

Application Number: F/YR13/0268/F
Minor
Parish/Ward: Wisbech St Mary
Date Received: 22 April 2013
Expiry Date: 17 June 2013
Applicant: Mr M Wright
Agent: Mr D. Upton, Peter Humphrey Associates Ltd.

Proposal: Erection of 9 no. 2-storey 4-bed dwellings comprising 4 x 3-bed and 5 x 4-bed with detached garages to Plots 5-9
Location: Land North West of Green Acres, Gull Road, Guyhirn, Cambridgeshire

Site Area/Density: 0.76ha

Reason before Committee: This application is before the Planning Committee as it is a departure and has been called in by Councillor D Broker on the grounds of the high quality design of the scheme and that it will contribute to the village settlement.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site is located beyond the established settlement of Guyhirn in an area which is characterised as open countryside. The extension of the established built settlement in a ribbon form into an area of open countryside, does not comply with the Development Strategy for the area and given its location some distance from the village core, it does not contribute to the sustainability or vitality of the community.

The proposal is also considered to detract from the character and appearance of the local area and the visual amenities of the open countryside

The proposal therefore fails on policy and 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.

In addition, the site location in Flood Zone 3, fails to accord with Paragraphs 99 to 104 of the NPPF and Policy CS14 of the emerging Fenland Core Strategy (2012), given the availability of sequentially preferable sites in the district in Flood Zone 1, which have a lower probability of flooding.

The proposal is therefore recommended for refusal.

2. HISTORY

Of relevance to this proposal is:

2.1 F/YR12/0542/O Erection of 3 dwellings Refused 21/9/2012

F/YR12/0164/O	Erection of 3 dwellings	Withdrawn 30/05/12
F/0440/89/O	Erection of 6 dwellings	Refused 06/09/89
F/0355/89/O	Erection of a cottage	Refused 09/06/89

- 2.2 There have also been a number of recent planning applications in the vicinity of the application site, including:
- Meadow View (immediately to the north of the site) – new dwelling with agricultural occupancy condition

3. **PLANNING POLICIES**

3.1 **National Planning Policy Framework:**

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

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17(4): Seek to ensure high quality design and a good standard of amenity for all existing and future occupants (repeated and expanded on in paragraphs 56 to 56).

Paragraph 17 (5): Recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities.

Paragraph 30: LPA's should support a pattern of development, which, where reasonable to do so, facilitates the use of sustainable modes of transport.

Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.

Paragraph 55: In rural areas, housing should be located where it will enhance or maintain the vitality of rural settlements.

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 109: conserving and enhancing the natural environment - 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 **Fenland Core Strategy – Proposed Submission (Feb 2013):**

CS1: Presumption in Favour of Sustainable Development

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside

CS4: Growth and Housing

CS5: Meeting Housing Need

CS12: Rural Areas Development Policy

CS14: Responding to Climate Change and Managing Flood Risk

CS15: Facilitating the Creation of a More Sustainable Transport Network in Fenland.

CS16: 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:***

Awaited

4.2 ***CCC Archaeology:***

Not received at time of report

4.3 ***CCC Highways:***

When determining if this is an appropriate location for such development, you may wish to consider that this site is adjacent a section of the B1187 that is subject only to the national speed restriction of 60mph.

- The accesses (with the exception of plot 9) shall be a minimum width of 5.0m for a minimum distance of 10.0m measured from the near channel line of the carriageway of Gull Road.
- Prior to the first occupation of the development the vehicular accesses where they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- Prior to the first occupation of the development the on-site parking and turning areas within each plot shall be laid out, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.

- Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.
- The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme submitted to and approved by the LPA. Please note that it is the applicant's responsibility to ensure that in addition to planning permission any necessary consents and approvals are also obtained from the County Council.

I strongly recommend that an amended plan is obtained from the applicant / agent indicating the provision of the improved footway.

1. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that in addition to planning permission any necessary consents and approvals are also obtained from the County Council.

I strongly recommend that an amended plan is obtained from the applicant / agent indicating the provision of the improved footway.

