

Applicant: Mr S Frankham

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

**Unit 3, Sandbank Barns Industrial Units, Sandbank, Wisbech St Mary
Cambridgeshire**

**Conversion of existing building to form 1no dwelling (single-storey, 3-bed),
erection of shed and gazebo together with installation of 2.2 metre high boundary
fencing (part retrospective)**

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 The proposed scheme seeks to deliver a residential unit within an existing business site which is located outside the main developed settlement of Wisbech St Mary.
- 1.2 By way of justification the submission highlights the work/life benefits that would be derived to the business owner and his family through his presence on the site 24/7 and that it would be deter crime and reduce the fear of crime thereby supporting a rural business.
- 1.3 The use of the site, which comprises former agricultural units converted to business use, is not one which is identified as essentially located in the open countryside and by default the development identified could not be considered essential development in locational terms; that said it is an established business and it could be argued that if there was sufficient justification of a residential presence on the site the wider policy considerations of Policy LP6 and LP12 could be enacted.
- 1.4 However, the thrust of the argument put forward by the applicant does not demonstrate a functional need as outlined in Policy LP12(D) and as such the submission fails on these grounds.
- 1.5 Furthermore, the absence of a functional need renders the scheme non-compliant in terms of the sequential and exceptions test and contrary to Policy LP14. In addition, the submitted Flood Risk Assessment fails to demonstrate due regard for flood risk management and the safety of the intended occupants and this alone would render the scheme unacceptable on policy grounds; albeit a revised FRA has been submitted which seeks to overcome this issue and the consultation response of the Environment Agency in this regard will be reported to committee.
- 1.6** Based on the above the only appropriate response must be to recommend refusal of the scheme given that it does not comply with Policies LP3, LP12 and LP14 of the Fenland Local Plan (2014). In addition, the proposal is deemed contrary to the NPPF which seeks to ensure that only essential

development is located in the open countryside and the Cambridgeshire Flood and Water SPD which seeks to direct development to areas of lowest flood risk.

2 SITE DESCRIPTION

- 2.1 The application site is located along Sandbank on the south-western side of the highway. The application site comprises of Unit 3 of the Sandbank Barns complex which accommodates Fenland Timber. Unit 3 is located towards the rear of the site, close to the north western boundary and adjoining Unit 2.
- 2.2 There is a terrace of 3 dwellings to the north of the Sandbank Barns complex and agricultural fields to the east, west and south, with the area to the north-west utilised for equestrian purposes.
- 2.3 Access to the wider site is located to the north east of Unit 3 and is shared with the neighbouring dwellings to the north.
- 2.4 The Environment Agency Flood Maps identify the site as being within Flood Zone 3.

3 PROPOSAL

- 3.1 The proposal seeks full planning permission for the conversion of Unit 3 to form a single-storey 3-bed dwelling. The works involve the erection of a porch on the south elevation and the insertion of domestic doors and windows to serve the property.
- 3.2 A garden area will be located towards the north of the building, between the western boundary and Unit 1, and 2 parking spaces for the dwelling will be positioned to the south of the site.
- 3.3 In addition a small timber shed is shown to be erected to the south of the proposed parking area.
- 3.3 The residential curtilage is shown on the submitted drawings to be separated from the remainder of the site by 1.8m high close boarded fencing and a sliding gate to the parking area.
- 3.4 At the time of site inspection the rear garden area featured a range of decked areas and a gazebo structure and it was evident that the rear boundary treatments, the common boundary with land to the west, exceeded the 1.8 metres specified in the original submission. This matter was raised with the agent and amended drawings submitted to reflect the on-site situation.

Full plans and associated documents for this application can be found at:
[Simple Search \(fenland.gov.uk\)](https://www.fenland.gov.uk)

4 SITE PLANNING HISTORY

20/0155/PREAPP	Siting of 1 mobile home	Response not favourable
F/YR19/0304/F	Erection of a building (Unit 3) and change of use from B1 to B2 with ancillary sales and trade counter (retrospective)	Granted 28.06.2019
F/1785/89/F	Change of use of buildings from agricultural to light industrial	Granted 10.07.1990.

5 CONSULTATIONS

- 5.1 Parish Council:** *'At the meeting of Wisbech St. Mary Parish Council on 14th June 2021, the Council recommended APPROVAL. The Council wish to support a local business with its need to be on site for the future security of the business. They also recognise that Wisbech St. Mary is designated as a growth village and as it is a brownfield site they have no concerns by supporting the application as we do not consider it to be development in the open countryside.'*

*It is noted that the Parish Council due to their meeting schedule were unable to provide a response in respect of the re-consultation.

