
F/YR24/0772/O

**Applicant: Executors Of Estate Of GE
Salter**

**Agent : Mrs Shanna Jackson
Swann Edwards Architecture Limited**

Land South Of 4 - 16, Back Road, Gorefield, Cambridgeshire

Erect up to 9 x dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

**Reason for Committee: Number of representations contrary to Officer
recommendation**

Government Planning Guarantee

Statutory Target Date For Determination: 21 November 2024

EOT in Place: Yes/No

EOT Expiry: 18 December 2024

Application Fee: £9360

Risk Statement:

This application must be determined by 18.12.2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- | |
|---|
| <p>1.1 The application seeks outline planning permission with all matters reserved for the erection of up to 9no. dwellings on land South of Back Road in Gorefield.</p> <p>1.2 It is not considered that the application site constitutes infill development by virtue of its backland, tandem nature, and the proposal is therefore considered to be unacceptable in principle having regard to Policy LP3 of the Fenland Local Plan.</p> <p>1.3 Further, it is not considered that the proposal represents an efficient use of land by virtue of its very low density of approximately 7 dwellings per hectare, which is significantly lower than the density of development generally seen in the surrounding area. The indicative layout also identifies a form of development that is contrary to the prevailing character of development in the area. The proposal is therefore considered contrary to Paragraphs 128 and 129 of the NPPF and Policy LP16 of the Local Plan.</p> <p>1.4 The application site is located in Flood Zone 3 and fails to meet the sequential test. It is considered that there are other areas of lower flood risk in the District that could accommodate residential development in a safer manner. As such, the proposal is considered to be contrary to Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF in this regard.</p> <p>1.5 The development is considered to be unacceptable for the reasons listed above</p> |
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and is accordingly recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is located on Land South of 4 – 16 Back Road, Gorefield. The site is currently characterised as an undeveloped greenfield site.
- 2.2 The site is adjoined by residential development to the west and north with a small portion of the eastern boundary of the site adjoined by residential development. The remainder of the site is adjoined by undeveloped greenfield land.
- 2.3 The site is to be accessed via an opening between two residential properties on Back Road, but there is no existing formal access onto the site.
- 2.4 The site measures approximately 1.4 hectares.
- 2.5 The application site is located in Flood Zone 3 and has an area of Low Surface Water Flood Risk in the centre of the site.

3 PROPOSAL

- 3.1 The application seeks outline planning permission with all matters reserved for the erection of up to 9 dwellings.
- 3.2 The indicative site plan submitted with the application indicates a cul-de-sac style development, and the creation of a new footpath extending east along Back Road from the access point onto the site.
- 3.3 Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

- 4.1 There is no site history that is relevant to the determination of the application.

5 CONSULTATIONS

5.1 FDC Estates

No objection

5.2 Environmental Health

No objection subject to conditions

5.3 Cambridgeshire Council Council Archaeology

No objection subject to conditions

5.4 North Level District Internal Drainage Board

The Board has no objections in principle to the above planning application.

It is noted that the site is bordered by riparian watercourses, which after development will become the property owners responsibility.

5.5 FDC Engineering

Whilst the Engineering Team have no objections to this application, I would like to raise that in order to create the proposed development entrance road, one of the streetlights owned by Gorefield Parish Council would need to be relocated or removed and substituted by a new development access road lighting scheme.

The Engineering Team manage the streetlights and the associated lighting inventory for Gorefield Parish Council and therefore would request to be consulted should the application be approved.

The asset removal shall need to be undertaken either by FDC's streetlight contractor or a contractor approved to work on Gorefield Parish Councils assets.

5.6 Cambridgeshire County Council Highways

No objection subject to conditions

5.7 Natural England

No objection

5.8 Gorefield Parish Council

Access on to a very narrow road with no pavements

Development in Flood Zone 3

Letters of support are copies of 2 letters repeated and should be considered as such

5.9 Local Residents/Interested Parties

Objectors

1 letter of objection was received from a resident of Gorefield (Cattle Dyke), raising the following points:

- Already a number of houses being built in the village
- The site is located behind existing houses
- Access is on a narrow road with no pavement
- The site is in flood zone 3

Supporters

A total of 10 letters of support were received from residents of Gorefield (Churchill Road x 2, Oxfield Drive and High Road) and Leverington, raising the following points:

- Will contribute towards a housing need
- New residents will support amenities in the village

- The site would constitute infill development as there is housing on both sides of the site.

