

**Application Number: F/YR13/0144/F**

**Minor**

**Parish/Ward: Parson Drove Parish Council (Parson Drove/Wisbech St Mary)**

**Date Received: 1 March 2013**

**Expiry Date: 26 April 2013**

**Applicant: Mr C Giddings**

**Agent: Mr N Lowe, Peter Humphrey Associates Ltd**

**Proposal: Erection of 2 no. of single-storey 3-bed log cabins for use as holiday lets**

**Location: Land North of 117 Back Road, Murrow**

**Site Area/Density: 00.22 ha**

**Reason before Committee: The level of interest - 7 letters of objection from local neighbours received and 6 letters of support provided by applicant's agent.**

#### **1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application seeks full planning permission for the erection of 2 x single storey 3-bed log cabins for use as holiday lets at Land North of 117 Back Road, Murrow.

The key issues to consider are;

- Principle and Policy Implications;
- Layout, Design and Impact on Amenity;
- Access.

The site is situated to the rear of the existing frontage development along Back Road, Murrow beyond the developed footprint of the village. This proposal has been considered as a sustainable tourism development and a key consideration is the impact of the proposal and how it would impact upon the form and character of the area, the amenity of the occupants of neighbouring properties and the existing access and highway.

It is considered that the proposed development for 2 x single storey 3-bed log cabins for use as holiday lets would result in a form of development which would appear out of keeping the established form and character of the area. As a result the proposal would adversely impact upon the residential amenity of neighbouring users and would be contrary to CS16 of the emerging Fenland Communities Development Plan, E8 of the Fenland District Wide Local Plan, and the National Planning Policy Framework. It is therefore recommended that the application is refused.

## 2. HISTORY

Of relevance to this proposal is:

2.1 No relevant history

## 3. PLANNING POLICIES

### 3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 28: Supporting sustainable rural tourism developments

### 3.2 Emerging Fenland Core Strategy:

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS12: Rural Areas Development Policy

CS16: High Quality Environments

### 3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E8: Landscape and Amenity Protection

T2: Support Tourism Accommodation Proposals

R1: Recreation and Leisure Facilities

## 4. CONSULTATIONS

### 4.1 *Parish Council*

Strongly object to this application for the following reasons:

- The proposed development is back land development and if approved would set a precedent for further back land development along Back Road;
- The road is not wide enough to cope with any further increase in traffic as it is only a single track in many places;
- The proposed development is not sustainable and is contrary to the Core Strategy;
- There is no evidence to support that the holiday lets would be financially viable;

|   |  |
|---|--|
| <p>4.2 <b>Local Highway Authority (CCC)</b></p>         | <ul style="list-style-type: none"> <li>- The existing access is not suitable and to allow and access over an existing access is not appropriate;</li> <li>- Also questioned is it appropriate for people living outside the area to support this application.</li> </ul> <p>2 issues to this proposal that are of concern;</p> <ul style="list-style-type: none"> <li>- Existing Access: This access will need to be improved to provide a width of 5.0m for a minimum distance of 10.0 measured from the channel line of Back Road to accommodate the traffic likely to be generated by the proposed holiday lets. From the submitted plan it would appear that the land available to accommodate access is very limited i.e. the applicant does not appear to have control of any land each side of the access;</li> <li>- Available Visibility at the Access: 2.4m x 43.0m would acceptable in this location. However, such visibility as shown on the submitted plan appears to cross third party land each side of the access.</li> </ul> |
|   | <p>Requested that issues raised above are addressed by the applicant/agent and if the applicant/agent is unable to address the two issues please advise CCC Highways in order that an appropriate recommendation is made.</p>  |
| <p>4.3 <b>Environment Agency</b></p>                    | <p>Recommend conditions</p>  |
| <p>4.4 <b>North Level Internal Drainage Board</b></p>   | <p>No objection in principle, however request details of the sustainable drainage system proposed for dealing with surface water.</p>  |
| <p>4.5 <b>Anglian Water</b></p>                         | <p>No comment to make on this application</p>  |
| <p>4.6 <b>Environment &amp; Health Services FDC</b></p> | <p>No objection no Environmental Health implications</p>   |
| <p>4.7 <b>Housing &amp; Development FDC</b></p>         | <p>No comments received</p>  |
| <p>4.8 <b>Tourism &amp; Culture Officer FDC</b></p>     | <p>There is limited holiday accommodation in this area of Fenland; it is close to the market towns. Fenland has a number of self catering accommodation providers in Fenland, and would help increase spend in Fenland.</p>  |

4.9 **Local Parties**

**Residents/Interested**

7 x letters of objection to developing the site however with concerns including;

- Road frontage development only in this area;
- Back land development? Understand need to expand along Back Road but not behind buildings;
- Land Registry covenant that this land was only to be used as 'Paddock';
- Impact on residential amenity including noise, disturbance from cars and children, BBQ's at all hours, security concerns;
  
