

F/YR16/1000/F

**Applicant: Mr B White  
DBM Landscapes**

**Agent : Mr Lee Bevens  
L Bevens Associates Ltd**

**Land South Of 19, Blackmill Road, Chatteris, Cambridgeshire**

**Erection of a 2-storey 4-bed workplace home and workshop storage shed for office/horticultural use**

**This application is being presented to Committee at the request of the Head of Shared Planning.**

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**1 EXECUTIVE SUMMARY**

**This application is for the erection of a 2-storey 4-bed workplace home and workshop storage shed for office/horticultural use. A similar scheme was refused for 4 reasons including a biodiversity reason which has been overcome with the current submission.**

**The proposed development is located in an unsustainable location outside the built settlement of Chatteris where residential development is not normally supported unless justified. Development in this location would introduce additional development into an area that is currently open and has a strong relationship with the adjoining countryside and therefore detrimental to the character of the area. Therefore the development is not consistent with the principles of sustainable development contrary to the NPPF and Policies LP1, LP3, LP12 and LP16(d) of the adopted Fenland Local Plan.**

**The application also fails to robustly demonstrate that exceptional circumstances exist for a need for a workplace home and associated landscape services business within the open countryside. Therefore the proposal is contrary to Local Plan Policy LP12 of the Fenland Local Plan 2014.**

**Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbours. The applicant has demonstrated the likely increase in numbers of employees and it is only accessible through quiet residential area. Notwithstanding the applicant's assurances regarding traffic generation at present, it is considered likely that the business traffic generated by an expanding business is likely to cause noise nuisance and conflict with pedestrians on the shared public right of way in this quiet residential area. Therefore, the proposal is likely to be harmful to both the quiet character of the area and residential amenity by reason of additional traffic noise nuisance. It is therefore contrary to the requirements of LP2 and LP16(d & e) of the Fenland Local Plan 2014.**

**1 SITE DESCRIPTION**

- 1.1** The site is agricultural land measuring 0.33ha to the south of Chatteris and outside the built form of the settlement. The site is south of No 19 Blackmill Road. Access to the site would be shared with No 19. The site is within Flood Zone 1. Byway 22 runs along part of the access road.

## 2 PROPOSAL

- 2.2 The description of the proposal is for a Workplace Home (associated with a horticultural use) and storage shed/ workshop. The site is accessed off a private drive that currently serves No 19 which itself is off the private drive/public right of way (Blackmill Road). The proposed house is a 4-bedroom detached property of brick and pan-tiled construction and includes a large glazed front gable, possible location for Solar PV panels, and includes a single storey rear office extension. It includes a rear facing gable which would be predominantly glazed, the applicant confirms that it does not include a second floor accommodation. The proposed shed/workshop is a portal frame building, metal clad with roller shutter vehicular access doors 9m x 13.5m to a ridge height of 5.5m. The site plan includes a 480m<sup>2</sup> area for growing plants and shrubs prior to transplanting to sites, apparently capable of accommodating 2,500 plants. The site would include a 1.2m high post and rail fence. An amended plan includes a shaded area of 94m<sup>2</sup> for external storage.
- 2.3 The application forms indicate a bin storage area and acknowledgement that refuse will need to be taken to the metalled surfaced road part of Blackmill Road (where it branches with Millfield Close). The application forms also state that only 3 parking spaces would be provided.
- 2.4 The site has an 'L' shaped footprint. The access drive, which runs parallel to an existing field ditch, would be a minimum of 4.5metres wide gravel drive widening to a large gravelled area in front of the house and workshop capable of accommodating approximately at least 8/9 vehicles. The proposed house is located in the south-eastern corner and the workshop more centrally positioned. The southern and eastern boundaries do not relate to any features within the existing field and therefore appear arbitrary in nature.
- 2.5 The application includes a Preliminary Ecological Appraisal, a Design and Access Statement, a Planning Statement now including an addendum, and a confidential Business Plan and a market search of the Rightmove website for properties within 3 miles of the application site.
- 2.6 The Design and Access statement refers to the applicant's Landscaping/Horticultural Business which he needs to expand and considers needs to be alongside his home for security reasons. He also stresses that the business is predominantly close to Chatteris therefore wishing to remain in the locality. It also refers to 'sufficient space on site for casual parking by staff associated with the business'. The statement identifies a strong existing landscape buffer to the north (trees within the garden of No 19 Blackmill Road (outside the red line of the application site).
- 2.7 The applicant submitted a brief confidential business plan for DBM Landscape Services. That business includes reference on its website reference to the following services amongst other things:

- Paving
- Artificial grass
- Block paving
- Bitmac
- Concrete work
- Fencing
- Commercial security fencing (metal & wood)

Ponds and water features  
Endless & dry streams  
Turving & seeding  
Land drainage  
Garden & land clearance  
Bare root & potted tree & hedge planting  
Play areas  
Contracted maintenance schedules  
Tree topping/felling  
Tree & root removal  
Pruning  
Lawn maintenance

- 2.8 When discussing this the applicant stressed this is an out of date advertisement and many of these services are no longer undertaken. However at the time of writing this report and over a month since meeting, this website remains in place.
- 2.9 Nevertheless the applicant's recent addendum states the following:  
*'The main activities which are undertaken by the business off-site include:*  
*i) Installing landscaping schemes around and within new commercial and residential developments;*  
*ii) New landscaping schemes being installed into private and public gardens;*  
*iii) Clearing and digging new drainage channels in relation to commercial developments;*  
*iv) Site clearance works.'*
- 2.10 Within the Planning Statement the applicant's evidence includes a forecast to grow to employ up to 18 staff. The applicant claims there would be sustainable benefits of operating everything from this site, therefore being the sole business premises.
- 2.11 After meeting with officers the applicant submitted an addendum to the Planning Statement which states the following:

*Use of the Site* *The proposed dwelling is to be occupied by the applicant who would run his business from the site.*

*The following activities would take place at the site:*

- 1) Office work in association with the business (undertaken by 1 person (intended to be a family member) in the office within the proposed house);*
- 2) Storage of plant and machinery associated with the proposed business;*
- 3) Growing of plants, hedges and shrubs in order to transplant specimens to sites;*
- 4) Limited storage of hard landscaping materials.*

*The business would only attract employees to site during the beginning and the end of the day in order to load and un-load. Other than within the proposed office (within the house) no further employees would permanently work at the site. In my professional opinion the use of the site can be considered to best fall within a horticultural use given the amount of growing of plants and specimens at the site.*

*Traffic Generation* *In light of the above clarification and with regard to potential traffic flows the following are anticipated to occur post the construction of the dwelling:*

*- Around 80% of the hard landscaping building materials are delivered direct to the site where work is to be undertaken and so deliveries of hard landscaping materials to the application site would result in a delivery once or twice a month.*

*Deliveries would be via a builders merchants and would be timed to avoid unsociable hours.*

- One employee may drive to the site in the morning to help to load items as/if required.*
  - Travel to site would be in one vehicle per job (ordinarily one job per day – occasionally two). The vehicle may tow a trailer with plant, soft landscaping and equipment on.*
  - Any additional employees required for the job would travel direct to the site where the work is to be carried out.*
  - Soft landscaping deliveries to the application site would take place around once or twice a month.*
  - There may be other one-off van deliveries of tools and equipment.*
- There would be no deliveries by HGVs to the site.*

### Storage Shed

*The proposed storage shed is considered to be the minimum size required in order to accommodate the applicant's plant and machinery. If the building were to be lower then outside storage would be required and this would create concerns over safety and crime.*

*Potential Mitigation Notwithstanding that the applicant considers that the development is capable of support under Local Plan Policy LP4 in order to seek to ameliorate concerns raised by local residents the following conditions would be acceptable to the applicant:*

- 1) restricting the occupancy of the dwelling to a person or persons employed or last employed in horticulture;*
- 2) restricting business related deliveries to the site to: Monday-Friday (9AM to 4PM); Saturdays (9AM to 2PM) with none on Sundays or Public Holidays;*
- 3) restricting the size of the vehicles entering the site to: no articulated vehicles and none over 32 tonne in gross weight.*
- 4) outside storage of had landscaping materials to be limited to an area to the north of the proposed storage shed – no items to be stored shall be over or stacked higher than 2 metres in height.*

2.12 Full plans and associated documents for this application can be found at:  
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OGFE9KHE01U00>

### **3 SITE PLANNING HISTORY**

F/YR16/0469/F	Erection of a 2-storey 4-bed dwelling and a workshop with B1 B2 or B8 use	Refused	03/08/2016
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### **4 CONSULTATIONS**

#### **4.1 CCC Definitive Map Officer**

Should you be minded to grant planning permission then we would be grateful that the following informatives are included:

- Public Byway No.22 Chatteris must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).

