

Application Number: F/YR13/0422/F
Minor Dwellings
Parish/Ward: Wimblington Parish Council/Wimblington Ward
Date Received: 11 June 2013
Expiry Date: 6 August 2013
Applicant: Mr & Mrs W King
Agent: Mr J Burton, Swann Edwards Architecture

Proposal: Erection of a 6-bed 3-storey dwelling involving demolition of outbuildings

Location: Land south west of 32 Eastwood End, Wimblington

Site Area: 0.109 ha

Reason before Committee: Due to receipt of 6 letters of support which is at variance to the Officer's recommendation of refusal

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a 3-storey, 6-bed dwelling on land south west of 32 Eastwood End, Wimblington. The application site is located in the open countryside away from the village of Wimblington on the eastern side of the A141.

The key issues relate to:

- Policy considerations
- History of the site
- Design and Layout
- Other considerations

This is a speculative application that has been submitted without any justification for a new dwelling in the open countryside and therefore the proposal is considered to be contrary to Policy H3 of the Local Plan and Policy CS3 of the emerging Fenland Local Plan Core Strategy 2013. The policy states that development outside of any village location will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry etc and will be subject to a restrictive occupancy condition.

Policy CS3, together with other policies, steers most new development to those larger places that offer the best access to services and facilities thereby reducing the need to travel as well as making best use of existing infrastructure and previously developed land in built-up areas. The site is approximately $\frac{2}{3}$ mile away from the service centre of Wimblington on the western side of the A141 Wimblington By-pass.

The site is located within Flood Zone 1, 2 and 3 and it is considered that sequentially there are other available sites which lie entirely in lesser flood zones that the development could be carried out on.

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, Policy CS3 restricts development in the countryside other than that where a rural location is fully justified.

The proposed development does not form any infill function within a continuous frontage and the proposal encroaches in a southerly direction into the open countryside where the land levels dip and meet the agricultural fields to the east.

There is no justification to support such development and there will be an adverse impact on the character of the countryside by virtue of the location and size of the dwelling which is out of keeping with the scale of the adjoining dwelling to the north.

Therefore the application is recommended for refusal.

2. HISTORY

F/YR01/0140/O Erection of a house Refused 4 April 2001

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 55: Avoid isolated homes in the countryside unless there are special circumstances.

Paragraph 109: Conserving and enhancing the natural environment.

3.2 Draft Fenland Local Plan Core Strategy:

CS1: Presumption in favour of sustainable development

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

CS12: Rural Areas Development Policy

CS16: Delivering and Protecting High Quality Environments across the District.

3.3 Fenland District Wide Local Plan:

H3 – Settlement Development Area Boundaries

H16 – Housing in the open countryside

E1 – Conservation of the Rural Environment

E2 – Important Landscape Features/Views

E8 – Proposals for new development.

4. CONSULTATIONS

- 4.1 **Parish/Town Council:** Access on corner considered to be a problem.

- 4.2 **Local Highway Authority:** The identified access to the development is via a public by-way and comprises a standard crossover and grasscrete surfacing where works have been undertaken to facilitate access to an adjacent pumping station.
- No objection in principle but recommends conditions concerning on-site parking and turning; temporary facilities for construction purposes and construction to specific specification.
- 4.3 **Public Rights of Way Team:** Public byway 10 Wimblington runs on the north west boundary of the development site. It does not appear that the byway will be affected by the proposal therefore no objection.
- However, guidance is given on informatives relating to encroachment, obstruction and access over byways.
- The byway must not be used for access to the site unless the applicant is sure they have lawful authority to do it. No alterations to the byway is permitted without consent.
- 4.3 **Middle Level Commissioners:** Will be commenting on above application but no comments received at time of report writing.
- 4.4 **Environmental Health (FDC):** The Environmental Protection team note and accept the submitted information and have no objections to the proposed development as it is unlikely to have a detrimental effect on local air quality or the noise climate.
- The application involves the demolition of an existing outbuilding, therefore the contaminated land condition is required to be added if application is granted.
- 4.5 **County Archaeology:** Records indicate the site lies in an area of high archaeological potential. Therefore considers that the site should be subject to a programme of archaeological investigation.
- 4.6 **Local Residents:** 6 letters of support have been received.

5. **SITE DESCRIPTION**

- 5.1 The site is rectangular in shape and approximately 0.109 ha in size. The site is overgrown grassland with the remains of a derelict Nissen hut in the centre and an outbuilding located in an overgrown section of the site. To the north of the site is an existing 2-storey dwelling; to the west is a development of 3 houses under construction and to the south and east is the open countryside of Fenland. There is a public byway which runs immediately to the west of the site.

6. **PLANNING ASSESSMENT**

The key considerations are:

- Policy considerations
- Site History
- Design and layout
- Other considerations

Policy Considerations

The application site lies well outside of the built up settlement of Wimblington, the service centre of which is approximately two thirds of a mile from the site across the A141 bypass. The site is located in open countryside with an element of existing development located to the north and west.

