
F/YR21/1154/PIP

Applicant: Mrs Rehka Karavadara

**Agent: Mr Matt Sparrow
Peter Humphrey Associates Ltd**

Land North of Telephone Exchange, Main Road, Tydd Gote, Cambridgeshire

Permission in Principle (1no dwelling max)

Officer recommendation: Refuse

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

1. EXECUTIVE SUMMARY

- 1.1. The application is for Permission in Principle to develop the site for a dwelling. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in-principle and assesses the principle issues namely: (1) location, (2) use and (3) amount of development proposed and the second ('technical details consent') stage is when the detailed development proposals are assessed. Technical details consent regarding the proposed properties would need to be applied for should this application be granted.
- 1.2. The application site is considered to be located within the settlement of Tydd Gote but does not comply with the scale of development set out within that policy given that it is not an infill site.
- 1.3. It would be possible to design a dwelling that resulted in acceptable visual and residential amenity impacts however this would not overcome the issues of principle that would result from the granting of consent in this location and the resulting spread of the developed part of the settlement southwards along the A1101.
- 1.4. The application is therefore recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The application site is a section of car park fronting the A1101 associated with the Pub/Restaurant premises to the north of the site, which is located approximately 70m from the site. It is separated from agricultural land to the east by a post and rail fence and supplemented by a low hedgerow, whilst a picket fence forms the western boundary. To the immediate south of the site is an existing single-storey telephone exchange building.
- 2.2. The site lies within Flood Zone 1, the zone of lowest flood risk.

3. PROPOSAL

3.1. The 'Planning in Principle' (PiP) application is for residential development of one dwelling at the site. The current proposal is the first part of the permission in principle application; which only assesses the principle issues namely:
(1) location,
(2) use; and
(3) amount of development proposed,
and establishes whether a site is suitable in principle. Should this application be successful, the applicant would have to submit a Technical Details application covering all other detailed material planning considerations. The approval of PiP alone does not constitute the grant of planning permission.

3.2. Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=R05DPIHE01U00>

4. SITE PLANNING HISTORY

4.1. No relevant history

5. CONSULTATIONS

5.1. South Holland District Council

No comments or objections

5.2. Tydd St Giles Parish Council

No objection

5.3. Cambridgeshire County Council Highways Authority

The proposals state they are using an existing access. Looking on street view, while there appears to be a tarmac area across the verge and a gap in the fence the kerb does not appear to be dropped. I cannot find a planning application that approved this access onto a classified road.

It appears that the dwelling will rest within part of the site which is an overflow car park for the restaurant, although the design and access statement did not mention this, so this is my assumption. Consideration is needed as to whether this loss of part of the parking area will impact on the highway but it's a large area overall so an impact seems unlikely or perhaps negligible.

The size and layout of the driveway would need to be able to accommodate vehicles so that they can turn and exit in a forward gear.

Pedestrian footway connection to the wider network will be required.

I have no objections to the application.

5.4. FDC Environmental Health

No objections.

Recommend the unsuspected contamination condition is added to any permission granted.

5.5. Local Residents/Interested Parties

None received

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 7: Purpose of the planning system is to contribute to the achievement of sustainable development

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 119: Promote effective use of land

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2019

Context

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

LP4 – Housing

LP12 – Rural Areas Development Policy

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

8. KEY ISSUES

- **Principle of Development**
- **Character Impact**
- **Residential Amenity**
- **Highways and Access**

9. BACKGROUND

- 9.1. There is no relevant background to the proposal. No pre-application contact has been made with the authority.

10. ASSESSMENT

Principle of Development

- 10.1. The application is considered to be located in or adjacent to the existing developed footprint of the settlement of Tydd Gote, as per the definition within policy LP12. This conclusion is made on the basis that the scheme is located on a developed piece of land (the car park) most closely associated with the built-up part of the village rather than the countryside. On that basis, the scheme falls for consideration under the 'Other Village' section of policy LP3 rather than an 'Elsewhere' location.

- 10.2. The principle of development on the site runs contrary to the settlement hierarchy however, with development in 'Other Villages' indicated as being restricted to single dwelling infill sites within an otherwise built-up frontage.
- 10.3. The Planning Portal defines infill development as 'The development of a relatively small gap between buildings', whilst in an appeal in Gorefield the Planning Inspector had the following to say about infill development.
- "Infilling is normally associated with the completion of an otherwise substantial built-up frontage of several dwellings or at the very least, consolidation of a largely built-up area."
- 10.4. In this case, the proposal is does not represent the development of a relatively small gap nor does it result in the completion of an otherwise substantial built-up frontage and as such is not considered to be an infill site.
- 10.5. The scheme is therefore contrary to policy LP3.