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|-----|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 4.4 | <i>North Level Internal Drainage Board</i> | Awaited. |
| 4.4 | <i>Environment Agency:</i> | Awaited |
| 4.5 | <i>FDC Environmental Protection:</i> | The site falls within the buffer zone of a former landfill and as such an investigation aimed at soil gases is required. |
| 4.6 | <i>Neighbours:</i> | None received |

5. **SITE DESCRIPTION**

- 5.1 The site is located on the western side of Gull Road, beyond the established settlement of Guyhirn. The current use of the site is paddock/grazing land in association with the residential dwelling at Green Acres to the south of the site. The boundary with this dwelling comprises a post and rail fence and there are some wooden outbuildings close to the site.

The Gull Road frontage comprises a mature hedge which is managed at a height of approximately 1.5 to 2.0m in height. The rear of the site adjoins a small open drain. The northern boundary adjoins a residential dwelling (Meadow View) which is defined by a post and rail fence.

There is some housing within the vicinity however the character of the site and immediate surroundings is part of the wider countryside, with some intermittent groupings of housing along Gull Road.

Gull Road is a classified road (Class B)

The site lies within Flood Zone 3.

The site also lies within 250m of a waste disposal site.

6. **PLANNING ASSESSMENT**

6.1 **Background**

This application seeks full planning permission for the erection of 9 no 2-storey 4-bed dwellings comprising 4 x 3-bed and 5 x 4-bed with detached garages to Plots 5-9

The main features of the scheme are set out below.

- The proposed layout comprises a row of semi-detached and detached houses, which are sited along a regular building line facing towards Gull Road.
- The houses are served by a series of shared driveways (5 in total) off Gull Road. Shared turning areas are provided in front of each dwelling
- Plots 1 to 4 comprise two pairs of 3-bed semi-detached cottages, with open parking spaces to the side
- Plots 5 to 9 comprise larger two-storey detached houses with attached garages slightly to the rear. These plots have large rear gardens and a vegetable garden at the very rear, separated by a 1.2m post and rail fence.
- The mature hedge along the Gull Road frontage will be retained, although 5 breaks in the hedge will be required to provide the new accesses.

- 6.2 The key considerations for this application are:

- Principle and policy implications
- Design and layout
- Access and highways
- Flood risk

(a) Principle and Policy Implications

The site is located outside the built-up limits of Guyhirn, within land that currently forms part of the open countryside, albeit there are sporadic dwellings evident. 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.

Planning permission for 3 detached dwellings, on the northern part of the site was refused in 2012 (F/YR12/0542) on the grounds of its positioning outside of the core of the settlement, its piecemeal nature and its unsustainable location in the countryside location.

Policy E1 of the Local Plan aims to protect the open character of the Fenland Landscape. The Local Plan acknowledges that there are 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.

Under criteria contained in Policies H3 and H16 in the Fenland District Wide Local Plan (1993) the principle of development in such locations is normally unacceptable unless associated with agriculture, horticulture or forestry.

The 1993 Local Plan proposals map shows a linear grouping of houses on the west side of Gull Road projecting up to the southern site boundary, as being within part of the Guyhirn DAB. This linear group includes Green Acres.

The emerging Fenland Core Strategy – Proposed Submission Version (Feb 2013), seeks to concentrate new housing development in the most sustainable locations principally in the main market towns, to a lesser extent in the growth villages, and small amounts in rural villages.

Policy CS3 identifies Guyhirn as a Small Village, where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity.

Policy CS4 deals with criteria for assessing housing development proposals. In the case of development in and around villages, it requires proposals to be considered against criteria in Policy CS12.

Policy CS12 sets out detailed criteria for the assessment of new housing proposals in and around villages such as Guyhirn. This policy allows some new development in villages, where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Under this policy new development will need to satisfy the applicable thresholds set out in Policy CS3, as well as all of the criteria set out in Policy CS12 (a to k).

