

Application Number: F/YR13/0445/F

Minor

Parish/Ward: Tydd St Giles Parish Council/Roman Bank

Date Received: 14 June 2013

Expiry Date: 9 August 2013

Applicant: Mr J Ellis

Agent: Mr C Walford Peter Humphrey Associates Ltd

Proposal: Erection of 1 x 3-storey 5-bed dwelling and 3 x 3-storey 4-bed dwellings

Location: Land West of Greenacres, Hannath Road, Tydd Gote, Cambridgeshire

Site Area/Density: 0.64ha

Reason before Committee: Member call in by Cllr Hatton who feels that it would meet the principles of the Core Strategy as it abuts the developed footprint of the existing village and would enhance the area

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of 1 x 3-storey 5-bed dwelling and 3 x 3-storey 4-bed dwellings at Land West of Greenacres, Hannath Road, Tydd Gote.

The key issues to consider with regards to this application include –

- Principle and Policy Considerations;
- Loss of Best and Most Versatile Agricultural Land;
- Design, Layout and Impact on Character of the Area;
- Impact upon Residential Amenity;
- Highways, Access and Parking;
- Drainage and Flood Risk;
- Impact on Public Footpath.

The site and proposal does not consist of a single dwelling infill site within an otherwise built up frontage and would be contrary to Policy CS3 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

Furthermore, it is considered that the site is not located in or adjacent to the existing developed footprint of the village as defined within Policy CS12 and it is considered that the proposal would not be in keeping with the core shape and form of the settlement, and would result in ribbon development that would adversely harm the existing rural character and appearance of the area.

The proposal by virtue of its location, siting, form, scale and layout would have a significant adverse impact upon the character and rural context of Hannath Road and would be contrary to local and national policy.

The location and characteristics of the site form a key and important landscape feature within the village, so the development of or loss of such an important gap in the settlement would have a harmful impact upon the settlement's character.

In view of the existing local road network, associated highway infrastructure, CCC Highway, Parish Council and neighbour consultation responses it is considered that the existing highway network would not be suitable in its current form to provide access to the proposed residential development. Therefore, it is considered that the proposal would be contrary to CCC Highway advice and Policy CS13 and CS15 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

The proposal would exceed the 10% threshold set out in Policy CS12 of the emerging Fenland Local Plan Core Strategy (February 2013) and the applicant has not provided demonstrable evidence of strong local community support for the scheme contrary to Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

The proposal would also result in the loss of Grade 1 Agricultural Land which is amongst the best and most versatile agricultural land in the country. No comprehensive evidence as outlined in local and national policy has been provided to justify this loss and therefore the proposal is contrary to local and national policy.

In terms of flood risk assessment, policy sets out that (i) there are more suitable sites for residential development within the district and (ii) it has not been demonstrated that the proposal meets an identified need. Accordingly, the proposal fails to meet with Policy CS14 Part B of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.

Therefore, taking all of the above matters into account the proposal is strongly recommended for refusal.

2. **HISTORY**

Of relevance to this proposal is:

2.1 No site 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 112: Best and most versatile agricultural land.

Section 7: Requiring Good Design

3.2 **Emerging Fenland Core Strategy:**

CS1: Presumption of Sustainable Development

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

CS12: Rural Areas Development Policy

CS13: Supporting and Mitigating the Impact of a Growing District

CS14: Flood Risk

CS15: Development Schemes and Parking Requirements

CS16: High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E1: Protect Unique Open Character of Landscape and New Development in Rural Location

E2: Open Spaces and Gaps which are an important part of the Settlements Character

E3: Retention of Existing Trees and Hedgerows

E8: Landscape and Amenity Protection

4. CONSULTATIONS

4.1 *Parish Council*

Not supported Parish Council concerned that road access is limited and not suitable for development.

4.2 *Ramblers*

Comments awaited – Full update at meeting

4.3 *Countryside Access*

No objections

4.4 *Environment Agency*

No objection in principle to the proposed development, subject to 2 conditions.

4.5 *North Level IDB*

Comments awaited – Full update at meeting

4.6 *CCC Highways*

Raise concerns regarding substandard visibility at nearby junctions and it is considered that the local road network and associated highway infrastructure is not suitable in it's current form to provide access to further general needs residential development, and the development should be refused accordingly.

4.7 *FDC Environmental Protection*

No objections

4.8 *South Holland DC*

Comments awaited – Full update at meeting

4.9 *Local Residents/Interested Parties*

Consultation period has yet to expire and a full update will be provided to members at the Planning Committee meeting.

However at the time of writing 2 letters of objection have been received with concerns including;

- This is not infill, as there are no other houses along this line; further development would result in a significant change to the character of the area and set a precedent for development;

- Proposed development is not in character with the existing properties and would harmfully affect the traditional layout of the buildings;

- Traffic concerns and width of Hannath Road is not adequate;

- Impact on public right of way queried?