Character Impact

- 10.6. The proposal is for the construction of a single dwelling on the land, no indication is given as to the overall height of the property or the number of storeys proposed due to the nature of the application.
- 10.7. Policy LP12 requires new developments to satisfy a range of criteria in order to be considered acceptable, including not having an adverse impact on the character and appearance of the surrounding countryside, being of a scale and location in keeping with the core shape and form of the settlement, not extending linear features of the settlement, whilst respecting natural boundaries, ecological, heritage and biodiversity features of the site.
- 10.8. Policy LP16 of the Fenland Local Plan (2014) requires that the proposal makes a positive contribution to the character and distinctiveness of the area, which in this location is characterised by a range of distinctly different buildings and materials of construction, with little consistent character. The main part of the settlement lies to the north along Station Road, and is typical of many villages of its size, with modest dwellings located in close proximity to the main street forming the historic core of the settlement, surrounded by lower density development at the outskirts.
- 10.9. The application site is detached from the remainder of the built-up part of the village, and has a close relationship with the countryside beyond. As such, it would fail to respect the existing form and shape of the settlement and would result in the residential provision extending out of the village to the south in a ribbon style, contrary to the requirements of LP12. Its development for the purposes proposed would result in harm to that character contrary to the provisions of policy LP12 and LP16 of the Fenland Local Plan (2014).

Residential 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. As the application is made for Permission in Principle, no details are available of the final design of the scheme on the site, however given the scale of the application site, it is considered that it would be possible to design a proposal that would make adequate provision for amenity of the occupiers without resulting in harm to the amenities of the neighbouring properties.
- 10.12. There is therefore no current conflict with policies LP2 and LP16 with regard to the amenity provision of the proposed dwelling.

Highways and Access

- 10.13. The proposal is made on the basis that it will utilise the existing access at the southern end of the car park.
- 10.14. Although this access appears to have been created informally, it is located on an existing stretch of straight road alongside the access serving the adjacent telephone exchange and the Highways Authority have confirmed they have no objection in principle to the site being accessed from this location, subject to detailed design matters.

