

Case No: 1201062FUL (FULL PLANNING APPLICATION)

Proposal: ERECTION OF OCCUPATIONAL DWELLING AND DOUBLE GARAGE FOR EXISTING FARM AND FISHERY

Location: HOLLOW HEAD FARM HOLLOW

Applicant: CLARKE FARMS

Grid Ref: 530779 284790

Date of Registration: 27.06.2012

Parish: RAMSEY

RECOMMENDATION - REFUSAL

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This site is located on Hollow Lane, in the open countryside, approximately 2 Km east of Ramsey. It forms part of an agricultural holding (having a total area of 73.21 ha), principally in this area and in the adjoining Parish of Warboys. It adjoins a complex of farm buildings, and the access into the site. The land is presently used for arable purposes and has no features of note. The front boundary is relatively open, and there are clear views of the site from Hollow Lane. To the rear of the holding is a large irrigation reservoir. From information taken from application 1001869FUL, it would appear that the reservoir was constructed in 1996.
- 1.2 The bulk of the land in the vicinity of the application site is in agricultural use and built development is well scattered.
- 1.3 The proposal is to erect an occupational dwelling and a double garage for the existing farm and fishery. The front of the dwelling will align with the adjoining barns and the two storey section will measure 10.5m by 8.9m. There will be a single storey addition on the rear measuring 5.4m by 5.4m. The ridge height of the two storey section will be approximately 7.25m and the ridge height of the single storey section approximately 5.2m. The eaves height will vary with the maximum height being approximately 3.4m. The materials for the walls will be brick and boarding, with tiles for the roof. A double garage will be sited close to the dwelling and there will be a parking/turning area close to both buildings. The existing access into the site will be used although the plans indicate that it will be improved. Behind the barns, seven extra parking spaces are indicated. A native species hedge with intermittent trees is to be planted around the dwelling and garage.
- 1.4 The improvements to the access and the provision of 7 parking spaces to the rear of the barns were shown on the application for the use of the reservoir for recreational fishing (1001869FUL).
- 1.5 The site is in the open countryside and the land is liable to flood.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for : building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. PLANNING POLICIES

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

- 3.1 East of England Plan - Revision to the Regional Spatial Strategy (May 2008) Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents
- **ENV7:** "Quality in the Built Environment" - requires new development to be of high quality which complements the distinctive character and best qualities of the local area and promotes urban renaissance and regeneration.
 - **SS1:** "Achieving Sustainable Development" – the strategy seeks to bring about sustainable development by applying: the guiding principles of the UK Sustainable Development Strategy 2005 and the elements contributing to the creation of sustainable communities described in Sustainable Communities: Homes for All.
 - **WAT4:** "Flood Risk Management" – River flooding is a significant risk in parts. The priorities are to defend existing properties from flooding and locate new development where there is little or no flooding.
- 3.2 Cambridgeshire and Peterborough Structure Plan (2003) Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

- None relevant

3.3 Huntingdonshire Local Plan (1995) Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **En17:** "Development in the Countryside" - development in the countryside is restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.
- **En20:** Landscaping Scheme. - Wherever appropriate a development will be subject to the conditions requiring the execution of a landscaping scheme.
- **En25:** "General Design Criteria" - indicates that the District Council will expect new development to respect the scale, form, materials and design of established buildings in the locality and make adequate provision for landscaping and amenity areas.
- **H23:** "Outside Settlements" – general presumption against housing development outside environmental limits with the exception of specific dwellings required for the efficient management of agriculture, forestry and horticulture.
- **H31:** "Residential privacy and amenity standards" – Indicates that new dwellings will only be permitted where appropriate standards of privacy can be maintained and adequate parking provided.
- **CS8:** "Water" – satisfactory arrangements for the availability of water supply, sewerage and sewage disposal facilities, surface water run-off facilities and provision for land drainage will be required.
- **CS9:** "Flood water management" – the District Council will normally refuse development proposals that prejudice schemes for flood water management.

