

F/YR17/0085/O

**Applicant: Mr C Mawby**

**Agent : Mr A Brand  
The Abbey Group (Cams) Ltd**

**Land South Of, 72 Fieldside, Coates, Cambridgeshire**

**Erection of up to 2 x dwellings (Outline application with all matters reserved)**

**Reason for Committee: This application is before committee due to the level of support received from local residents.**

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## **1 EXECUTIVE SUMMARY**

This application is for outline permission erection of up to 2 dwellings (Outline with all matters reserved). Outside the edge of the village of Coates.

Permission was previously refused for three dwellings and dismissed on appeal in February 2016 for 3 dwellings. Permission was granted for 4 houses on land between this site and the village. The applicant highlights this material change in circumstances.

However to permit new development on land adjacent to a settlement edge will inevitably result in settlements extending in a leap-frogging nature resulting in developed areas projecting out into the countryside. Furthermore the development next door has not yet commenced. The accessibility to the site on such narrow country lanes does not relate well to services and facilities of the village. Additional dwellings will increase an urbanising impact into this part of the countryside harming the local distinctiveness and the character of the area. Therefore the concerns of compliance with Policy LP12 and LP16(d) remain unchanged.

Other concerns regarding highway safety, ecology and Flood Risk are not considered to justify reasons to refuse the application.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located to the south of Fieldside near the village of Coates. The site extends between Fieldside to the North West and Lake Drove to the south east, which is a track and drove/cycle route respectively.
- 2.2 There is a pair of semi-detached cottages located to the north east of the site and a detached dwelling to the south west, both fronting Fieldside. There is agricultural land located to the North West and south east of the site and the character of the immediate vicinity is that of open countryside with some limited sporadic housing. The site is over 500 metres from the nearest services (shops on South Green). The housing is positioned along the Fieldside frontage and there are no dwellings fronting Lake Drove. Lake Drove appears to be a quiet country Lane and is less than 3 metres wide fronting the application site, i.e is single carriageway in character. There is dense landscaping on the side boundaries of the site, with post and rail fencing to the Fieldside frontage.

2.3 There is a small shed and a tree located in the western corner of the site, apart from that the site is an open grassed area.

### 3 PROPOSAL

3.1 The application is in outline form for two dwellings with all matters reserved. An indicative block plan on the 0.19ha site has been submitted illustrating the site divided in two with one property facing Fieldside and the other facing Lake Drove. The applicant does refer in his Design and Access Statement to access being served off the public highway off Fieldside and via a new shared access from an existing field access off Lake Drove.

3.2 The applicant also submits a Flood Risk Assessment and a biodiversity checklist. The Design and Access Statement includes reference to the Planning Permission granted at land adjacent to No 70. That site had an application for housing previously refused and dismissed on appeal, although the Inspector referred to only biodiversity grounds. Subsequently planning permission was granted for 4 houses (ref F/YR16/0593/F).

3.3 The applicant also included a community consultation questionnaire illustrating that 4 replies from nearby neighbours supported the scheme.

3.4 Full plans and associated documents for this application are available at: <https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OKR8ZCHE06P00>

### 4 SITE PLANNING HISTORY

F/YR15/0090/O	Erection of 3no dwellings	Refused	06/07/2015
	Appealed	Appeal dismissed	01/02/2016
F/YR08/0773/F	Erection of 1 x 5-bed detached home with detached double garage and 2 x 4-bed detached houses with attached garages	Refused	14/10/2008

### 5 CONSULTATIONS

#### 5.1 Local Residents/Interested Parties

5.2 **Whittlesey Town Council** supports the application.

5.3 **PCC Ecology** Has assessed the ecology report and requests conditions be attached.

#### 5.4 Representations

The Whittlesey Charity highlights that in order to achieve access from Lake Drove the developer will need consent from the Charity who owns the verge. The applicant served the appropriate certificate on the Charity.

