

Applicant: Mr S Miller

Agent : Mr J Scotcher
Morton & Hall Consulting Ltd

Elm Farm, Hospital Road, Doddington, Cambridgeshire

Erect 1 x dwelling (2 storey 4-bed) involving the removal of existing residential caravan, and the retrospective siting of a container

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Office recommendation.

1 EXECUTIVE SUMMARY

1.1 The site is located to the north-eastern side of a former farmyard and agricultural buildings on the northern side of Hospital Road, approximately 1.4km from its junction with Benwick Road, Doddington, within an area dominated by arable farmland with sporadic houses, likely to be related to, or previously related to, the farmland surrounding them.

1.2 The application seeks permission for the construction of a two storey, 4-bed detached house and would replace an existing mobile home located on the farmyard.

1.3 The site is located within an Elsewhere location as identified in the Local Plan, where residential development will only be acceptable with specified justification.

1.4 The site is located within an area designated as Flood Zone 3 and is classified as a 'More Vulnerable' form of development. The FRA states that temporary permissions were previously granted for the occupation of a mobile home at the site and a previously approved prior notification. Both of these elements are stated in the FRA to result in a precedent for further development on the site. However, this is not considered to be the case and the Sequential Test has not been proven to have been met.

1.5 A further permanent dwelling in this predominantly rural location is considered unjustified in this case and would significantly detract from, and undermine, the rural character of this part of the District.

1.6 On the basis of the assessment of the proposal, it is considered that the proposal would fail to accord with the provisions of the NPPF and Fenland Local Plan Policies LP3, LP12, LP14 and LP16 and is recommend for refusal.

2 SITE DESCRIPTION

2.1 The application site comprises a rectangular parcel of land on the northern side of Hospital Road approximately 1.4km to the north-west of the junction of Hospital

Road with Benwick Road, opposite the site of the Village Hall and adjacent to Doddington Community Hospital.

- 2.2 The site is located adjacent to a former working farmyard with a larger part-brick, part profiled sheeting building to the centre of the concrete yard area, and detached brick building to the front and side (south-east) and an existing 'park home'/static caravan sited to the western side of the frontage, which was previously granted permission to house agricultural workers.
- 2.3 There are at least 3 shipping containers situated to the south-eastern frontage of the site, and to the side of an existing small, detached brick outbuilding. To the rear of the frontage structures and to the eastern side of the large barn, there is part-hardstanding and part storage/parking of diggers, plant and machinery, a flat-bed van and a couple of vehicle trailers, and a kitchen garden with washing line.
- 2.4 Also within the Applicant's ownership is an area of grassed paddock to the northern side of Hospital Road and to the east of the former fam complex. This measures approximately 95m in width and 44m depth, back from the road. At present, the paddock space appears generally unused apart from the storage of a car and a lorry trailer, in addition to a garden table and chairs.
- 2.5 The site is located within Flood Zone 3.

3 PROPOSAL

- 3.1 The application seeks full permission for the construction of a two-storey dwelling plus a detached double-garage to the front.
- 3.2 The application site would be located to the east of the former farmyard, partly sited within the western part of the paddock and partly on the grassed area adjacent the yard and in which the vegetable garden is located. An existing informal grassed entrance to the eastern side of the main yard is proposed to be formalised, surfaced, paved and drained to form the new vehicular access to the dwelling.
- 3.3 The new 4-bed dwelling is stated to be constructed of 'farmhouse brick with dark grey timber weatherboard cladding and a dark grey pantile to the roof with cream uPVC fenestration.
- 3.4 A Design and Access Statement and Flood Risk Assessment accompany the application.
- 3.5 Upon occupation, it is stated that the existing park home/caravan would be removed from the site. Further information is provided under the assessment which follows.

Full plans and associated documents for this application can be found at:

[F/YR21/1370/F | Erect 1 x dwelling \(2 storey 4-bed\) involving the removal of existing residential caravan, and the retrospective siting of a container | Elm Farm Hospital Road Doddington Cambridgeshire \(fenland.gov.uk\)](https://f/YR21/1370/F | Erect 1 x dwelling (2 storey 4-bed) involving the removal of existing residential caravan, and the retrospective siting of a container | Elm Farm Hospital Road Doddington Cambridgeshire (fenland.gov.uk))

4 SITE PLANNING HISTORY

F/YR18/1046/PNC04 Change of use from agricultural building Require Planning

	to a 2-storey 3 / 4- bed dwelling (Class Q(a) and (b))	Application 16.01.2019
F/YR15 0393/PNCOU	Change of use from agricultural building to a single-storey 4-bed dwelling (Class Q(a) and (b))	Further Information not required 06.07.2015
F/YR11/0452/F	Siting of caravan for residential use by agricultural workers (Renewal of planning permission F/YR09/0780/F)	Grant 14.10.2011
F/YR09/0780/F	Siting of caravan for residential use by agricultural workers (Renewal of planning permission F/YR06/1260/F)	Grant 25.01.2010
F/YR06/1260/F	Siting of caravan for residential use by agricultural workers	Grant 21.12.2006
F/YR05/0961/F	Change of use of agricultural building to a 1-bed dwelling	Refuse 11.10.2005

5 CONSULTATIONS

5.1 Doddington Parish Council: Support the proposal

5.2 Environment Agency: No objection -

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the relevant Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds.

LPA should apply the Sequential Test in accordance with Government policy guidance.

5.3 Local Residents: Seven letters of support for the proposal have been received (five from residents of Hospital Road, two from Newgate Street) stating that they have no objection to the proposal and that a new dwelling in this location would allow the Applicant to continue running his business from the site and provide much-needed security for the site as a result.

One of these comments includes a proviso requiring that passing bays along Hospital road should be provided as agreed in relation to a separate and previous development at Mega plants and as agreed with County Highways in relation to a planning approval there.