- No alteration to the Byway's surface is permitted without our consent (it is an offence to damage the surface of a public byway under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

**4.2 Peterborough CC Ecology** officer considers the Ecology Appraisal to be adequate but would require planning conditions to deliver appropriate mitigation.

#### **4.3 Local Residents/interested parties**

Objections received from 3 occupiers of nearby properties referring to the following:

- introduces a business into a residential area/farm land that doesn't fit into the localised area. The 'Design and Access Statement' as well as the 'Planning Statement' have many references to this as a business but there is no business categories applied for.
- The current private track is maintained mainly by 1 or 2 residents frequently using for vehicle access and isn't appropriate for the existing houses. It is unlit with many children, horse riders and dog walkers using it. There isn't the width in some places for a car (let alone a van) to pass a person safely. The applications intimate that there will be an increase in residential traffic – another 3 cars. It also states that the applicant currently employs 3-5 people with the hope to expand to. This alone will be a 3-6 fold increase in traffic both in volume and possibly size of vehicle.
- The application mentions there being no HGV's but doesn't address delivery/collection of materials, plants or machinery in conjunction with the proposed landscaping business. It is reasonable to assume this could be vans of various sizes, which will be driven without local experience.
- Locally in the last 12-18 months there have been traffic safety concerns including a van driving into a ditch and a pedestrian being clipped by a vehicle due to there being no footway. Such concerns will increase if this permission is granted.
- Concern that the ownership of the proposed access is not within the applicant's control.

**4.4 The Chatteris Town Council** supports the application.

## **5 POLICY FRAMEWORK**

### **5.1 National Planning Policy Framework (NPPF)**

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 – 37, 39: Promoting sustainable transport;  
Paragraph 55: Avoid isolated homes in the open countryside;  
Paragraph 56-61: Requiring good design;  
Paragraph 69-70: Promoting healthy communities;  
Paragraph 93-98: Meeting the challenges of climate change; and  
Paragraph 109, 111, 118, 120-125: Conserving and enhancing the natural environment.

## **5.2 National Planning Policy Guidance (NPPG)**

### **5.3 Fenland Local Plan 2014**

LP1: Presumption in Favour of Sustainable Development;  
LP2: Facilitating Health and Wellbeing of Fenland Residents;  
LP3: Spatial strategy, the Settlement Hierarchy and the Countryside;  
LP4: Housing  
LP6: Employment, Tourism, Community Facilities and Retail;  
LP12: Rural Areas Development Policy;  
LP14: Responding to climate change and managing the risk of flooding in Fenland;  
LP16: Delivering and Protecting High Quality Environments across the District;  
LP19: The Natural Environment

5.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

## **6 KEY ISSUES**

- **Principle of Development**
- **Para 55 of the NPPF**
- **Exceptions in Rural Areas {Policy LP12(d)}**
- **Health & Well Being, the impact on the Character Appearance and Residential Amenity**
- **Biodiversity**

## **7 BACKGROUND**

7.1 The above application was refused for the following reasons:

*1 The proposed development is located in an unsustainable location outside the settlement limits of Chatteris where residential development is not normally supported unless justified. Development in this location would introduce additional development into an area that is currently open and has a strong relationship with the adjoining countryside. Therefore the development is not consistent with the principles of sustainable development and is therefore contrary to the NPPF and Policies LP1, LP3 and LP12 of the Local Plan.*

*2 The proposal has failed to demonstrate that a functional and financial need for a workplace home exists within the open countryside through a robust justification. Therefore the proposal is contrary to Local Plan Policy LP12 of the Fenland Local Plan 2014.*

*3 Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbouring users. The proposed dwelling and workshop are a short distance from adjoining neighbouring properties. Without more information on the intended use of the workshop, specifically the B2 use and B8 use, it not possible to assess any potential nuisance issues with regard to noise and traffic generation. Therefore, due to the lack of information, the proposal fails to meet the requirements of LP2 and LP16 of the Fenland Local Plan 2014.*

*4 Policy LP19 aims to conserve and enhance biodiversity throughout the district. The applicant has not included a Preliminary Ecological Assessment with the scheme which is considered to be important as the site is currently agricultural land. Therefore the proposal is considered to be contrary to LP19 of the Fenland Local Plan 2014.*

- 7.2 The plans submitted for application ref F/YR16/0469/F included an identical dwellinghouse and workshop/shed (although excluded the horticultural planting/transplanting area). The same applicant has removed reference to B1, B2 or B8 uses on the F/YR16/1000/F although it is not explained that it relates to a different the business.