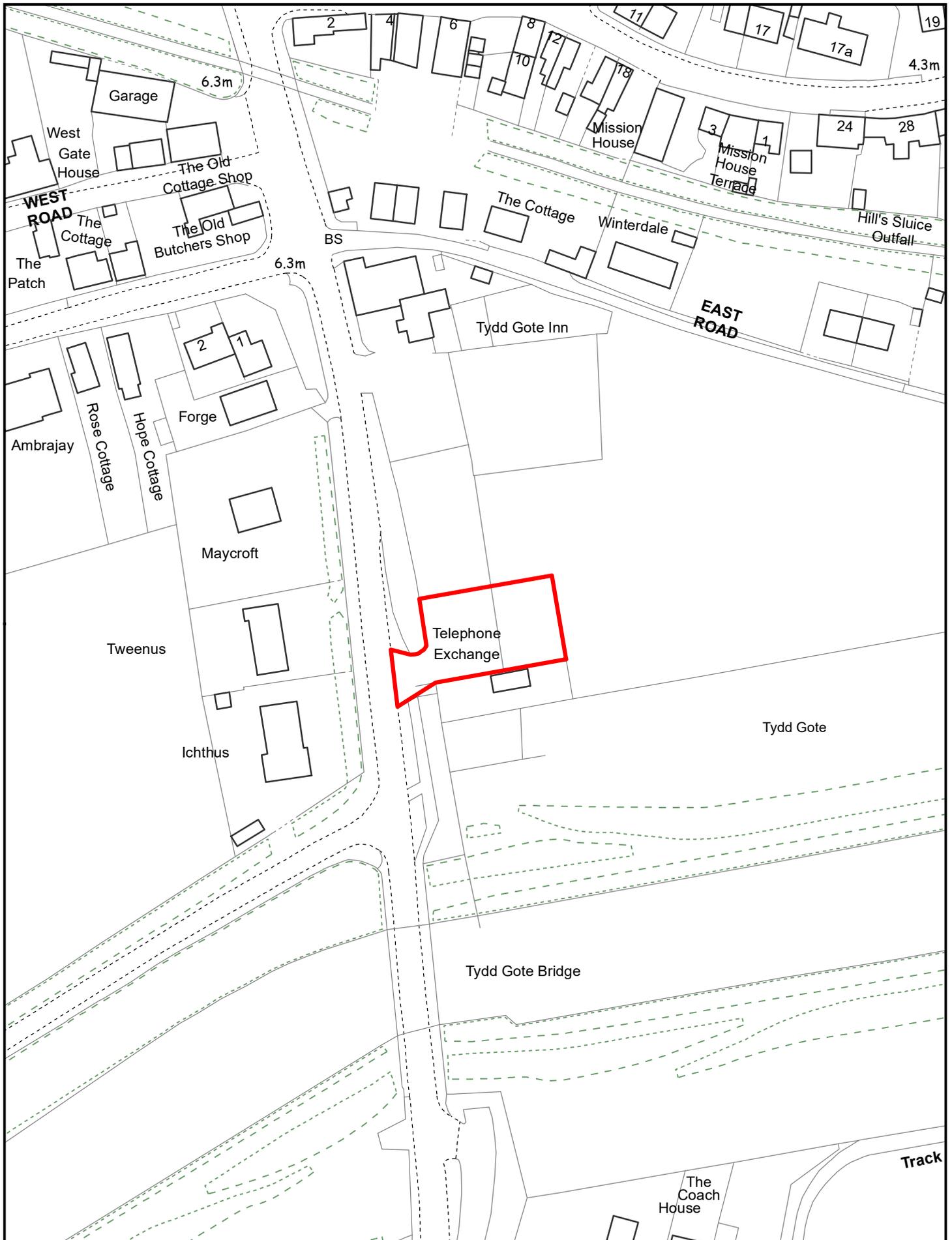
11. CONCLUSIONS

- 11.1. The principle of the construction of a dwelling in this location runs contrary to the settlement hierarchy policies of the development plan, and whilst specific impacts are or can be made acceptable, there are no material considerations that indicate that the scheme should be approved in this location as a matter of principle.

12. RECOMMENDATION

Refuse

1	The proposal is located within the settlement of Tydd Gote, which is identified within the settlement hierarchy of the Fenland Local Plan as an 'Other Village' where development will be limited to single dwelling infill sites within an otherwise built-up frontage. The proposal is a permission in principle application for the construction of a single dwelling on land that is detached from the built-up frontage of the settlement. Although it is adjoined by an existing structure to the south, the scheme does not constitute infill development as it does not propose the filling of a small gap within a continuous built frontage. On that basis the proposal is contrary to the provisions of policy LP3 and there are no material considerations that justify its approval contrary to those policies.
2	The proposal is located in a detached position in relation to the adjacent settlement, on a site with a visual relationship with the countryside beyond. The construction of a dwelling on the site would result in a harmful impact to the character of the site, which is a transitional location between the built-up part of the settlement and the open countryside beyond. This impact would be contrary to the provisions of policy LP12 of the Fenland Local Plan (2014).



