

Application Number: F/YR13/0452/F

Minor

Parish/Ward: March West

Date Received: 18 June 2013

Expiry Date: 13 August 2013

Applicant: Mr M Reynolds

Agent: Mr C Brand, Craig Brand Architectural & Highway Design

Proposal: Erection of 2no light industrial units, 2no 5-bed 2-storey dwellings and 2no detached double garages, involving the demolition of existing buildings

Location: The Old Dairy Buildings, Grange Road, March

Site Area/Density: 0.75 hectares.

Reason before Committee: This application is before the Planning Committee due to a request from Councillor French as it is considered that the site is a brownfield site and would encourage employment on a redundant site, therefore complying with the relevant policies within the development plan and to the NPPF.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of 2 light industrial units, 2 x 5-bed 2-storey dwellings and 2 detached double garages, involving the demolition of the existing buildings at the Old Dairy Buildings, Grange Road, March. The site comprises a range of redundant, run down; brick built farm buildings together with a large area of agricultural land.

The site is located outside the defined settlement core of March, to the west of the A141 and within the open countryside. The site is not allocated for development nor is it well related to the existing or future urban areas of the town.

The principle of residential and new industrial development in this location is considered unacceptable in planning policy terms, as these do not support unjustified employment and residential proposals within the open countryside. The proposal is also not well related to planned growth areas. The scheme would also, by virtue of the scale, mass and design of the buildings, the use of undeveloped land and the proposed landscaping, unacceptably harm the character and appearance of the area. Accordingly the proposal is recommended for refusal.

2. HISTORY

Of relevance to this proposal is:

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| 2.1 | F/YR12/0036/F | Conversion of existing buildings to a 3-bed dwelling with office together with private open space, industrial workshop and stores | Refused on 14 March 2012 |
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	and an owl barn and 2.0 metre high palisade and close boarded fencing	
F/YR11/0089/EXTIME	Conversion of existing building to 3 industrial units involving demolition of part of existing building and conversion of part of existing building to owl barn and erection of 2.0 metre high security fencing and gates and 3 wall-mounted flood lights (Renewal of planning permission F/YR08/0633/F)	Granted on 23 March 2011
F/YR08/0633/F	Conversion of existing building to 3 industrial units involving demolition of part of existing building and conversion of part of existing building to owl barn and erection of 2.0 metre high security fencing and gates and 3 wall-mounted flood lights	Granted on 6 October 2008
F/YR07/1305/F	Conversion of existing building to 3 industrial units involving demolition of part of existing building and conversion of part of existing building to owl barn and 2.0 metre high security fencing/gates	Granted on 7 February 2008
F/YR07/0747/F	Erection of 6 industrial units with storage bays involving part demolition of existing building	Refused on 22 August 2007
F/YR06/1185/F	Erection of 10 industrial units with 1.8 metre high fence and gates involving demolition of existing building	Refused on 12 June 2006
F/98/0940/F	Change of use of existing piggery to dairy distribution centre and office involving elevational alterations	Withdrawn on 31 January 2000
F/93/0602/F	Change of use of existing piggery to dairy distribution centre and office involving elevational alterations	Granted on 15 February 1994
F/91/0272/F	Formation of additional holes to provide 18 hole golf course, erection of 69 dwellings including installation of a sewage treatment plant and associated road improvements and landscaping	Dismissed by Secretary of State on 27 October 1992
F/1208/88/O	Formation of additional holes to provide 18 hole golf course	Granted on 16 March 1989

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 - Encourage the effective use of previously developed land, however protecting the intrinsic character and beauty of the countryside
- Paragraph 21 - In drawing up Local Plans, LPA's should set criteria, or identify strategic sites, for local and inward investment, identify priority areas for economic regeneration.
- Paragraph 28 - Support sustainable growth and expansion of all types of business and enterprise in rural areas
- Paragraph 37 - Planning policies should aim to minimise journey lengths for employment, shopping, leisure, education and other activities
- Paragraph 55 - Avoid new isolated homes in the open countryside
- Paragraph 120 - To prevent unacceptable risks from pollution and where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.

