
F/YR21/1254/F

Applicant: Mr Perce Baxter

**Agent : Mr Ian Gowler
Gowler Architectural**

**Land East Of Levells Cottage, Forty Foot Bank, Ramsey, Huntingdon
Cambridgeshire**

**Erect a 2-storey 5-bed dwelling with detached garage and stable block involving
demolition of existing dwelling and outbuildings**

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

1.1 The application site comprises an unoccupied dwelling and associated redundant timber outbuildings on land on the northern side of Forty Foot Bank, approximately 1.8km west of the junction with Doddington Road at Leonard Childs Bridge, to the north of Chatteris.

1.2 The site is located beyond any built-up area within a location dominated by arable land use and open, generally undeveloped countryside.

1.3 Accordingly the site is considered to be an 'Elsewhere' location under Policy LP3 of the Local Plan.

1.4 The site is also located within Flood Zone 3, the highest flood zone category, and is classified as a more vulnerable type of development, being residential in nature.

1.5 The proposal seeks planning permission for the replacement of an existing, albeit recently unoccupied dwelling on the site. Policy LP12 Part C of the Local Plan relates to the replacement of dwellings in rural areas.

1.6 In summary the proposal is considered to be excessive in scale and mass and unattractive in design and would result in an incongruous form and scale of replacement dwelling which would undermine and be deleterious to the open and generally undeveloped character of this rural part of the District.

1.7 On this basis, the application is recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site is located on the northern side of the Forty Foot Bank which runs between Leonard Childs Bridge to the East and Ramsey Forty Foot to the West. The site is located within the Parish of Doddington.

- 2.2 To the southern side of the road is the Forty Foot Drain, with occasional sporadic development on its northern side, comprising former farm dwellings and associated outbuildings set within open countryside. The nearest property to the site along the Bank is Levells Cottage, located 300m to the west of the application site.
- 2.3 The site itself comprises a white painted brick two-storey cottage with rear single-storey lean-to outshot, and comprising a traditional Fen cottage in form, with slate to the roof. The dwelling has its windows and doorways boarded up, with one of the windows previously broken and some unrelated vandalism to the unoccupied property.
- 2.4 There is a vehicular access to the existing property from the Forty Foot Bank to its eastern side and the land falls away from the road running adjacent. To the eastern side of the property there are three older timber outbuildings of varying decline and evidence of footings of a further outbuilding adjacent to those still standing. The outbuildings do not appear to have been used for a considerable number of years.
- 2.5 The wider site comprises cleared planting, and the site is open and exposed in the wider rural setting.

3 PROPOSAL

- 3.1 The application seeks planning permission for a replacement dwelling partly on the footprint of the existing dwelling, a detached double garage adjacent to the vehicular access and turning area, and a detached stable block/hay store to the north-eastern side of the existing timber outbuildings.
- 3.2 A new two-storey dwelling is proposed with a gross footprint of 292 square metres, providing 5-bedrooms with en-suite bathrooms, generous landing area and main bathroom. At ground floor level, there is proposed a kitchen, dining room, lounge, family room, utility and large hallway. All of the accommodation proposed is generous in size. The existing dwelling has a gross floor area of 131 square metres.
- 3.3 The overall physical area of the red-lined site is 8860 square metres (0.886ha). It is proposed to grade the site so that the dwelling would sit approximately 0.5m above the existing ground level.
- 3.4 Full plans and associated documents for this application can be found at:

[F/YR21/1254/F | Erect a 2-storey 5-bed dwelling with detached garage and stable block involving demolition of existing dwelling and outbuildings | Land East Of Levells Cottage Forty Foot Bank Ramsey Huntingdon Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

No relevant planning history.

5 CONSULTATIONS

- 5.1 **Doddington Parish Council:** Support the Application

- 5.2 **Environmental Health:** *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate. As the proposal involves the demolition of existing structures, we ask for the following condition to be imposed in the event planning consent is granted;*

UNSUSPECTED CONTAMINATION

CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

- 5.3 **Environment Agency:** *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.*

Advice to LPA:

IDB

The IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

Flood Plan

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions

- 5.4 **Middle Level Commissioners:** No comments received

- 5.5 **Local Residents/Interested Parties:** Eight (three from residents of Chatteris, one each from Doddington, Wimblington, Ramsey Forty Foot, March and Manea) letters of support have been received in respect of the application. Their summaries of support are on the following grounds:

- Current site is an eyesore – It's replacement to provide a family home will improve the appearance of the site and the area generally;
- Good to see site tidied and will visually enhance the area and countryside;
- Existing property looks barely salvageable so a lovely new family property will be the best option;
- Property has become more derelict;
- Existing house is a blight on its surroundings, its replacement with a smart family home will enhance the area.

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)
National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context

Identity

Built Form

Nature

Homes and Buildings

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

LP12 – Rural Areas Development Policy

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

LP16 – Delivering and Protecting High Quality Environments across the District

8 KEY ISSUES

- **Principle of Development**
- **Replacement dwellings in the countryside**
- **Visual Impact/Form and Character**
- **Flood Risk**

9 ASSESSMENT

Principle of Development

- 9.1 The site is located in an ‘elsewhere’ location as set out in the settlement hierarchy of the Local Plan being within an area of open countryside away from any settlement. Ordinarily residential development in such a location would be generally viewed as unfavourable. However given there is an existing dwelling on the site, the residential principle is established.
- 9.2 It is understood that the dwelling was occupied until 2019. The present owner has indicated via Fenland District Council Tax that the property was then purchased by the Applicant in September 2021 and occupied in October 2021, indicating that the residential use of the site has not been abandoned.
- 9.3 Whilst the site is located in Flood Zone 3, the principle of residential development is considered to be established on the site with the existence of the dwelling. Issues of sequential appropriateness are therefore not considered to be applicable.
- 9.4 The broad principle of a replacement dwelling on the site is therefore considered to be acceptable.