- 5.2 Cambridgeshire County Council Highways Authority:** *'The proposal results in no material highway impact. I have no highway objections'.*
- 5.3 Environment Agency:** *'In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused. Reason(s) The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the submitted FRA undertaken by Ellingham Consulting Ltd (ref: ECL0479/Swann Edwards Architecture, dated May 2021) fails to adequately assess the risk of flooding to all aspects of the development and consider how people will be kept safe from the identified flood hazards for the lifetime of the development.'*

Hazard mapping

The FRA incorrectly identifies the hazard mapping depths the development site could experience. Section 4.6 and figure 3 states that the 'estimated depth of flooding at the dwelling during a breach is 1.0m. Viewing the mapping in ArcGIS confirms the majority of the proposed dwelling could experience depths of between 1.0 - 1.6m arising from a breach in the defences during a flood that has a 0.1% tidal chance of occurring in any one year up to 2115.'

Flood risk mitigation

We acknowledge that this is a proposed change of use application, however the predicted depths within the dwelling could be significant (up to 1.2m) and the mitigation does not demonstrate that the development and its future occupants will be safe for the lifetime of the development. The finished floor levels (FFL)

should be informed by the predicted flood depth maps and single storey proposals must use the 0.1% event, 2115 scenario. The Wisbech Level 2 SFRA Site Specific Flood Risk Assessment Toolkit (June 2012) section 1.3.11 states "Finished floor levels for all types of development (not just dwellings) must be set above maximum flood depth ... If single storey dwellings are proposed this is essential. Where this is not possible (potentially in combination with some raising of finished floor levels) then a range of measures including safe refuge and a means of escape must be considered. This could be achieved by, but is not restricted to:

- Adding a first floor;
- The addition of a mezzanine floor;
- Altering a bungalow to become a chalet bungalow; or
- Providing room within an easily accessible loft space with velux windows added".

Flooding with little or no warning if defences are overtopped or breached could occur at any time of the day or night and in any season and flood waters may remain high for several days before it is possible to drain the area down. During a flood, residents trying to leave the site would be at considerable danger from the floodwater itself and also from various other hazards such as water bourn debris. The journey to safe, dry areas completely outside the floodplain would involve crossing areas of potentially fast flowing floodwater. Section 1.3.13 of states that in some instances, where finished floor levels cannot be raised high enough, sleeping accommodation on the ground floor levels may not be permitted. The FRA states that 'it is recommended that a safe refuge is provided in the loft space and a velux window fitted to facilitate emergency evacuation'. An existing velux window is shown above the bathroom, however there is very limited headroom given the pitch of the roof so it is unclear as to whether adequate safe refuge for the occupants achievable. Further information should be provided.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.'

- 5.4 Designing Out Crime Officers:** 'The design and access statement mentions high crime figures collected from www.police.uk - these will probably relate to statistics covering the whole of Wisbech. I have completed a search of the Constabulary crime and incident systems for Wisbech St Mary covering the last 3 years. I consider this to be an area of low vulnerability to crime at present, the relevant offences during this period are listed below:-

6 x business burglary
12 x dwelling burglary
23 x vehicle crime (11 theft from and 12 theft of - 3 in Sandbank)
35 x criminal damage (2 in Sandbank)
48 x public order (3 in Sandbank)
13 x drug offences (all trafficking - 4 in Sandbank)

I have been unable to research our incident system for anti-social behaviour incidents at present.

However, I have no further comment or objections at this time and support this application'.

5.5 Local Residents/Interested Parties:

Support: 11 letters of support have been received all originating from the parish of Wisbech St Mary; these may be summarised as follows:

- We support this application as the business is a necessity to the area
- From a security point of view it makes sense for the owner to live on site.
- The site is very well maintained and the business owner prides himself on keeping the yard and area around tidy and well kept
- will give the applicant a much better work/family life balance.
- Applicant is a very good neighbour and works very hard
- Support this application because it will give the business the security factor needed and help make this business grow; *'will help to cement this worthy business in our local area'*.
- *'Having lived in this village for over 20 years, I have never seen this property looking so well kept and professional. I fully support their decision to apply for planning, as I am also aware of the security implications, should a property not be attended at all times'*.
- *'As to location of the proposed building, I see no problems with regards to interfering with any other property or persons, as it is set back off the road and out of the way, in fact as there are already a number of buildings, this can only improve the look of the property further. The Roadway is well maintained, and customer service and safety are at the forefront of this persons business at all times, which is commendable'*.
- *'I know of other businesses that have done the same and has made a great deal of difference to their security and availability to customers'*.
- *'The barns in question were built in 1960 and used as farm buildings on a 60 acre holding, the land around the buildings being sold away from the buildings in 1998, since then the barns have had numerous owners but it was not until they were purchased by the present owner they have took on a new lease of life, employment involving 6 local people making sheds, fencing and all types of timber work and landscaping'*.
- *'I see no reason why Mr Franklin and his family cannot be allowed to convert one of the smallest barns into a family home so helping with security and being on hand to run his thriving business'*.
- *'Converting former Agricultural buildings into accommodation is quite common in Fenland & the UK'*
- Applicant *'is a very responsible person and that his business helped many people during covid for improvements to their homes'*.

