

F/YR12/0164/O
24 February 2012

Applicant : Mr & Mrs M Wright

Agent : Mr Ken Elener
KL Elener Architectural Design

Land to the North of Greenacres, Gull Road, Guyhirn, Cambridgeshire

Erection of 3no dwellings

This application is before the Planning Committee as the Officer recommendation is at variance with comments received from the Parish Council.

This application is a 'Minor'

Site Area: 0.18ha

1. **SITE DESCRIPTION**

The site is located on the western side of Gull Road, beyond the established settlement of Guyhirn. The current use of the site is as paddock/grazing land in association with the residential dwelling at Green Acres to the south of the site. The east and north boundaries are defined by landscaping and post and rail fencing respectively and the west and south boundaries are open. There is some housing within the vicinity however the character of the site and immediate surroundings is undoubtedly countryside.

2. **HISTORY**

F/0355/89/O – Erection of a cottage – Refused 06.09.1989

3. **CONSULTATIONS**

Parish/Town Council:

Support this development and recommend approval.

CCC Archaeology:

Not received at time of report

Environment Agency:

No objection, condition required for the submission of foul water drainage details.

FDC Scientific Officer:

Contaminated land condition required as the site is within the buffer zone for a former landfill

CCC Highways:

Further details relating to siting, access, parking and turning areas are required. Conditions relating to access construction, reserving parking spaces, provision of temporary facilities, drainage measures and improvement of footpath are required.

Neighbours:

1 letter of support received, the application will fill in the last part of Gull Road. Questions the type of foundations as there is potential to cause damage to adjoining property at Meadow View.

4. **POLICY FRAMEWORK**

FDWLP Policy

- | | |
|-----|---|
| E8 | - Proposals for new development should: <ul style="list-style-type: none">- allow for protection of site features;- have regard to amenities of adjoining properties;- provide adequate access. |
| H3 | - To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other plan policies. |
| H16 | - Outside the DAB new dwellings must be justified as required for agricultural, horticultural or forestry operations. |
| E1 | - To resist development likely to detract from the Fenland landscape. |

Core Strategy (Draft Consultation – July 2011)

- | | |
|------|---|
| CS1 | - Spatial Strategy, The Settlement Hierarchy and the Countryside |
| CS2 | - Growth and Housing |
| CS10 | - Rural Areas Development Policy
New development in villages will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Any proposal will need to satisfy policies CS1 and CS2 as well as specific criteria: <ul style="list-style-type: none">• Site is in or adjacent to the existing developed footprint of the village• Would not result in coalescence with neighbouring villages;• Not have an adverse impact on the character and appearance of surrounding countryside and farmland;• Proposal is of a scale in keeping with the shape and |

			form of the settlement
			<ul style="list-style-type: none"> • The proposal will not adversely harm the settlements character and appearance • Site retains and respects natural boundaries • Not result in the loss of high grade agricultural land • Not put people or property in danger from known risks and would not result in unacceptable nuisances to residents and businesses.
		CS14	- Delivering and Protecting High Quality Environments across the District.
National Planning Policy Framework (NPPF)			
		Paras 2 and 11	- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
		Para 14	- Presumption in favour of sustainable development
Core planning principles		Para 17	- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants.
Conserving and enhancing the natural environment		Para 109	- The planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains where possible.

5. ASSESSMENT

Nature of Application

This application seeks outline planning permission for the erection of 3 dwellings. The application is considered to raise the following key issues;

- Principle and policy implications
- Design and layout
- Other matters

Principle and policy implications

The site is located outside of any Development Area Boundary (DAB). DABs are put in place to ensure that villages grow in a sustainable manner and to prevent sprawl and unnecessary encroachment of the open countryside. The NPPF seeks

to promote sustainable development in rural areas where it will maintain the vitality of rural communities. This is the general thrust of policies contained within the Local Plan and Core Strategy where new development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide, open character of the countryside.

The policies of the Local Plan require consideration as the application site lies beyond the DAB where new development should be resisted (H3) unless justified. In terms of emerging policy the general good practice criteria set out in Policy CS10 of the Draft Core Strategy should be observed. This document is still emerging only limited weight can be attached to the policy at this time. However, it is important to note the direction of travel of the emerging core strategy and its conformity to the policies of the NPPF in terms of the approach to rural housing and the requirement for sustainable development which is sensitive to the defining characteristics of the local area.