Replacement dwellings in the Countryside

- 9.5 The replacement of a dwelling within the Rural Areas is considered in detail under Policy LP12, Part C, of the Local Plan and is required to meet a number of criteria, as follow:-
- (a) The residential use of the original dwelling has not been abandoned; and

- (b) The original dwelling is not important to retain due to its character and/or contribution to the landscape; and
 - (c) The original dwelling is not a temporary or mobile structure, such as a caravan; and
 - (d) It is of a design appropriate to its rural setting; and
 - (e) It is of a similar size and scale to the original dwelling; and
 - (f) It is located on the footprint of the original dwelling unless an alternative position within the curtilage would enhance the setting of the building on the plot and have no adverse impact on the wider setting.
- 9.6 As discussed above it is not considered that the residential use has been abandoned.
- 9.7 The dwelling itself is a traditional Fen cottage and whilst suited to its open rural landscaped setting is not of sufficient architectural or historic merit to be considered to be important to retain.
- 9.8 The existing dwelling is not a temporary structure, mobile home or caravan and therefore passes criteria (c) of Part 6 of Policy LP12.
- 9.9 The design of the proposed replacement and its size and scale (Criteria (d) and (e)) are of more significant concern. The area of the site is of an open and generally undeveloped location within an exposed rural setting. Development within the area is sporadic and the countryside location is open and generally undeveloped (the nearest dwelling to the west of the site is 300m away). The new replacement dwelling has a floor area of two storeys that is 123% larger than the original dwelling and its more intricate design, height, mass, siting and volume are considered to result in a prominent and discordant feature in this exposed rural area.
- 9.10 Policy LP16 of the Local Plan seeks to deliver and protect high quality environments across the District and under paragraph (d) seeks to ensure that proposals for all development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern, or the landscape character of the surrounding area.
- 9.11 On the basis of the above, it is considered that the proposal is inappropriate in this exposed location and would detract from the open rural countryside setting of this site, to the detriment of the rural characteristics of the area. The proposal is considered to fail the determining criteria of Policies LP12 (specifically points (d) and (e) of Part C and LP16(e) and would thereby have a deleterious impact on the character and appearance of the surrounding countryside and farmland.

Visual Impact/Form and Character

- 9.12 The scale of the dwelling proposed, with dimensions of 16m external width, 12m depth and overall height of 8m to the two projecting gables, contrasts sharply with the original traditional dwelling which has a width of 10m and depth of 4.5m to the original two storey element, with a further 5m depth to a single-storey rear outshot.

- 9.13 The site was previously partly screened by mature vegetation but has since been cleared, exposing the appearance of a modest farm cottage and former disused timber outbuildings.
- 9.14 The site is now exposed and its visual prominence is increased by virtue of the site's clearance of flora. The replacement dwelling is of a scale and mass far in excess of that of the existing buildings on site, and the new dwelling, formalised access, new double garage and stable block would result in a visually intrusive development which would appear at odds with its rural setting. This impact would be exacerbated by the somewhat visually jarring and unattractive two-story side element to the dwelling which would be prominent in views from the west. Policies LP3, LP12 and LP16 seek to protect the character and appearance of the countryside. Whilst the proposal seeks permission for a replacement dwelling, it is considered that the scale, bulk and design of the proposed replacement would further undermine the character and appearance of the countryside by virtue of its prominence in an exposed rural setting.

Flood Risk

- 9.15 The site is located within an area designated as Flood Zone 3a and proposes a replacement dwelling with a 'more vulnerable' classification. As the application proposes a replacement dwelling, as a matter of fact and degree, the risk of flooding to the original dwelling must be accepted.
- 9.16 A flood risk assessment has accompanied the application and to which the Environment Agency has indicated that it has no objection to the principle of a replacement dwelling on this site.
- 9.17 If the proposed development was for a new dwelling on a previously undeveloped site, the Local Planning Authority would need to ensure that the Sequential Test was applied, in which case areas at a lower risk of flooding would need to be addressed, directing new development to lower risk of flooding in the first instance. In this case, the Sequential Test is addressed by virtue of the dwelling proposed being a replacement for an existing dwelling. The comments of the Environment Agency endorse this fact. In this case, the replacement of an existing dwelling accepts the fact that the original property already exists and that flood risk is established. The submitted FRA accepts that mitigation measures would be applicable to the new dwelling, effectively addressing a flood risk which already applies by default.
- 9.18 The Exception Test is addressed in the submitted FRA and to which the EA has no objection. The Exception Test requires consideration of the wider sustainability benefits of development and that the development would be safe and residual risks managed. Mitigation measures required include the following:-

The site has a low 'actual risk' of flooding. Based upon the information available during the preparation of this flood risk assessment:

- *it is proposed that the finished floor level of the dwelling is constructed 0.5m above surrounding ground levels; and*
- *it is recommended that there is 0.3m of flood resilient construction above finished floor level.*

The risks during an exceedance event or a breach are lowered because the dwelling has two storeys with the sleeping accommodation on the first floor.

The developer should ensure that the occupier of the dwelling is sufficiently aware of the risk of flooding and the standard of the existing defences. The Environment

Agency provides a Flood Warning Service which includes Flood Warning Codes and uses direct warning methods where the risks and impacts of flooding are high. In addition to direct and indirect flood warnings, the Environment Agency operates a 24 hour a day Floodline Service providing advice and information on flooding. The occupier of the dwelling should register with the Floodline Direct Warnings Service to receive any future flood warnings.

- 9.19 On matters of flooding, therefore, the application would accord with the planning requirements as set out under the NPPF and Policy LP14 of the adopted Fenland Local Plan 2014.

