
F/YR24/0410/F

**Applicant: Mr G Howell
Swann Edwards Architecture Ltd**

**Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited**

Land East Of Stores At The Lodge, Fendyke Lane, Leverington, Cambridgeshire

Erect a dwelling (2-storey 5-bed) involving the demolition of existing commercial buildings

Officer recommendation: REFUSE

Reason for Committee: Number of representations contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 8 July 2024

EOT in Place: No

EOT Expiry: N/A

Application Fee: £578

Risk Statement:

This application is currently beyond the date for determination in respect of the statutory performance targets. The application must be determined by 2 September or the application fee will need to be returned.

1 EXECUTIVE SUMMARY

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| <p>1.1 This application seeks to erect a dwelling (2-storey 5-bed) involving the demolition of existing commercial buildings.</p> <p>1.2 Paragraph 84 of the NPPF seeks to avoid isolated homes in the countryside unless it can be justified that the scheme complies with one or more exception criteria. Policy LP3 of the Fenland Local Plan (2014) requires development in areas away from market towns and villages to be essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 Part D of the Fenland Local Plan (2014) states proposals for new dwellings in such locations will be supported where the application addresses the functional need for a dwelling in this location and that there is no availability of other suitable accommodation on site or in the area.</p> <p>1.3 By virtue that the proposal seeks to create a purely residential development in an elsewhere location, with no links to a rural enterprise, there is no demonstrably essential or functional need for accommodation such as the proposed to be provided at the site. Furthermore, there has been no evidence submitted to suggest that the proposal meets any of the exceptions as set out in NPPF Paragraph 84. Thus, the proposal is considered contrary to the above aforementioned local and national planning policies and cannot be</p> |
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supported.

- 1.4 Notwithstanding, the scale and design of the dwelling is at odds with its rural location and part of the site would be located within an area at risk of flooding (Flood Zone 2) without sufficient justification.
- 1.5 The following assessment concludes that the application is contrary to the development plan and national planning policies and is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is situated to the east of Fendyke Lane in a rural location to the east of Gorefield. The site is to the rear of properties fronting Fendyke Lane. Fendyke Lane is an unclassified road characterised by linear development to the east at the northern end of the road and agricultural land with sporadic dwellings elsewhere. The site currently consists of 2 industrial buildings hosting a motor vehicle business.
- 2.2 The site is located partially within Flood Zone 1 (Low Risk) and partially within Flood Zone 2 (Medium Risk).

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a dwelling (2-storey 5-bed) involving the demolition of existing commercial buildings. The dwelling would be formed in an L shape with the garage with master bedroom above protruding to the front of the dwelling.

The proposed dwelling would measure approximately:

- 17.4m max length
- 14.9m max width
- 9.9m max roof pitch height

The proposed materials are:

- Brick
- Tile
- Cladding

Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

Pertinent planning history listed below:

Application	Description	Decision
F/YR23/0579/F	Erect a detached garage with ancillary 1-bed annexe above and change of use of land for domestic purposes (part retrospective) (Unit 2 South Of The Lodge)	Granted 06 Oct 2023
F/YR19/0638/F	Change of use from light industrial (B1(c)) to a residential dwelling (C3) including the siting of a temporary caravan and filling in a section of the ditch (Unit 2 South Of The Lodge)	Granted 20 Sep 2019
F/YR18/0796/PNC07	Change of use from light industrial (B1(c)) to a residential dwelling (C3)	Granted 18 Oct 2018
F/YR17/1243/VOC	Variation of condition 9 (condition listing approved plans) relating to planning permission F/YR17/0850/F (Erection of a 4/5-bed earth sheltered dwelling with double garage, landscaping and water features) - amendment to design (Land North Of Thorn Hal)	Granted 15 Feb 2018
F/YR17/1107/CERTLU	Certificate of Lawful Use (Existing): Use of buildings for light engineering B1(c) (Stores At The Lodge)	Certificate issued 06 Feb 2018

5 CONSULTATIONS

5.1 Leverington Parish Council

Conforms to LP13 of Local Plan.

Highway's:- If entrance modified would it then comply with Local Highways requirements ie:- Visual Splays ?

LP14(NPPF) Flood risk low.

As being in use at time of application is it necessary to apply for planning or would it come under Permitted Development?

No objections.

5.2 Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality.

Due to the former use and potential for contaminants to exist, a Phase 1 contaminated land risk assessment shall be required before any development is undertaken. This is to determine to what extent contaminants may exist, and if confirmed, what remedial action will then be necessary to ensure the protection for end users both inside the structure and for any proposed external amenity areas such as those put to garden use which could include growing of fruit and/or vegetables for human consumption.

I would therefore recommend the full contaminated land condition as shown below for ease of reference is imposed to ensure the application site is suitable for the intended development and in the interests of human health and the environment:

No development approved by this permission shall be commenced prior to an investigative contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process, and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (d), (e) and (f). (d)

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

To protect the amenity of existing nearby residents, it is also recommended that a working times restriction condition is imposed in the event that planning

permission is granted, with the below considered suitable: No demolition or 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.

REASON: To protect the amenity of the nearby occupiers. Kind Regard

5.3 North Level Internal Drainage Board

The board has no objection in principle to the planning application.

It has been noted that soakaways are indicated as the preferred method of surface water disposal and the applicant is asked to show that soakaway drainage would be effective.