3.4 Huntingdonshire Local Plan Alterations (2002) Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

- None relevant

3.4 Policies from the Adopted Huntingdonshire Local Development Framework Core Strategy 2009 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning then click on Planning Policy and then click on Core Strategy where there is a link to the Adopted Core Strategy.

- **CS3:** "The Settlement Hierarchy" – states that any area not specifically identified are classed as part of the countryside, where development will be strictly limited to that which has essential need to be located in the countryside.

3.5 Policies from the Development Management DPD: Proposed Submission 2010 are relevant.

- **C5:** “Flood Risk and Water Management” – development proposals should include suitable flood protection / mitigation to not increase risk of flooding elsewhere. Sustainable drainage systems should be used where technically feasible. There should be no adverse impact on or risk to quantity or quality of water resources.
- **E1:** “Development Context” – development proposals shall demonstrate consideration of the character and appearance of the surrounding environment and the potential impact of the proposal.
- **E2:** “Built-up Areas” – development will be limited to within the built-up areas of the settlements identified in Core Strategy policy CS3, in order to protect the surrounding countryside and to promote wider sustainability objectives.
- **E10:** “Parking Provision” – car and cycle parking should accord with the levels and layout requirements set out in Appendix 1 ‘Parking Provision’. Adequate vehicle and cycle parking facilities shall be provided to serve the needs of the development. Car free development or development proposals incorporating very limited car parking provision will be considered acceptable where there is clear justification for the level of provision proposed, having consideration for the current and proposed availability of alternative transport modes, highway safety, servicing requirements, the needs of potential users and the amenity of occupiers of nearby properties.
- **H7:** “Amenity” – development proposals should safeguard the living conditions for residents and people occupying adjoining or nearby properties.
- **P7:** “Development in the Countryside” – development in the countryside is restricted to those listed within the given criteria.
 - a. essential operational development for agriculture, horticulture or forestry, outdoor recreation, equine-related activities, allocated mineral extraction or waste management facilities, infrastructure provision and national defence;
 - b. development required for new or existing outdoor leisure and recreation where a countryside location is justified;
 - c. renewable energy generation schemes;
 - d. conservation or enhancement of specific features or sites of heritage or biodiversity value;
 - e. the alteration, replacement, extension or change of use of existing buildings in accordance with other policies of the LDF;
 - f. the erection or extension of outbuildings ancillary or incidental to existing dwellings;
 - g. sites allocated for particular purposes in other Development Plan Documents.

3.6 Policies from the Huntingdonshire Local Plan to 2036 – Draft Strategic Options and Policies (2012) are relevant:-

- **Draft Policy 7:** “Scale of development in the countryside” - sets out the limited circumstances where sustainable development in the countryside will be considered. These include (where it is in accordance with other policies of this Plan or policies of the Cambridgeshire Waste and Minerals Development Plan produced by Cambridgeshire County Council) proposals for essential operational development for renewable and low carbon energy generation.
- **Draft Policy 9:** “The Built-up area” – defines what is and what is not considered to be part of the built-up area.

3.7 Policies from the Huntingdonshire Local Plan to 2036 – Draft Development Management Policies (2012) are relevant:-

- **DM6:** “Parking provision” – development proposals should ensure that sufficient parking is provided to meet its needs and minimise impacts on existing neighbouring uses.
- **DM13:** “Good design and sustainability” – requires development proposals to be designed to a high standard which reflects the surroundings and contributes positively to the local character of the built area, and has regard to the Design Guide.
- **DM14:** “Amenity” – requires development proposals to provide a high standard of amenity for existing and future users of the proposed development and its surroundings.
- **DM23:** “Flood risk and water management” – outlines the considerations for the acceptability of development in relation to the risk of flooding, including the implementation of Sustainable Drainage Systems (SuDS).