The hub of Guyhirn village is located along High Road, where the primary school, village hall and hotel/pub are located. Guyhirn does not contain a village shop apart from a small farm shop outlet, also on High Road. Although Guyhirn can accommodate some limited growth, the position of the site along Gull Road fails to contribute to the village sustainability given its significant distance from 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. Walking distances from the site to nearby services are as follows:

Centre of Site to Guyhirn C of E Primary School/Guyhirn Village Hall – 1.1km

Centre of Site to Farm Shop Outlet – 750m

Centre of Site to Oliver Twist PH/Hotel – 550m

Centre of Site to Nearest Bus Stop – 425m

The shop at the A47 petrol station is not considered to be accessible on foot given the severe difficulties in crossing this road.

The existing character of the site, which comprises a fairly large open field, contrasts markedly with the linear development to the south and also other sporadic groupings of housing both to the north and on the opposite side of Gull Road. It is acknowledged that these groupings of houses continue northwards along Gull Road, but have to be seen in the wider context of isolated groupings of housing contained within a much wider landscape of open countryside, and not part of the core shape and built form of the village.

Although the site could be considered to be located adjacent to the existing developed footprint of the village (Criteria a), it would also continue its built form much further northwards. This would then conflict with Criteria (c), (d) and (e) 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. In addition, it should not extend existing linear features of the settlement or result in ribbon development (criteria e). In this instance the proposal would significantly extend existing linear development into the open countryside, and would thus affect the existing rural character of the immediate locality.

Whilst it is not considered to result in the coalescence with any neighbouring villages (criteria b), it is still considered to have an adverse impact on the character and appearance of the surrounding countryside and farmland (criteria c) for the above reasons.

The proposal would also require the creation of new gaps in 5 separate positions in the frontage hedgerow facing onto Gull Road. This currently provides an important landscape feature, whose appearance would be significantly compromised by the fragmentation of a strong linear landscape feature.

There are no concerns about satisfying the other criteria in Policy CS12 as it respects other trees and boundaries, respects any possible ecology and archaeology on the site, and can be acceptably served in terms of necessary infrastructure (access, drainage etc).

The layout is also considered to be unacceptable in relation to Policy CS16 which seeks to deliver high quality environments across the district, on the grounds that it does not make a positive contribution to the local distinctiveness and rural character of the area or enhance its local setting.

For these reasons the principle of developing the site is considered to be unacceptable in relation to guidance contained in Policies E1, H3, & E8 of the saved Fenland Local Plan (1993) and Policies CS3 & CS12 of the emerging Fenland Core Strategy (2013).

(b) Design and layout

The proposed layout consists of a pair of semi-detached cottages on the narrower part of the site and 5 fairly spacious plots, each containing a large detached dwelling and garage/outbuildings, on the larger part. A significant amount of tree and shrub planting is proposed along the site boundaries. The layout and this style of development may be considered acceptable in some rural locations, but it does not respect the form of development and prevailing character of the locality, as described above.

The dwellings are of a fairly traditional design and have been designed to include front gables with variable height eaves, along with smaller subservient linked outbuildings and garages. Good quality materials are proposed, however these factors do not outweigh the policy and principle objections outlined above.

The proposed layout and design is therefore not considered compatible with its surroundings in this instance.

(c) Access & Highways.

The Highway Authority do not object to this proposal but raise an issue about the appropriateness in allowing new development directly onto a road which has a 60mph speed limit. Whilst they do not recommend refusal on these grounds, it is another factor that should be considered against the overall unsustainable location of the site.

A list of suggested conditions has been provided by the Highway Authority.

Suitable on-site turning and parking is provided. The parking spaces in the car ports are slightly below current standard and if the scheme was to be accepted, then amended plans would be sought.

(d) Flood Risk.

The site lies within Flood Zone 3. The submitted Flood Risk Assessment produced by Geoff Beal Associates states that the site lies within the defended flood plain – protected against both 1 in 100 year fluvial and 1 in 200 year tidal events. To mitigate against remote risk of flooding, the floor levels in each dwelling have been raised by 800mm above the existing site land level. *(NB. this is significantly more than is normally found in normal housing developments, where finished floor levels are usually around 200-300mm above existing ground levels. The additional height has not been shown on the submitted elevation drawings accompanying this application).*

The Environment Agency has been consulted but has yet to respond.

