

Application Number: F/YR14/0062/F

Minor

Parish/Ward: Parson Drove/Wisbech St Mary

Date Received: 28 January 2014

Expiry Date: 25 March 2014

Applicant: Swann Edwards Architecture

Agent: Mr J Burton, Swann Edwards Architecture

Proposal: Erection of a 2-storey office with cycle/bin/tool store and associated parking and formation of balancing pond and 1.5metre high earth bunding.

Location: Land west of Sunnyside, Fen Road, Guyhirn

Site Area: 0.34ha

Reason before Committee: The proposal constitutes a departure from the Development Plan.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The proposal is for an office building which will allow for the expansion and relocation of an existing architectural practice in Guyhirn. The land is outside of any established settlement boundary and is within flood zone 3 where new development is not usually supported. However the site is positioned within a cluster of other developments and the design is considered to be of high quality. With this in mind and the economic benefits resulting from the proposal, it is considered that the development can be supported in this instance.

2. HISTORY

F/90/0359/O – Freight transport interchange comprising of warehousing maintenance and parking facilities, motel accommodation, fast food restaurant, petrol forecourt and associated offices – Withdrawn 28.08.1990

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 19: Significant weight should be placed on economic growth.

Paragraph 21: Investment in business should not be over-burdened by the combined requirements of planning policy expectations.

Paragraph 28: Sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings and well designed new buildings should be supported.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

Paragraph 100: Directing development into areas of lower flood risk.

3.2 **Draft Fenland Core Strategy:**

CS1: A Presumption in Favour of Sustainable Development

CS3: Settlement Hierarchy

CS6: Employment, Tourism, Community Facilities and Retail

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

3.3 **Fenland District Wide Local Plan:**

E1: Protection of open character of Fenland Landscape

E8: Landscape and amenity protection

EMP4: New buildings for employment purposes in the open countryside

TR3: Parking requirements

4. **CONSULTATIONS**

- | | | |
|-----|--|---|
| 4.1 | <i>Parish/Town Council:</i> | Support this development and recommend approval. |
| 4.2 | <i>Environment Agency:</i> | No objection in principle, condition required relating to the development being carried out in accordance with the recommendations contained within the FRA. |
| 4.3 | <i>Highways Agency:</i> | Condition required relating to there being no occupation of the building until written acceptance of the construction of the access is received from the Highways Agency. It should be noted that the location of the existing road sign and telecommunication apparatus may need amendments to comply with design standards. |
| 4.4 | <i>CCC Highways:</i> | The proposal is a matter for the Highways Agency. |
| 4.5 | <i>North Level Internal Drainage Board:</i> | No objection in principle, formal Land Drainage Consent will be required to create an access over the existing open watercourse fronting the plot. |

- 4.6 **Police Senior Architectural Liaison Officer:** Recommend the use of column mounted LED down lighting working from dusk to dawn on an operating timer that reduces the output of the lights by 50% after 10pm. No objections to the granting of planning permission.
- 4.7 **FDC Environmental Protection:** The proposal is unlikely to detrimentally affect the local air quality or noise climate. Unsuspected land contamination condition is required.
- 4.8 **Neighbours:** 3 letters of objection received, comments are as follows:
- a detached annexe was not allowed on the neighbouring site,
 - neighbouring residents have been advised that highways would not allow an increase in the amount of traffic turning onto/off the A47,
 - no need for a commercial property, the land is prime agricultural land,
 - highway safety, extra signage will cause a distraction to drivers and will increase the likelihood of accidents,
 - no need for the size of the unit or the amount of parking space and loading areas given the size of the existing architectural practice,
 - the building is out of keeping with the surroundings,
 - why wasn't the building which was up until recently vacant used for the business?,
 - conversion/use of a brownfield site would be better in the first instance, precedent, loss of privacy and reduced residential amenities,
 - a commercial roadside display is at odds with the policy of removing unauthorised signs,
 - significant movement of cars in and out of the office,
 - it would open up the opportunity to create grandfather rights if the development was allowed to proceed.

