

Application Number: F/YR14/0196/F

Minor

Parish/Ward: Elm/Christchurch

Date Received: 5 March 2014

Expiry Date: 30 April 2014

Applicant: Mr P Crowson

Agent: Mr D Broker, David Broker Design Services

Proposal: Erection of a 2-storey, 3-bed dwelling with attached garage

Location: Land east of Waldersea Farm, March Road, Rings End

Site Area/Density: 9dph

Reason before Committee: At the request of Cllr Tanfield as she considers the scheme to be close to current policy and it should be considered in the light of other similar applications which have been approved. In addition the planning agent is an elected member of Fenland District Council.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The proposal is for a single dwelling on land positioned beyond any established settlement. There is not a current financial or functional need for a new dwelling in this particular location. The site is located within flood zones 2 and 3 as there is land available in areas of lower flood risk elsewhere in the District.

Sequentially the site is considered to be undesirable for development and the proposal therefore fails to satisfy flood risk management principles.

The proposal is a resubmission of a planning application which was refused at the July 2013 Planning Committee meeting. There have been no changes to the site or the surroundings since the previous refusal. The submitted drawings are the same as the previous application, the only difference between the two submissions is that the current application does not contain a supporting statement.

The development remains contrary to sustainability principles and is in conflict with the Council's aspirations as set out within the policies contained within the Development Plan. Accordingly it is recommended that planning permission is refused.

2. HISTORY

F/YR13/387/F – Erection of a 2-storey 3-bed dwelling with attached garage – Refused 31.07.2013 (Committee decision)

F/92/0189/F – Erection of a workshop for agricultural vehicles and commercial vehicles including hardstanding and parking – Granted 12.08.1992 (Committee decision)

F/90/0304/O – Erection of 9 houses with garages – Withdrawn 31.05.1991

F/1084/89/O – Erection of 3 dwellings – Refused 16.11.1989 (Committee decision)

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 55: Isolated homes in the countryside should be avoided unless there are special circumstances.

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

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:

E8: Landscape and amenity protection

H3: Settlement Area Boundaries

H16: Agricultural Dwellings

TR3: Parking requirements

4. CONSULTATIONS

4.1 *Parish/Town Council:*

Comments awaited

4.2 *Environment Agency:*

The development will only meet the requirements of the National Planning Policy Framework if measures detailed within the Flood Risk Assessment are adhered to. A condition to this effect is required.

4.3 *Middle Level Commissioners:*

Comments awaited

- 4.4 **CCC Highways:** There are discrepancies with the site boundaries and the information held by highways. Conditions required relating to the provision of parking and turning and temporary facilities.
- 4.5 **FDC Scientific Officer:** No objections, as the proposal may be on part of the old farm site an unsuspected land contamination condition is required.
- 4.8 **Neighbours:** None received

5. **SITE DESCRIPTION**

- 5.1 The site is located on the eastern side of March Road, approximately 75m from the highway. The site is positioned behind the established building line which fronts March Road but next to an existing bungalow which is also behind the building line. There is some residential development within the vicinity however the site itself is primarily positioned within the open countryside. The current use of the site is as garden land serving the existing dwelling at Waldersea Farm bungalow.

6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:
- Policy implications
 - History
 - Design, layout and residential amenity
 - Flood risk

(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 site is located beyond the established settlement of Rings End on land which is within the open countryside. Rings End is identified as an 'Other Village' in policy CS3 of the emerging Core Strategy. As such development in this location is restricted to 'single dwelling infill sites situated within an otherwise built up frontage'. CS3 goes on to say that development not falling into the above will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture etc. This policy is supported by paragraph 55 of the NPPF where it states that new homes in the open countryside should be avoided unless there are special circumstances.

The proposal is positioned behind the established building line and surrounded on the north, east and south of the site by open land. With this in mind, the proposal fails to comply with policy CS3 as the dwelling would not be positioned within a continuous built up frontage. The second part of the policy and the relevant section of the NPPF, relating to special circumstances, would allow a new dwelling in this location if an essential need which is linked to a rural enterprise is identified.

No justification relating to the essential need for a dwelling to support the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services has been submitted in support of this application. The proposal therefore fails to satisfy the provisions of CS3 of the emerging Core Strategy and Section 06, para 55 of the National Planning Policy Framework.

It is acknowledged that a small section of the land on the western boundary of the site is located within the defined settlement limits of Rings End. However it remains that the majority of the site is within the open countryside and the very nature of the site, being located behind the established building line and not an infill plot, is contrary to CS3 of the emerging Core Strategy.

