

Application Number: F/YR13/0387/F

Minor

Parish/Ward: Elm and Christchurch

Date Received: 29 May 2013

Expiry Date: 24 July 2013

Applicant: Mr P Crowson

Agent: Mr D Broker, David Broker Design Services

Proposal: Erection of a 2-storey, 3-bed dwelling with attached garage

Location: Land east of Waldersea Farm, March Road, Rings End

Site Area/Density: 9dph

Reason before Committee: The planning agent is an elected member of Fenland District Council.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The proposal is for a single dwelling on land positioned beyond any established settlement. The only justification provided implies that the requirement of the dwelling is for possible future care purposes. There is not a current financial or functional need for a new dwelling in this particular location. The site is located within flood zones 2 and 3 as there is land available in areas of lower flood risk elsewhere in the District. Sequentially the site is considered to be undesirable for development and the proposal therefore fails to satisfy flood risk management principles.

The development is contrary to sustainability principles and is in conflict with the Council's aspirations as set out within the policies contained within the Development Plan. Accordingly it is recommended that planning permission is refused.

2. HISTORY

F/92/0189/F – Erection of a workshop for agricultural vehicles and commercial vehicles including hardstanding and parking – Granted 12.08.1992

F/90/0304/O – Erection of 9 houses with garages – Withdrawn 31.05.1991

f/1084/89/O – Erection of 3 dwellings – Refused 16.11.1989

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 55: Isolated homes in the countryside should be avoided unless there are special circumstances.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

Paragraph 100: Directing development into areas of lower flood risk.

3.2 **Draft Fenland Core Strategy:**

CS1: A Presumption in Favour of Sustainable Development

CS3: Settlement Hierarchy

CS14: Responding to climate change and managing the risk of flooding in Fenland

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

CS16: Delivering and Protecting High Quality Environments

3.3 **Fenland District Wide Local Plan:**

E8: Landscape and amenity protection

H3: Settlement Area Boundaries

H16: Agricultural Dwellings

TR3: Parking requirements

4. **CONSULTATIONS**

- | | | |
|-----|---|--|
| 4.1 | <i>Parish/Town Council:</i> | Comments awaited |
| 4.2 | <i>Environment Agency:</i> | Comments awaited |
| 4.3 | <i>Middle Level Commissioners:</i> | Comments awaited |
| 4.4 | <i>CCC Highways:</i> | No objections in principle, conditions relating to reserving parking and turning and providing temporary facilities during the course of construction. |
| 4.5 | <i>FDC Scientific Officer:</i> | Uncontaminated land condition required |
| 4.8 | <i>Neighbours:</i> | None received |

5. **SITE DESCRIPTION**

- 5.1 The site is located on the eastern side of March Road, approximately 75m from the highway. The site is positioned behind the established building line which fronts March Road but next to an existing bungalow which is also behind the building line. There is some residential development within the vicinity however the site itself is primarily positioned within the open countryside. The current use of the site is as garden land serving the existing dwelling at Waldersea Farm bungalow.

6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:
- Policy implications

- Design, layout and residential amenity
- Flood risk

(a) Policy implications

The site is located beyond the established settlement of Rings End on land which is within the open countryside. Rings End is identified as an 'Other Village' in policy CS3 of the emerging Core Strategy. As such development in this location is restricted to 'single dwelling infill sites situated within an otherwise built up frontage'. CS3 goes on to say that development not falling into the above will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture etc. This policy is supported by paragraph 55 of the NPPF where it states that new homes in the open countryside should be avoided unless there are special circumstances.

The proposal is positioned behind the established building line and surrounded on the north, east and south of the site by open land. With this in mind, the proposal fails to comply with policy CS3 as the dwelling would not be positioned within a continuous built up frontage. The second part of the policy and the relevant section of the NPPF, relating to special circumstances, would allow a new dwelling in this location if an essential need which is linked to a rural enterprise is identified.

It is submitted that the proposal is required for the applicant who may require care in the future. The dwelling would be adjacent to the applicant's son who would be able to provide care if required. This is the only justification provided in support of the dwelling. In view of the limited information provided, the requirement of the dwelling being one for the future and the lack of associated rural enterprise which has an identified need for a dwelling, the proposal fails to demonstrate that there is a functional need for a dwelling in this location. The application is therefore contrary to policies contained within the Development Plan and the NPPF.