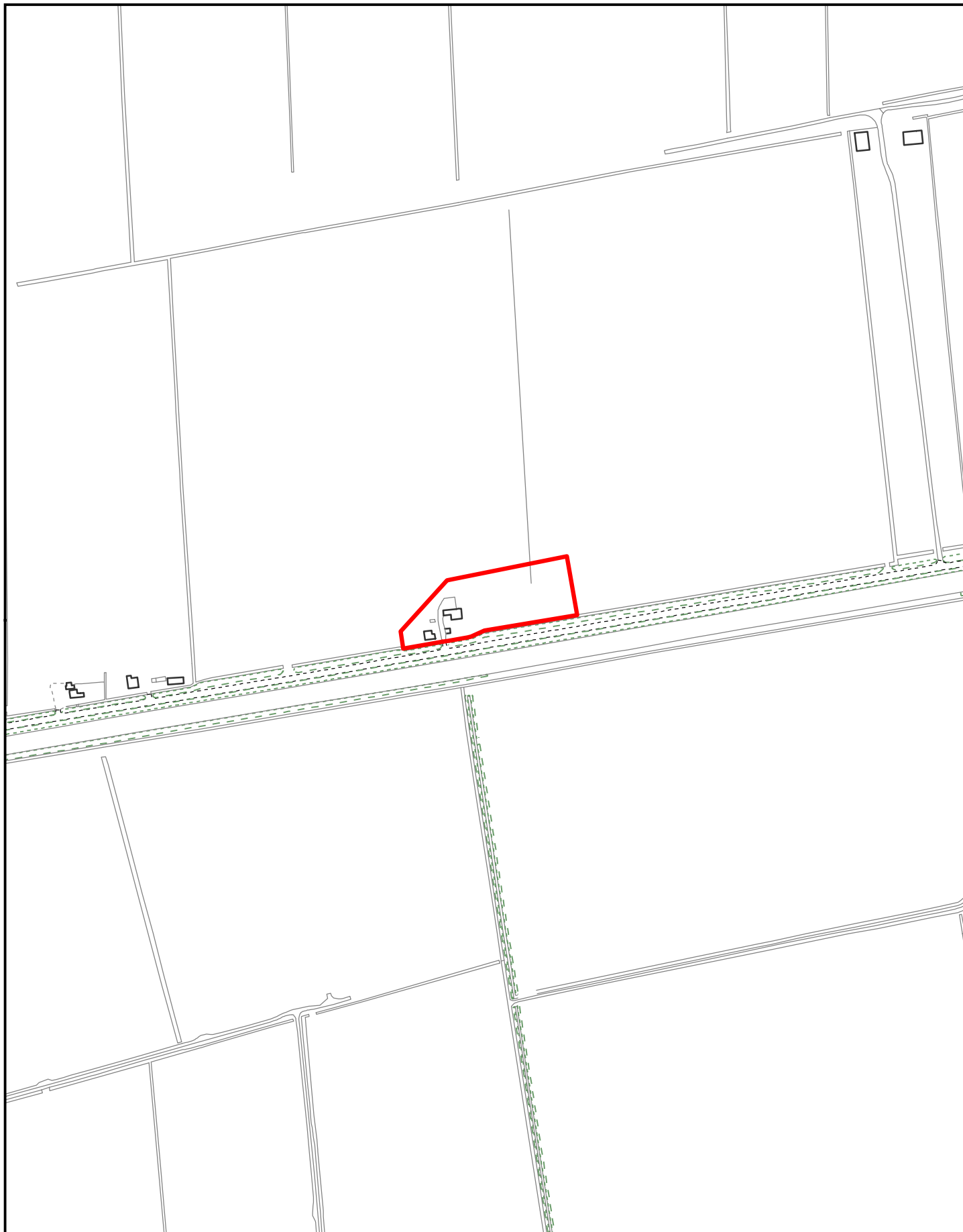
10 CONCLUSIONS

- 10.1 From the above assessment, it is acknowledged that as the proposal represents the replacement of a single existing dwelling, that the Sequential Test does not need to be met as there is no increase in the number of residential units proposed and the flood risk is not thereby increased or a requirement to consider a site at lower risk of flooding. Mitigation measures for the new dwelling are incorporated in the FRA and the risk of flooding to the new dwelling is therefore lessened as a result and as confirmed by the Environment Agency.
- 10.2 However, the size and scale of the proposed replacement dwelling in this location are considered to be excessive and would fail to accord with the criteria for new dwellings in rural locations. Accordingly, the proposal is considered to fail to comply with Policy LP12 of the Local Plan.
- 10.3 Secondly, it is considered that the scale, massing and design of the proposed replacement dwelling would undermine and detract from the rural characteristics of this location to the detriment of its countryside setting and forming a visually incongruous feature. This would accordingly be contrary to Policies LP12 and LP16 of the adopted Fenland Local Plan and the aims and objectives of the NPPF.

11 RECOMMENDATION

Refuse; for the following reasons:-

1	<p>Policy LP12 of the Fenland Local Plan 2014 (Part C) requires the replacement of a dwelling which is located outside, or not adjacent to, the developed footprint of a settlement to only be supported where a set of specific criteria are met. In this case, the proposed replacement dwelling is considered to be of a size, scale and massing which would be excessive compared to that of the original dwelling. As a result, the proposal would be detrimental to the rural form and character of this 'Elsewhere location' and would detract from the rural form and surroundings of the countryside, exacerbated by the unattractive and visually jarring design in the form of the two-storey side element.</p> <p>On this basis it is considered that the proposed development would result in an incongruous and visually unattractive feature in this rural setting and environment and accordingly would fail to comply with the provisions of the NPPF and Policies LP12 and LP16 of the Fenland Local Plan.</p>
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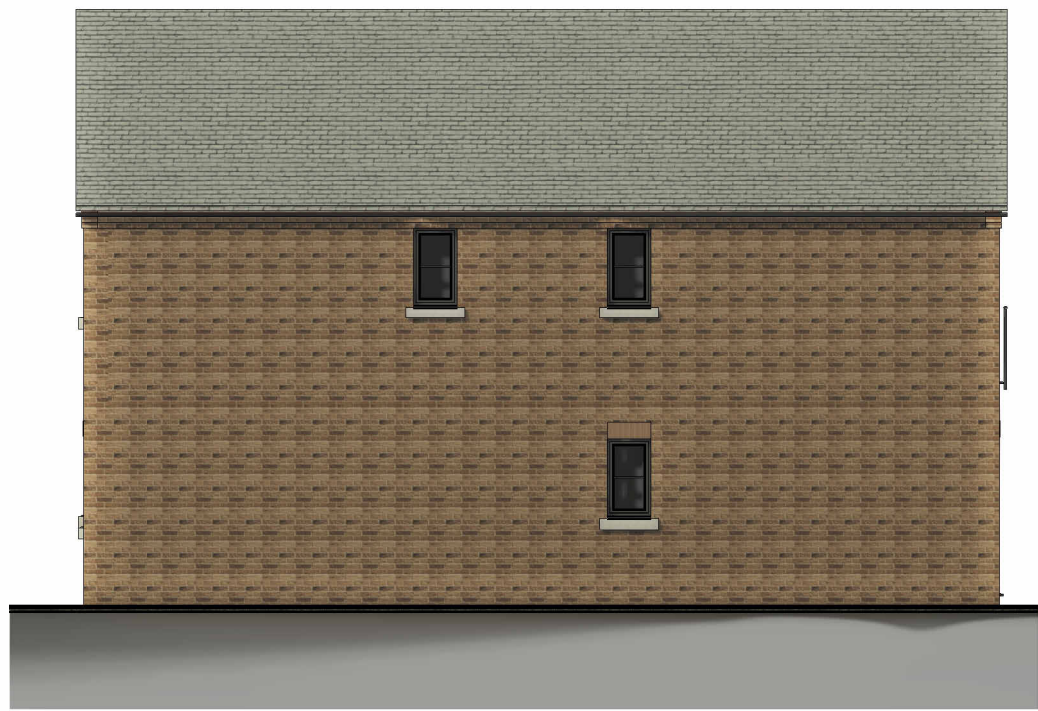