- Fear it will set a precedent for back land development;
- If successful holiday lets will it lead to expansion further down the paddock and impact on adjoining properties;
- Traffic Impact and single track along Back Road which struggles to cater at the moment;
- No pavement along Back Road;
- No Bus Service;
- In opinion Murrow not a holiday hotspot and to construct 2 x log cabins next to a pumping station is not an ideal holiday let; What will happen in 7 years? This is a well known planning loophole that many people utilise to make longer term plans;
- Relevance of letters of approval/support from as far afield as Norwich questioned with 'no relevance on their day to day life';
- Facilities: failed to mention nearest golf club is several miles, described as family holidays yet no activities for children in area; walking in area is limited to couple of overgrown public footpaths between villages;
- Impact on village life, the peace and tranquillity and would destroy the fabric of village life;
- No shortage of holiday accommodation.

The applicants' agent has provided copies of 6 letters of support/no objection 'to allow the application to be determined by Committee'. The letters are from 6 individual addresses 1 x Kings Lynn; 1 x Chatteris; 1 x Parson Drove and 3 x Murrow each outlining support/no objection to the proposal. Comments include;

- High time Murrow moved into 21<sup>st</sup> Century and had more amenities, particularly for tourism which we are lacking;

- Useful for family and friend coming to visit for short stays;

- Do a lot of fishing in that area and struggle to find a place to stay and several fellow fishermen have same problem, there are a couple of sites around but are normally full in the season;

- Frequent ramblers and often use this area to walk we have found no temporary accommodation or only bed and breakfast which is too expensive or fully booked.

## 5. **SITE DESCRIPTION**

5.1 This site is located on Paddock land to the north (rear) of 117 Back Road Murrow. Directly, to the south of the site are residential dwellings and ribbon development which characterises this area. To the north of the site is the agricultural land and the open Fenland countryside; whilst to the west and east of the proposed site is a Pumping Station and further paddock land respectively. The site is bounded by an existing hedge with a number of trees dotted along the perimeter boundary. At present access to the site is via a track across third party land, this track is located off Back Road which is classified as a 'C Class' road.

## 6. **PLANNING ASSESSMENT**

6.1 The key issues to consider are;

- Policy Considerations;
- Layout and Impact on Amenity;
- Highways and Access.

### 6.2 **Policy Considerations –**

The site comprises 'Paddock' land which physically adjoins the developed footprint of the village of Murrow.

The National Planning Policy Framework (NPPF) seeks to support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Policy T2 of the FDWLP 1993 outlines that the District Council will support the provision of new or proposals to extend the amount, variety and quality of tourist accommodation in the district where this does not seriously conflict with other policies of the local plan. Furthermore, Policy R1 of the FDWLP 1993 states that proposals for recreational and leisure facilities will normally be favoured provided such development meets the identified criteria. Similarly, the emerging Core Strategy outlines that the Tourism and visitor industry will be supported by welcoming new accommodation and attractions that meets with identified criteria.

Policy CS3 identifies Murrow as a small village where development will be considered on its merits but will normally be limited in scale to residential infilling or a small business opportunity.

Policy CS12 sets out detailed criteria for the assessment of new development in villages such as Murrow and the development must meet all of these criteria. This policy allows some new development in villages where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside and sets out a range of criteria to comply with. The criteria listed in this policy details that the site should be in or adjacent to the footprint of the existing developed footprint of the village, would not result in coalescence with neighbouring villages, would not have an adverse impact on the character and appearance of the surrounding countryside, should be in keeping with the shape and form of the settlement, respect natural boundaries, would not result in the loss of high grade agricultural land and would not result in risks, unacceptable nuisances or impact adversely upon the amenity of neighbouring users.

Whilst the site has a nominal contiguous boundary with the settlement, given that it abuts properties in Back Road, this relationship is not considered to be in the spirit of Policy CS12 being as it is in a peripheral setting. Of particular importance is a Part A criterion (d) of Policy CS12 which requires that any new proposal should be of a scale and siting that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance.

Back Road Murrow is recognised and characterised as having developed via frontage development. The proposed log cabins are sited to the rear of the existing frontage development. The development of this site is, therefore, considered unacceptable as it does not respect the prevailing character and settlement form of the village. Instead it would result in a protrusion of the established built form of the village into the open countryside, which the site is considered to relate to, thus having an adverse impact on the character and appearance of the surrounding countryside.

Policy E8 of the Local Plan and Policy CS16 of the emerging Core Strategy requires that when considering applications for new development, proposals should be of a design compatible with their surroundings and have regard to the amenities of adjoining properties. Policy CS16 in particular outlines that proposals for all new development will only be permitted if it can be demonstrated that the proposal meets all of the listed criteria.