6 STATUTORY DUTY

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

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 12: Conflict with an up-to-date plan should not usually be granted

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 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.

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2019

Context

Identity

Built Form

Nature

Homes and Buildings

Lifespan

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
- Flood Risk
- Character and Amenity

9 BACKGROUND

9.1 From the history section above, the farming business in operation previously was for pheasant hatchery, rearing and breeding around 2005 to just before 2014 and

the Local Planning Authority granted a series of temporary permissions for the siting and residential occupation of a mobile home at the site for the occupation by an agricultural worker/s on the farm.

- 9.2 The most recent temporary permission expired in October 2014 and a further renewal of the permission was not sought and, at some point, the caravan was relocated to its current location in the south-western corner of the site. It would appear that the residential occupation and siting of the caravan do not therefore currently benefit from any extant planning permission.
- 9.3 In 2015 a prior notification proposal under Class Q (conversion of agricultural buildings to residential dwellings) of the General Permitted Development Order was submitted to and authorised by the Council. This related to the larger barn on the application site.
- 9.4 However, it was confirmed that the change of use was not commenced within the necessary period and had therefore lapsed, and a further prior notification was submitted in 2018. The accompanying submission stated that the pheasant farming had ceased around 2015 and the Applicant was operating the site as a business for the storage and repair of agricultural machinery. By this point, the former agricultural buildings were no longer in use for agricultural purposes (pheasant, then chicken rearing) and a material change of use had taken place to a B8 use (storage and distribution use) instead. The prior notification was therefore rejected under the terms of the restrictions set out under the General Permitted Development Order for the re-use of 'agricultural' buildings.
- 9.5 In summary, the mobile home on the site does not benefit from any apparent planning permission and has not been in breach of condition (for occupation by agricultural workers) for a sufficient amount of time to represent a 'lawful use' under the terms of the 2011 permission (and which expired in October 2014).
- 9.6 The use of the site for the storage and repair of agricultural machinery, plant and vehicles (Use Class B8) does not benefit from any permission for the change of use of the land, and there is no extant authorisation for the change of use of the barn to a dwelling under Class Q of the GPDO.

10 ASSESSMENT

Principle of Development

- 10.1 The application site is located away from the built-up area of the settlement of Doddington, within an isolated location dominated by countryside and occasional sporadic development. The area is characterised by agricultural uses and occasional leisure uses (a small garden centre and a motocross site approximately 180m from the application site) and in a location considered appropriate for these specific leisure uses, otherwise considered inappropriate to a village location by virtue of noise and disturbance to residential amenities. As such the site must be considered as 'Elsewhere' within the settlement hierarchy set out in Policy LP3
- 10.2 Policy LP3 and Policy LP12 (D) set out that residential development in such locations should be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; and to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents (LDDs). The current application clearly does not accord with prescribed uses in accordance with

the local development plan, and the proposal accordingly would represent unjustified new residential development in an unsustainable 'Elsewhere' location, contrary to National and Local Plan policy and would detract from the intrinsic character and appearance of the rural area.

10.3 Notwithstanding this, the only element of any case advanced, albeit not formally submitted as such, is indicated in some of the supporting comments from local residents, stating that the Applicant's presence on the site will enhance security and enable the existing business to flourish.

10.4 In addressing this point it should be noted that;

- a) Security in its own right is not considered adequate justification for a new permanent dwelling in a rural location;
- b) The Applicant already has a 'presence' on the site by virtue of the siting and residential occupation of the mobile home (albeit without the benefit of planning permission); and
- c) the business use currently operating from the site (the repair and servicing of agricultural machinery) does not constitute 'agricultural use' and therefore a material change of use of the land has occurred and which also does not benefit from planning permission and is therefore unauthorised.

10.5 There is no apparent justification or case advanced which would outweigh the deleterious effect of a new unjustified permanent dwelling in this rural location.

10.6 Accordingly, it is considered that the proposal does not accord with any of these requirements and as such is contrary to the provisions of the National Planning Policy Framework and Policies LP3 and LP12 of the adopted Fenland Local Plan.

Flood Risk

10.7 The site is also located within an area designated as Flood Zone 3, a zone at higher risk of flooding and for a 'more vulnerable' form of development.

10.8 Policy LP14 of the Fenland Local Plan requires that development proposals adopt a sequential approach to new development where flood risk is a material consideration, directing development in the first instance to areas with a lower flood risk category (in this case, Flood Zones 1 and 2). Only if the sequential test demonstrates that there are no available sites in lower flood risk areas will sites be considered in higher risk zones. The Local Planning Authority has identified that the area of search for alternative sites where a proposal is located within an 'elsewhere' location, will be the whole of the District.

10.9 The sequential test set out above is supported by the National policy guidance set out in Section 14 of the National Planning Policy Framework. The Flood Risk Assessment accompanying the application does consider the sequential test, however it is limited in scope to the adjacent settlement only and does not consider any sites beyond. It therefore does not satisfactorily address or satisfy the requirements of the Sequential Test in a location such as the application site.

10.10 It is considered that applying the sequential test across the whole of the District, as is the Council's adopted approach for a site outside the settlement, would result in identifying sites at lower risk, capable of accommodating a single dwelling, and therefore the proposal is deemed to have failed the sequential test.

10.11 On matters of flood risk, therefore, the application site would not accord with the planning requirements as set out under the NPPF and Policy LP14 of the adopted Fenland Local Plan 2014.

Character and Amenity

10.12 The application proposes the construction of a permanent new dwelling to the north-eastern side of a former agricultural yard within an area of predominantly undeveloped countryside.

10.13 There is sporadic development within the local area and a motocross site situated to the south at Washbrook Farm (150m from the site), which has involved some earthworks for the provision of associated tracks, is permitted in appropriate locations as leisure use within rural areas subject to relevant planning considerations.