(b) History

Members will recall an application for a similar scheme being refused by the 24 July 2013 Planning Committee. Since the refusal there have been no changes to the site or its surroundings. Since the Core Strategy has been found to be 'sound' greater weight can be attached to the conflict the proposal has with policy CS3. In addition there have been no changes to the drawings, the only difference between this submission and the previous one being that there is no longer a justification provided in support of the proposal. There have been no attempts to overcome the previous reasons for refusal and as such the previous recommendation still stands.

(c) Design, layout and residential amenity

The development is for a chalet-style dwelling with integral garage. Sufficient parking, turning and private amenity space can be achieved and the distance for moving bins complies with the RECAP Waste Management Design Guide. Due to the height of the proposal and the location, it is unlikely that neighbouring occupiers will suffer as a result of this development. It does remain however that the principle of the proposal is unacceptable in policy terms.

(d) Flood Risk

The NPPF states that the sequential approach needs to be followed to ensure that areas of lower risk of flooding are developed before those at higher risk. There are areas of land around the District which are at lower risk of flooding. If there are wider sustainability objectives that the development is seeking to address the Exception Test can be applied. Both parts must be passed namely that: it must be demonstrated that the development provides wider sustainability benefits to the community which outweigh flood risk and that a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere and, where possible, reduce flood risk overall.

There are not considered to be any wider sustainability benefits to the community by locating the development on this particular site. A flood risk assessment has been submitted which justifies in technical terms why the development is acceptable. However it does not acknowledge that the principle for development on this site is unacceptable given that the Sequential Test cannot be passed. As a result the proposal cannot be supported on flood risk grounds.