Whilst a Flood Risk Assessment has been submitted, it still falls to the Local Authority to carry out a sequential and exceptions test due to the site's location in Flood Zone 3. This is required by paragraphs 99 to 104 in the NPPF, which seeks to direct inappropriate development in areas at risk of flooding, by directing development away from areas at highest risk.

In this instance, it is considered that there are other sequentially preferable sites in more sustainable locations (e.g. around Wisbech, principally to the east and south), where housing development should be directed before higher risk areas are considered. The current submission has not demonstrated that there are no sequentially preferable sites available - where this development could be located in a Flood Zone with a lower probability of flooding, which would also meet wider sustainability objectives.

Turning to the exception test, the scheme has failed to demonstrate that the development provides wider sustainable benefits to the community that outweigh flood risk.

The proposal therefore fails to accord with Paragraphs 99 to 104 of the NPPF and Policy CS14 of the emerging Fenland Core Strategy (2012).

7. CONCLUSION

- 7.1 The site is located beyond the established settlement of Guyhirn in an area which is characterised as open countryside. The extension of the established built settlement in a ribbon form into an area of open countryside, does not comply with the Development Strategy for the area and given its location some distance from the village core, it does not contribute to the sustainability or vitality of the community.

The proposal is also considered to detract from the character and appearance of the local area and the visual amenities of the open countryside

The proposal therefore fails on policy and 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.

In addition, the site location in Flood Zone 3, fails to accord with Paragraphs 99 to 104 of the NPPF and Policy CS14 of the emerging Fenland Core Strategy (2012), given the availability of sequentially preferable sites in the district in Flood Zone 1, which have a lower probability of flooding.

8. RECOMMENDATION

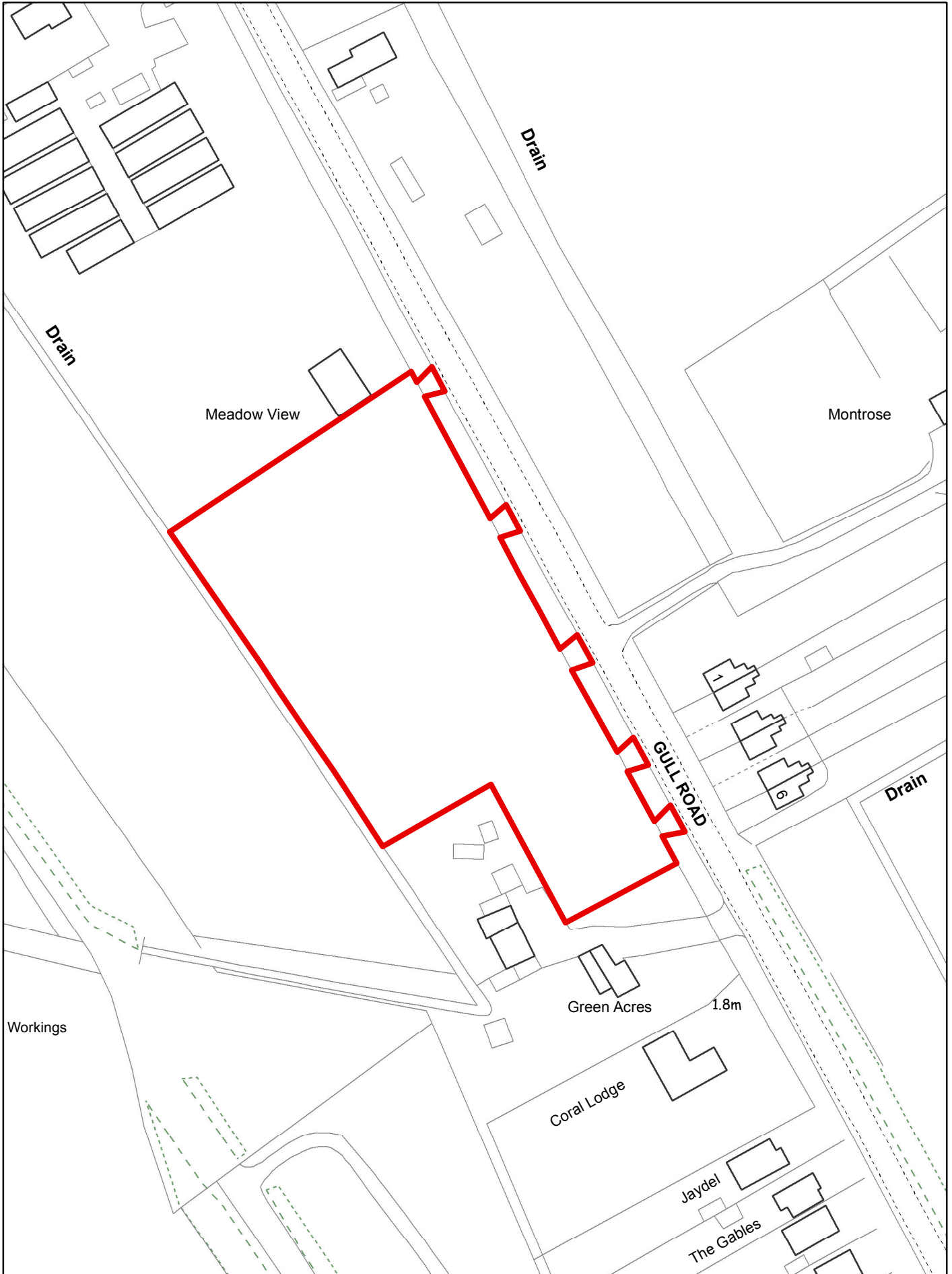
Refuse for the following reasons:

