

**Application Number: F/YR13/0713/F**  
**Minor**  
**Parish/Ward: Elm/Christchurch**  
**Date Received: 20 September 2013**  
**Expiry Date: 15 November 2013**  
**Applicant: Mr M Simmonds**  
**Agent: Mr M Hall, Morton & Hall Consulting Ltd**

**Proposal: Erection of a 4-bed 2-storey dwelling with detached double garage/store; glasshouse; 2.1 metre high timber gates to access**  
**Location: Plot 2 and 3 Land North of Bowling Green and Pavillion Upwell Road, Christchurch**

**Site Area/Density: 2,035 sq metres**

**Reason before Committee:** This proposal is before the Planning Committee due to the level of support received from local residents which is in conflict with the officer's recommendation.

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application relates to Plots 2 and 3 of a former planning permission to build 3 houses on land north of the playing field and bowling green, Upwell Road, Christchurch.

The site is located outside the established settlement of Christchurch within the open countryside. Whilst the principle of developing this site has been established via the 2011 consent, the proposed dwelling has raised serious concerns in respect of the scale, design and bulk of the proposal, particularly when viewed in the context of the site and its surroundings.

The proposal is considered to be contrary to Policies H3, E1 and E8 of the Local Plan and to Policy CS16 of the emerging Core Strategy, accordingly refusal is recommended.

**2. HISTORY**

Of relevance to this proposal is:

2.1	F/YR13/0485/F	Erection of a 5-bed 2-storey dwelling with detached double garage/store; glasshouse; 2.1 metre high timber gates to access and change of use of land to domestic curtilage	Withdrawn on 14 August 2013.
	F/YR12/0282/F	Erection of 3 x 2-storey 4-bed dwellings	Granted on 11 September 2012.
	F/YR11/0554/F	Erection of 3 x 2-storey 4-bed dwellings and formation of access road	Granted on 14 October 2011.

### 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, unless material considerations indicate otherwise
- Paragraph 14 - Presumption in favour of sustainable development
- Paragraph 17 - Core planning principles
- Paragraph 18-22 - Building a strong competitive economy
- Paragraph 32, 34 - Promoting sustainable transport
- 37, 39
- Paragraph 47-50 - Delivering a wide choice of quality homes
- Paragraph 55 - Avoiding new isolated homes in the countryside
- Paragraph 56-61 - Requiring good design
- Paragraph 69-70 - Promoting healthy communities
- Paragraph 95-97, 99 - Meeting the challenge of climate change, flooding and coastal change
- Paragraph 109, 111, 118, 120-125 - Conserving and enhancing the natural environment

#### 3.2 Fenland Local Plan Core Strategy (Submission Version September 2013):

- CS1 - Presumption in Favour of Sustainable Development
- CS3 - Spatial strategy, the Settlement Hierarchy and the Countryside
- CS4 - Housing
- CS5 - Meeting Housing Need
- CS13 - Supporting and Managing the Impact of a Growing District
- 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.
- CS17 - Community Safety
- 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.
- E7 - Archaeological Investigation.
- 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.

- TR3 - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.

#### 4. CONSULTATIONS

- 4.1 **Christchurch Parish Council:** No comments received.
- 4.2 **Middle Level Commissioners:** The Boards consent for piping and filling the roadside watercourse along the frontage of the site has previously been granted to the Christchurch Parish Council. This consent terminates on 1 January 2016. Any amendments to this consent will require the Boards prior written approval. In the absence of any supporting documentation, it is considered that 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 could be constructed and maintained for the lifetime of the development.
- 4.3 **County Archaeology:** It is noted that this office missed the 2011 planning application for 3 dwellings (F/YR11/0554/F) that occurs within an archaeologically sensitive area. On sight of the 2012 application on the weekly list, and not aware of the 2011 application, we recommended that a condition be attached to any planning consent. Despite overturning our previous advice to you owing to problems of ensuring that the development's needs were consistent with those on the 2011 planning consent, I can only recommend again that a condition for archaeological works be re-considered as part of this application. We do not object to the development proceeding, but advise that archaeological control should be applied to the scheme.
- 4.4 **FDC Environmental Health:** Note and accept the submitted information and have no objections. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. The existing unsuspected contamination should be retained if permission is granted.

- 4.5 ***Environment Agency:*** We have reviewed the Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only. Although the FRA does not include a detailed assessment of the flood risk at the site, we consider that the proposed mitigation measures are acceptable for the scale and nature of the proposed development. We have no objection to the proposed development, however wish to make the advisory comments in respect of flood warning and evacuation, flood resilience, foul water drainage, and pollution control.
- 4.6 ***Highway Authority:*** It is apparent that the required visibility splays of 2.4 metres x 215 metres formerly required cannot be achieved to the north of the site due to inadequate land in the applicant's control. If the existing consent is considered valid, I have no further comments and would request conditions are appended to any consent granted in respect of full details of the vehicular access, permanent space for parking/turning, temporary facilities shall be provided clear of the highway, visibility splays, provision of footpath link and any gates set back 5 metres from the existing highway.
- 4.7 ***Local Residents:*** 8 letters/emails supporting the application.

## 5. **SITE DESCRIPTION**

- 5.1 The site comprises agricultural land to the north of the existing playing field and bowling green. It lies outside the established settlement for Christchurch which abuts the southern side of the playing fields and the dwelling known as Sunrise Lodge.

The site is bounded to the east (road frontage) by a drain, with land to the north, south (adjacent Plot 1) and west remaining open to the fields beyond. There is an established landscaped area further south which forms a backdrop to the site.