5. SITE DESCRIPTION

- 5.1 The site is located on the northern side of Fen Road approximately 550m from the A47/A141 roundabout. The current use of the site is for agricultural purposes and it forms a spur off a larger agricultural field. The front, rear and western side boundaries are open and there is a dense belt of landscaping on the western boundary which joins the curtilage of a dwelling. The site is outside of any established settlement however it is within a cluster of mixed use buildings including a tyre fitting business, petrol filling station, coffee shop and some dwellings. There is also the Play 2 Day, Lazer Tag and Bowling Alley in close proximity to the site. The site is within Flood Zone 3.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Policy implications
 - Design, layout and highways
 - Flood risk
 - Consultation responses

(a) Policy implications

The Inspector's Report into the Core Strategy has concluded that the Core Strategy is 'sound,' subject to a number of 'main modifications.' The most up-to-date version of the Core Strategy is the Pre-Submission version (September 2013), as amended by the schedule of modifications. Due to its advanced stage, in accordance paragraph 216 of the NPPF, significant weight can be accorded to the Core Strategy when considering planning applications

The Council will consider the adoption of the Core Strategy (with main and minor modifications) at Cabinet and Full Council on 8 May 2014. Provided it is approved, the Core Strategy (incorporating main and minor modifications) will have full statutory weight as of 9 May 2014.

Although the Core Strategy will replace all of the existing or "saved" policies of the Fenland Local Plan, this document remains part of the statutory development plan for the District until the Core Strategy is formally adopted by the Council.

The proposal will facilitate the expansion of an existing architectural practice which is currently located within the village. The site lies outside of the established settlement of Guyhirn and within Flood Zone 3 where the principle of new development is not normally permitted by policies of the Local Plan. The site is within an area of development that is detached from the main village, which already has a developed character. However it is important to note the provisions of the NPPF, section 01 in particular, which states that the Government is committed to securing economic growth in order to create jobs and that investment in business should not be over-burdened by the requirements of planning policy expectations. The development should therefore be carefully considered against these principles.

Policy EMP4 of the Local Plan stipulates that new business uses unrelated to existing activities will not *normally* be permitted outside of Development Area Boundaries. The supporting text justifies this position by saying that Fenland has a unique landscape where much of its attraction is the undeveloped character and that new buildings in the countryside would be intrusive in the landscape.

The site is positioned within a cluster of development which consists of a mixture of dwelling houses and some business uses and the proposal has been designed to have a barn-style appearance which is typically associated to a rural setting. The combination of the location and the design is such that it is considered that the proposal will not appear visually intrusive. It is therefore argued that the proposal satisfies the exception to policy EMP4.

CS1, CS3 and CS12 of the emerging Core Strategy seek to promote sustainable development by directing growth into established settlements, prioritising location in the order of the settlement hierarchy set out in CS3. Being within a countryside location, the application site falls outside of the settlement hierarchy. Guyhirn is settlement considered for limited infilling only and this site is outside main settlement. The supporting text in CS3 stipulates that the reason for the restriction of development within the countryside is due to the Government policy which requires the conservation of the character and natural resources of the countryside. As before, it is considered that the specific location and design of the building is such that the character of the countryside is unlikely to be harmed.

The current use of the site is agricultural land and it is Grade 1 land. Whilst policies within the emerging Core Strategy seek to retain high grade agricultural land, in this instance the use of the land for the proposal is considered to be acceptable given the relatively small amount of land in question, the impracticality of its use for farming (as set out in the submission) and the benefits gained from the proposal.

(b) Design, layout and highways

Taking a lead from the rural setting, the proposal has been designed to have a barn-style appearance and will be finished in black cladding. The form of the building follows its function, being of an innovative appearance and construction to house an architectural practice. The appearance of the building can be described as a contemporary barn with centrally positioned full length glazing on the front and rear elevations. The gable ends also have full length glazing the top half of which opens up onto balconies. The building has a clear horizontal emphasis which will give the proposal a low impression within its setting. There is no strict building line within the vicinity although frontage development is a characteristic feature. This is a characteristic which the proposal adheres to. The dwellings located on either side of the site are of a more traditional appearance however they are not read as part of the same setting as the application site in view of the dense boundary treatments to the east and the distance (50m) to the building to the west. The other buildings within the vicinity include 1980s housing, a corrugated workshop, a petrol filling station and a 2-storey flat roof coffee shop.