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Nature

Homes and Buildings

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

LP4 – Housing

LP5 – Meeting Housing Need

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

Cambridgeshire Flood and Water SPD 2016

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
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP28: Landscape
- LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Appearance**
- **Impact on amenities**
- **Flood Risk and Drainage**
- **Parking provision and highway safety**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

- 9.1 The proposal seeks outline planning permission with all matters reserved for the erection of up to 9no. dwellings. The site is located adjacent to the built form of the settlement of Gorefield, which is identified as a Small Village in Policy LP3 of the Fenland Local Plan.
- 9.2 Policy LP3 states that development in these villages will be of a limited nature and normally limited to residential infilling or small business opportunities.
- 9.3 In this instance, the application site is situated to the rear of frontage residential development along Back Road and Cattle Dyke. Whilst the indicatively identified access point passes between two existing properties, the developable area of the site constitutes a backland site forming an extension to the settlement. On this basis, the development is not considered to constitute infill development and is therefore considered to be contrary to Policy LP3 of the Fenland Local Plan (2014).
- 9.4 Regard must be given to the development approved to the east of the application site under reference number F/YR21/1031/F, which is currently being built out, and which was not of a small-scale infill nature. However, this was for the redevelopment of a site previously used for B8 (storage and distribution) purposes,

and weight was accordingly given to the re-development of this site when granting that application as per the NPPF. As such it is not considered that this development sets any precedent in principle terms for the consideration of the current site.

Design and Appearance

- 9.5 As the application is submitted in outline form with all matters reserved, no detailed plans have been submitted alongside the application. However, an indicative site layout plan has been submitted showing a cul-de-sac style development.
- 9.6 As previously highlighted, the site is located to the rear of two existing linear patterns of development along Back Road and Dyke Road, therefore constituting tandem, backland development, contrary to the prevailing character of development in the immediate vicinity and which would be clearly visible behind those frontage properties.
- 9.7 Again, the site to the east must be considered in this context. It is considered that there is a different circumstance with the current application given that substantial commercial buildings already had a visual impact in that other case which does not occur here.
- 9.8 Consideration should also be given to Paragraphs 128 and 129 of the NPPF (2023), which seeks to ensure that developments make efficient use of land.
- 9.9 The application site measures 1.4 hectares in size, and the proposal is for up to 9no. dwellings. Therefore, the development equates to a density of just under 7 dwellings per hectares.
- 9.10 It is considered that a density of 7dph is significantly below an acceptable density of development when considering the prevailing density in the surrounding area. Using the development approved under reference 21/1031 as an example, this sought the erection of 38 dwellings on a 2.4-hectare site. This equates to a density of approximately 17dph, which is considered to be an appropriate density in a location such as this.
- 9.11 On the basis of the above, it is not considered that the proposal represents an efficient use of land and is therefore contrary to Policy LP16 of the Fenland Local Plan (2014) and Paragraphs 128 & 129 of the NPPF (2023).

Impact on amenities

- 9.12 It is not possible to fully assess the amenity impact of the development due to the application being outline in nature. However, due to the low density of development, it is considered that a Reserved Matters application could suitably accommodate the development whilst retaining appropriate separation distances between plots and existing dwellings and providing suitable plot sizes to provide adequate private amenity space provision.
- 9.13 Notwithstanding this, the indicative layout identifies an access point passing between The Strines and Number 10 Back Road. The access road is approximately 10m in width and does not appear to currently serve any existing vehicular movements.
- 9.14 It is considered that the creation of a vehicular access to serve 9no. properties in this location would result in an increase in traffic movements in close proximity to the residential dwellings on either side of the access. Whilst the increase in traffic

movements could result in some noise disturbance to the dwellings adjacent to the access, it is not considered that this would result in an unacceptable impact on the amenities of these properties.

- 9.15 It is overall considered that the proposal can adequately provide for the amenities of the proposed dwellings and can preserve the amenities of the existing dwellings adjacent to the site. Therefore, the proposal is considered to comply with Policy LP16 of the Fenland Local Plan in this regard.

