardstanding to the north of the workshop	GRANT 24.07.2018
F/YR17/0828/O	Erection of a dwelling (outline application with all matters reserved)	REFUSE 31.10.2017
F/95/0540/F	Temporary stationing of a mobile home Bradley Farm, Turnover Bank Gorefield	REFUSE 08.11.1995
F/95/0046/F	Temporary stationing of a mobile home Bradley Farm, Turnover Bank Gorefield	WDN 31.05.1995
F/94/0325/F	Change of use of agriculture building to general engineering workshop Bradley Farm, Turnover Bank	GRANT 12.10.1994

5. CONSULTATIONS

5.1. **Cambridgeshire County Council Local Highways Authority**

Comments from previous application remain applicable. Those comments were as follows:

The northern access has not been approved by highways and needs to be removed or upgraded. The southern hedge has encroached within the highway and impacts on visibility. Amended plans required.

5.2. **North Level Internal Drainage Board**

No comments

5.3. **FDC Environmental Health**

Initial comment: No objections.

Further comment: Contamination has been alleged at the site due to lack of a bunded storage area for oil and chemical drums, and a bulk fuel storage tank leaking into the soil. Ground assessment may need to be provided to demonstrate the land is suitable for development.

5.4. **Environment Agency**

No objection. Advice given assumes the sequential test has been passed. Strongly recommend the Flood Risk Assessment mitigation measures are incorporated into the proposal and adhered to. Applicant should sign up to the Environment Agency's flood warning service. The proposal will need to be served by a non mains drainage system, which may require an Environmental Permit from the EA.

5.5. **Cambridgeshire Constabulary**

Low level of crime in the area according to reported instances. Can't support the application as it stands, but would support the security fencing.

5.6. **Local Residents/Interested parties:**

Several letters of objection have been received from the residents of the property neighbouring the site raising the following matters:

- Nothing has changed since the last application.
- Majority of the applicant's work comes from food processing factories.
- Reducing travel to/from the site is poor justification, especially as he rarely visits the site at present
- Existing agricultural machinery stored on the site has not moved since they were placed there in October.
- Rarely see anyone on site or delivery vans visiting.
- Number of trips to and from the site will increase if proposal is permitted as there are currently very few.
- The business has operated from the site for the last 25 years with numerous nearby properties being available for sale in that time.
- The application site is flood zone 3.
- The business is not agricultural
- The hours of use granted are underutilised at present.
- The site perimeter is not secure, and the only new security measures are a light put in (Nov 19). There is no alarm system, CCTV or other security systems.
- Proposed dwelling is large and imposing.

- No provision made for ground floor bedroom despite indication that applicant's elderly mother may be brought to live at the site.
- No evidence of forced entry to the workshop.
- Nothing is critical or life threatening if the applicant is not on site 24/7.
- Only mains water available at the site.
- Original planning conditions from 1994 not fully complied with.
- Other farmhouses in the area could be renovated for use.
- No clear functional need for a dwelling on the site
- Never seen anyone other than the applicant working at the site.
- Suggestions of a farm shop and keeping animals on site are irrelevant to the current application.
- Concerned that the piling work required would adversely affect neighbouring foundations.

Further exchanges of letters have been received in relation to this by the applicant and the neighbour, however the material issues are considered below.

5.7. **Ward Councillor**

Cllr Humphrey has requested the application be determined by Planning Committee for the following reason:

The existing business, Bassett Weldings and Fabrications provides agricultural repairs, welding and fabrications to local farmers in the locality. Mr Bassett is required to be available 24hrs a day by the farming industry to tend to emergencies and breakdowns and to receive deliveries. As is clear from the requirement to extend the workshop, the business has grown considerably from when it first began in 1994 and the industry as a whole is much more competitive.

Bassett Weldings and Fabrications provides agricultural repairs, welding and fabrications to local farmers in the locality. The business is involved in fixing and maintaining farming machinery and equipment. Mr Bassett is often called out on an emergency basis to go and fix machinery on the fields. As is commonly known, farming operations are often 24hr a day operations and therefore Mr Bassett can be called out at any time of day or night. As he is fixing machinery on the field he is required to visit the workshop to collect the tools and equipment he needs for the job before taking them out on site. Therefore no work is taking place in the workshop after the restricted hours. Currently Mr Bassett is having to travel from his home in Holbeach Drove to the workshop site in Gorefield to collect the tools and equipment he needs before he can attend the breakdown site. The resultant additional travelling from home to workshop wastes valuable customer time which is threatening the viability of Bassett Weldings and Fabrications as they are no longer as competitive as other similar businesses. The situation is particularly acute after 'normal working hours' when machinery breakdowns on the field require resolving as soon as possible to avoid personnel being left in the field in the dark or with poor weather conditions where sources of help and assistance are sparse.

The application site is within a central location for the client base and by residing on site Mr Bassett will be able to access the tools and equipment he needs immediately before travelling to the breakdown site. This can effectively halve (if not more) his response time, enabling the rural enterprise to continue to thrive. Bassett Welding and Fabrications is a family business. The dwelling will

provide accommodation for Mr Bassett (full time) and Mrs Bassett (part time). By residing on site, Mrs Bassett will be able to receive the deliveries even if she is not working. She will not have to travel from Holbeach Drove to receive them where there is chance they could be missed which would ultimately threaten the effective operation of the business.

The enterprise is clearly viable given that it has been in operation for 25 years and the owner is investing in the business by reasons of extending the workshop.

The proposal will result in a workshop extension and a new dwelling to support which will address the functional need for the existing business and allow it to continue to properly function. The principle of the development is therefore consistent with Section 6 of the NPPF which seeks to support the rural economy. There is also relevant case law which supports the proposal – In Cheshire West and Chester, planning permission was granted for the erection of a dwelling at an agricultural contractor’s workshop in Cheshire because of the operational needs of the appellant’s business. The inspector afforded significant weight to the appellants need to visit farmers quickly. Weight was also given to business expansion opportunity and the creation of a more sustainable pattern of travel.

The information above and the evidence and accompanying appraisal has demonstrated that there is justification to allow for an occupational dwelling in an ‘elsewhere’ location. The principle of the development is therefore acceptable in accordance with policies LP3 and LP12 of the Local Plan.

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)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

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

Para 79: Avoid the development of isolated homes in the countryside unless specified exceptions apply

Para 80: Significant weight should be placed on the need to support economic growth and productivity.