3.8 The SPD Design Guide is a material planning consideration.

4. **PLANNING HISTORY**

- 4.1 0300435OUT – erection of agricultural dwelling. Refused 18th September 2003.
- 4.2 1001869FUL – Use of irrigation reservoir for recreational fishing and alterations to existing access. Approved 4th February 2011.

5. **CONSULTATIONS**

- 5.1 **Ramsey Town Council – Approve (copy attached).**
- 5.2 Middle Level Commissioners – it is considered that the applicant has not yet provided adequate evidence to prove that a viable scheme for appropriate water level/flood risk management has been devised.

6. **REPRESENTATIONS**

- 6.1 Neighbours – no representations received.

7. **SUMMARY OF ISSUES**

- 7.1 The main issues in this case relate to the principle of the development, the impact of the proposal on the character of the site and the area in general, the effect on neighbour amenity, highway issues and flooding.

The principle of the development

- 7.2 This site is in the open countryside for the purposes of the Development Plan and emerging planning guidance. The relevant policies referred to above are restrictive and will generally only permit development which, inter alia, is essential operational development for agriculture or outdoor recreation. National policy is to control development in the countryside in order to conserve its character and natural resources, and applications for development in the countryside should be supported by a specific justification. In this case an agricultural appraisal has been submitted.

- 7.3 The proposed dwelling is to serve both the farm and the fishery. The latter was granted planning permission in February 2011, but has yet to be implemented due to the lack of an on-site dwelling to supervise the use and to provide welfare for the fish. In addition, the relative isolation of the site leaves it vulnerable to theft and vandalism. The applicant argues that the proposal is in accord with the provisions of the NPPF in that it will support economic growth in a rural area, and that, although isolated houses in the countryside should be avoided, they should be supported in special circumstances e.g. where there is an essential need for a rural worker to live permanently at or near their place of work. An overriding issue for the NPPF is that development should be sustainable.

- 7.4 The application is accompanied by an appraisal of the business, and an assessment of need for a dwelling to serve this holding. An application for a dwelling was submitted in 2003, but permission was refused on the grounds that the development was premature given the length of time that the applicant had left on his existing tenancy with the County Council. In summary, the justification for the current dwelling covers a number of issues:-

1) The farm includes a 1.1 ha reservoir, originally built for watering the potato crop, although fish were introduced into it in 1997. The reduction in the potato crop has resulted in no water being taken from the reservoir since 2007. This has allowed, with careful management, the fish to thrive. It is now a sought after sports fishing venue.

2) The applicant is keen to develop the fishery as a commercial enterprise (hence the permission granted in 2011) but, before this can happen, the site will require close supervision all year round. This will ensure good standards of fishery practice, fish husbandry and visitor safety.

3) Large amounts of fertilizer, other farming requirements, crops and machinery are stored at the site. A dwelling on the site will provide security for the farm itself, together with a deterrent against the theft of fish.

4) An onsite dwelling will also deter intruders who might injure themselves on the machinery or equipment, or be at risk from drowning in the reservoir.

5) A dwelling will allow for the expansion of the enterprise.

- 6) Farm commodity assurance schemes require farms and crops to be regularly supervised by a worker living on the site.
- 7) The quality of the fish in the reservoir generates welfare requirements and security needs to look after the fish and to prevent the theft of valuable stock.
- 8) The current manpower requirement, based on the arable side of the business, equates to just over half a full time worker. However, when the requirement of running the fishery is taken onto account, one full time worker can be easily justified.
- 9) The existing business is financially viable and is likely to remain so.

7.5 The applicant has submitted a number of appeal decisions to support the application although it is a standard tenet of planning law that each case should be treated on its individual merits. Without knowing the full details of the cases referred to, it is difficult to provide in depth comments, but the three Inspectors involved have concluded in each case that it is essential to have a dwelling on site for a full time worker to monitor oxygen levels and water quality, to provide maintenance and for enhanced security.