3.2 Fenland Core Strategy (Proposed Submission February 2013):

- CS1 - Presumption in Favour of Sustainable Development
- CS3 - Spatial strategy, the Settlement Hierarchy and the Countryside
- CS6 - Employment, Tourism, Community Facilities and Retail
- CS9 - March
- CS12 - Rural Areas Development Policy
- 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 across the District.
- CS19 - The Natural Environment

3.3 Fenland District Wide Local Plan:

- H3 - To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan.
- E1 - To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.
- E8 - Proposals for new development should:
 - allow for protection of site features;
 - be of a design compatible with their surroundings;
 - have regard to amenities of adjoining properties;
 - provide adequate access.

- E20 - To resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution. To take account of the amount, type and location of hazardous substances where proposals are submitted involving these substances.
- EMP1 - Proposals will normally be favoured for new, or the extension or expansion of existing, firms engaged in Business, General Industrial or Storage/Distribution uses within Primary Industrial/Business Area. Elsewhere within DABs such development will normally be permitted provided certain criteria are met. Outside DABs the expansion of existing firms will only be permitted where certain criteria are satisfied.
- EMP4 - To resist new Business, General Industry, Storage/Distribution uses outside DABs which are unrelated to any existing activity. Proposals for agriculture, horticulture or forestry, tourism and the extraction of minerals may prove the exception.
- EMP6 - The creation or expansion of industrial or commercial uses will not normally be favoured which give rise to serious environmental or highway problems.
- TR3 - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.
- PU1 - To require new developments to make satisfactory arrangements for water supply, sewerage and sewage disposal, land drainage and flood protection matters.

4. CONSULTATIONS

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| 4.1 | <i>Town Council:</i> | Recommend approval. |
| 4.2 | <i>Middle Level Commissioners:</i> | The applicant has not yet provided adequate evidence to prove that a viable scheme for appropriate water/level/flood risk management that meets current design standards exists, that is could be constructed and maintained for the lifetime of the development. |
| 4.3 | <i>Natural England:</i> | Standard advice provided. |
| 4.4 | <i>FDC Environmental Health:</i> | Note and accept the submitted information and have no objections. Due to the previous use and structures on the site and the likelihood that there is made ground on the site (as well as the requirement for demolition of existing structures), the contaminated land condition is required if permission is to be granted. This is to ensure that the land is not contaminated and is suitable for its intended end use. |
| 4.5 | <i>Highway Authority:</i> | Assuming that the occupancy of the proposed dwellings associated with the industrial units would be formally linked by condition/legal agreement, on this basis there are no objections in principle. |

The area of servicing/ turning (or indeed the Grange Road approach from Knights End Road) is not adequate to cater for articulated vehicles which may typically be associated with the use of industrial building in Use Class B2/ B8; accordingly, the use should be restricted to Class B1.

The plans require minor amendments to take account the provision of 10m radius kerbs on the north side of the access; the south side may be reduced to 6m, and 2.4m x length of site frontage visibility splays should be shown both sides of the access and maintained clear of obstruction over 760mm.

Recommend conditions following suitably amended detail.

4.6 ***Environment Agency:***

No objection, in principle, to the proposed development subject to recommendations and informatives in respect of foul water drainage, surface water drainage, contamination and pollution prevention.

4.7 ***Anglian Water:***

The method of foul disposal is to a package treatment plant and surface water is to a ditch. Anglian Water would therefore have no comments to make.

4.8 ***Local Residents:***

4 letters of objection received. Comments are summarised below:

- The proposal would have a negative impact on the Crematorium business due to over-intensification of the area via the proposal.
- The development process, including the demolition, production of buildings and possible contraction of the boundary of the Crematorium by future residents would impact on the day-to-day business of the Crematorium.
- Overlooking into the Crematorium grounds would become an issue, limiting privacy offered to the clients.
- Increase in traffic movements along the road which is considered to have reached its safe limit and suffering from subsidence. This is of particular concern as the application shows 30 parking spaces.
- There is no information given on the intended use of the industrial units or the opening times. There could be potential adverse effect on the established herd of red deer in the area, especially during breeding season.

- The biodiversity report fails to mention the Sparrow Hawk or Red Kites that frequently use the site. We disagree with the findings that there are no bats, as in the evenings you can see them flying around the buildings.
- This proposal is for the demolition; where as all of the previous applications for the site included the building into the plans and in keeping with the previous character of the site.
- The size, position and the fact that 2 houses and industrial units are proposed is outrageous when the Council has already refused an application for a bungalow and 1 industrial unit.
- The size of the dwellings are disproportionate to the industrial units, which could be easily converted at a later date to residential units.
- If permission is granted it would set a precedent and would open the road for other developments.