10.14 Hospital Road terminates for vehicular access further to the south-west where its serves one remaining farm located approximately 170m from the current application site.

10.15 The character of development in this area can be described as sporadic and loose-knit, due to the large and spacious fields forming gaps between the occasional dwellings along Hospital Road and the inter-relationship between existing residential properties and the broad agricultural hinterland between and surrounding them.

10.16 Policy LP16 of the Fenland Local Plan requires development to '*make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area*'.

10.17 The proposal by its very nature and location would detract from the relationship between Hospital Road and its rural and undeveloped surroundings. The proposed development would undermine this relationship by the consolidation of existing sporadic and loose-knit built form notable in this area and would therefore be contrary to Policy LP16 of the adopted Fenland Local Plan.

11 CONCLUSIONS

11.1 The proposal is considered to fail to accord with Policies LP3, LP12, LP14 and LP16 of the adopted Fenland Local Plan 2014.

11.2 The site is located within an isolated location beyond the nearest settlement and does not meet with any of the identified exceptions to countryside protection policies as set out under Policies LP3 and LP12.

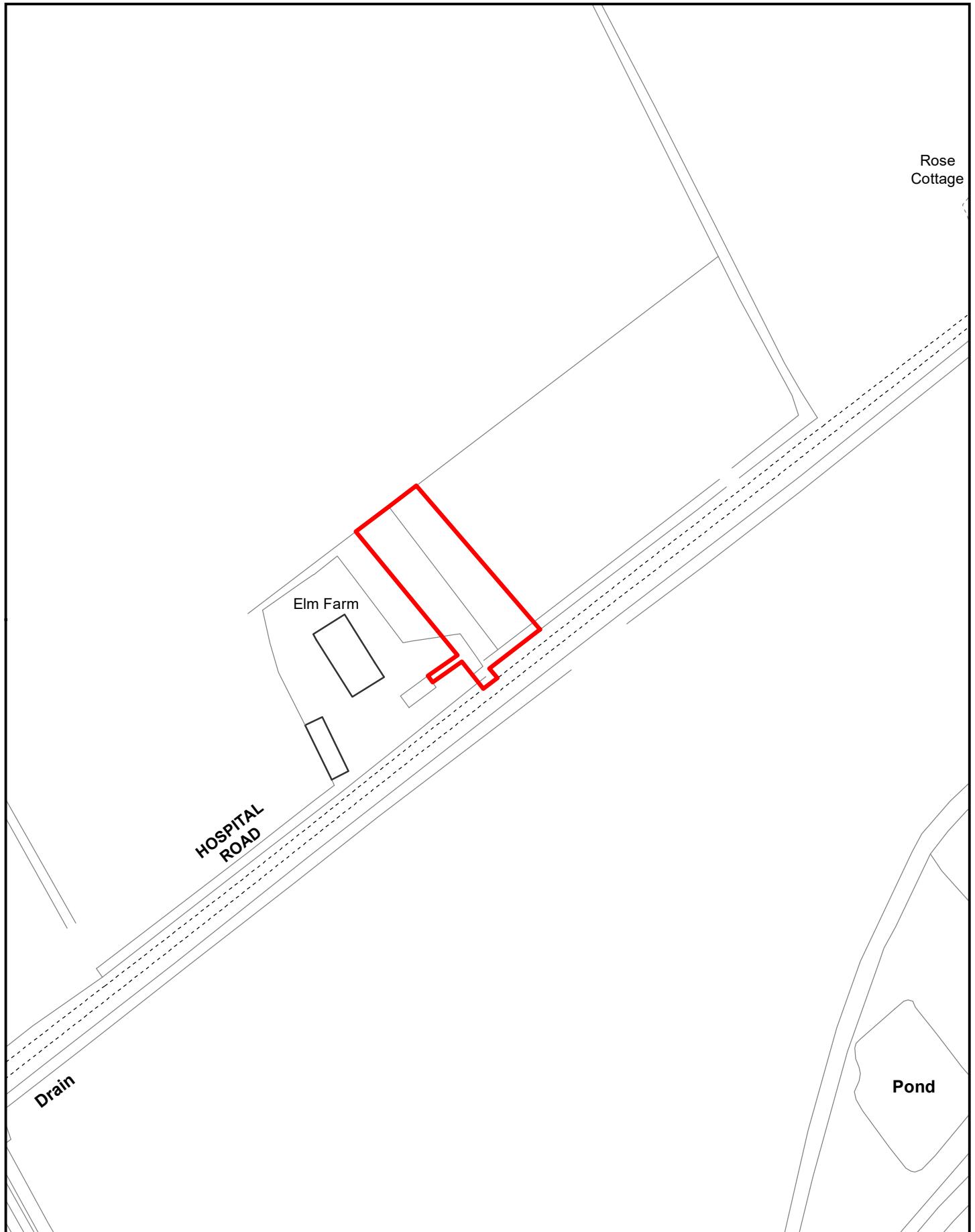
11.3 The Sequential Test under flood risk policy fails to demonstrate that there are no sequentially preferable sites within the District capable of accommodating the development.

11.4 Furthermore, the development of the site would have a deleterious impact on the generally open character of the area characterised by sporadic development with a close visual connection with the surrounding countryside.

