
F/YR24/0161/F

Applicant: Mr Roger Gladwin

**Agent: Mr J Scotcher
Morton & Hall Consulting Ltd**

Land South Of 4 Hole In The Wall Cottages, Padgetts Road, Christchurch,

Erect 1 x dwelling (2-storey 4-bed) in association with existing farm, and formation of an access

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 16 April 2024

EOT in Place: Yes

EOT Expiry: 16 August 2024

Application Fee: £578

Risk Statement:

This application must be determined by 16th August 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <p>1.1. This application seeks full planning approval for the erection of 1no, 2-storey, 4-bed agricultural workers dwelling in association with the existing Hole in the Wall Farm, and the formation of an access of Padgett's Road.</p> <p>1.2. In order to maintain a sustainable supply of homes FLP policy LP3 seeks to restrict growth in areas away from those settlements defined within it. The restriction is set out through a strict test which requires a demonstration that such development is demonstrably essential for the effective operation of (in this case) local agriculture. Such demonstration is assessed via the criteria as set out under FLP policy LP12 Part D.</p> <p>1.3. It is considered that this application fails to demonstrate that the agricultural operations warrant an additional permanent dwelling - as the operations are not of a scale to justify the nearby presence of an additional full-time agricultural worker on-site – the recognised assessment method to determine a functional need. In addition, the application fails to fully consider the availability of existing accommodation at the site for occupation by an additional rural worker. Thus, the scheme is contrary to Policy LP3, having regard the assessment criteria as set out under LP12 part D (a) – (d).</p> |
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- 1.4. In addition, it is considered that the proposed design, scale and massing of the intended dwelling, would adversely impact the street scene, settlement pattern and landscape character of the area, contrary to Policies LP12 and LP16, respectively.
- 1.5. The application site includes areas within flood zones 1, 2 & 3, with the majority of the site (including the area intended to include the dwelling) is predominately located within flood zone 2. There are areas of undeveloped land within the existing farm complex that fall within flood zone 1.
- 1.6. Thus, in the context of the circumstances of this site, notwithstanding any functional need (or not) for an additional on-site worker, the application fails to address the clearly sequentially preferable land available within the agricultural holding itself that lies within flood zone 1, with the capability to accommodate a new rural workers' dwelling. As such the Sequential Test has not been appropriately considered in the context of the proposal and wider available land and is therefore considered failed. As such, it is considered that the current scheme is not compliant with Policy LP14.
- 1.7. The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1. The application site comprises an area of agricultural land located on the west side of Padgett's Road, south of a group of agricultural farm buildings known as Hole in the Wall Farm and two pairs of semi-detached cottages known as Hole in the Wall Cottages, comprising a complex of agricultural and residential development indicated to be entirely within the applicant's ownership.
- 2.2. The Hole in the Wall complex includes five residential dwellings, Nos. 1 – 4 Hole in the Wall Cottages (two modest pairs of semi-detached rural workers style cottages) and the Hole in the Wall Farm house (a substantial, detached two-storey dwelling) to the centre of the complex. To the north of the complex stands agricultural buildings associated with the farm.
- 2.3. The application site is located approximately 1.63km south of the built framework of Christchurch, within the open countryside. The site fronts Padgett's Road to the east and is open to the south and west. To the north is No.4 Hole in the Wall cottages, bounded from the site by a mix of post and rail and 1.8m closeboarded fencing and hedging.
- 2.4. Further residential development beyond the Hole in the Wall complex is sporadic, with the nearest dwellings known as: Springfields, Willow Farm, Poplar Farm and The Old Coach House approximately 20m southeast, 324m east, 220m southeast, and 205m southeast, respectively.
- 2.5. Beyond the site and its immediate surrounds, the area is distinctly open agricultural.

2.6. The site is located in Flood Zones 1, 2 & 3.

3 PROPOSAL

- 3.1. This application seeks full planning permission for the erection of 1no, 2-storey, 4-bed agricultural workers dwelling in association with the existing Hole in the Wall Farm, and the formation of an access off Padgett's Road.
- 3.2. The application proposes a substantial dwelling. The dwelling is intended to comprise hallway, living room, open style kitchen/diner/living space, office, utility room, shower room, boot room and rear lobby with attached double garage and plant room with workshop.
- 3.3. The upper floor is to include four bedrooms (two en-suite), a master bedroom suite with walk in wardrobe, and separate family bathroom. The garage will include a store area and domestic fitness gym over.
- 3.4. A 4m access driveway is proposed off Padgett's Road, leading to a parking/turning area to serve the dwelling. The front and rear garden spaces are intended to be landscaped and bounded by 1.2m post and rail fencing.
- 3.5. Full plans and associated documents for this application can be found at: [F/YR24/0161/F | Erect 1 x dwelling \(2-storey 4-bed\) in association with existing farm, and formation of an access | Land South Of 4 Hole In The Wall Cottages Padgetts Road Christchurch \(fenland.gov.uk\)](https://fenland.gov.uk/Planning/Planning-Applications/F/YR24/0161/F%20|%20Erect%201%20x%20dwelling%20(2-storey%204-bed)%20in%20association%20with%20existing%20farm,%20and%20formation%20of%20an%20access%20|%20Land%20South%20Of%204%20Hole%20In%20The%20Wall%20Cottages%20Padgetts%20Road%20Christchurch%20(fenland.gov.uk))

4 SITE PLANNING HISTORY

F/YR19/0898/AG1	Erect an agricultural grain/machinery store Land North West Of The Hole In The Wall Cottages, Padgetts Road, Christchurch	Further Information Not Required 15.11.2019
F/YR11/0853/F	Erection of a pig fattening unit Land West Of Hole In The Wall Farm, Padgetts Road, Christchurch, Cambridgeshire	Granted 21.12.2011
F/YR04/4292/F	Erection of a part 2-storey and part single-storey side extension to existing dwelling Hole In The Wall Farm Padgetts Road, Christchurch, Cambs PE14 9PN	Granted 14.01.2005
F/96/0157/AG1	Erection of general purpose agricultural building Hole In The Wall Farm Padgetts Road, Christchurch, Cambs PE14 9PN	Further Details Not Required 26.06.1996
F/0525/82/F	Erection of a garage block Hole In The Wall Farm, Padgetts Road, Christchurch, Wisbech, PE14 9PN	Granted 16.09.1982

5 CONSULTATIONS

5.1. Cambridgeshire County Council Highways Authority

Initially, the Highways Authority objected to the proposed access on the basis that visibility splays had not been evidenced. This information was duly provided by the applicant and the following comments were received at reconsultation.

