

**Applicant: Mr Goodhew**

**Agent: Swann Edwards Architecture Ltd**

**Land South and West of 12 High Road, Guyhirn, Cambridgeshire**

**Erect 1x dwelling (2-storey, 4-bed) involving formation of a new access**

**Officer Recommendation: Refuse**

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

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## **1. EXECUTIVE SUMMARY**

- 1.1. The application seeks full planning permission for the construction of a single dwelling on the land, fronting High Road, Guyhirn.
- 1.2. Guyhirn is identified as a Small Village within the settlement hierarchy where development is limited to being small scale residential infilling.
- 1.3. The application site is located in flood zone 3, and the flood risk assessment accompanying the application fails to adequately address the matter of the sequential test.
- 1.4. The application site is an infill plot within the street scene, which exhibits a particularly well-defined building line in this area. The proposal would project significantly forward of this building line and would be both prominent within and detrimental to the street scene as a result.
- 1.5. The proposed dwelling is notably taller and wider than the properties to either side of it, within the context of which the site is viewed. The property would be conspicuous within the street scene and would result in an incongruous development that is detrimental to the character of the area.
- 1.6. The application is therefore recommended for refusal.

## **2. SITE DESCRIPTION**

- 2.1. The application site is an open piece of land between existing residential dwellings on the west side of High Road, Guyhirn, currently forming part of the garden to number 12. The access to this dwelling runs through the land. To the north, it is flanked by a pair of semi-detached two-storey dwellings (including number 12) with hipped roofs and a central chimney stack.
- 2.2. To the south is a detached two-storey dwelling with gabled side elevations and a chimney to its southern elevation.
- 2.3. The application site is within the midst of a row of eight dwellings spread over 150m on a similar alignment, being set back in excess of 25m from the highway. These dwellings are a mix of detached and semi-detached but are all of a

similar height of approximately 7.5 to 8m. The long front gardens give this part of High Road an open, spacious character.

2.4. On the east side of High Road are a number of dwellings of varying styles, which then give way to open agricultural fields to the north.

2.5. The application site is located in flood zone 3.

### 3. PROPOSAL

3.1. The proposal is for the construction of a two-storey dwelling, with an attached double garage with a first floor above located forward of the main building. The proposal would also involve the creation of a new access in front of number 12 to serve that dwelling, and the existing vehicular access on the site would serve the new property.

3.2. The proposed dwelling is comprised of two main parts, the core of which is a single structure 15.4m wide by 8.6m deep and 9.3m tall. To the rear is a modest single-storey garden room, whilst forward of this core section is a link element leading to a double garage with master bedroom above. This section projects approximately 10.5m forward of the main elevation of the dwelling, with a ridge height to match the main part of the house.

### 4. SITE PLANNING HISTORY

F/YR16/0284/O	Erection of 2 dwellings (outline application with all matters reserved)	Refuse 15/6/2016
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### 5. CONSULTATIONS

5.1. **Parish Council**

Recommend approval

5.2. **FDC Environmental Health**

No objections. Recommend inclusion of unsuspected contamination condition.

5.3. **Environment Agency**

No objection. Assumption is made that the site has passed the sequential test.

5.4. **North Level Internal Drainage Board**

No comment

5.5. **Cambridgeshire County Council Highways Authority**

The highway crossover should be dropped in accordance with CCC Highway Construction Specification. No other objections.

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

One response has been received in relation to the application from the immediate neighbour to the south.

The letter raises the following points:

- Proposal sits forward of the existing properties and will be out of character.
- Fencing to the front of the site is not in keeping.
- Development is inappropriate scale compared to surrounding dwellings.
- Fencing details are incorrect.
- The application form incorrectly states there are no trees or hedges

## **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 in planning decisions.

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

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 127: Well-designed development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

Para 155: Development should be directed away from areas at highest risk of flooding.

Para 157: Need to apply the sequential and exceptions tests.

Para 158: Development should not be permitted if there are reasonably available sites in areas at lower risk of flooding.

Para 159-161: Need for the exception test.

### **7.2. National Planning Practice Guidance (NPPG)**

Determining a planning application

### **7.3. National Design Guide 2019**

Context

Identity

Built Form

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

LP4 – Housing

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**
- **Visual Impact**
- **Amenity**

- **Flooding and Flood Risk**
- **Highway Safety**

## **9. BACKGROUND**

- 9.1. There has been a previous application on the site in 2016 for the construction of up to 2 dwellings with that application being made in outline with all matters reserved. That application was refused on the basis that the application site was located within flood zone 3 and the information submitted alongside the application failed to satisfy the sequential test.

## **10. ASSESSMENT**

### **Principle of Development**

- 10.1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy.
- 10.2. Guyhirn is a Small Village, one of nine such settlements within that level of the hierarchy where development is to be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling.
- 10.3. The scale of the proposed development for a single dwelling is appropriate to the scale considered acceptable under policy LP3 for a settlement in this level of the hierarchy, and the site would also be considered a residential infill scheme. In principle therefore, a single dwelling would not be contrary to the provisions of policy LP3. Consideration must therefore be given to site specific matters.

### **Visual Impact**

- 10.4. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.5. The application site forms part of a distinctive group of 8 dwellings located on the western side of High Road. This group of dwellings is spread along a 150m section of High Road and is distinctive due to its strongly defined building line, which is the dominant feature of this section of High Road and contributes significantly to the character of this.
- 10.6. The proposal is for the construction of a two-storey dwelling on the land, which is comprised of a main section of building running north-south across the application site, and a secondary element comprising a detached double garage projecting forward of the main dwelling. The double garage also contains the master bedroom above and is constructed with a gable elevation facing the road.
- 10.7. The position of element, projecting forward over 10m from the 'main' dwelling breaks the strongly defined building line noted as being the dominant characteristic of the existing properties in the area, and would introduce a significant mass of building which would form a visually dominant and

incongruous feature. As a result, the proposal would have a significant, detrimental impact on the character and appearance of the area.