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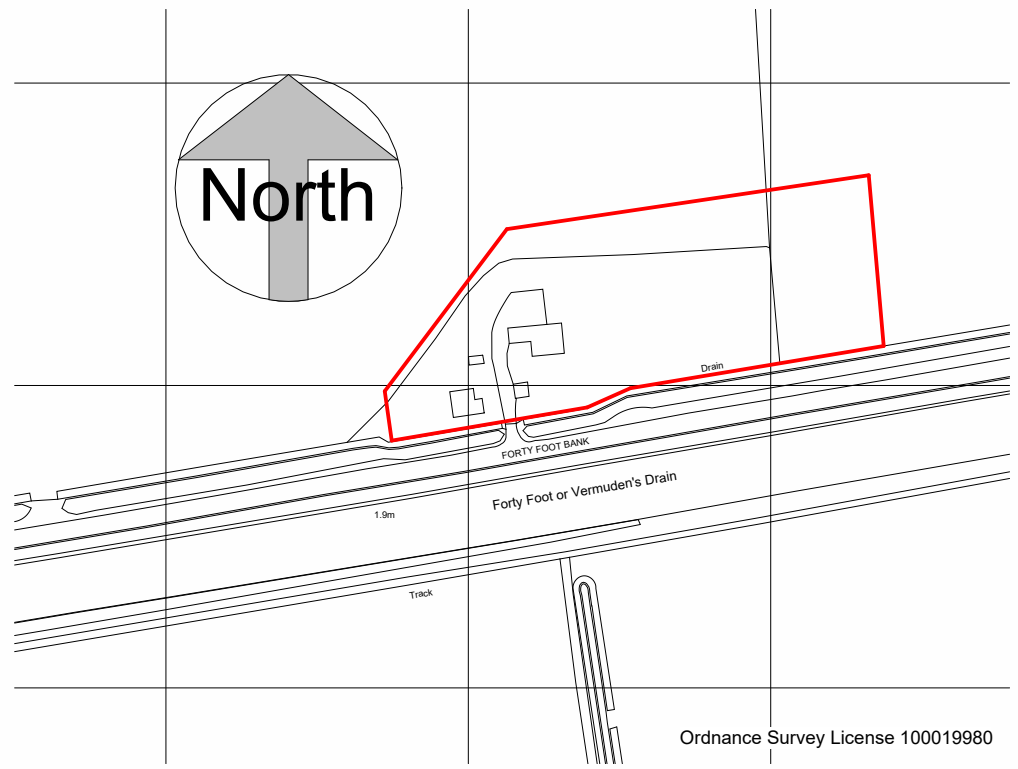
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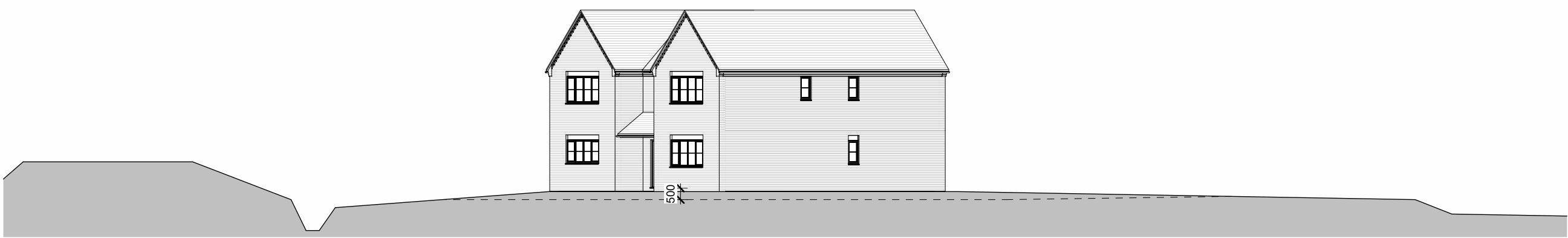