5. **SITE DESCRIPTION**

- 5.1 The site comprises a range of redundant, run down, brick built farm buildings, formerly used as a dairy situated to the east side of Grange Road, west of March, and west of the bypass (A141).

The existing buildings are arranged in a horseshoe shaped courtyard and are in a state of disrepair. There are no defining boundary treatments, however the site is currently overgrown.

The area surrounding the site is generally open fields with a dwelling on the opposite side of the road and one to the south. The Fenland Crematorium is also in close proximity to the north west.

6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:

- Principle and Policy Implications
- Planning History
- Visual Impact, Scale and Design
- Flood Risk and Drainage
- Biodiversity

Principle and Policy Implications

The site is divorced from the main settlement core of March being on the western side of the A141 bypass within the open countryside.

Whilst a very small portion of the site (to the north) may be considered to constitute brownfield land the remainder of the site is undeveloped land within the open countryside. Whilst the National Planning Policy Framework (NPPF) encourages the effective use of brownfield land (in paragraph 17) the same paragraph identifies that decisions should take account of the character of areas including recognising the intrinsic character and beauty of the countryside.

Paragraph 28 of the NPPF supports sustainable economic development through the conversion of existing buildings and well designed new buildings. With regard to the residential component of this application paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

The CS seeks to deliver the core principles of the NPPF by setting out a logical approach to identifying suitable locations which meet the business needs in the District over the life of the CS. Policy CS9 sets out the broad locations and strategic allocations which would deliver sustainable growth relating to housing, employment and retail uses in March. For employment purposes the March Trading Estate is the main focus for this type of development.

Policy CS6 includes a number of criteria against which employment proposals should be assessed. These include the need for any proposal to fit with the Council's spatial strategy and with the broad locations for growth or other suitable location on the edge of Market Towns where it can be demonstrated that such growth would be compatible with adjacent urban land uses. This latter part of the criteria is not relevant to this case as the site is not urban in character – it is not therefore a genuine edge of town location. The criteria also refer to the accessibility to public transport services and the impact upon the landscape character; these are discussed further below.

The site is not located within either the strategic allocations or broad locations. It is divorced from the town by the A141 and is not considered to be a sustainable location for new housing. Whilst it is close to the A141 bypass it is not served by public transport, the access road is narrow, in poor condition and has no footways or streetlights. Accordingly the occupiers of the proposed dwellings and new employees would be wholly dependent on the private car for everyday journeys to work, to services and other facilities. This is contrary to the sustainable objectives set out in the CS and to the advice within paragraph 37 of the NPPF.

There is no policy support for this new development in this countryside location. The proposal does not involve the re-use of the existing buildings on site (as the extant permission did). Any new employment and business development would be expected to be accommodated within existing developed areas or on planned allocated industrial/housing sites. Any departure from this approach would undermine the principles within the CS. Given that the employment use is speculative in nature there are no special circumstances which seek to demonstrate why the business use should be located in this location (and therefore whether a departure from planning policies can be justified).

Accordingly the proposal for residential and industrial use on this site would be contrary to Policies H3 and EMP4 of the Local Plan (LP), Policies CS1, CS3, CS6, CS9, CS12 of the Core Strategy (CS) Proposed Submission February 2013 and paragraphs 17, 28, 37 and 55 of the NPPF.

Planning History

As mentioned previously the site benefits from extant planning permission for the conversion of the existing building to 3 industrial units (LPA reference: F/YR11/0089/EXTIME), which expires on 23 March 2014. This proposal was supported on the basis that the existing building was being converted and re-used in accordance with Policy EMP3 of the LP. Officers are of the opinion that given the state of the existing building at present, including roof collapse and damage to walls it may be highly difficult to implement this permission in accordance with the approved details, hence the refused application in March 2012 for the conversion of the building to a 3-bed dwelling with office, industrial workshop and stores (LPA reference: F/YR12/0036/F).

