

Application Number: F/YR13/0280/F
Minor Dwellings
Parish/Ward: March Town Council/March East Ward
Date Received: 29 April 2013
Expiry Date: 24 June 2013
Applicant: Mr & Mrs J Pooley
Agent: Mr L Bevens

Proposal: Erection of a 2-storey 4-bed dwelling and detached workshop for B1, B2 and B8 use, involving demolition of existing barn and outbuildings

Location: Land west of Thirties Farm, Upwell Road, March

Site Area: 0.133 ha

Reason before Committee: The proposal is before the Planning Committee due to a request from Councillor Yeulett as the proposal is for a live/work property supporting an existing ground works business and will provide secure storage and improve surveillance

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a 2-storey 4-bed dwelling with associated workshop for B1, B2 and B8 use.

The key issues relate to:

- Policy considerations
- Justification for development
- Design and Layout
- Access and parking
- Flood risk

The site is located away from the established settlement limits of March and consists of an area of land associated with Thirties Farm. There is a brick built workshop on the land which will be demolished.

An application for a 4-bed dwelling was refused on this land in December 2012. The current application differs from the recently refused application in that the present application seeks consent for a workplace home and now includes a workshop for B1, B2 and B8 use.

The applicant considers the justification for the application relates to his present living arrangement whereby he lives with his parents at the adjacent semi-detached house and works with his father in a ground working business. The proposal would allow him to run the business from home, with a separate workplace facility for the storage of machinery and equipment. However there is no business plan provided with the application to evidence the need for a further dwelling on the site.

Policy CS12, Part D, clearly sets out the evidence to be provided to support a new dwelling in areas away from market towns and villages including the functional and financial need for the dwelling and the availability of other suitable accommodation on site or in the area.

Policy CS3 steers all new housing to the market towns and villages and states that dwellings falling outside of the towns and villages will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services and will be subject to a restrictive occupancy condition.

The former workplace home policy, EMP5, was deleted in 2007 and there is no current policy support for workplace homes with each application being determined on its own merits in conjunction with the robust business plan.

Given the lack of such a justification and the absence of any other supporting policy considerations, the proposal cannot be supported in its current form. Therefore the proposal is contrary to Policy H3 of the Local Plan and policies CS1, CS3 and CS12 of the emerging Core Strategy and para. 55 of the NPPF.

2. HISTORY

Of relevance to this proposal is:

F/YR12/0843/F	Erection of a 4-bed dwelling involving demolition of existing barn and outbuilding	Refused 21 December 2012
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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.

3.2 Draft Fenland Core Strategy:

CS1: A presumption in favour of sustainable development.

CS3: Spatial strategy, the settlement hierarchy and the countryside.

CS12: Rural areas development policy

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

3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlements

E8: Landscape and Amenity Protection

4. CONSULTATIONS

- 4.1 **Parish/Town Council:** Recommend approval
- 4.2 **Middle Level Commissioners:** No comments presently received.
- 4.3 **Local Highway Authority:** Requests conditions relating to access, visibility splays, parking and turning and construction methods.
- 4.4 **Anglian Water:** No comments to make on proposal.
- 4.5 **Environment Agency:** No objection to proposal but considers that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the IDB and therefore the IDB should be consulted with regard to flood risk associated with their watercourse and surface water drainage proposals.
- 4.5 **Local Residents:** No comments received.

5. SITE DESCRIPTION

- 5.1 The site is located to the east of March approximately 1.2 miles from the existing settlement limits. The site is presently open amenity land associated with Thirties Farm and consists of a detached brick single storey barn/outbuilding with a gravelled access track into the site. There is range of conifer trees on the western and northern boundary of the site with the frontage mainly open. The site lies in open countryside away from any existing settlement limits. The site is located within Flood Zone.

6. PLANNING ASSESSMENT

The key considerations are:

- Policy considerations
- Justification for development
- Design and Layout
- Access and parking
- Flood Risk

Policy Considerations

The application site lies outside of the existing established limits of March and the area is characterised by a mix of sporadic development and is considered rural in nature. Under criteria contained in Policies H3 and H16 of 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 proposal has been put forward as a workplace home however the former workplace home policy (EMP5) was deleted in 2007 and since then there has been no specific policy relating to such a development.