5. SITE DESCRIPTION

- 5.1 The application site which is situated between Dark Lane and Hannath Road is an attractive open field currently set out to crop and enclosed by some splendid mature trees. The site is located along Hannath Road and is in close proximity to the Tydd Gote Conservation Area which runs along the Lincolnshire side of the County boundary. The site is located in an area which is characterised by a uniquely large amount of woodland along the Hannath Road area of Tydd Gote. The high hedges and mature trees in this area complement some fine buildings. The immediate area is very much rural in character with sporadic, established residential development. To the west of the site is a public footpath. In addition, the proposed site is situated within Flood Zone 2 and partly in Flood Zone 3.

6. PLANNING ASSESSMENT

6.1 Principle and Policy Considerations

Policy CS3 of the Emerging Core Strategy – Local Plan (Feb 2013) sets out the overarching settlement strategy for Fenland. This is based upon a settlement hierarchy, which ranks settlements according to their size and range of services and facilities. An important consideration is where Tydd Gote fits within the settlement hierarchy. Tydd Gote is identified as an “Other Village” which states that “*residential development will be considered on its merits and will normally be restricted to single dwelling infill sites situated within an otherwise built up frontage*”. The site and proposal does not consist of a single dwelling infill site within an otherwise built up frontage and would be contrary to Policy CS3 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

Policy CS3, together with other policies steers most new development to those larger places that offer the best access to services and facilities both now and for the foreseeable future. In terms of the sustainability of Tydd Gote and service provision, based on the ‘Fenland Settlement Hierarchy Study 2013’ (January 2013) Tydd Gote is identified as having very few services and facilities.

Along with CS3 proposals must meet all of the criteria within Policy CS12 ‘Rural Areas Development Policy’. Policy CS12 Part A sets out 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.

Under Policy CS12 new development will need to satisfy the applicable thresholds (including the thresholds set in Policy CS3) as well as all of the applicable criteria set out in Policy CS12. As stated above the proposal fails to satisfy the thresholds set out in Policy CS3.

It is considered that the site is not located in or adjacent to the existing developed footprint of the village (as defined with Policy CS12) and it is considered to have an adverse impact on the character and appearance of the surrounding countryside and farmland contrary to criteria (a) and (c).

Criteria (d) of Policy CS12 requires that any new proposal should be of a scale and in a location that is in keeping with the core shape and form of the settlement and will not adversely harm its character and appearance. In addition, criteria (e) states that new development should not extend existing linear features of the settlement, or result in ribbon development.

In this instance, the proposal would not be in keeping with the core shape and form of the settlement, and would result in ribbon development that would adversely harm the existing rural character of the area. There are also concerns raised about satisfying criteria (h) and (i) within Policy CS12 regarding the loss of important spaces within villages and the loss of high grade agricultural land respectively. Such concerns will be addressed in detail in the following sections of this report.

The principle of developing this site is therefore considered to be unacceptable and contrary to the overarching settlement and spatial strategy within Policy CS3 and the criteria within Policy CS12.

In addition, Policy CS12 clearly states that if a proposal within or on the edge of a village would in combination with other development built since April 2011 and those with planning permission increase the number of dwellings in the village by 10% or more, then the proposal should have demonstrable evidence of strong local community support for the scheme generated through a proportionate pre-application community consultation scheme. Despite such thresholds being reached demonstrable evidence of strong local community support for the scheme was not submitted with this application contrary to Policy CS12; subsequent to this the Parish Council have raised objection to the scheme.

In addition design policies within the existing Local Plan (Policy E8), the emerging Core Strategy (Policy CS16) and guidance contained within the NPPF (Section 7) stipulate that new development should make a positive contribution to the local distinctiveness and character of the area in terms of scale, layout, materials and landscaping and should not have an adverse impact on highway safety, neighbouring amenities and the natural environment.

Loss of Best and Most Versatile Agricultural Land;

Policy CS12 Part A (i) seeks to ensure that proposals do not result in the loss of high grade agricultural land or if so comprehensive evidence is provided to justify the loss. This is in line with the NPPF which outlines where significant loss of agricultural land is demonstrated to be necessary Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The site subject of this application is currently in crop and is classified by the Department for Environment, Food and Rural Affairs (DEFRA) as Grade 1 Agricultural Land. The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. It helps underpin the principles of sustainable development. Grade 1 land is the most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non food uses such as biomass and pharmaceuticals. Current estimates are that Grades 1 and 2 together forms about only 21% of all farmland in all of England, therefore it is clear that the land subject of this application is an important natural resource and its use is vital to sustainable development.