The current proposal involves the total demolition of the existing building and the erection of two new buildings for light industrial use. Accordingly the principle of the proposal would be contrary to Policy EMP4 which states that new business, general industrial, storage or distribution uses unrelated to any existing activity will not normally be permitted in the open countryside. The land is not designated for industrial use and the rebuilding on unallocated land is contrary to Policies EMP1, EMP2, and EMP4 of the LP and to Policy CS6 and CS9 of the CS.

Visual Impact, Scale and Design

The proposal seeks the demolition of the existing single-storey agricultural buildings and the rebuilding with two industrial units and two large two-storey dwellings. The site is also much larger than the area taken up presently by the buildings and includes additional agricultural land to the south; this occupying Plot 2.

Plot 2 measures some 8.2 metres to ridge height and would accommodate 5 bedrooms. Plot 1 measures some 7.9 metres to the ridge and would also accommodate 5 bedrooms. As such the development would appear as a prominent and incongruous in the context of the overall setting.

These units do not reflect the character of the area and would become strident features in the open countryside. In order to seek to screen the development from public views the proposal seeks to provide substantial landscaping along the site boundaries (an existing hedge on the southern boundary is also retained). This approach would re-enforce the substantial change to the area, which would substantially erode the open character of the landscape.

Given the location of the site in relation to the Crematorium there is not considered to be any unacceptable impacts in relation to overlooking or the impact upon the business.

Flood Risk and Drainage

The Middle Level IDB have noted that the applicant's agent has entered pre-application discussions, and although these have not been as detailed as the Board would have liked, the principles of the main issues have been discussed.

The site is located within Flood Zone 1, and although due to the size of the site and nature of the development the Environment Agency would not be required to be formally consulted, they have confirmed that they have no objections to the proposed development.

There have been no supporting documents submitted at this stage to provide adequate evidence to prove that a viable scheme for appropriate water level/flood risk management that meets current design standards exists, that it could be constructed and maintained for the lifetime of the development. The effective disposal of surface water is a material planning consideration, however the Middle Level IDB are satisfied that further information and details could be provided via a planning condition should a permission be forthcoming.

Biodiversity

An Ecological Assessment has been carried out on the site, which confirms that barn owl, kestrel and little owl pellets were found in a number of units within the buildings. The report recommends that a number of bird nest boxes should be erected within the site.

There are two nest boxes proposed; one little owl nest box in the southern end of the site and one barn owl and kestrel nest box to the northern end of the site both set on a 5 metre high telegraph poles.

In respect of reptiles, the report recommends that a survey for reptiles be carried out prior to any development on this site.

The comments from some of the nearby local residents are noted in respect of other bird activity around the site. The report does confirm that should any of these birds be nesting within the building the risk of disturbance can easily be avoided by completing all demolition and vegetation clearance work outside of the breeding season (nesting March to August, inclusive).