I'm content with this latest submission provided it can be conditioned that the visibility splays are maintained free from obstruction from a height of at least 600mm above carriageway level, and that any gates are set back at least 5m from the carriageway edge.

5.2. Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality or be affected by ground contamination.

Due to the close proximity of noise sensitive receptors, it is recommended that the following condition is imposed in the event that planning permission is granted:

WORKING TIMES

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

5.3. **Kings Lynn & West Norfolk Borough Council**

Thank you for your consultation in relation to the above planning application. The Borough Council of Kings Lynn and West Norfolk has NO OBJECTION to the proposed development.

5.4. **Christchurch Parish Council**

The Members of the Parish Council considered this application at their recent meeting.

They agreed that the proposed dwelling will provide continuity for one of the largest family farms in the Parish by supporting the succession currently taking place. Family farms such as this are a traditional feature of the Fenland landscape and play an important role in the local rural economy, providing direct employment and supporting other local businesses, as well as feeding the nation.

The design of the proposed dwelling fits comfortably alongside the five existing dwellings at Hole in the Wall Farm and the remote location minimises any potential visual harm or impact on other properties. Policy LP3 states that development elsewhere will be restricted to that which is demonstrably essential to the effective operation of local agriculture, and this is clearly the case in respect of this application.

Members resolved to offer this application their full support.

5.5. **Councillor D Roy**

Having read through the documentation and the importance of farming in Fenland, it is vital that this application is supported as farms of this nature are in decline.

I fully support that owners need to live in close proximity to be able to sustain farms of this type. I would support this application in full.

5.6. **Local Residents/Interested Parties**

The LPA received 8 letters of support for the scheme from address points local to the site within Christchurch, and from the adjacent ward. Reasons for support for the scheme can be summarised as:

- Important for farmers to live close to land/livestock for increased security, and animal welfare;
- Unsociable hours means sensible for proprietors to live on site;
- Dwelling will complement the area and be of high quality and design;
- On-site living will allow the business to flourish;
- No negative impact on local residents or character of the area;
- No ecological/environmental impacts;
- No negative impact on the highway;
- Asset to the local area and parish;
- No fault with submitted agricultural appraisal;
- Will enable occupants to respond to the weather on site immediately.

6 STATUTORY DUTY

- 6.1. 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

7.1. National Planning Policy Framework (NPPF)

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 12 - The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 83 - . housing should be located where it will enhance or maintain the vitality of rural communities.

Para. 84 - Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

Para. 115 - . Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para. 135 - Planning policies and decisions should achieve well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2021

7.4. 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

LP12 – Rural Areas Development Policy

LP14 – Responding to Climate Change and Managing the Risk of Flooding

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments

LP19 – The Natural Environment

7.5. Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the

draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP7: Design

LP8: Amenity Provision

LP18: Development in the Countryside

LP22: Parking Provision

LP32: Flood and Water Management

7.6. **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM3 – Making a Positive Contribution to Local Distinctiveness and Character

7.7. **Cambridgeshire Flood and Water SPD 2016**

8 KEY ISSUES

- **Principle of Development**
- **Demonstration of essential need**
- **Character and Appearance**
- **Highways and Access**
- **Residential Amenity**

9 ASSESSMENT

Principle of Development

- 9.1. The site lies within an area of dispersed, intermittent buildings that are detached from the main settlement of Christchurch and comprises a parcel of land currently in use for arable agriculture.
- 9.2. Consequently, as the site is considered to fall outside of a settlement it is therefore defined as an 'Elsewhere' location under FLP policy LP3; which seeks to restrict development to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The NPPF supports the principle of sustainable rural housing where it will enhance or maintain the vitality of rural communities, and sustainable economic growth in rural locations - where appropriate i.e. the right development in the right location, and it is considered that the requirements of policy LP3 are wholly consistent with the NPPF in this regard.
- 9.3. The application comes forward as a proposal for residential accommodation to serve an existing agricultural enterprise. Therefore, the principle of the development is accepted through LP3, which amongst others, supports the farming community and agricultural development, and recognises that in certain circumstances it is necessary to locate dwellings in otherwise unsustainable locations. But this allowance is subject to meeting (where residential development is concerned) the strict test of demonstrating an

essential need. FLP policy LP12-Part D sets out the requirements as to how this essential need will be demonstrated.

Demonstration of essential need

- 9.4. Policy LP12 Part D relates specifically to the development proposed and sets out that applications of this nature should provide supporting evidence to explain the following;
- (a) The existing functional need for the dwelling,
 - (b) The number of part time and full-time worker(s) to live in the dwelling,
 - (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.
- 9.5. The application is supported by an Agricultural Appraisal which provides the background to the applicant, the current and future business plans and predicted business growth (financial details are held as confidential items). The appraisal document also provides information on the agricultural holding as a whole and how this relates to the overall function and viability of the enterprise.
- 9.6. The Council has used the services of an agricultural consultant, Kernon Countryside Consultants Limited, to review the outline business case and provide an assessment of the demonstration for essential need.
- 9.7. The submitted appraisal outlines that the applicant's objective is *"...to construct a permanent dwelling on the holding to accommodate William and his anticipated family so that they can meet the increasing demand for 24-hour site supervision and security as well as being available to meet the welfare demands of the pig enterprise and administer both livestock and crop husbandry requirements which often includes unsociable hours."* (Para 4.2, Agricultural Appraisal, Cheffins)

Existing enterprise

- 9.8. The main operations themselves currently comprises arable farming of various parcels of land around the Christchurch and Manea areas, totalling 552ha, which in itself is a viable enterprise. In addition, the applicant also operates a pig 'bed and breakfast' enterprise, where the business provides the buildings and labour with the pigs and feed supplied by another. In this instance, Hole in the Wall Farm provide welfare, feed and watering, medication as necessary and maintaining stock health whilst the animals reside at the farm, although do not own the livestock themselves. The applicant has advised that both the arable and livestock enterprises demand a high level of unsociable hours to be worked on the holding and there is, in their opinion, an essential need for 24 hour supervision to manage and maintain welfare standards of the pigs kept and to ensure security of the farm is maintained. It is proffered that a second dwelling will allow for some of the responsibility to be relieved from the applicant as he approaches retirement age and permit his son, a key worker within the existing business, to provide the essential cover and support to his parents and family and be onsite in the event of emergencies.

