

F/YR12/0430/F

6 June 2012

Applicant : Mr R German

Agent : Mr Lee Bevens  
L Bevens Associates Ltd

Land South East of 136 London Road, Chatteris, Cambridgeshire

Erection of a 2-storey 4-bed dwelling and detached double garage/car port/store

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This proposal is before the Planning Committee due to a request from Cllr Melton who acknowledges that the application is a departure, but believes the proposal should be supported.

This application is a minor application.

Site area: 0.14 ha

1. **SITE DESCRIPTION**

The site is located to the south of Chatteris approximately 0.7 miles outside the settlement limits. The site is presently a rectangular shaped agricultural field surrounded by landscaping on the north, south and western boundaries. There is an existing garden centre on the eastern boundary.

Adjacent to the western boundary are a range of agricultural buildings and two further agricultural dwellings. Access is to be formed off a B Class road, which will require the removal of a section of hedge/vegetation. The site has an area of approx. 0.14 ha.

2. **HISTORY**

Of relevance to this proposal is:

None

3. **CONSULTATIONS**

**Parish/Town Council:**

Raise no objection.

**Local Highway Authority (CCC):**

Satisfied that appropriate visibility splays can be achieved. Recommends conditions relating to gates; construction of access; parking and turning; temporary construction facilities; access drainage.

**FDC Scientific Officer (Land Contamination):**

Requests unsuspected contamination condition be imposed.

**Local residents/interested parties:**

None received.

#### 4. POLICY FRAMEWORK

##### FDWLP Policy

H3 - To resist housing development outside settlement limits. To permit housing inside settlement limits provided it does not conflict with other policies of the Plan.

E8 - Proposals for new development should:

- allow for protection of site features;
- be of a design compatible with their surroundings;
- have regard to the amenities of adjoining properties;
- provide adequate access.

##### East of England Plan

##### Draft Fenland Core Strategy

ENV7 - Quality in the Built Environment

CS1 - Spatial Strategy, The Settlement Hierarchy and the Countryside.

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:

- 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 of surrounding countryside and farmland;
- Proposal is of a scale in keeping with the shape and form of the settlement;
- 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.

**National Planning Policy Framework (NPPF)**

- Para. 2 - Planning law requires that application for planning permission must be determined in accordance with the development plan.
- Para. 14 - Presumption in favour of sustainable development.
- Para. 55 - To promote sustainable development in rural areas and to avoid new isolated homes in the countryside unless there are special circumstances.

5. **ASSESSMENT**

***Nature of Application***

This application seeks full planning permission for the erection of a 2-storey 4-bed dwelling with detached double garage/car port/store on land south east of 136 London Road, Chatteris.

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Design
- Access.

***Site History***

The site lies outside the settlement limits of Chatteris and the only relevant planning history on this site relates to an application for a dwelling in 1988 which was refused. The site is within a predominantly agricultural area with sporadic housing on both sides of London Road. There are two existing dwellings immediately to the south west of the site, which have agricultural ties and there is an existing garden centre to the east. There are further dwellings located to the east between the application site and the settlement of Chatteris.

Pre-application discussions have taken place and Officers raised concerns relating to the location of the site and its unsustainable location. Officers considered that there is an abundance of more suitable development land closer to the settlement limits before consideration of this site could be supported. Indeed there are no Development Plan policies to support this application.

***Principle and Policy Implications***

The principle of developing this site is contrary to Policy H3 of the Local Plan and the site is located well away from the existing boundary limits of Chatteris which is approx 0.7 miles to the east.

The National Planning Policy Framework (NPPF) seeks to deliver sustainable development and should address the connection between people and places. The location of the site prohibits the ability to provide a pedestrian link to the built settlement and, therefore, the occupiers of the dwelling would have a reliance on the car to access the services available in Chatteris. This is not consistent with the principles of sustainable development.

Para 55 of the NPPF states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside;
- Where such development would secure the future of a heritage asset;
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting;
- The exceptional quality or innovative nature of the design of the dwelling, such a design should:
  - be truly outstanding or innovative;
  - reflect the highest standards in architecture;
  - significantly enhance its immediate setting;
  - be sensitive to the defining characteristics of the local area.

In summary, using national planning guidelines the principal situations whereby normal policy restraints may be overcome so as to secure planning permission for open countryside housing are where a specific and pressing need is justified; where an exceptional planning gain is to be achieved; where the dwelling would be of exceptional quality and where there is 'local need'.

The agent has justified the application with the statements that *"the proposed dwelling will be of a high standard of construction and all modern forms of construction will be explored to ensure that the proposed dwelling will be built in the most sustainable form of construction and using best practice"*.

Policy E8 of the Local Plan seeks to ensure that development retains existing landscape features; be of a design compatible with its surroundings; have regard to the amenities of adjoining properties and provide adequate access.

The development requires the removal of trees on the western boundary and existing vegetation trimmed back. The existing conifers along the northern boundary are to be retained together with the trees along the southern boundary except where the access is to be formed.

There will be no impact on neighbouring properties and there is ample private amenity space and parking and turning available within the site. The design is not in keeping with the surrounding area, but the application seeks justification through 'outstanding design' and would not, therefore, be expected to respect the existing built form.

### ***Design***

The dwelling is 2-storey in nature and will be constructed with traditional brick and tiles. The single-storey wings will be clad in softwood timber weather boarding in dark oak. There will be a significant amount of glazing on the

north and south elevations. The design will have the appearance of a large barn type structure.

The design is good and the applicant is exploring sustainable forms of construction and forms of renewable technologies, however, no details of such items have been submitted with the application.