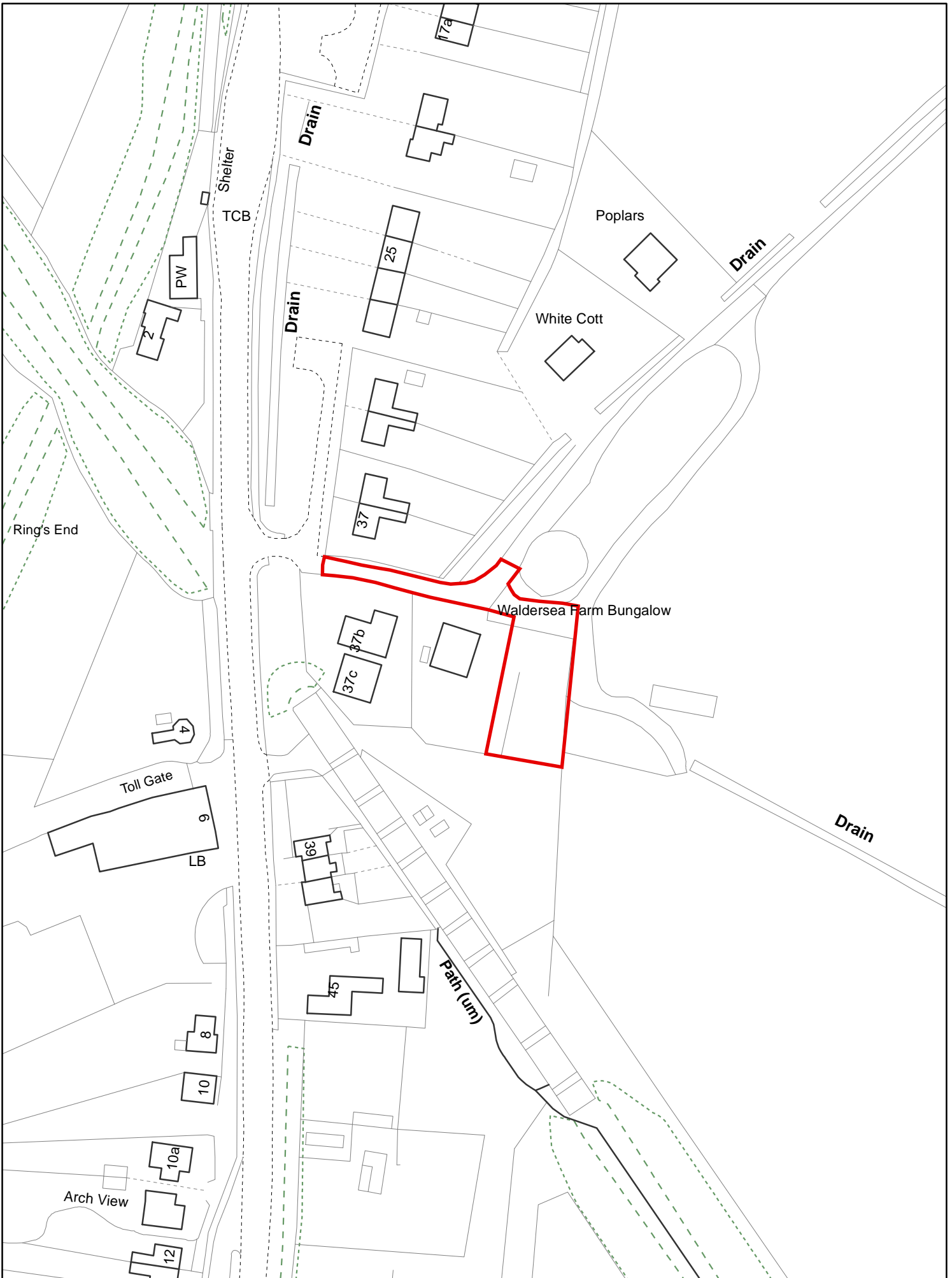
7. CONCLUSION

- 7.1 The proposal is located on land positioned outside of any established settlement. Insufficient justification has been provided to demonstrate the essential need for the dwelling on this land. The proposal is therefore contrary to sustainability principles and is in conflict with the Council's aspirations as set out within the policies contained within the Development Plan. Accordingly it is recommended that planning permission is refused.

8. RECOMMENDATION

Refuse

1. **The proposal would result in an unjustified form of residential development beyond any established settlement. The proposal is therefore contrary to H3 and H16 of the Fenland District Wide Local Plan, CS3 of the Fenland Local Plan Core Strategy (Submission version September 2013 and Main Modifications) and Section 06 of the NPPF.**
2. **The proposal is contrary to CS14 of the emerging Fenland Local Plan Core Strategy (Submission version September 2013 and Main Modifications) and Section 10 of the National Planning Policy Framework in that the development is located in a high risk flood area despite there being sequentially preferable land available in lower flood risk areas within the District. The applicant has failed to demonstrate there are wider sustainability benefits to the community by locating the development on this particular site and no evidence has been provided to show how flood risk will not be increased elsewhere within the locality.**



Created on: 27/03/2014

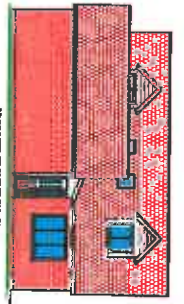
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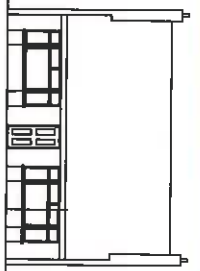


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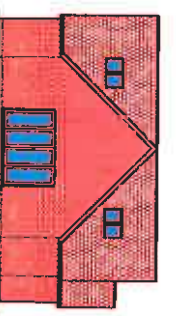
PROPOSED FRONT ELEVATION



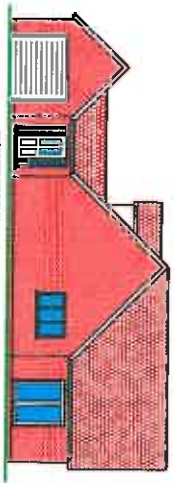
EXISTING BUNGALOW



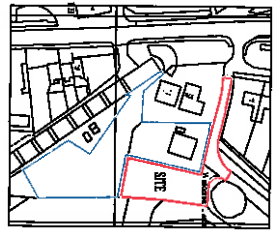
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