- 9.9. Having regard to the arable side of the enterprise, it is well-established that arable farming rarely justifies an essential, functional need for a full-time worker to be present at the site on a permanent, round the clock basis¹. This is notwithstanding that the arable enterprise, in any case, covers a wide area with detached parcels of arable land spread over a wide radius from the application site therefore meaning an on-site presence could not reasonably be expected to monitor the entire holding.
- 9.10. Furthermore, the Council's consultant has assessed the current arable enterprise, concluding that unsociable hours and inclement or changeable weather is not sufficient justification to warrant an additional on-site worker.
- 9.11. Whilst Planning Policy Statements were withdrawn following the publication of the NPPF in 2012, the information contained within Annex A of PPS7 is, in the main, still applicable as guidance. This states "*where livestock or agricultural processes require essential care at short notice.*" As such, when considering the livestock enterprise at the site, a functional need could arise.
- 9.12. It is accepted that some livestock enterprises require supervision at certain periods and providing for the care and welfare of housed pigs and/or piglets is an activity that could give rise to a functional requirement for a worker to be readily available at most times, dependent on the scale of the enterprise. The functional test applied here, is whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.
- 9.13. The livestock enterprise currently undertaken includes 'room and board' for pigs in batches of 1,050 aged approximately 7 weeks old, which are reared up to appropriate slaughter weights over a period of around 20 weeks. The policy test set out in LP12 part D (a) is whether there is "*an existing functional need for the dwelling*". For a functional need to be established, the enterprise from which the functional need is derived must equate to a full-time worker.
- 9.14. The Council's consultant has assessed the current livestock enterprise and tasks involved in its maintenance, concluding that the applicant's justification regarding the loading/unloading of pigs, despite these potentially taking place during an unsociable hours, is part and parcel of the tasks of maintaining such an enterprise. However, in respect of animal welfare and given the number of pigs that are being housed on site, there is a functional requirement for one on-site worker although the need for a second on-site worker is, at best, marginal. In response to the figures provided by the applicant with respect to the number of operatives required, it should be noted that labour calculation figures do not calculate the number of workers that need to live on site, they instead indicate the number of workers that are merely required to operate the enterprise. In most cases some of these workers can live off-site.

¹ [APP/F2630/W/17/3174429](#), [APP/N0410/W/19/3226363](#), [APP/L2630/W/19/3223110](#), [APP/W1850/W/20/3251167](#), [APP/V2635/W/19/3242691](#), [APP/Q3115/W/17/3175806](#)

Existing dwellings

- 9.15. Given the above assessment, and the fact that the site is currently occupied by one on-site worker, which is justified in respect of the current enterprise requirements, it is considered that a second permanent on-site presence would be desirable rather than essential for the proper functioning of the enterprise. The policy test under LP3 sets out an 'essential' need.
- 9.16. Notwithstanding, it is noted that the applicant's agricultural appraisal indicates that there is only one existing residential property on the farm. However, it is understood that Nos.1 & 2 Hole in the Wall Cottages, adjacent to the existing farm, are owned by PJ Farms Ltd, the applicant's enterprise. Thus, given the number of existing dwellings already proven to be within the ownership of the farm (at least three), it was considered unnecessary to formally investigate the ownership of Nos. 3 & 4 through Land Registry searches, as doing so would have been at the Council's expense. Nonetheless, it remains that, Nos. 3 & 4 may also be owned by the farm, which would bring the available total up to five.
- 9.17. Whilst the applicant's agricultural appraisal did consider, and ultimately discounted, available alternative housing within Christchurch and Welney, the application is silent with respect to the availability of the Hole in the Wall Cottages Nos. 1-4. Therefore, in the absence of evidence to the contrary, the existing dwellings at the site are considered to have the potential to be occupied by farm workers.
- 9.18. The application seeks consent for a at least a fourth (possibly a sixth) dwelling at the site. However, given that there is only a clear need for one on-site worker, with a marginal need for a second, it follows that accommodation may seemingly be met by existing accommodation within the farm complex and thus a functional need for additional accommodation to be built at the site is not warranted.
- 9.19. Having regard to the existing scale of the business, the potential options to utilise existing accommodation within the farm complex (which hasn't been fully explored and evidenced by the applicant) and the lack of essential need for a second worker to reside permanently at the application site, the proposal is considered to conflict with Policy LP3, having regard to the assessment criteria as set out under LP12 part D (a), (b), (c) and (d) and would therefore result in the unwarranted introduction of a dwelling in an otherwise unsustainable location.

Character and Appearance

- 9.20. Policy LP16 seeks to ensure development makes a positive contribution to the local distinctiveness and character of the area, responding to and improving the character of the area, reinforcing local identity and does not either in design or scale terms, adversely impact on the street scene, settlement pattern or landscape character of the area. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside therefore consideration needs to be given to any harm caused. Further to the necessary criteria in respect to the functional need for development in elsewhere locations, Policy LP12 seeks to ensure that

development respects the character and appearance of the surrounding countryside and farmland.

