

Application Number: F/YR12/0697/F
Minor
Parish/Ward: Benwick
Date Received: 10 September 2012
Expiry Date: 05 November 2012
Applicant: Mr & Mrs Rushbrook
Agent: Mr C S Hodson, Hodsons

Proposal: Erection of a 2-storey 5-bed dwelling with solar roof panels and detached triple garage
Location: Land North West of 6-7 Nene Parade, Benwick

Site Area: 0.236 ha

Reason before Committee: This application is before the Planning Committee as a result of being called in by Councillor Butcher. The reason for the call-in is that although the house is outside the DAB it is on the site of former cottages and is compliant with the NPPF.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site is located beyond the established settlement of Benwick in an area which is characterised as open countryside. Given the position of the site, away from the village hub, the proposal does not comply with the local or national Development Strategy for the area nor does it contribute to the vitality or sustainability of the community or the locality in general.

The applicant has submitted a 1926 OS map, which shows the outline of buildings on the site, and photographs of footings, which may relate to a former cottage on the site, however, the use has clearly been abandoned.

The application fails to adhere to sustainability principles and would represent an incongruous feature within the open countryside, contrary to policies contained within the Development Plan. It is, therefore, recommended that planning permission is refused.

2. HISTORY

Of relevance to this proposal is:

2.1	F/1446/88/O	Residential development (0.2ha)	Refused 17/02/89 Appeal Dismissed
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3. PLANNING POLICIES

3.1 National Planning Policy Framework (NPPF):

Paragraphs 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.

Paragraphs 14: Presumption in favour of sustainable development

Core planning principles, paragraph 17: Always seek to secure high quality design and a good standard of amenity for all existing and future occupants.

Delivering a wide choice of high quality homes. Paragraph 55: to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live nearby or it is of an exceptional quality.

Conserving and enhancing the natural environment, paragraph 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.

3.2 **Draft Fenland Core Strategy:**

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:

- 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
- 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.

3.4 **Fenland District Wide Local Plan:**

E8: Proposals for new development should:

respect the scale, style and character of the surrounding development;

allow for protection of site features;

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.

4. **CONSULTATIONS**

4.1 ***Parish/Town Council:***

The Parish Council objects on the basis that this application is well outside the development boundary of the village as outlined in the Fenland Wide Plan for Benwick.

- 4.2 **Environment Agency:** No objection, but provide comments on the acceptable methods of foul sewage treatment if public sewer not available.
- 4.3 **FDC Environmental Protection:** No objection or observations.
- 4.4 **CCC Rights of Way** No objections.
- 4.5 **CCC Highways** Conditions required relating to the following:
 - 2.4m x 215m vehicle to vehicle visibility splays need to be provided for the proposed vehicular access on to the B1093.
 - Access to be min. 5.0m wide for a distance of 10.0m from the carriageway edge of the B1093.
 - Gates must be set back at least 10.0m from carriageway edge.
 - Provision and retention of appropriate parking and turning must be shown.
 - Vehicular access set out and constructed to CCC specification.
- 4.6 **Neighbours:** 2 letters of support received:
 - Aware that site is in Greenbelt but plot was once occupied and access already there;
 - New neighbours would give more security as crime has been carried out from the riverside and more neighbours would help deter acts of vandalism and theft.
 - A new dwelling would help to lessen the feeling of isolation.

5. **SITE DESCRIPTION**

- 5.1 The site is located to the south west of the B1093, Whittlesey Road and borders the River Nene. Nene Parade, which is a footpath, runs alongside the site. The site lies well beyond the established settlement of Benwick and the current use appears to be amenity land in association with number 6 Nene Parade. The proposed access makes use of an existing gate into a paddock from the driveway of number 6; however, a new driveway would require constructing across the paddock.

There is a house immediately to the east of the site, but development is by no means continuous within the vicinity and the character of the site and immediate surroundings is undoubtedly of sporadic rural development in mainly open countryside.

6. PLANNING ASSESSMENT

6.1 The key considerations for this application are:

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

(a) Principle and policy implications

The site is located outside of the village core, approximately 500m from the edge of the established settlement. 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 village core 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 emerging policy, therefore, 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.

The site lies outside the established settlement so the proposal is contrary in principle to Policy H3 of the Local Plan and the thrust of the NPPF which seeks to promote sustainable development. Benwick is a village which has been identified as capable only of accommodating development of a very limited nature relating to the infilling of a single dwelling or group of no more than three dwellings (Policy CS1). In addition the village lacks a number of facilities which would be associated with a more sustainable location where growth can be encouraged to support continued sustainability. The proposal, therefore, fails on its inability to promote sustainable development due to the location of the site. Policy CS1 stipulates that development outside established settlements may be supported where it can be demonstrated that they are essential to the effective operation of local agriculture, horticulture, or forestry. Since no such justification has been provided, the proposal remains contrary to this policy and the principles set out in the NPPF.

(b) Design and layout

The proposal is for a large, detached 5-bed dwelling with a detached triple garage.

The Design and Access Statement sets out the design philosophy of the development by describing the proposed house as a combination of the vernacular with a traditional slate roof, machine made bricks and modern design influences to windows and doors. It also states that the proposal sits close to the site of former cottages.

The outline of brick footings can be seen on the site, however, the doctrine of abandonment would suggest that any previous residential use has long since

ceased. In deciding whether the use has been abandoned it is necessary to take into account the physical condition of the building; the period of non use; whether there has been an intervening use and the evidence regarding the owner's intention. It is generally recognised that these tests relate to the view that would be taken by "a reasonable man with knowledge of all the relevant circumstances". As a result the presence of footings on the site cannot be afforded significant weight in the determination of the application.

It is considered that the scale, design and layout of the proposal, when read in the context of the location of the site fails to preserve the open character of the countryside and is contrary to the aspirations of the current and emerging development plan, whilst also failing to achieve a sustainable form of development as advocated through the policies of the NPPF.