7.2. National Planning Practice Guidance (NPPG)

Determining a planning application

7.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

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

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

8. **KEY ISSUES**

- **Principle of development**
- **Functional need & other suitable properties**
- **Character and residential amenity**
- **Highway safety**
- **Flood risk**

9. **BACKGROUND**

- 9.1. The application site was originally granted consent for change of use from agricultural to the current general engineering use in 1994, at which time a restriction on the hours of use was placed on the premises. Subsequently a variation to those hours was granted in 2018, extending the times at which the property could be in use.
- 9.2. Pre-application advice was given in respect of the proposal for a dwelling on the site in May 2017 indicating that the dwelling was not justified. Refusal of outline planning permission for a dwelling on the site was issued in October 2017, on the grounds that the proposal had failed to justify the need for the dwelling in relation to the business and that no evidence had been provided that there was no other suitable accommodation available. A further application was refused in January of 2020 on the basis that the application had failed to demonstrate that there was an essential need for a dwelling to be located on the application site.
- 9.3. The application form confirms that no further pre-application advice has been sought in respect of the proposal and whether the information available would be likely to overcome the previous reasons for refusal.

10. **ASSESSMENT**

Principle of Development

- 10.1. The application proposes an extension to an existing commercial building in the countryside which would accord, in principle with Policy LP6 of the Local Plan and the aims of the NPPF.
- 10.2. This scheme also proposes a new dwelling in an open countryside location within Flood Zone 3 and in principle terms such development would not accord with planning policies LP3 and LP14 and the aims of the NPPF.
- 10.3. However the applicant seeks to demonstrate that there is a functional need for the dwelling and that the proposal achieves compliance with Policy LP12 (d) with this being considered in detail below.

Functional need and other suitable properties

- 10.4. Within the submission the applicants/agent outline that a dwelling will enable them to make use of the land surrounding the workshop and make it more viable. It will also have the added benefit of offering better security with regard to equipment being repaired over a number of days and facilitation of deliveries to the site. Scenarios are highlighted relating to the business offering a 24-hour service to local agricultural businesses which require the applicant to work at or visit the site late into the night and early mornings.
- 10.5. There is no standard definition of functional need however it is generally accepted that a functional need usually relates to the need to have someone on hand to deal with unexpected situations that might arise, particularly to be on hand outside of normal working hours for the particular enterprise. Such requirements might arise if it is necessary to deal with an emergency that would threaten the continued viability and existence of the enterprise without immediate attention. Such justification most commonly arises in respect of animal welfare issues, and is not triggered by being available on site for deliveries or to reduce the length of time taken to respond to call outs.
- 10.6. Likewise security in itself is not usually found to be sufficient justification to deviate from general planning policy which seeks to control development within open countryside locations. This point is acknowledged within the applicant's own appraisal of the business and the need for the dwelling. There is limited evidence on site of any heightened security measures; with an absence of CCTV and lighting and penetrable boundary treatment evident, although it is understood a new security light was erected prior to the submission of the application, and no evidence has been put forward of any recent criminal activity.
- 10.7. Consultation with Cambridgeshire Constabulary has identified that the area is subject to a low level of crime, that the dwelling is not supportable on the site from a security perspective, and that there are additional measures that could be taken on site to improve security.
- 10.8. The appraisal submitted further states that the business is dependent upon a high level of management expertise to ensure compliance with health and safety regulations, supervise and cover emergency work, increase security and to take deliveries of supplies. The functional need for a business to require an on-site presence all year round is an exception to the standard working practices of general business. Such a functional need is not justified on the basis of the normal operation of all businesses for reasons such as ensuring compliance with relevant legislation, supervision of work, security or for the taking in of supplies, which would normally be during typical working hours in any case. The appraisal notes that when Mr Bassett is out on site, deliveries need to be arranged with his wife, who works away in the business' office located in Spalding. The statement seems to indicate that the proposal would allow for the incorporation of an office into the dwelling, however such a facility could feasibly be incorporated as an addition to the site, without the need for the construction of a dwelling, if this were necessary. This matter is also addressed by the agent in the Design and Access Statement submitted with the application, with the justification given that an office within the workshop building would not satisfy the requirement because the deliveries are not brought to the site at regular times and Mrs Bassett could be available to take those deliveries even when not working for the business. The statement then goes on to advise however that

the business has been in existence for 26 years – this fact would indicate that an on-site presence is not essential for the operation of the business as it has carried on for a substantial period of time without it.

- 10.9. As such it is considered that there remain significant further on-site measures that could be taken to address security concerns and that a dwelling could not be deemed essential to provide for a functional need in relation to the business.
- 10.10. The submission provides a document identifying all the current land and houses for sale in the area, stating that there are no suitable properties for sale. The appraisal states that the construction cost of the dwelling is approximately £200,000, however in subsequent correspondence the applicant states that this figure is £300,000. Several of the properties identified in the search document are priced between the two figures, and consist of four bedrooms as does the proposed dwelling. No evidence has been provided outlining the financial viability of the enterprise (although the appraisal documents state that the enterprise is financially viable) and as such the tests outlined in Part D of LP12 have not been met.

Character and residential amenity

- 10.11. The proposed dwelling is two-storey in nature with an integral double garage located to the north side of the building. It is proposed to be located alongside the western boundary of the site nearest to the neighbouring single-storey dwelling.
- 10.12. The dwelling is proposed with a ridge height of 8.3m, with a south-facing main aspect and an L-shaped planform, with the double garage and parking provision at the northern end.
- 10.13. The proposed dwelling incorporates a hipped roof, with the northern wing incorporating a marginally reduced ridge height in comparison to the main section of the property. It has a symmetrical front elevation with chimneys to east and west elevations serving fireplaces in the living and dining/family rooms. The main views out of the building are to the north and south to avoid overlooking of neighbouring dwellings and land, although the bedroom located in the northern wing faces east towards the existing workshop and its proposed extension.
- 10.14. The double garage at the northern end of the site incorporates two dormer windows within its roof space, although the floorplan submitted with the application indicates that there is no first floor provision within this part of the building and the proposed dormer windows therefore would serve only to illuminate the ground floor level of the garage.
- 10.15. The workshop extension is proposed in materials to match the existing building, continuing the roofline on the northern side of the building to create an asymmetric main elevation when viewed from the inside of the site. The materials of construction and the proposed design are sufficiently similar to the existing building to ensure that the extended workshop would not have a detrimental impact on the character or amenity of the area.
- 10.16. As noted above, the site is located in an area where there is sporadic residential development and farm groupings and in that respect the overall impact of the development is appropriate to the character of the area. Although the proposed dwelling is of a grand style and appearance, it is not considered to be out of

keeping in this context, although this does not overcome the 'in-principle' objections discussed previously.