Therefore the proposal has to be determined in line with Policy H3 and H16 of the Local Plan, the emerging Core Strategy and the NPPF.

The emerging Fenland Local Plan Core Strategy Proposed Submission February 2013 seeks to concentrate new housing development in the most sustainable locations principally in the main market towns and to a lesser extent in the growth villages.

Policy CS3 has an overarching strategy for sustainable growth in and around the four market towns and states that development outside of towns and villages will be restricted to what which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services and such development will be subject to a restrictive occupancy condition. Policy CS3 steers most new development to those larger places that offer the best access to services and facilities and help reduce the need to travel as well as making best use of existing infrastructure and previously developed land in built up areas. It is Government policy that development in the countryside should be strictly controlled in order to conserve its character and natural resources. By identifying the settlement hierarchy and distinguishing between settlements and the countryside the policy restricts development in the countryside other than that where a rural location is fully justified.

Whilst the overarching policy for considering new proposals for new dwellings in areas away from the market towns and villages is Policy CS3, Policy CS12 sets out the supporting evidence that should be provided as part of any application involving a business use. The application must therefore provide the following justification:

- a) the existing functional need for the dwelling;
- b) the number of part time and full time worker(s) to live in the dwelling;
- c) the length of time the activity has been established;
- d) the financial viability of the enterprise;
- e) the availability of other suitable accommodation on site or in the area;
- f) how the proposed size of the dwelling relates to the viability of the enterprise.

Justification for development

The application does not contain any evidence to support the application in line with the requirements of Policy CS12. The proposal states that the applicant currently lives on site with his parents and requires a new dwelling to oversee the business that is currently run by the applicant and his father.

Unfortunately without the benefit of a robust business plan, given the location of the site, the Local Planning Authority considers that the needs of the business are fully met by the existing dwelling on site known as Thirties Farm which can provide the security that the existing ground works business requires. Therefore the Local Planning Authority does not consider that such a need exists sufficient to warrant an approval of this application.

Design and Layout

The dwelling proposed is 2-storey in nature with a ridge height of 8.1 metres and provides 4 bedrooms.

It is proposed to use softwood weatherboarding stained in Dark Oak for the walls with a pantile roof covering to create a 'barn' like appearance.

The dwelling will be located approximately 20 metres from the front boundary. A private amenity space will be provided to the rear of the property and parking will be provided to the front.

The workshop is located to the rear of the site and measures approximately 14 metres x 9.5 metres with a ridge height of 5 metres. It will be constructed of plasticol coated composite cladding around a steel portal frame with associated roof lights.

Access and Parking

The existing informal access will be made good and will serve both the dwelling and the workshop. Turning is available on the site to allow vehicles to leave the site in forward gear.

The Local Highway Authority requires that gates must be set back 9 metres to allow larger vehicles to clear the highway and to pass without vehicles having to wait on the road. This 9 metre set back can be achieved within the site limits.

Flood Risk

The site lies within Flood Zone 3 and Policy CS14 of the emerging Core Strategy seeks to steer all new development to lesser flood risk areas. Development is only permissible in areas at a higher risk of flooding in exceptional circumstances where it can be demonstrated that there are no reasonably available sites in areas at lower risk and that the development provides wider sustainability benefits that outweigh the risk of flooding.

A flood risk assessment has been provided as part of the application and comments are awaited from the MLC and the Environment Agency and will be updated to the committee.

8. CONCLUSION

- 8.1 The development proposed is located outside the established settlement limits of March and therefore is considered to be in open countryside. There is no identified justification for the dwelling in relation to agriculture, horticulture or forestry and therefore there is no policy support for such a proposal.

The proposal is for a workplace home in the open countryside however no justification or business plan has been submitted to evidence such a requirement and therefore there can be no policy support for this proposal.

The Local Planning Authority considers that the existing dwelling on site, which is occupied by the applicant and his family, already fulfils the functional needs of the business in respect of security and surveillance and a further dwelling would not provide any additional security or surveillance.