- 9.21. The application site is currently undeveloped arable farmland, and forms part of the wider countryside landscape within the area. Clearly, therefore, any development on this land would have impact to the overall open countryside character by bringing a residential urbanisation to this parcel of land.
- 9.22. Paying heed to the existing street scene, the Hole in the Wall Cottages adjacent to the site are modest, semi-detached dwellings. At 2-storey, with minimal side extensions, the cottages are of simple, traditional design with gable rooflines and a shared central chimney, reflective of typical Fenland rural worker's style dwellings of their time. Both pairs, cumulatively, comprise a total footprint of approximately 185m².
- 9.23. Between the pairs, comprising Nos.1 & 2 to the north and Nos. 3 & 4 to the south, is an undeveloped area of maintained grassland approximately 16.5m wide. Behind these cottages, within the centre of the Hole in the Wall farm complex, is the original farmhouse, which is predominately shielded from view save for glimpses through this undeveloped gap and along existing accesses into the farm. Given this screening, the street scene as viewed from Padgett's Road includes, predominately the modest existing pairs of cottages.
- 9.24. The proposed dwelling is substantial, comprising a footprint of circa 340m² (including the garage), equating to a footprint approximately 85% larger than the combined total of all four cottages already contained within the farm complex.
- 9.25. The existing cottages reach a ridge height of approx. 7.8m, and Nos. 3 & 4, nearest the application site, comprise a total width of approx. 16m. The proposed dwelling has been designed to reach a comparable height to that of the cottages, at 7.8m. However, the overall width of the main dwelling (not including the garage) will span approximately 18.9m, when considered cumulatively within the street scene the dwelling to include the garage will span approximately 26m. Accordingly, whilst the height of the proposed dwelling is the same and it is noted that the intended dwelling will be set back from the existing cottage building line, the overall width of the proposed dwelling (at approximately 10m wider than the pair of adjacent cottages combined) will result in an overall scale and massing that will dominate the street scene.
- 9.26. Furthermore, the proposed dwelling is intended to include front gable projections flanking a central pitched roof covered porch, with additional gable side projection linking to a forward projecting garage perpendicular to the main dwelling. Given these design details, it is considered that the scheme is of a form more urban in nature, which will be entirely incongruous against the backdrop of the adjacent more utilitarian and traditional farm cottages and other modest dwellings nearby.
- 9.27. Materials have not been specified, but the submitted documents suggest external brick, timber cladding, and uPVC windows to be utilised which

appear, in the context of the submitted plans, to not reflect the appearance of the adjacent cottages, however this could be mitigated through an appropriate materials condition.

- 9.28. Given the above, it is considered that by virtue of the overall location, it is clear that the scheme does not respect the character and appearance of the surrounding countryside and farmland as the intended location would bring about a distinct urbanisation of existing open agricultural land. In addition, owing to the proposed design, scale and massing of the proposed dwelling, the street scene, settlement pattern and landscape character of the area will be adversely impacted and dominated by the introduction of an incongruous and sizeable dwelling, contrary to Policies LP12 and LP16, respectively.
- 9.29. This conclusion is supported by the Council's consultant, whom on considering the overall siting and size of the proposed dwelling, concludes: *"In our opinion the dwelling is significantly larger than what could be considered appropriate as a rural workers' dwelling."* Moreover, it is worthy of note that the applicant's submission does not appear to have considered an arguably more appropriate siting for any new rural workers dwelling on the 16m wide swathe of undeveloped land between the existing cottage pairs. It is proffered that this is suitably sized to accommodate an appropriately sized rural workers' dwelling, comparable to the existing cottages, and could be a more suitable location, closer to the existing farm buildings, which would offer more opportunity for occupants to be readily available to identify any problems that may arise, particularly with respect to animal welfare.

Highways and Access

- 9.30. Following initial concerns by the Highways Authority (HA) that visibility splays were not sufficiently evidenced, revised access arrangements were submitted by the applicant demonstrating that appropriate visibility could be achieved in accordance with HA requirements. The HA has assessed the revised application and raises no objection to the proposal, subject to conditions securing the delivery of the access and the retention of off-road parking areas.
- 9.31. In this regard, the application presents no technical issues with regards to highways impacts and would comply with FLP policy LP15.

Residential Amenity

- 9.32. The dwelling is sited sufficiently away from neighbouring boundaries so as not to result in any overshadowing or overbearing issues. Furthermore, windows are located to avoid any unacceptable overlooking. The dwelling therefore presents no relationship issues with adjacent properties.
- 9.33. It is noted that there may be some limited impacts to amenity that occur as a result of the proposed construction of the dwelling. However, the recommendation by the Environmental Health team regarding construction working hours is considered unreasonable to impose given the quantum of development proposed and given any disruptions would be a temporary inconvenience.

- 9.34. Notwithstanding, if planning consent is granted, this would not indemnify against statutory nuisance action being taken in the event that the Environmental Health team received a substantiated complaint(s) regarding issues pertaining to the creation of noise, emissions, pollution, contamination, odour, dust, vibration, etc from the proposed development.

Flood Risk

- 9.35. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding.
- 9.36. The application site includes areas within flood zones 1, 2 & 3, with the majority of the site (including the area intended to include the dwelling) is predominately located within flood zone 2.
- 9.37. It is for the applicant to demonstrate through an assessment that the Sequential Test has been met.
- 9.38. It is acknowledged that the application seeks a new on-site rural worker's dwelling. In this vein, the application has been accompanied by a Flood Risk Assessment that includes a section relating to the Sequential Test which justifies the development in this flood zone succinctly, as follows:

The dwelling provides accommodation for a key agricultural worker. The dwelling is proposed adjacent to the main farm on its southern side so not to constrain the potential for growth of the farm. The development is considered to pass the Sequential Test.

- 9.39. However, the flood risk assessment and Sequential Test fails to acknowledge that a significant part of the existing farm complex, including the main farm house and considerable land surrounding, along with the existing cottage dwellings, and the area of undeveloped land between the cottage pairs, all within the applicant's ownership, falls within flood zone 1. Accordingly, in the context of the circumstances of this site, notwithstanding any need (or not) for the agricultural worker to reside on the site, there is sequentially preferable land available within the agricultural holding itself to accommodate a new rural worker's dwelling. As such, given the argument that the applicant considers there to be a functional need for a new dwelling at the site, the Sequential Test has not been appropriately considered in the context of the proposal and wider available land and is therefore considered failed.
- 9.40. In February 2018, the Council amended the approach to agreeing the scope of the Sequential Test to a settlement by settlement basis, other than development in the countryside where the whole district would then be the area of search. As the development is located outside a defined settlement, the area of search should be district wide. It has been established above that there is no functional need for a rural worker's dwelling at the site, and as such a district wide area of search for the purposes of the Sequential Test

is applicable. The Sequential Test is therefore also considered failed on this basis.