The NPPF seeks to promote sustainable development in rural areas where it will maintain the vitality of rural communities. This is further supported by the policies within the Local Plan and Emerging Core Strategy where it is determined that 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.

Policy CS3 of the emerging Core Strategy seeks to support sustainable growth within Fenland. The focus for the majority of growth is in and around the four market towns. Policy CS3, together with other policies, steers most new development to those larger places that offer the best access to services and facilities, both for now and for the foreseeable future. This helps to 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.

Policy CS12 of the Core Strategy – February 2013 is also relevant to this application and lists the general good practice criteria for evaluating proposals.

The criteria listed in this policy details that the application site should be in or adjacent to the existing developed footprint of a 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; respects natural boundaries; would not result in the loss of high grade agricultural land and would not result in risks or unacceptable nuisances to residents and businesses.

The development proposed does not comply with Policy CS12 as it is not adjacent to the existing developed footprint of Wimblington. It is acknowledged that there have been recent approvals for 3 dwellings in the vicinity which adjoined the Development Area Boundary for Eastwood End (as shown in the Local Plan) and form frontage development that fills a gap between No.30 Eastwood End and No.32.

However, the proposed development now encroaches out in a southerly direction into the open countryside where the land levels dip and meet the agricultural fields to the east.

Site history

In 2001 an outline planning application was refused on the basis that there was no justification for a new dwelling in the open countryside unconnected with agriculture, horticulture or forestry and also that the site was outside the Development Area Boundary.

Design and Layout

The dwelling proposed is 3 storey in nature with an overall ridge height of 8.6 metres and provides for 6 bedrooms. The dwelling is approximately one metre higher than No.32 Eastwood End which lies immediately to the north of the site.

The site levels fall away from the site frontage in an eastern direction and the proposal will include the levelling of the site however there is no section through the site to enable the LPA to determine how much the land levels will be increased.

There is a protected Walnut tree in the eastern corner of the site which will need protecting during construction and land levels will have to take into account the presence of this tree.

A double garage together with parking and turning is to be provided at the front of the dwelling.

Access appears to be over the existing byway and the Countryside Team has made comments that no unauthorised vehicular access may be made over the byway.

Other Considerations

Flood Risk

The site is located within Flood Zone 1, 2 and 3 however the application has not been accompanied by a FRA.

The LPA considers that sequentially the SFRA has identified that there is other land in lower flood risk areas that are available for development and should be considered before a site that lies within higher flood risk areas.

Public Right of Way

Byway No.10 runs immediately to the west of the site and the Public Rights of Way Team have stated that access to the site must not be over the byway unless the applicant is sure they have lawful authority to do so. The agent is currently trying to establish whether there is a lawful access and this information will be updated to Members at Planning Committee.

Biodiversity

The site is located on the edge of the open countryside and given that there is some landscaping on the site together with existing structures that could support protected species, it is necessary to provide at least a Phase 1 report to establish the presence or otherwise of such species.

8. CONCLUSION

- 8.1 The application seeks full planning permission for the erection of a 6-bed house on land to the south west of 32 Eastwood End, Wimblington.

The site is located in open countryside and does not form any infill function or agricultural need and is therefore not supported. The proposal is contrary to Local and National Policies which seek to ensure that all new development is sustainable and that the character of the open countryside is not eroded.

Para 55 of the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work or where development would reuse redundant or disused buildings or are of exceptional quality or innovative nature. Such dwellings should reflect the highest standards in architecture and significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