## **8 ASSESSMENT**

### **8.1 Principle of Development**

- 8.2 The site, which is part of a field with no existing vehicular access from the highway, falls within the open countryside, and therefore the principle of residential development in this location would not be consistent with Policy LP3 of the Fenland Local Plan 2014 which identifies such sites as being “elsewhere”, and also contrary to national planning policy guidance which steers new development to built-up areas that offer the best access to services and facilities.
- 8.3 But where sites are identified as ‘elsewhere’ development may be possible, but will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation etc. Any such development would be subject to a restrictive occupancy condition.
- 8.4 The applicant contends that the previous refusal raised no concerns under policy LP4. However it is policy LP16 that identifies criteria to consider. It is not accepted that the original refusal reason did not identify harm to the countryside, referring to introducing development into an area which is currently open and has a strong relationship with the open countryside. As such this is referring to harm to the character of the countryside, which tacitly is harm under LP16.
- 8.5 LP4 is in two parts first dealing with housing targets, and secondly giving criteria for assessing housing proposals which it details are assessed under Policy LP16. As this only identifies the criteria to consider in the context that no harm was identified to policy LP4 under the previous decision it does not imply that the refusal of the previous application raised no concern of the harm to the open countryside (Reason 1 refers to inappropriate open countryside location and refers to being contrary to the NPPF and LP1).
- 8.6 The applicant seeks to argue that the development complies with the requirements of policy LP12, seeking to demonstrate that there is an acceptable exceptional circumstance for the proposal in the open countryside in this location. These

elements need to be assessed in order to conclude whether the principle of allowing a large dwelling and associated Landscape Services Business in open countryside is acceptable.

**8.7 Paragraph 55 of the NPPF** considers that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Or such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

The proposals are not considered to meet the requirements of the NPPF as the design of the dwellings is not truly outstanding or innovative.

## **8.8 Exceptional cases in rural areas (Fenland Local Plan Policy LP12)**

8.81 In exceptional cases, the Local Planning Authority can permit a new dwelling within the countryside if associated with an existing business. It may also be possible to relocate an existing business to a new site and also propose a new dwelling. However, where the site is within the open countryside Policy LP12 is relevant being consistent with the NPPF. Policy LP12, Part D, clearly sets out the evidence to be provided to support a new dwelling in areas away from market towns and villages including:

- a) The existing functional need for the dwelling;
- b) The number of part time and full time workers;
- c) The length of time the activity has been established;
- d) The financial viability of the enterprise;
- e) The availability of other suitable accommodation on site or in the area;
- f) How the proposed size of the dwelling relates to the viability of the enterprise.

8.81 This applications provides evidence seeking to justify compliance with Policy LP12(d) The LPA assessment is as follows:

### **8.82 A) The existing functional need for the dwelling;**

The applicant contends that the plants to be grown for the Landscape Service business needs to be secure and frequently inspected. This functional need argument also includes the security of machinery requiring the shed to be in close proximity of the dwelling. The applicant stresses the operation of all business



activities from this site will cut down journeys between separate locations thereby having sustainable benefits.

8.83 The applicant considers the use appropriate to uses found in the countryside. This depends largely on the planting component of the proposal. However, the horticultural element is only a 16 x 30metre planting area, which appears small in agricultural or horticultural scale. The storage and office/business activities by themselves need not take place in open countryside. Therefore the applicant's view that the proposal is a predominantly Horticultural activity appropriate in the countryside is considered questionable. Fenland has a large amount of agricultural land within its area. It is the views of officers that security risk to horticultural operations are unlikely to justify the need for dwellings alongside. If this contention is borne out and every parcel of arable farmland required a dwelling, the intrinsic value of the countryside would be severely compromised. Furthermore the security proposed to the planting area (a 1.2 metre high post and rail fence) does not seem to support this assertion. Agricultural activities that include livestock often argue the need for farmers to be sited close to their animals. There is no such justification for constant attention to plants. It is acknowledged that plant and machinery can have security risks, however that is similar to all B1, B2 or B8 operations when plant is stored on site. Few B1 or B2 operations result in the need for new dwellings to be located on site. It has not been demonstrated that there are security issues at the business current location or that of the application site.