The proposal results in the loss of Grade 1 Agricultural Land which is amongst the best and most versatile agricultural land in the country. However, no comprehensive evidence policy has been provided to justify this loss and therefore the proposal is contrary to local and national policy.

6.2 Design, Layout and Impact on Character of the Area;

The site is located along Hannath Road and is in close proximity to the Tydd Gote Conservation Area which runs along the Lincolnshire side of the County boundary. The site is located in an area which is characterised by a uniquely large amount of woodland along the Hannath Road area of Tydd Gote. The high hedges and mature trees in this area complement some fine buildings. In addition, the proposed site between Dark Lane and Hannath Road is an attractive open field enclosed by some splendid mature trees. It is considered that such landscape features make a significant contribution to the very attractive rural character of the area.

This land was identified in the 1993 Local Plan as a key feature of form and character of the area. It is considered that the field still retains the characteristics which make it an important gap and feature in the settlement. Policy E2 of the existing Local Plan sets out that planning permission will not normally be granted for development on open spaces and gaps in the settlement which have intrinsically beneficial environmental qualities and are an important part of the settlement's character. Similarly, criteria (h) of Policy CS12 outlines that developments must not result in the loss of important spaces within the village.

This proposal introduces 4 very large dwellings on individual plots. This agricultural land which forms an attractive open field in the local area has been artificially subdivided in an arbitrary manner to form 4 individual plots. The proposed form, layout and subdivision of the land is out of keeping with the character and form of the area. Given that this area is characterised by individual intermittent buildings in a traditional layout which has evolved over many years. The proposal would introduce a suburban type development with regular plots in an arbitrary manner.

In terms of design and appearance of the proposed dwellings, it is considered that the scale, massing and appearance of the dwellings along with the layout and cumulative impact of 4 large 'executive homes' would be alien to and out of character with this area which holds a strong sense of rural character.

Therefore, taking account all of the above, including the strong rural character and appearance of the area and the policy requirements, it is considered that the proposal adversely harms the character and appearance of the area and fails to either make a positive contribution to the local distinctiveness and character of the area or enhance its setting.

As such, it is considered that the proposal would have a significant adverse impact upon the character and rural context of Hannath Road and would be contrary to Policies E1, E2 and E8 of the Fenland District Wide Local Plan 1993, Policies CS12 and CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.

6.3 Impact upon Residential Amenity;

It is considered that the proposal affords an adequate level of amenity for future occupants, with sufficient private amenity space to the rear of the dwellings. It is acknowledged that there will not be any significant overlooking or overshadowing impact as a result of the proposed dwellings, however one would expect that the occupants of such large homes in a rural location to experience a greater level of privacy and a more rural sense of place than that which is proposed by this suburban style proposal.

The proposal would introduce 2 new vehicular accesses; each serving 2 dwellings. Given the proposed number of dwellings and the location of the site is considered that the proposed accesses will impact upon the character and appearance of the area by virtue of the increased number of vehicular movements and general disturbance the proposal would generate at this predominantly rural area.

Therefore, although it is considered that the proposal would not directly result in an unacceptable harmful impact upon amenity it would contribute significantly to harming the character and appearance of the area.

6.4 Highways, Access and Parking;

The site is located off Hannath Road, which is a narrow, single vehicle width highway, devoid of footways and street lighting. The Parish Council and Local Residents have raised concerns regarding the width of the road and the suitability of the road for development.

CCC Highways have indicated that the junction of this section of Hannath Road with Hannath Road (to Tydd St.Giles) to the south and the junction the A1101 to the north are substandard in terms of visibility. Accordingly, CCC Highways have indicated that the local road network and associated highway infrastructure is not considered suitable in its current form to provide access to further general needs residential development, and the development should be refused accordingly.

Furthermore, CCC Highways have pointed out that in determining this application the District Council may wish to consider the suitability of the site in sustainability terms where access to schools, shops, healthcare and workplaces are wholly dependent upon the use of the private car, particularly in relation to the limited bus service availability.

Notwithstanding the above, it is noted that CCC Highways indicate that if the Council is mindful to approve this application some issues need to be addressed.

6.5 Drainage and Flood Risk;

The site is located within Flood Zone 2 and partly within Flood Zone 3 and requires assessment in terms of flood risk.

With regards to this application the Environment Agency (EA) have raised no objection to the proposal subject to 2 planning conditions. However, notwithstanding such comments, the NPPF and Local Policy requires the Council to steer all development towards areas of low risk and therefore it is necessary to assess this site in terms of local and national policy.

The site does not meet the criteria within Policy CS14 (Part B) of the emerging Local Plan – Core Strategy, as taking into account Flood Zones, Policy CS4 broadly identifies potential for 1200 homes to be delivered across various locations in the district which are lesser flood risk areas. Therefore, there are more suitable sites for residential development within the district and in line with the emerging Core Strategy and the NPPF it has not been demonstrated that the proposal meets an identified need.

