

Application Number: F/YR13/0546/F
Minor
Parish/Ward: Tydd St Giles/Roman Bank
Date Received: 17 July 2013
Expiry Date: 11 September 2013
Applicant: Mr P Tilney
Agent: Mr Martin Williams, Anfoss Ltd

Proposal: Erection of a 2-storey 3-bed dwelling with attached garage involving the formation of 2 x new access.

Location: Land north east of Fruit Cottage, Hannath Road, Tydd Gote.

Site Area/Density: 0.07ha / 7 dph

Reason before Committee: This application is before committee at the request of Cllr Hatton as he considers that the proposal meets the principles of the Core Strategy as the site abuts the developed footprint of the existing village and it will enhance the area.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site is positioned within an isolated location, over 200m from the nearest established settlement. No justification has been provided for the erection of the dwelling within this countryside location. It is acknowledged that there are other sporadic dwellings within the vicinity however these have been justified by virtue of occupational requirements, replacement policy and/or are historic housing stock. The site is located within Flood Zone 3 (FZ3), which is classed as being at the highest risk of flooding. Both the emerging Core Strategy and the NPPF require new developments to be located within areas of lower flood risk before land within FZ3 is released. It is widely accepted that there is land, especially for a single plot, available within the District which is located within Flood Zones 1 and 2. The local highway network and associated infrastructure is unable to support an additional dwelling in this location thereby rendering the development detrimental to highway safety. The proposal therefore fails in terms of flood risk, sustainability and highway safety and accordingly the application is recommended for refusal.

2. HISTORY

- F/YR12/0611/F Erection of a 2-storey 3-bed dwelling with attached garage involving the formation of 2 x accesses
Refused 26.04.2013
- F/0640/89/O Erection of a dwelling
Refused 13.07.1989
- F/1795/88/O Erection of one dwelling
Refused 16.03.1989

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: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 32: Decisions should take into account whether safe and suitable access to the site can be achieved for all people.

Paragraph 100: Inappropriate development in areas at risk of flooding should be avoided.

3.2 Draft Fenland Core Strategy:

CS3: Spatial Strategy and Settlement Hierarchy

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 High Quality Environments

3.3 Fenland District Wide Local Plan:

E8: Landscape and amenity protection

H3: Development Area Boundary/Protection of Character and Amenity/Highway Safety

4. CONSULTATIONS

4.1 Parish Council:

Not received at time of report.

4.2 Environment Agency:

The proposal will only be acceptable if the development is carried out in accordance with the submitted flood risk assessment. A condition to this effect is required.

- 4.3 **North Level Internal Drainage Board:** No comments to make.
- 4.4 **CCC Highways:** The northern access width is excessive and should be reduced to a maximum width of 4m. The application should be considered in the same light as F/YR13/0445/F ie Hannath Road is a single vehicle width carriageway, devoid of footways and street lighting. The junction of this section of Hannath Road with Hannath Road (to Tydd St Giles) to the south and the junction with the A1101 to the north are substandard in terms of visibility. The local road network and associated highway infrastructure is not considered suitable in its current form to provide access to further residential development and the development should be refused accordingly.
- 4.5 **FDC Scientific Officer:** No objections.
- 4.6 **Neighbours:** 2 representations received objecting to the proposal on the following grounds:
- the proposal is contrary to H3 of the Local Plan,
 - the proposal is contrary to CS3 of the emerging Core Strategy,
 - the proposal is contrary to Section 06 of the NPPF,
 - the proposal would represent unjustified development within the open countryside,
 - the site is located within Flood Zone 3, the proposal would fail to demonstrate the acceptability of locating housing development on this site in sequential terms when compared to other village sites within the District which have a lower risk of flooding,
 - the proposal is contrary to CS14 of the emerging Core Strategy,
 - have the material planning considerations including the NPPF been taken into account?
 - has the application been the subject of pre-application discussions?
 - the site is located outside of the established village settlement,
 - highway safety given the narrow road,
 - precedent,
 - this is not an 'infill' area,

- numerous other applications have been refused on appeal with many of these in much better proximity to easier access,
- loss of light,
- increase noise and disturbance,
- visual impact,
- height is out of keeping with the surroundings.