12 RECOMMENDATION

REFUSE for the following reasons:-

1.	<p>Policy LP3 of the adopted Fenland Local Plan 2014 sets out the settlement hierarchy within the District, setting out the scale of development considered appropriate to each level of the hierarchy. The application site is situated within a rural location and an 'Elsewhere' location, isolated from the nearest settlement and as defined under Policies LP3 and LP12. In such rural locations development is to be limited to specific uses only within a countryside location. The proposal is for the construction of an unjustified new residential property, not associated with any of the specified criteria and the proposal would therefore be contrary to Policies LP3 and LP12 of the Fenland Local Plan 2014.</p>
2.	<p>Policy LP14 of the Fenland Local Plan, and paragraphs 155-165 of the National Planning Policy Framework 2021, set out the approach to developing land in relation to flood risk, with both documents seeking to steer new development in the first instance towards available 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 higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.</p> <p>Fenland District Council's adopted approach to sequential testing is that where a site is located in the countryside, the area of search for application of the sequential test is the whole District. The Sequential Test accompanying the application (contained within the submitted flood risk assessment) does not consider sites across the whole of the District and therefore the Sequential Test is lacking proper application and is accordingly failed. As a result, the proposal would fail to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.</p>
3.	<p>Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district.</p> <p>Proposals are required to demonstrate that 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 proposal is for the construction of a new dwelling on currently undeveloped land within a streetscape characterised by sporadic development with a close relationship to the wider open countryside.</p> <p>The development would result in the consolidation of existing sporadic built form and an urbanisation of the street scene, detracting from the open and sporadic character of this rural location. The result would be a development that results in harm to the existing distinctiveness and open character of the area which would be contrary to policy LP16 of the Fenland Local Plan (2014).</p>



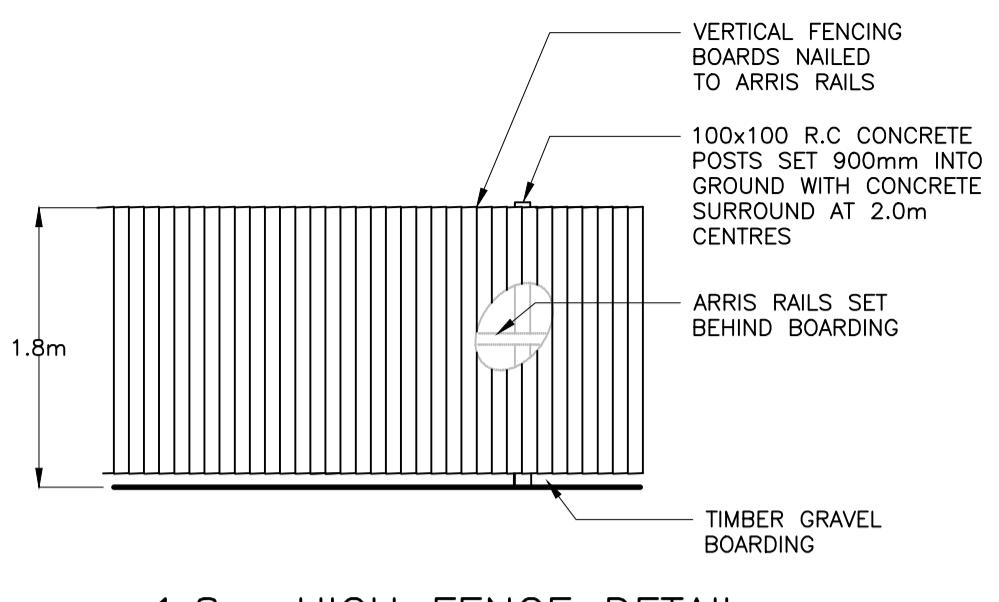
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F/YR21/1370/F

Scale = 1:1,250





1.8m HIGH FENCE DETAIL
(1:50)



PROPOSED STREET SCENE (1:500)

1:500 METERS
0 5 10 15 20 25 30 35 40

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All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.

The contractor is to arrange inspections of the works by a Building NHBC as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

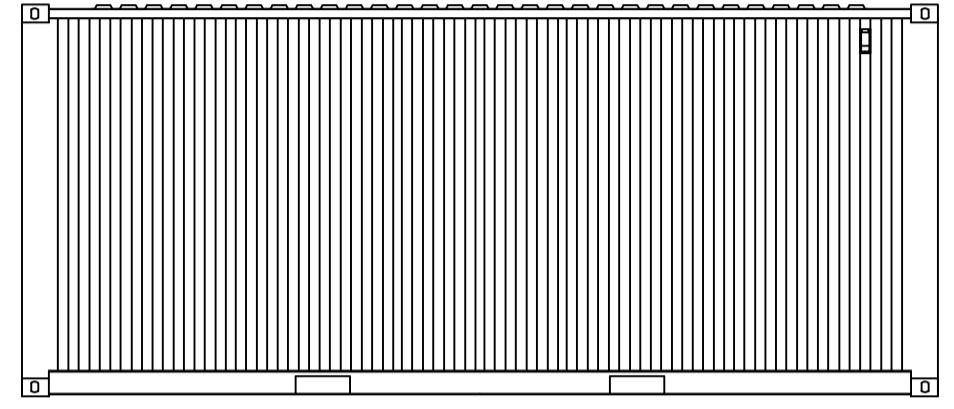
All finishes, insulation and damp-proofing to architect's details



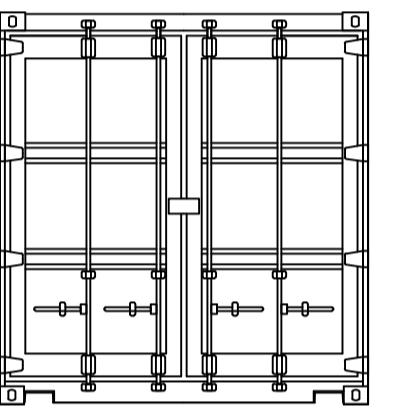
EXISTING SITE PLAN (1:500)