7. CONCLUSION

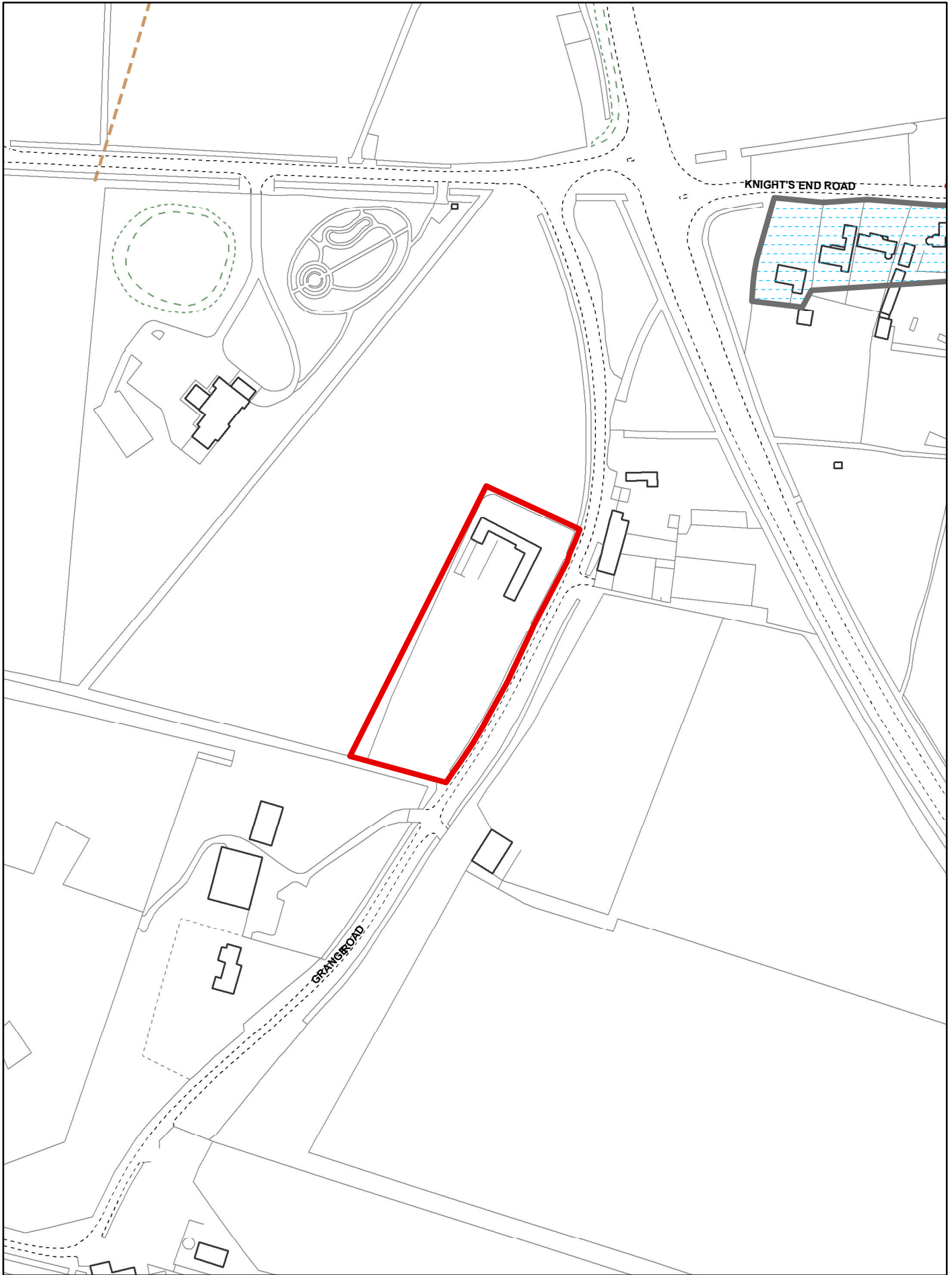
- 7.1 The proposal is contrary to the relevant development plan policies referred to above which restricts development in the countryside unless the proposal is essential to a particular location; it reduces the need to travel by car; and, it reuses or converts existing buildings. Whilst some support for the re-use of previously developed land is acknowledged this only relates to a small part of the site. The proposal is not within a sustainable location and the impacts of the proposal are considered to comfortably outweigh the benefits arising from the scheme.

This proposal is not consistent the NPPF nor a number of local policies and therefore refusal is recommended.

8. RECOMMENDATION

Refuse

- 1. The proposed development would be located in the open countryside divorced from the settlement core of March on unallocated land where there is no access to facilities and services other than by private car. The development would therefore represent an unsustainable form of development contrary to Policies H3 and EMP4 of the Fenland District Wide Local Plan 1993, Policies CS1, CS3, CS6, CS9 and CS12 of the Core Strategy Proposed Submission February 2013 and to the advice contained with the National Planning Policy Framework.**
- 2. The proposed development would lead to a harmful impact upon the character of the open countryside by virtue of the scale, mass and design of the buildings, the introduction of new built form within an area of undeveloped land and the introduction of inappropriate landscape screening. The development would therefore represent an unacceptable and unsustainable development contrary to Policies H3, E8 and EMP4 of the Fenland District Wide Local Plan 1993, Policies CS1, CS3, CS6, CS9 and CS12 of the Core Strategy Proposed Submission February 2013 and to the advice contained with the National Planning Policy Framework.**