(c) Other matters

Two letters of support have been received in respect of the proposal. The comments relate to the positive impact the development will have on the area in reducing the isolated feel of the locality and provide safety in lessening the threat of crime and vandalism. Whilst the comments have been noted, they appear to re-affirm the view of Officers that the site is isolated and does not relate well or round off the existing built form of the village. Therefore, the proposal would result in an unjustified development within the open countryside, that it fails to adhere to sustainability principles and that no particular design consideration have been had to the specific site characteristics or the qualities of the area.

7. **CONCLUSION**

- 7.1 The site is located beyond the established settlement of Benwick in an area which is characterised as open countryside with sporadic residential development. The development does not adjoin the established built settlement, does not comply with the Development Strategy for the area or 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 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.

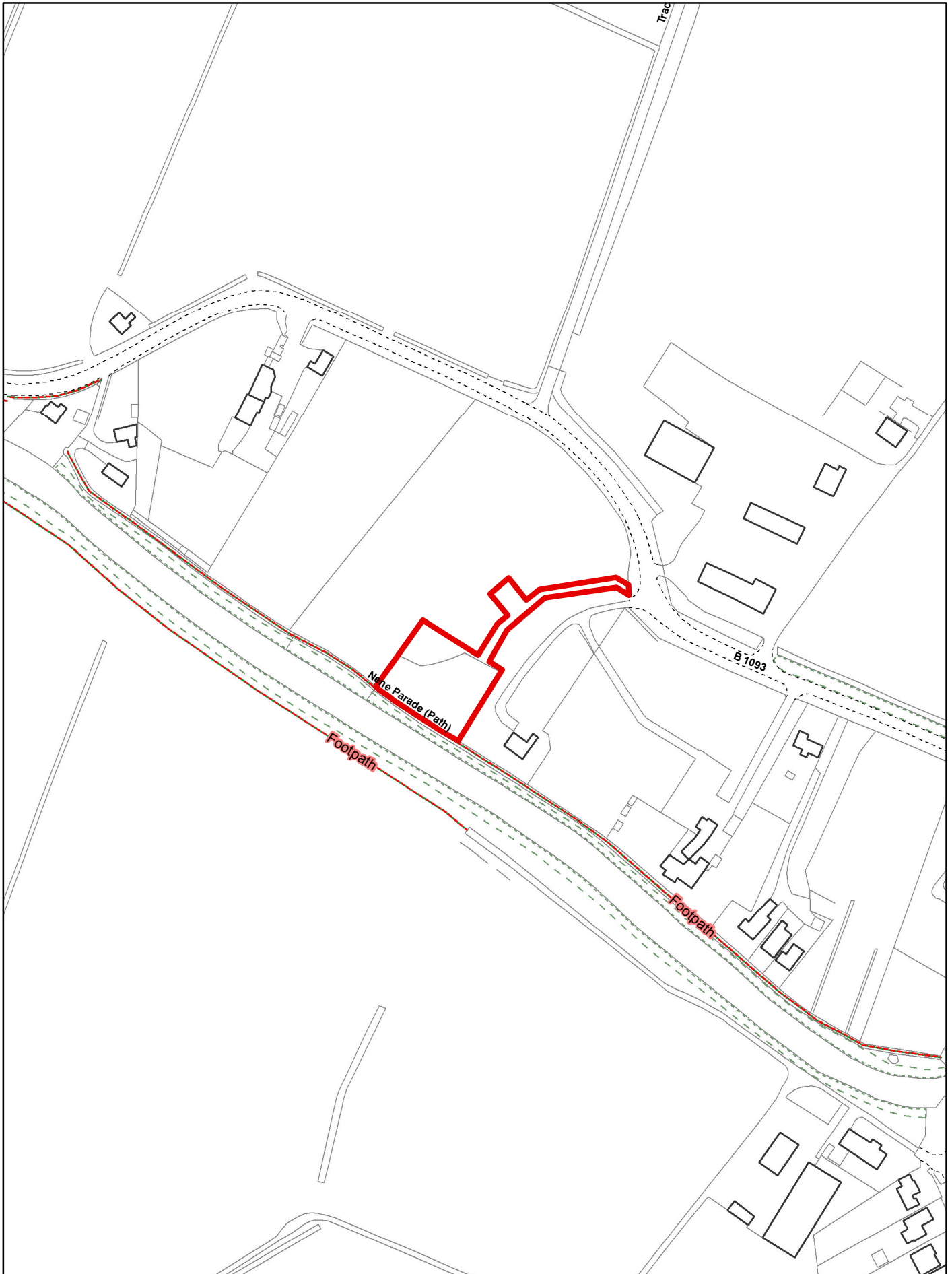
It is considered that the proposal would result in a development which is not sustainable and would be harmful to the character and appearance of the surrounding area. It is, therefore, recommended that planning permission is refused.

8. **RECOMMENDATION**

Refuse

1. **The proposal is positioned outside the core settlement 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 would represent unjustified development within the open countryside, contrary to CS1 of the Fenland Communities Development Plan, and Section 6 of the National Planning Policy Framework.**
3. **By virtue of the design, scale, layout and location of the development, within the countryside, the proposal would represent an incongruous feature which would detract from the open character of the landscape, thereby out of keeping with the character of the surroundings, contrary to policies E1 and E8 of the Fenland District Wide Local Plan and policy CS14 of the Fenland Communities Development 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.**