Flood Risk and Drainage

- 9.16 The application site is located primarily within flood zone 3, with a small area falling within flood zone 2. There are two small areas of low surface water flood risk on the site, with the majority of the site at very low risk.

- 9.17 Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seeks to direct development away from areas at high risk of flooding, unless the sequential and exception test can be met.

- 9.18 The submitted sequential test focuses the area of search on the settlement of Gorefield and concludes that there are no other reasonably available sites which could accommodate the development. As set out in the 'Principle' section above the Local Plan settlement hierarchy identifies Gorefield as a Small Village where limited infill proposals should only normally be considered. The Council's adopted approach to the Sequential Test states the area of search will be "determined by considering the proposal's objectives, linked to the spatial policies of the Local Plan. For proposals that demonstrate a clear objective to sustain particular settlements or the countryside, the area of search will be:

A) Developments in the countryside – The whole of the rural area

B) Developments in towns & villages – The town/villages that the proposal would sustain".

- 9.19 As the application proposes a scale of development over and above that which has been identified as being required to sustain the settlement and which must therefore be linked to wider strategic housing delivery it is considered that the area of search must be wider than just Gorefield in this instance. Accordingly, the sequential test is deemed to be failed.

- 9.20 With the sequential test having been failed it would ordinarily not be necessary to consider the exception test. However, for the sake of completeness, this is considered below.

- 9.21 In order to pass the exception test, it should be demonstrated that:

a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 9.22 The application references renewable energy measures over and above those secured under the Building Regulations and may be deemed to meet this element of the exception test.

- 9.23 The submitted flood risk assessment sets out a number of mitigation measures designed to increase the flood resilience of the development. However, the outline nature of the application means that no detailed drainage scheme has been submitted to demonstrate that flood risk would not be increased elsewhere, or that overall flood risk would be reduced by the development. Notwithstanding this, and that no comments have been received from the Environment Agency, it is considered that a drainage strategy could be reasonably conditioned and therefore this element of the exception test could be met.
- 9.24 Overall, however, on the basis of the site's location primarily in Flood Zone 3 and considering that the sequential test is not met, it is not considered that the development is in a suitable location in flood risk terms, and therefore the application is considered contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2023).

Parking Provision and Highway Safety

- 9.25 The application is submitted in outline form. As such, there are no detailed plans and no definitive requirements in terms of parking provision for the site. However, due to the low density of development as identified on the indicative site plan, it is considered that it will be possible for adequate parking provision to be included in the scheme at Reserved Matters stage.
- 9.26 The Highway Authority have considered the proposal and have raised no objection to the scheme in terms of the principle of creating an access off Back Road and providing a footpath link from the access to the site extending east.
- 9.27 It is considered that a Reserved Matters application would be capable of providing a suitable detailed scheme in terms of highway safety and parking provision in accordance with Policy LP15 of the Fenland Local Plan (2014) and paragraphs 114 and 115 of the NPPF.

Biodiversity Impact

- 9.28 The application is supported by a Preliminary Ecological Appraisal prepared by Glaven Ecology. This concludes that any impacts upon protected species are unlikely to be significant and could be mitigated through condition which does not seem unreasonable.. While no comments have been received from the Council's Ecologist it is not considered, given the various 'in-principle' issues identified above to delay the determination of this application.
- 9.29 As such Policy 19 of the Fenland Local Plan is considered to be complied with.

Biodiversity Net Gain (BNG)

- 9.30 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.31 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

9.32 It is considered that the low density of development proposed would allow for areas on the site to be dedicated to providing biodiversity net gains as part of a detailed scheme for the development of the site.

10 CONCLUSIONS

10.1 The application seeks outline planning permission with all matters reserved for the erection of up to 9no. dwellings on land South of Back Road in Gorefield.

10.2 It is considered that the application site does not constitute infill development by virtue of its backland and tandem nature, and the proposal is therefore considered to be unacceptable in principle having regard to Policy LP3 of the Fenland Local Plan.

10.3 Further, it is considered that the proposal does not represent an efficient use of land by virtue of its very low density of approximately 7 dwellings per hectare, which is significantly lower than the density of development generally seen in the surrounding area. The proposal is therefore considered contrary to Paragraphs 128 and 129 of the NPPF.