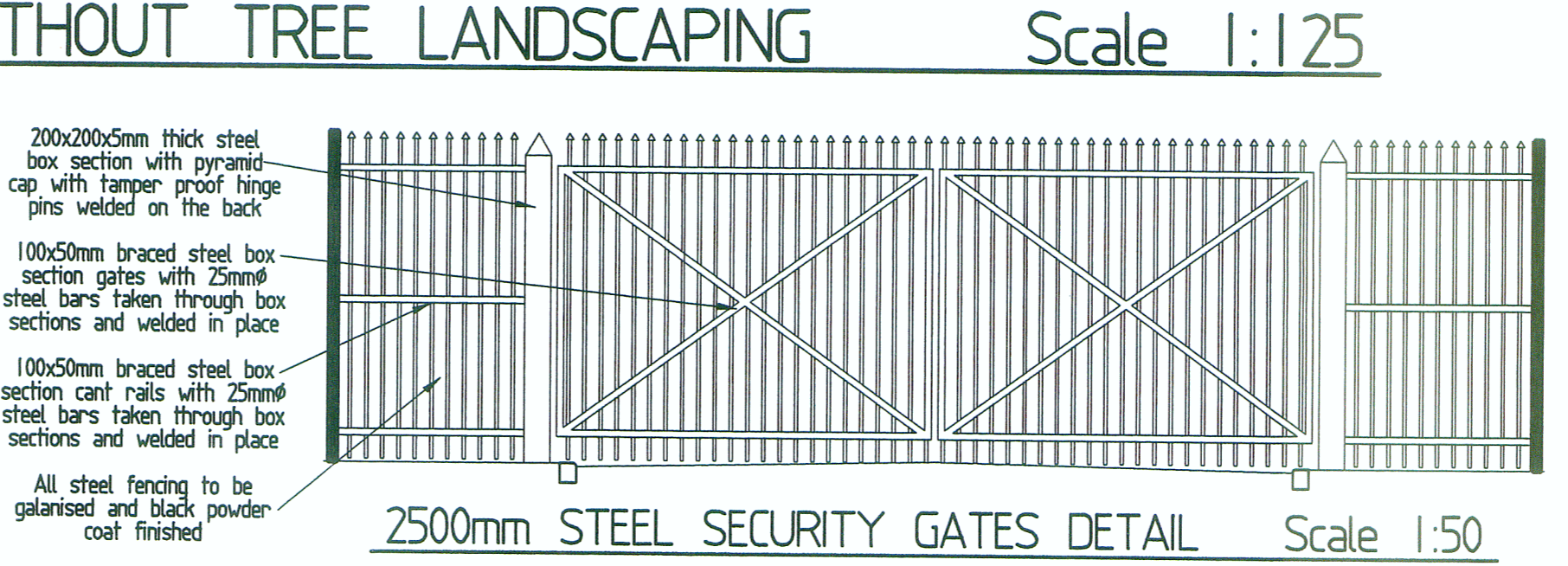
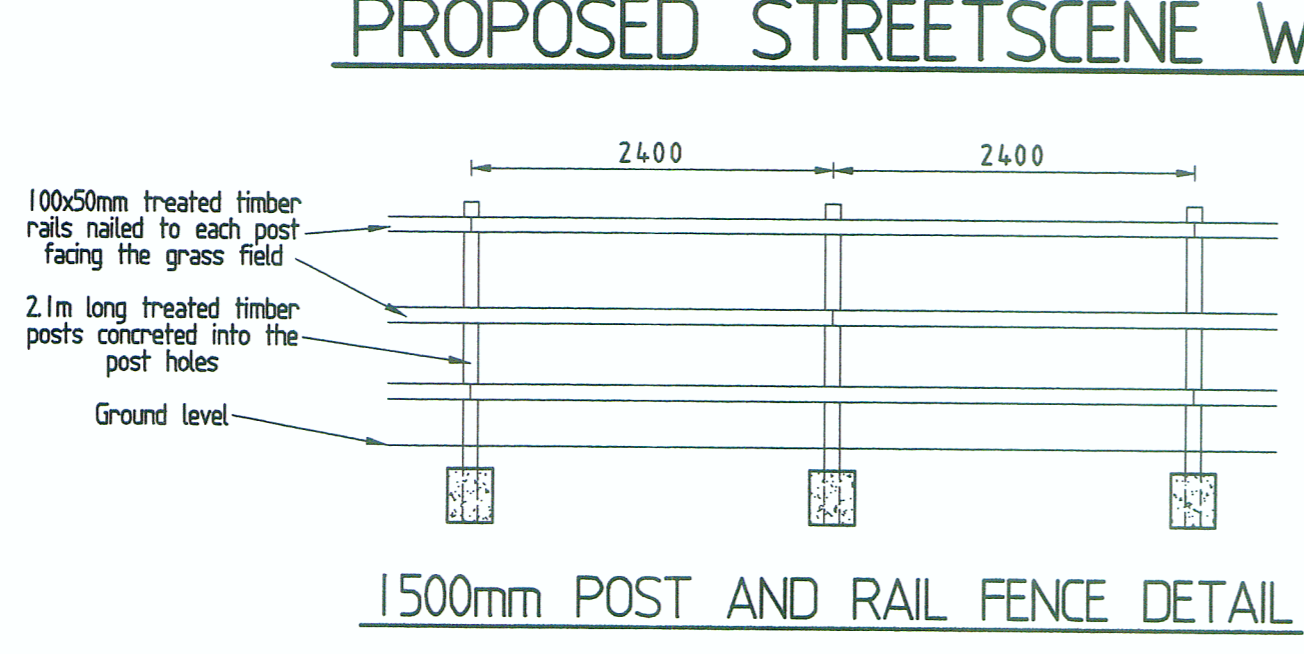
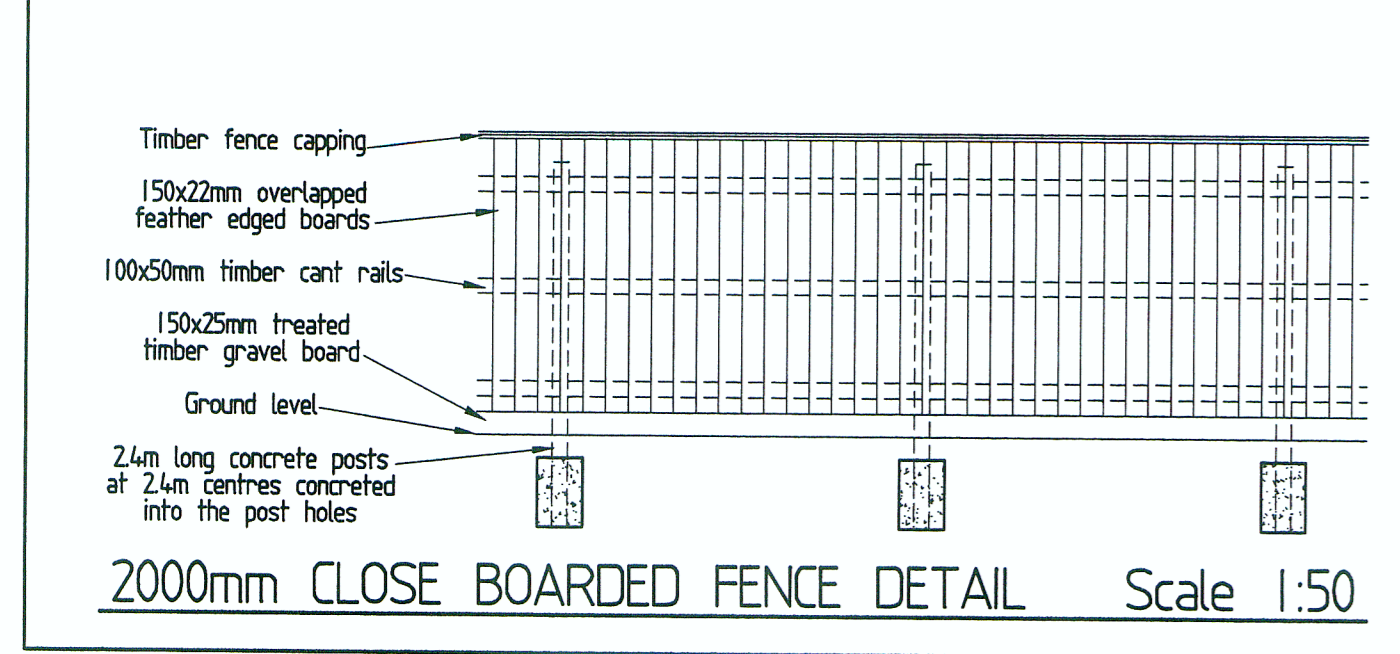
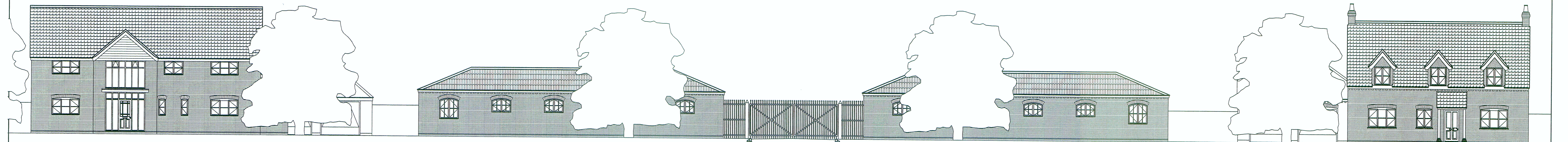
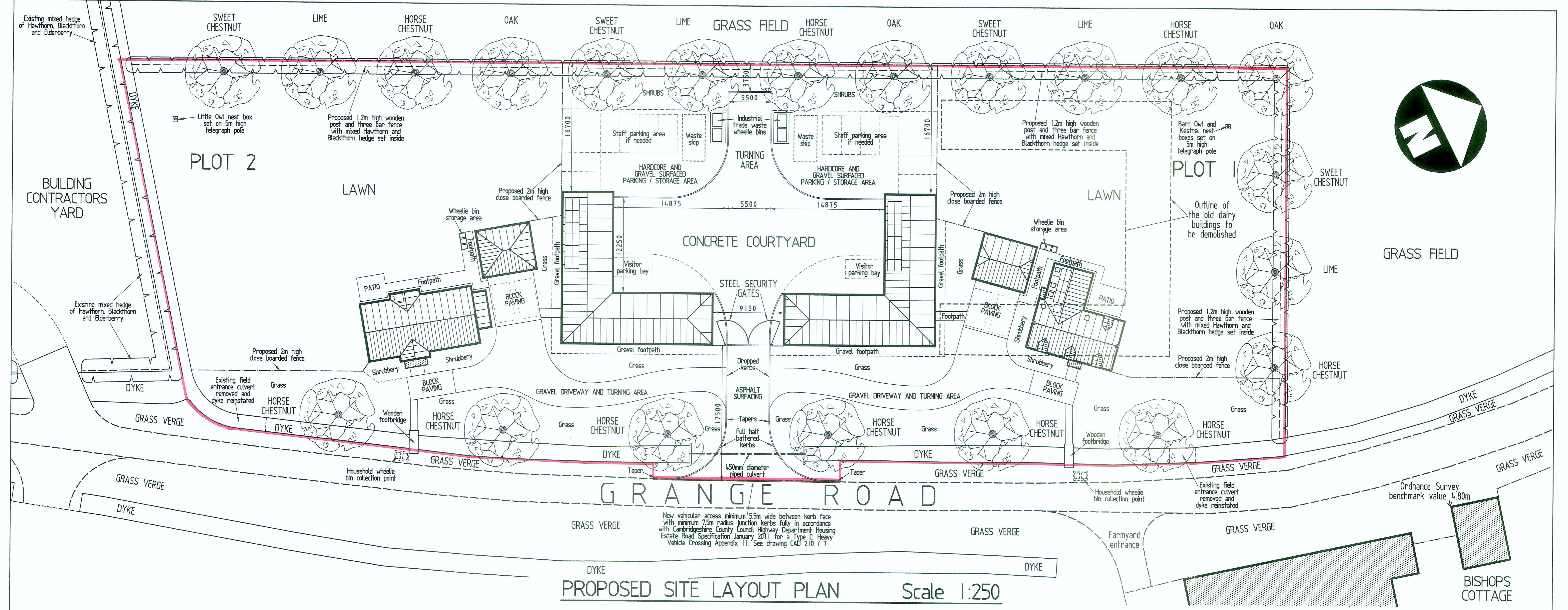


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Drawing Title: ERECTION OF 2-LIGHT INDUSTRIAL UNITS WITH ASSOCIATED 2-STORY HOUSES & DOUBLE GARAGES, THE OLD DAIRY BUILDINGS, GRANGE ROAD, MARCH. PROPOSED DRAINAGE LAYOUT PLAN AND DETAILS

Client: MARTIN REYNOLDS
183 THE DROVE, BARROWAY DROVE, NORFOLK.

Scales: AS SHOWN Date: APRIL 2013 Drawing No: CAD 210 / 1 Rev: A

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