- 9.41. In line with the guidance set out within the Cambridgeshire Flood and Water SPD, it is not necessary for the scheme to address the Exception Test. However, details within the submitted Design and Access statement suggest that the development would include an air source heat pump, solar panels, and be highly insulated. A condition to secure these energy efficiency measures could be imposed should the application be approved.
- 9.42. In addition, the submitted FRA outlines proposed flood mitigation measures for the site, including raised finished floor levels and flood resilient construction that address the need for safety in times of flooding, specific to the site itself. These are considered acceptable in the context of the scheme itself in relation to site specific flood safety measures which may address the development being safe from flooding for its lifetime, subject to these being secured by condition.
- 9.43. Notwithstanding any flood mitigation or energy efficiency measures provided at the site, the evidence submitted has failed to fully demonstrate that there are no sequentially preferable sites that could accommodate a rural worker's dwelling, neither within the current agricultural holding or elsewhere, and thus the proposal has failed the Sequential Test. As such, it is considered that the current scheme is not compliant with Policy LP14 and should be refused.

10 CONCLUSIONS

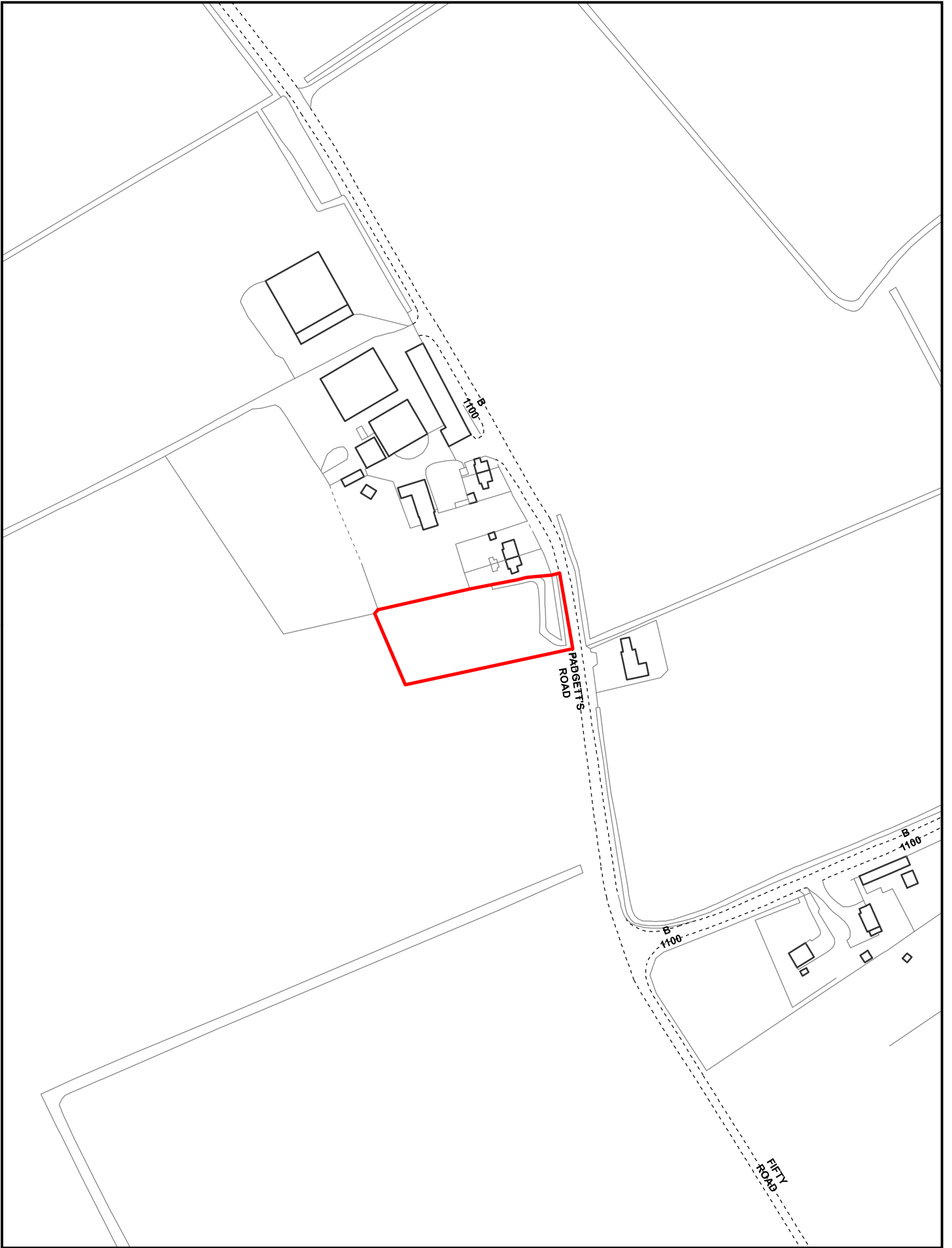
- 10.1. The above assessment concludes that the functional need for an additional agricultural workers dwelling at the site has not been established, contrary to the requirements of Policy LP3 and Policy LP12. In addition, the proposed scheme is of a scale and massing incongruous with the surrounding streetscene and would impact the open countryside character of the area contrary to Policies LP12 and LP16. Furthermore, evidence has not been advanced to consider a more sequentially preferable siting of the proposed dwelling in an area of lesser flood risk within the existing agricultural complex, contrary to Policy LP14.
- 10.2. As such, notwithstanding technical matters regarding highway safety and residential amenity being acceptable, the application is recommended for refusal on the basis of the policy contraventions discussed above.