Therefore the development cannot be supported as it is not consistent with the principles of sustainable development and is therefore contrary to the NPPF and Policy H3 of the Local Plan and Policies CS1, CS3 and CS12 of the emerging Core Strategy.

9. RECOMMENDATION

REFUSE

- 1. The proposed development is located in an unsustainable location outside the settlement limits of March 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. The proposal is therefore contrary to Policy H3 of the Fenland District Wide Local Plan 1993 and Policies CS1 and CS3 of the emerging Fenland Local Plan Core Strategy Proposed Submission February 2013.**
- 2. The proposal has failed to demonstrate that a functional and financial need for a workplace home exists through a robust justification. Therefore the proposal is contrary to Policy H3 of the Fenland District Wide Local Plan 1993 and Policy CS12 of the emerging Fenland Local Plan Core Strategy Proposed Submission February 2013.**

10. UPDATE

- 10.1 Members will recall this application being presented to the 26 June 2013 Planning Committee where it was resolved to defer the decision to 'enable the applicant to produce a business plan to justify the functional and financial needs of a further dwelling on the site'.

The applicant has provided a statement from their Accountants setting out an overview of the business history on the site. The company is owned jointly between the applicant and his father. Pooley Plant Hire Ltd was incorporated in the UK on 27 November 2007. The company is family run organisation with over thirty five years of experience with the applicant having worked for his father from leaving school.

Financial figures have been provided from 2011 and 2012 with forecast figures up to 2015. However these figures do not clarify whether there is sufficient evidence that the business can in fact support an additional dwelling or whether functionally there is a need for two dwellings to oversee security on the site.

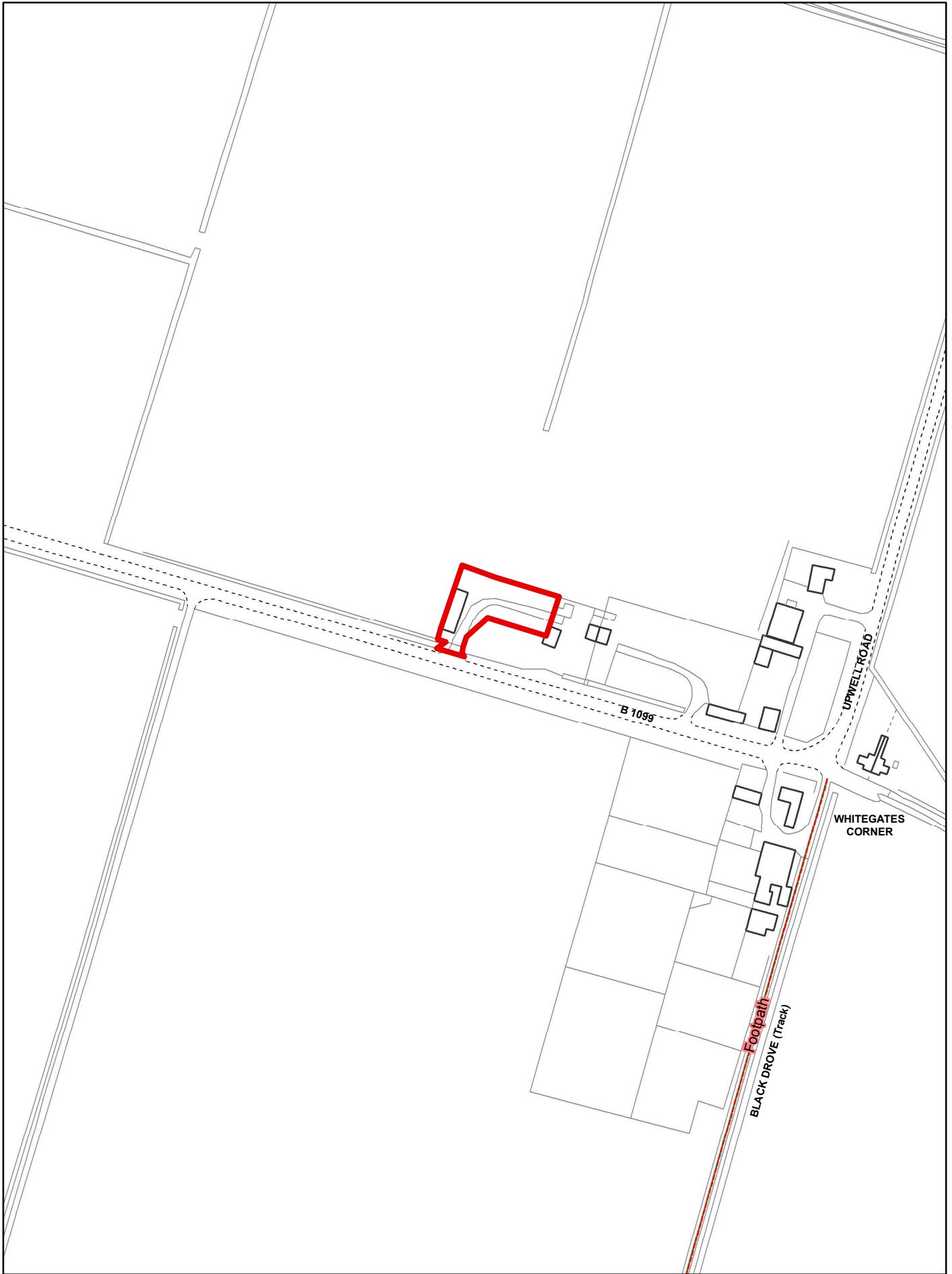
The business plan provides for continuation of the company trade with the possibility for additional staff. An on-site modern workshop can be provided with accommodation on site for a director with a designated office space.