Economy

- 10.17. The Council has previously supported the growth of the business by allowing the extension of the hours of operation at the site. Likewise the current proposal for the expansion of the business in terms of the extension of the building is considered to be in accordance with the Local Plan in terms of LP6 and also the NPPF and its aims to support the rural economy. As such this element of the scheme is fully supported, even if the additional employment proposed appears to be the potential for a part time employee to become full-time.
- 10.18. It is unclear, however, how the proposed dwelling would be essential to the expansion of the business other than possibly allowing more on-site supervision of the operation which could equally be done via an on-site office.

Highway safety

- 10.19. The proposal utilises the existing access into the site at both the north and south sides, albeit with new replacement gate to the south side and a driveway and parking surface provided linking the two accesses.
- 10.20. The highways comments received note issues regarding the maintenance of visibility splays and that the northern access is unauthorised, requesting amended plans to address these matters. It is noted that whilst amendments to the proposals are requested, these have not resulted in an objection to the proposal.
- 10.21. The proposal involves the complete replacement of the southern hedge behind steel railings however, and no changes are proposed to the established northern access (photographic evidence dated 2009 confirms that this access has been in place for a period of at least 10 years).

Flood risk

- 10.22. It is accepted that there are no sequentially preferable sites available from which to deliver this accommodation given that it is indicated as being linked to the existing commercial premises on the site. As the development is classified as 'more vulnerable' in the EA flood risk classification and the development is in flood zone 3 it is also necessary for the scheme to demonstrate that the scheme (a) provides wider sustainability benefits to the community that outweigh flood risk and (b) the site is safe from flooding (demonstrated by a site specific flood risk). A site specific FRA has been submitted satisfying (b) and it could be argued that given that the scheme is considered by the applicant to potentially enhance the viability of the existing business operation it could be asserted that the scheme has wider sustainability benefits with regard to economic development thereby satisfying part (a) of the exception test as such it is considered on balance that the scheme meets the requirements of Policy LP14 and the National Planning Policy Framework.

Other matters

- 10.23. Cllr Humphrey in his 'call-in' request makes reference to an appeal decision in Cheshire West and Chester whereby an Inspector allowed an appeal for the erection of a dwelling in connection with a tractor/agricultural equipment repair business, concluding there was a functional need.

- 10.24. This, however, appears to be something of a one-off decision as there are numerous other appeal decisions where it has been concluded that accommodation in connection with such a use does not constitute an essential functional need for a rural worker.