11 RECOMMENDATION

Refuse; for the following reasons:

1	To promote sustainable development in rural areas, Policy LP3 of the Fenland Local Plan, 2014 (FLP) seeks to restrict development in areas outside of settlements to that which is demonstrably essential for the effective operation of land-based enterprise e.g. agriculture. This demonstration is determined through the criteria as set out under FLP policy LP12 Part D. The proposal is for the erection of a new dwelling associated
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	<p>with an established agricultural enterprise. However, the application fails to adequately demonstrate an essential, functional need for a full-time worker to be readily available at most times at or near to the site. This is contrary to the criteria of LP12 Part D and therefore conflicts with policy LP3 of the Fenland Local Plan, 2014 as the proposal would result in the unwarranted erection of a dwelling in an otherwise unsustainable location.</p>
2	<p>Policy LP16 seeks to ensure development makes a positive contribution to the local distinctiveness and character of the area, and does not, either in design or scale terms, adversely impact on the street scene, settlement pattern or landscape character of the area. Policy LP12 seeks to ensure that development respects the character and appearance of the surrounding countryside and farmland.</p> <p>By virtue of the siting of the proposed dwelling, the scheme does not respect the character and appearance of the surrounding countryside and farmland as development on this land would result in a distinct urbanisation of existing open and undeveloped agricultural land. Furthermore, the proposed design, scale and massing of the proposed dwelling, will adversely impact and dominate the existing street scene, settlement pattern and landscape character of the area, contrary to Policies LP12 and LP16.</p>
3	<p>Policy LP14 of the Fenland Local Plan and section 14 of the National Planning Policy Framework (2021) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and Policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test.</p> <p>The submitted Flood Risk Assessment only considers the development in the context of the need for an agricultural workers dwelling on the site. As it has been assessed that there is no such agricultural need the sequential test should cover a wider, agreed, geographical area as set out within the Cambridgeshire Flood and Water SPD (2016). Even if it were to be accepted that there is an essential need for an additional dwelling on site, the application fails to acknowledge that a significant area of the existing farm complex, all within the applicant's ownership, fall within an area of lesser flood risk than the application site, and therefore fails to fully identify land available within more appropriate areas at the site in the context of providing accommodation for an on-site worker. The test is therefore considered to be failed and the proposal is therefore contrary to Policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2021).</p>



Created on: 06/03/2024

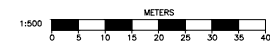
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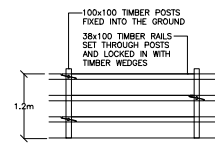
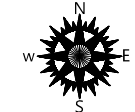
Scale = 1:2,500



SPEED CHANGE POINT FROM 60mph TO 40mph IN THE DIRECTION OF THE PROPOSES SITE AT HOLE IN THE WALL FARM.



PROPOSED SITE PLAN (1:500)



TYPICAL POST AND RAIL FENCE DETAIL (1:50)

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All finishes, insulation and damp-proofing to architect's details

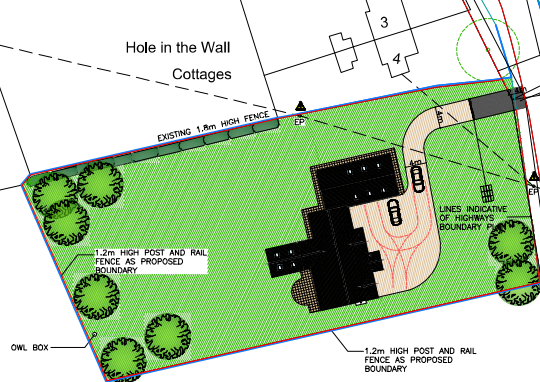
Hole in the Wall Farm

Hole in the Wall Cottages

Springfields

- PERMEABLE BLOCK PAVING (BY OTHERS)
- CONCRETE SLABS (NON SLIP)
- GRASS (BY OTHERS)
- VEGETATION
- HEDGING
- GRAVEL (BY OTHERS)
- SITE ENVELOPE
- TARMAC (BY OTHERS)
- FOUL DRAINAGE
- SURFACE WATER DRAINAGE

- PERMEABLE BLOCK PAVING (BY OTHERS)
- CONCRETE SLABS (NON SLIP)
- GRASS (BY OTHERS)
- VEGETATION
- HEDGING
- GRAVEL (BY OTHERS)
- SITE ENVELOPE
- TARMAC (BY OTHERS)
- FOUL DRAINAGE
- SURFACE WATER DRAINAGE



2.4m x 120.0m VISIBILITY SPY

NEW ACCESS TO BE TO CAMBRIDGESHIRE COUNTY COUNCIL HIGHWAYS REQUIREMENTS, 4m x 10m TARMAC LAID TO FALL AWAY FROM THE HIGHWAY WITH HEAVY DUTY ACS DRAIN TO REAR OF TARMAC SET TO SLOPE AWAY ON FRONT GARDEN AREA.