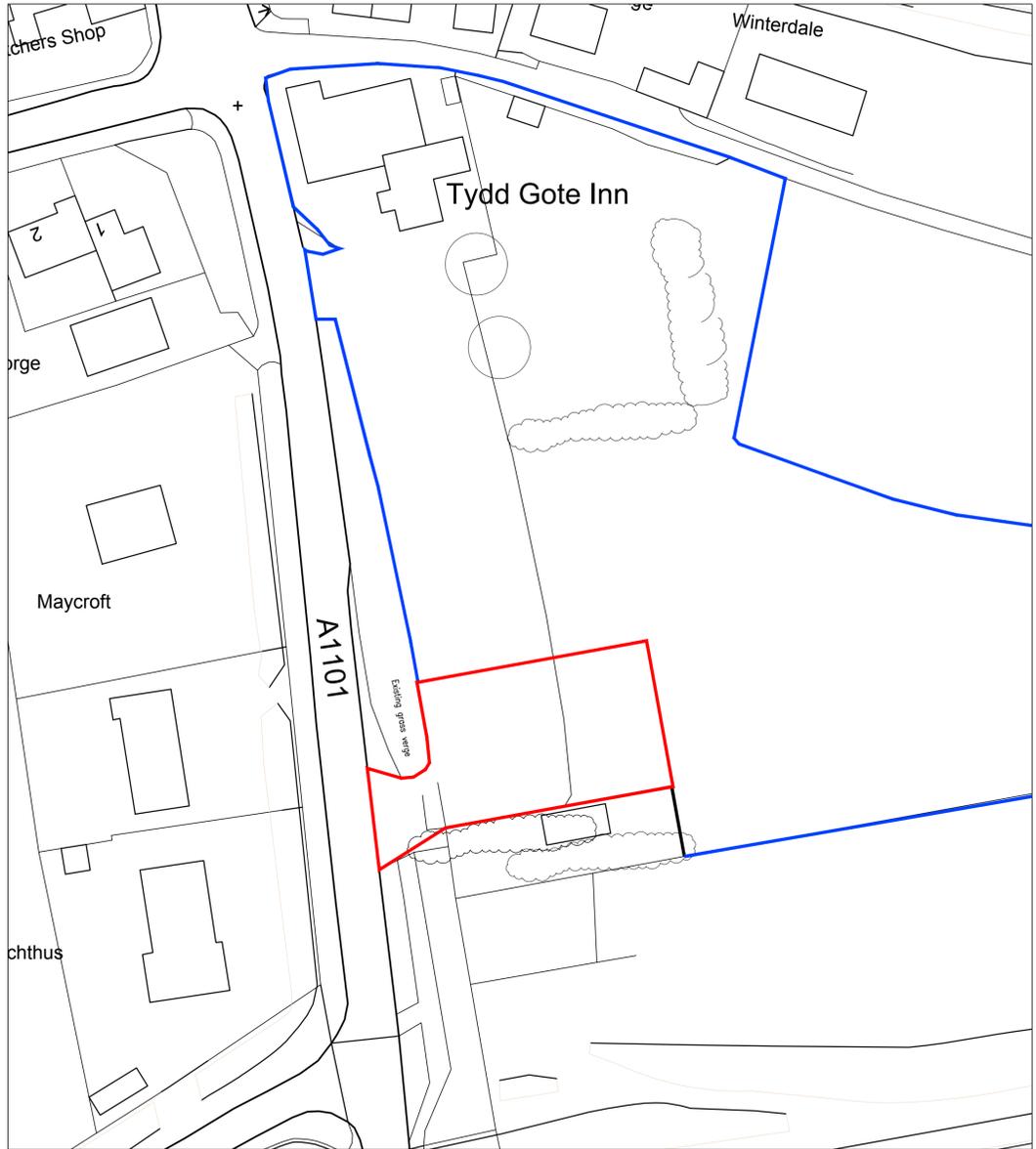
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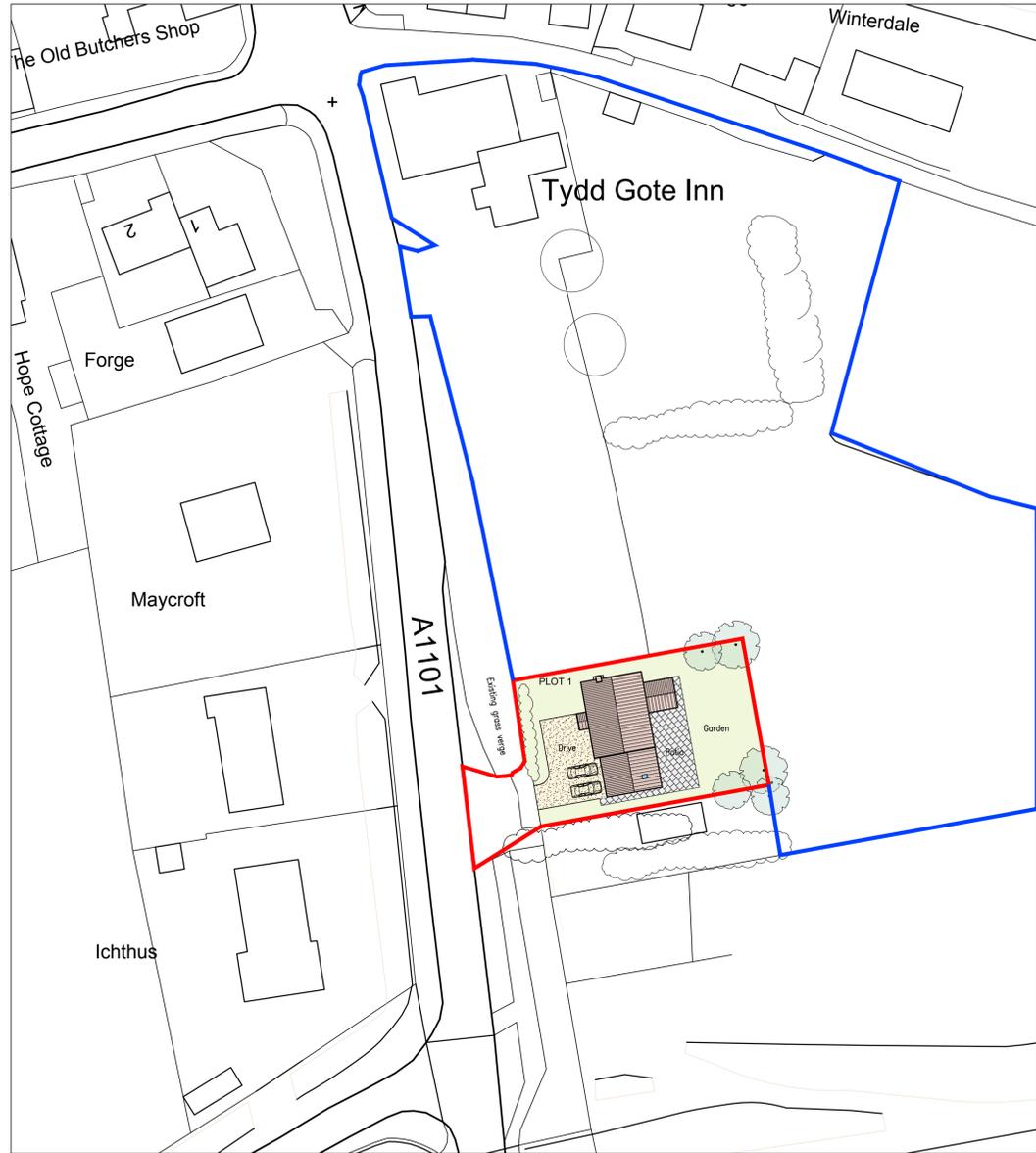
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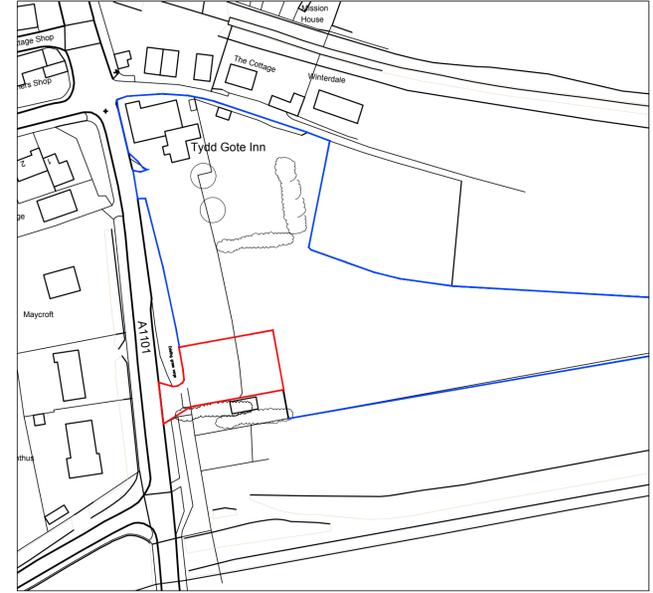




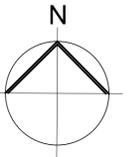
Existing Site Plan 1:500



Proposed Site Plan 1:500 (Indicative layout shown)



Location Plan 1:1250



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REVISIONS



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CLIENT
JOYESH KARAVADARA

PROJECT
PROPOSED DWELLING/PLOT

SITE
LAND SOUTH OF TYDD GOTE INN
SUTTON ROAD A1101
TYDD GOTE
WISBECH
PE13 5QD

DRAWING
PIP DRAWING

JOB NO.	PAPER SIZE	DATE
6410/01	A1	SEPT 2021

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