- 10.8. In addition, the application is accompanied by a street scene drawing showing the proposed dwelling in context with the neighbouring properties. This drawing demonstrates that the proposed dwelling is of notably greater scale than the properties to either side, its ridge height being 1.5m+ above the ridges of the dwellings to either side and the property being approximately twice the width of the individual dwellings to either side and with no other dwelling of comparable scale in the immediate vicinity. It is clearly demonstrated therefore that the proposed development is not of an appropriate scale within its context.
- 10.9. The size of the proposed dwelling combined with its relationship with High Road result in a property that dominates the neighbouring dwellings and its surroundings to the detriment of the visual appearance of the area within which it is located. As such, the proposal is contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).

### **Amenity**

- 10.10. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.
- 10.11. The main aspects from the dwelling face west/east, with the design of the property avoiding any windows facing the neighbouring properties to the north and south at the first-floor level. The only exception to this is the main bedroom and dressing room windows, located in the projecting element which face north. However, these windows are located approximately 10m from the boundary with the existing dwelling, number 12 and as such would have no adverse impact upon this property.
- 10.12. There will be some element of overlooking of the neighbouring rear gardens, as is normal from any property with rearward facing windows that sits parallel to its neighbour. However, this overlooking is considered typical of those in residential areas and would not result in unacceptable impacts on neighbouring privacy.
- 10.13. To the south, is the property known as The Wildings. The forward projecting element of the proposal would visually dominate the frontage of this property. This overbearing would be detrimental to the amenity of the residents of this property. It is not considered, though, that this impact would be of such magnitude as to justify refusal of the scheme on these grounds. There is not considered to be any further unacceptable amenity impact on this property.
- 10.14. In terms of the amenity which would be afforded to future residents of the development this is considered acceptable. The dwelling would have a substantial rear garden far exceeding the third of the plot required by Policy LP16(h)

### **Flooding and Flood Risk**

- 10.15. Policy LP14 of the Fenland Local Plan and paragraphs 155-165 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance

towards land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site, and only resorting to development in those higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.

- 10.16. The application is accompanied by a flood risk assessment however no separate sequential test document is provided. The flood risk assessment contains a section regarding the sequential test, however this simply states that when flood defences are taken into consideration the site has a low probability of flooding and therefore passes the sequential test.
- 10.17. It is explicit within the Cambridgeshire Flood and Water SPD that existing flood defences should not be taken into consideration when undertaking the sequential test, as maintenance of the defences and climate change will have an impact on the level of protection they provide. Consequently, as the application has not considered any alternative sites at a lower risk of flooding the sequential test is failed.
- 10.18. On that basis, the recommendation for the application must be for refusal of the scheme.

#### **Highway Safety**

- 10.19. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- 10.20. The application proposes the use of an existing access point and the creation of a new access serving the existing dwelling, number 12. It is noted that the response from the Local Highways Authority requires amendments to the detailed access drawings in order to be acceptable. Given this could be achieved through an appropriately worded planning condition and would not result in a change to the recommendation for refusal it has not been considered appropriate to require amendment of the plans at this time.

### **11. CONCLUSIONS**

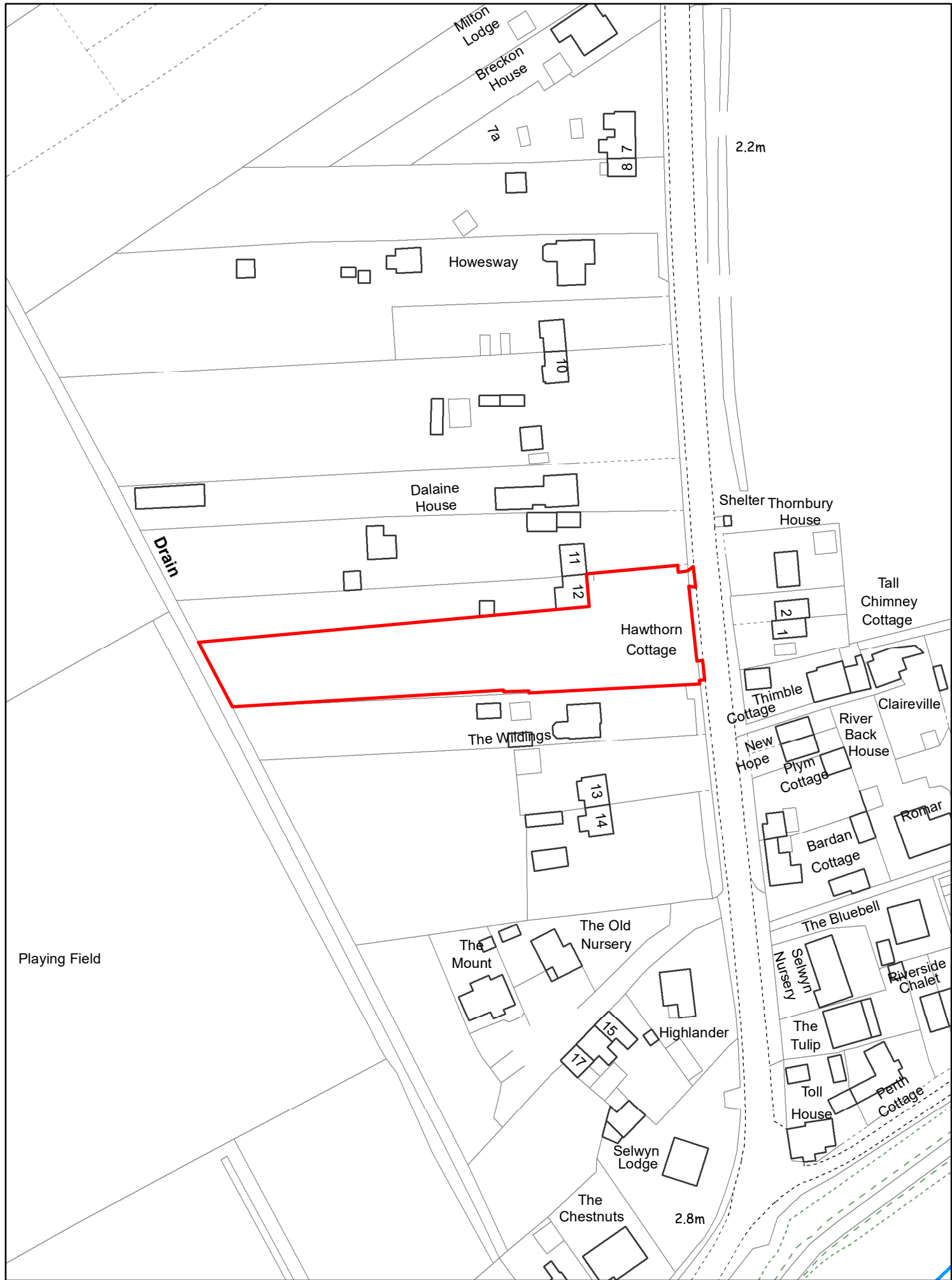
- 11.1. The proposal for the construction of an infill dwelling within the village of Guyhirn is acceptable in principle given the status of the village within the settlement hierarchy.
- 11.2. The dwelling fails to respect the distinctive character and appearance of its immediate vicinity; the forward projecting element of the building results in an incongruous feature which would cause significant detrimental visual impact and the scale and height of the proposed dwelling significantly exceeds those of the adjacent properties in a way that would detract from the existing character of the area by introducing a property that is significantly taller, wider and closer to the road than those within its setting. It is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).
- 11.3. The site is also located within flood zone 3 and the application is not accompanied by a satisfactory sequential test. The proposal is therefore contrary to the requirements of policy LP14 of the Fenland Local Plan (2014),