Objection: One letter of objection has been received from the adjoining landowner that may be summarised as follows:

- Notes that there has been an unresolved boundary dispute for many years regarding this land which the applicant was fully aware of when he purchased the barns; this matter having escalated on occasions between the respective parties
- Highlights that work has been undertaken to create a garden area which is not shown on the drawing
- Note that Cambridgeshire Constabulary have challenged Mr Frankham's view of the crime rate for the area
- Highlight that they were not consulted on the first planning application
- Highlight that there is no mention of where the soakaways or septic tank are to be located and raise serious concerns about this as their *'land has been subject to becoming waterlogged ever since the building proposed for conversion was*

erected and since Mr Frankham has removed [their] conifers which did have the effect of reducing the moisture content of the land. He [the applicant] has also raised the level of the land alongside the barn which is pushing the fence boards off from my fence and allowing sand and gravel onto my grazing land. This can have serious or even fatal results for the horses kept on the land'.

- Query whether the existing septic tank is adequate for the needs of a family and the workforce at Mr Frankham's business, concerned that their grazing land would become contaminated.
- Concern re soakaways and likely impact on grazing land
- Note that the fence blocks views of their property but would be concerned should the window in the roof become a source of light for liveable space
- Notes that a water supply serving the fields has its stop taps located under where the development now stands
- Observes *'that the only access and more importantly means of escape from the proposed development would be through the timber yard which the barn adjoins, not exactly ideal should there be an incident at the business premises.'*

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 - Applications should be determined in accordance with the development plan, unless material considerations indicate otherwise

Para. 10 - Presumption in favour of sustainable development

Para. 12 - Presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making

Para. 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para. 78 - Introduction of housing where it will 'enhance or maintain the vitality of rural communities'

Para. 79 - Planning [...] should avoid the development of isolated homes in the countryside unless [...] there is an essential need of a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

Para. 83 - Planning policies should enable sustainable growth and extension of all types of businesses in rural areas both through the conversion of existing buildings and well-designed new buildings; [...]

Chapter 9 - Promoting sustainable transport

Para. 127 - achieving well designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change.

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2019

Context C1 - Relationship with local and wider context

Uses U1 A mix of uses

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

7.5 **Cambridgeshire Flood and Water Supplementary Planning Document**

Developed by Cambridgeshire County Council as Lead Local Flood Authority and adopted by FDC Full Council on 15th December 2016 as SPD

8 KEY ISSUES

- **Principle of Development**
- **Justification of need**
- **Character and visual amenity of the area**
- **Residential amenity**
- **Highways and access**
- **Flood risk**
- **Other matters**

9 BACKGROUND

9.1 The submitted Design and Access statement highlights that '*Planning permission was granted under F/YR19/0304/F for the erection of Unit 3 and the change of use of the buildings within Sandbank Barns to B2 use. Unit 3 was proposed as the workshop area and the plans for the site were to expand the business to employ a further 2-4 people over the next 18 months following the application*'.

9.2 *The submission goes on to note that 'Unfortunately, like many small businesses, Fenland Timber has suffered as a result of the current health pandemic and has not been able to expand as originally intended. To keep the business afloat, Mr Frankham (the applicant and owner) has had no choice but to increase his working hours, often working over 12 hours a day 7 days a week. Clearly this is taking it[s] toll on his health and well-being given the poor work/life balance. The situation is compounded by the crime and fear of crime in the locality which adds to the stress of Mr Frankham. Since the previous application was approved, there have been on average between 5 and 13 incidents of antisocial behaviour/theft/burglary etc reported every month within Wisbech St Mary, as can be seen in the statistics published on www.police.uk. Considering that large portions of 2020 were spent under national lockdown, the amount of crimes reported is significant and therefore the fear of crime and fear of losing his livelihood Mr Frankham currently suffers from is becoming increasingly more acute*'.

9.3 Members are also advised that a pre-application enquiry was submitted in November 2020 for the stationing of a mobile home on the site, this enquiry again postulated the work/life balance justification and security considerations. An unfavourable response was forthcoming on the basis that the use did not fall within one of the categories outlined in Policy LP3. Although the accommodation

proposed was temporary in nature it would be subject to the same policy considerations as permanent accommodation. It was further noted that notwithstanding the type of business no functional need had been demonstrated and as such Officers were unable to encourage the submission. It was also identified in the pre-application response that in the absence of a functional need the scheme would fail on flood risk grounds as well in terms of the sequential test.