- 1. The proposed development is located in an unsustainable rural location, outside of the established developed footprint of Guyhirn and some distance from the core of the village, where residential development is not normally supported unless justified. Development in this location would introduce additional ribbon development, into an area that is currently open and has a strong relationship with the adjoining countryside. It would also lead to the loss of this important open area and result in a form of development that would not properly relate to the overriding form and character of the existing developed footprint of Guyhirn or the countryside surrounding the village.**

The proposal is therefore contrary to Policies H3, H16 E1 and E8 of the Fenland District Wide Local Plan and Policies CS12 and CS16 of the Fenland Core Strategy – Submission Version (Feb 2013).

- 2. The site is located within Flood Zone 3. The proposal is considered to have failed to demonstrate the acceptability of locating housing development on this site in sequential terms when compared to other sites in the district which have a lower probability of flooding.**

The proposal is therefore considered to be contrary to Paragraphs 99 to 104 of the NPPF and Policy CS12 of the emerging Fenland Core Strategy (2012).



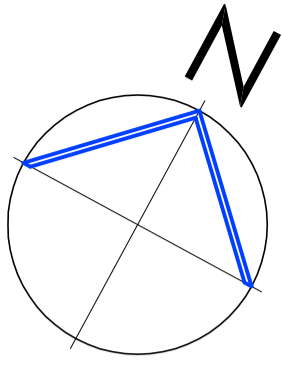
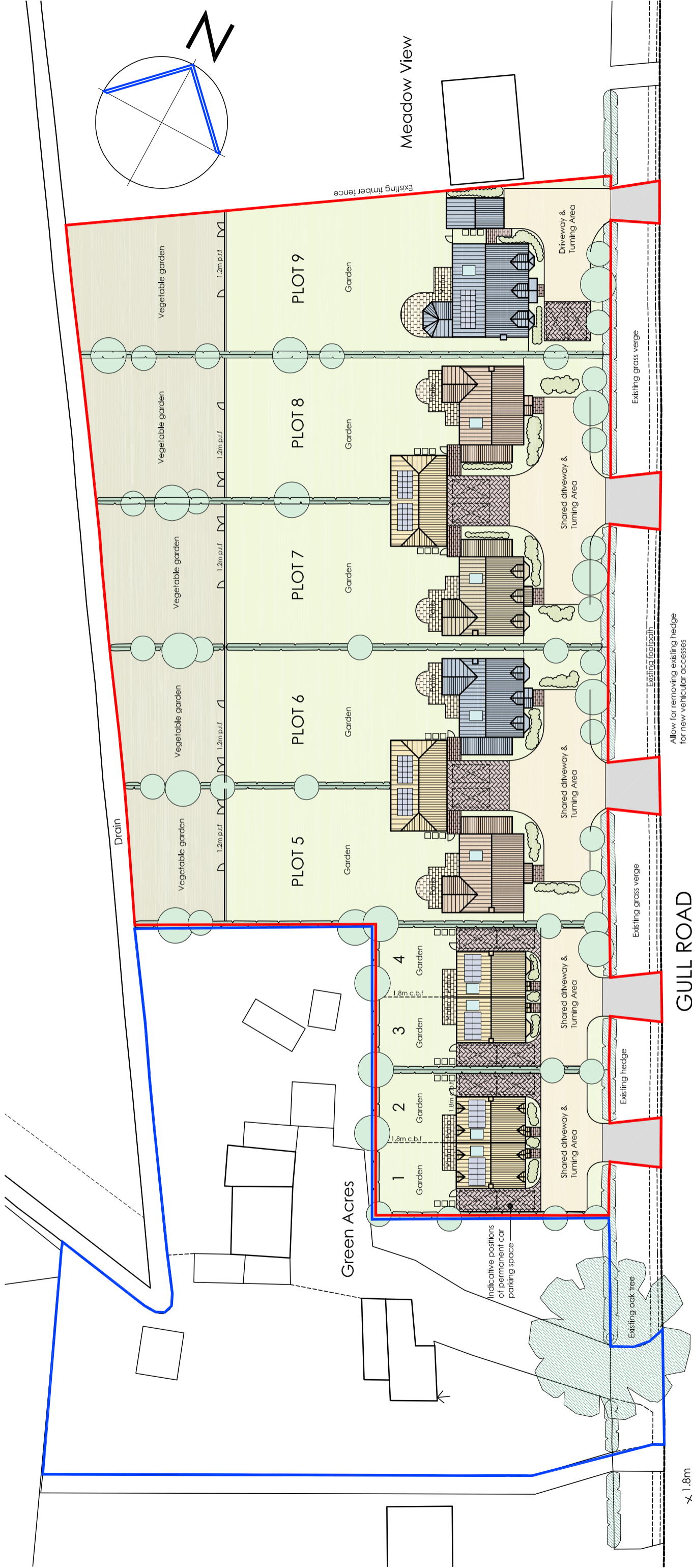
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Peter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

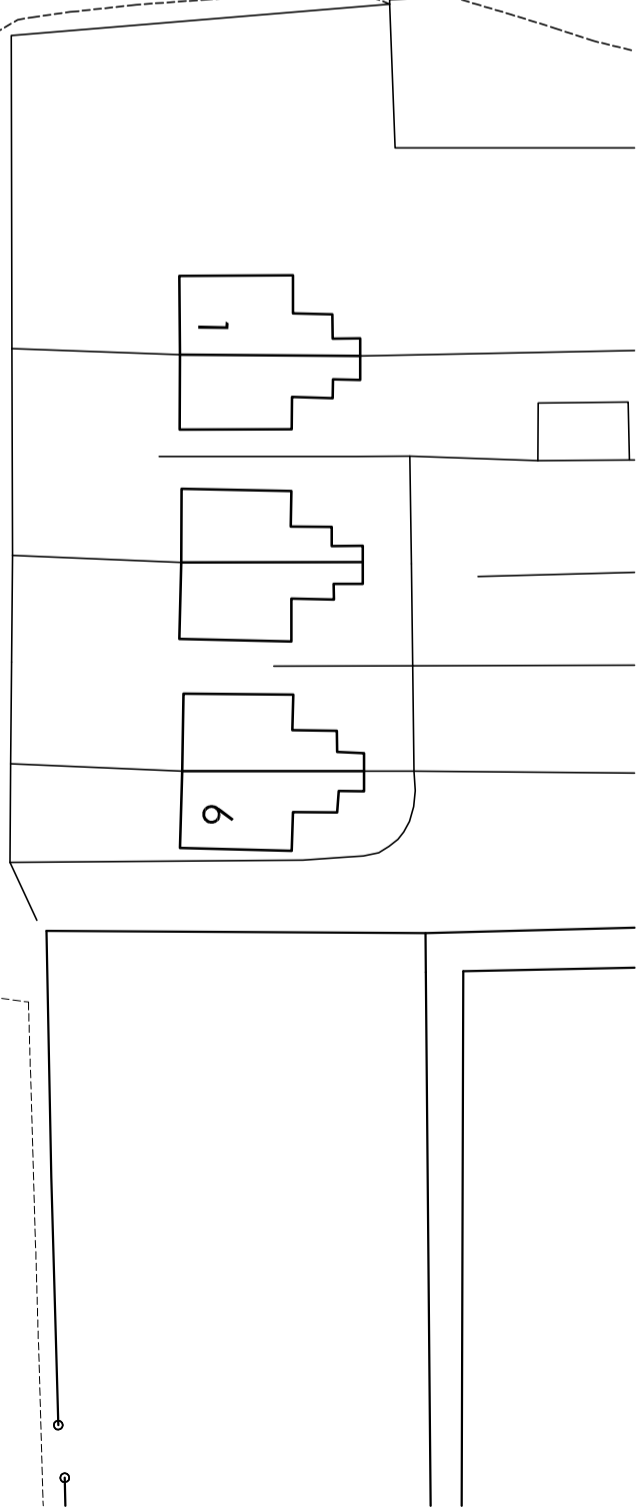
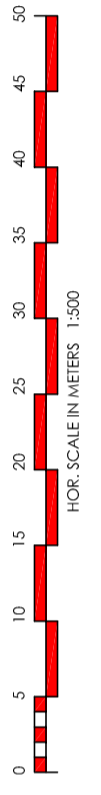
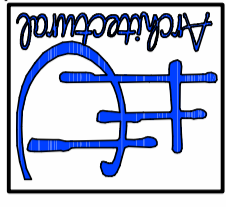
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 Land North West of Greenacres
 Gull Road
 Guyhirn