Planning Side South West
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Location Plan
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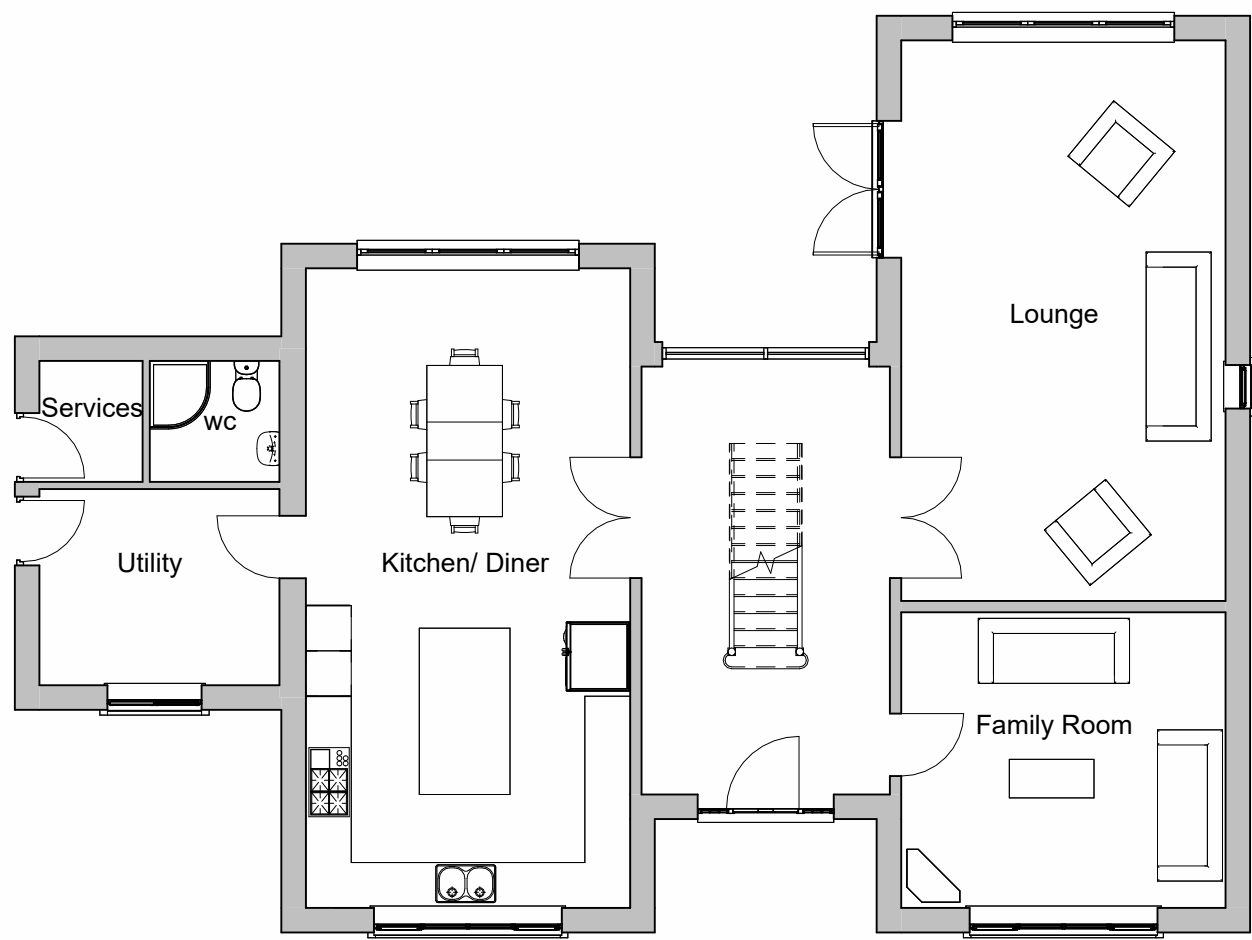
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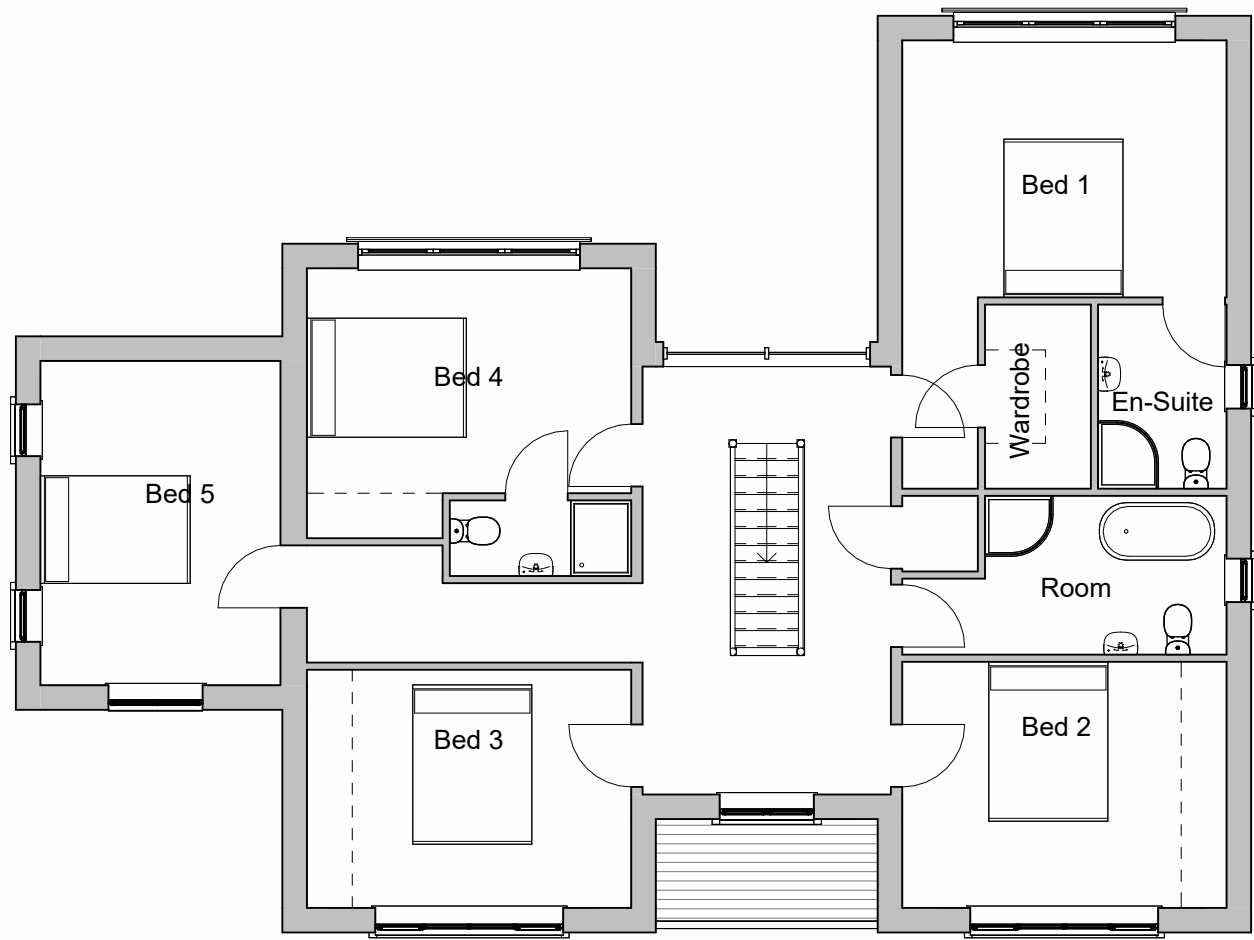
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Street Elevation
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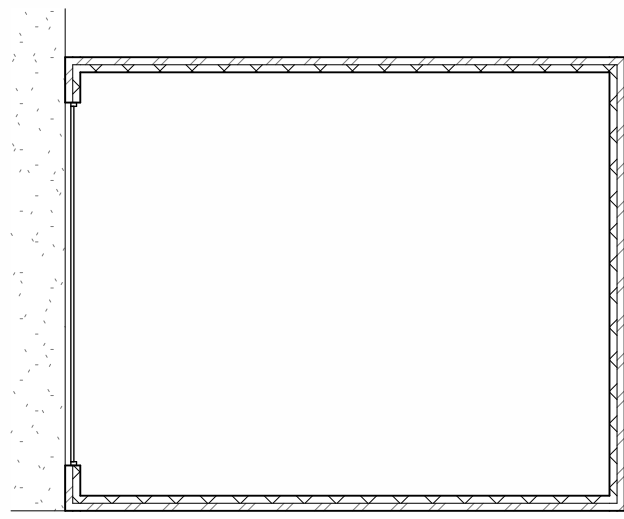