10 ASSESSMENT

Principle of Development

- 10.1 This is an 'elsewhere' location when applying the criteria outlined in Policy LP12; given that it is clearly outside the built-up settlement of the nearest villages of Wisbech St Mary. Whilst the existence of other dwellings in the vicinity results in the site not being 'physically' isolated the lack of nearby services and facilities would render the location 'functionally' isolated as such the provisions of Para. 78 of the NPPF and the tests established by the Braintree judgement would not be relevant and as such would not outweigh Policy LP12 in this instance.
- 10.2 As identified under Policy LP3 development in such areas should be restricted to that which is essential for agriculture, horticulture, forestry, outdoor recreation, transport or utility services and to minerals or waste development. It is contended that the site does not fall under any of these specified uses and as such the presumption must be against development.
- 10.3 Even in the case of a dwelling to serve one of the specified uses, there would be a need to meet the tests laid down in Part D of Policy LP12 which would require the application to demonstrate:
- (a) An existing functional need
 - (b) The number of part time and full-time worker(s) to live in the dwelling
 - (c) The length of time the activity has been established
 - (d) The financial viability of the enterprise
 - (e) The availability of other suitable accommodation on site or in the area
 - (f) How the proposed size of the dwelling would relate to the viability of the enterprise
- 10.4 Notwithstanding the above 'principle' matters it is also necessary to consider the acceptability of the proposal in terms of visual impact, residential amenity, highway safety and flood risk as required by Local Plan Policies LP2, LP12, LP14, LP15 and LP16.

Justification of need

- 10.5 The key thrust of the argument put forward within the design and access statement (D&A) is that by living on site the applicant will achieve a better work/life balance and that by residing at the premises he will reduce the risk of crime/fear of crime. This will, it is contended in the D&A, accord with Policy LP6 of the FLP and Section 6 of the NPPF which seek to retain and promote the rural economy, enabling retention of local shops and services. Also highlighted within the D & A is the schemes compliance with Policy LP2 which seeks to promote healthy lifestyles, helping to reduce crime and the fear of crime and Policy LP17 which seeks to create safe environments and reduce crime.

- 10.6 It is noted, based on the response of the Crime and Design team, that the crime statistics quoted appear to be those relating to Wisbech as a whole. Clarification has been provided by the Crime and Design team of the local constabulary which indicate that this is '*an area of low vulnerability to crime at present*'.
- 10.7 There is nothing within the submission to indicate that other measures to combat crime vulnerability have been explored and mindful that planning case law indicates that security in itself would not be sufficient grounds to outweigh planning policies which seek to restrict development outside the main settlements to that which is considered essential it is not considered that security alone would demonstrate a functional need to reside on the site.
- 10.8 It is contended in this instance that the case to live on the site is largely borne from 'convenience' as opposed to being 'essential' and as such it is not considered that sufficient justification exists to deviate from planning policy in this instance.

Character and visual amenity of the area

- 10.9 The workshop building is an existing feature of the locality and whilst visible from Sandbank, in distance views, its location within the existing complex is such that it does not have an adverse impact on the character of the locality nor would its conversion have any implications for the character and visual amenity of the surrounding area.
- 10.10 Whilst the existing landscaping which bordered the site has been removed and replaced with close boarded fencing again the distance from the main highway is such that this is not detrimental to the character of the area.
- 10.11 The conversion works proposed are relatively modest and largely contained within the existing building envelope, excepting for the porch addition to the front of the building which will face into the existing yard area and would therefore not have any adverse impact on the character of the area. Similarly the gazebo as erected is inconsequential in terms of its presence and would not adversely impact on the visual amenity of the locality.
- 10.12 Accordingly there would be no grounds to withhold consent in terms of Policies LP12 and LP16 of the FLP (2014).

Residential amenity

- 10.13 The development would have no implications for the residential amenities of adjacent occupants given its positioning and scale. Access will be derived from the existing business access and given that the proposal is a single dwelling there are no likely noise and disturbance impacts envisaged.
- 10.14 The adjoining field is used for equestrian purposes (F/YR15/0688/CERTLU) and the nearest residential dwellings are situated to the north east of the proposed dwelling adjacent to the access to the site.
- 10.15 The scheme makes provision for a garden of circa 181 square metres, whilst when factoring in the wider access arrangements this is a shortfall in terms of LP16(h) when considering solely the parking area, dwelling and garden it represents 38% of the curtilage.

- 10.16 With regard to refuse collection the proposal is silent although it is anticipated that refuse bins would be placed kerbside, whilst this would exceed the maximum bin travel distances there would be a trade-off for the resident in this regard when considering the benefits derived from living on the site.
- 10.17 It is considered that there are no residential amenity impacts which would render the scheme unacceptable when viewed in the context of Policies LP2 and LP16 of the FLP (2014)

Highways and access

- 10.17 There are no highway implications arising from the proposal and the scheme makes appropriate provision of parking and turning within the site accordingly compliance with Policy LP15 of the FLP (2014) is achieved.