A total of 6 letters were received in support of the application referring to the following:

- It will bring needed additional houses to the village sustaining local businesses,
- The site is tucked away from any main views in and out of the village having very limited impact on the village,
- It is located in the existing village envelope between existing and permitted housing;
- The access is acceptable for this scale of development,

A representation from the occupier of No 70 requests that construction traffic does not access from Fieldside due to the likelihood of nuisance.

**5.5 Objections** No objections were received.

## **6 STATUTORY DUTY**

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).

## **7 POLICY FRAMEWORK**

**National Planning Policy Framework (NPPF)**  
**National Planning Practice Guidance (NPPG)**  
**Fenland Local Plan 2014**

- LP1 – Presumption in Favour of Sustainable Development
- LP2 – Health and Wellbeing
- LP3 – Settlement Hierarchy
- LP12 – Development in the Countryside
- LP14 – Climate Change
- LP15 – Creation of a More Sustainable Transport Network
- LP16 – Protecting High Quality Environments
- LP18 – The Historic Environment
- LP19 – The Natural Environment

## **8 BACKGROUND**

8.1 Permission was refused for 3 dwellings (F/YR15/0090/O) on the application site for the following reason:

*Policy LP12 allows for new development in villages, subject to the requirements of policy LP3, to be positioned in or adjacent to the existing developed footprint of the village. The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the continuous built up area of the settlement. Policies LP12 and LP16 also require proposals to be of a scale and in a location that is in keeping with the core shape of the settlement.*

*The site is not within, or adjacent to, the existing developed footprint of the village. The size and position of the site is such that the development would fail to respect the core shape and form of the settlement. As such the proposal would appear as a visually incongruous feature which would adversely affect the sustainable growth*

*of the village and the character and appearance of the area. The proposal is therefore contrary to policy LP12 of the Fenland Local Plan 2014.*

- 8.2 Permission was granted for 4 dwellings on the neighbouring site land adjacent to No 70 Fieldside. A previous appeal decision was a significant consideration.

## **9 KEY ISSUES**

- **Principle of Development**
- **Character of the Area**
- **Health and wellbeing and Residential Amenity**
- **Highway Safety**
- **Flood Risk**
- **Ecology**

## **10 ASSESSMENT**

### **10.1 Principle of Development**

The application site is located close to the edge of Coates which is classed as a 'Limited Growth Village' in policy LP3 of the Fenland Local Plan where small amounts of development, may be considered appropriate in order to support the continued sustainability of the village. Nevertheless this site appears to relate to the open countryside rather than relating to the village of Coates.

- 10.2 Policy LP12 sets criteria's for rural villages and sets a threshold. The threshold in Coates of 51 dwellings since April 2011 has been exceeded. In such circumstances the applicant is required to demonstrate clear local community support. The applicant's questionnaire appears a somewhat minimal approach; nevertheless no objections have been received from neighbours or the Whittlesey Town Council. Therefore in this context the principle of development could be viewed favourably subject to compliance with the LP12 Part A criteria and Policy LP16(d) regarding impact on the character of the area.

### **10.3 Character of the Area.**

Policy LP16(d) refers to both making a positive contribution to local distinctiveness and character of the area and includes the impact on the settlement pattern and the landscape character of the surrounding area.

- 10.4 Policy LP12 Part A criteria refers amongst other things to the following:

- The site is in or adjacent to the existing developed footprint of the village,
- It would not have an adverse impact on the character and appearance of the surrounding countryside,
- The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement and will not adversely harm its character and appearance of the surrounding countryside,
- It would not extend existing linear features of the settlement, or result in ribbon development,
- The site retains and respects natural boundaries such as trees, hedgerows etc.,
- It can be served by sustainable infrastructure provision, such as surface and waste water drainage and highways

- 10.5 The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the

continuous built up area of the settlement. It also excludes gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlements where the land relates more to the surrounding countryside than to the built up area of the settlement.