Given that the site lies outside of any DAB, the proposal is contrary in principle to Policy H3 of the Local Plan and the thrust of the NPPF which seeks to provide sustainable development. The hub of Guyhirn village is located along High Road and, although Guyhirn can accommodate growth of 2 to 3 dwellings (CS1), the position of the site along Gull Road fails to contribute to the village sustainability given its distance and relationship with the village hub. The proposal, therefore, also fails on its inability to promote sustainable development due to the location of the site. CCC Highways have stated that an upgrade to the footpath would be necessary should permission be granted which further demonstrates the unsuitability of the location of the site.

Policy E1 of the Local Plan aims to protect the open character of the Fenland Landscape. The Local Plan acknowledges that there is existing housing developments along Gull Road, however, the Development Strategy states that it is necessary to protect the character of the open countryside by restricting further linear development along Gull Road. Given that the layout of the site is that of linear development, the proposal fails to comply with Policy E1 and the Development Strategy for Guyhirn.

The site forms the north eastern corner of the field within the applicants ownership and accounts for 0.18ha of the 1.09ha available. The site is positioned on the part of the field which is furthest from the DAB and will leave a gap between the proposed dwellings and the existing development to the east. It is, therefore, contended that the proposal does not make best use of the land, nor does it constitute a natural extension to the existing built form. The proposal, therefore, fails yet again on sustainability grounds.

Design, layout and residential amenities

The application is for outline planning permission with only the 'layout' committed for consideration at this stage. The layout of the scheme is what would typically be expected for three dwellings on a piece of land this size and shape and, therefore, no concerns are raised with regard to this aspect of the proposal. There is insufficient detail within the submission for CCC Highways to ascertain whether highway safety would be compromised as a result of the proposal. Although it is acknowledged that the siting and access of the proposal is not committed at this stage and the omission of these details would not be reason enough for refusal, it would be within the applicants interest to be forthcoming with these details as the

principle and layout of the scheme could be compromised if these details were found to be unacceptable at the Reserved Matters stage.

The elevational details and the scale of the buildings have not been committed for consideration, therefore, Officers are unable to comment on the impact on neighbouring residents.

Other matters

Wisbech St Mary Parish Council has commented in support of the application, however, has given no reasons for their support despite the proposal being a departure from the Development Plan. One letter of support has been received from the neighbouring resident to the north of the site stating that the application will 'fill in the last part of Guyhirn'. Whilst these comments have been noted, Officers are concerned that the proposal does not physically adjoin the established settlement within the DAB and, therefore, would contend that the proposal does not constitute 'infill' development nor does it constitute a natural extension of the village.

The application submission includes examples of other residential development along Guyhirn which have been granted despite the land being located outside of the DAB. These examples have been noted, however, as most of the sites were comprehensive developments on land which physically adjoined the existing built form or were agricultural dwellings or satisfied the, now deleted, infill policy, it is considered that none of the examples represent a fair comparison to the current application. The most recent examples cited were granted planning permission in December 2010 and as such prior to the introduction of the NPPF.

The submission includes a biodiversity checklist indicating that the site has been surveyed for barn owls and breeding birds. However, the results of this survey have not been provided within the application submission and the Design and Access Statement states that there is no intention of providing such information. Given the landscaping which surrounds the site there is potential for wildlife habitats. Without the survey information, Officers are unable to assess whether the proposal will have an impact on the local wildlife. This is of concern as the NPPF states that there is a requirement to minimise the impacts on biodiversity.