8.84 The applicant also argues that if all uses were combined in one location it would result in fewer trips to this sole business location having sustainable. He now argues that trips to the site would be minimal suggesting that the sustainable benefits would therefore be reduced. Nevertheless the trips to the site are acknowledged, and tied to the aspiration to significantly expand could become more significant. The site in question will be 160 metres of private drive (much of which is narrow and unsuitable for larger vehicles) and a further 210 metres of adopted carriageway. Therefore the business vehicles would travel approximately 370 metres through residential area before getting onto the London Road, a more major carriageway. Officers consider that this is not an ideal sustainable location for a business. If the premises were to be located in a B1/B8 class unit within in an employment area, with better access to the highway network, and the planting area similarly took place in a farm near a good highway network, this is likely to be more sustainable in the wider context and not result in harm to nearby residents. The applicant's contention that all activities in one location fails to consider the inappropriate position of the site somewhat tucked away in a residential position. Therefore overall this view is not considered a robust opinion.

8.85 There is no other argument presented by the applicant for the functional need for a dwelling and as such it is concluded that there is not a clear functional need for the proposal in this location.

**8.86 B) The number of part time and full time workers;**

The applicant highlights that the business currently employs 3 full-time staff a further 5 staff contracted as necessary. If successful the temporary staff could become permanent and it could lead to between 5 and 10 additional staff employed with the wider economic benefits.

8.87 Whilst officers welcome the success of local businesses, the applicant's view that the proposal being determined is agricultural in nature must be questionable. The

applicant states that a total of 18 staff could be employed. Although the applicant stresses that staff may not need to visit the sole business premises, if all staff were present on site at any one time the parking/access issues are likely to impact on the quiet residential nature of this part of Chatteris. Therefore further doubt regarding the scale of employment highlighted by the applicant does not accord with the workplace home and non-business definition as detailed in the Planning application forms or Planning Statement. The scale and nature of such an expanding operation ought not support an argument for exceptional circumstance to release this site in the open countryside abutting a quiet residential area with poor vehicular access.

**8.87 C) The length of time the activity has been established**

The applicant contends that the operation for 3 years in a site which is inadequate. No details of that site are given. The LPA has no reason to question this statement however this in itself does not justify releasing this site as proposed.

**8.88 D) The financial viability of the enterprise**

The applicant argues that the business has steadily grown and is projected to expand with an intention to expand. He states that the granting of this permission would enable expansion without financial hardship. Officers welcome the expansion of businesses which is essential to the local economy. However 'businesses' as the applicant's evidence describes, should be located in appropriate environments. In Fenland there are agricultural buildings that are frequently underused. There are also numerous dwellings on the market arguably lower than national average prices. As the functional need for house and horticultural business to be together is not accepted by officers, an alternative separate provision should be accessible without resulting in financial hardship to a growing business and with no need to fund the development of a large house.

**8.89 E) The availability of other suitable accommodation on in the area;**

The applicant considers that few sites are available and submits a search of the 'Rightmove' website. He therefore suggests no other sites are available. The residential search information appears to be ranged between £65,000 up to £395,000 in a radius of 3 miles. The applicant makes no comment on any of the sites in detail. He contends that the requirements for a workshop and outside space for growing are limited. He considers the sites in question are '*either too small or would be 'compromised' by virtue of their relationship with other dwellings*'. Officers do not consider this a robust search, given in particular that the functional need has not been accepted, i.e. the search should also consider separate business and houses, and farmland or underused farm buildings. It is not clear why the business must be within a 3 mile radius, given the expansion plans highlighted it seems unlikely that landscaping work is tied to Chatteris only.

8.90 In order to make an assessment officers have identified Light Industrial (Class B1) properties in and around Chatteris which includes 200m<sup>2</sup> premises approximately 3.7 miles from the centre of Chatteris. Similarly residential properties are available across the area at a wide range of values near the light industrial property identified. The area of land sought for growing plants is minimal in size, and such farm lettings appear to be of significantly larger areas. Therefore a sub-letting of small part of a farm should not prove difficult to achieve or given the larger availability of farmland in Fenland, should be available locally. The combination of these properties should therefore be achievable at viable rents.

8.91 The applicant refers to the search for other properties and rules out many because they would be compromised by proximity to other dwellings. The applicant appears to claim that this is a business that will sit happily in a residential area. If the first assertion is correct why then should other sites be ruled out due to their relationships with other houses?