1:500 METERS
0 5 10 15 20 25 30 35 40

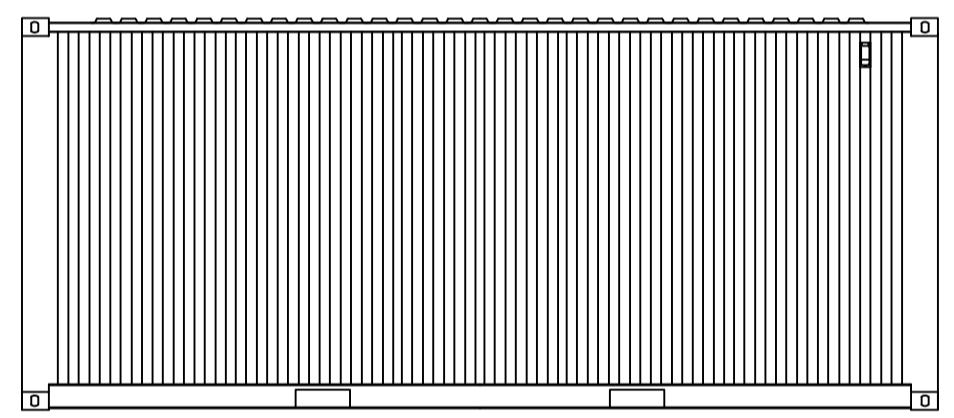
SLAB PAVING VEGETATION WHEELIE BINS PERMEABLE BLOCK PAVING (NON SLIP) GRASS TARMAC GRAVEL EXISTING DWELLINGS HEDGING PAVEMENT



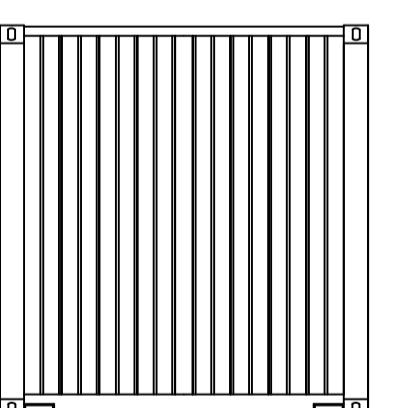
CONTAINER LHS ELEVATION (1:50)



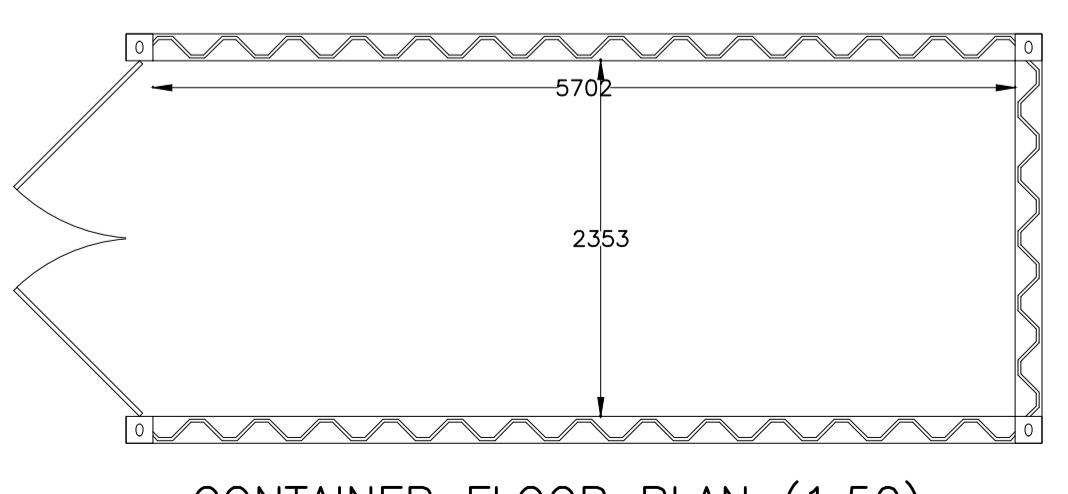
CONTAINER FRONT ELEVATION (1:50)



CONTAINER RHS ELEVATION (1:50)