5. SITE DESCRIPTION

- 5.1 The site is located along the western side of Hannath Road, approximately 35m from the junction of Hannath Road – Tydd St Giles. The site currently serves as garden land to a detached dwelling and is enclosed by dense landscaping. The site is within a countryside location, over 200m from the nearest established settlement.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Policy implications
 - History
 - Design, layout and highways
 - Flood Risk
 - Other Matters

(a) Policy implications

The site is located beyond any established settlement and within a countryside location. There are some sporadic residential developments within the vicinity however there are no areas that could be regarded as continuous built up frontages.

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 CS12 of the Core Strategy – February 2013 is relevant in this instance and lists the general good practice criteria. The criteria listed in this policy details that the site should be in or adjacent to the existing developed footprint of the 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, not result in the loss of high grade agricultural land nor result in risks or unacceptable nuisances to residents and businesses. This site is an existing garden which sits in an isolated location amongst a small group of dwellings forming sporadic development.

It is acknowledged that there are some residential properties in the surrounding area, however it is considered that this development does not comply with Policy CS12 as it is not adjacent to the existing developed footprint and is considered to have an adverse impact on the character of the locality. In addition it is considered that the site is not in a sustainable location. The intensification of residential use in this isolated location is considered to be harmful to the character and appearance of the rural location.

No special circumstances have been put forward to indicate that this development is essential in terms of the effective management of a local rural enterprise, as required by adopted and emerging policies.

(b) History

Planning permission for a dwelling was sought on this site in late 2012. It was refused in early 2013 for the following reasons:

1. *The proposal is contrary to policy H3 of the Fenland District Wide Local Plan, CS3 of the emerging Fenland Local Plan Core Strategy (proposed submission February 2013) and Section 06 of the National Planning Policy Framework in that it would represent unjustified residential development within the open countryside.*
2. *The site is located 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 village sites within the District which have a lower probability of flooding. The proposal is therefore contrary to policy CS14 of the emerging Fenland Local Plan Core Strategy (proposed submission February 2013).*

The resubmission includes amendments to the design of the dwelling, namely the removal of the roof hips and the realignment of some of the fenestration on the front elevation. Whilst it is acknowledged that these alterations are an improvement to the previous scheme, these changes are only cosmetic and do nothing to overcome the two previous reasons for refusal.

It is acknowledged that there are other sporadic dwellings within the vicinity however it is important to note that none are positioned in continuous built up frontage. Furthermore the dwellings within the area are either replacement dwellings, occupational dwellings or are historic properties. As such there is no justification in terms of precedent to allow a new dwelling in this location.

(c) Design, layout and highways

The dwelling has a standard appearance and will be positioned along the northern boundary of the site. The proposal fails to properly address the road frontage however this is of minimal concern given the sporadic nature of other buildings within the vicinity. It is considered that the siting of the building and position of first floor windows are such that neighbouring amenities are unlikely to be harmed.

The proposal includes the formation of two new accesses, one of which is excessive in width. The Agent has not been explicitly invited to address this concern due to risk of abortive costs however they have been advised of these concerns. The width of the access is not in itself reason for refusal although it should be resolved prior to formal decision should Members wish to favourably recommend the scheme. Although the previous consent did not include a highways reason for refusal, CCC Highways have now recommended that there is sufficient reason to do so given the pressure from development along this part of Hannath Road and the substandard width, lack of footpath and streetlights. The local road network and associated highway infrastructure are unsuitable to accommodate any further development within the location and given that the proposal fails to upgrade the infrastructure and road network it fails on highway safety grounds.

(d) Flood Risk

The site is located within Flood Zone 3 which is classed as being at the highest risk of flooding and yet the flood risk assessment fails to adequately address the risk of flooding within the area. Both the emerging Core Strategy and the NPPF require new developments to be located within areas of lower flood risk before land within Flood Zone 3 is released. It is widely accepted that there is land, especially for a single plot, available within the District which is located within Flood Zones 1 and 2. The proposal therefore fails to satisfy the planned sustainable growth of the District, contrary to CS14 of the emerging Core Strategy.

(e) Other Matters

The comments received from neighbouring residents have been noted and those which are material planning considerations have already been justified within the body of this report.

7. CONCLUSION

- 7.1 The proposal constitutes unjustified residential development within the countryside. Although there is some sporadic housing within the vicinity these have been identified as replacement dwellings or occupational dwellings and/or are historic housing stock. The site is within an isolated location, over 200m from the nearest established settlement. The unsuitability of the site for development is highlighted by the substandard local highway network on which it is located and the lack of adequate highway infrastructure. The development is contrary to countryside housing policies and sustainability principles as outlined in the Local Plan, the emerging Core Strategy and government guidance contained within the NPPF.