Therefore, as outlined above the proposal would result in a form of development that is out of keeping with the linear form and character of the village. The development of this site is therefore, unacceptable and is contrary to Policies H3 and E8 of the Fenland DWLP (1993) and Policies CS3 and CS12 of the emerging Core Strategy (2013).

### **6.3 Layout and Impact on Amenity –**

The proposal features 2 no. timber clad log cabins with felt roofs, associated parking between the cabins and amenity space, the cabins are orientated to overlook the surrounding countryside.

As previously outlined this area along Back Road is characterised by frontage development along the road. This proposal is situated to the rear of the residential properties along Back Road.

In terms of layout and the impact upon the amenity of neighbouring residential properties it is considered that the relationship between the proposed log cabins and neighbouring residential properties would adversely impact upon the amenity of neighbouring occupiers with concern regarding noise, disturbance and loss of privacy.

Therefore, it is considered that the proposal would result in an adverse impact upon the amenities of the occupants of the neighbouring properties as such the proposal would be contrary to Policy E8 of the existing Fenland District Wide Local Plan (1993), and CS16 of the emerging Core Strategy.

### **6.4 Highways and Access –**

The proposed access to the site consists of a track which currently serves the paddocks. The proposed access road is located off Back Road (Class C Road). The poor condition and future capacity of Back Road is acknowledged. CCC Highways have highlighted two areas of concern regarding the proposal.

Firstly, the existing access will need to be improved to provide a width of 5.0m for a minimum distance of 10.0 measured from the channel line of Back Road to accommodate the traffic likely to be generated by the proposed holiday lets. From the submitted plan it would appear that the land available to accommodate access is very limited i.e. the applicant does not appear to have control of any land each side of the access.

Also, with regards the available visibility at the access. CCC Highways have outlined that 2.4m x 43.0m would be acceptable in this location. However, it has been highlighted that such visibility as shown on the submitted plan appears to cross third party land each side of the access.

These concerns have been raised with the applicant's agent. At the time of report writing no response has been provided by the agent. CCC Highways have outlined that if the applicant/agent is unable to address the two issues to advise them in order that an appropriate recommendation is made. An update on this matter will be provided to the Planning Committee.

In addition to the above concerns it is noted that the proposed access track is in use to access both the paddocks and pumping station. Whilst, this is an existing access it is considered that the proposed use for holiday lets and tourism purposes would be likely to generate a greater number of traffic movements than the existing use. Therefore, the condition and upgrading of the access would need to be addressed further. With regards this issue it is also noted that the Parish Council have commented that the 'existing access is not suitable and to allow and access over an existing access is not appropriate'.

The Parish Council have also commented in regarding the current state of Back Road in general outlining that 'the road is not wide enough to cope with any further increase in traffic as it is only a single track in many places'.

#### **6.5 Other Matters -**

North Level Internal Drainage Boards have no objection in principle however they have requested details of the sustainable drainage system proposed for dealing with surface water. No details have been provided and given the overriding issue it was not considered appropriate to follow up this aspect.

The proposed method of Waste Collection will be via the residence of 131 Back Road Murrow (Applicants Address) which is not considered ideal.

### **7. CONCLUSION**

- 7.1 The proposed development and aspiration to increase tourism accommodation is acknowledged however as in the case with any form of development it should be appropriate to the site and surrounding area.

This application has been assessed in line with Local and National Planning Policies in relation to issues including the form and character of the area; the layout, design, scale and appearance of the proposal, the impact upon the residential amenities of the occupants of neighbouring properties and the highway and access requirements.

In this instance, it is considered that the proposed development is not acceptable in light of the requirements of Policies E8 and H3 of the Fenland District Wide Plan (1993), and Policies CS12 and CS16 of the emerging Fenland Local Plan-Core Strategy (2013).