2.4m x 120.0m VISIBILITY SPY

120m SPLAY WITHIN LAND IN APPLICANT OWNERSHIP

40mph SPEED LIMIT

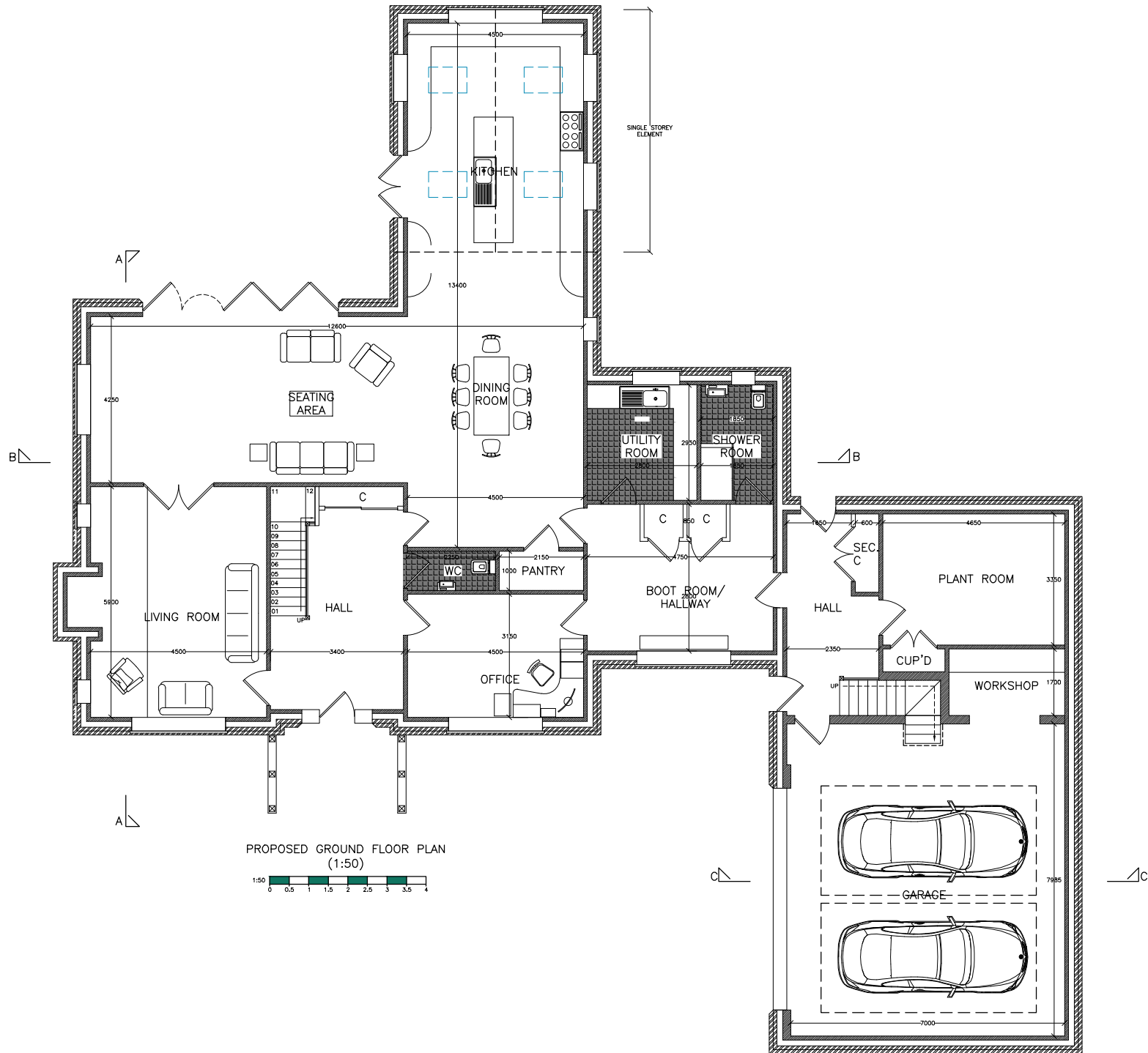
D	SPLAY BOUNDARY CHANGE	APR 2024
C	HIGHWAYS COMMENTS	APR 2024
B	HIGHWAYS COMMENTS	MAR 2024
A	CLIENTS COMMENTS	JAN 2024
	REVISIONS	DATE
<p>1 Gordon Avenue, March, Cambridgeshire, PE13 6AU</p> <p>Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk</p> <p>Ferndale District Council</p> <p> Building Excellence in Ferndale</p>		
<p>Mr Gladwin P.J Farms Ltd</p>		
<p>Hole in the wall Farm, Padgetts Road, Christchurch, Cambridgeshire, PE14 9PN</p>		
<p>Proposed Site Plan & Fence Detail</p>		
Drawn	J. Southall	DESIGNED
Checked		CHECKED
Date	Nov 2023	DATE
Title	AS SHOWN	PROJECT NO
		H9305/07

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All finishes, insulation and damp-proofing to architect's details



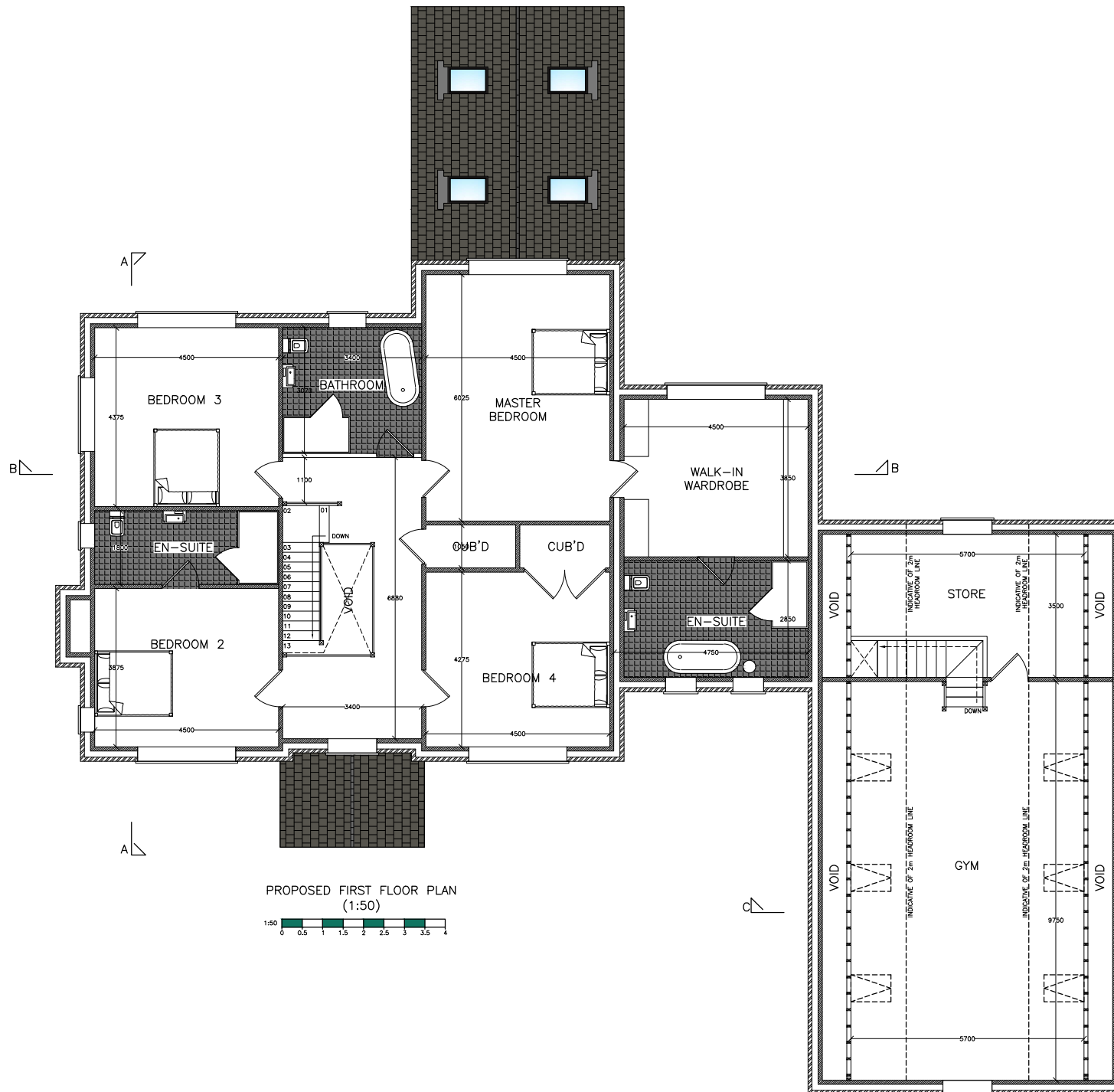
A CLIENTS COMMENTS		JAN 2024
REVISIONS	DATE	
1 Gordon Avenue, March, Cambridgeshire, PE15 6AJ Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonhall.co.uk Website: www.mortonhallengineering.co.uk		
Mr Gladwin P.J Farms Ltd.		
Hole in the wall Farm, Padgetts Road, Christchurch, Cambridgeshire, PE14 9PN		
Proposed Ground Floor Plans		
Drawn J. Goodwin	Checked	
Date Nov 2023	Project/Location	
Scale AS SHOWN	H9305/101 A	