Flood risk

- 10.18 The agent identifies that *'due to the specific locational requirements for the development, i.e. that it has to be positioned within the Sandbank Barns complex, there is no other land available to accommodate the development. As such the proposal passes the Sequential Test'*
- 10.19 PPG indicates that *'When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere'* Paragraph: 033 Reference ID: 7-033-20140306; this is not carte blanche to accept that the development is acceptable in flood risk terms. Given that it has not been demonstrated that there is a 'functional' need for the property it is considered that the sequential test on this occasion could not be deemed as met.
- 10.20 Similarly, notwithstanding the objection raised to the development in terms of the Flood Risk Assessment which renders the scheme at present non-compliant with the 2nd part of the Exceptions Test, i.e. safe from flood risk, it is not considered that the scheme meets the 1st part of the Exception Test. As noted in the summary a revised FRA has been submitted and the Environment Agency reconsulted in this regard.
- 10.21 The agent asserts that the *'wider sustainability benefits to the community that outweigh flood risk'* derived from the development would be *'the proper functioning of a rural enterprise which will support the rural economy which is advocated by paragraph 83 of the NPPF'*. However it must be again highlighted that there is nothing to suggest that the business could not continue to operate without a dwelling on the site, nor indeed has it been evidenced that there is a functional need for such a dwelling.
- 10.22 Based on the above evaluation it must be concluded that the development does not satisfy either the Sequential or Exceptions test and as such fails to comply with Policy LP14 of the FLP (2014), the Cambridgeshire Flood and Water Supplementary Planning Document and Chapter 14 of the NPPF.

Other matters

10.23 The issue of land ownership has been strongly rebutted by the applicant and satisfactorily addressed in terms of the planning submission with the applicant providing Land Registry details and a previous owner of an adjoining property providing further supporting information. Essentially this is a civil matter between the two parties and it is not the role of the LPA to mediate or engage in this dispute; hence a decision was taken to upload the response from the applicant as sensitive so as not to escalate what is obviously a sensitive issue.

10.24 The agent has further highlighted in response to the other matters raised that:

- Neither they nor the applicant have any influence over who is consulted by the LPA*
- Matters of surface water and foul drainage will be assessed under the Building Regulations; further noting that the existing roof of the building is not being altered
- Fire safety and access will again be considered under Building Regulations, however a gate has recently been installed in the common boundary with the adjoining agricultural land, in consultation with the land owner with this providing an alternative access to the Fenland Timber site.
- With regard to privacy it is noted that the adjoining land is not private amenity space it is agricultural and paddock land; notwithstanding this there are no windows that will overlook this area.

* Consultations undertaken in respect of F/YR19/0304/F (the earlier application) were undertaken in accordance with the statutory requirements, supplemented by a site notice. It is not usual practice to consult 'land' unless there is a residence on the property. A formal consultation was however sent out to the adjoining landowner at their request.

10.25 In light of the above it is considered that the LPA may proceed with the determination of the submission and that there are no matters arising, in so far as they relate to the comments made, that would be deemed material to the consideration of the application before the committee.

11 CONCLUSIONS

11.1 Whilst it is accepted that there may be some benefits derived from positioning a dwelling on this site, these appear to be largely relating to convenience as opposed to an essential functional need being demonstrated. Similarly, it is apparent that the applicant is a well-respected and well supported business owner who is valued within his local community. However, these factors do not outweigh the planning policy relating to the provision of residential accommodation within 'elsewhere' locations.

11.2 Such policy, both national and local, seek to ensure that only essential development is located within the open countryside and that should residential development be proposed to support such 'essential' development there should be a clear functional need demonstrated for its provision.

11.3 The operation of a timber yard with associated sales does not fall within any of the categories listed under Policy LP3 as being essentially located outside of a main settlement and as such even if a functional need was accepted the submission would fail on these grounds.