CLIENT
Mr. & Mrs. M. Wright

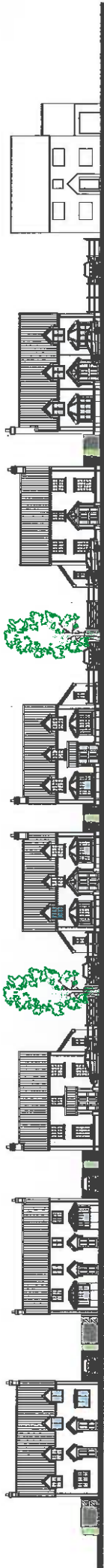
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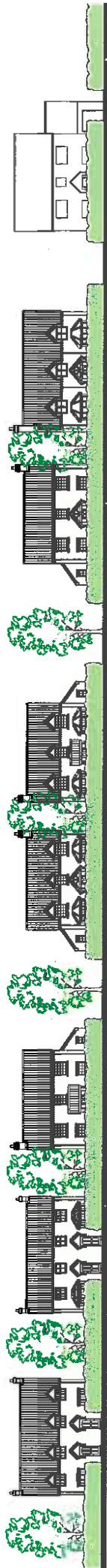
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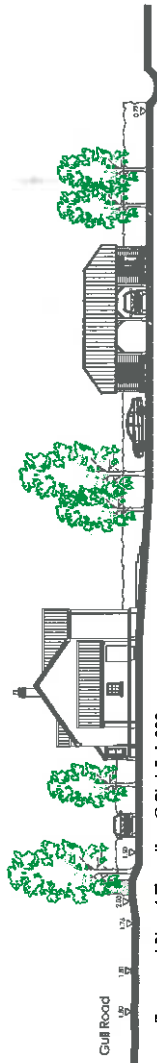
Proposed Site Plan 1:500 @ A3



Proposed Street scene 1:200



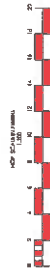
Proposed Street Scene - Gull Road 1:200



Proposed Street Elevation @ Plot 5 1:200



Proposed Garden Scene 1:200



Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
FURNITURE

Proposed Residential Development
Land North West of Greenhairs
Gull Road
Guyana

CLIENT: **Mr. & Mrs. M. Wright**
PROJECT: **Proposed Street Scene**

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