Each building within the cluster of development in this location is distinctly different from its neighbour in its design, scale and appearance and it is therefore considered that this bespoke building which has a unique appearance will not appear at odds with the varied character of the surroundings.

The proposal has been designed to Passivhaus standards meaning that it is energy efficient and it will use a pond, rather than local infrastructure, for surface water drainage. With this in mind the proposal is considered to conserve the natural resources of the countryside.

The materials are specific to the design of the building and to comply with the Passivhaus construction. They have the appearance of wooden cladding which is a traditional material in agricultural buildings. The appearance of the materials therefore ties the building to its rural setting. By adhering to the Passivhaus standards the proposal, by its very nature, represents a carefully thought out and high quality designed building. The development therefore complies with the quality design and climate change aspirations of the Council as well as those contained within the NPPF.

Some landscaping has been proposed as part of the development however details in terms of variety and species is limited. A condition requiring full details is therefore considered appropriate.

The site is located along the A47 Trunk Road and therefore highway safety is a key issue. The proposal has demonstrated that ample parking and turning can be provided in order that vehicles can enter and exit the site in forward gear. Since the Highways Agency (HA) is satisfied with the proposal no concerns are raised with regard to highway safety from a planning perspective. A condition as per the HA request should be imposed on any consent given. The comments received from neighbouring residents with regard to highway safety have been noted however in view of the HA response it is considered that a refusal on highway grounds could not be substantiated.

The materials are specific to the design of the building and to comply with the Passivhaus construction. Although the appearance of the building does not 'match' the surrounding development it is considered to be appropriate to its location and as such satisfies the requirements of design based policies namely E1, E8 and CS16. Some landscaping has been proposed as part of the development however details in terms of variety and species is limited. A condition requiring full details is therefore considered appropriate.

(c) Flood Risk

CS14 of the emerging Core Strategy stipulates that development in Flood Zones 2 and 3 will only be permitted following the successful completion of a sequential test, an exception text (if necessary), the suitable demonstration of meeting an identified need and, through the submission of a site specific flood risk assessment demonstrating appropriate flood risk management measures and a positive approach to reducing flood risk overall. It is widely accepted that there is land available elsewhere within the District which is sequentially more preferable than this site therefore the proposal does not pass the Sequential Test.

CS6 of the emerging Core Strategy states that proposals for employment will be assessed against (amongst other criteria) the availability and deliverability of the site. Whilst there may be sites at lower risk of flooding elsewhere within the District it is important to note that this particular site is currently available and there is an end user. The NPPF stipulates that significant weight should be attached to economic growth and that policy expectations should not overshadow business investment. With the above requirements of the NPPF in mind and given that the proposal will allow for the retention and expansion of an existing business contained within the village, it is considered that the proposal does result in wider benefits. In addition the submission has demonstrated that the proposal has adequately addressed site specific flood risk and has incorporated flood risk management measures.

(d) Consultation responses

A neighbouring resident has responded to the proposal by saying that it will result in a loss of privacy and a reduction in their residential amenities. The comments have been noted however given the distance from the proposal to the neighbour in question (over 50m) and the boundary treatments and distance to neighbour on the other side of the plot (at least 14m to the dense landscaping and dual pitched roof outbuilding on the neighbouring boundary), it is considered that neither neighbouring resident will suffer from reduced amenities as a result of the proposal. Given the location of the site, on the A47 Trunk Road, it is considered that any vehicular movements generated by the proposal will be absorbed into the noise already generated by the A47.

Comments from the North Level Drainage Board have been noted and given that the consent for crossing the drain is covered by their own legislation, it is not for this planning application to dictate the requirements.

The proposal incorporates a rear parking area which, as before, provides ample parking for the use. The Police Senior Architectural Liaison Officer has requested details for the lighting of the car park and the Agent has indicated that he would be happy to accept a condition to this effect.

The proposal promotes economic growth and sustainable construction. It is considered that the application complies with policies of the development plan and it is therefore recommended that planning permission is granted.