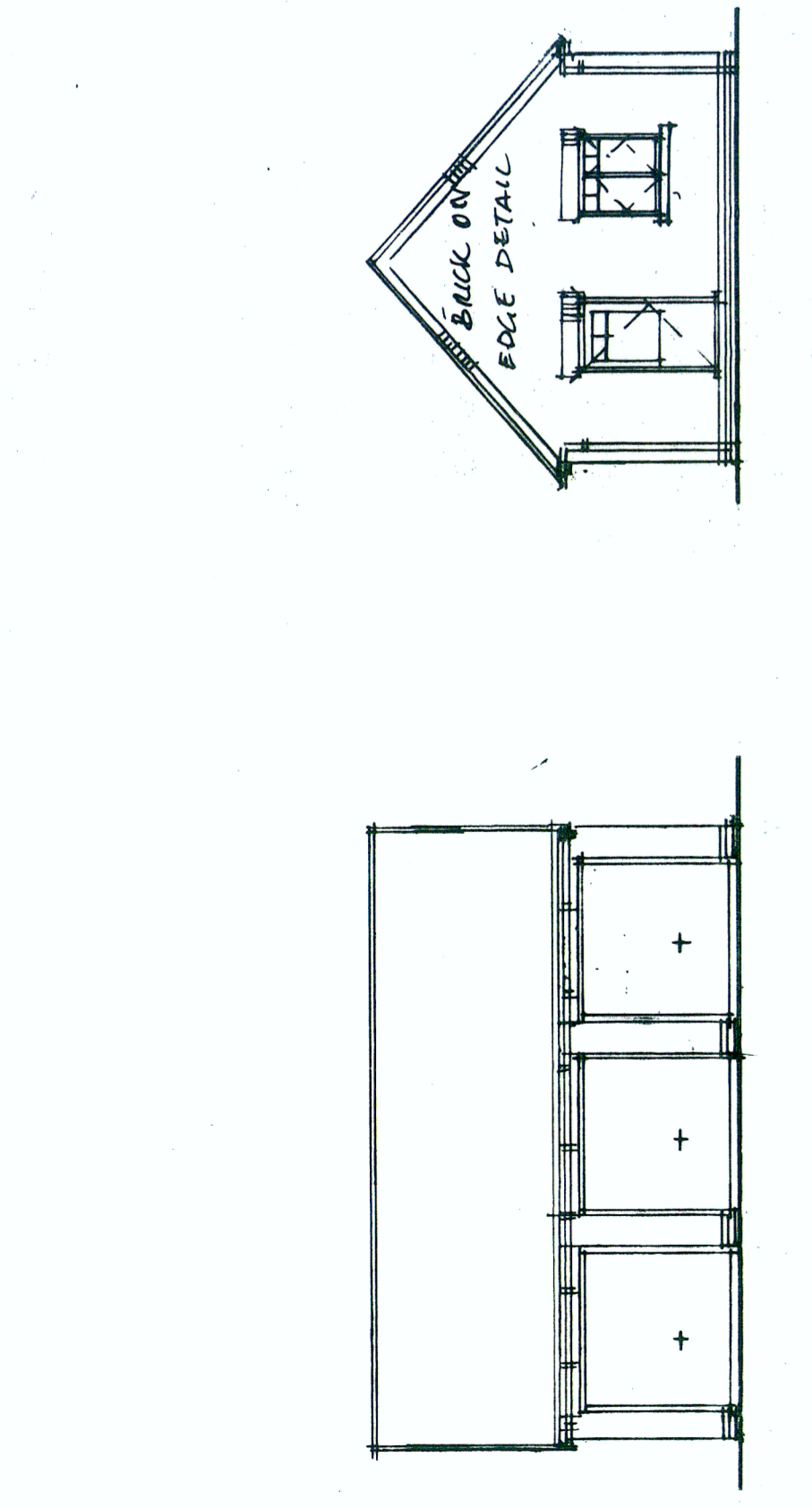
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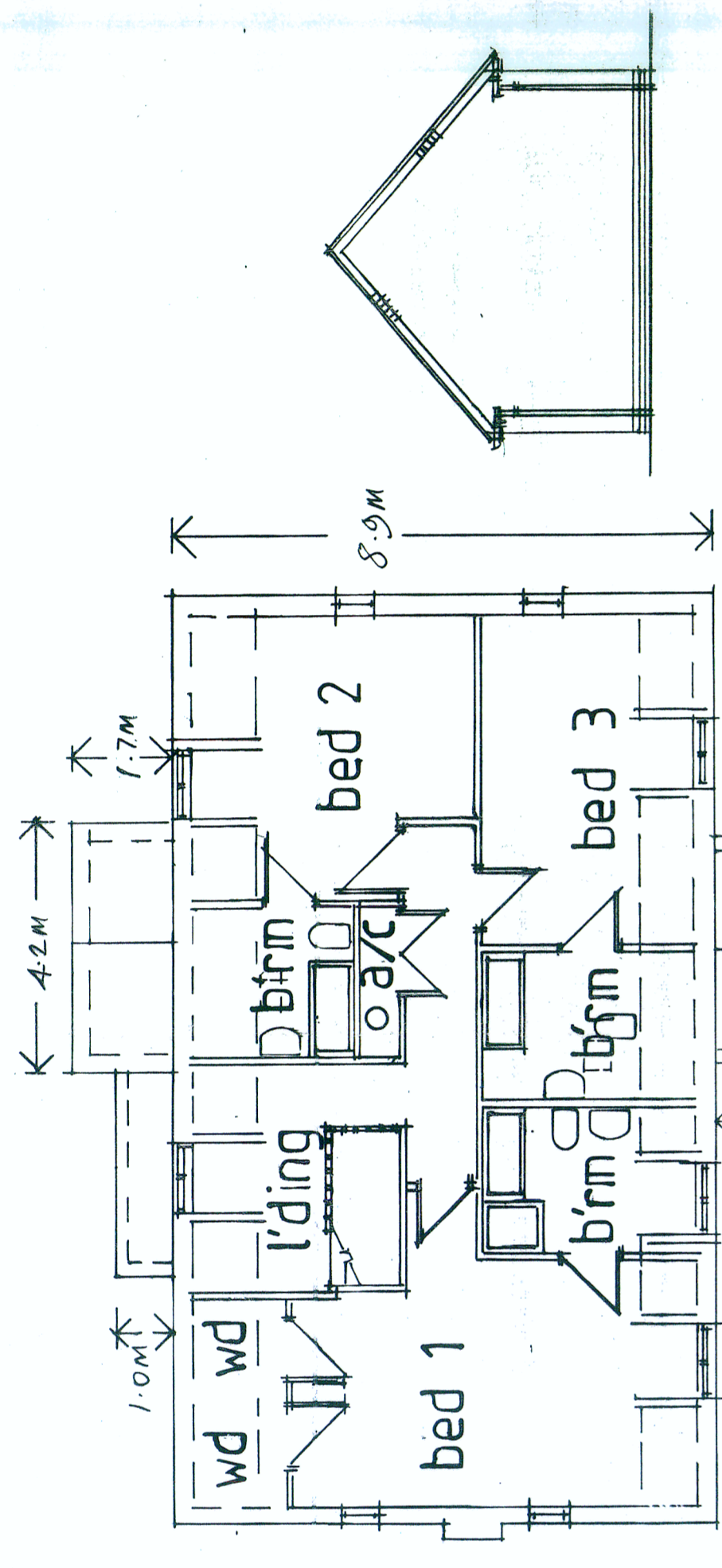