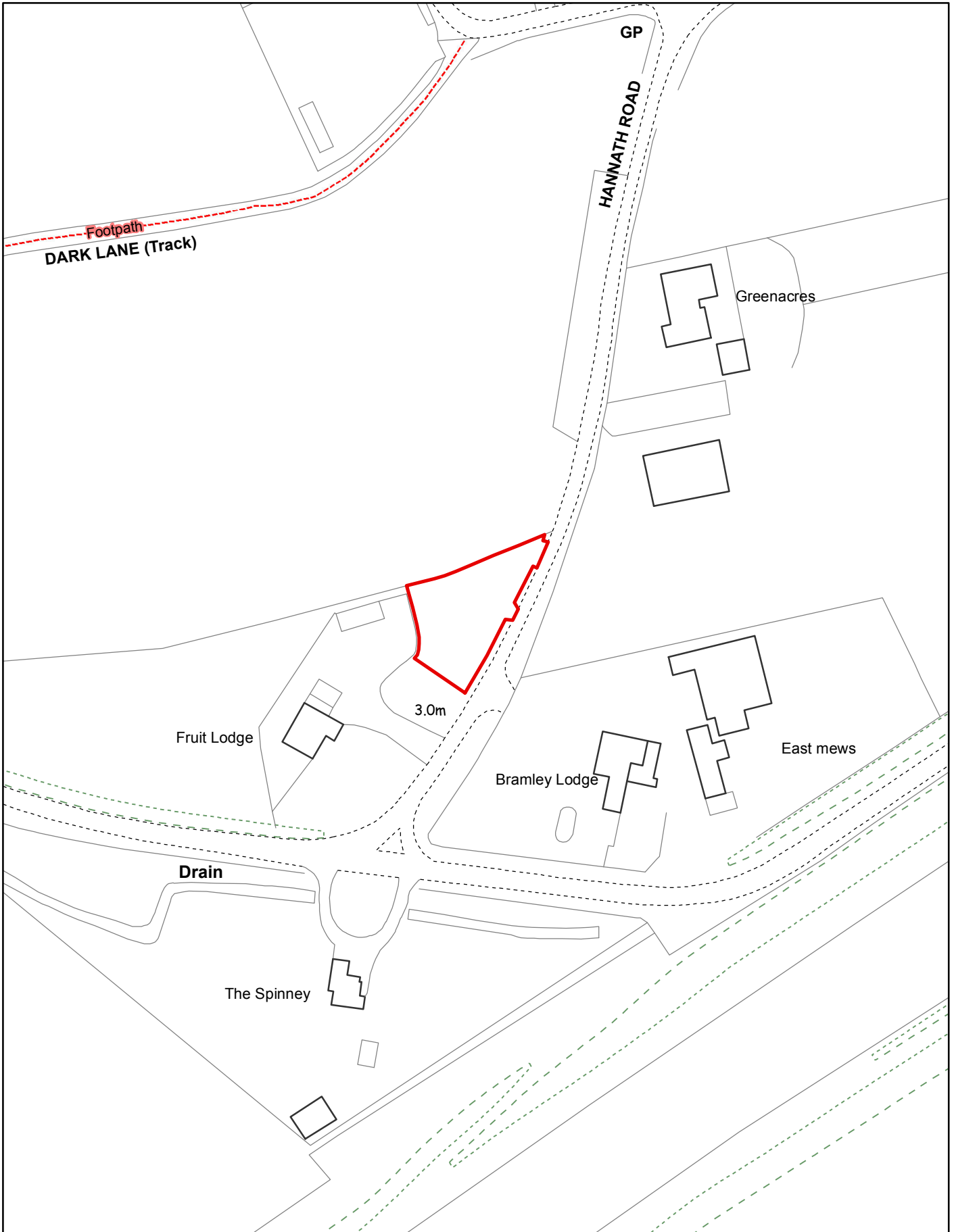
In addition the site is located within an area at high risk of flooding and no special justification has been provided for the proposal. It is therefore considered that there is no need to release land for housing in this area which is at high risk of flooding when there is land available at lower risk of flooding elsewhere within the District.

For the reasons above it is considered that the proposal is contrary to the provisions of the Development Plan and national guidance and it is therefore recommended that planning permission is refused.