5.4 Local Residents/Interested Parties

Supporters

Six representations have been received in support of the application all from residents residing along Fendyke Lane, raising the following matters;

- Existing noise issues with the workshop. The proposal would be more compatible with existing residential uses

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

Para. 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

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 83-84 - sustainable development in rural locations

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

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 in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

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

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP18: Development in the Countryside

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Character and Street Scene**
- **Residential Amenity**
- **Flood Risk**
- **Highways Safety**

9 ASSESSMENT

Principle of Development

- 9.1 The site is detached from the developed footprint of Gorefield or Leverington. Policy LP3 sets out the settlement hierarchy for sustainable growth. The spatial strategy sets out that outside the developed footprint of any of the Fenland market towns or villages is an elsewhere location. The site is therefore in an 'elsewhere' location as defined under Local Plan Policy LP3. Whilst the existence of other dwellings along Fendyke Lane result in the site not being 'physically' isolated, the lack of nearby services, facilities and infrastructure to support sustainable transport options would render the location 'functionally' isolated.
- 9.2 Policy LP3 sets out that residential development in such locations should be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; and to minerals or waste development in accordance with separate Minerals and Water Local Development Documents (LDDs). The current application clearly does not accord with these prescribed uses. In addition to compliance with Policy LP3, Policy LP12 Part D requires the application to demonstrate 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
- 9.3 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). In respect of rural areas however, Paragraph 83 elaborates: To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

- 9.4 Paragraph 84 of the NPPF further clarifies this point, advising against isolated homes in the countryside unless one or more of the following apply:
- a) There is an essential need for a rural worker;
 - b) The development would represent the optimal viable use of a heritage asset;
 - c) The development would re-use a redundant or disused building and enhance its immediate setting;
 - d) The development would involve the subdivision of an existing residential building; or
 - e) The design is of exceptional quality:
 - is truly outstanding and would help raise standards of design in rural areas; and
 - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

- 9.5 No justification has been included within the submission to illustrate that the dwelling is required to support a rural enterprise, does not make use of a heritage asset or redundant building, does not involve any subdivisions of existing residential uses and is not considered to be of exceptional design.

Employment site

- 9.6 The lawful use of the site is for for a light industrial use, now defined as Class E(g) formerly class B1c of the Use Classes Order 1987 as amended.

The Use Classes Order defines the scope of uses under this class as;

(g) for—

- (i) an office to carry out any operational or administrative functions,
- (ii) the research and development of products or processes, or
- (iii) any industrial process,

being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

- 9.7 Policy LP6 sets out that the Council will seek to retain for continued use high quality land and premises currently or last in use for B1/B2/B8 employment purposes, unless it can be demonstrated through a marketing exercise that there is no reasonable prospect for the site being used for these purposes.

- 9.8 As set out above, the site falls into an E(g) class category, previously defined as B1 and as such, the requirements of LP6 are engaged. The site and the supporting building appear to be sufficient to support a small light industrial enterprise and no marketing exercise has been undertaken to demonstrate the loss of employment is justified. As such, the development seeks to remove an employment site and replace with a single market dwelling for which policies LP3, LP6 and LP12 indicate is inappropriate.

- 9.9 The NPPF also seeks to support redevelopment of previously developed land (brownfield) where appropriate. Paragraph 89 of the NPPF sets out that “The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.” Paragraph 124(c) sets out that planning decisions should “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”

9.10 Whilst the site can be considered as previously developed land, it is considered to fall outside the settlement and is generally unsustainably linked. It is considered therefore that the aims of paragraphs 89 and 124 would not be met through this development and cannot be afforded the substantial weight that the NPPF refers.

Fall Back Position

9.11 The application draws on the case of *Mansell v. Tonbridge and Malling Borough Council 2017*, which upheld a previous judgment of the High Court that the availability of permitted development rights can properly be taken into account as a fall-back position where some alternative form of development scheme is then proposed. As such, a fall-back development may be a material consideration in relation to such a proposal. The applicant asserts that the building on site could be converted to a dwelling under Class MA of Schedule 2, Part 3 of the General Permitted Development Order and as such the demolition and replacement of the building with a dwelling should be accepted. This provision relates to the change of use of buildings falling within Use Class E to a dwelling.

9.12 However, for a fall-back position to exist there must be a reasonable chance of that development taking place. Class MA requires that prior to such a development taking place an application should be made to the LPA for a determination as to whether prior approval is required in relation to several issues. No such prior notification has ever been submitted and as such there is no conclusion that such a use of the existing building would be permitted development. For example, the scope of Class MA does not allow for the provision of external alterations e.g., windows and doors and it is therefore questionable whether any such application would succeed given the requirement to demonstrate adequate daylight for habitable rooms

9.13 Further undermining the fall-back case is the fact that the business currently operating on site now appears to be a B2 use rather than an E use, as stated within the application form, and seemingly confirmed by the comments of neighbours regarding noise and the applicant's own arguments that the use is now a non-conforming one. A Class E commercial use is one which would be expected to operate alongside residential properties with no amenity harm.

9.14 As such, it is considered that the fall-back position asserted by the applicant does not exist and no weight can be afforded to this. Thus, the principle of the development is not supported and directly conflicts with the aims and requirements of Local Plan Policy LP3, LP6 and LP12.

Character and Street Scene

9.15 LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. Policy DM3 of the Fenland SPD 2014 states that in order to satisfy the requirements of criteria (d) within Policy LP16 of the Fenland Local Plan, proposed developments should achieve a high quality of design and ensure that the character of the landscape, street scene and settlement patterns are improved or reinforced as positive features of the local identity.

- 9.16 The site is located to the rear of the existing converted building fronting Fendyke Lane known as 'The Ryde'. The Ryde can be clearly read as a traditional barn style building, relatively utilitarian in form with a dual-pitched roof, a ridge height of 7.7m and four facets. This conversion follows the main aims of Class Q permitted development rights, which seeks to retain existing agricultural buildings for re-use as dwellings where appropriate.
- 9.17 The existing building on site, proposed for demolition, follows the simple form of The Ryde, comprising a traditional twin-barn-style structure, again with dual pitched roof and four facets per unit. The proposed dwelling however significantly departs from this traditional design, incorporating two ridge heights, multiple roof pitches, a wing and is oriented with the main ridge running north to south as opposed to the current structures east-west orientation and a substantial ridge height of around 10m in comparison to the 7m high current building. The dwelling would be highly visible in the street scene, particularly when approaching from the north.
- 9.18 The proposed building due to its design and scale substantially higher than those adjacent would therefore appear as a dominant structure occupying a secondary position in the street scene which would fail to respect the simple, modest barns and structures which prevail at the rear of existing dwellings in this outlier location. Opportunities to align with the rural character and scale of existing structures have been missed here and the result is a development which jars with the streetscene. It is considered therefore the proposal would fail to positively respond to the rural character and appearance of the area, contrary to design policies of the development plan (LP12, LP16) and Chapter 12 of the NPPF