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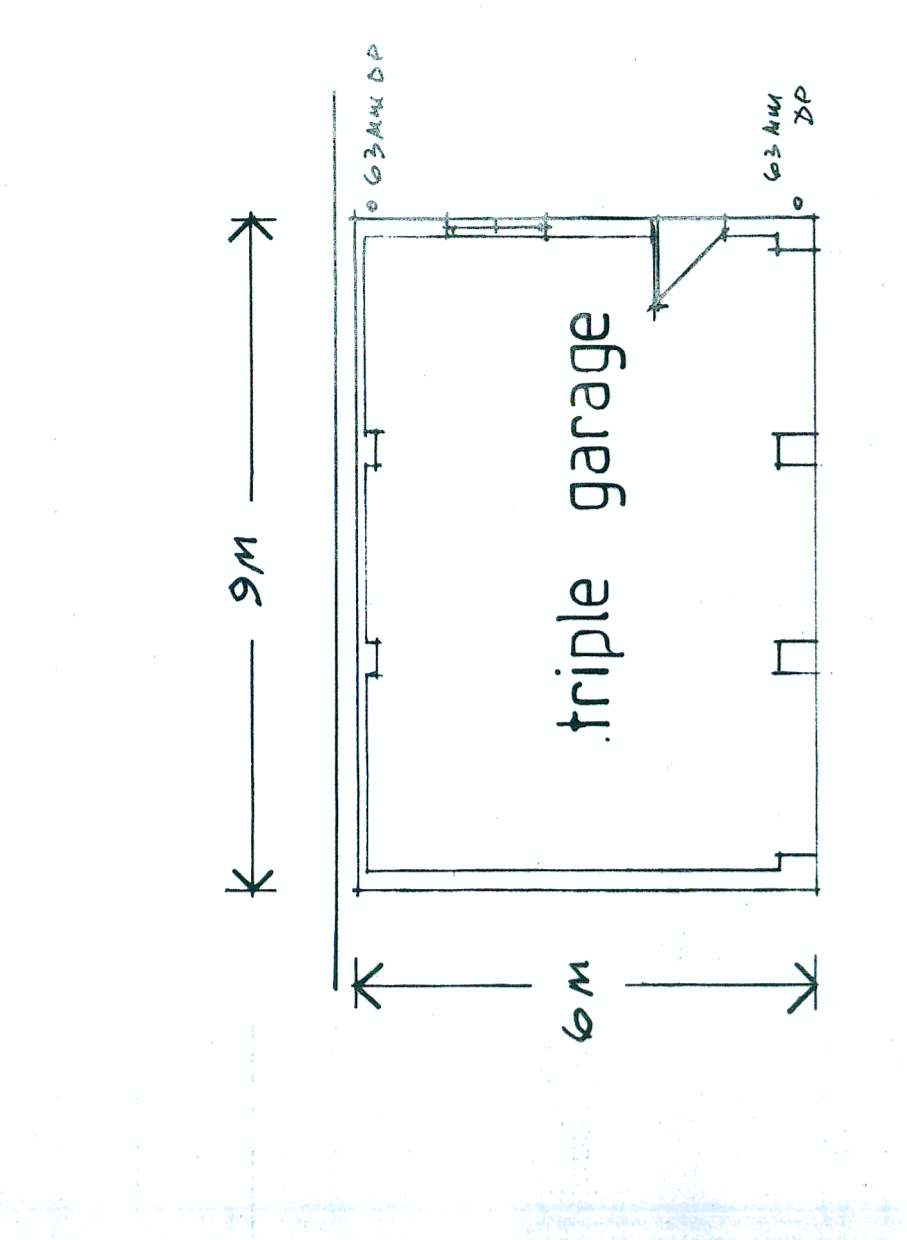