**8.92 F) How the size of the dwelling relates to the viability of the enterprise.**

The applicant contends that the forecast growth of the business is capable of financing a necessary mortgage on the dwelling. Officers have no wish to question this. However the size of the house is questioned regarding its role as a workplace home remains unconvincing. The office element is around 16m<sup>2</sup> in floor area. The total house is approximately 230m<sup>2</sup> in area. Give, in the intention to expand, it is considered a stand alone B1/B8 unit is far more appropriate for the scale proposed, i.e. 16m<sup>2</sup> in floor area office is unlikely to meet the functional need of a growing business.

**8.93 Conclusion**

Given all the above it is not considered that the applicant has robustly demonstrated there is an exceptional case for releasing land for in open countryside where housing would not normally be permitted.

**9 Health and wellbeing, the impact on the Character of the Area and Residential Amenity.**

9.1 The proposal abuts only No.19 Blackmill Road and utilises land owned by the occupier of No 19. The applicant gives evidence of the likely growth and increase in numbers of staff to be employed from the business and therefore this site. It is likely that if the business expands as forecast by the applicant, the resulting disturbance caused by business traffic coming and going is likely to impact on the quiet residential area. The general concern of increased traffic disturbance and, in particular the 100m narrow stretch of the private drive section which also serves as a public right of way (Byway 22), is likely to impact on anyone utilising the road including pedestrians. Objections have been received from other nearby neighbours siting similar concerns. The proposal is therefore considered likely to have a detrimental impact on the quiet residential area and is contrary to Policy LP2 and policy LP16(e) which seek to promote high levels of residential amenity.

9.2 Also the projection of the site out into the open countryside does not make a positive contribution to the local distinctiveness and character of the area, fails to enhance its local setting or improve the character of the local built environment, and adversely impacts on the landscape character of the surrounding area. The applicant's statement identifies a strong existing landscape buffer to the north (trees within the garden of No 19 Blackmill Road outside the red line of the application site and therefore outside the applicant's control). It is considered this buffer currently provides a well-defined edge to the settlement of Chatteris. The projection beyond this buffer of a large modern house located beyond that strong edge will appear unduly prominent and therefore harms the character of the open countryside landscape contrary to Policy LP16(d).

**9.3 Economic Growth**

Economic development is important to both Fenland and Chatteris. Planning has a role in steering business proposals to appropriate locations where it can thrive in a sustainable manner without adverse impacts. Rental properties are available for light industrial properties in the area that could more appropriately meet the need and farmland should be identifiable for cultivating the necessary plants. Together

with the availability of a wide range of houses the refusal of this application should not prevent this business from thriving within the Chatteris area.

#### **9.4 Biodiversity**

The applicant submitted a preliminary ecological appraisal considered to be adequate. It is considered that there is no reason to refuse this application on ecological grounds.