7.6 In order to test the applicant's statement, the Authority commissioned its own independent assessment of the proposal - as to whether or not a dwelling is justified in this case. After reviewing the information provided by the applicant, and assessing this against present policies and guidance, the following conclusions have been drawn:-

1. Farming operations have been undertaken at the unit since 1991 without the need for a dwelling on the site. A person living on site would be preferable for security reasons, but there is no essential need for a dwelling on the farm at present.
2. There is only a limited need for a dwelling to serve the proposed fishing enterprise. There have been fish in the lake since 1997, and these have been managed for the past 15 years without an on-site presence. The fish have been monitored, and their needs have been met, without staff living on the site.
3. Whilst security is an issue, and was a factor in the three appeal decisions, there are other ways of providing this e.g. by CCTV or alarms. Fencing may not be an option due to its visual impact.
4. The fishing enterprise for which the dwelling is deemed essential by the applicant is not yet operating.
5. Given that the enterprise is not yet operating, its financial sustainability cannot be assessed.
6. Present profitability from farming is variable. The income from the fishing enterprise could improve the situation but there is no clear evidence of this.
7. The balance sheet is not evidence of sound finances given that current assets are worth considerably less than current liabilities.
8. There are properties close by in Ramsey (where the farmer currently lives) which could provide the required accommodation without building a house on this site.

7.7 In the light of the above commentary, it is considered that, whilst a permanent dwelling on this site would have certain advantages for the applicant, it cannot be considered to be essential in terms of the present or proposed business, and does not satisfy the requirements of paragraph 55 of the NPPF. It should also be noted that the site is in an unsustainable location in that the majority of journeys to and from

it would be made by private car. The proposal is contrary to the provisions of policies SS1, En17, H23, CS3, E2, P7 and draft policy 7.

Impact on the character of the area

- 7.8 The proposal will increase the amount of built development on the site, and, whilst the proposed dwelling will be well related to the existing farm buildings, the presence of a further structure will consolidate and intensify the built up nature of the site. The dwelling will be clearly visible from the road due to the lack of screening across the frontage of the site (although hedge planting is proposed), with the garage being set further forward of the building line established by the existing barns. There are no objections to the form and scale of the building itself, and the size of the dwelling is not excessive.
- 7.9 It is considered that the erection of the proposed building and garage will intensify the built up nature of the site, and that this will, as a consequence, have an adverse impact on the character of the open landscape. The proposal does not comply with the requirements of policies E1 and DM13.

Effect on neighbour amenity

- 7.10 There are no other residential properties in close proximity to the site, and the erection of the proposed dwelling will have no impact on the amenities of any of the other property along Hollow Lane.
- 7.11 The proposal complies with policies H31, H7 and DM14.

Highway Issues

- 7.12 There is an adequate access into the site at present, but it is to be improved by increasing its width slightly, and by providing larger kerb radii. The road is not classified but the improvements are welcomed as the access is used by large farm vehicles. Should consent be granted for the development, the provision of the improved access could be required by condition. The erection of one dwelling on the site should not have a significant effect on the amount of traffic using the access or the road.
- 7.13 The submitted plan indicates that there is ample parking space being provided for the new dwelling and the standard specified in policy E10, and in appendix 1 to the DMDPD (a maximum of two spaces) is satisfied.
- 7.14 The proposal meets the requirements of policies E10 and DM6.

Flooding

- 7.15 The site is within Environment Agency flood zones 2 and 3, but is in flood zone 1 of the Huntingdonshire SFRA. The application has been accompanied by a Flood Risk Assessment. In terms of the NPPF, the sequential test is to steer new development to areas with the lowest probability of flooding. In this particular case, the proposal passes the sequential test due to its location in SFRA zone 1. Given that the

sequential test is satisfied, there is no requirement to apply the exception test.