Residential Amenity

- 9.19 Policy LP2 of the Fenland Local Plan (2014) states that development proposals should contribute to the Council's goal of Fenland's residents, inter alia, promoting high levels of residential amenity.
- 9.20 Policy LP16 (h) states that development should provide sufficient private amenity space, suitable to the type and amount of development proposed; for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be set aside as private amenity space.
- 9.21 Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 9.22 The Design and Access Statement sets out that the reason for the proposal coming forward is that some amenity issues have arisen from having the growing commercial business located so close to residential properties and that there is need to relocate the commercial business elsewhere. The applicant asserts therefore that the removal of the business from the site would have amenity benefits for nearby residents in terms of noise.
- 9.23 As set out above, the building and land benefits from a lawful Class E(g) use. Such a use is compatible with residential uses and therefore the fact that nuisance is now asserted to arise would indicate that the use has moved away from an E(g) use to a B2 (General Industrial) use. No planning permission exists for the change of use and therefore there would appear to be a breach of

planning control based on the applicant's advice. This can be regularised via enforcement action and as such, no weight can be given to the applicant's contention that to remove the use would be of benefit to existing residents.

- 9.24 In terms of the development proposed, the dwelling would be more than 20m away from the nearest property to the west 'The Ryde'. There is a small port hole window on the first-floor western elevation. Owing to the distance between the properties and the lack of large windows on the western elevation there is no significant harm anticipated to neighbouring amenity in terms of loss of light, overshadowing, noise or overlooking.
- 9.25 The dwelling is proposed to be positioned centrally on a large plot with more than 1/3 of the site remaining as private garden amenity space.
- 9.26 Therefore, the proposal is considered acceptable in terms of Policies LP2 and LP16 (e & h) of the Fenland Local Plan 2014 in that any severe amenity harm would be unlikely to occur through the development.

Flood Risk

- 9.27 The site is located within Flood Zone 1 and Flood Zone 2. Planning policy LP14 (B) states that all development should adopt a sequential approach to development on sites that are considered at risk of flooding, development on these sites will only be permitted following the successful completion of a sequential test, and where necessary an exception test.
- 9.28 A Flood Risk Assessment (FRA) has been submitted with the application. The FRA states that the dwelling would be constructed on land within Flood Zone 1 and it is part of the access and garden that would be located within Flood Zone 2. The dwelling would be 2-storey with all proposed sleeping accommodation on the first floor. The dwelling would have safe refuge available, if necessary, on the first floor.
- 9.29 Having regard to several recent appeal decisions and previous approaches by this LPA, where any part of a development area falls within an area known to be at risk from flooding, the application of the sequential test is required. No sequential test has been submitted to demonstrate that the development (which includes the access) cannot be located in an area at lower risk of flooding, notwithstanding that spatially, local and national policies do not support this proposal in this location.
- 9.30 Consequently, the application is in direct conflict with policy LP14 of the Fenland Local Plan 2014 and would place people and property at an unwarranted risk of flooding.

Highway Safety

- 9.31 Policy LP15 states that development schemes should provide well designed, safe and convenient access for all. Policy LP15 of the Fenland Local Plan 2014 also requires development schemes to provide well designed car parking appropriate to the amount of development proposed, ensuring that all new development meets the councils defined parking standards as set out in Appendix A. The Fenland Local Plan 2014 Parking Standards require dwellings with 4 bedrooms or more to have 3 appropriately sized parking spaces available which may include a garage.

- 9.32 The site access to serve the development already exists. The proposed use is anticipated to see a reduction in the numbers of cars entering and exiting the site on a daily basis. There is no footpath to the nearby village and the main mode of transport would likely be by vehicle.
- 9.33 The proposal includes a double garage accessed along a long driveway with an appropriately sized turning head to the front side of the dwelling. The double garage would be sufficient to accommodate 2 parking spaces and then 1 or more cars would park to the front of the garage.
- 9.34 The proposal raises no issues in respect of highway safety in accordance with LP15, albeit and as set out above, due to its 'elsewhere' location, the site lacks sustainable connectivity to the nearest settlement e.g., pedestrian/ cycle links which weighs against the scheme.