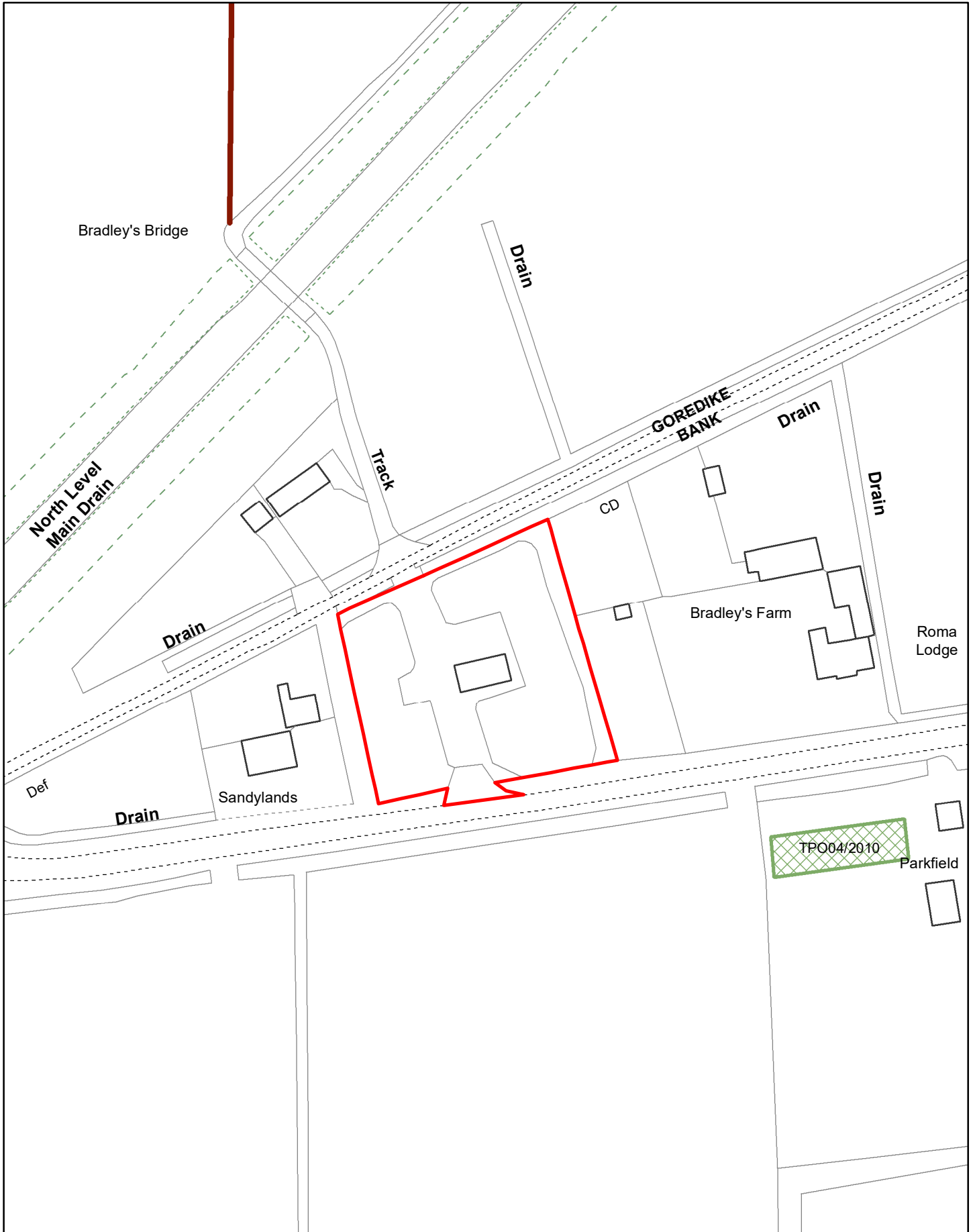
11. CONCLUSIONS

- 11.1. There is a fundamental in principle objection with regard to the introduction of a new dwelling in the open countryside for which there is no functional need. Whilst clearly there would be benefits accruing to the applicant in living on the site these are largely related to convenience and security of the building, which do not comprise a functional need to be present on the site. A case has been put forward to outline that a dwelling is required for security reasons and business efficiency however this argument is not sufficient to carry greater weight than the aims of LP3 and the NPPF which seek to ensure that only essential development is sited in the open countryside; especially given that the business has operated from the site for 26 years without a supporting residence.
- 11.2. There are no conflicts with relevant planning policies arising from the provision of the extension to the workshop building.
- 11.3. The application, in terms of its residential element, is therefore considered to be clearly contrary to policies of the Local Plan and to be in conflict with the NPPF.

12. RECOMMENDATION

REFUSAL for the following reason:

Policy LP3 of the Fenland Local Plan 2014 and national planning policy guidance steer new development to sustainable areas that offer the best access to services and facilities. This is unless it can be demonstrated that such development is essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services, or that there is a justifiable reason for locating development in otherwise unsustainable locations. The proposed dwelling would be located in the open countryside and whilst it is asserted that it is essential for business reasons, therefore consistent with LP3, the justification given does not meet the requirements of LP12(D) in terms of evidencing a clear functional need or that no other suitable accommodation is available. Whilst the national planning guidance seeks to support a prosperous rural economy this does not override the need to ensure that development is located in the most accessible and sustainable locations. The proposed development is located outside any settlement limits and the justification given in terms of business efficiency and site security is not sufficient to justify the development being considered as an exception. The proposal is therefore contrary to Local Plan Policies LP3 and LP12 as well as the aims and objectives of the National Planning Policy Framework.