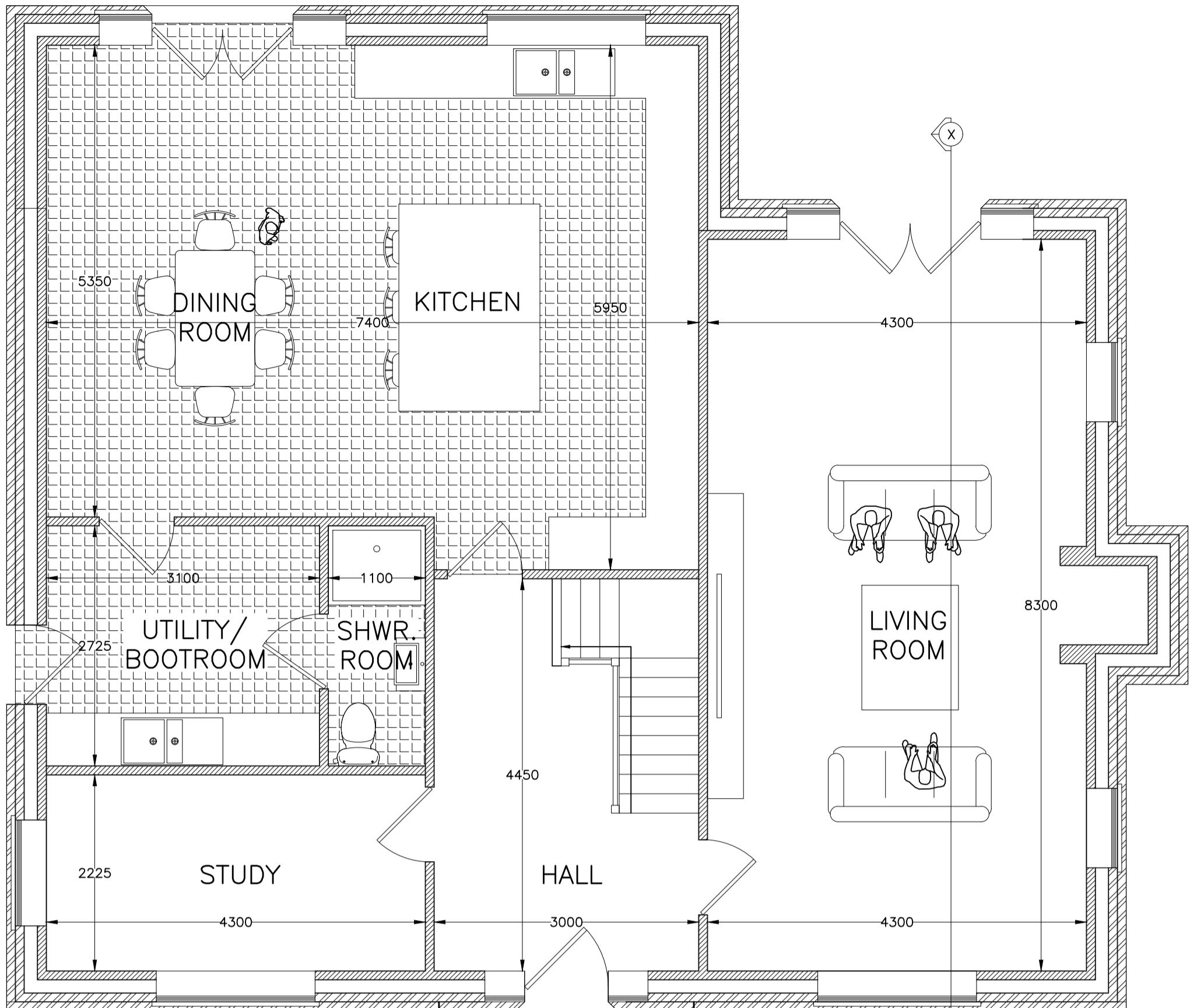


CONTAINER REAR ELEVATION (1:50)



CONTAINER FLOOR PLAN (1:50)

REVISIONS	DATE
MORTON & HALL CONSULTING LIMITED	
1. Gordon Avenue, March, Cambridgeshire, PE15 8AJ	
Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk	
 Fenland District Council Building Design Awards Winner	
CLIENT	
Mr S Miller	
PROJECT	
Elm Farm, Hospital Road, Doddington, Cambs PE15 0SL	
TITLE	
Proposed Site Plan & Additional Details	
DRAFTER	DATE OF ISSUE
J.Scotcher	
CHECKED	
DATE	Aug 2021
SCALE	As Shown
DRAWING NUMBER	
H7786/03	



PROPOSED GROUND FLOOR PLAN (1:50)



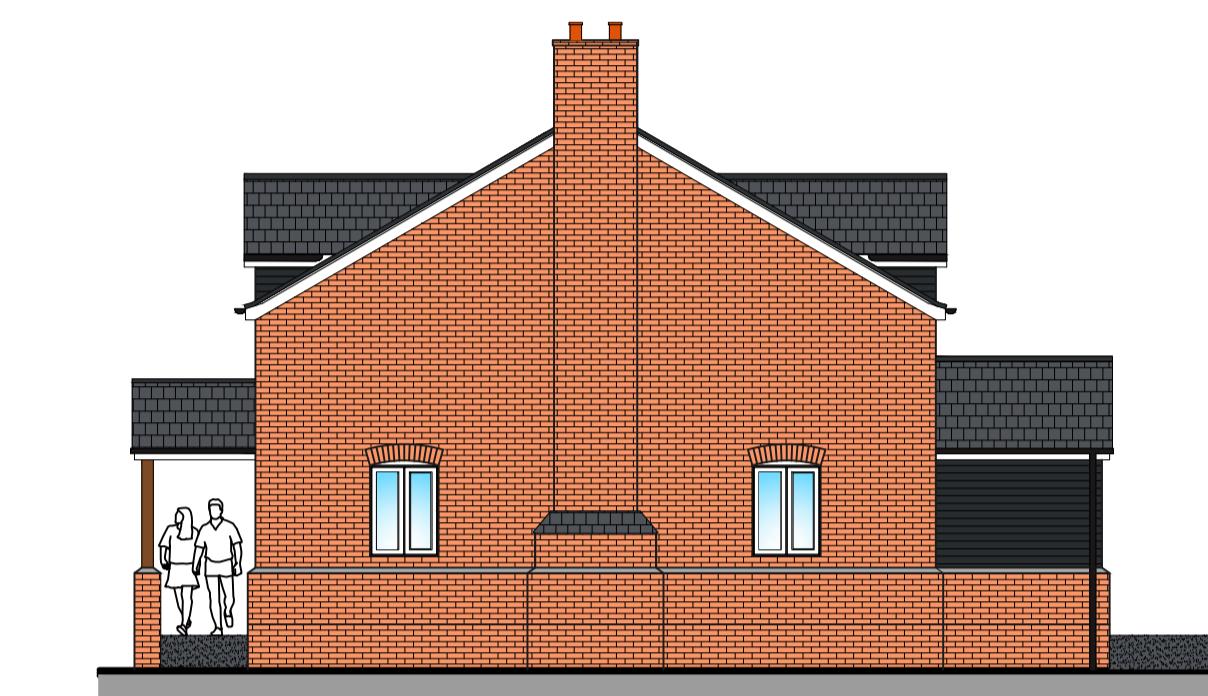
PROPOSED REAR ELEVATION (1:100)