7. **CONCLUSION**

- 7.1 The site is located beyond any established settlement and within flood zone 3. In most circumstances new development in such locations would not be supported however as the current proposal promotes economic growth and sustainable development in a manner which is of no harm to the character or appearance of the area, it is considered that in this instance the proposal can be supported. Accordingly it is recommended that planning permission is granted.

8. RECOMMENDATION

Grant

- 1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason

To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. Prior to the commencement of development, details of the external finishes shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and thereafter retained in perpetuity.**

Reason

In the interests of the visual amenities of the area.

- 2. Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-**

a) existing trees, hedges or other soft features to be retained

b) planting plans, including specifications of species, sizes, planting centres number and percentage mix

c) management and maintenance details

Reason

The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted.

- 3. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.**

Reason

To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

4. Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:

1. enter, turn and leave the site in forward gear;
2. park clear of the public highway;
3. load and unload;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason

In the interests of satisfactory development and highway safety.

5. Prior to the commencement of development details of the access construction shall be submitted to an approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to construction to enable safe access for construction vehicles and it shall thereafter retained in perpetuity.

Reason

To ensure that the A47 trunk road continues to serve its purpose as part of the Strategic Road Network in accordance with section 10 (2) of the Highways Act 1980, and for the reasonable requirements of road safety on that road.

6. Prior to the commencement of development, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.

Reason

In order to ensure that the site meets the crime prevention guidelines.

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment for commercial development at Fen Road, Guyhirn by Geoff Beel Consultancy dated January 2014, ref: GCB/Swann Edwards and the following mitigation measures detailed within the FRA:

1. Flood resilient and resistant construction will be utilised throughout the development.
2. Safe refuge is available on the first floor of the development.
3. The owners of the development will sign on to the Environment Agency's Floodline Warnings Direct Service.
4. Finished floor levels will be set no lower than 600mm above existing ground levels.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

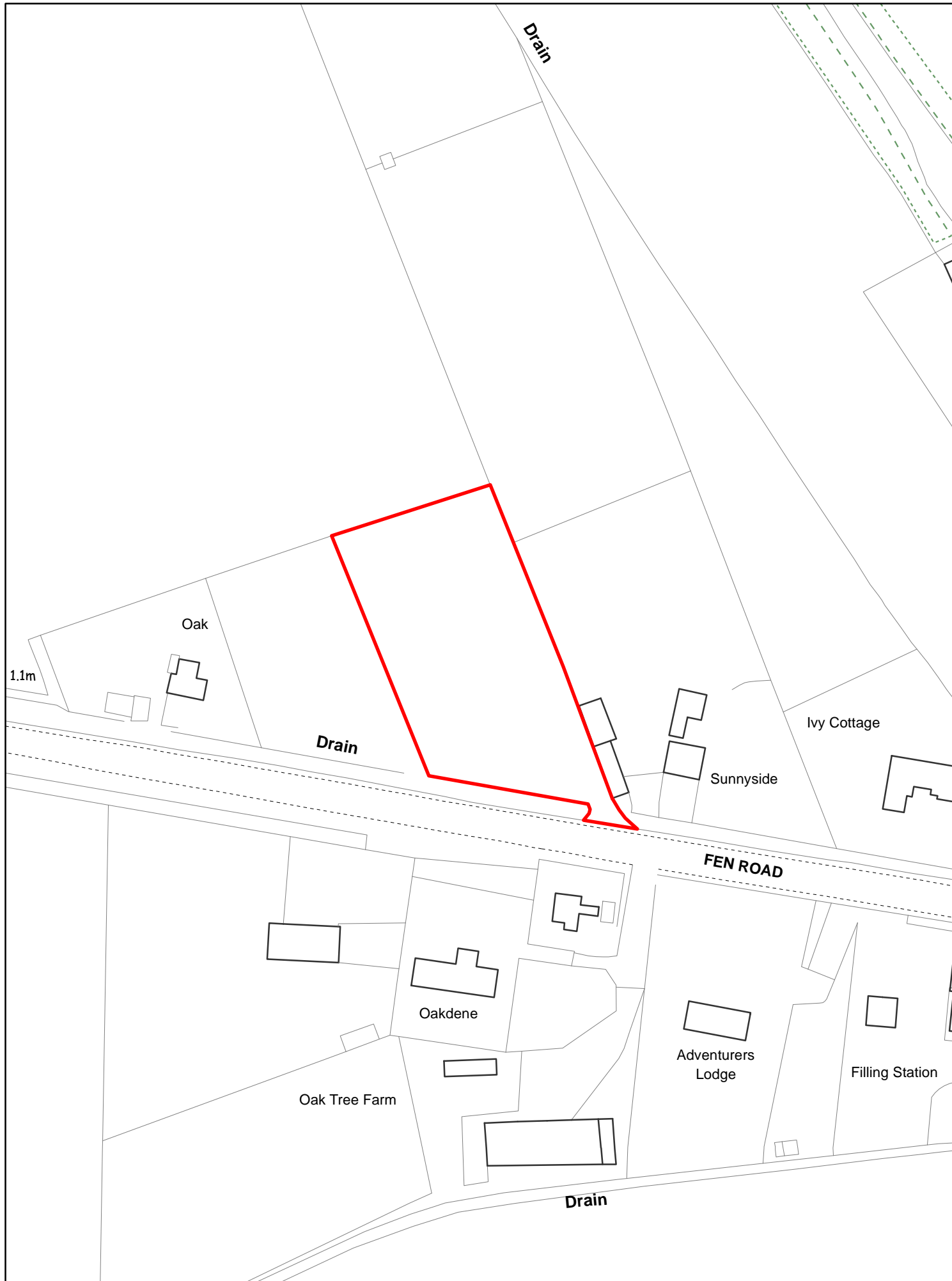
To reduce the risk of flooding to the proposed development and future occupants.