10 CONCLUSIONS

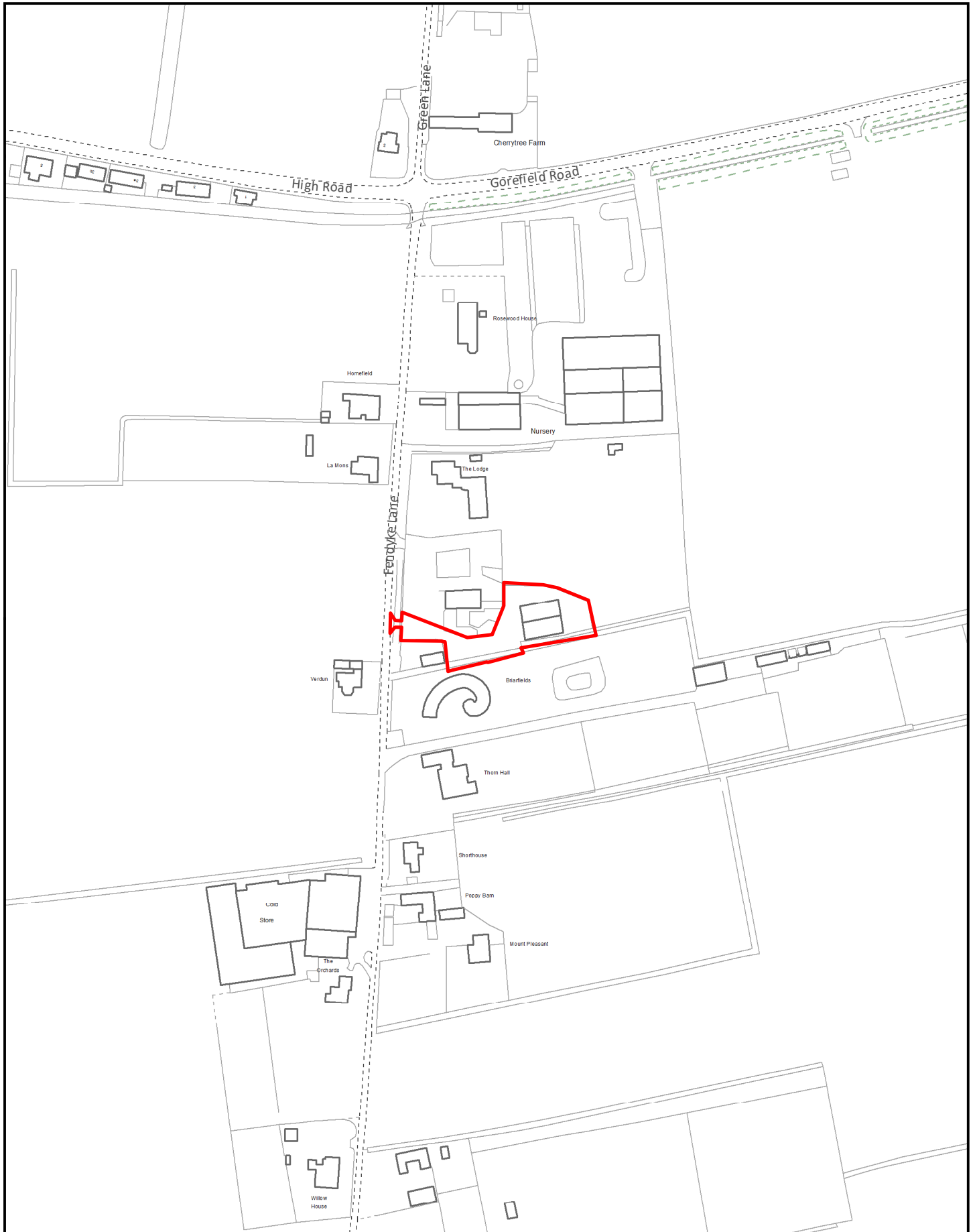
- 10.1 There are fundamental issues relating to the principle of development that render the scheme unacceptable in planning terms.
- 10.2 The current application seeks to demolish the aforementioned commercial buildings and to erect one new dwelling. As such, consideration of the proposal to erect a new dwelling at the site must be considered against local and national planning policies, LP3, LP6, LP12(D) and LP16 and Paragraph 84 of the NPPF. The above assessment considers that the proposal does not conform to these policies and thus, the principle of development of the new dwelling in the open countryside cannot be supported.

11 RECOMMENDATION

Refuse; for the following reasons:

1	<p>Policy LP3 of the Fenland Local Plan (2014) requires development in areas away from market towns and villages to be essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 Part D of the Fenland Local Plan (2014) states proposals for new dwellings in such locations will be supported where the application addresses the functional need for a dwelling in this location and that there is no availability of other suitable accommodation on site or in the area.</p> <p>By virtue that the proposal seeks to create a purely residential development in an elsewhere location, with no links to a rural enterprise, there is not a demonstrably essential or functional need for accommodation such as the proposed to be provided at the site. Furthermore, there has been no evidence submitted to suggest that the proposal meets any of the exceptions as set out in Paragraph 84. Thus, the proposal is considered contrary to the above aforementioned local and national planning policies and cannot be supported.</p>
2	<p>Policies LP12 and LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, Chapter 12 of the NPPF and chapters C1, I1 and B2 of the National Design Guide 2019 seek to ensure that developments make a positive contribution to the local distinctiveness and character of the area, responding to the local built environment and do not adversely impact on the streetscene,</p>

	<p>settlement pattern or landscape character of the surrounding area.</p> <p>The proposed building due to its design and scale being substantially higher than those adjacent would therefore appear as a dominant structure occupying a secondary position in the street scene which would fail to respect the simple, modest barns and structures which prevail at the rear of existing dwellings in this outlier location. Therefore, the proposal would fail to positively respond to the rural character and appearance of the area, creating a significant detrimental impact on the visual amenity of the area, and contrary to the aforementioned policies.</p>
3	<p>Policy LP14 of the Fenland Local Plan, the NPPF and the PPG, set out the approach to developing land in relation to flood risk, with all documents seeking to steer new development in the first instance towards available land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site, and only resorting to development in higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.</p> <p>The application site is situated partially within flood Zone 2 (Medium Risk) and the application is not accompanied by a sequential test and therefore the proposal would fail to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.</p>



Created on: 22/05/2024

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F/YR24/0410/F

Scale = 1:2,500





- General Notes**
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

- SITE PLAN KEY**
- Indicates neighbouring properties taken from os map
 - Dotted lines indicate existing features to be demolished
 - Indicates proposed trees
 - Indicates proposed grass gardens
 - garden grass
 - Proposed dwelling
 - Indicates existing buildings that have been surveyed
 - Indicates proposed driveway and parking
 - Indicates proposed access installed in accordance with Cambridgeshire CC Highways specification

Revisions

A	Mar 2024	Amendments following comments from client.
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Status