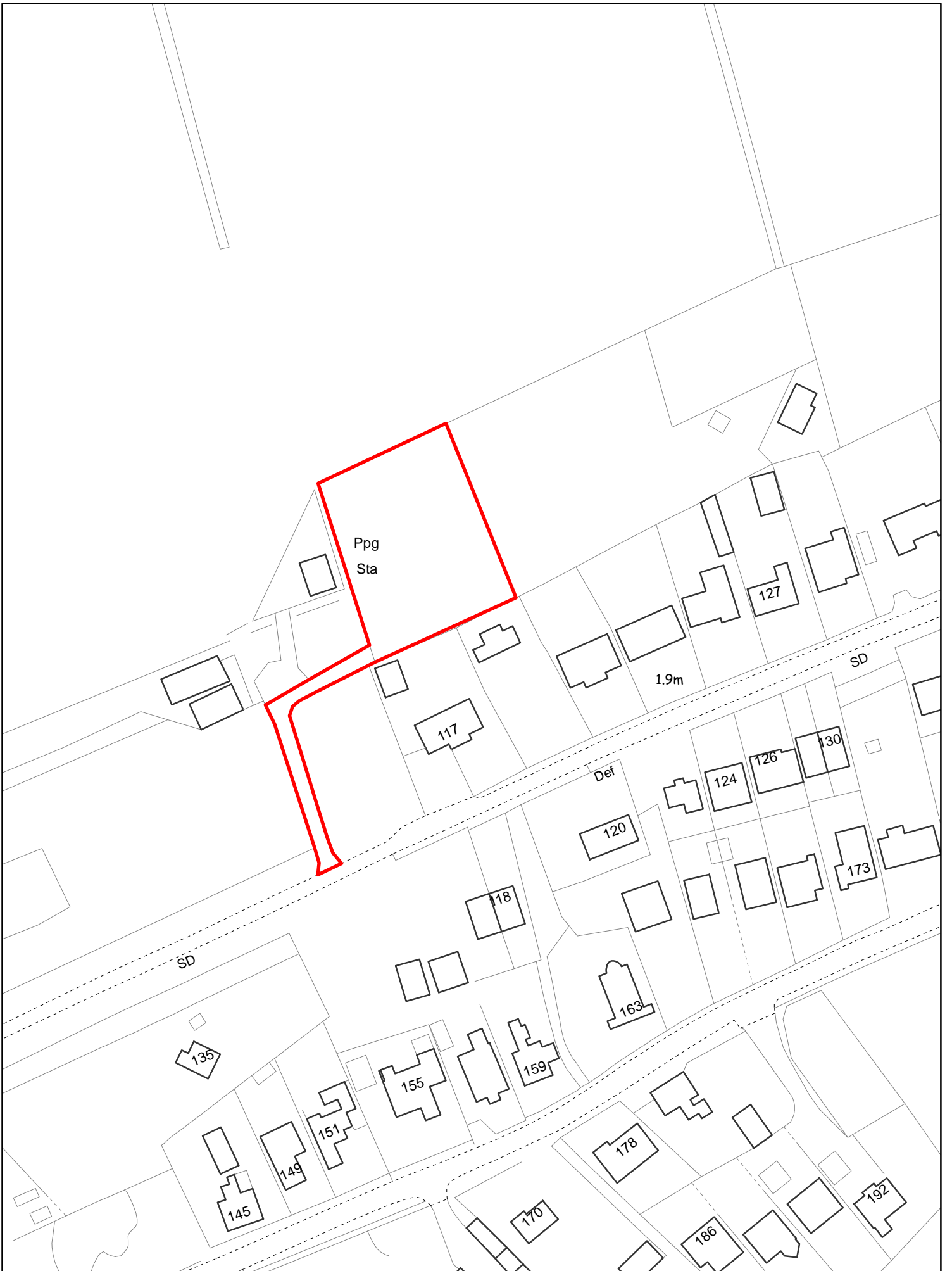
### **8. RECOMMENDATION**

#### **Refuse**

- 8.1 **The proposed development would result in a form of development that is out of keeping with the core shape and linear form and character of the village. The development of this site is therefore, unacceptable and is contrary to Policies H3 and E8 of the Fenland DWLP (1993) and Policies CS3 and CS12 of the emerging Core Strategy (2013).**



**8.2 The proposed development would result in an adverse impact upon the amenities of the occupants of the neighbouring properties. Therefore, the proposal would be contrary to Policy E8 of the existing Fenland District Wide Local Plan (1993), and Policy CS16 of the emerging Core Strategy (2013).**