- 8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.**

Reason

To control pollution of land and controlled waters in the interests of the environment and public safety.

- 9. Approved plans**

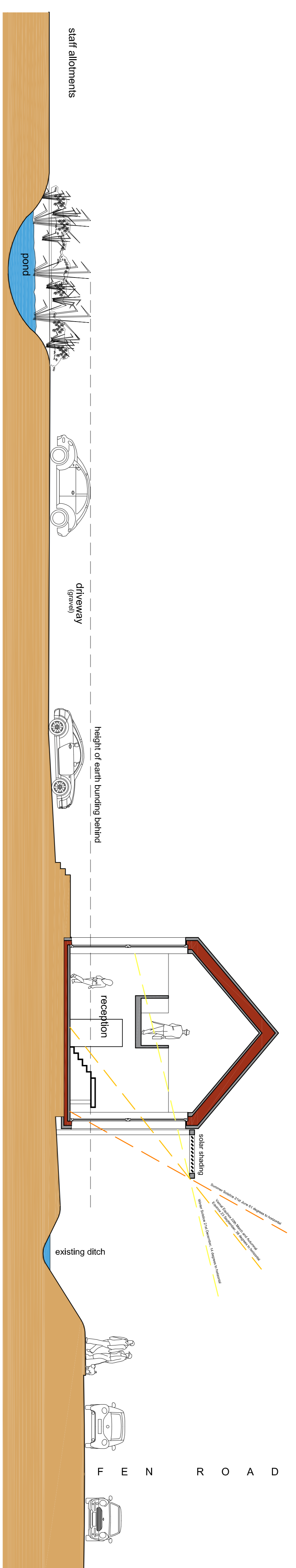


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F/YR14/0062/F
Scale = 1:1,250