Front elevation 1:100



North elevation 1:100

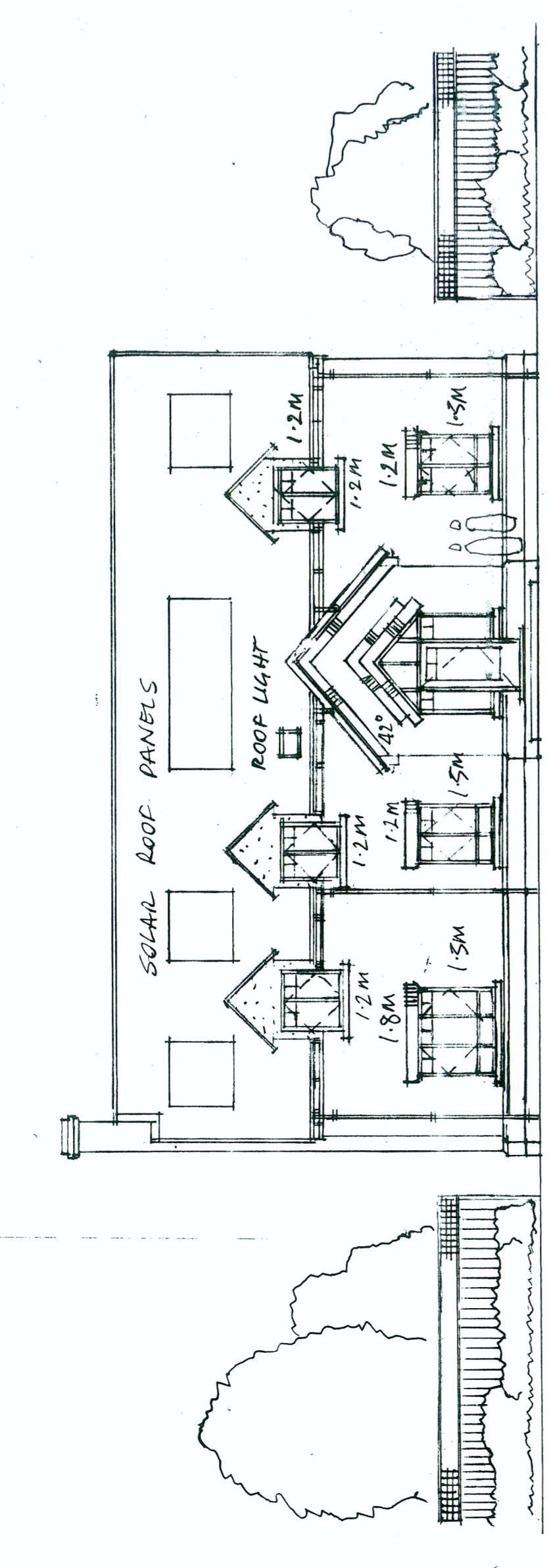


South elevation 1:100

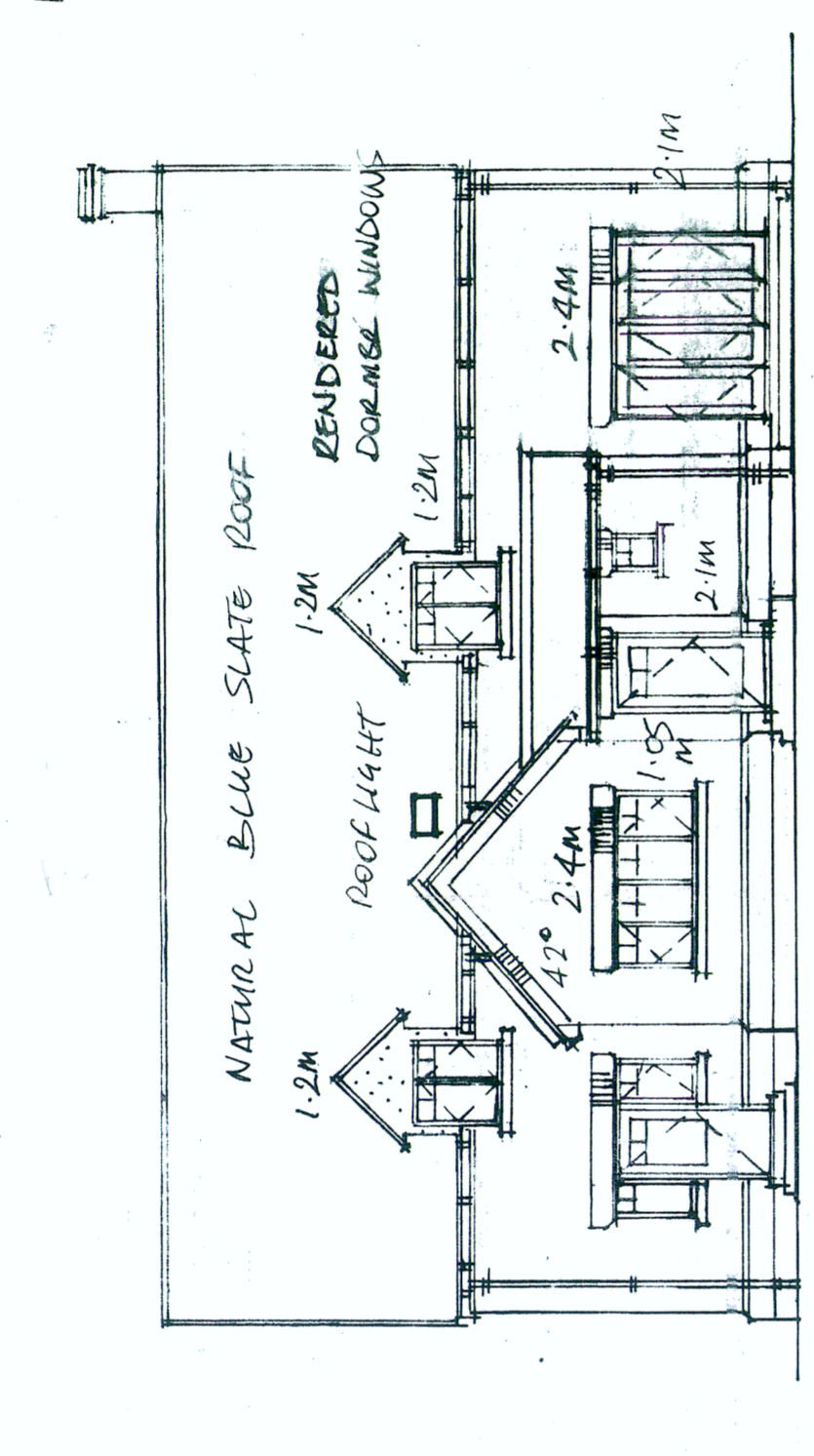


Floor plan 1:100

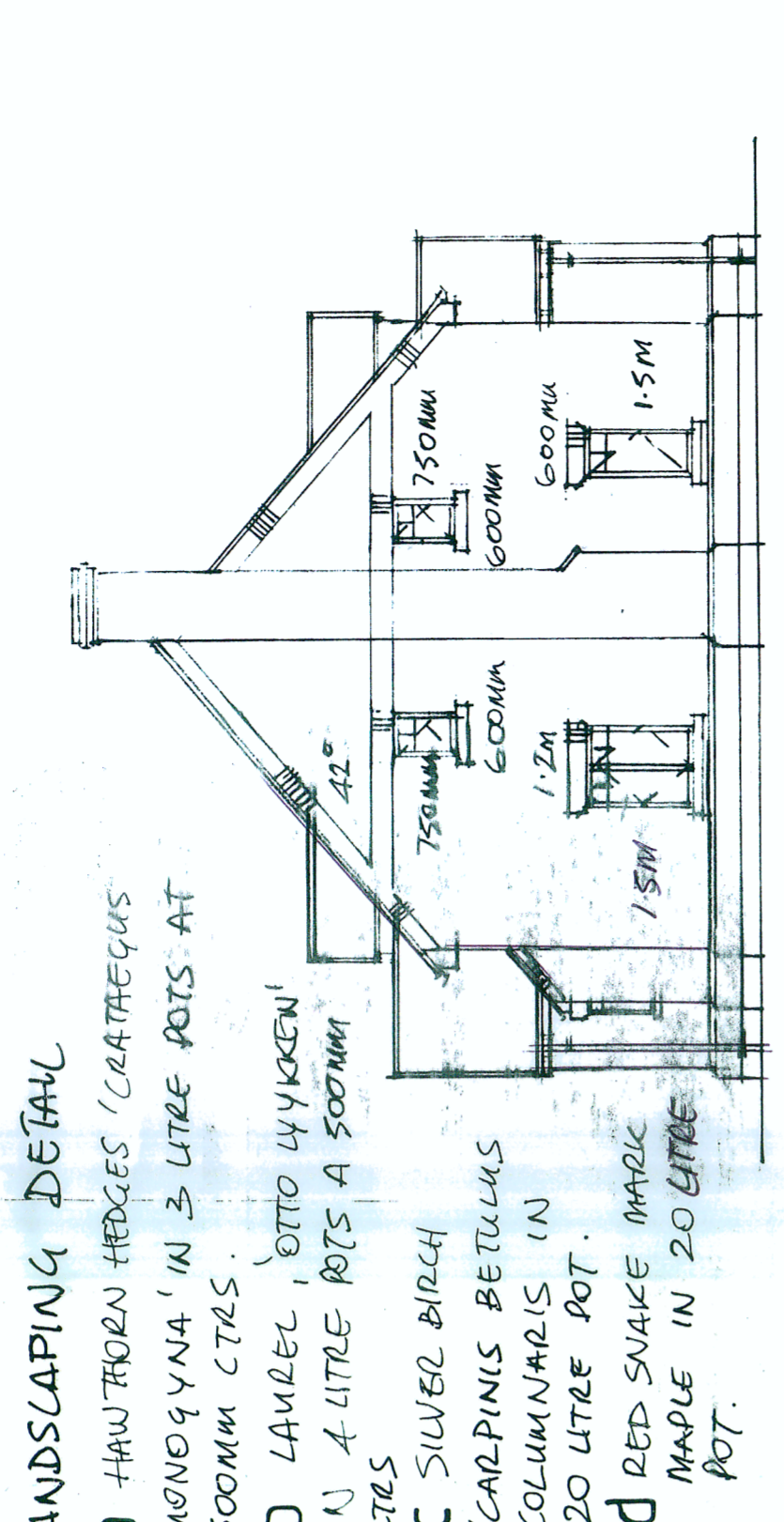
Floor plan 1:100