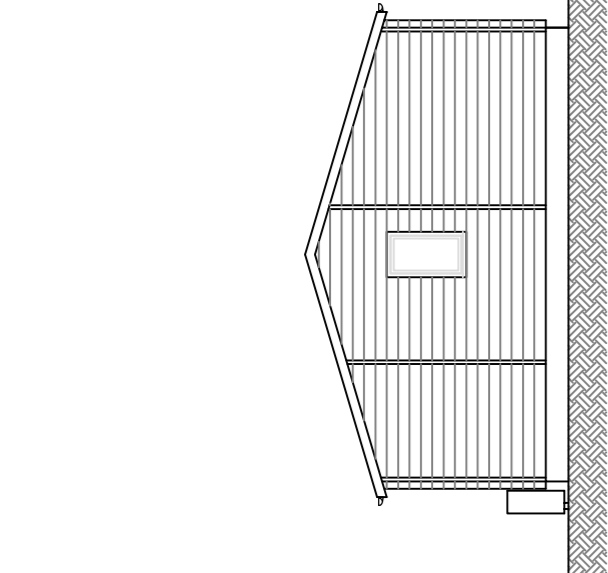
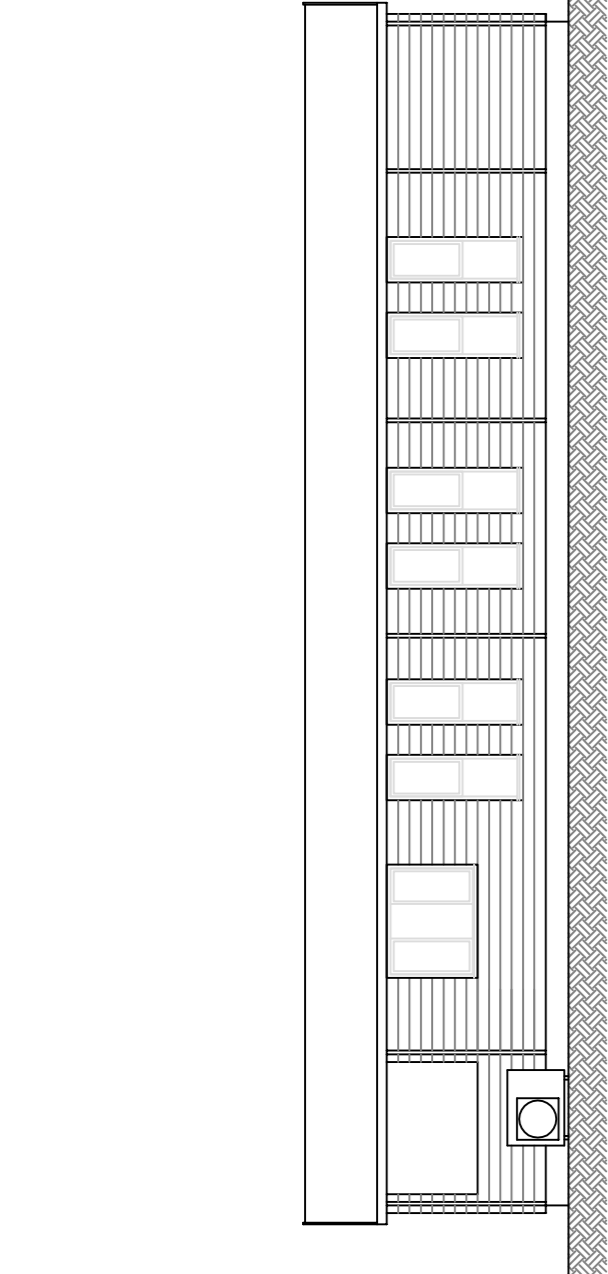
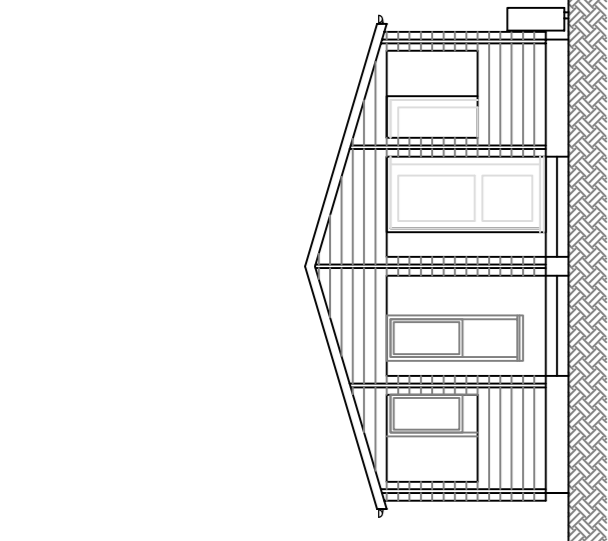