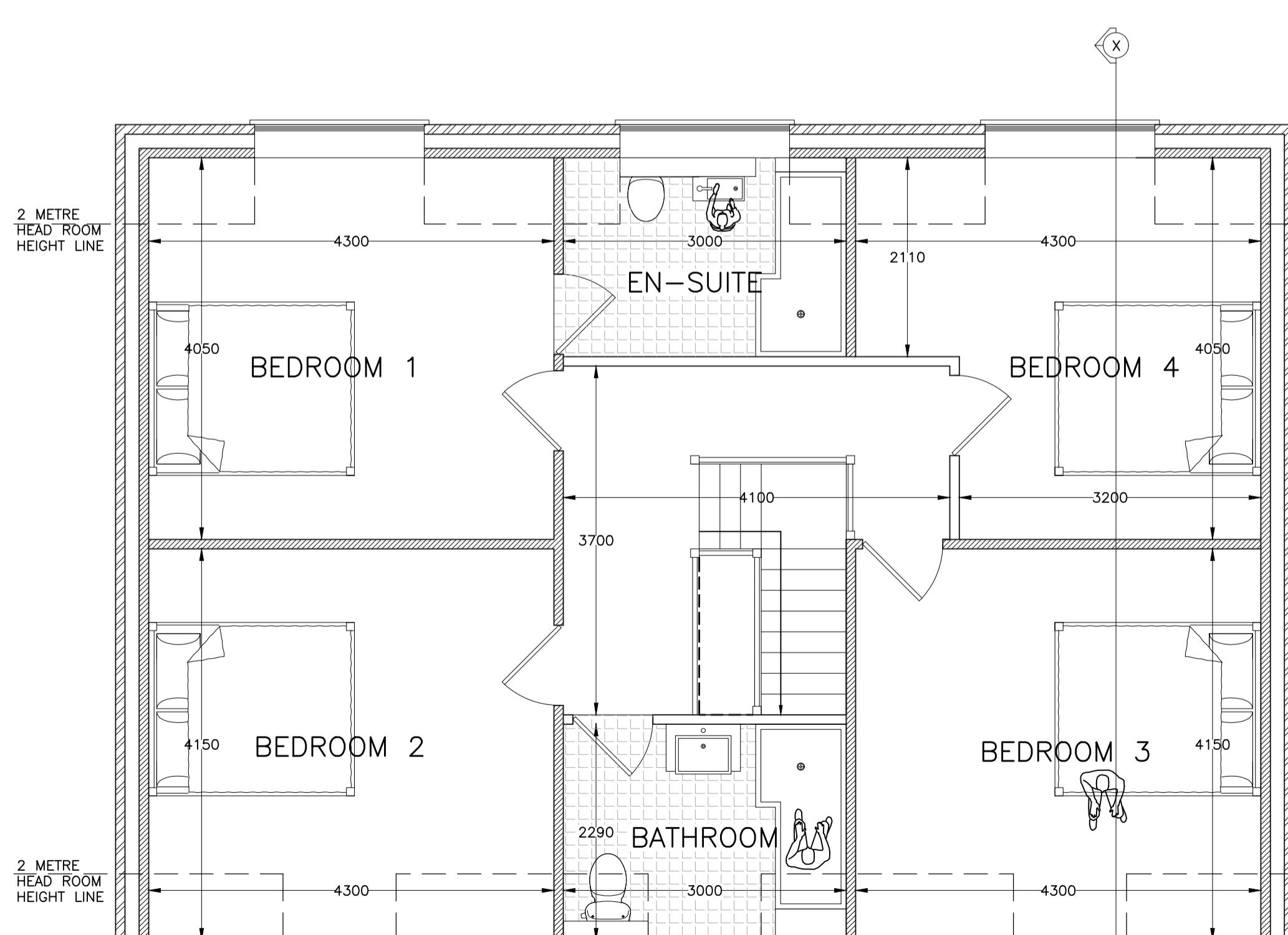
PROPOSED LEFT HAND SIDE ELEVATION (1:100)



PROPOSED FRONT ELEVATION (1:100)



PROPOSED RIGHT HAND SIDE ELEVATION (1:100)



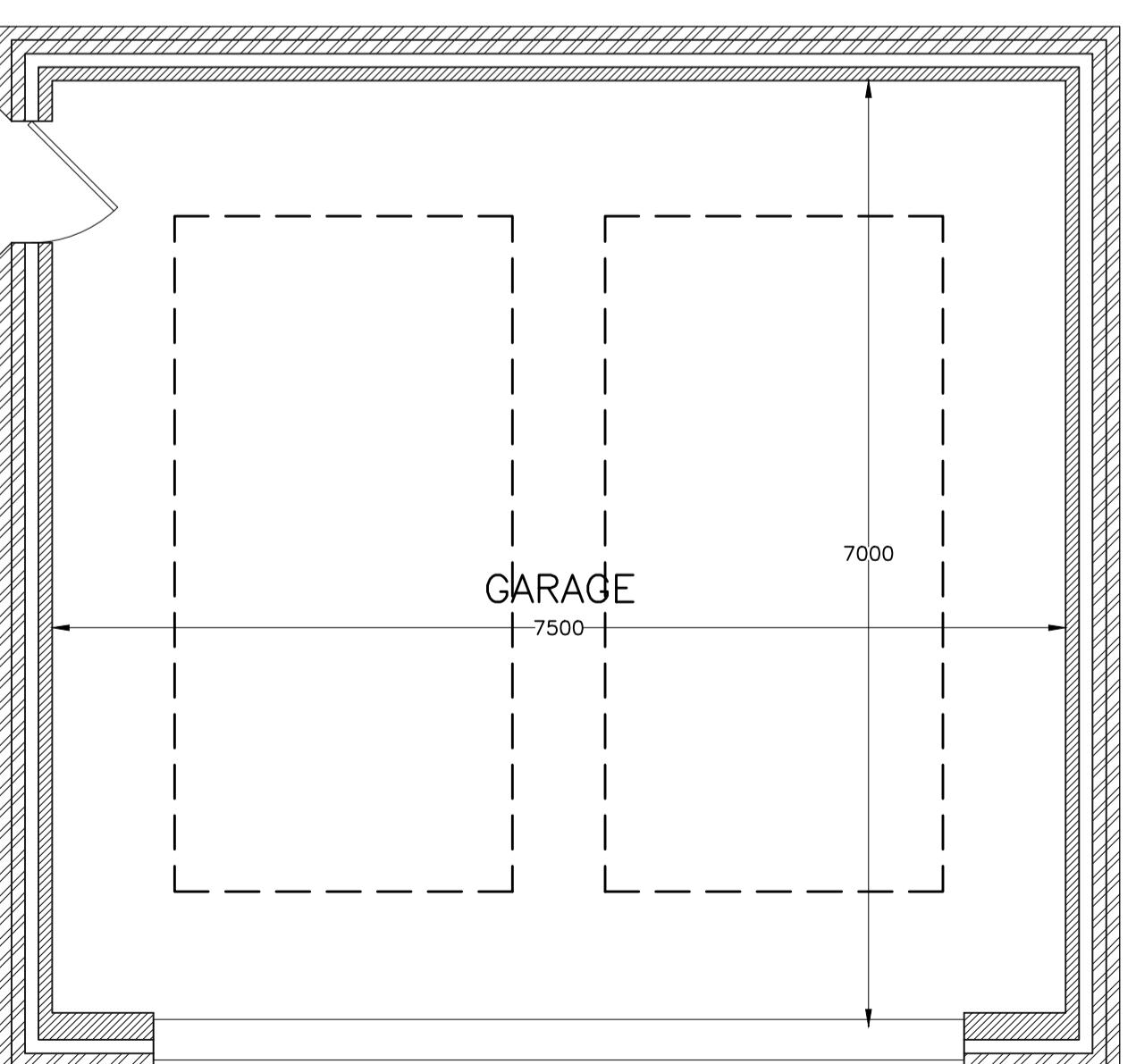
PROPOSED FIRST FLOOR PLAN (1:50)