- 7.16 The FRA does not take the SFRA into account but considers the application in terms of the E.A. flood zones, and the now superseded PPS25. The FRA states that, although the sequential and exception tests should be applied, the site is protected against the 1 in 100 year return period event, being within a defended flood plain. The likelihood of flood water overtopping the defences is considered to be small, and it is also likely that flooding from other sources is similarly low. There is no evidence that the site has flooded in the past 100 years. It is intended to construct the dwelling with a floor level of 300mm above the adjoining ground levels – a level similar to that of Hollow Lane. In the event of an extreme flooding event, it is likely that the water levels will rise slowly, thereby allowing safe access from the property towards Ramsey. The occupants will be made aware of the EA's Floodline Service. The FRA concludes that, although the site is within EA flood zone 3, it is protected by flood defences to a 1 in 100 year return period, and that the risks of flooding are low.
- 7.17 The Environment Agency have been consulted on the application and their comments will be reported to Members in due course.

Other issues

- 7.18 There are no other material planning considerations which have a significant bearing on the determination of this application.

Conclusions

1. An independent assessment has concluded that there is no essential requirement for a dwelling in this location.
 2. The erection of the building will consolidate the built up nature of the site and will have an adverse impact on the open character of the area.
 3. The development will not affect the amenities of any of the nearby dwellings.
 4. There are no overriding highway issues.
 5. There are no overriding flooding issues.
 6. There are no other material planning considerations which have a significant bearing on the determination of this application.
- 7.19 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should not be granted in this instance.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

8. RECOMMENDATION – REFUSE for the following reasons

The proposal would be contrary to the provisions of policy SS1 Of the East of England Plan – revision to the Regional Spatial Strategy (May 2008), policies H23 and En17 of the Huntingdonshire Local Plan 1995, policy CS3 of the Local Development Framework Core Strategy 2009, policies E1, E2 and P7 of

the Development Management DPD Proposed Submission 2010, draft policy 7 of the Policies from the Huntingdonshire Local Plan to 2036 – Draft Strategic Options and Policies (2012) and policy DM13 Policies from the Huntingdonshire Local Plan to 2036 – Draft Development Management Policies (2012) in that the proposal is for non-essential residential development in the open countryside. The development is not sustainable given its distance from the nearest settlements and the erection of the dwelling and the garage will consolidate and intensify the amount of built development in the locality, to the detriment of the open nature and rural character of the adjacent countryside.

CONTACT OFFICER:

Enquiries about this report to **David Hincks Development Management Officer 01480 388406**

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mail@huntsdc.gov.uk

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Fax: 01480 388099
www.huntingdonshire.gov.uk

Head of Planning Services
Pathfinder House
St. Mary's Street
Huntingdon
Cambridgeshire PE 29 3TN

Application Number: 1201062FUL Case Officer David Hincks

Proposal: Erection of occupational dwelling and double garage for existing farm and fishery

Location: Hollow Head Farm Hollow Lane Ramsey

Observations of Ramsey Town/Parish Council.

Please box as appropriate

Recommend **approval** because (please give relevant planning reasons in space below)

10 votes in favour with 2 abstentions. The Cllrs were in agreement that the business success required a premises on site.

Recommend **refusal** because... (please give relevant planning reasons in space below)

No observations either in favour or against the proposal

 Clerk to Ramsey Town/Parish Council.

Date: 27/6/12

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

(Development Management)