section 14 of the National Planning Policy Framework and Cambridgeshire Flood and Water SPD.

## 12. RECOMMENDATION

### REFUSE, for the following reasons

1	<p>Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The dwelling proposed by virtue of its scale, mass and forward projection would result in a development which would appear as a prominent and incongruous feature within the street scene, visually dominating neighbouring properties and at odds with the prevailing and distinct pattern of development. This would have a significantly detrimental impact upon the character and appearance of the area. If permitted the development would therefore conflict with the aforementioned policy of the Local Plan.</p>
2	<p>Policy LP14 of the Fenland Local Plan (2014) requires that development proposal within flood zone 3 are accompanied by a sequential test demonstrating how the development is unable to be accommodated in areas at a lower risk of flooding. This policy is compliant with section 14 of the National Planning Policy Framework, which also requires such a test to be satisfied prior to approving development within flood zone 3. The application is not accompanied by a sequential test document, instead concluding that due to the presence of flood defences the site is at a low risk of flooding. The Cambridgeshire Flood and Water Supplementary Planning Document (2016) makes it clear that when undertaking a sequential test the presence of flood defences is to be discounted. Consequently, the proposal is in conflict with the requirements of policy LP14 of the Fenland Local Plan (2014), section 14 of the National Planning Policy Framework and the Cambridgeshire Flood and Water Supplementary Planning Document</p>



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Scale = 1:1,250







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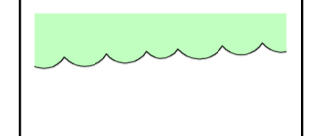



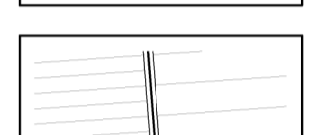
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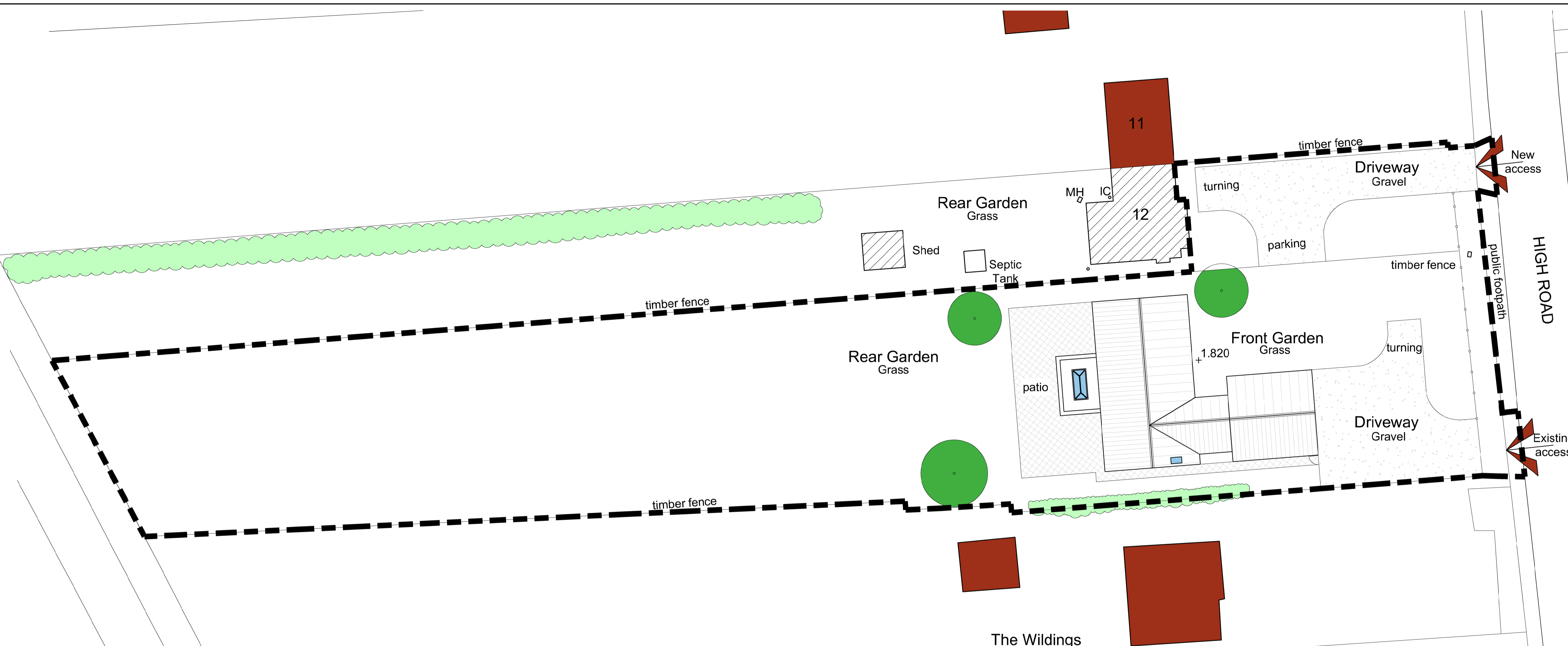