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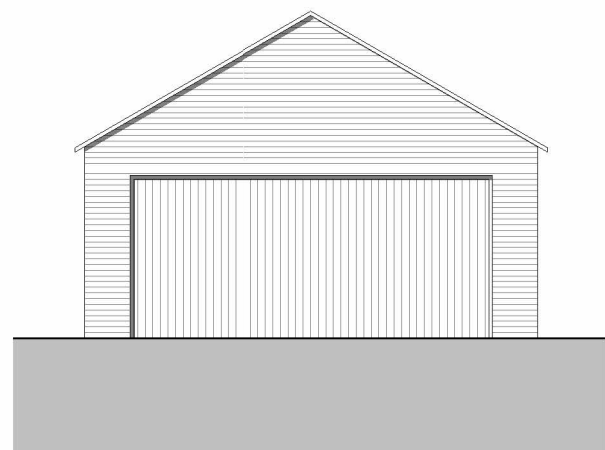
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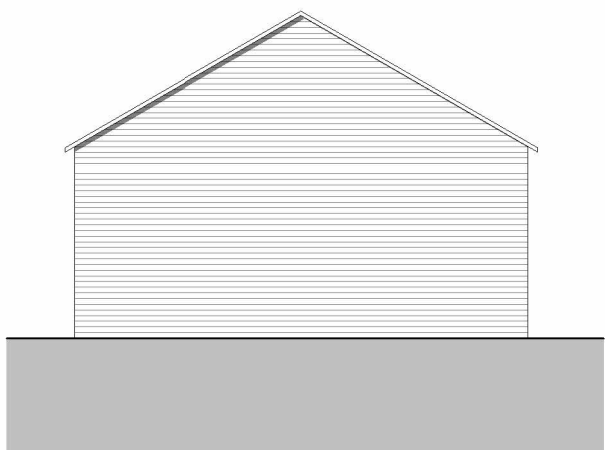
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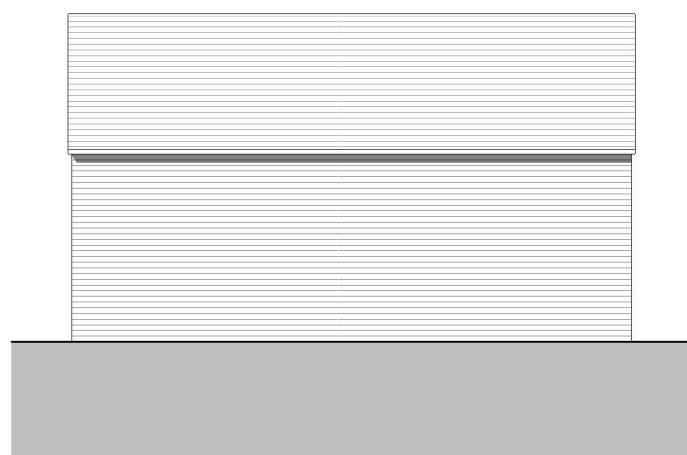
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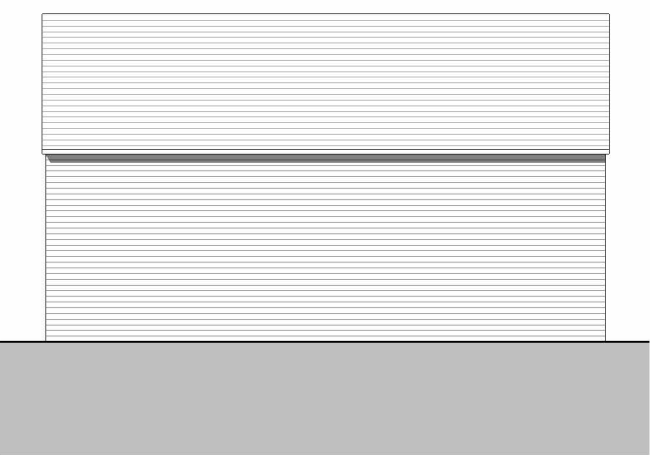
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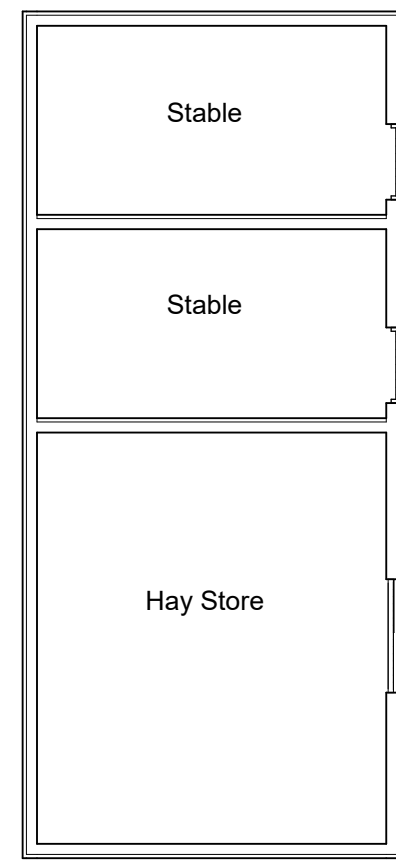