Conclusion

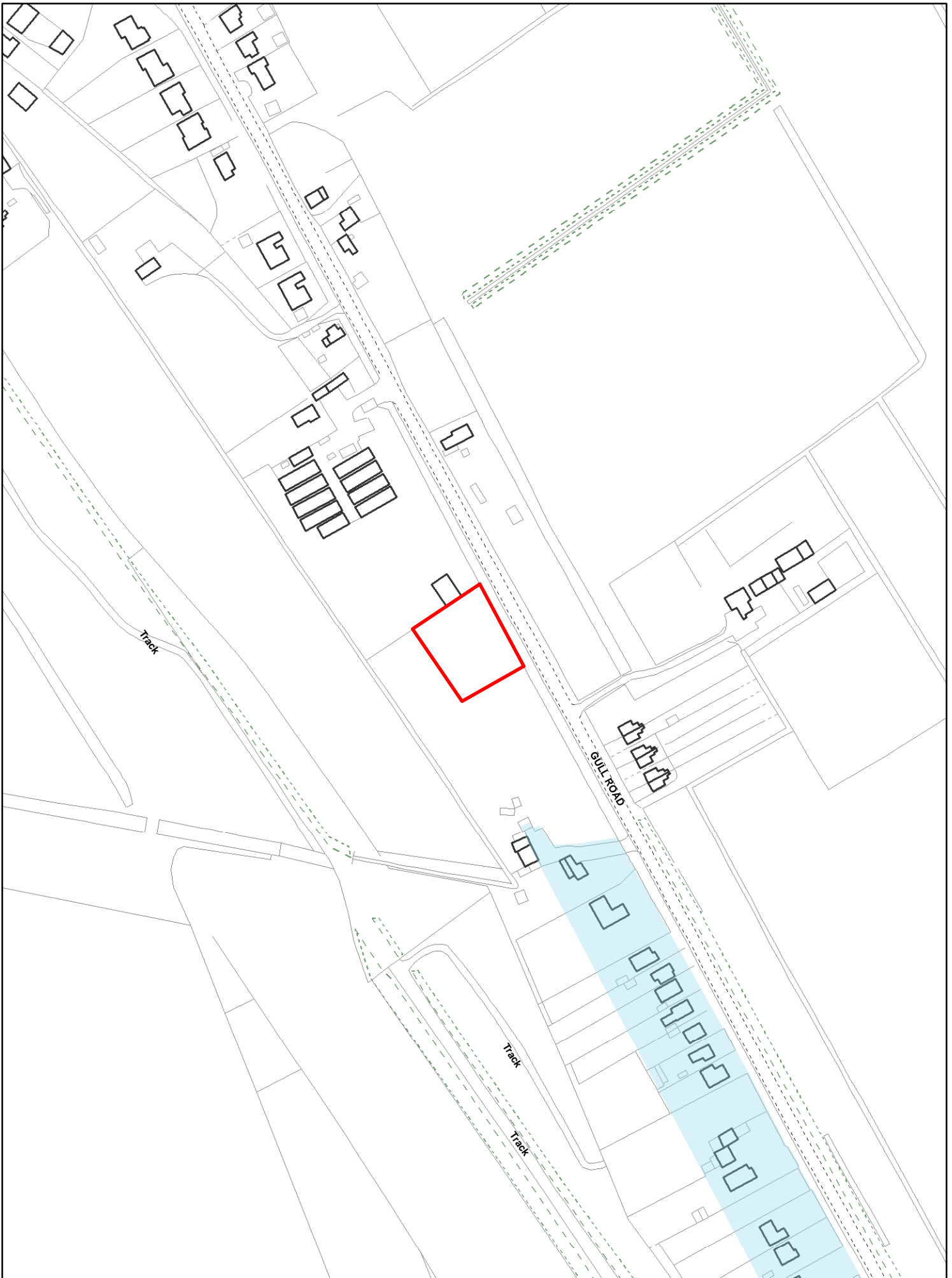
The site is located beyond the Development Area Boundary of Guyhirn in an area which is characterised as open countryside. The development does not adjoin the established built settlement, does not comply with the Development Strategy for the area nor does it contribute to the sustainability or vitality of the community. The proposal, therefore, fails on sustainability grounds and is contrary to the National Planning Policy Framework. The proposal makes poor and inefficient use of the land available resulting in a piecemeal development which would detract from the character and appearance of the local area and the visual amenities of the open countryside. The development is, therefore, contrary to E1 and E8 of the Fenland District Wide Local Plan and the principles contained within the National Planning Policy Framework.

It is considered that the proposal would result in a development which is not sustainable and would be harmful to the character and appearance of the surrounding area. It is, therefore, recommended that planning permission is refused.