6.6 Impact on Public Footpath;

A public footpath runs along the west boundary of the development site. A neighbour comment has queried whether the footpath between the Hawthorn hedge along the northern boundary of the site and the field forms part of the public footpath as it is used by the public.

Whilst, the piece of land in question demonstrates characteristics of public use. The CCC Countryside Access Team has indicated that it does not appear that the public footpath will be affected by the proposed development and therefore no objections have been raised. As such, the proposal would not impact upon the public footpath.

7. CONCLUSION

- 7.1 The principle of developing this site is considered to be unacceptable and contrary to the overarching settlement and spatial strategy set out in Policies CS3 and CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013), Policy H3 of the Fenland District Wide Local Plan 1993 and the NPPF.

The proposal by virtue of its location, siting, form, scale and layout would have a significant adverse impact upon the character and rural context of Hannath Road and it is considered that the proposal would be contrary to Policies E1, E2 and E8 of the Fenland District Wide Local Plan 1993, Policies CS12 and CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.

The location and characteristics of the site form a key and important landscape feature within the village, the development of or loss of such an important gap in the settlement would have a significant harmful impact upon the settlement's character. Therefore, it is considered that the proposal would be contrary to Policy E2 of the Fenland District Wide Local Plan 1993, and Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

In view of the existing local road network, associated highway infrastructure, CCC Highway, Parish Council and neighbour consultation responses it is considered that the existing highway network would not be suitable in its current form to provide access to the proposed residential development. Therefore, it is considered that the proposal would be contrary to CCC Highway advice and Policy CS13 and CS15 of the emerging Core Strategy (Feb 2013).

Furthermore, the proposal would exceed the 10% threshold set out in Policy CS12 of the emerging Fenland Local Plan Core Strategy (February 2013) and the applicant has not provided demonstrable evidence of strong local community support for the scheme contrary to Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).

The proposal would also result in the loss of Grade 1 Agricultural Land which is amongst the best and most versatile agricultural land in the country. However, no comprehensive evidence as outlined in local and national policy has been provided to justify this loss and therefore the proposal is contrary to Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.

In terms of flood risk assessment, the site does not meet the criteria within Policy CS14 (Part B) of the emerging Local Plan – Core Strategy, as taking into account Flood Zones, Policy CS4 broadly identifies potential for 1200 homes to be delivered across various locations in the district which are lesser flood risk areas. Therefore, in policy terms there are more suitable sites for residential development within the district and it has not been demonstrated that the proposal meets an identified need. Accordingly, the proposal fails to meet with Policy CS14 Part B of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.

8. RECOMMENDATION

Refuse

- 1 The site and proposal does not consist of a single dwelling infill site within an otherwise built up frontage. Therefore, the principle of developing this site is considered to be unacceptable and contrary to Policies CS3 and CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013), Policy H3 of the Fenland District Wide Local Plan 1993 and the NPPF.**
- 2 The proposal by virtue of its location, siting, form, scale and layout would have a significant adverse impact upon the character and rural context of Hannath Road and it is considered that the proposal would be contrary to Policies E1, E2 and E8 of the Fenland District Wide Local Plan 1993, Policies CS12 and CS16 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.**
- 3 The location and characteristics of the site form a key and important landscape feature within the village, the development of or loss of such an important gap in the settlement would have a significant harmful impact upon the settlement's character. Therefore, it is considered that the proposal would be contrary to Policy E2 of the Fenland District Wide Local Plan 1993, and Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).**
- 4 The proposal would exceed the 10% threshold set out in emerging Policy CS12 of the Fenland Local Plan Core Strategy (February 2013) and no thorough or proportionate public consultation has been undertaken to demonstrate that there is public support for the proposal contrary to Policy CS12 of the emerging Fenland Local Plan - Core Strategy (February 2013). The scale of the proposal is therefore out of keeping with the character and built form of the village and is contrary to emerging Policies CS3 and CS12 of the emerging Fenland Local Plan - Core Strategy (February 2013).**
- 5 The existing highway network and associated highway infrastructure is not be suitable in its current form to provide access to the proposed residential development. Therefore, it is considered that the proposal would be contrary to CCC Highway advice and Policy CS13 and CS15 of the emerging Fenland Local Plan – Core Strategy (Feb 2013).**
- 6 No evidence has been put forward to justify the loss of Grade 1 Agricultural Land and therefore the proposal is contrary to Policy CS12 of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.**

- 7 The site is located within Flood Zone 2 and partly 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 and it has not been demonstrated that the proposal meets an identified need. Therefore, the proposal is considered to be contrary to Policy CS14 Part B of the emerging Fenland Local Plan – Core Strategy (Feb 2013) and the NPPF.**