- 10.6 The approved scheme (Land adjacent No 70 Fieldside) indicates retained trees and addition planting on the boundary with this application site. This site includes trees/shrubs on the boundary with the application site. The application site as it stands is a field (open countryside) with the No 72 Fieldside just outside the north-east corner of the site. As such it is considered appropriate to define the edge of settlement with the countryside once development has occurred on the neighbouring site. To allow development on the basis that the site would, once development occurs on the neighbouring site, constituting adjacent land and therefore accord with LP12, would represent a 'leap frogging' process of ribbon like development becoming more unrelated and remote from the settlement footprint, and therefore away from services and facilities. This is further demonstrated by the country lanes or informal tracks that provide limited forms of highway access.
- 10.7 The permitted site and the main access to plots 2-4 has reasonable access and perhaps relates slightly better to the existing settlement. That site has a hedgerow which will help to provide a somewhat enclosed site. The current application relates to more open site on either garden or open countryside that does not relate well to the footprint of the existing settlement therefore resulting in an urbanising impact detrimental to the open character of the countryside. It is notable that the letters of support refer to the proposal 'not visually impacting upon the village'. This could be reasonably taken as further evidence that it does not relate to the village being positioned in such an isolated countryside location.
- 10.8 It is considered that the material change of circumstances does not alter the assessment of the development which is therefore considered contrary to Policy LP12 (part A) and Policy LP16(d) of the Fenland Local Plan.

#### **10.9 Health and wellbeing and Residential amenity**

Policy LP2 seeks amongst other things the promotion of high levels of residential amenity, Policy LP16(e) seeks to avoid adverse impacts. As the proposal is indicative only no decision is being made on the issue of impact on residential amenity. The site is clearly large enough to accommodate two dwellings with adequate private amenity space. The proposal therefore considered capable of complying with policy LP16(e) of the Fenland Local Plan.

#### **10.10 Highway Safety**

The Highway Authority has not commented with this application however previously it raised no objection although commented on the unsustainable nature of the location in view of Fieldside representing a relatively poor access route which is a single track with no footway. Although these comments do not substantiate a reason for refusal on highway grounds, they further demonstrate the unsuitability of the site for new development. However the proposal is therefore compliant with policy LP15.

#### **10.11 Flood Risk**

The site is within Flood Zone 1 an area at the lowest risk of flooding. The proposal is therefore considered to pass the sequential test and accords with Policy LP14 of the fenland Local Plan.

## 10.12 Ecology

The planning appeal that took place adjacent to the site was dismissed on grounds of insufficient ecological information. This applicant therefore provided an ecological report in relation to the application site. The PCC Ecologist has no objection subject to planning conditions. The proposal is therefore considered to accord with Policy LP19 of the Fenland Local Plan.

## 11 CONCLUSIONS

Permission was previously refused for three dwellings and dismissed on appeal in February 2016. The applicant highlights a material change in circumstances due to the granting of permission for 4 houses between the application site and the village.

The development next door has not yet commenced. The accessibility to the site on such narrow country lanes does not relate well to services and facilities of the village. Additional dwellings will increase an urbanising impact into this part of the countryside harming the local distinctiveness and the character of the area. Furthermore to repeatedly grant new development on land adjacent to a settlement edge will inevitably result in settlements extending in a leap-frogging nature resulting in developed areas projecting out into the countryside failing to respect the core shape of the settlement. Therefore it is considered the concerns of compliance with Policy LP12 and LP16(d) remain and the thrust of the original refusal is retained.