10.4 The application site is located in Flood Zone 3 and fails to meet the sequential test. It is considered that there are other areas of lower flood risk in the District that could more appropriately accommodate residential development. As such, the proposal is considered to be contrary to Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF in this regard.

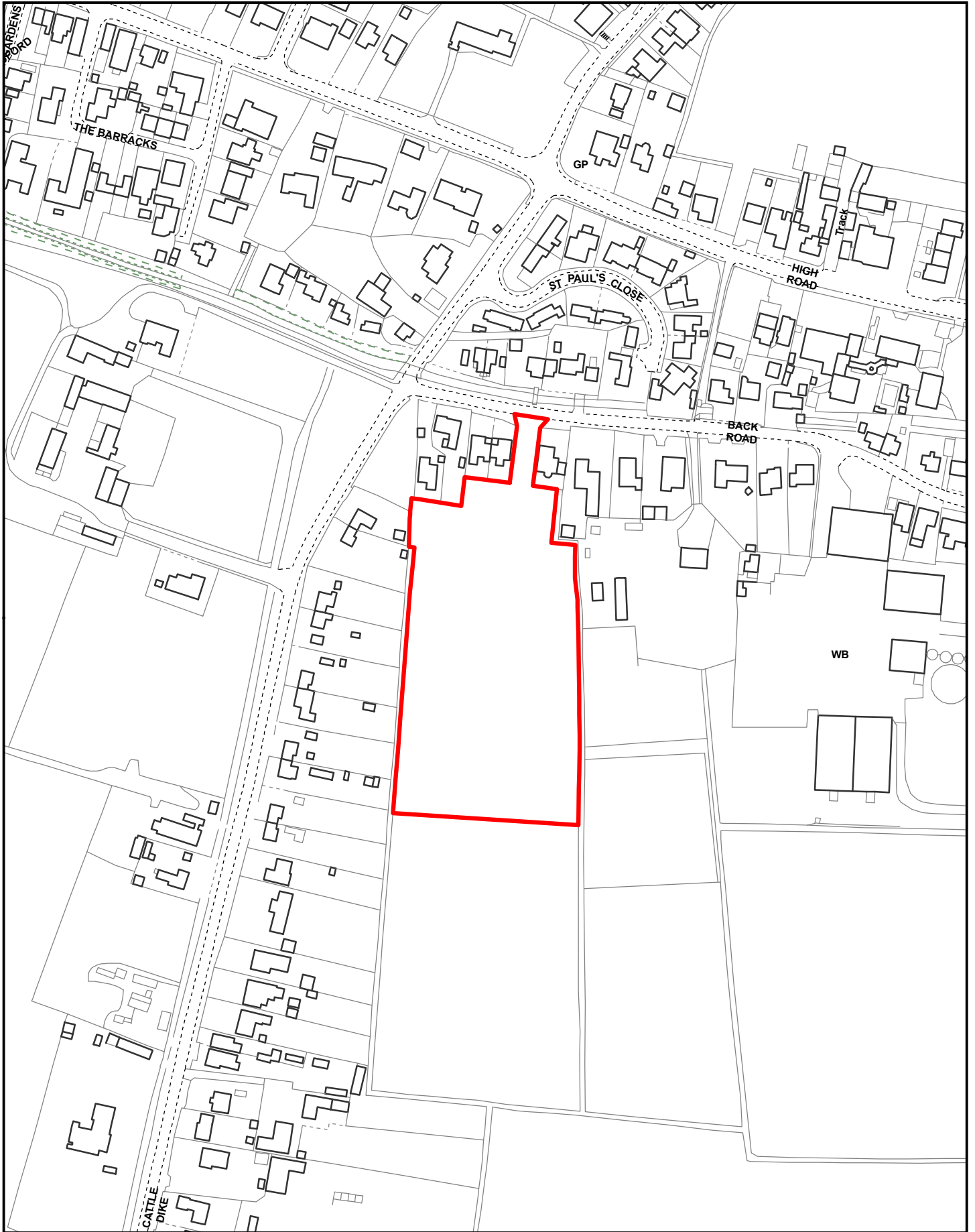
10.5 The development is considered to be unacceptable for the reasons listed above and is accordingly recommended for refusal.