**General Notes**  
 1. All dimensions are shown in 'mm' unless otherwise stated.  
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.  
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.  
 4. Any discrepancies are to be brought to the designers attention.

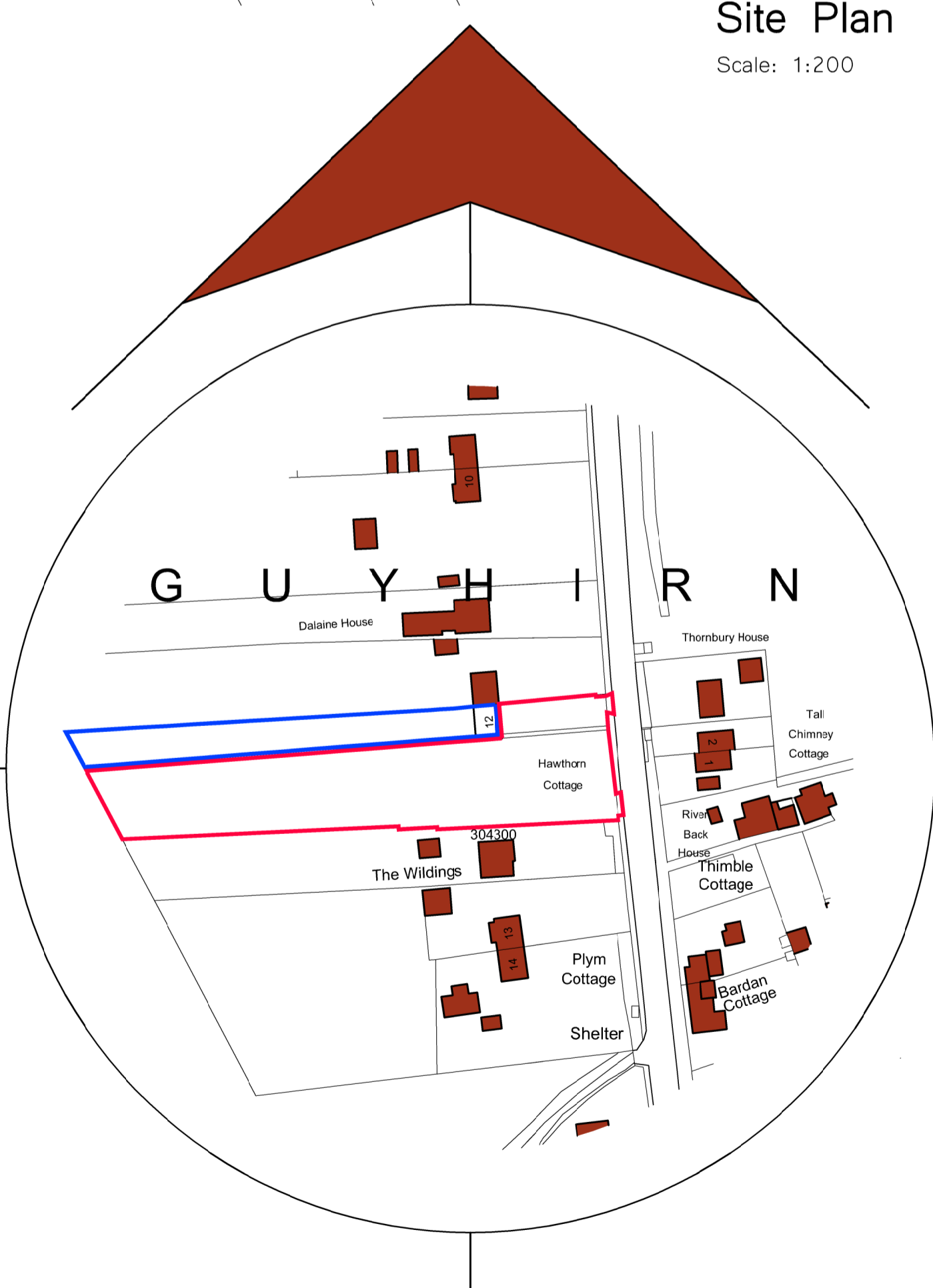
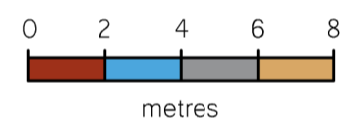
**CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015**  
 The following information must be read in conjunction with the project Risk register. This drawing highlights significant design related Health & Safety Risks present during Construction phase, and Residual Risks which remain post completion. Other Health & Safety Risks associated with Construction Activities may be present, and must be identified by the Principal Contractor prior to works commencing. Design Risks relating to specialist design items must be identified by the relevant specialist designers/ consultants as issued to the Principal Designer.