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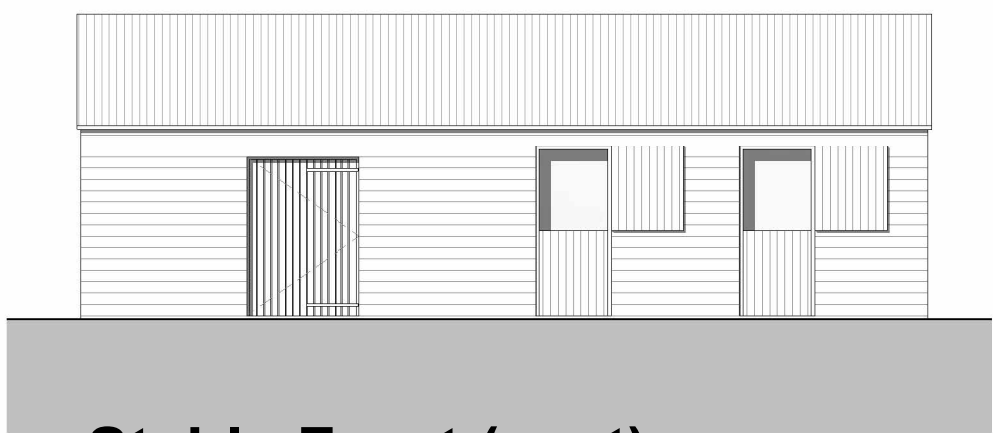
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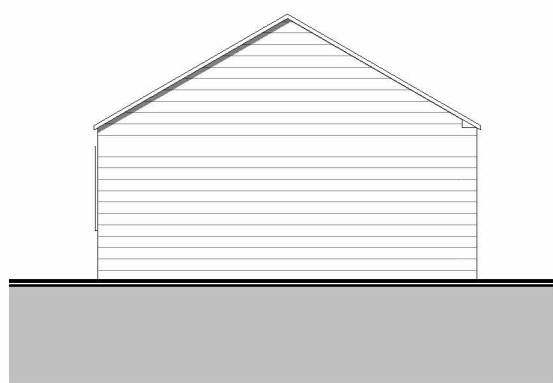
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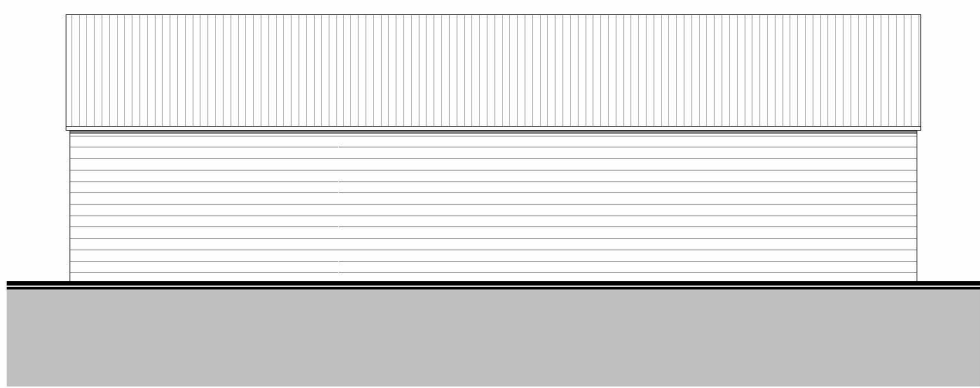
Stable Plan
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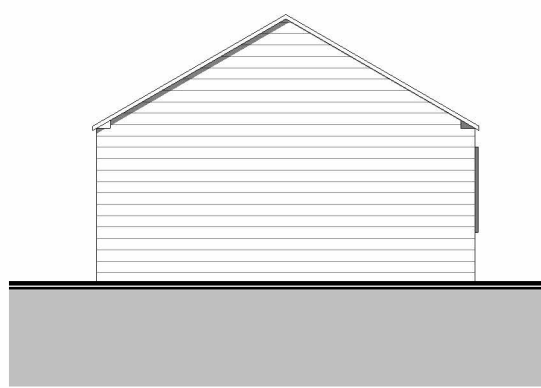