11 RECOMMENDATION

Refuse; for the following reasons:

1.	The application site located in the settlement of Gorefield, where development is required to be infill in nature by Policy LP3. The site is not considered to constitute infill development by virtue of its backland nature. As such, the proposal is considered to be unacceptable in principle having regard to Policy LP3 of the Fenland Local Plan (2014).
2.	The application proposes a development with a density of approximately 7 dwellings per hectare. It is considered that this density is significantly lower than that which is seen in the surrounding area. It is not considered that the proposal constitutes an efficient use of land and is therefore contrary to Paragraphs 128 & 129 of the NPPF (2023).
3.	By virtue of the back land nature of the site immediately to the rear of two forms of frontage development the application would clearly result in a tandem form of development at odds with the prevailing pattern of the area. Subsequently, the development would result in a detrimental impact to the character and appearance of the area contrary to Policy LP16 of the Fenland Local Plan (2014) and Paragraph 139 of the NPPF (2023).
4.	The application site is located within Flood Zone 3 and fails to meet the sequential or exception test. It is considered that the proposal is at an unacceptable risk of flooding that would fail to be suitably mitigated

	against. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2023).
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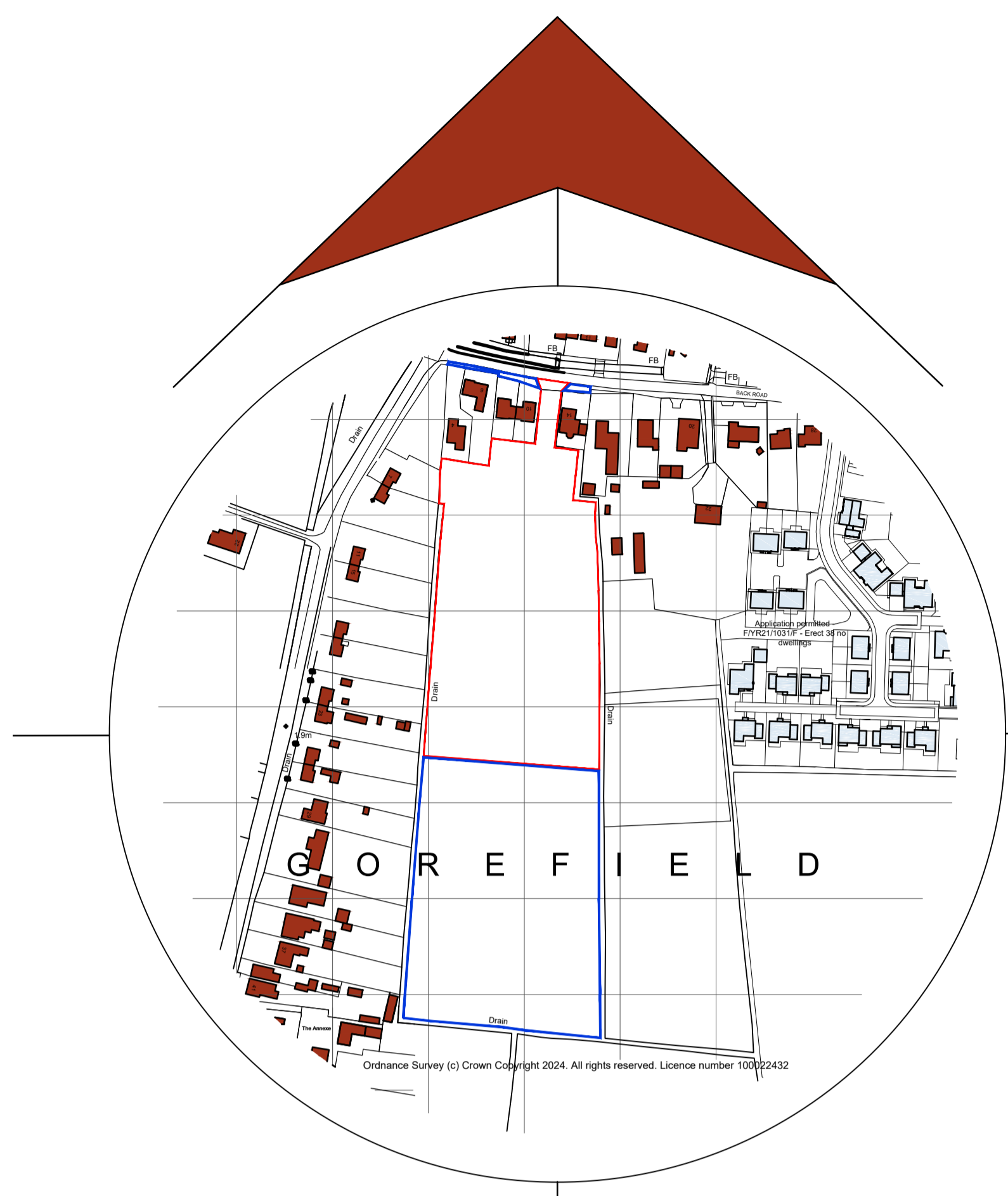
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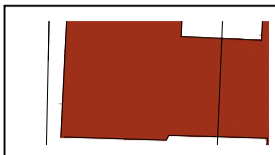
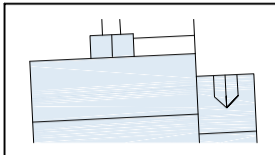
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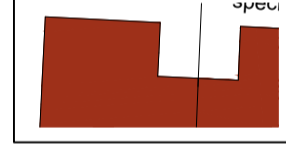
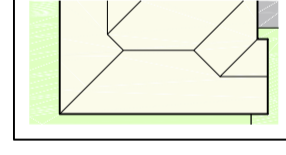
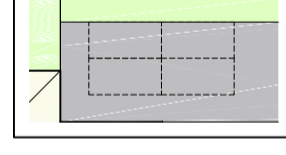
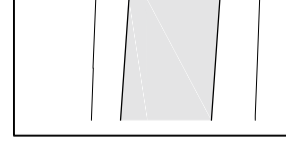
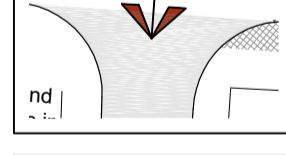
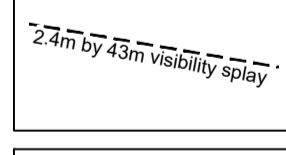
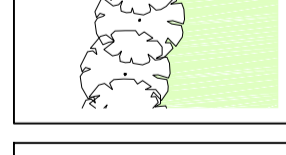
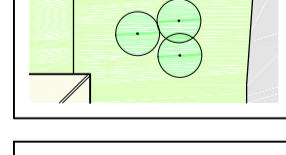