### **10 CONCLUSIONS**

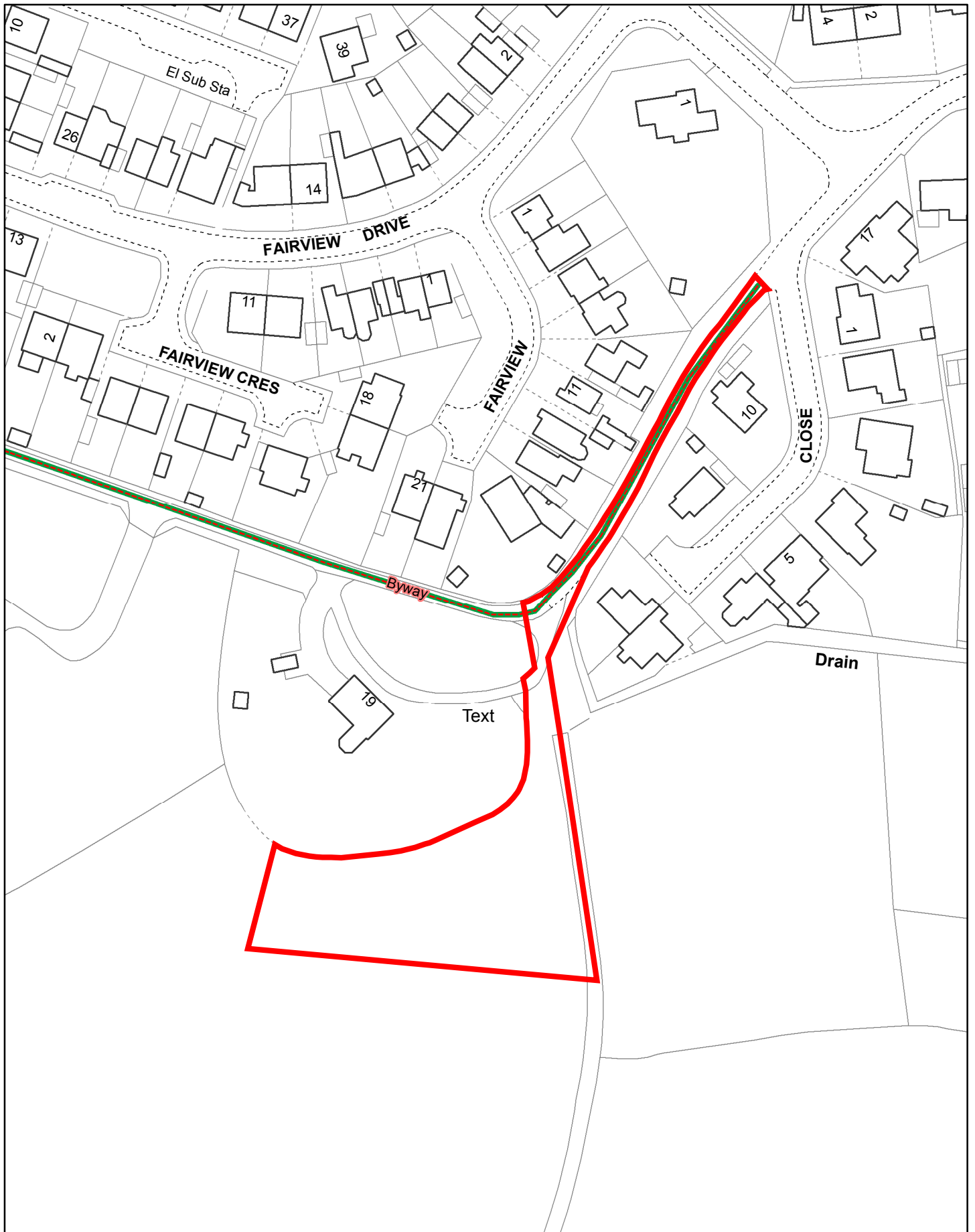
This application is for a dwelling in open countryside where permission would not normally be permitted. The applicant argues there is a functional need for a dwelling and a horticultural business in this location arguing it complies with Local Plan Policy LP12 (D).

Fenland District Council considers that the proposal which projects out of the built settlement of Chatteris, harms the character of the area, will result in harm to the quiet nature of this residential area by reason of increased business traffic coming and going to the site particularly along a narrow private drive, and as such is contrary to Policy LP16(d and e). Furthermore, the applicant has failed to robustly demonstrate an exceptional need for the dwelling in association with the Landscape contract service business in this location, contrary to Fenland Local Plan Policy LP12(d).

### **11 RECOMMENDATION**

#### **Refuse**

1. The proposed development is located in an unsustainable location outside the built settlement of Chatteris where residential development is not normally supported unless justified. Development in this location would introduce additional development into an area that is currently open and has a strong relationship with the adjoining countryside and therefore detrimental to the character of the area. Therefore the development is not consistent with the principles of sustainable development contrary to the NPPF and Policies LP1, LP3, LP12 and LP16(d) of the adopted Fenland Local Plan.
2. The proposal has failed to robustly demonstrate that exceptional circumstances exist for a need for a workplace home and associated landscape services business exists within the open countryside. Therefore the proposal is contrary to Local Plan Policy LP12 of the Fenland Local Plan 2014.
3. Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbours. The applicant has demonstrated the likely increase in numbers of employees and it is only accessible through quiet residential area. Notwithstanding the applicant's assurances regarding traffic generation at present, it is considered likely that the business traffic generated by an expanding business, to its sole business premises is likely to cause noise nuisance and conflict with pedestrians on the shared public right of way in this quiet residential area. Therefore, the proposal is likely to be harmful to both the quiet character of the area and residential amenity by reason of additional traffic noise nuisance. It is therefore contrary to the requirements of LP2 and LP16(d & e) of the Fenland Local Plan 2014.