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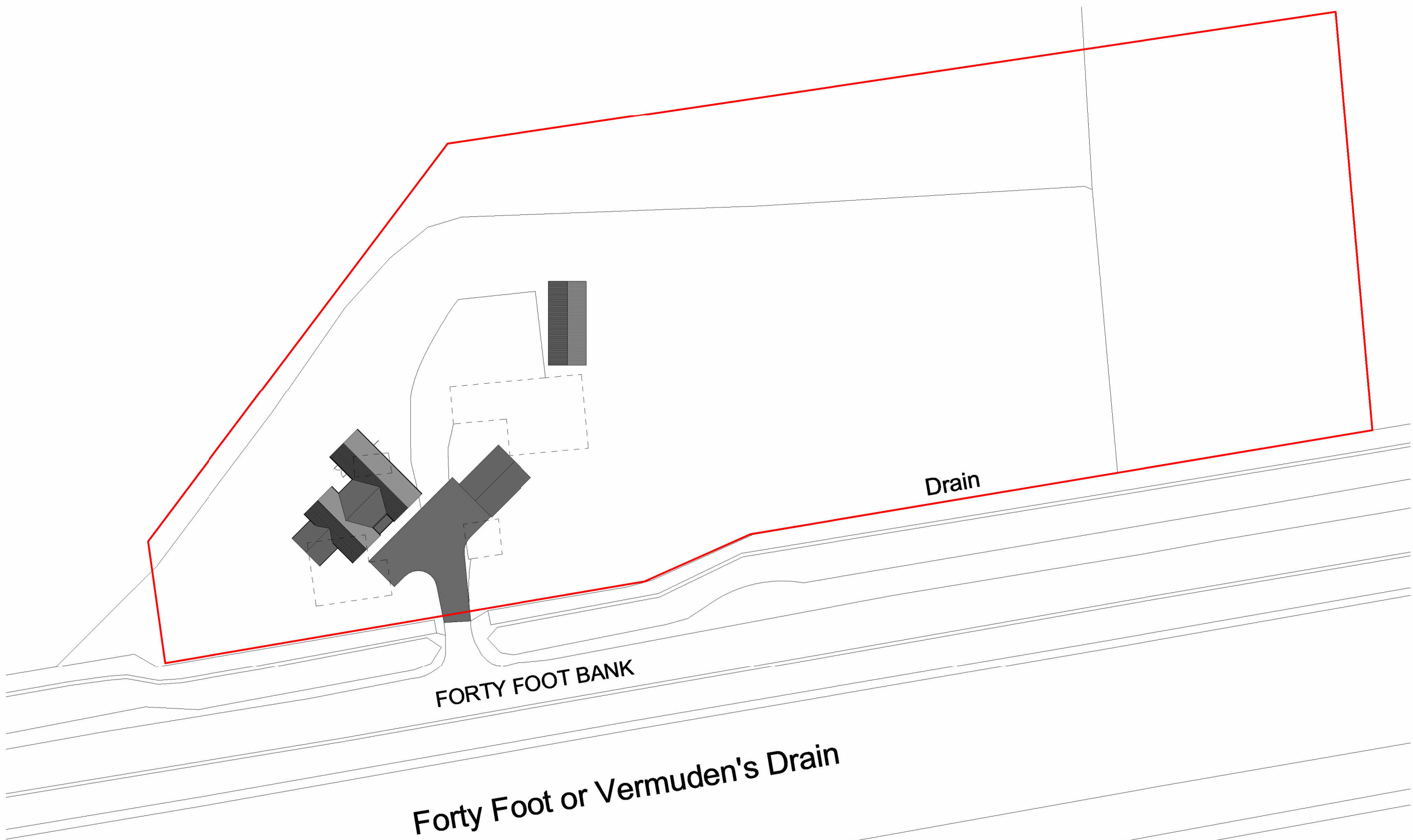
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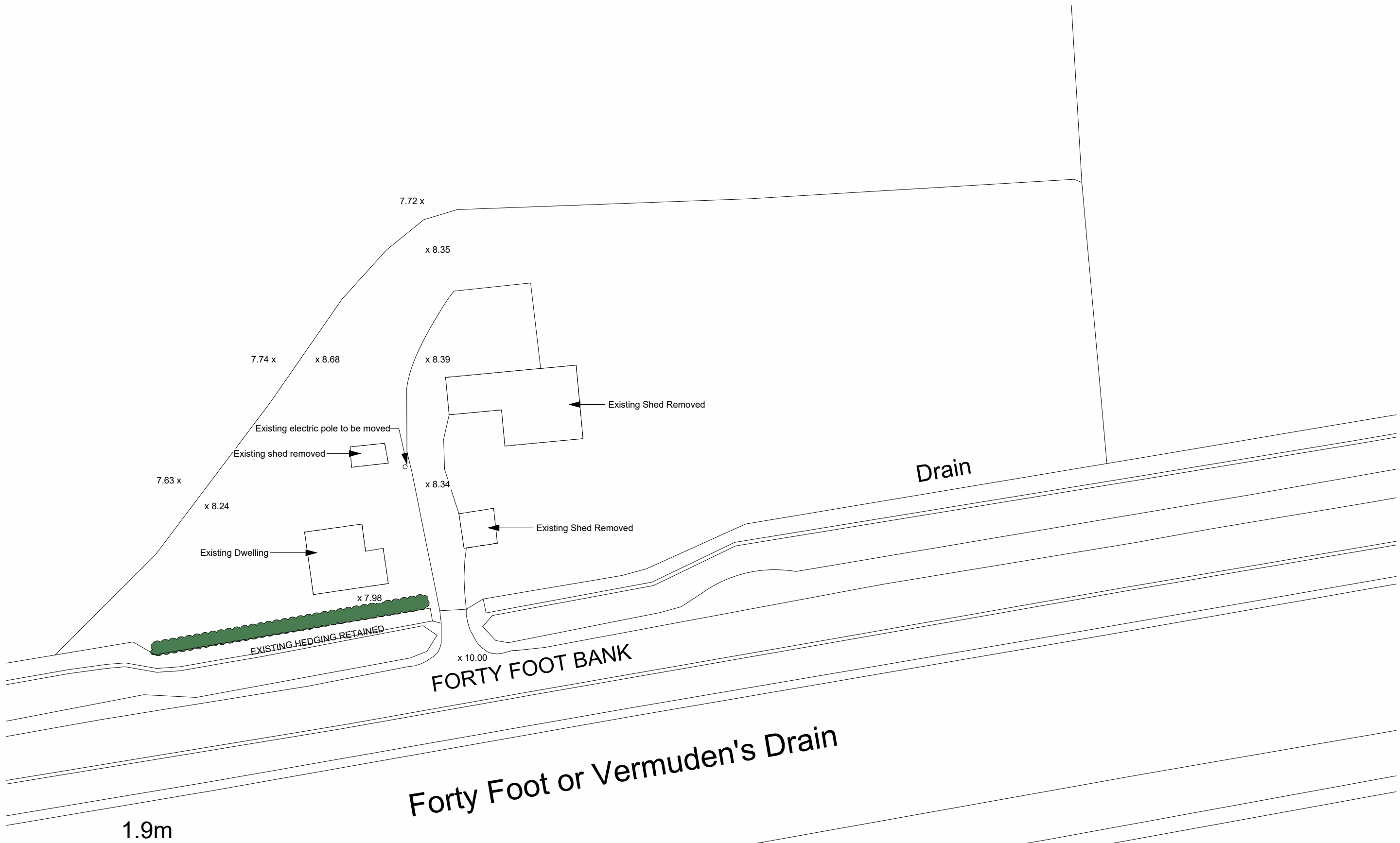
Stable Rear (west)
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Stable Side (south)
1 : 100



Proposed Block Plan
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Existing Block Plan
1 : 500

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