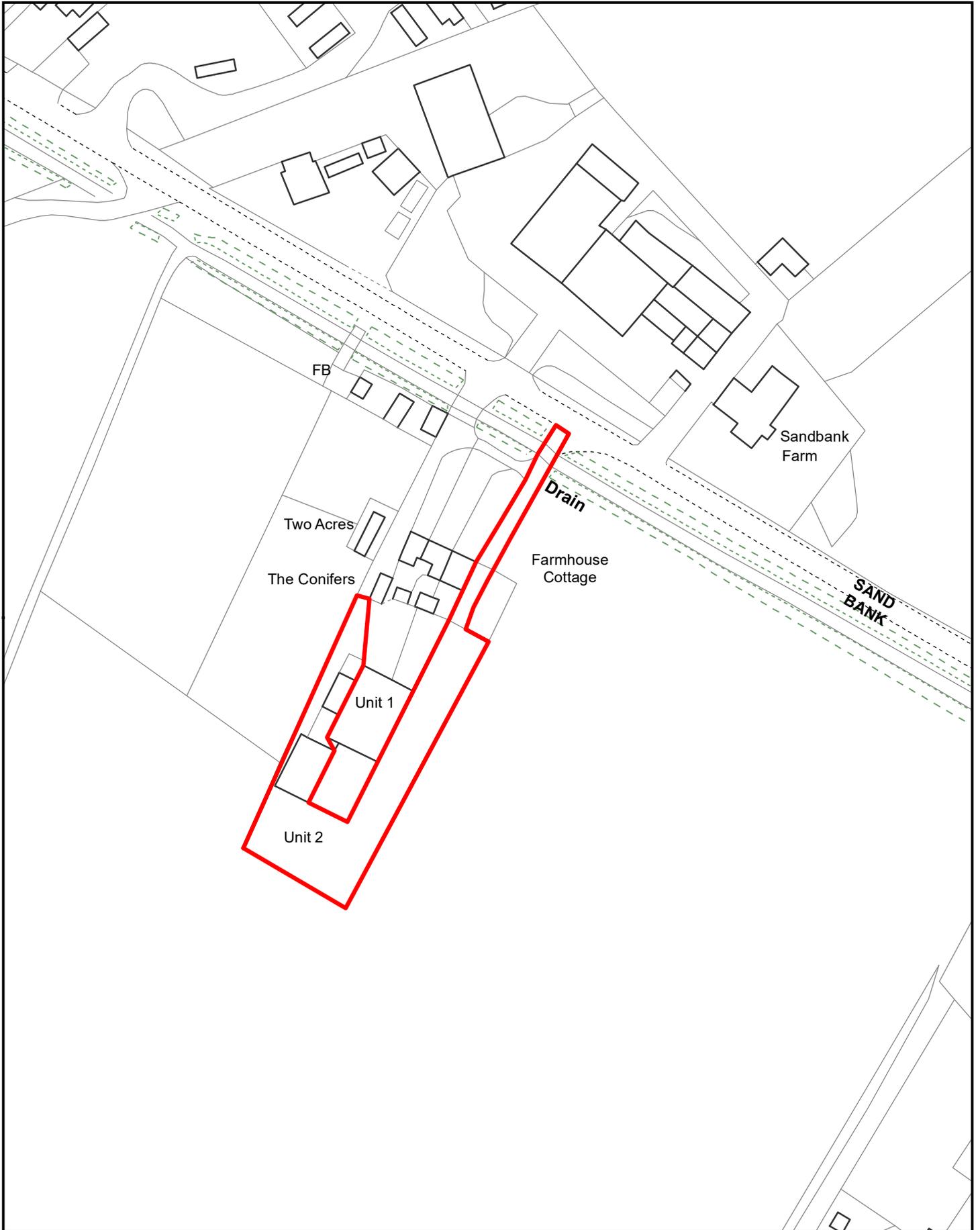
- 11.4 The argument put forward regarding security does not appear to be appropriately evidenced when viewed in the context of the formal consultation response from the Police in terms of actual crime data and there is no indication as to other security measures in place at the site to address potential crime or alleviate the fear of crime. Notwithstanding this planning case law indicates that security will rarely be sufficient justification to support the delivery of residential accommodation.
- 11.5 Finally the scheme fails to satisfy the Sequential and Exceptions test relating to flood risk as no functional need has been demonstrated, nor has it been demonstrated that the site is safe from flooding, noting the deficiencies of the submitted Flood Risk Assessment as identified by the Environment Agency.
- 11.6 Based on the above evaluation the only recommendation must be one of refusal as there are no material considerations identified that would outweigh planning policy relating to non-essential development within elsewhere locations and flood risk.

12 RECOMMENDATION: Refuse

Refusal reasons:

1	<p>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, nor does the use of the site fall within one of the listed categories which would warrant location in the open countryside . 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 of the Fenland Local Plan (adopted May 2014).</p>
2	<p>Policy LP14 (Part B) of the Local Plan requires development in Flood Zone 3 areas to undergo a satisfactory sequential test to demonstrate that the development cannot be delivered elsewhere in a location of lower flood risk. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site lies within Flood Zone 3 which is a high risk flood area and the scheme proposal fails both the sequential and exceptions test given that there is no functional need for a dwelling on the site and that the submitted Flood Risk Assessment fails to demonstrate that the development will be safe for its lifetime. Consequently, the proposal fails to satisfy policies LP2, LP14 and</p>

<p>LP16 of the Fenland Local Plan as it fails to deliver a high-quality environment and unjustifiably puts future occupants at higher risk of flooding. Furthermore the submission does not comply with the NPPF or the Cambridgeshire Flood and Water Supplementary Planning Document, adopted 15th December 2016.</p>