**SITE PLAN KEY**

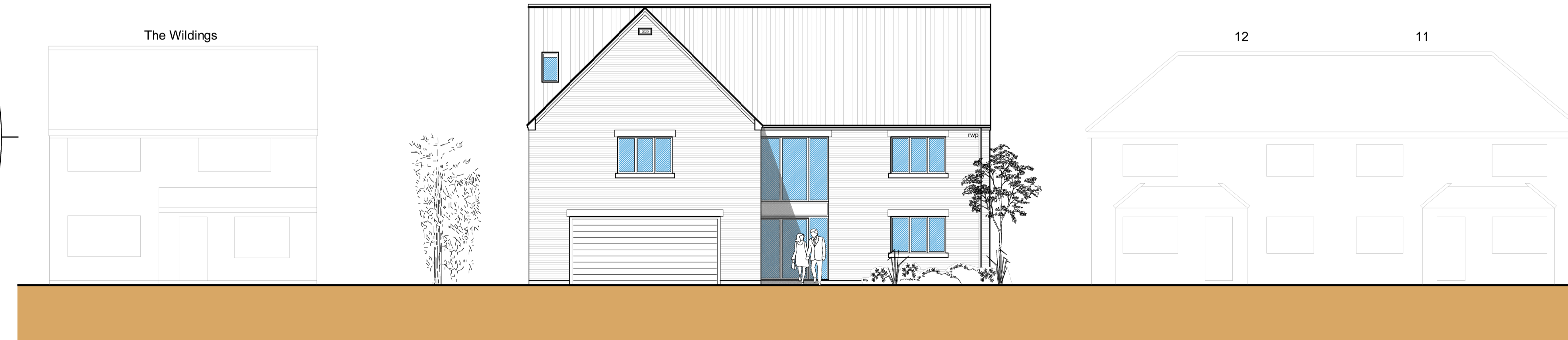
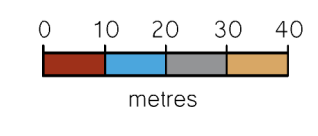
-  Un-surveyed buildings taken from OS map
-  Existing vegetation
-  Existing site access
-  New access
-  Surveyed Property
-  New Dwelling