8. RECOMMENDATION

Refuse

- 1. The proposal represents unjustified residential development within a countryside location, contrary to H3 of the Fenland District Wide Local Plan, CS3 and CS12 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 6 of the National Planning Policy Framework.**
- 2. The development is located within Flood Zone 3 despite there being land available within areas of lower flood risk. The application is therefore contrary to CS14 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 10 of the National Planning Policy Framework.**
- 3. The local highway network and associated highway infrastructure is insufficient to support an additional dwelling in this location. As no improvement works have been proposed the development would increase risks to highway safety to the detriment of future occupants and the general public. The proposal is therefore contrary to E8 of the Fenland District Wide Local Plan, CS15 of the Fenland Local Plan Core Strategy (proposed submission 2013) and Section 4 of the National Planning Policy Framework.**



Created on: 08/08/2013

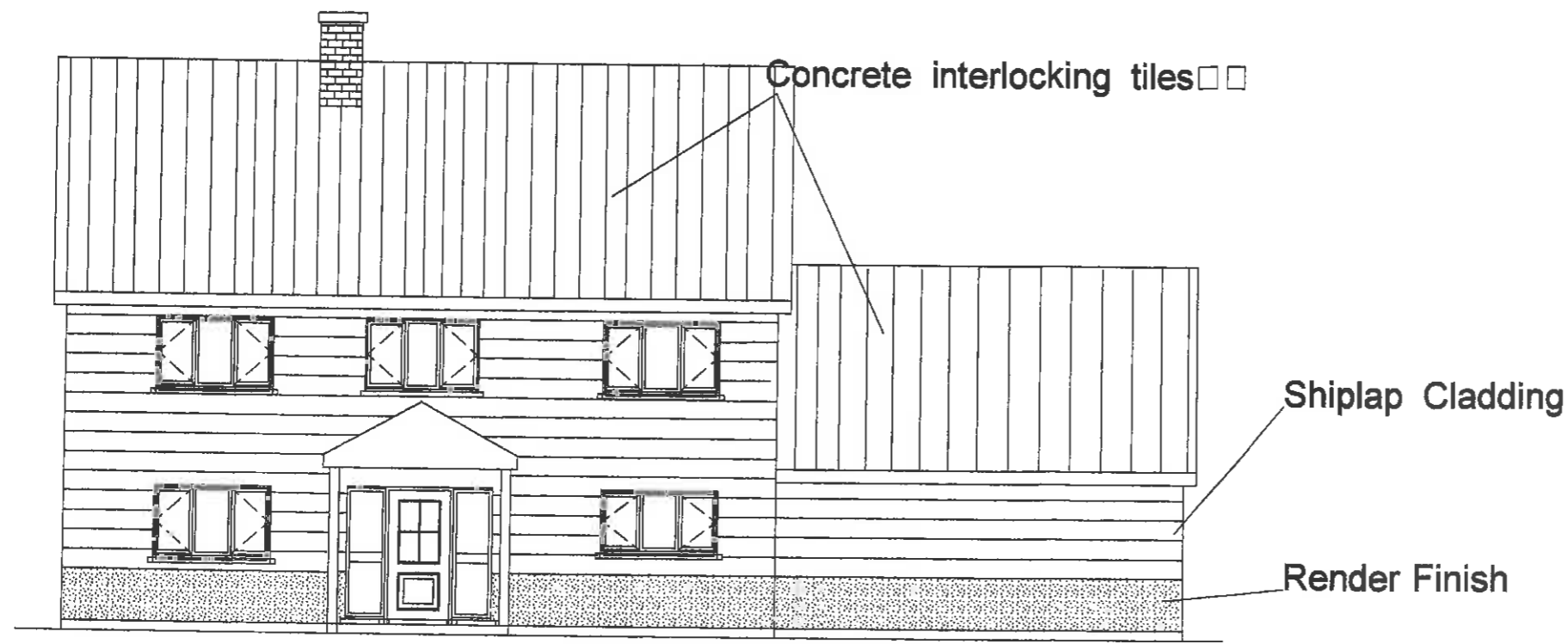
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Front Elevation