6. RECOMMENDATION

Refuse

- 1. The proposal is positioned outside of any Development Area Boundary and fails to represent sustainable development, contrary to H3 of the Fenland District Wide Local Plan and the general principles of the National Planning Policy Framework.**
- 2. The proposal represents piecemeal development by virtue of the location and under-use of the land available. This would be to the detriment of the development of the area in general and fails to respect the principles of sustainability. The proposal is, therefore, contrary to the general principles of the National Planning Policy Framework.**
- 3. By virtue of the location of the proposal, within the countryside, the proposal would represent an incongruous feature which would detract from the open character of the landscape, contrary to E1 of the Fenland District Wide Local Plan. As a result the proposal fails to respond to the local distinctiveness of the area, contrary to part 7 of the National Planning Policy Framework.**
- 4. The proposal fails to adequately consider biodiversity implications and as such is contrary to part 11 of the National Planning Policy Framework.**



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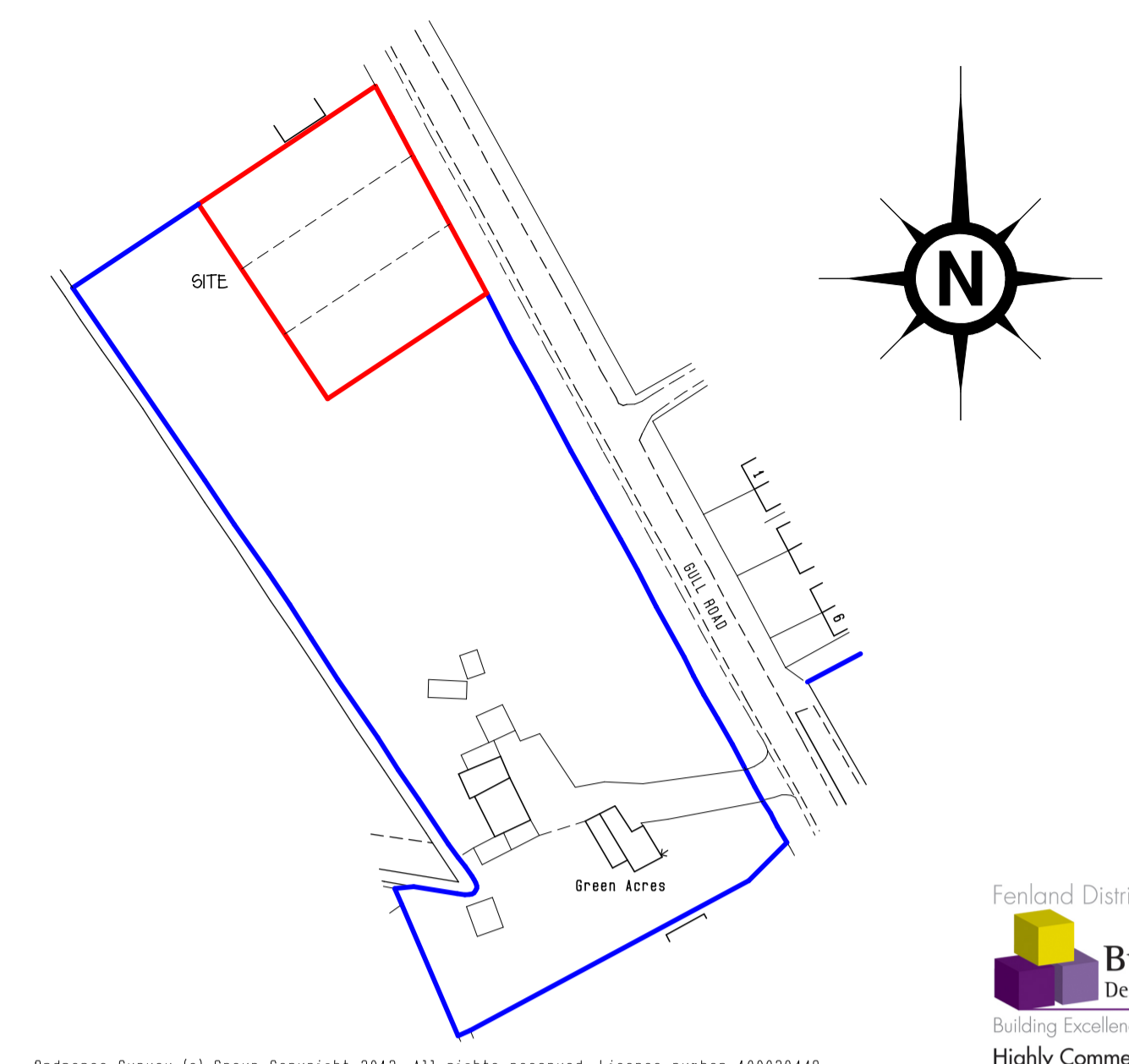
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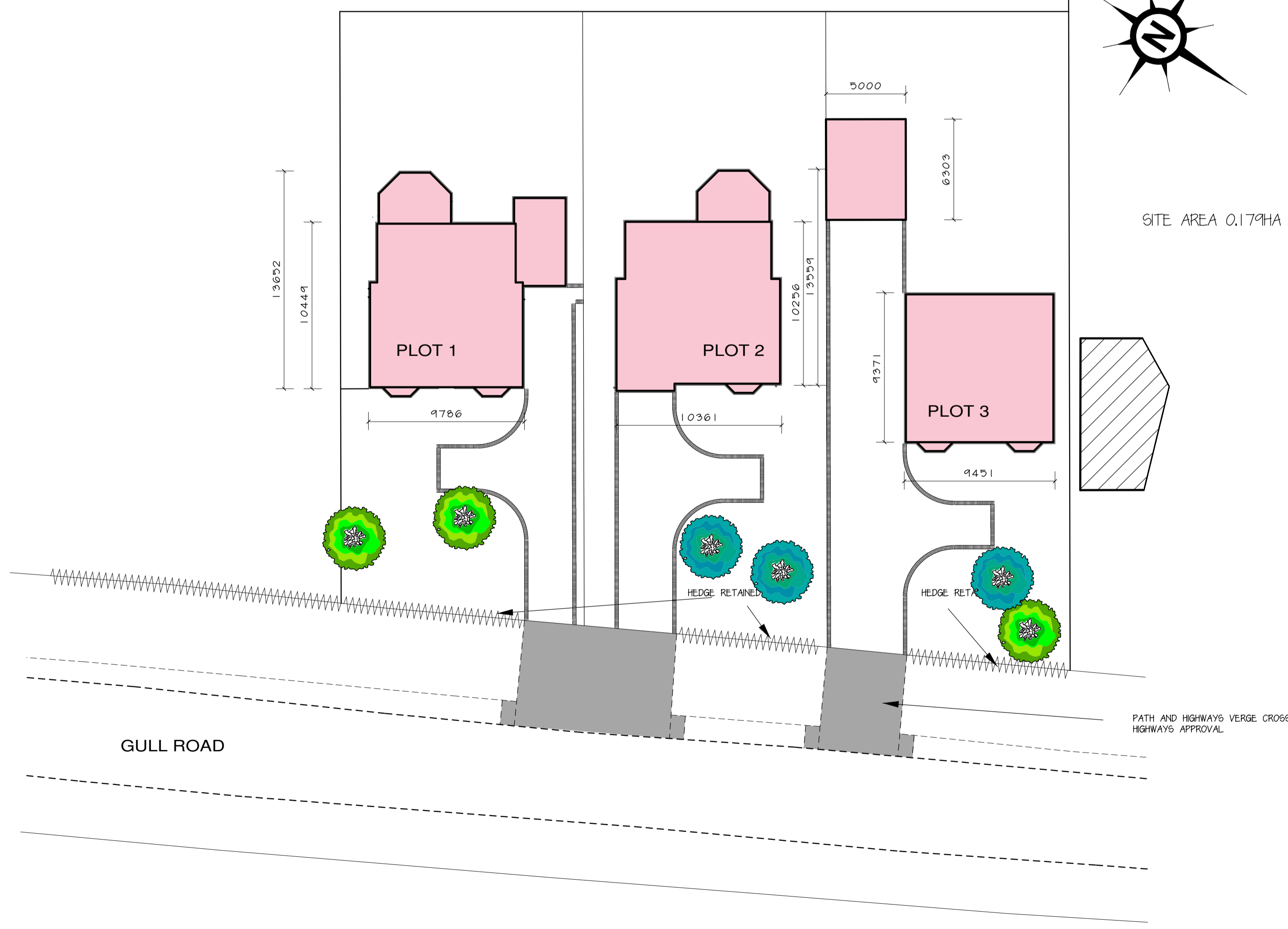


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Project
 THREE DETACHED TWO STOREY DWELLINGS SOUTH WEST OF GULL ROAD GUHIRN

Client
 MR & MRS M WRIGHT

Title
 SITE AND LOCATION PLANS

Ref
 W3045-2

Rev
 Sheet A1
 Scale: 1:200, 1250 Date: FEB 2011