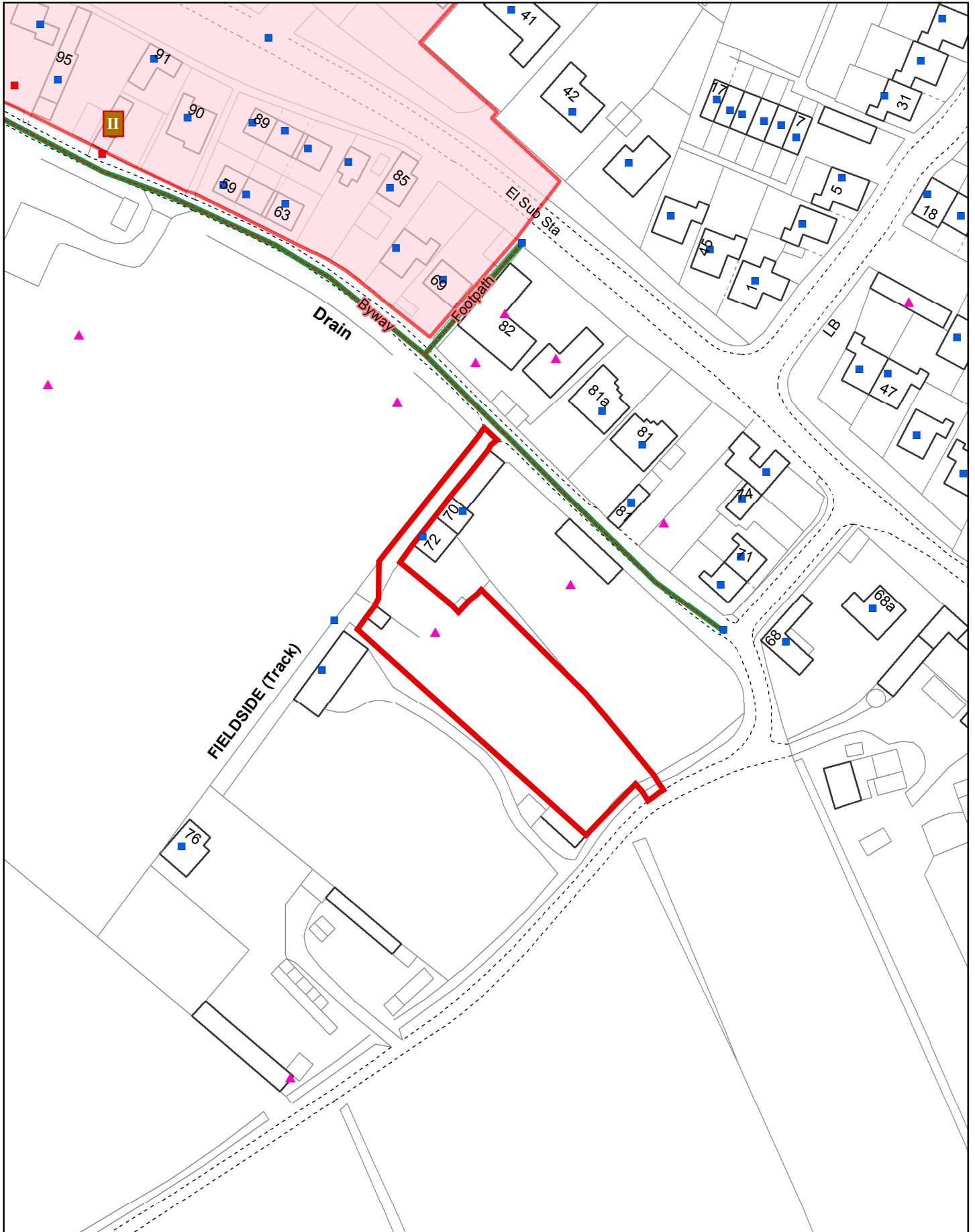
Other concerns regarding highway safety, ecology and Flood Risk are not considered to justify reasons to refuse the application.

## 12 RECOMMENDATION

**Refuse** for the following reasons

- 1 Policy LP12 allows for new development in villages, subject to the requirements of policy LP3, to be positioned in or adjacent to the existing developed footprint of the village. The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the continuous built up area of the settlement. Policies LP12 and LP16 also require proposals to be of a scale and in a location that is in keeping with the core shape of the settlement.

Notwithstanding the planning permission on the adjacent site the application site is not within, or adjacent to, the existing developed footprint of the village. The size and position of the site is such that the development would fail to respect the core shape and form of the settlement. As such the proposal would appear as a visually incongruous feature and an unsympathetic incursion into the countryside, which would adversely affect the sustainable growth of the village and the character and appearance of the area. The proposal is therefore contrary to policy LP12 of the Fenland Local Plan 2014.



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Scale = 1:1,250



Proposed development of 2 dwellings - land south of 72 Fieldside and north of Lake Drive, Coates



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