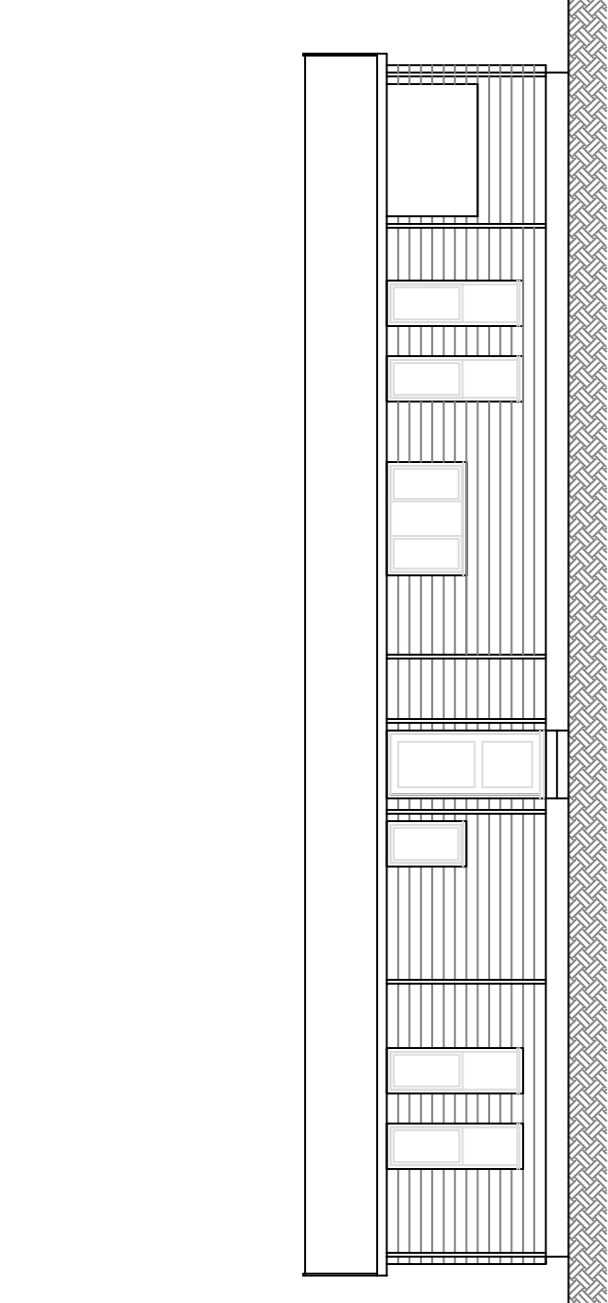
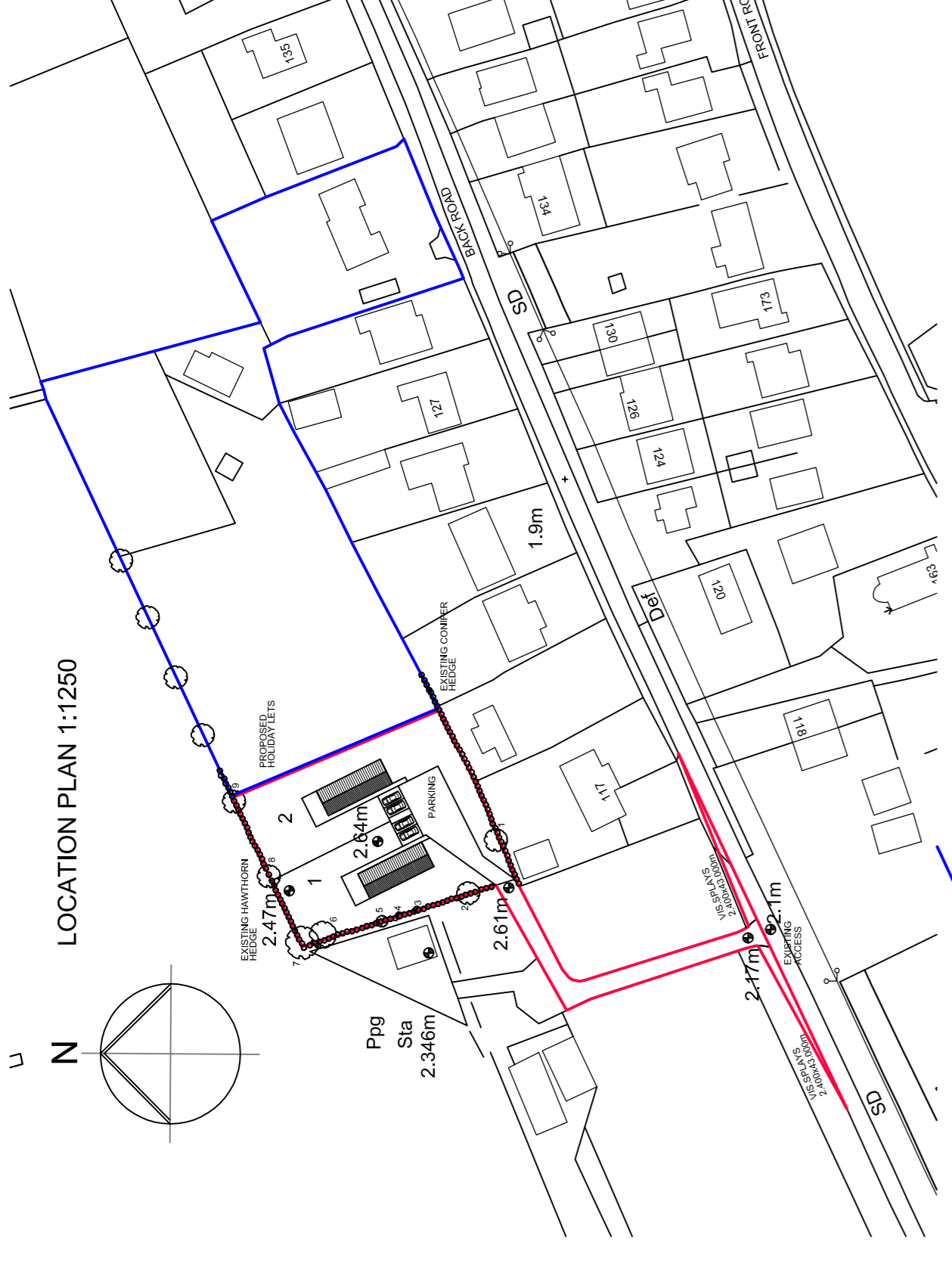
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Scale = 1:1,250