Development Management Panel

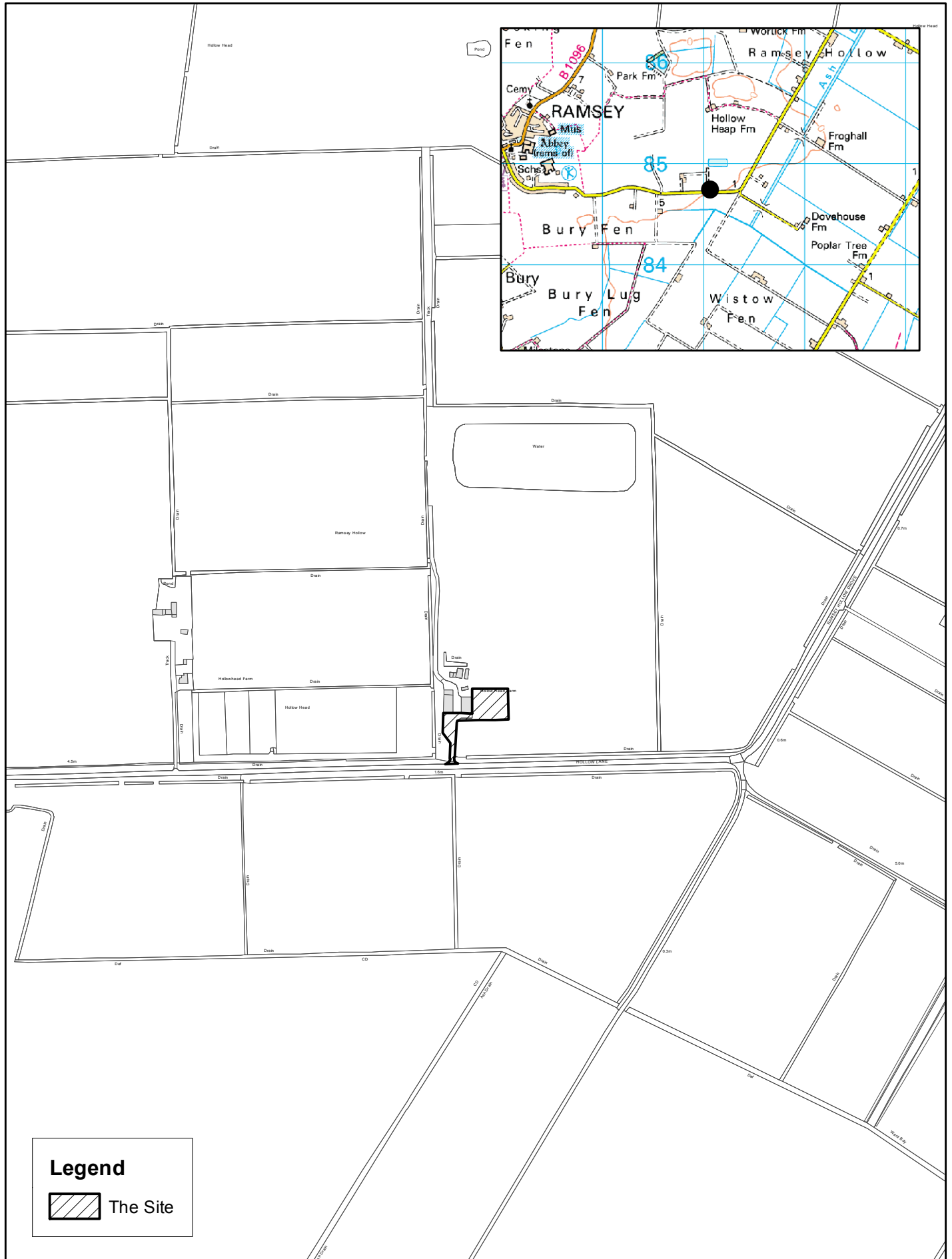


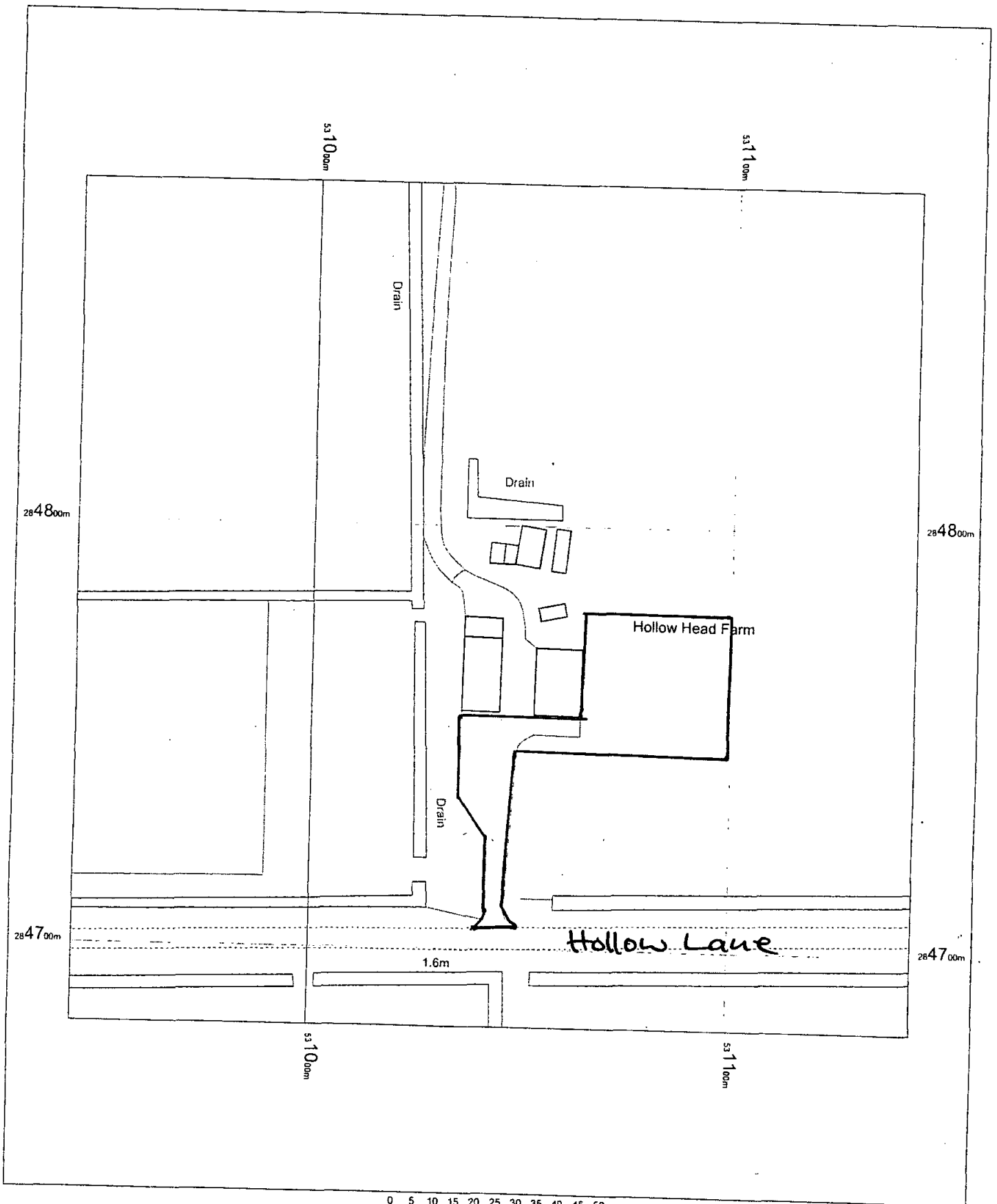
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Date Created: 26/10/2012