**Site Plan**  
 Scale: 1:200

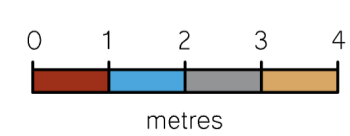


**Location Plan**



**Indicative Street Scene**

Scale: 1:100

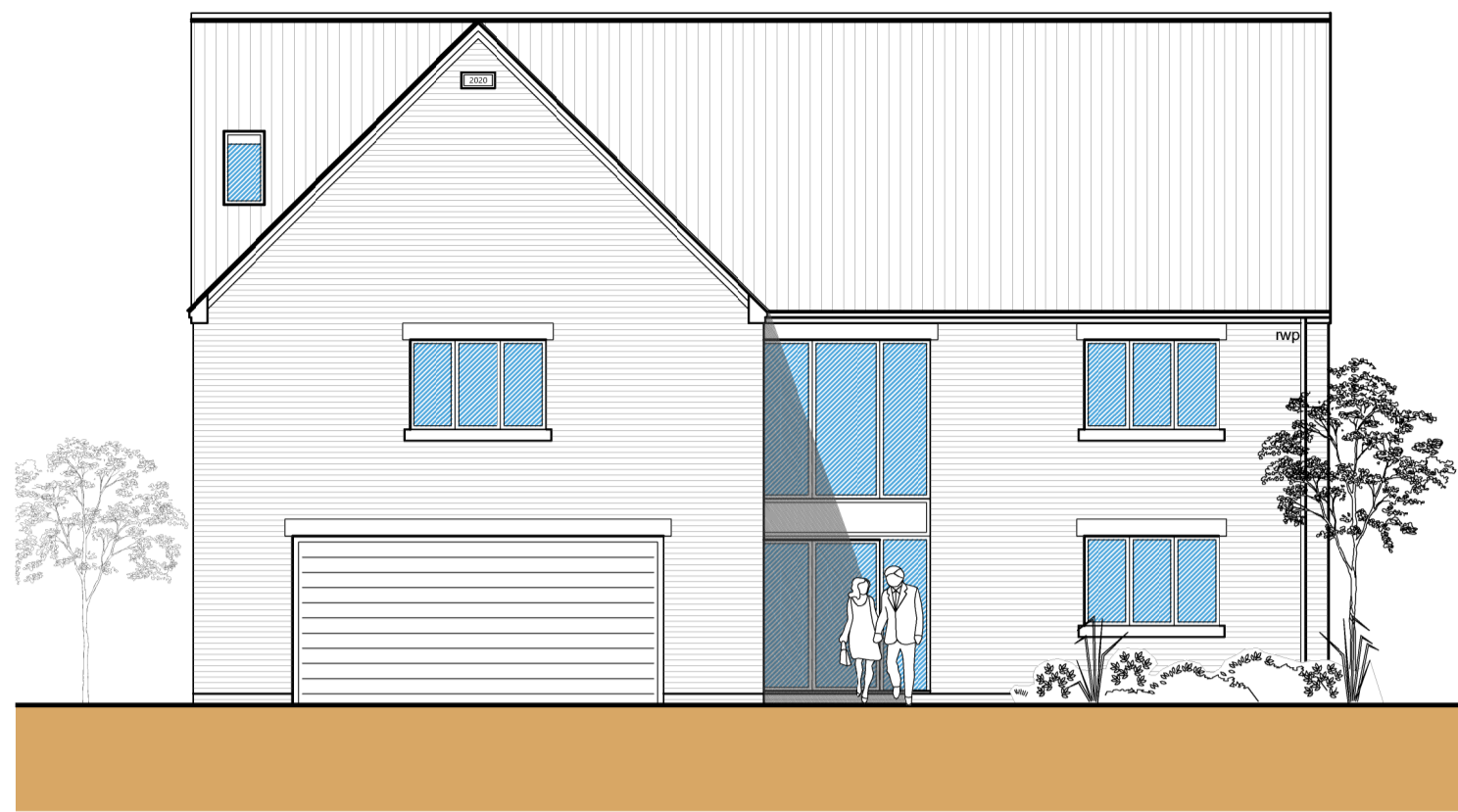


Status  
**FOR APPROVAL**



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Job Title Proposed Dwelling 12 High Road Guyhirn, Wisbech For: Mr Goodhew	Date Aug 2020	Drawn by JL
Drawing Title Sketch Scheme Site Plan & Location Plan	Job No. SE-1460	Checked by SH
	Dwg No. PP-1000	Sheet Size A1
		Revision



Front Elevation (E)

Scale: 1:100



Side Elevation (N)

Scale: 1:100



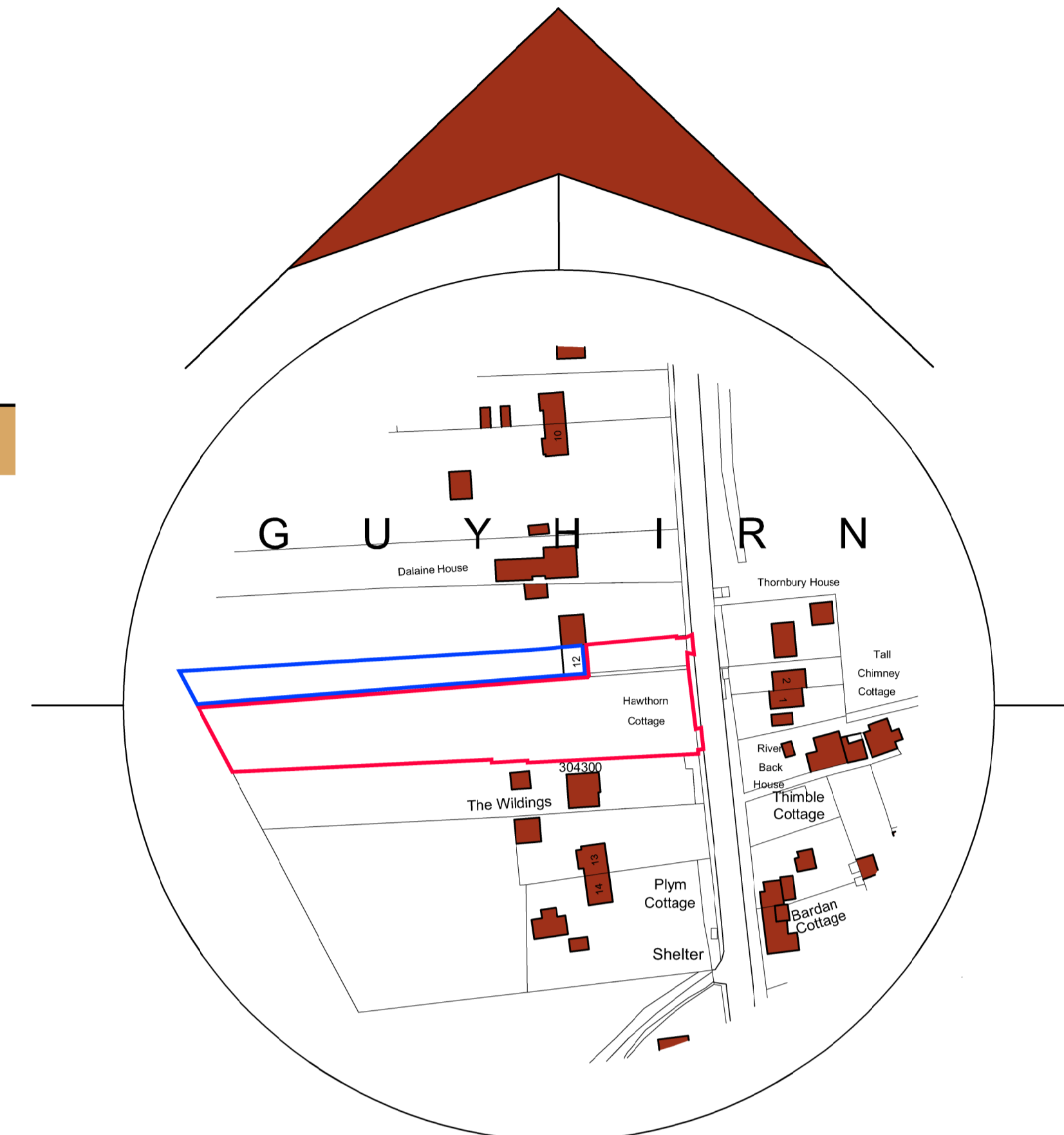
Rear Elevation (W)

Scale: 1:100



Side Elevation (S)

Scale: 1:100



Location Plan

Scale: 1:1250

**General Notes**  
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**CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015**

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**SITE PLAN KEY**

- Un-surveyed buildings taken from OS map
- Existing vegetation
- Existing site access
- New access
- Surveyed Property
- New Dwelling
- Lawned Garden
- Gravel Driveway

**MATERIALS KEY**

- Joinery to LPA approval
- Brickwork to LPA approval
- Roof tile to LPA approval
- Stone cills & heads to LPA approval