FRONT ELEVATION  
SCALE 1:100

SIDE ELEVATION  
SCALE 1:100

REAR ELEVATION  
SCALE 1:100

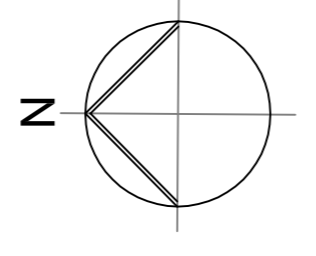
SIDE ELEVATION  
SCALE 1:100

TREE SCHEDULE - In accordance with BS 5837 'Trees in relation to construction'

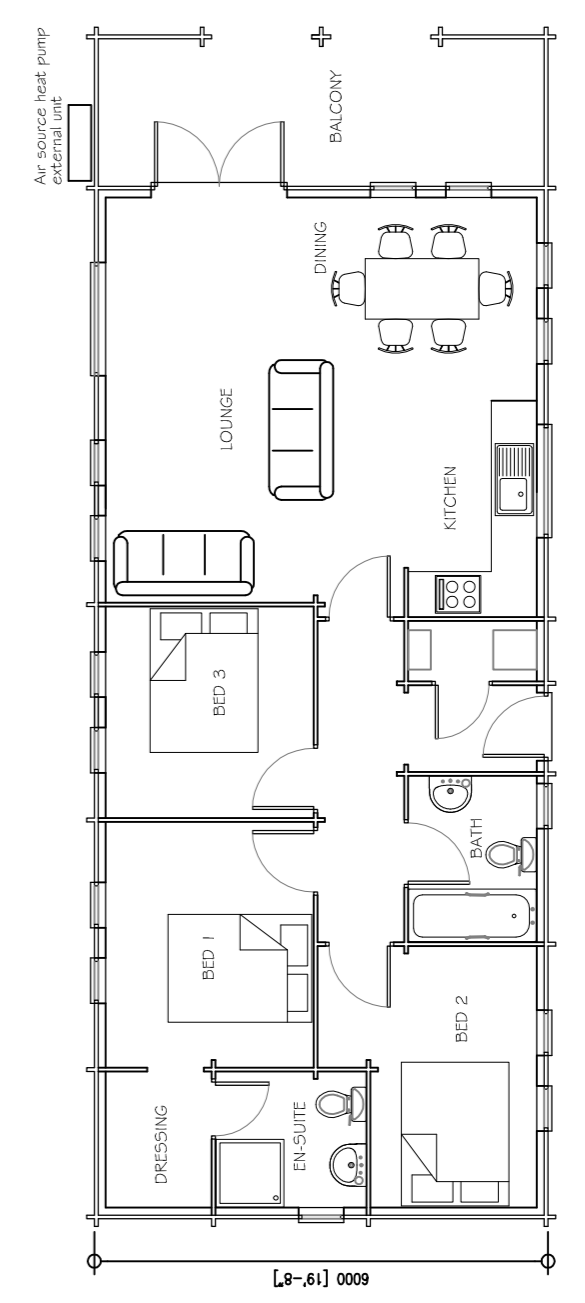
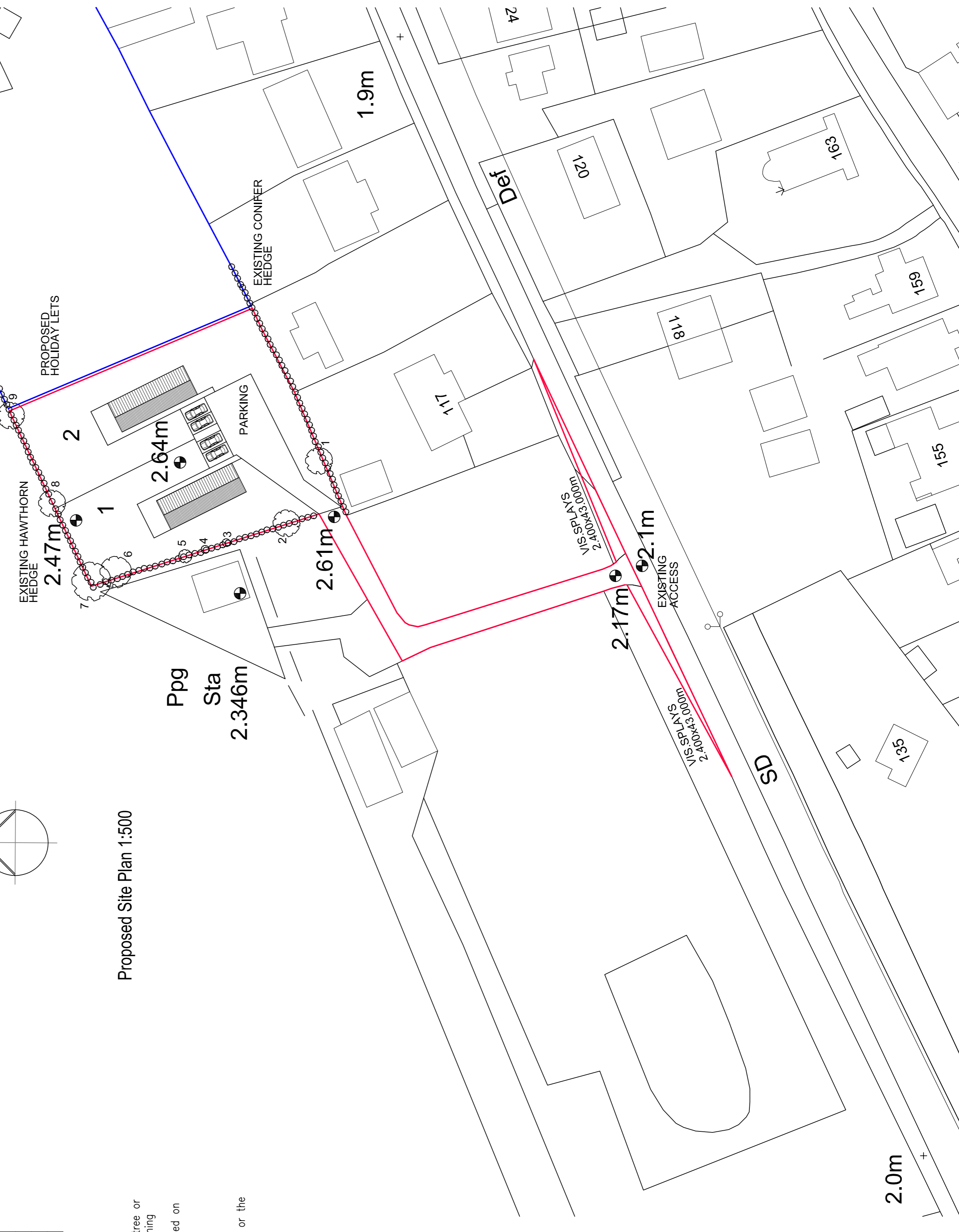
| Tree No. | Common tree name | Height (m) | Canopy diameter (m) | Trunk diameter (m) | Tree age | Condition | Recommendations |
|----------|------------------|------------|---------------------|--------------------|----------|-----------|-----------------|
| 1        | Sycamore         | 5.000      | 5.000               | 0.400              | Mature   | Good      | Retain          |
| 2        | Sycamore         | 5.000      | 5.000               | 0.350              | Mature   | Good      | Retain          |
| 3        | Beech            | 3.500      | 2.500               | 0.200              | Young    | Good      | Retain          |
| 4        | Ash              | 2.000      | 1.500               | 0.300              | Young    | Good      | Retain          |
| 5        | Ash              | 2.000      | 1.500               | 0.300              | Young    | Good      | Retain          |
| 6        | Fir              | 6.000      | 6.000               | 0.300              | Mature   | Good      | Retain          |
| 7        | Sycamore         | 6.500      | 7.000               | 0.450              | Mature   | Good      | Retain          |
| 8        | Sycamore         | 6.000      | 5.000               | 0.400              | Mature   | Good      | Retain          |
| 9        | Sycamore         | 6.000      | 5.000               | 0.400              | Mature   | Good      | Retain          |

Method statement for protection of trees on site during construction:

- Prior to the commencement of any construction work on site, protective fencing shall be erected around each tree or tree group. Protective fencing in accordance with BS 5837 unless otherwise agreed in writing with the local Planning Authority.
- No trenches or pipe runs for services and drains shall be sited within 4m of the trunk of any trees retained on the site, unless otherwise agreed in writing with the local Planning Authority.
  - New hard surfaces or paths in accordance with minimum recommended distances for protective fencing.
  - No burning shall take place in a position where the flames could extend to within 5m of foliage, branches or the trunk of any tree to be retained.



Proposed Site Plan 1:500



FLOOR PLAN  
SCALE 1:100

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT: PROPOSED HOLIDAY LETS  
SITE: REAR OF 117 BACK ROAD MURROW  
DRAWING: PROPOSED HOLIDAY LETS  
CLIENT: MR GIDDINGS  
DATE: JAN 2013 SCALE: As Shown JOB No: 4895-PL01b

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