PLANNING

SWANN EDWARDS ARCHITECTURE

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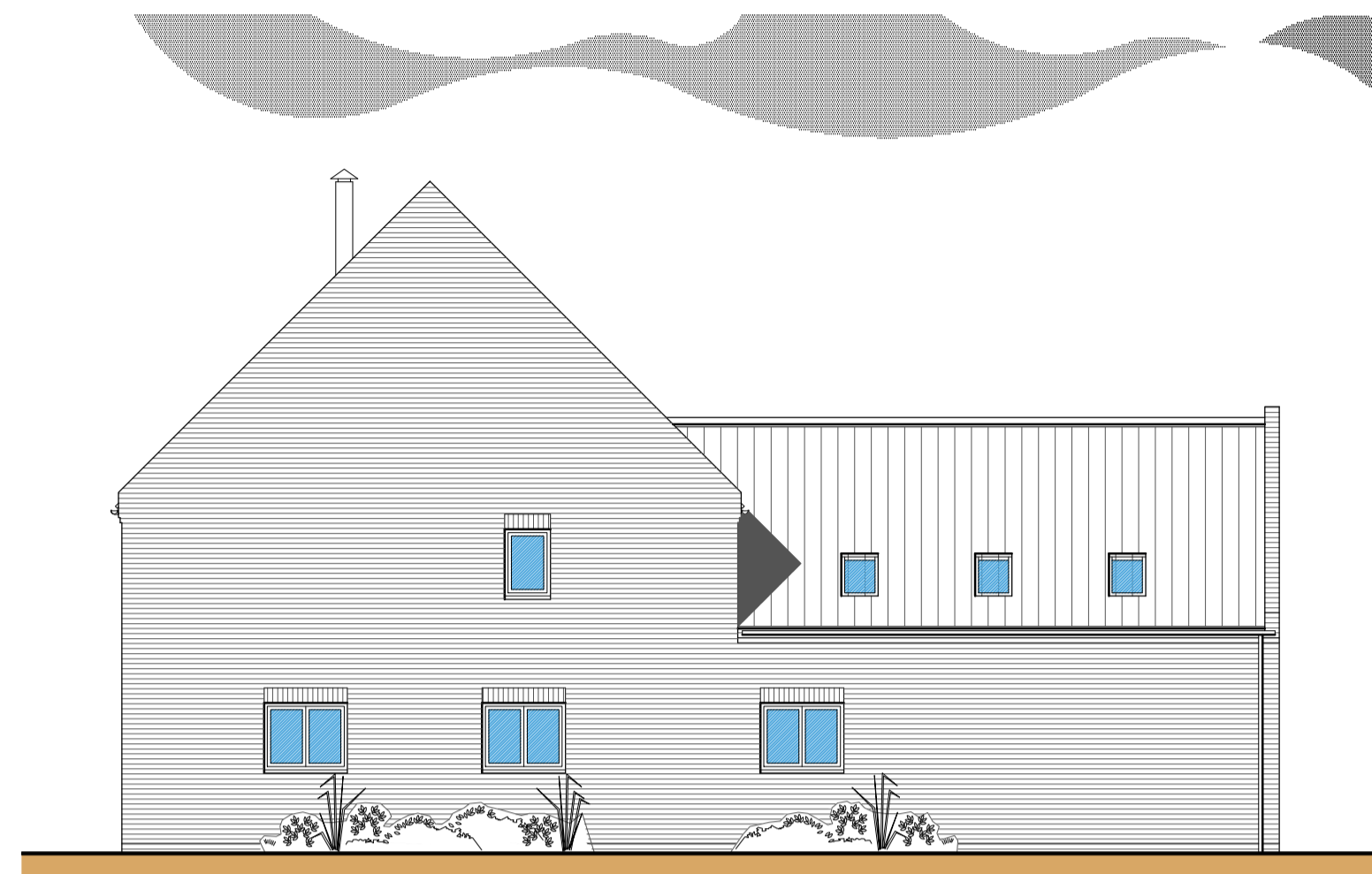
Job Title Proposed Dwelling Silvergates, Fendyke Lane Gorefield, PE13 4NF For: Mr G Howell	Date February 2024	Drawn by G.E. Checked by A.L.
Drawing Title Planning Drawing Site & Location Plan	Job No. SE-2056 Dwg No. PP1000	Sheet Size A1 Revision A

Site Plan
Scale: 1:200

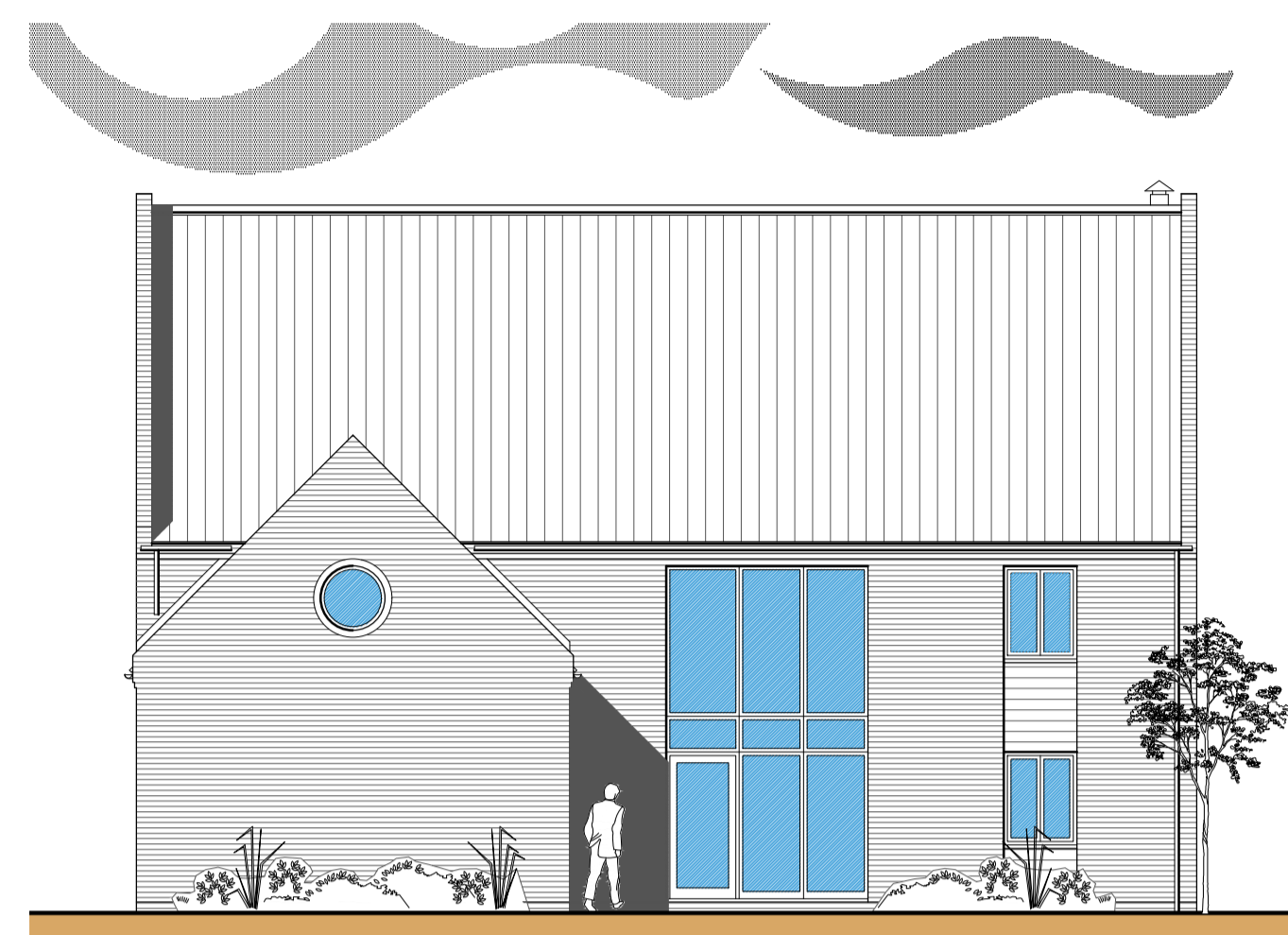
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 - Any discrepancies are to be brought to the designers attention.