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All finishes, insulation and damp-proofing to architect's details



PROPOSED FIRST FLOOR PLAN
 (1:50)
 0 0.5 1 1.5 2 2.5 3 3.5 4

REVISIONS	DATE
1 Gordon Avenue, March, Cambridgeshire, PE12 6AJ Tel: 01354 654554 Fax: 01354 660467 E-mail: info@mortonhall.co.uk Website: www.mortonhall.co.uk	
Mr Gladwin P.J Farms Ltd.	
Hole in the wall Farm, Padgetts Road, Christchurch, Cambridgeshire, PE14 9PN	
Proposed First Floor Plans	
DRAWN J. Southwell	CHECKED [Blank]
DATE Nov 2023	PROJECT NO. H9305/102
SCALE AS SHOWN	

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PROPOSED FRONT ELEVATION
(1:50)

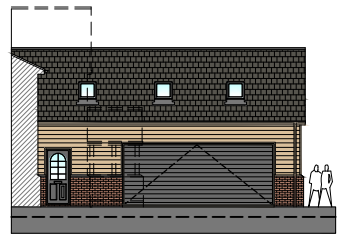


PROPOSED REAR ELEVATION
(1:50)

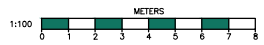


REVISIONS		DATE
1 Gordon Avenue, March, Cambridgeshire, PE12 6AJ		Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonhall.co.uk Website: www.mortonhallengineering.co.uk
Mr Gladwin P.J Farms Ltd.		
Hole in the wall Farm, Padgetts Road, Christchurch, Cambridgeshire, PE14 9PN		
Proposed Front & Rear Elevation		
DRAWN J. Southall	CHECKED 	DATE Nov 2023
TITLE AS SHOWN	PROJECT H9305/103	

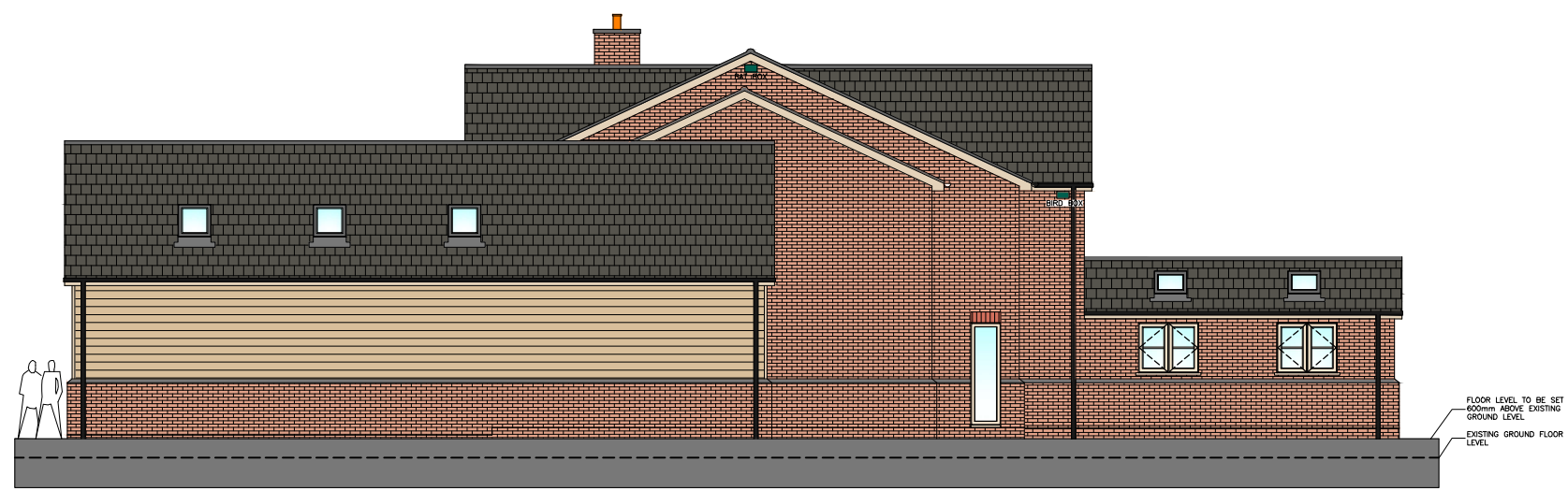
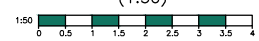
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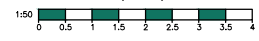
PROPOSED LEFT INNER ELEVATION (1:100)



LEFT HAND SIDE ELEVATION (1:50)



RIGHT HAND SIDE ELEVATION (1:50)



CLIENTS COMMENTS		JAN 2024
REVISIONS		DATE
A 1 Gordon Avenue, March, Cambridgeshire, PE15 6AJ		Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk
Mr Gladwin P.J Farms Ltd.		
Hole in the wall Farm, Padgetts Road, Christchurch, Cambridgeshire, PE14 9PN		
Proposed Left & Right Elevation		
Drawn	J. Goodwin	Checked
Issue	Nov 2023	Issue
Scale	AS SHOWN	Project No
		H9305/104 A