It is acknowledged that a small section of the land on the western boundary of the site is located within the defined settlement limits of Rings End. However it remains that the majority of the site is within the open countryside and the very nature of the site, being located behind the established building line and not an infill plot, is contrary to CS3 of the emerging Core Strategy.

(b) Design, layout and residential amenity

The development is for a chalet-style dwelling with integral garage. Sufficient parking, turning and private amenity space can be achieved and the distance for moving bins complies with the RECAP Waste Management Design Guide. Due to the height of the proposal and the location, it is unlikely that neighbouring occupiers will suffer as a result of this development. It does remain however that the principle of the proposal is unacceptable in policy terms.

(c) Flood Risk

The NPPF states that the sequential approach needs to be followed to ensure that areas of lower risk of flooding are developed before those at higher risk.

There are areas of land around the District which are at lower risk of flooding. If there are wider sustainability objectives that the development is seeking to address the Exception Test can be applied. Both parts must be passed namely that: it must be demonstrated that the development provides wider sustainability benefits to the community which outweigh flood risk and that a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere and, where possible, reduce flood risk overall.

There are not considered to be any wider sustainability benefits to the community by locating the development on this particular site. A flood risk assessment has been submitted which seems to justify in technical terms why the development is acceptable. However it does not acknowledge that the principle for development on this site is unacceptable given that the Sequential Test cannot be passed. As a result the findings of the flood risk assessment cannot be supported.

