
F/YR18/1126/O

Applicant: Mrs J Smith

Agent : Mr Lee Bevens
L Bevens Associates Ltd

Land East of The Bungalow, Iretons Way, Chatteris, Cambridgeshire

Erection of a dwelling (outline application with matters committed in respect of access and layout)

Reason for Committee: 6 or more unresolved written opinions from 6 or more separate sources have been received from within the ward area or adjacent ward area which differ from the officer recommendation.

1 EXECUTIVE SUMMARY

The application is for the construction of a single-storey dwelling on the site, which is an elsewhere location as defined in Local Plan policy LP3.

The dwelling would replace an existing static caravan on the adjacent site that is occupied by the applicant as ancillary accommodation associated with The Bungalow.

No evidence is provided as to how the proposal meets the any of the specified exceptions set out in policy LP3 (such as an agricultural workers dwelling) for residential development in such locations, and therefore there is an 'in principle' policy opposition to the development of the site.

2 SITE DESCRIPTION

The application site is an existing single-storey residential dwelling and its ancillary facilities, surrounded by a metal railing topped brick wall to the front elevation, and a 1.8 metre closeboard timber fence to the side elevations.

The application site lies within flood zone 1, the zone of lowest flood risk.

3 PROPOSAL

The proposal is an outline application for the construction of a new single-storey dwelling on the land associated with the existing property and to its south east on an area currently used for the parking of vehicles. Layout and access are the only matters submitted for approval at this time.

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PJOP9AHE01U00>

4 SITE PLANNING HISTORY

F/YR18/0974/O	Erection of a dwelling (outline application with matters committed in respect of access and	Withdrawn 5/12/18
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	layout)	
F/YR18/0551/CER	Certificate of lawfulness (existing): siting of a caravan for residential purposes	Withdrawn 20/7/18
F/YR17/0369/CER	Certificate of Lawful Use (Existing): The use of a mobile home as a separate dwelling for a period in excess of 10 years and conversion of stable block to kitchen and bathroom	Refuse issue cert lawful use 2/1/18
F/YR14/0872/F	Installation of a biomethane injection pipeline (to inject into the National Grid) involving the erection of an associated plant compound with 2.4m high boundary security fence and gates	Withdrawn 19/12/14
F/YR14/0783/SC	Screening opinion: Installation of a Biomethane Injection pipeline (to inject into the National Grid)	Further details not required 21/10/14
F/YR05/1109/F	Erection of a 3-bed bungalow involving demolition of existing dwelling	Granted 21/11/05

5 CONSULTATIONS

FDC Environmental Health

No objections. Request condition regarding unsuspected contamination.

FDC Scientific Officer (Land Contamination)

No objection. Request unsuspected contamination condition

Natural England

No comments to make

Cambridgeshire County Council Highways Authority

Details should be provided to demonstrate the access is suitable for two-way vehicle movement, and the access should be splayed to provide easier ingress/egress of the A142.

Visibility splays of 2.4m x 215m should be detailed.

Defer for amended plans or refuse because of a failure to demonstrate satisfactory access that does not increase highway safety risk.

Local Residents/Interested Parties

Supporters

Six letters of support were received identifying the following reasons for their support:

- Don't feel it will have a negative impact on property or traffic.
- Please to see a proposal to keep the family together on the site.
- Won't have a detrimental impact on the surrounding area.

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)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 79: Avoid the development of isolated homes in the countryside unless specified exceptions apply

National Planning Practice Guidance (NPPG)

Determining a planning application

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP16 – Delivering and Protecting High Quality Environments across the District

8 KEY ISSUES

- **Principle of Development**
- **Access and layout**

9 BACKGROUND

The proposal follows a previous application for a certificate of lawfulness for the siting of a caravan for residential purposes that was refused on the basis that insufficient evidence had been supplied to demonstrate the alleged use, and subsequent applications for both a certificate of lawfulness for that use, and an outline application for a new dwelling that were both withdrawn once the officer's recommendation of refusal had been made known to the agent.

No formal pre-application advice has been sought in respect of the current proposal, however it was indicated that the recent outline application was to be recommended for refusal prior to its withdrawal. No alterations have been made to the proposal since that indication was given.