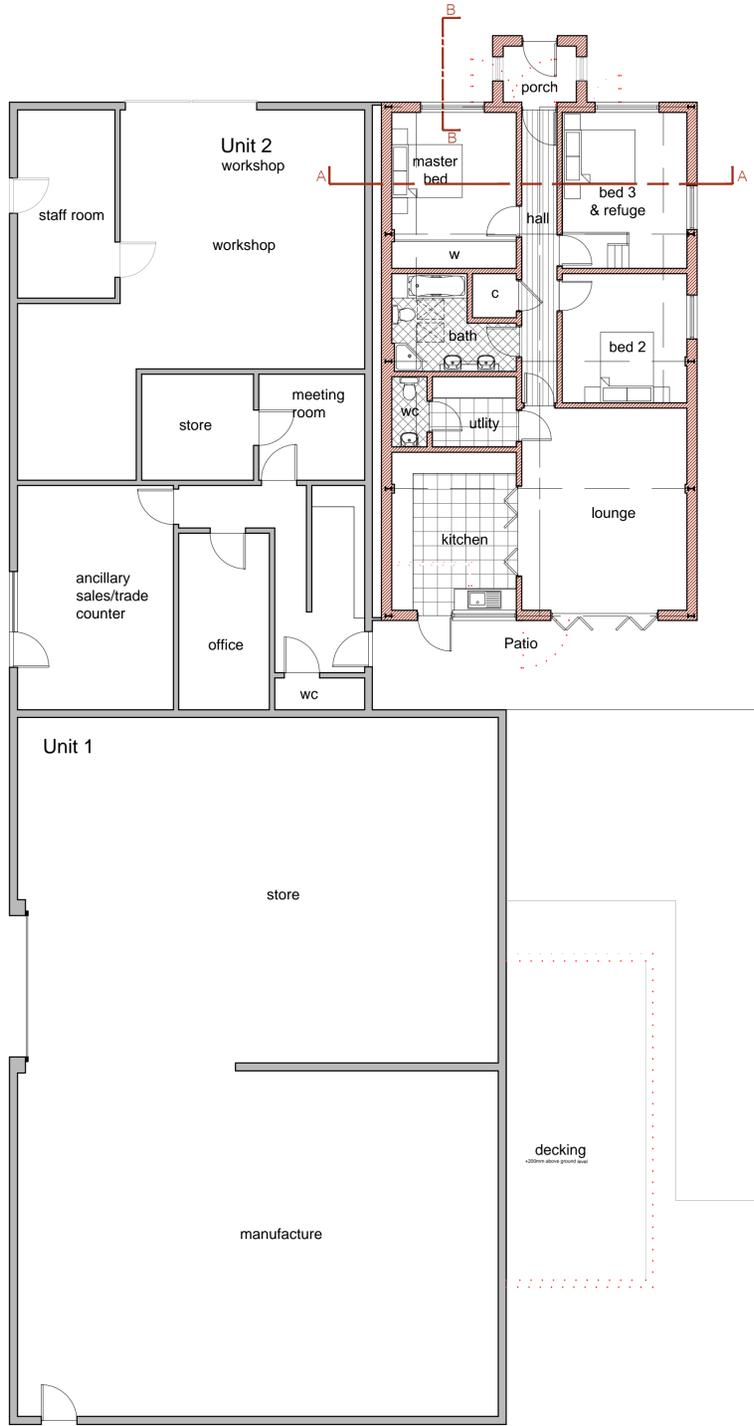
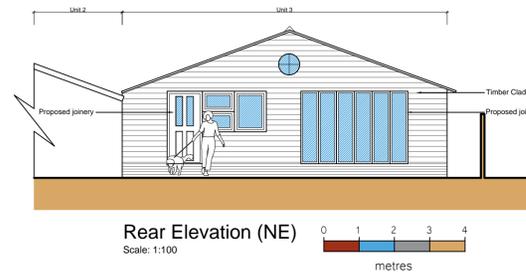
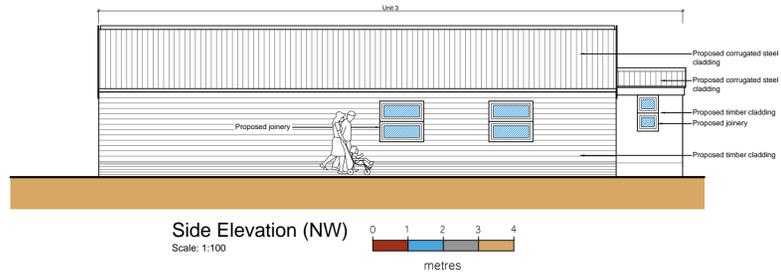
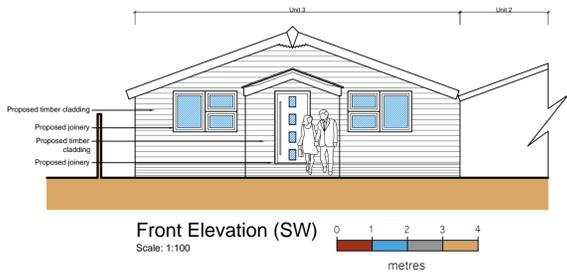
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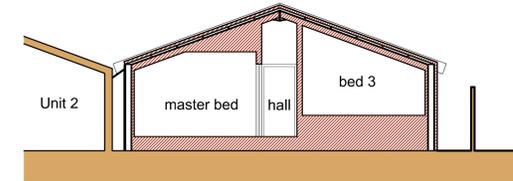
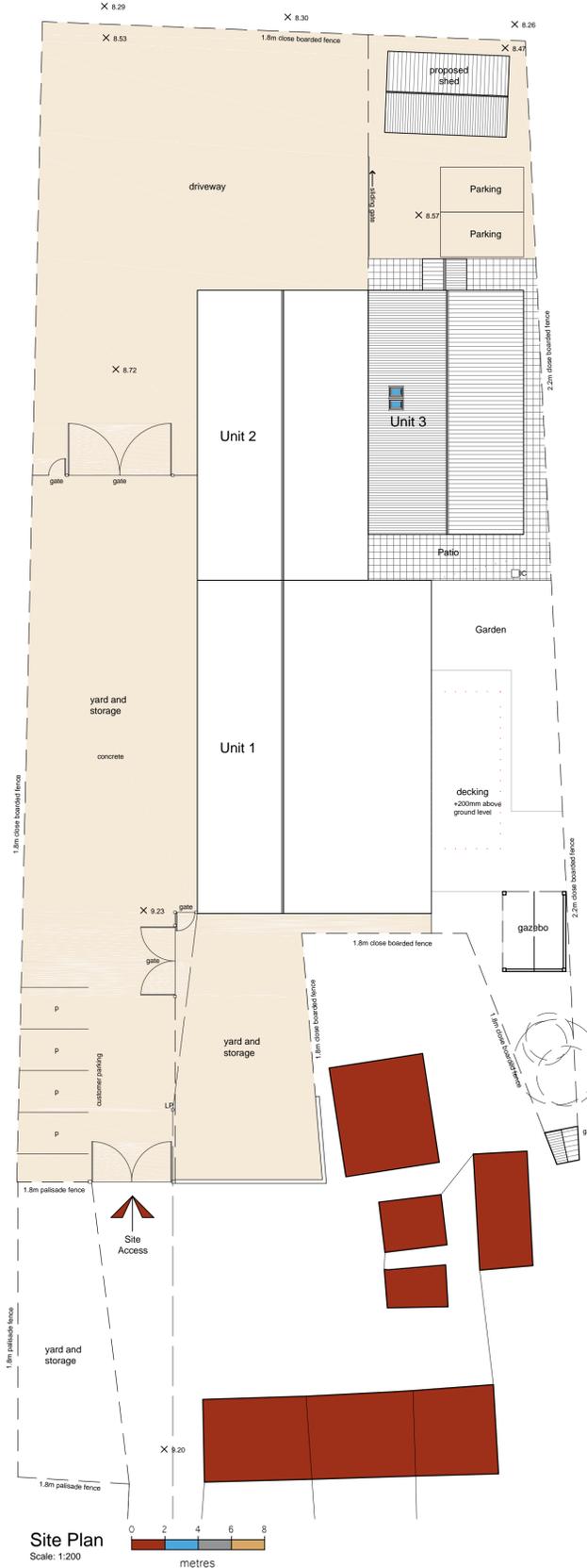
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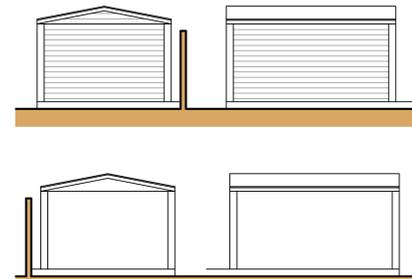