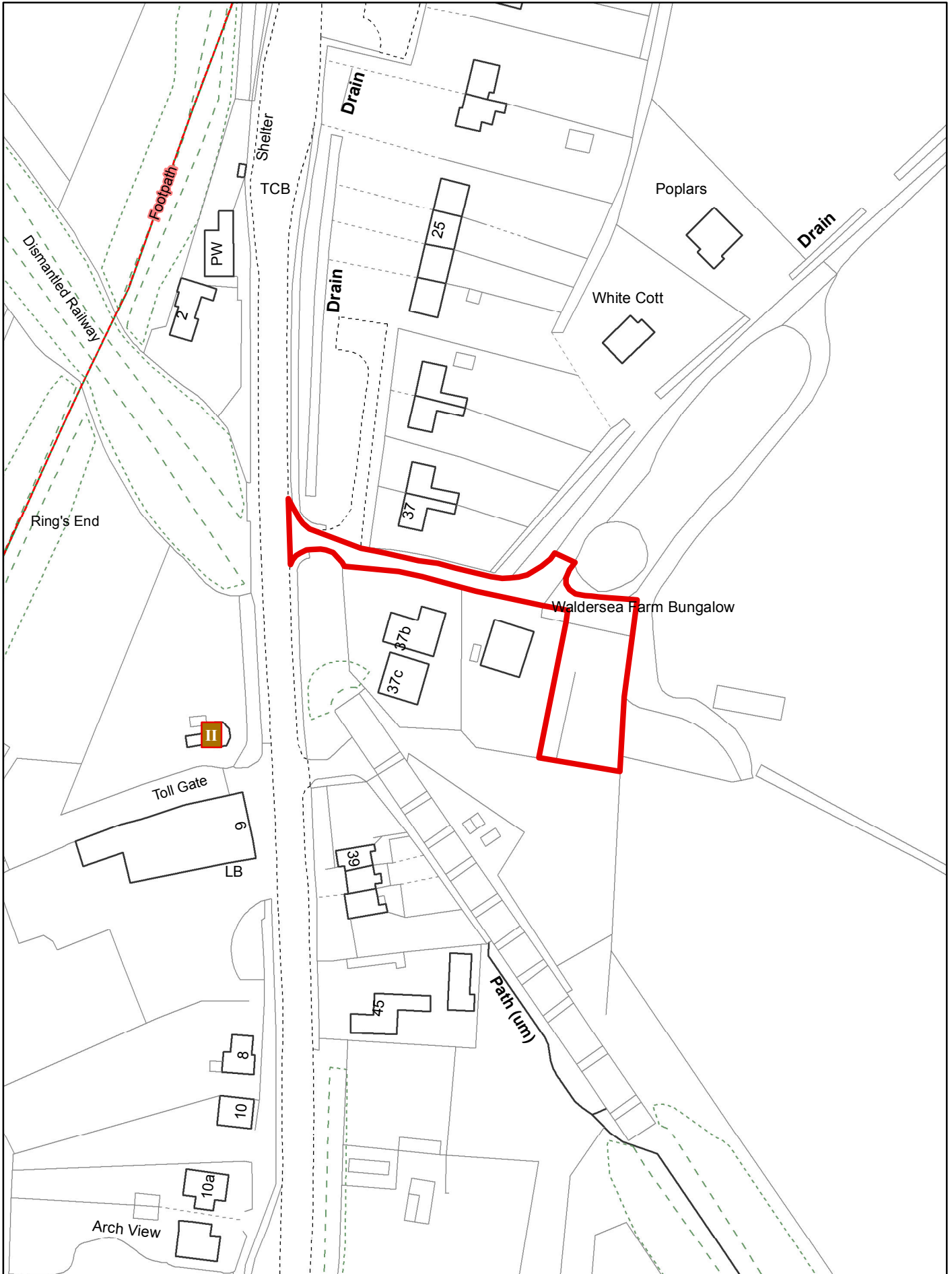
7. CONCLUSION

- 7.1 The proposal is located on land positioned outside of any established settlement. Insufficient justification has been provided to demonstrate the essential need for the dwelling on this land. The proposal is therefore contrary to sustainability principles and is in conflict with the Council's aspirations as set out within the policies contained within the Development Plan. Accordingly it is recommended that planning permission is refused.

8. RECOMMENDATION

Refuse

1. **The proposal would result in an unjustified form of residential development beyond any established settlement. The proposal is therefore contrary to H3 and H16 of the Fenland District Wide Local Plan, CS3 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013) and Section 06 of the NPPF.**
2. **The proposal is contrary to CS14 of the emerging Fenland Local Plan Core Strategy (Proposed Submission February 2013) and Section 10 of the National Planning Policy Framework in that the development is located in a high risk flood area despite there being sequentially preferable land available in lower flood risk areas within the District. The applicant has failed to demonstrate there are wider sustainability benefits to the community by locating the development on this particular site and no evidence has been provided to show how flood risk will not be increased elsewhere within the locality.**



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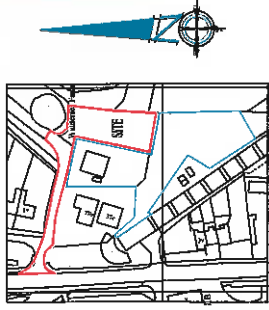
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Scale = 1:1,250





LOCATION PLAN
SCALE 1:1250

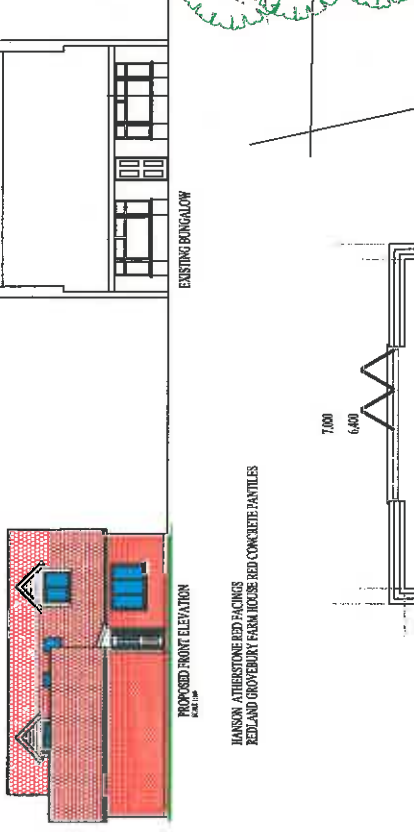
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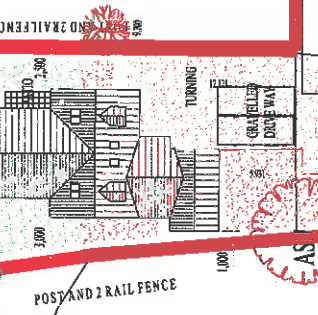
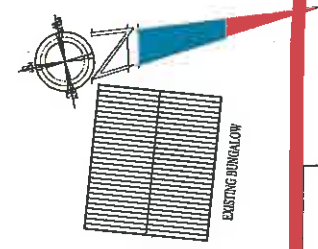
Client: MR & MRS J. GARDNER
Project: PROPOSED ALLEN PAVILION BUNGALOW
Site: BROADWAY, BUCKINGHAMSHIRE