Side Elevation



Rear Elevation



Side Elevation

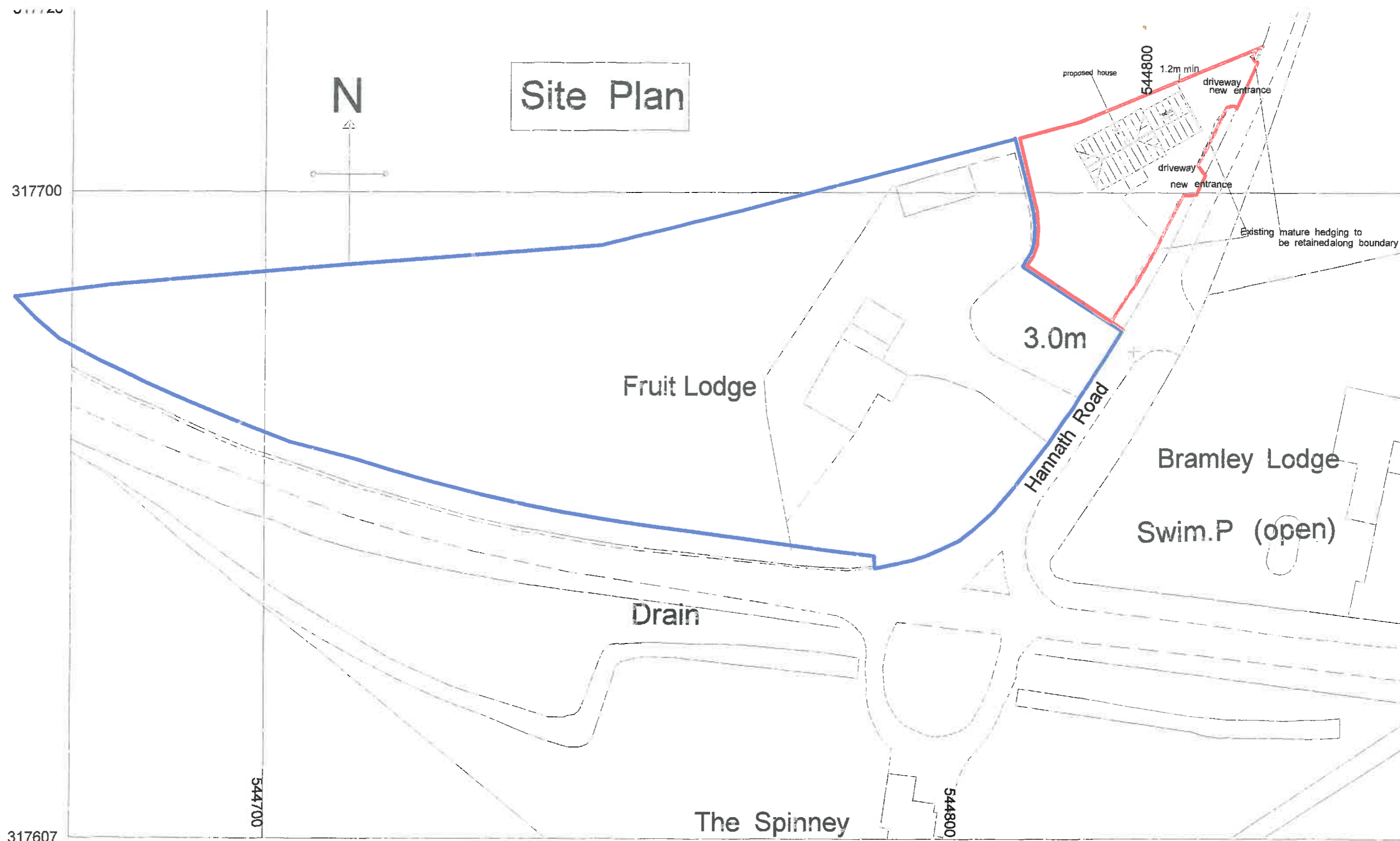
Elevations proposed for Mr Tilney at
 Fruit Lodge, Hannath Road, Tydd St Giles,
 Wisbech PE13 5NB

Plans by AAB Anfoss Ltd.,
 87 Leverington Common, Wisbech,
 PE13 5Bh
 01945 466266 or 07836246446
 email building55@live.co.uk

Scale 1:100

Do not scale from drawing

Planning 12



Site Plan



317700

317607

544700

544800

Fruit Lodge

3.0m

Hannath Road

Drain

The Spinney

proposed house

1.2m min

driveway new entrance

driveway new entrance

Existing mature hedging to be retained along boundary

Bramley Lodge

Swim.P (open)

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Proposed 3 Bed House
 for Mr Tilney at
 Fruit Lodge, Hannath Road, Tydd Gote,
 Wisbech PE13 5NB

Plans by AAB Anfoss Ltd.,
 87 Leverington Common, Wisbech, PE13 5BH
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