MATERIAL KEY

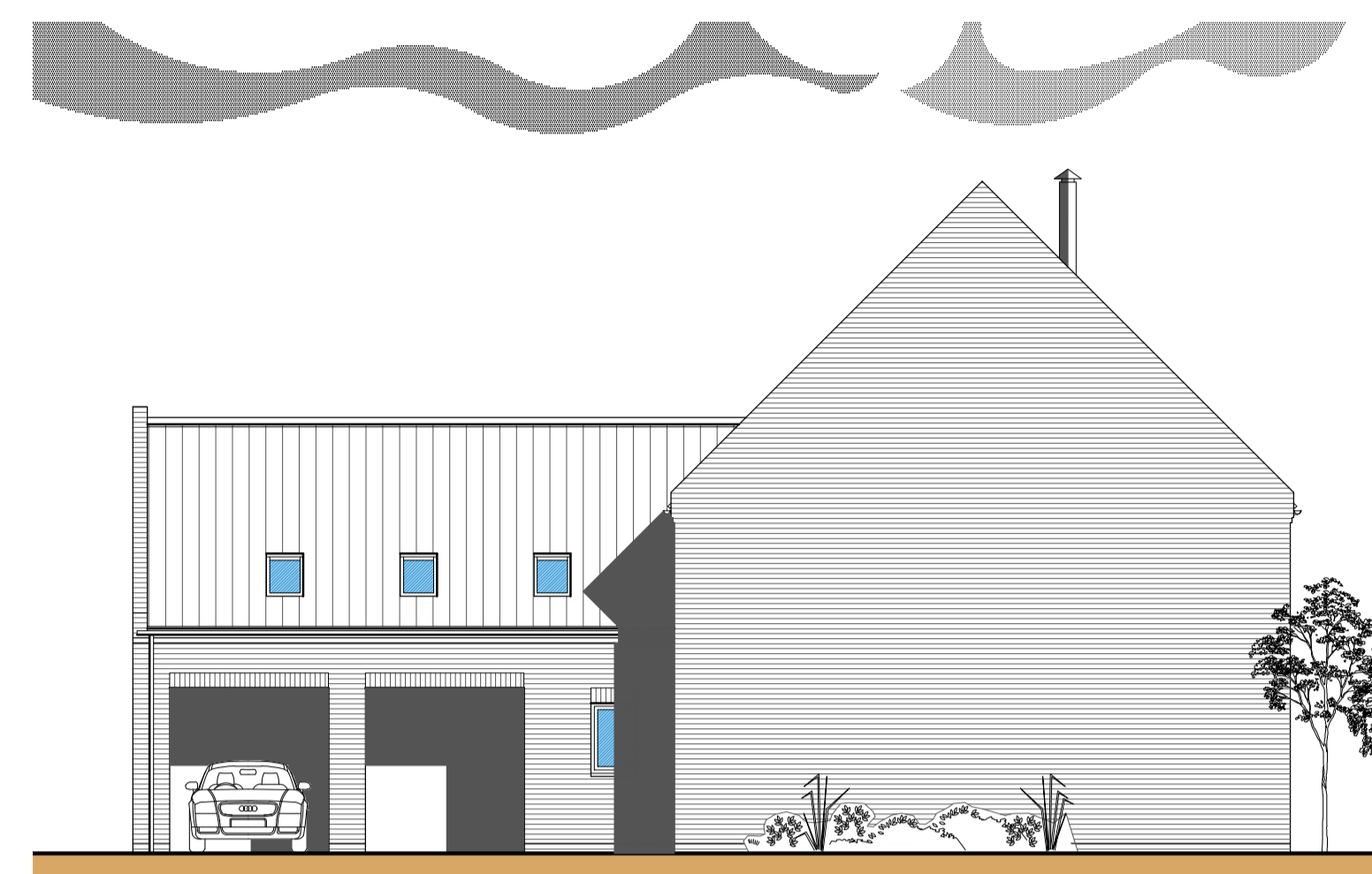
	Hatch indicates horizontal cladding
	Hatch indicates brickwork
	Hatch indicates roof tiles
	Indicates casement windows and doors with brick head detail as shown on elevations
	Indicates velux rooflights