Section B-B
Scale: 1:100



3D Visual
View from SE



3D Visual
View from NW

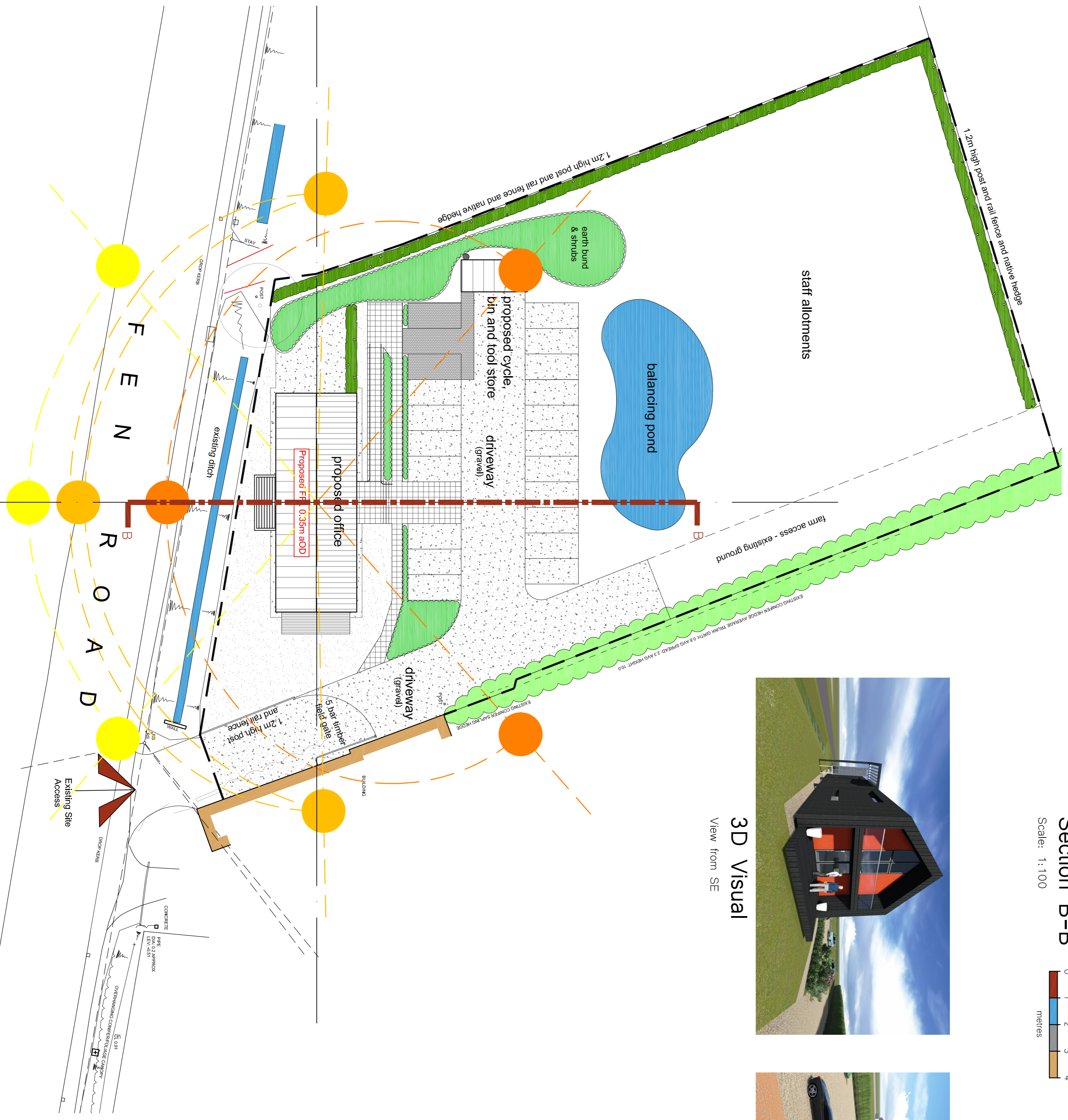


3D Visual
North Elevation

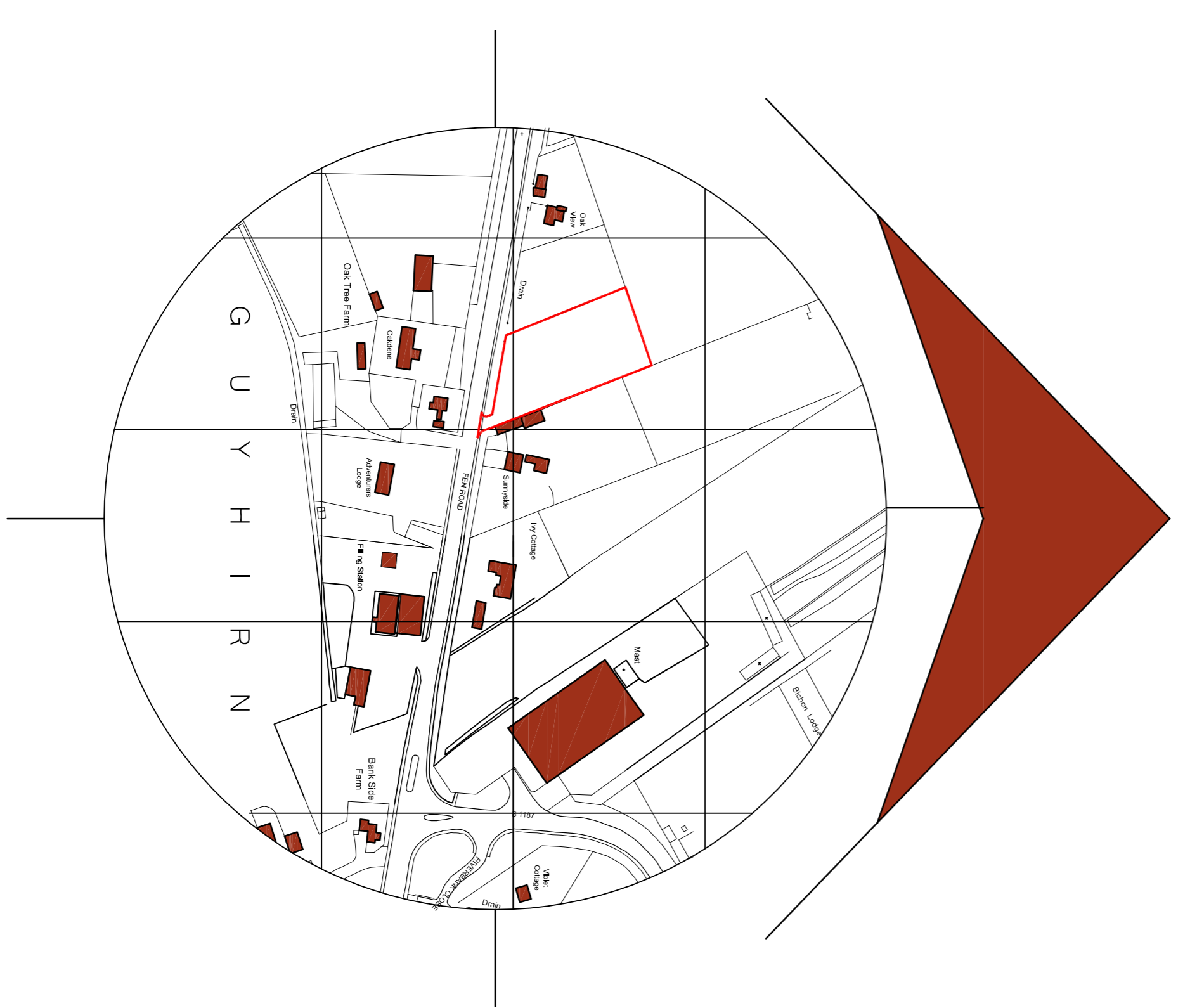
- General Notes**
1. The drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in 'mm' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. Specialist sub-contractors drawings and specifications, engineers etc. Any discrepancies are to be brought to the designers attention.

SITE PLAN KEY

- Indicates gravel
- Indicates meadow grass
- Indicates brick paving
- Indicates paving slabs
- Indicates 1.2m high proposed gravel stone and native hedge
- Indicates proposed sitelands



Site Plan
Scale: 1:250



Location Plan
Scale: 1:2500

Revisions

A	Jan 2014	Planning Validation Comments
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FOR APPROVAL



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Job Title: Proposed Offices Land Adjacent Sunnyside, Fern Road, Gwynn, Wisbech, Cambs. PE13 4JN, UK. For: Swann Edwards Architecture

Job No.	Date	Scale
SE-107	January 2014	Various Sheet Size
Dwg No. 04		A1

Drawing File: Planning Drawing Section, Site & Location Plans

Drawn by: JB	Revision: A
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