LABC
Local Authority Building Control
Approved by: [Signature]

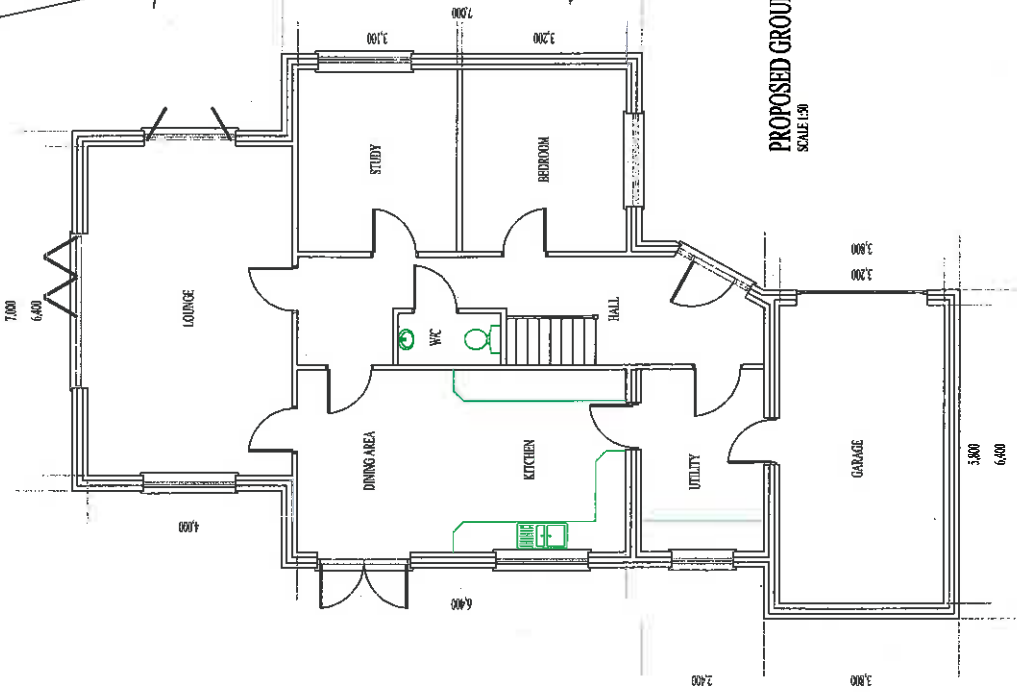
Building Design Awards
2014 Winner of Excellence
2015 Winner of Excellence



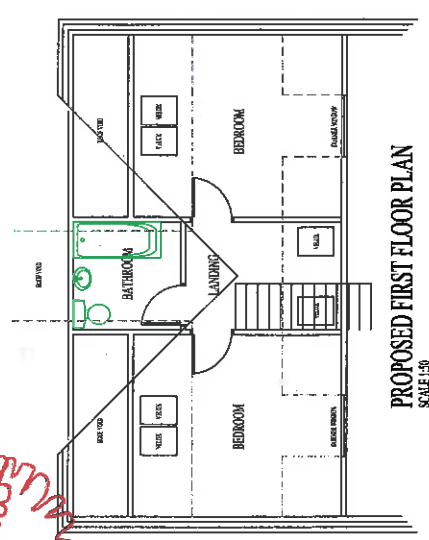
HANSON ATHLETIC RED FACINGS
RED AND GROVEWAY FARM HOUSE RED CONCRETE PAVILIONS



BLOCK PLAN
SITE AREA 0.108 ha
SCALE 1:200



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



PROPOSED FIRST FLOOR PLAN
SCALE 1:50

Walderssea Farm
ASH Farm
BLOCK PLAN ASH
SCALE 1:200