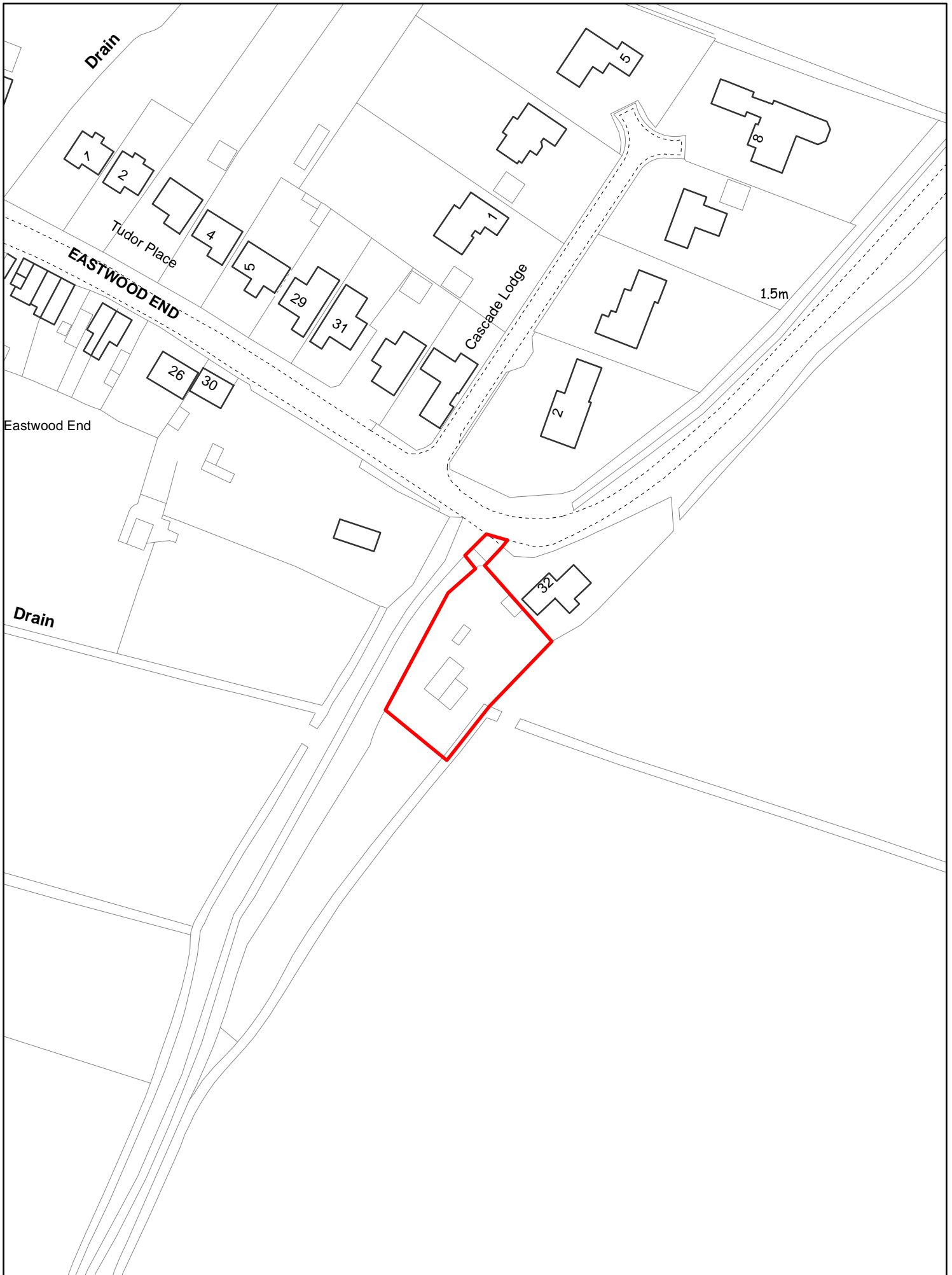
The proposal is not considered to significantly enhance its immediate setting and is not innovative in nature to warrant an approval for the design of the dwelling proposed.

9. RECOMMENDATION

REFUSE:

- 1. The proposed development, which is located outside the main settlement of Wimblington, will be situated within open countryside which forms the rural character of this area, and has not been supported by sufficient justification for the introduction of a dwelling within an unsustainable location. As a result the proposal is contrary to the provisions of the National Planning Policy Framework paragraph 55, Policies E1, E2, H3 and H16 of the Fenland District Wide Local Plan 1993 and Policies CS12 and CS16 of the emerging Fenland Local Plan Core Strategy Proposed Submission February 2013.**

- 2. The proposal will result in new development in the open countryside which will have an adverse impact on the character of the area by virtue of encroachment into the countryside thereby changing the character of the area to its detriment. The proposal is therefore considered to be contrary to Policies E1, E2 and E8 of the Fenland District Wide Local Plan 1993 and Policies CS12 and CS16 of the emerging Fenland Local Plan Core Strategy Proposed Submission February 2013.**



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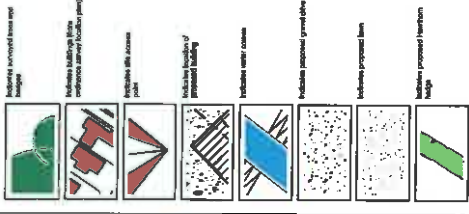


General Notes

1. The drawing shall be read, figured dimensions only, to be used.
2. The notes, instructions and schedules shall only, if any, be used in the absence of conflict with the dimensions.
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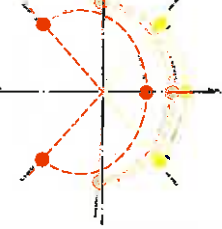
Any discrepancy shall be brought to the attention of the client.

SITE PLAN KEY



AREA SCHEDULE

PROPOSED ENVELOPE FLOOR AREA INCLUDING GARAGE: 100.00 SQM
 PROPOSED ENVELOPE TOTAL AREA INCLUDING GARAGE: 100.00 SQM
 TOTAL AREA INCLUDING GARAGE: 100.00 SQM
 TOTAL AREA INCLUDING GARAGE: 100.00 SQM



FOR APPROVAL

SWANN EDWARDS ARCHITECTURE

11-11-4-2024 4/24/2024

Project: 10/24/2023

Site: 110/110

Client: [Name]

Drawing No: [Number]

Scale: 1:100

Revision: A