PROPOSED RHS ELEVATION (1:100)

1:100 0 1 2 3 4 5 6 7 8

PROPOSED FRONT ELEVATION (1:100)

1:100 0 1 2 3 4 5 6 7 8



PROPOSED GROUND FLOOR PLAN (1:50) (GARAGE)

1:50 0 0.5 1 1.5 2 2.5 3 3.5 4

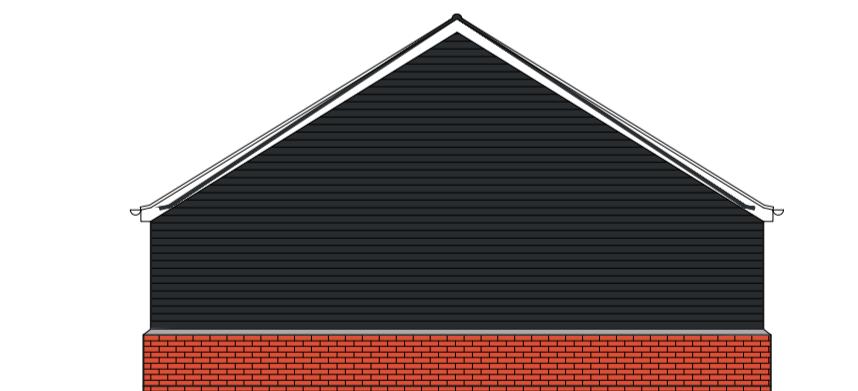
BUILDING/GARAGE MATERIALS:

WALLS : FARMHOUSE BRICKWORK
DARK GREY TIMBER
WEATHERBOARD CLADDING

ROOF : DARK GREY FLAT TILE

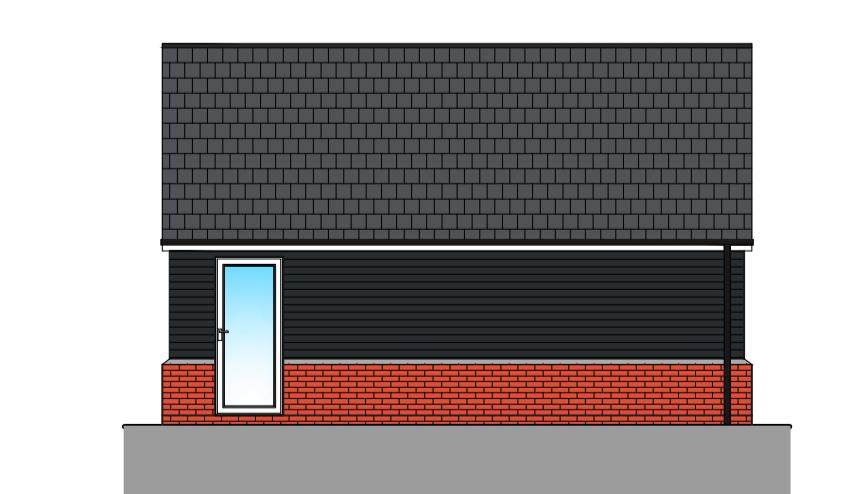
JOINERY : CREAM UPVC UNITS

RAINWATER GOODS : BLACK UPVC



PROPOSED REAR ELEVATION (1:100)

1:100 0 1 2 3 4 5 6 7 8



PROPOSED LHS ELEVATION (1:100)

1:100 0 1 2 3 4 5 6 7 8

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Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the work and suitable for the purpose stated or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Material products and workmanship to comply with all British Standards and EC/ETA standards with, where appropriate, BS or EC marks.

All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.

The contractor is to arrange inspections of the works by the Building NHBC as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

All finishes, insulation and damp-proofing to architect's details

A CLIENTS COMMENTS
REVISIONS
SEP 2021
DATE

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LABC
LABC BUILDING EXCELLENCE AWARDS
Winner

Fenland District Council
Building Design Awards
Building Excellence in Fenland

Mr S Miller

PROJECT
Elm Farm,
Hospital Road,
Doddington, Cambs
PE15 0SL

TITLE
Proposed Building
Arrangements

DRAWN J.Scotcher
DATE OF ISSUE
CHECKED
DATE Aug 2021
DRAWING NUMBER
SCALE As Shown
H7786/02A