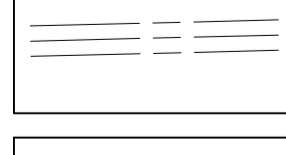
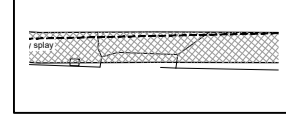


LOCATION PLAN KEY

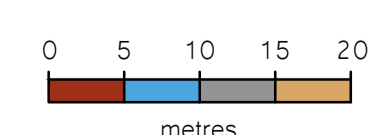
-  Indicates buildings taken from OS map
-  Indicates proposed dwellings permitted under application FYR21/1031/F - Erect 38 No. dwellings - Extent Approved

Location Plan
Scale: 1:2500

SITE PLAN KEY

-  Indicates buildings un-surveyed (from ordinance survey location plan)
-  Indicates proposed single storey dwellings
-  Indicates proposed parking spaces
-  Indicates adoptable standard shared access road in accordance with Cambridgeshire County Council specification
-  Indicates site access points
-  Indicates 2.4m x 43m vision splay
-  Indicates existing trees and hedges
-  Indicates proposed trees (to be determined at a later date via reserved matters application)
-  Indicates proposed dwellings permitted under application FYR21/1031/F - Erect 38 No. dwellings - Extent Approved
-  Indicates electric overhead powerlines
-  Indicates proposed 2.0m wide footpath

Proposed Indicative Site Plan
Scale: 1:500



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.

Status
FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
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Job Title Proposed Residential Development Land off Back Road, Gorefield For: G E Salter Estates	Date Feb 2024	Drawn by CW Checked by GE
Drawing Title Planning Drawing Indicative Site and Location Plans	Job No. SE-2055 Dwg No. PP1000	Sheet Size A1 Revision B



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