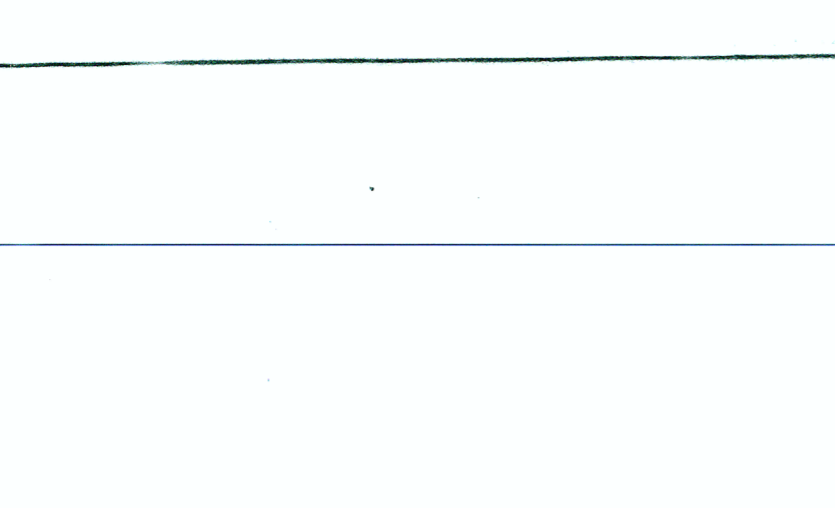
Ground floor plan 1:100



Rear elevation 1:100

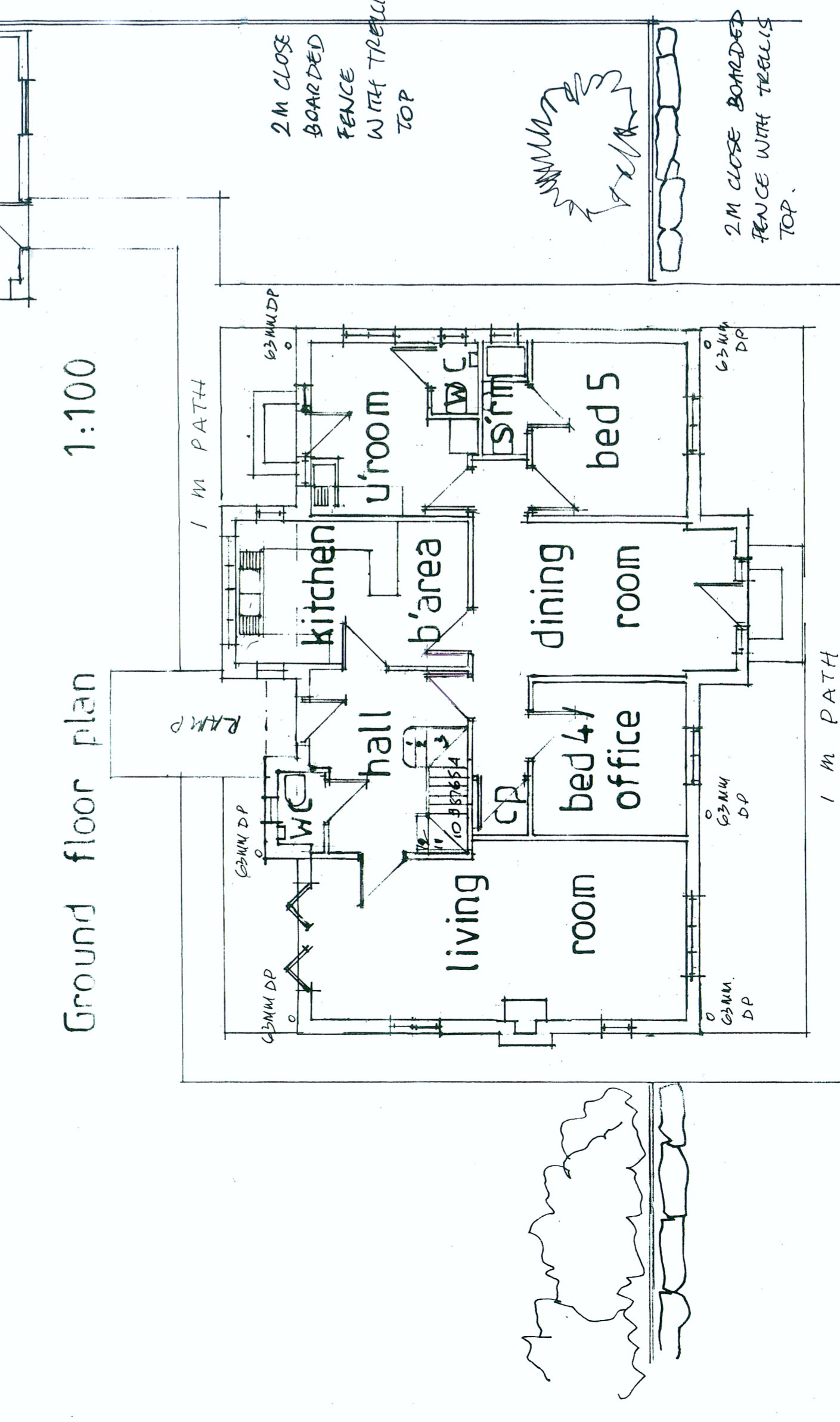


East elevation 1:100

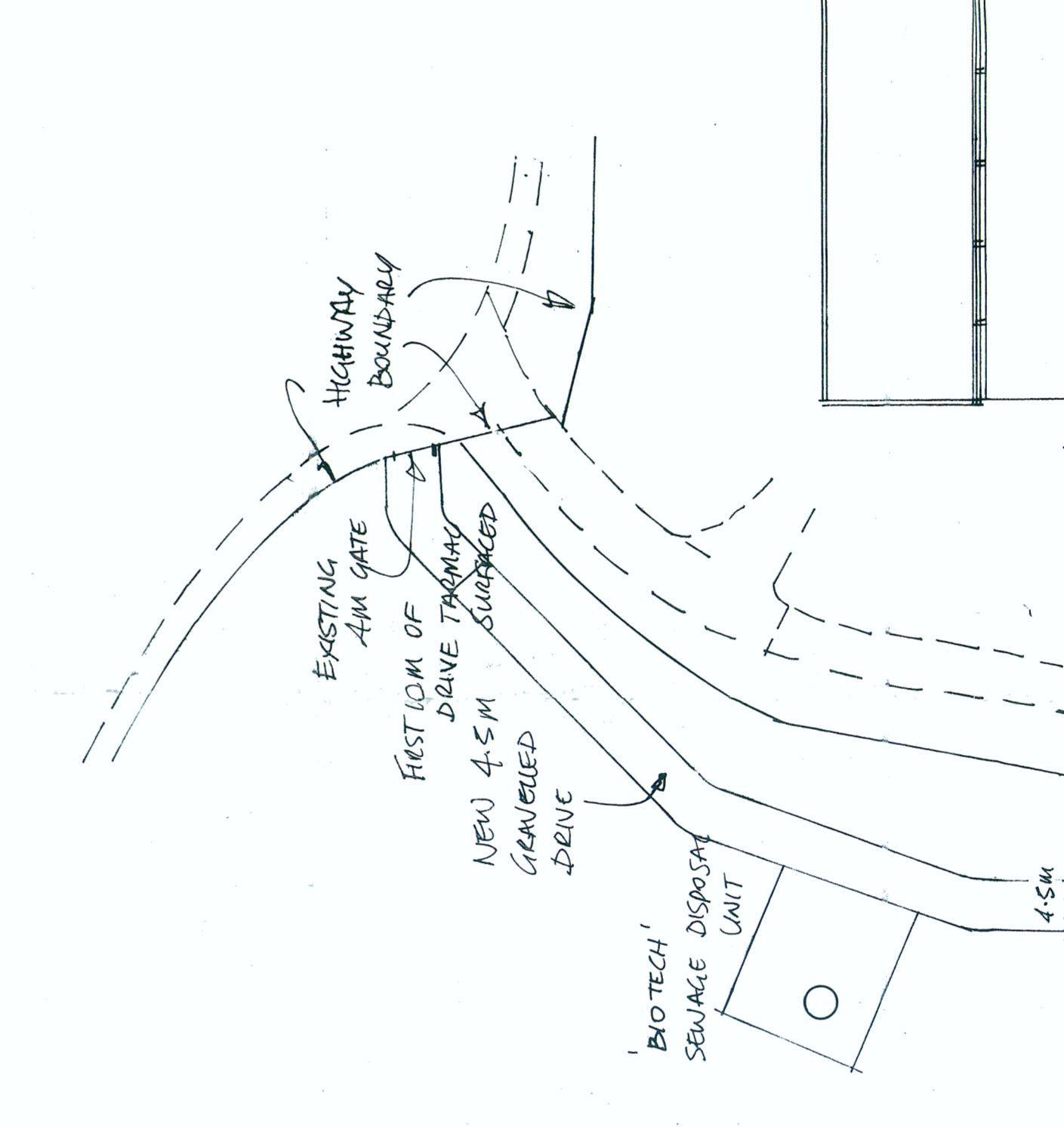


West elevation 1:100

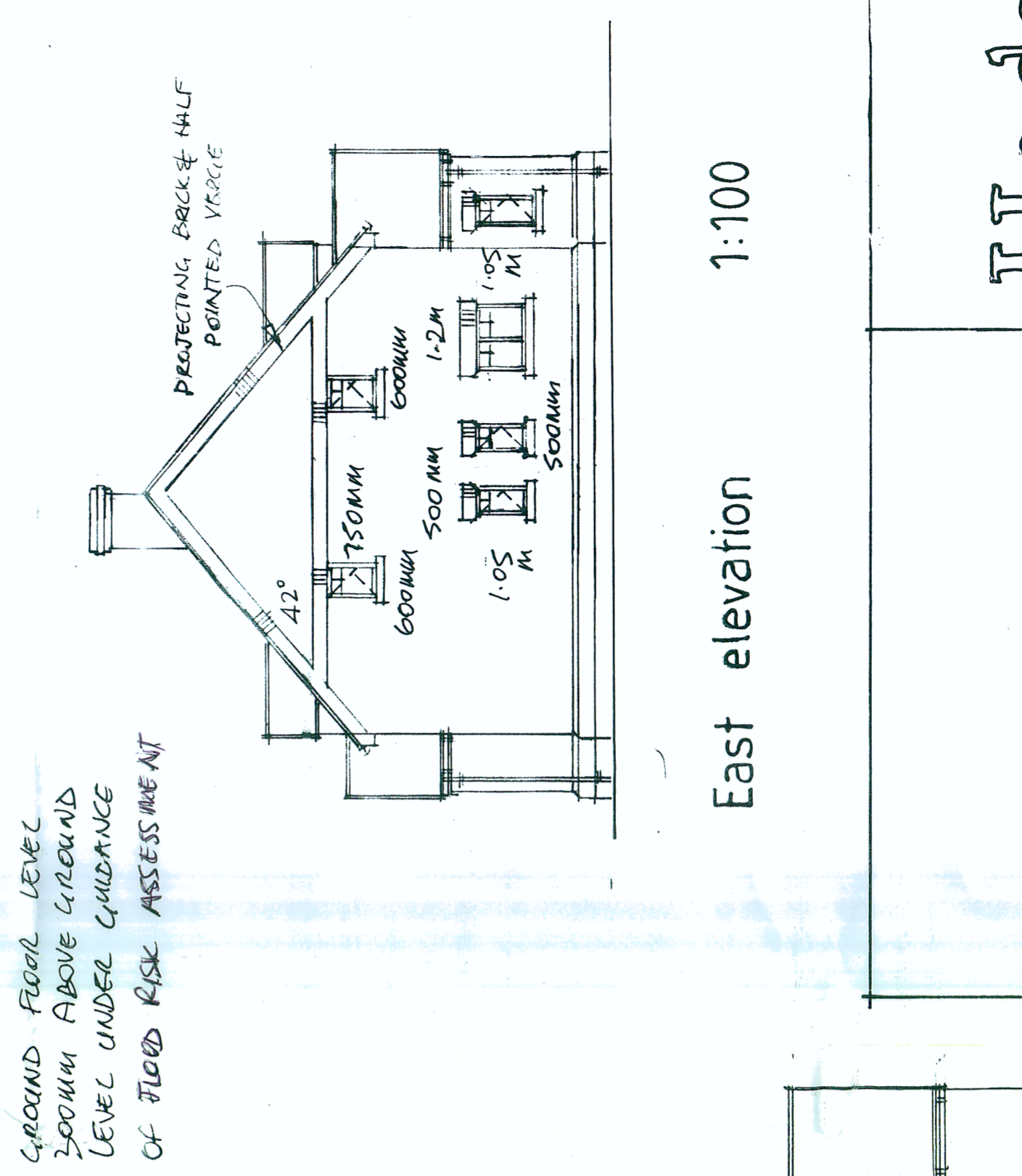
LANDSCAPING DETAIL
 a Hawthorn hedges 'CARTHEGUS MONAGHYNA' IN 3 LITRE POTS AT 500MM CTAS.
 b LAUREL 'OTTO HYKKE' IN 4 LITRE POTS AT 500MM CTAS.
 c SILVER BIRCH 'CALPINIS BETULLUS COLUMNARIS' IN 20 LITRE POT.
 d RED SNAKE MAPLE IN 20 LITRE POT.



Location plan 1:2500



Garage rear elevation 1:100



Block plan 1:500

Hodsons
 Chartered Surveyors,
 Market Street,
 Whittlesey,
 Peterborough.
 01733 203064

File no : 7853 / P
 Project : New dwelling
 and
 garage
 north of 6 Nene Parade,
 Benwick, Cambs.