The Local Planning Authority acknowledges the points outlined in the business plan and considers that the workshop element of the proposal is something the LPA can support. However the LPA has concerns that the designated office space shown in the proposal is somewhat limited in scale when viewed in the context of the scale of the house.

The accountancy plan provided is not the usual bona fide justification that is needed to prove the financial and functional needs of a new dwelling and therefore the LPA has no option but to continue to recommend refusal of the additional dwelling on the site.

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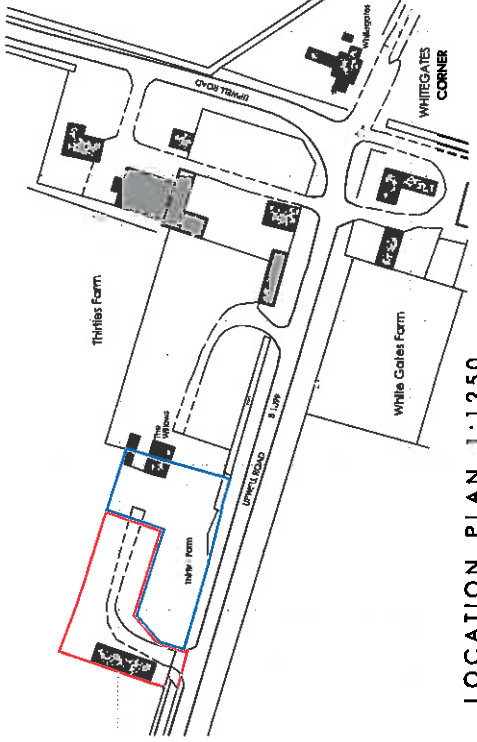
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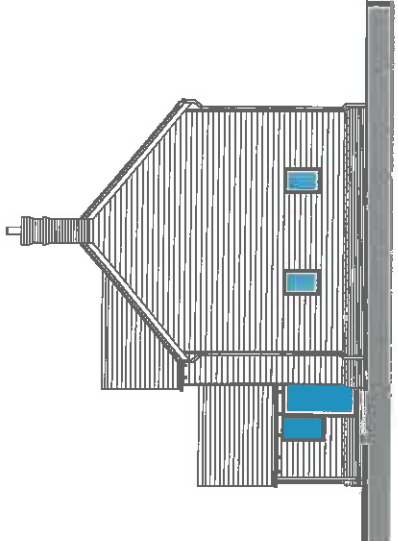
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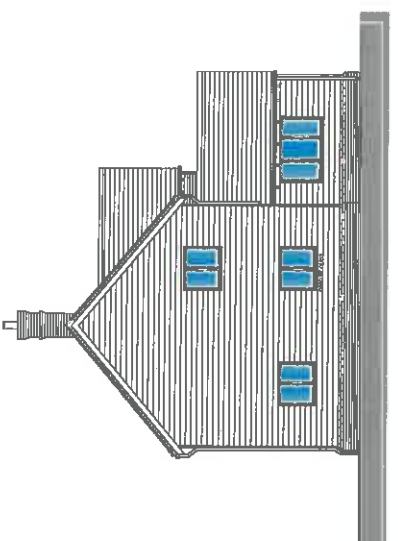