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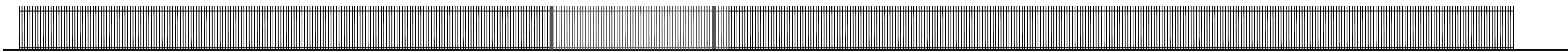
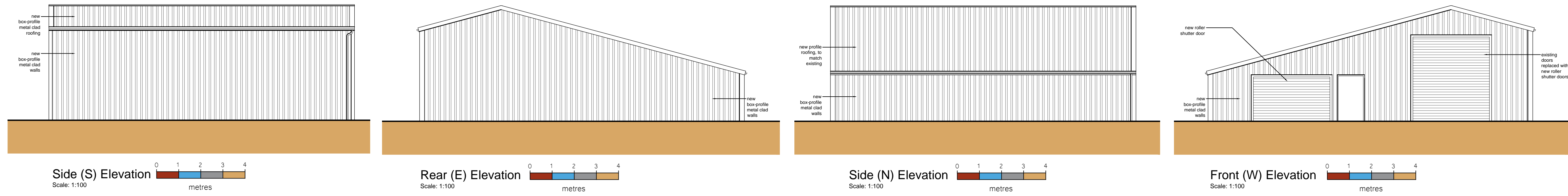
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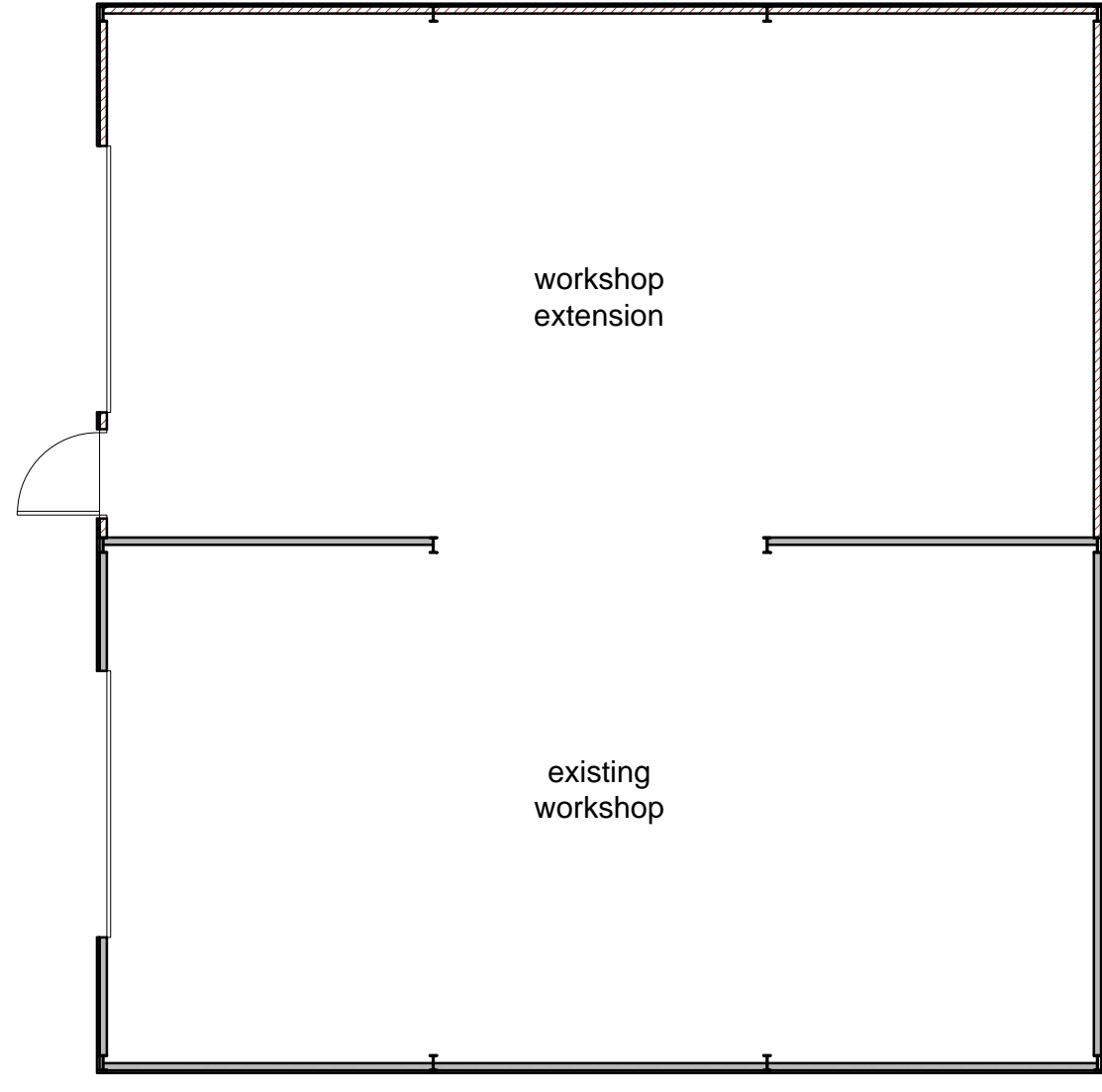
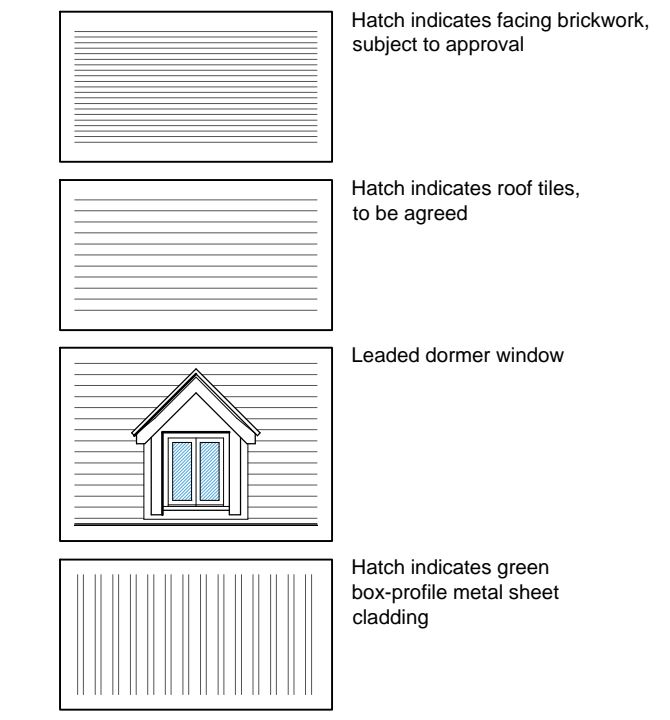