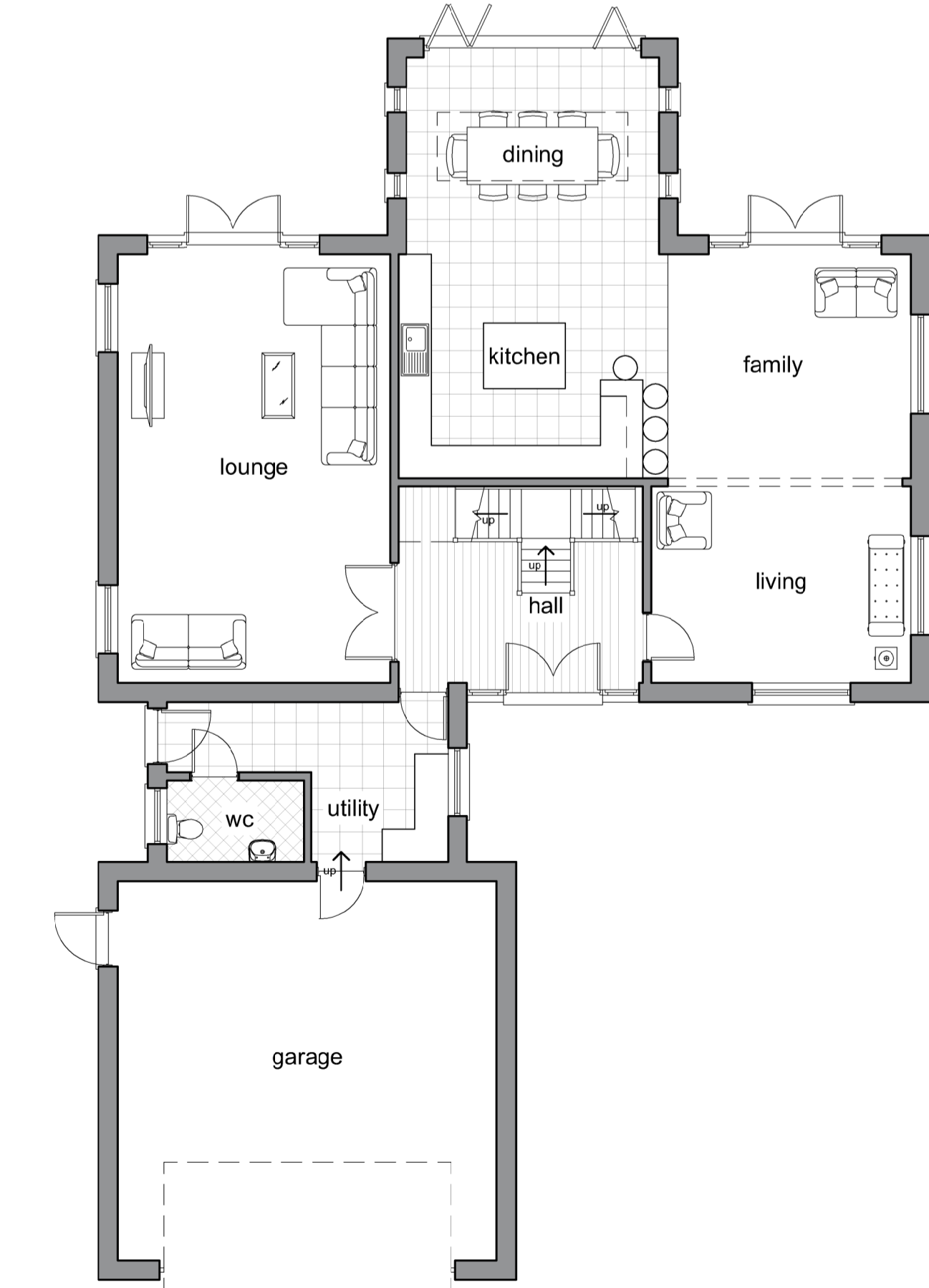
Revisions

B	Nov 2020	Amended following planners comments
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Status  
**FOR APPROVAL**