LOCATION PLAN 1:1250

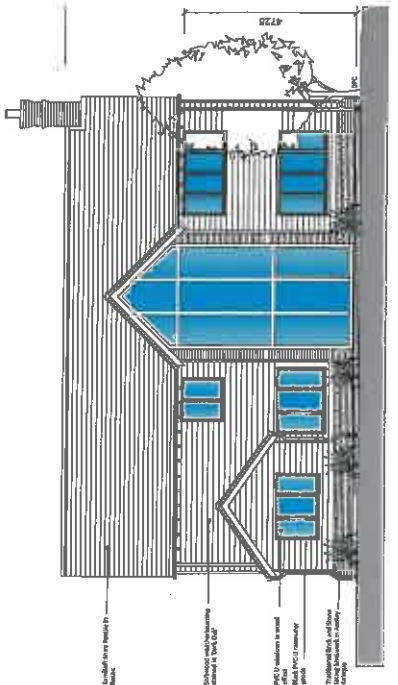
L. Bryan Pooley & Associates Ltd 11, BRYAN POOLEY ROAD, WHITEGATES CORNER, CLACKMANNANSHIRE, KY16 9JY TEL: 01753 565000 WWW.LBPOOLEY.CO.UK		DATE: 11/01/2017	SCALE: 1:1250
PROJECT: PROPOSED WOODS, AGES HOME, LAND MANAGEMENT PROPOSED FLOOR PLAN PROPOSED LAYOUT PLAN		DATE: 11/01/2017	SCALE: 1:1250
DRAWN BY: L. BRYAN POOLEY		CHECKED BY: L. BRYAN POOLEY	DATE: 11/01/2017



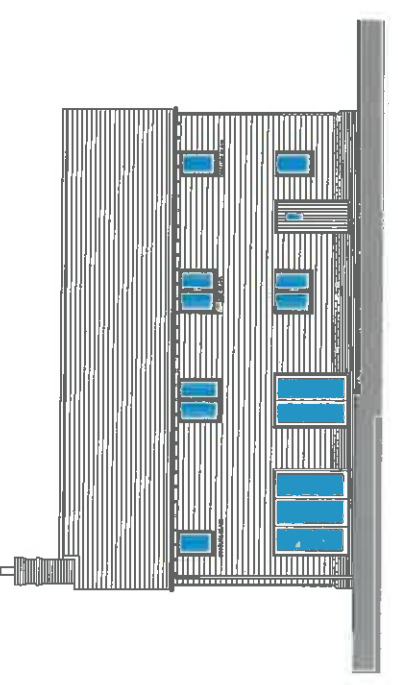
PROPOSED FRONT ELEVATION



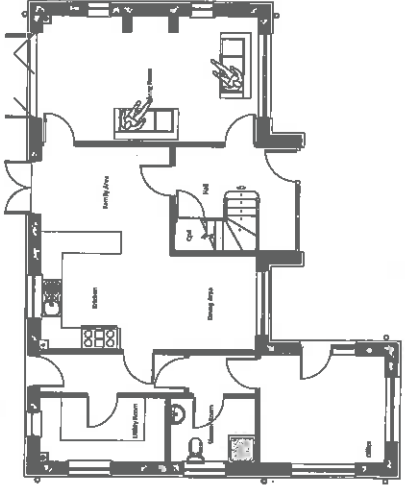
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED FIRST FLOOR PLAN
Floor Area = 77.5sqm



PROPOSED SECOND FLOOR PLAN
Floor Area = 45.5sqm