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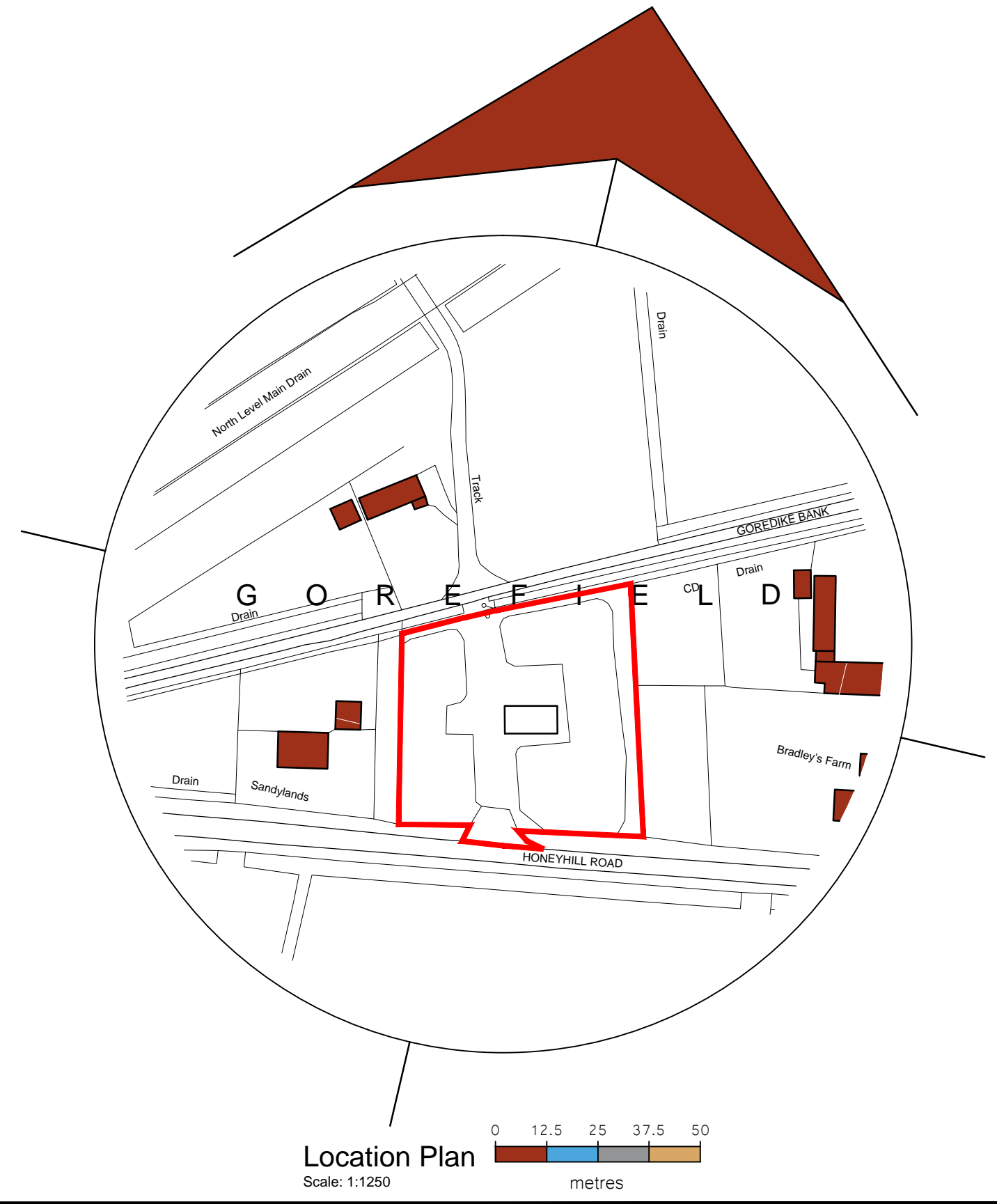
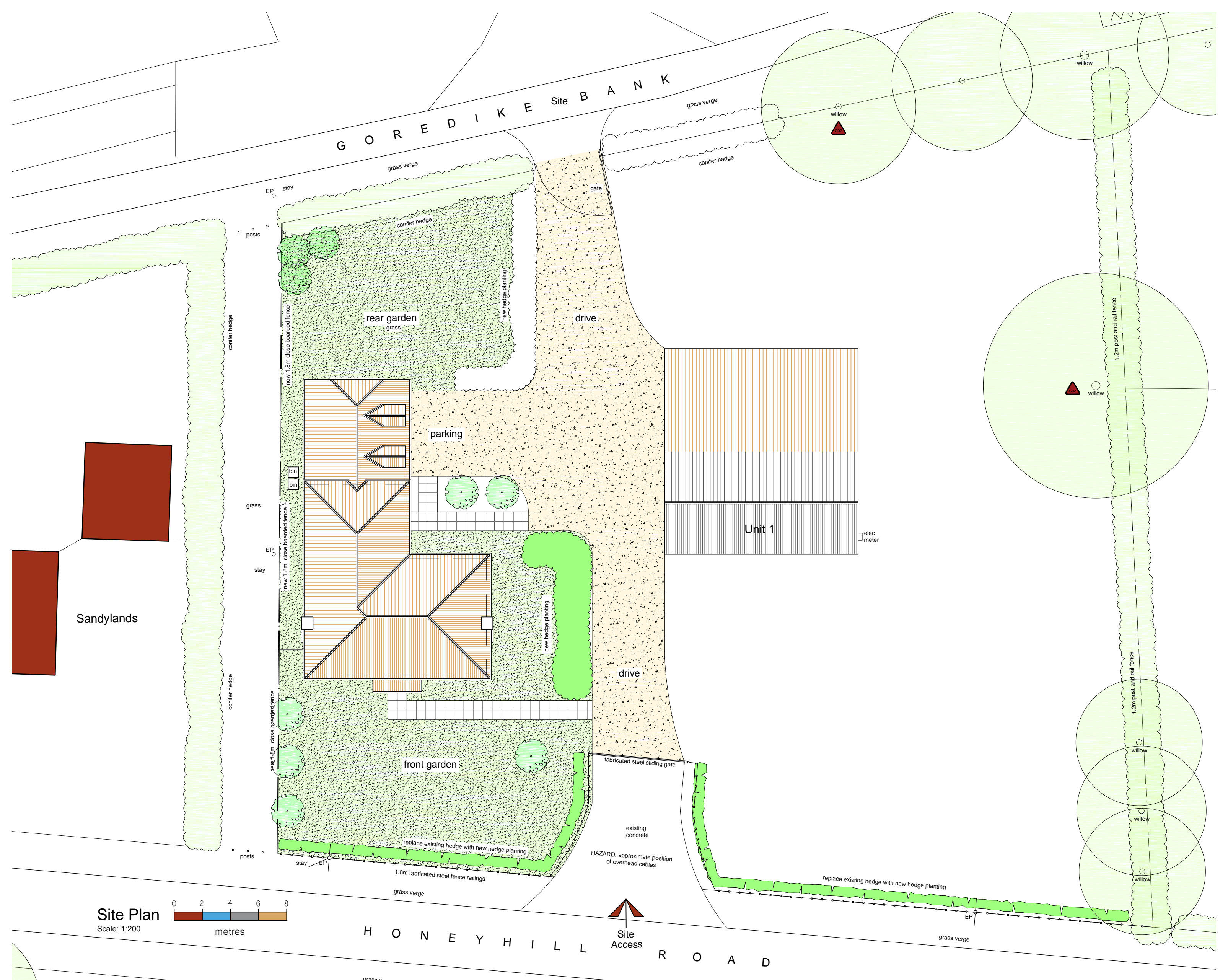
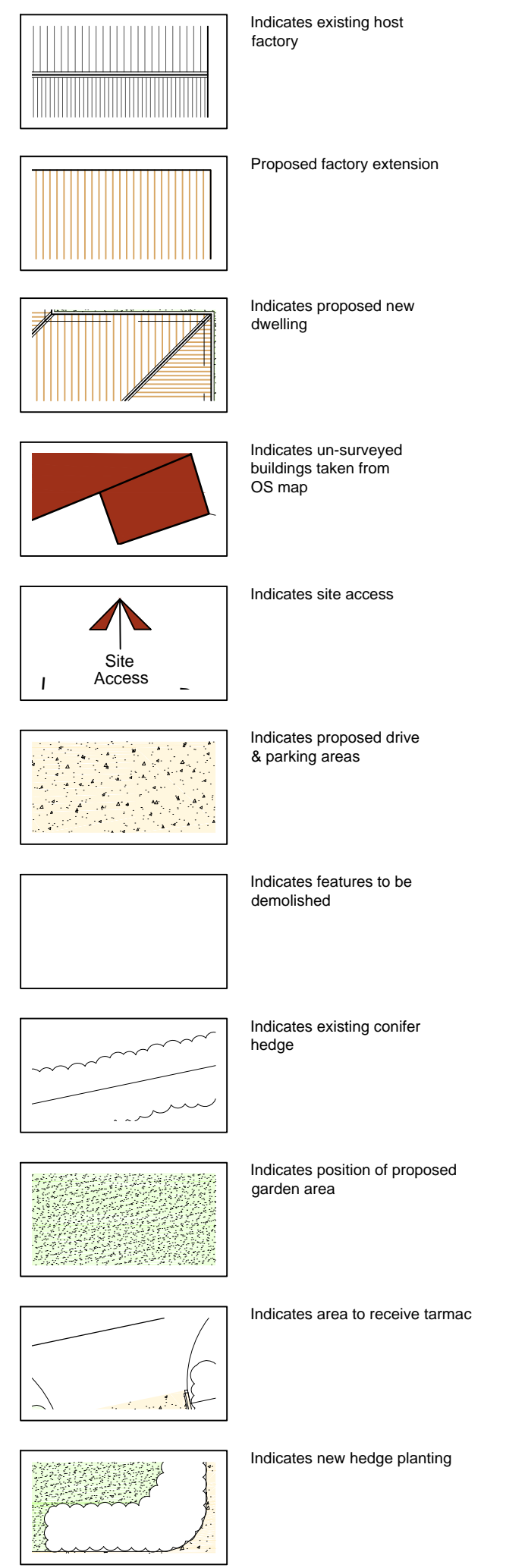
General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in 'mm' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read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