The assessment of design is subjective, however, to be truly outstanding and innovative it is important that the dwelling has an appropriate setting. Unfortunately the setting of the dwelling is poor in that there are agricultural buildings immediately to the north west of the site and a garden centre to the east. The proposal does not meet the requirements of the NPPF.

### **Access**

Access is to be formed off the B1050 and is located towards the western side of the site. Highways have requested visibility splays of 2.4 m x 160 m in each direction which has been incorporated into the proposal. The access is 5 m wide and any gates must be set back at least 5 metres from the highway to allow vehicles to pull off the road.

Parking is available for 4 cars with turning within the site. This is acceptable for the dwelling proposed.

### **Conclusion**

The proposal has been the subject of pre-application discussions when the agent was informed that the proposal would not receive Officer support due to its location being well away from the built settlement of Chatteris.

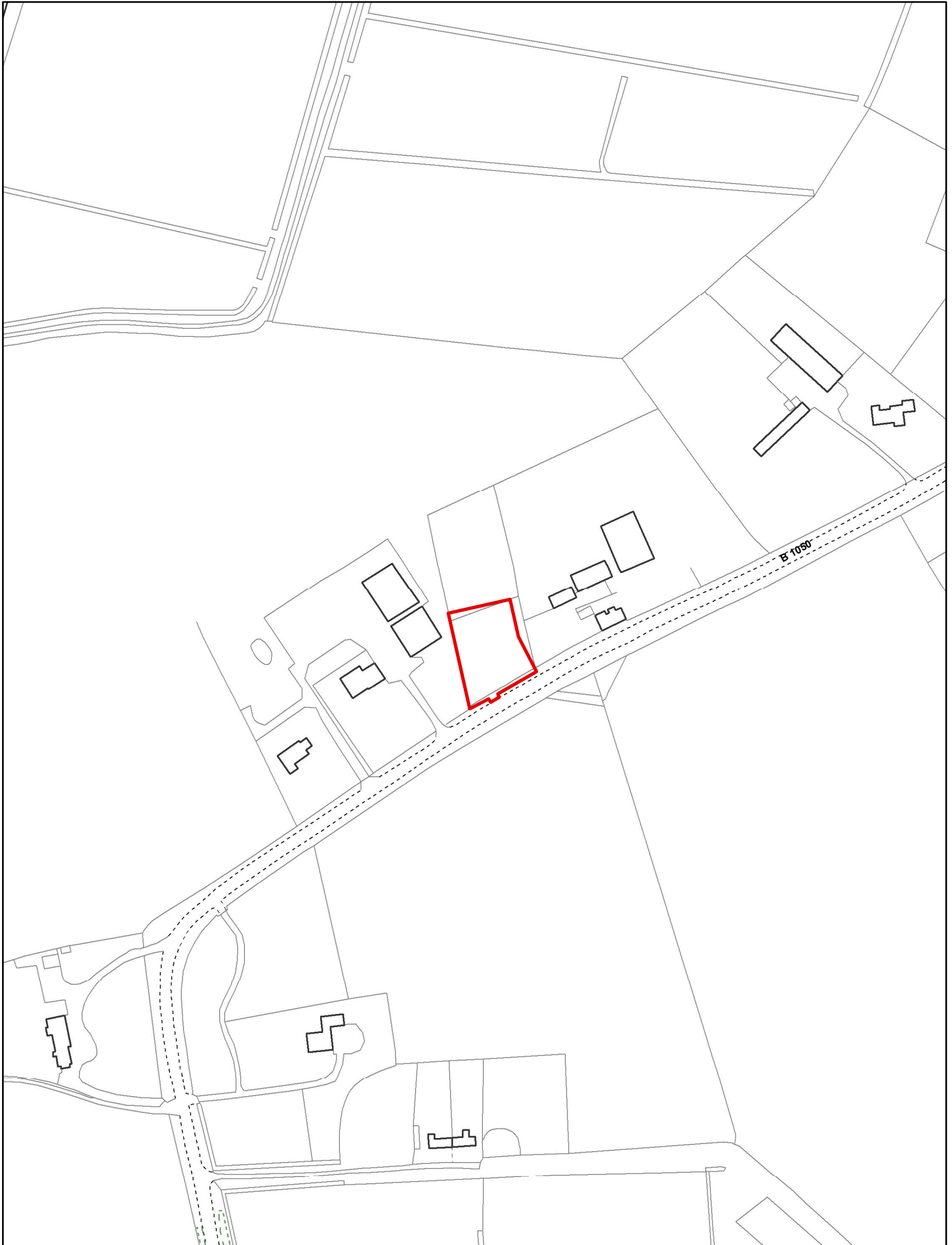
Officers have given consideration to the good design of the dwelling, but do not consider that the design is 'truly outstanding' in line with the NPPF.

Therefore, given that the site falls well outside the built settlement of Chatteris and that there is no pedestrian link to the town, the development cannot be supported as it is not consistent with the principles of sustainable living and is, therefore, contrary to the NPPF and Policy H3 of the Local Plan.

## **6. RECOMMENDATION**

### **REFUSE**

- 1. The proposal is contrary to Policy H3 of the Fenland District Wide Local Plan 1993 in that no justification has been provided for the proposal and would, therefore, result in housing development outside the settlement limits of Chatteris.**
- 2. The application site falls well outside the built settlement of Chatteris with limited pedestrian and public transport links to the town and, therefore, the development will rely solely on the use of the motor car and cannot be supported as it is not consistent with the principles of sustainable living and is contrary to the National Planning Policy Framework.**



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