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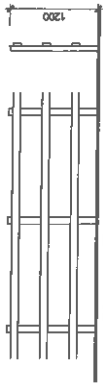
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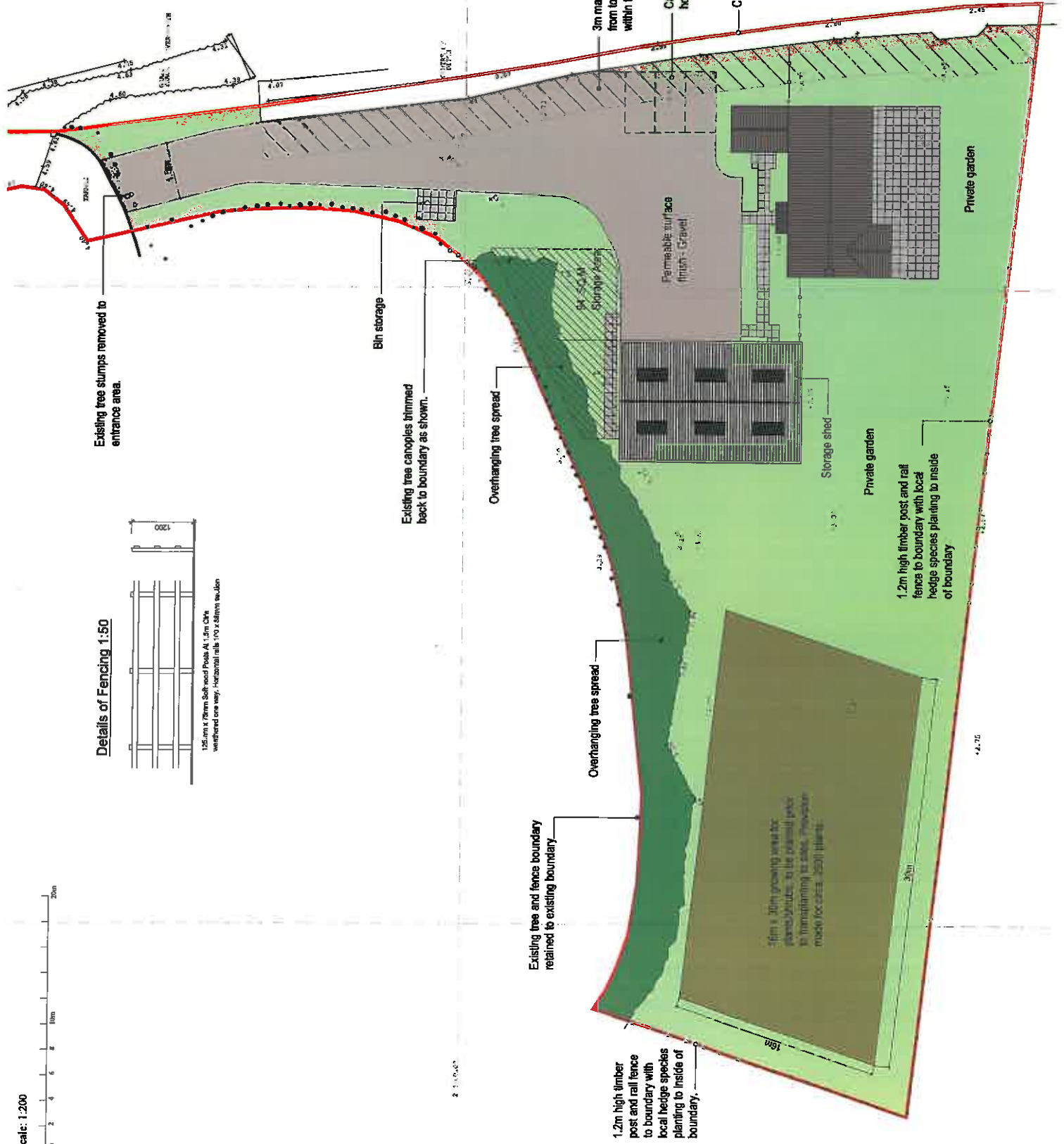


150mm x 75mm Softwood Posts at 1.5m Ctr Ctr weathered one way. Horizontal rails 100 x 50mm section

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Rev D	Mar. 2017	Storage area added to site plan.
Rev C	Oct. 2016	Amended to suit client requirements.
Rev B	Feb. 2016	Amended to suit client requirements.
Rev A	Nov. 2015	House and Workshop impinged over to suit client requirements.

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DATE	13/03/2018	DESCRIPTION	
BY	MB	REVISION	

Project: 100 High Street, Chalfont St Giles, Bucks HP8 4NR  
 Drawing Title: Proposed Site Layout

SCALE	DATE	DRAWN	CHECKED
1:200	13/03/2018	MB	
DRAWING NUMBER		INVENTORY	
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