10 ASSESSMENT

Principle of Development

The application site is located beyond the built up area of the settlement of Chatteris, and as a result is located in an area that would be defined as 'Elsewhere' within policy LP3 of the Fenland Local Plan.

Policy LP3 requires that for development in elsewhere locations to be considered acceptable, it must be demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 further elaborates on these requirements, setting out the specific information requirements to support such applications.

The application in question makes no attempt to justify the location on any of these identified grounds, instead arguing that the proposed dwelling would not adversely impact the character and appearance of the surrounding countryside, that the applicant is keen to remain living in this location due to its proximity to her parents and that it is a sustainable proposal as it will allow the applicant to remain living on

the site in a permanent well-built dwelling instead of the static caravan currently located on the adjacent land.

Whilst it is noted that the scheme indicates that the existing static caravan will be removed from the site as a result, this is not a factor in the sustainability of the development, with the NPPF noting that there are three strands to sustainable development, these being economic (ensuring sufficient land of the right types is available in the right places at the right times to support growth), social (supporting strong, vibrant communities with accessible services) and environmental (making effective use of land and minimising waste and pollution whilst moving to a low carbon economy). Whilst the removal of the static caravan is indicated on the plans, as it lies outside the application site its removal could not be required by condition.

The construction of a new permanent dwelling in this location would not meet the sustainability objectives, resulting in piecemeal development in a location that fails to support the existing settlements and services and does not support or facilitate the move to a low carbon economy. Without the supporting justification noted, the proposal is also contrary to the location policies of the development plan (LP3 and LP12 part D).

Access and layout

The proposed new dwelling is indicated as using the existing vehicular access to the site, with the proposed dwelling located parallel to The Bungalow, which is located to the north west. The plans detail a 4 metre wide access road into the site, leading to parking at the rear of the properties sufficient for the needs of both dwellings. The proposed plans also detail provision of front and rear gardens to the proposed new dwelling and space at the rear of the site for the keeping of a touring caravan.

The vehicular access into the site is detailed with 2.4 metre by 120 metre visibility splays, however as the road from which access is provided is subject to the national 60mph speed limit, visibility splays should be provided to a 2.4 metre by 215 metre standard. It is noted however that the scheme states that the existing static caravan on the site would be removed and therefore the actual alteration/intensification of the access use is limited. It would not be appropriate to refuse the application on this basis therefore.

11 CONCLUSIONS

The proposal is for a new dwelling in an elsewhere location and there is no justification for such a location in line with the requirements of local plan policies LP3 and LP12 part D. It is accepted that the applicant currently lives on the site in a static caravan ancillary to the existing permanent residential dwelling, however this does not justify the construction of a new dwelling nor does it make the site a sustainable location.

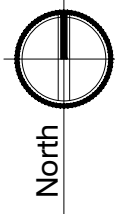
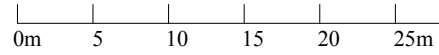
12 RECOMMENDATION

Refuse for the following reason:

Policies LP3 and LP12 part D of the Fenland Local Plan (2014) seek to direct new development to the most sustainable locations in line with national guidance set out in paragraph 78 of the National Planning Policy Framework. The application site is located beyond the built up parts of any of the settlements within the district

and is therefore an elsewhere location as defined in policy LP3. No supporting justification is given as to how the site meets the exceptions specified within policy LP3, nor is any evidence provided meeting the requirements of policy LP12 part D for the construction of new dwellings in such locations. On that basis, the proposal is contrary to policies LP3 and LP12 part D of the Fenland Local Plan (2014) and there are no material considerations that justify its approval contrary to those policies.

Scale: 1:500



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Illustrative Front Elevation 1:100



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Land south-west of The Bungalow, Iretons Way (A142), Chatteris, Cambridgeshire.
 Project Mrs J Smith

Block Plan

Rev A	Oct. 2018	Site boundary amended to match Location Plan		
Scale	Date	Drawn	Checked	
1:500 @ A3	September 2018	L B		
Drawing Number			Revision	
CH18/LBA/470/OP-1-101			A	