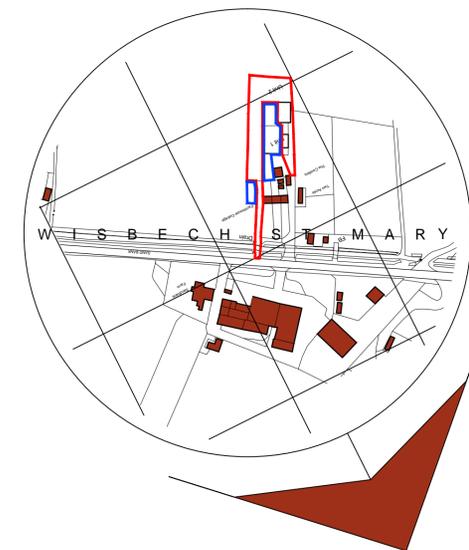
Floor Plan
Scale: 1:100



Section A-A
Scale: 1:100



Gazebo Elevations
Scale: 1:100



Location Plan
Scale: 1:2500

- 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.

SITE PLAN KEY

- Indicates surveyed buildings
- Indicates proposed barn conversion
- Indicates un-surveyed buildings taken from OS map
- Indicates existing site access point
- Indicates existing site levels

WALL KEY

- Indicates existing
- Indicates proposed
- Indicates to be demolished

Revisions		
A	July 2021	Levels Added, Gazebo, Shed and Decking Added

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

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Job Title Proposed Barn Conversion Unit 3, Sandbank Barns, Sandbank, Wisbech St Mary for: Fenland Timber	Date April 2021	Drawn by GT Checked by JB
Drawing Title Planning Drawing	Job No. SE-1590	Sheet Size A1
	Dwg No. PP1000	Revision A