MATERIAL KEY



SITE PLAN KEY



FOR APPROVAL



Job Title Proposed New Dwelling Honeyhill Road, Gorefield, Wisbech For: Mr & Mrs Bassett	Date November 2019	Drawn by AO Checked by RS
Drawing Title Planning Drawings Site & Location Plan Workshop Plan & Elevations	Job No. SE-1288	Sheet Size A1 Revision F

- General Notes
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Side (W) Elevation
Scale: 1:100
metres



Front (S) Elevation
Scale: 1:100
metres



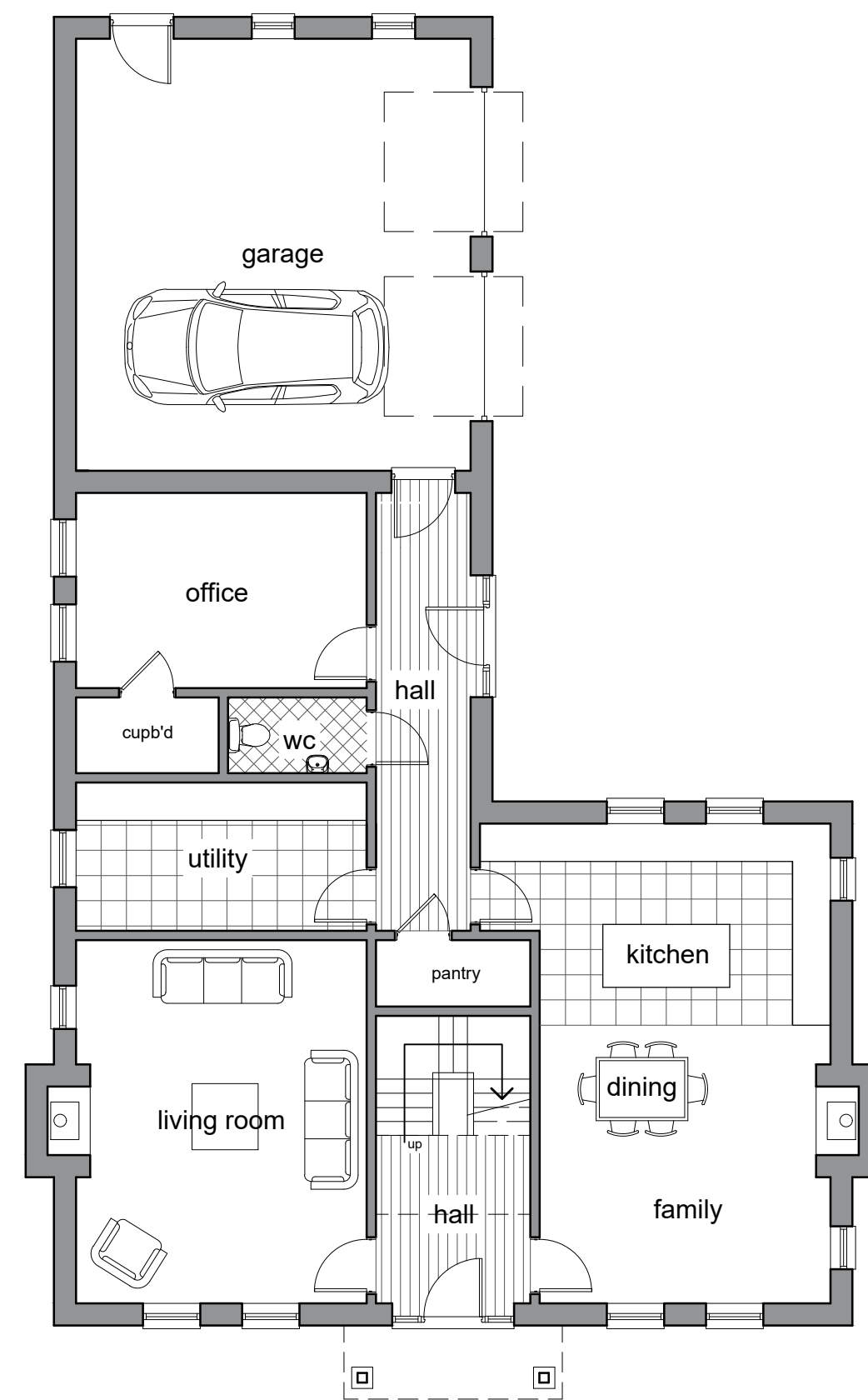
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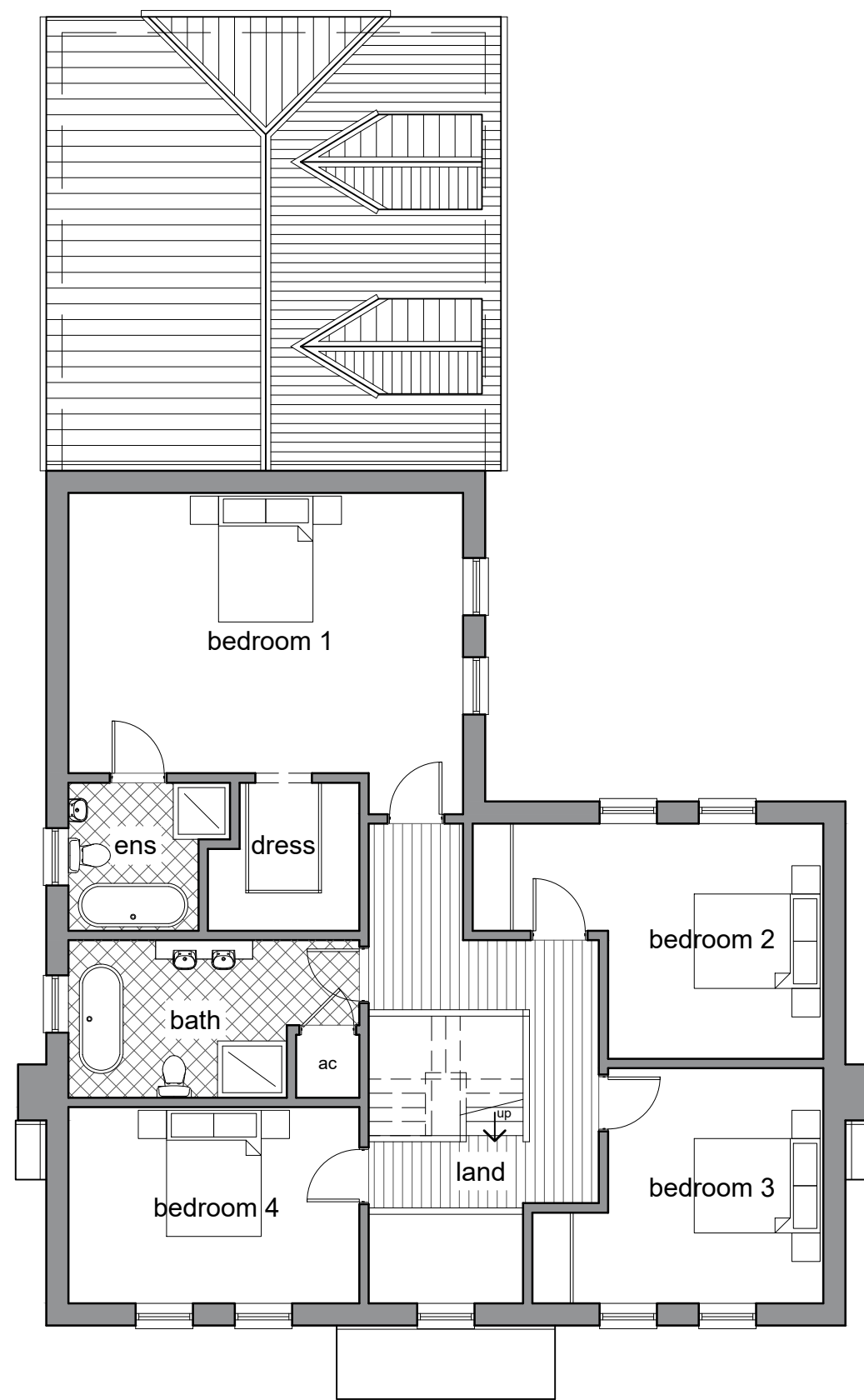
Rear (N) Elevation
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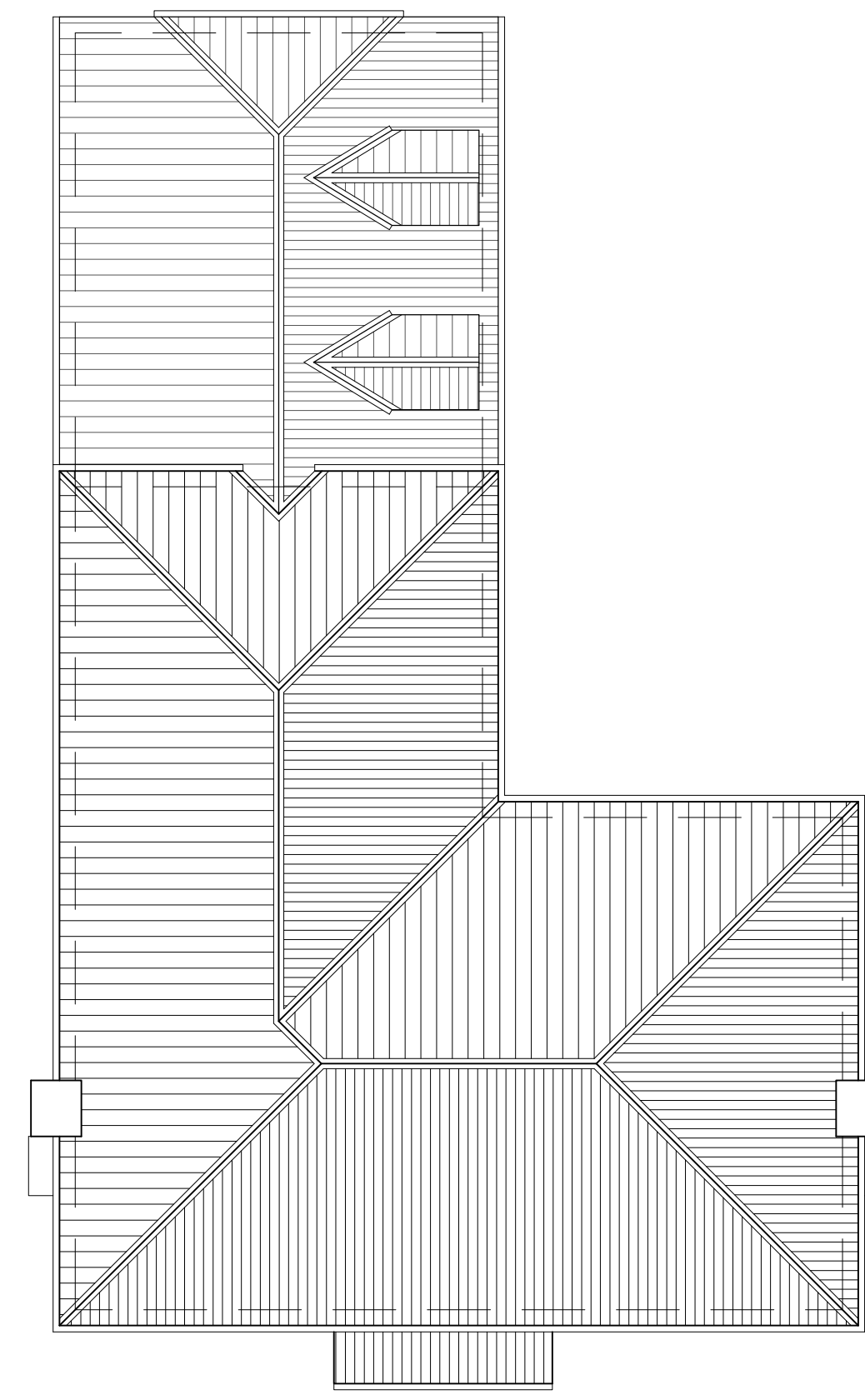
Section A-A
Scale: 1:100
metres



Ground Floor Plan
Scale: 1:100
metres



First Floor Plan
Scale: 1:100
metres



Roof Plan
Scale: 1:100
metres

MATERIAL KEY

- Hatch indicates facing brickwork, subject to approval
- Hatch indicates sheet cladding, subject to approval
- Hatch indicates roof tiles, to be agreed
- Leaded dormer window

Revisions		
A	Nov 2019	Correct drawing scale indicated

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed New Dwelling Honeyhill Road, Gorefield, Wisbech For: Mr & Mrs Bassett	Date November 2019	Drawn by AO Checked by RS
Drawing Title Planning Drawing House Plans & Elevations	Job No. SE-1288 Dwg No. PP1100	Sheet Size A1 Revision A