## 6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:

- Site History
- Layout, Scale and Design
- Access and Parking
- Archaeology

## Site History

Members may recall in 2011 planning permission was granted for 3 dwellings in a staggered layout, which included part of this site. Whilst the proposal was clearly a departure from the development plan, the scheme was proposed to bring forward sufficient funding to enable the Parish Council to invest in the extension/upgrade of the pavilion on the adjacent site and on this basis officers considered that, on balance, the application could be supported subject to appropriate scale and design etc.

Following a detailed site survey it was found that the site dimensions were incorrect on the original consent and hence a new application was approved in 2012 (see reference F/YR12/0282/F) merely increasing the site area but not the amount of development.

In June this year an application was submitted for one large dwelling on the site of Plots 2 and 3 of the proposed development. Officers raised significant concerns in respect of the overall scale, mass, bulk and design of the proposal in relation to the surrounding area and to Plot 1 and made it clear that the proposal was unlikely to receive officers support unless the proposal was significantly reduced in size. Following this the applicant looked at other sites within the District which were more likely to be able to accommodate a larger style dwelling without causing harm on the surrounding area. Subsequently the application was withdrawn.

In September this year this application was submitted, and whilst slightly reduced in scale and design, concerns remain over the overall size; scale and design in relation to the surrounding area and the adjacent approved on Plot 1 and these are discussed further below.

## Layout, Scale and Design

The proposed site includes Plot 2 and 3 of the permitted proposed development. The 2012 consent presented a layout of 3 modest sized dwellings in a staggered position of a scale and form commensurate with the location.

The overall design and scale of the proposed house does not bear any resemblance to the appearance and scale of the permitted houses. Whilst the proposed development would be located on the site of 2 of the plots, Plot 1 would remain. The proposed house would dwarf Plot 1 and this would increase its prominence. The relationship between the resultant two plots would result in a number of elements lacking in harmony in scale, form and design.

Furthermore the scale and bulk of the proposed house would far exceed that of the existing house on the opposite side of the road (known as Hilboro), and indeed to the majority of housing within Christchurch itself. Whilst the dwelling could be argued as a statement building at the entrance to the village this argument is weakened by the lack of setting any such dwelling would have.

The proposed height (at 8.1 metres to ridge) and width (at 20.7 metres) would result in an unduly dominant appearance within this open and exposed countryside location. It should be noted here that development within this location would not normally be acceptable and would be considered contrary to the development plan due to the protection which is afforded to countryside locations in order to conserve their character. Whilst 3 modestly designed and scaled dwellings have been approved for this site, it is considered that the proposed dwelling of this size and scale is unacceptable, causing harm to the open countryside.

The proposed double garage and store would be located in the most exposed area of the garden, the functional design and scale of this would be a prominent feature that would again detract from the appearance of the site.

The National Planning Policy Framework (NPPF) is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is considered that this proposal fails to meet these aspirations.

#### Access and Parking

The proposed development makes provision for parking and turning and a pedestrian footway linking to the existing provision to the south of the site which is an integral part of the scheme as per the earlier approvals.

There are currently discussions taking place in respect of the required visibility splay to the north and whether this can be achieved. The former requirement was 2.4 metres x 215 metres, however there are concerns that this may not be able to be achieved due to inadequate land within the applicant's control. This has been raised with the agent and Members will be updated accordingly.

#### Archaeology

This application is of great importance in respect of archaeology, and it is of regret that the County Council Archaeological team missed the original application that was granted without the inclusion of a condition requiring archaeological investigations.

The site is located at the eastern edge of an extensive area of cropmarks of Roman settlements and field systems associated with the Fen Causeway (Roman canal and road transport route between the fen edges at Peterborough and Denver). The distinctive grid of regular enclosures for settlements and/or fields resembles "centuriation" - the uniform organisation of enclosures usually attributable as land given to retired military generals or senior ranking officers from the Roman army in the early period of the Roman conquest of Britain, in an effort to Romanise key local areas within the new colony. Such an area is not typical of other parts of the county where Roman farmsteads are commonplace in dry ground areas, and is of great importance in Roman archaeological studies.

Whilst the Council would wish to see archaeological investigations take place prior to any development commencing, officers are minded that the site could be developed without any of these requirements under the previous planning consent, and therefore it may be considered unreasonable to place this request upon the current application.

### Flood Risk and Drainage

The site falls within Flood Zones 1, 2 and 3 and therefore a Flood Risk Assessment (FRA) accompanies the application. The Environment Agency has reviewed the FRA and whilst it does not include a detailed assessment of the flood risk at the site, it is considered that the proposed mitigation measures are acceptable for the scale and nature of the proposed development.

The Middle Level Commissioners have confirmed that consent has been granted to Christchurch Parish Council for the piping and filling the roadside watercourse along the frontage of the site. The Middle Level Commissioners have stated that 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 could be constructed and maintained for the lifetime of the development.

The applicant has indicated that surface water would be disposed of via a soakaway. It is noted that the Middle Level Commissions reserve the right under their byelaws to request adequate details and test results. As there is no objection from the Environment Agency and the applicant has indicated the method of disposal, officers are satisfied that any matters may be sufficiently addressed via Building Regulations.

## 7. **CONCLUSION**

- 7.1 To conclude, the proposed development has not materially altered in such a way to render it acceptable from the previously withdrawn application. It is considered the proposed development would cause material harm to the character and appearance of the countryside and as such, it would conflict with the aims of the relevant Local Plan policies, emerging Core Strategy policies and to the guidance within the NPPF.

## 8. **RECOMMENDATION**

### **Refuse**

1. **The proposal is contrary to Policies H3, E1 and E8 of the Fenland District Wide Local Plan, Policy CS16 of the Fenland Local Plan Core Strategy Submission Version September 2013 and to the National Planning Policy Framework in that the proposed dwelling is of a scale and design which would be unduly prominent in this exposed countryside location and as such would have an incongruous and dominating impact upon the open countryside.**