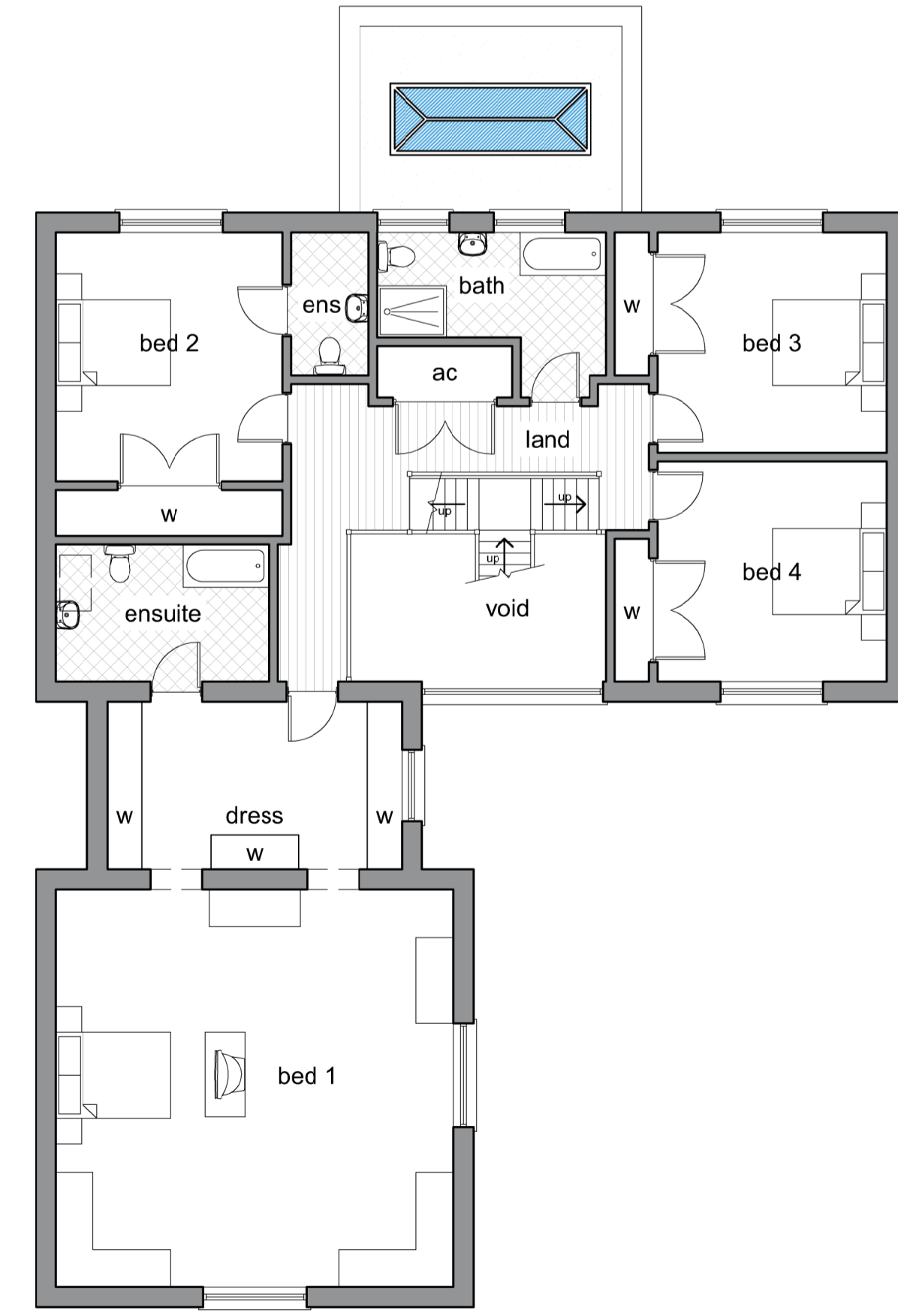
**SWANN EDWARDS**  
 ARCHITECTURE

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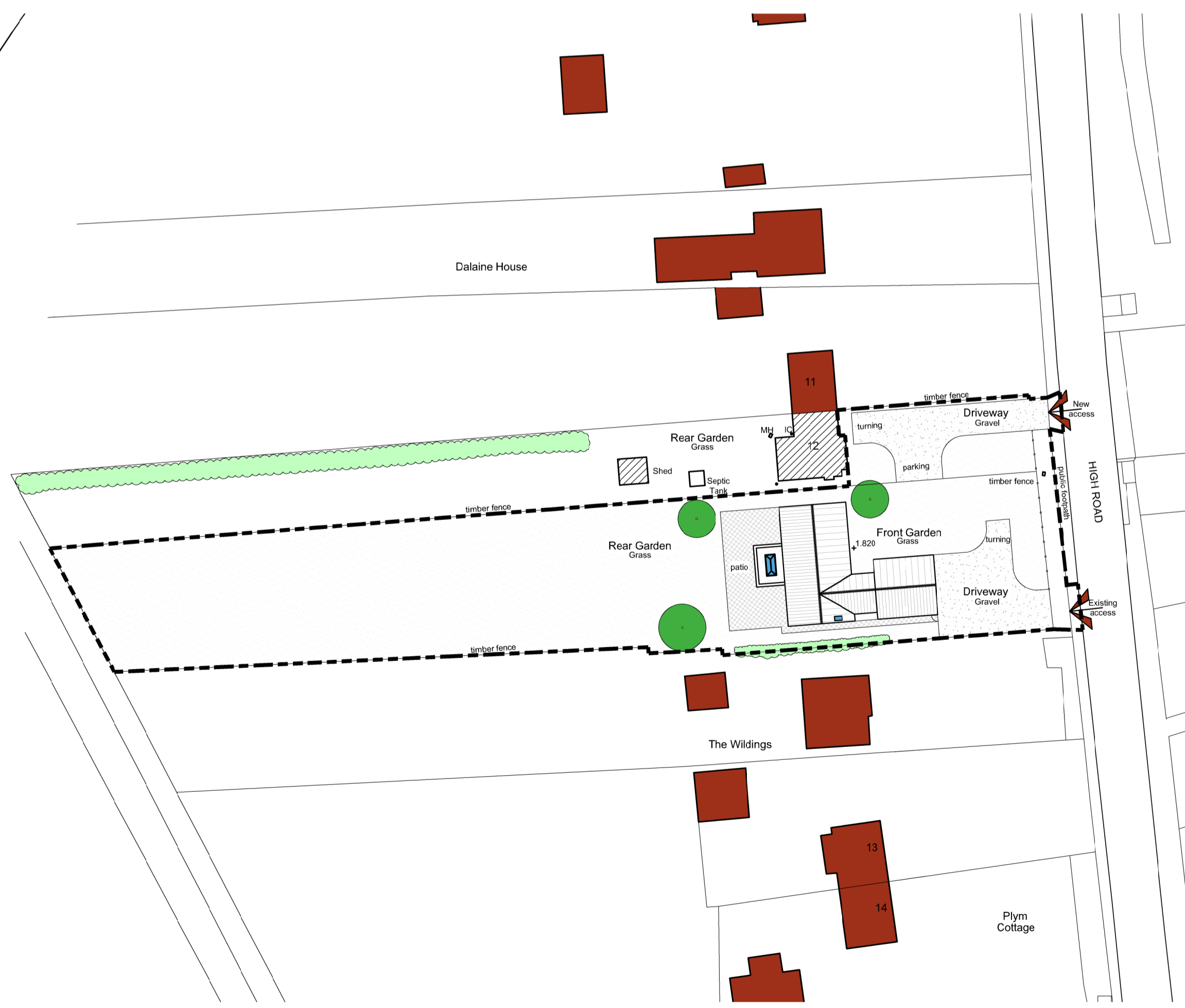
Ground Floor Plan

Scale: 1:100



First Floor Plan

Scale: 1:100



Site Plan

Scale: 1:500