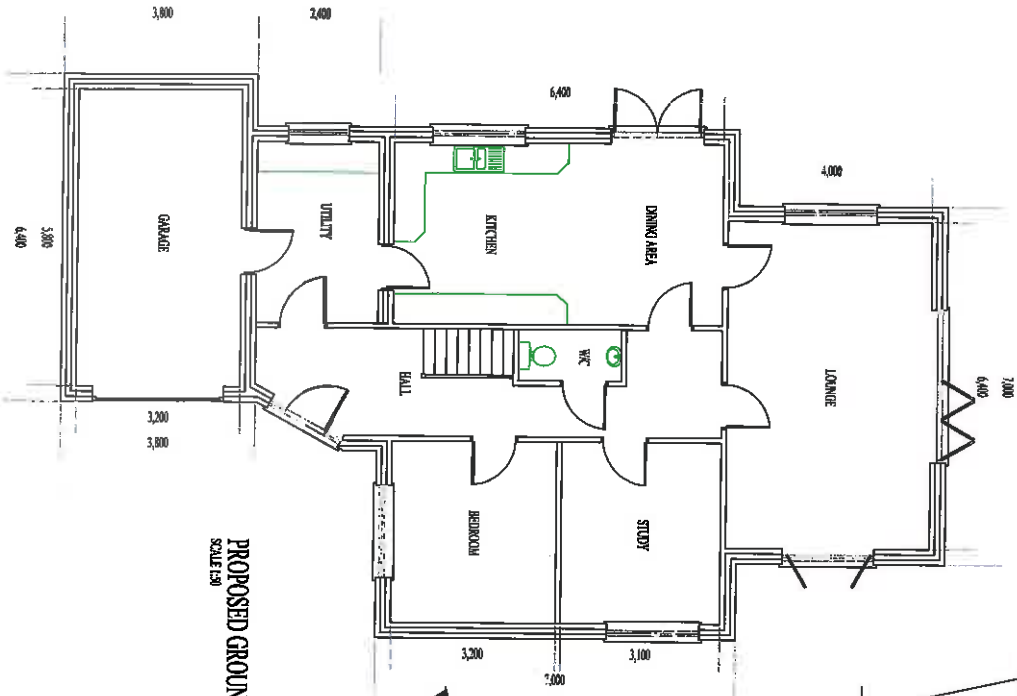
PROPOSED SIDE ELEVATION



LOCATION PLAN
SCALE 1:1250



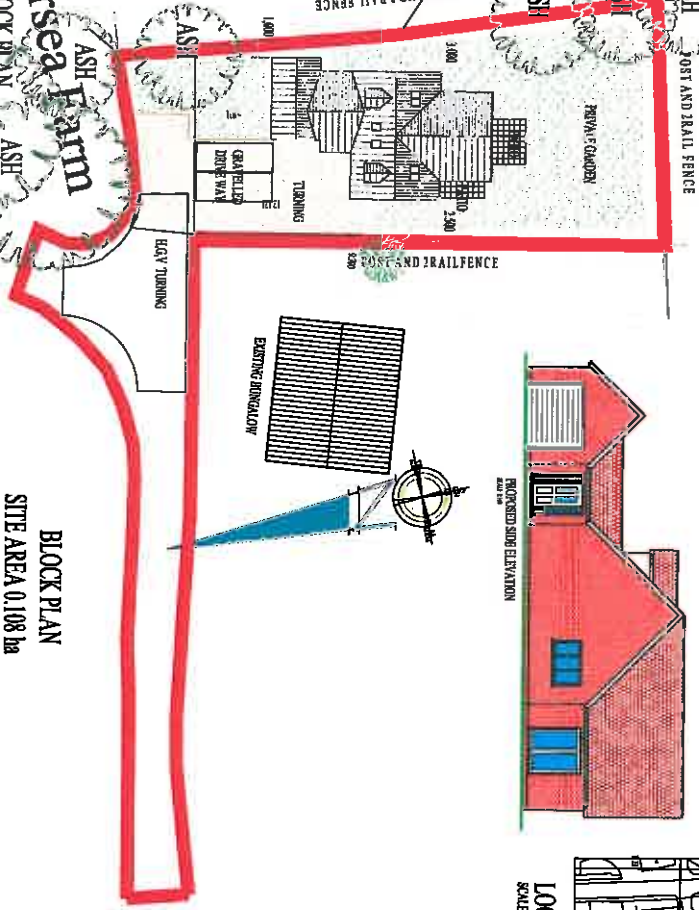
HANSON ATHERSTONE AND PARTNERS
DEVELOPERS AND ARCHITECTS
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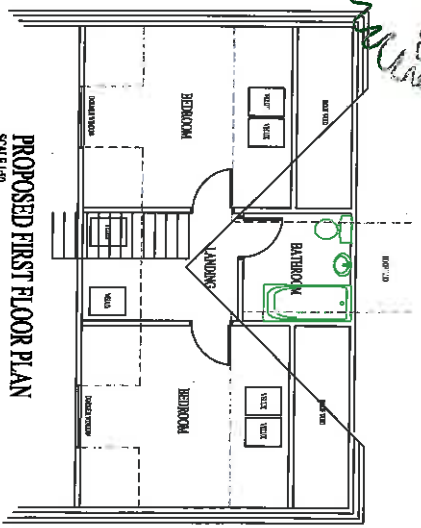
PROPOSED GROUND FLOOR PLAN
SCALE 1:50

Walderssea Farm

BLOCK PLAN
SCALE 1:200



BLOCK PLAN
SITE AREA 0.108 ha



PROPOSED FIRST FLOOR PLAN
SCALE 1:50

DBDS

DATE: 10/10/09

PROJECT: WALDERSSEA FARM

CLIENT: HANSON ATHERSTONE AND PARTNERS

DESIGNER: LABBC

ARCHITECT: LABBC

ENGINEER: LABBC

PLANNING: LABBC

LANDSCAPE: LABBC

CONTRACTOR: LABBC

STATUS: APPROVED

LABBC

LABBC Building Design & Construction Ltd

100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000