Side Elevation (N)
Scale: 1:100



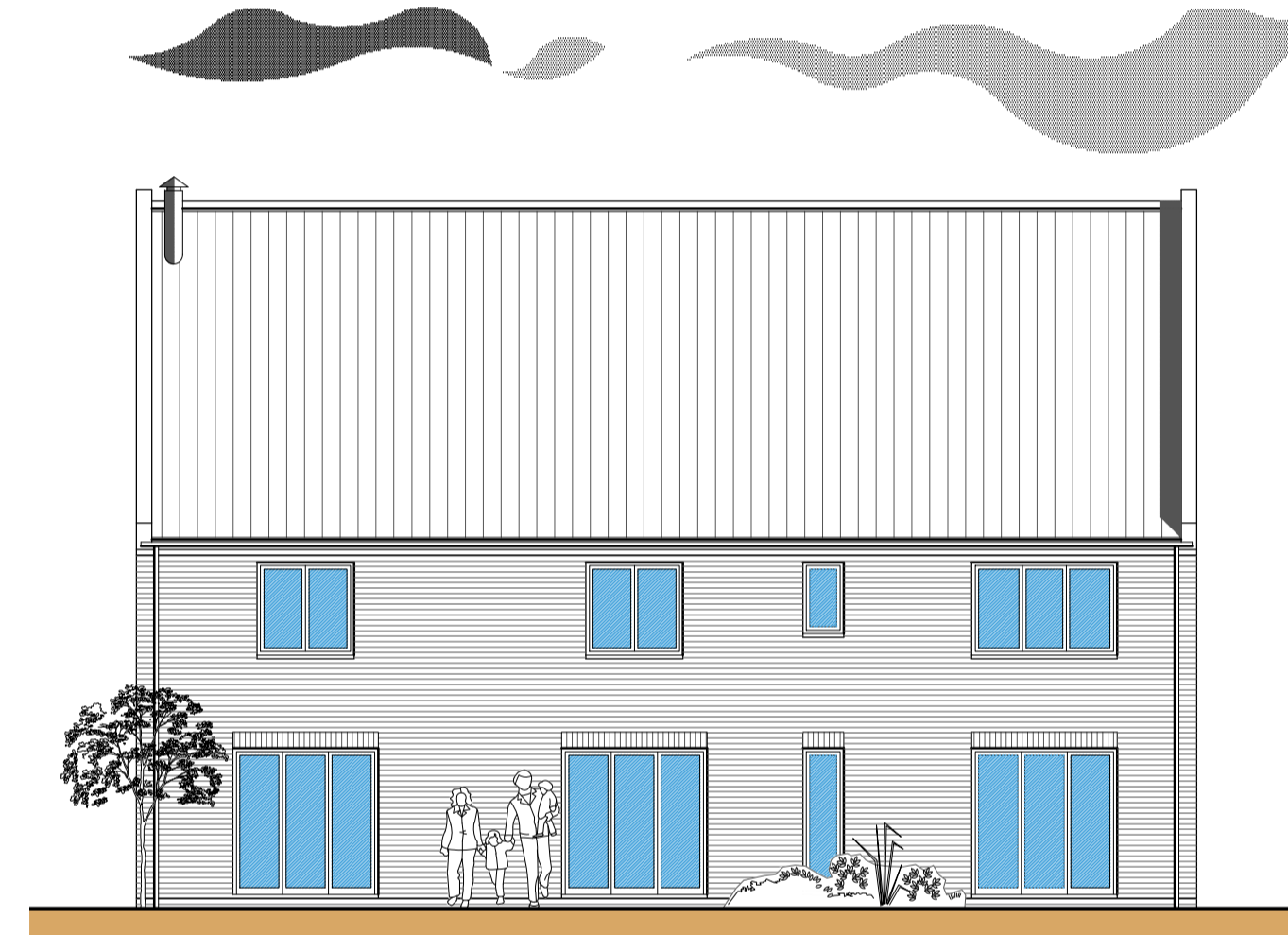
Front Elevation (W)
Scale: 1:100



Side Elevation (S)
Scale: 1:100



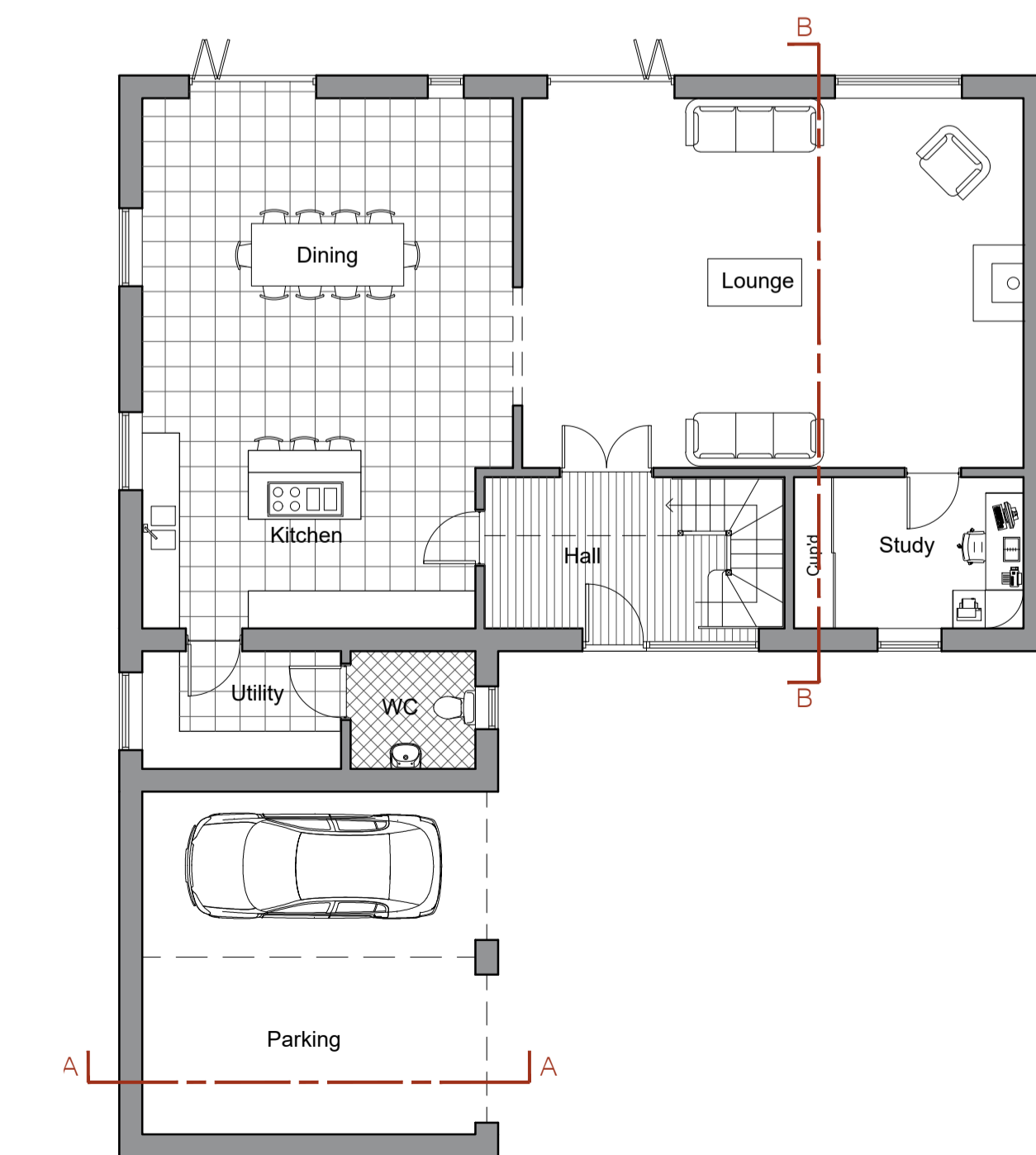
Section A-A
Scale: 1:100



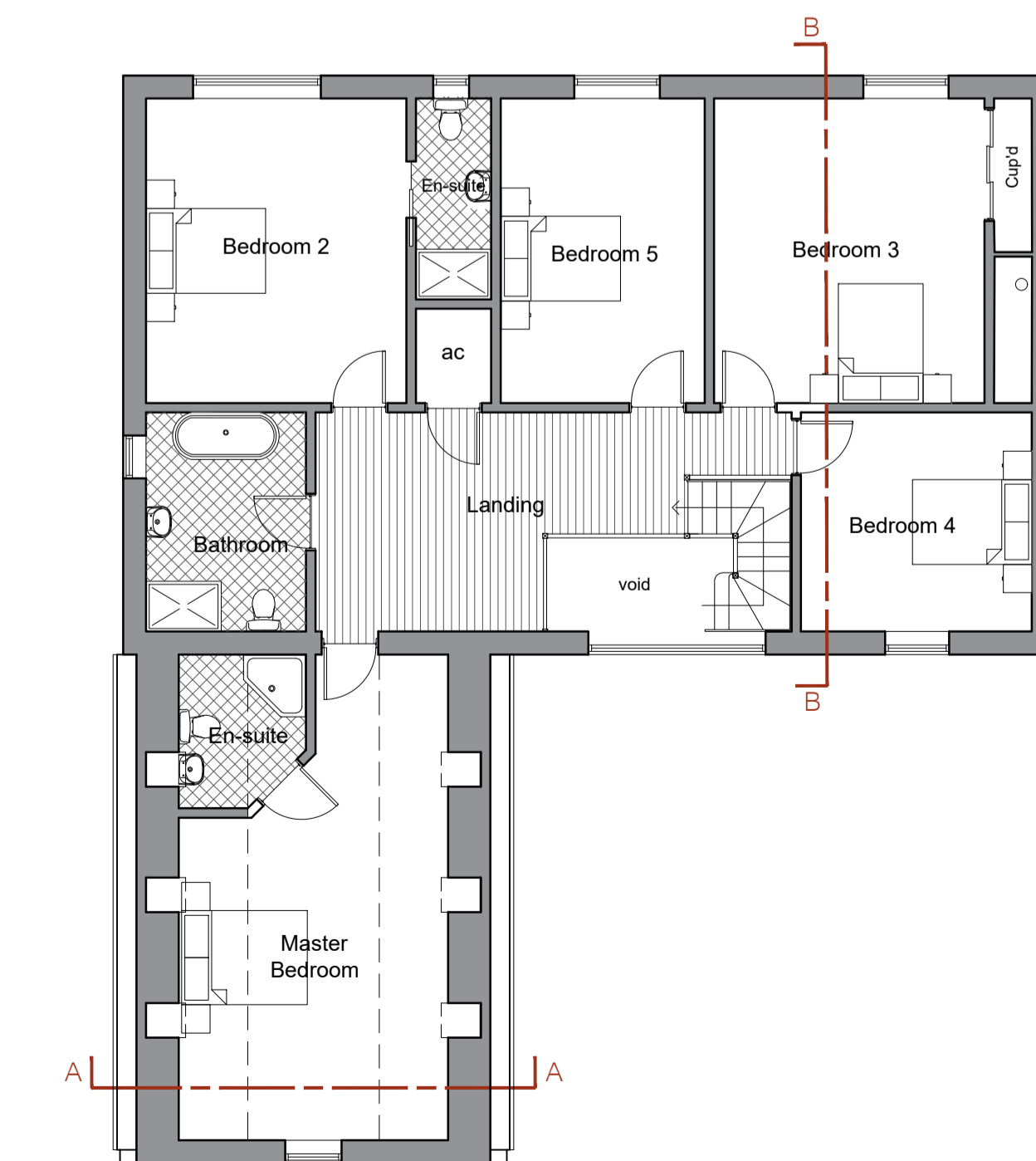
Rear Elevation (E)
Scale: 1:100



Section B-B
Scale: 1:100



Ground Floor Plan
Scale: 1:100



First Floor Plan
Scale: 1:100

Revisions

A	Mar 2024	Amendments following comments from client.
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Status: **PLANNING**



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Job Title Proposed Dwelling Silvergates, Fendyke Lane Gorefield, PE13 4NF For: Mr G Howell	Date February 2024	Drawn by G.E. Checked by A.L.
Drawing Title Planning Drawing Floor Plans, Sections and Elevations	Job No. SE-2056 Dwg No. PP1100	Sheet Size A1 Revision A