Location: Ramsey

Application ref: 1201062FUL



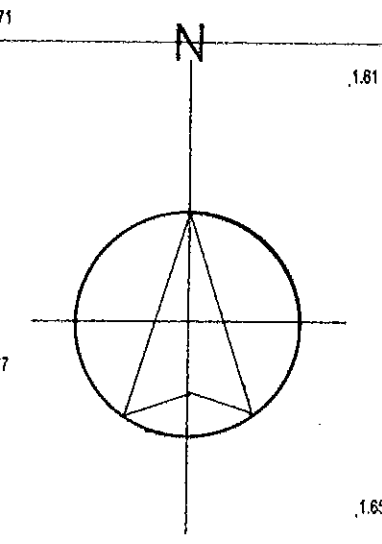
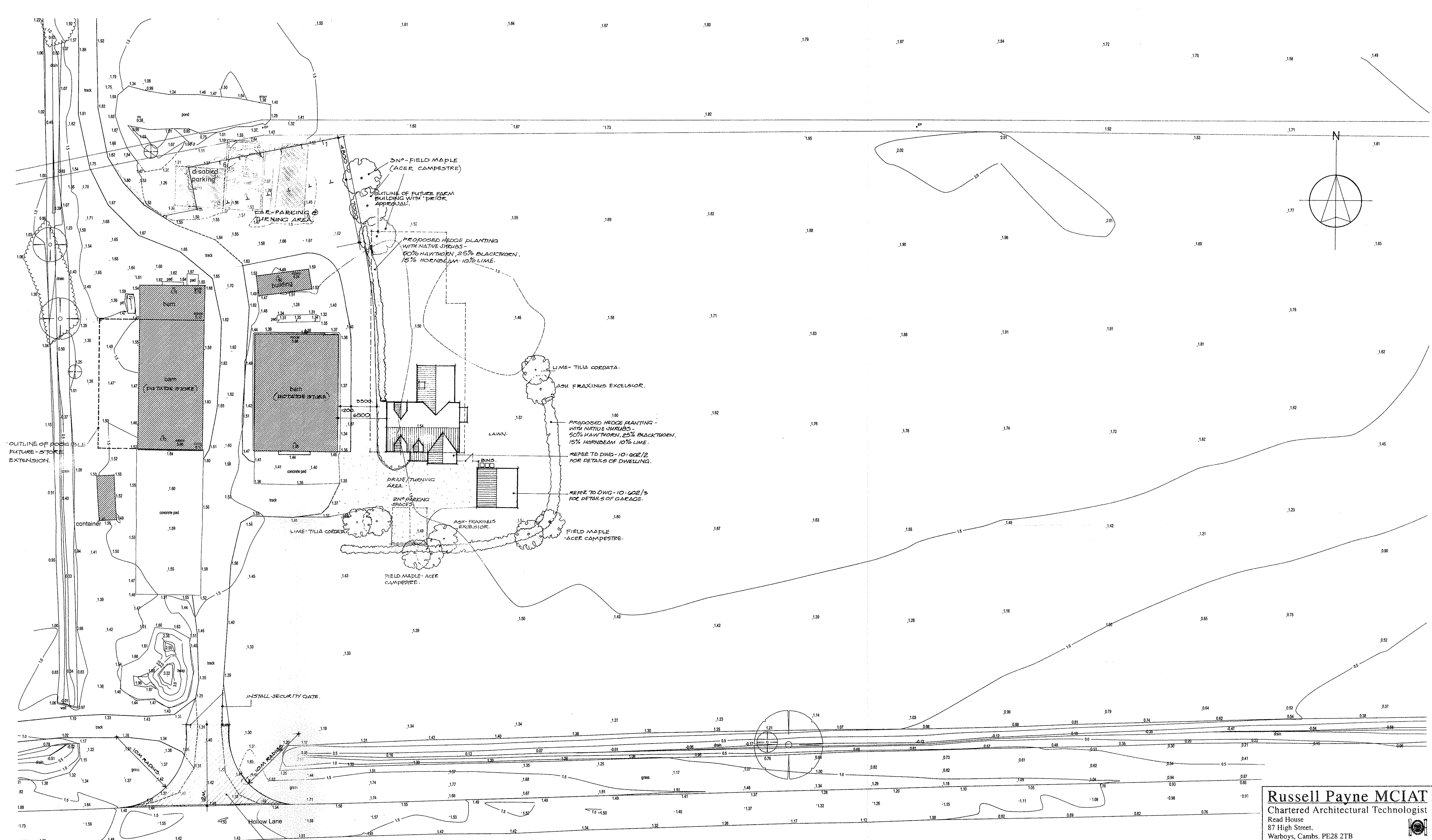


Hollow Head Farm
 Hollow Lane
 Ramsey

OS Mastermap
 26 June 2012, ID: BW1-00159651
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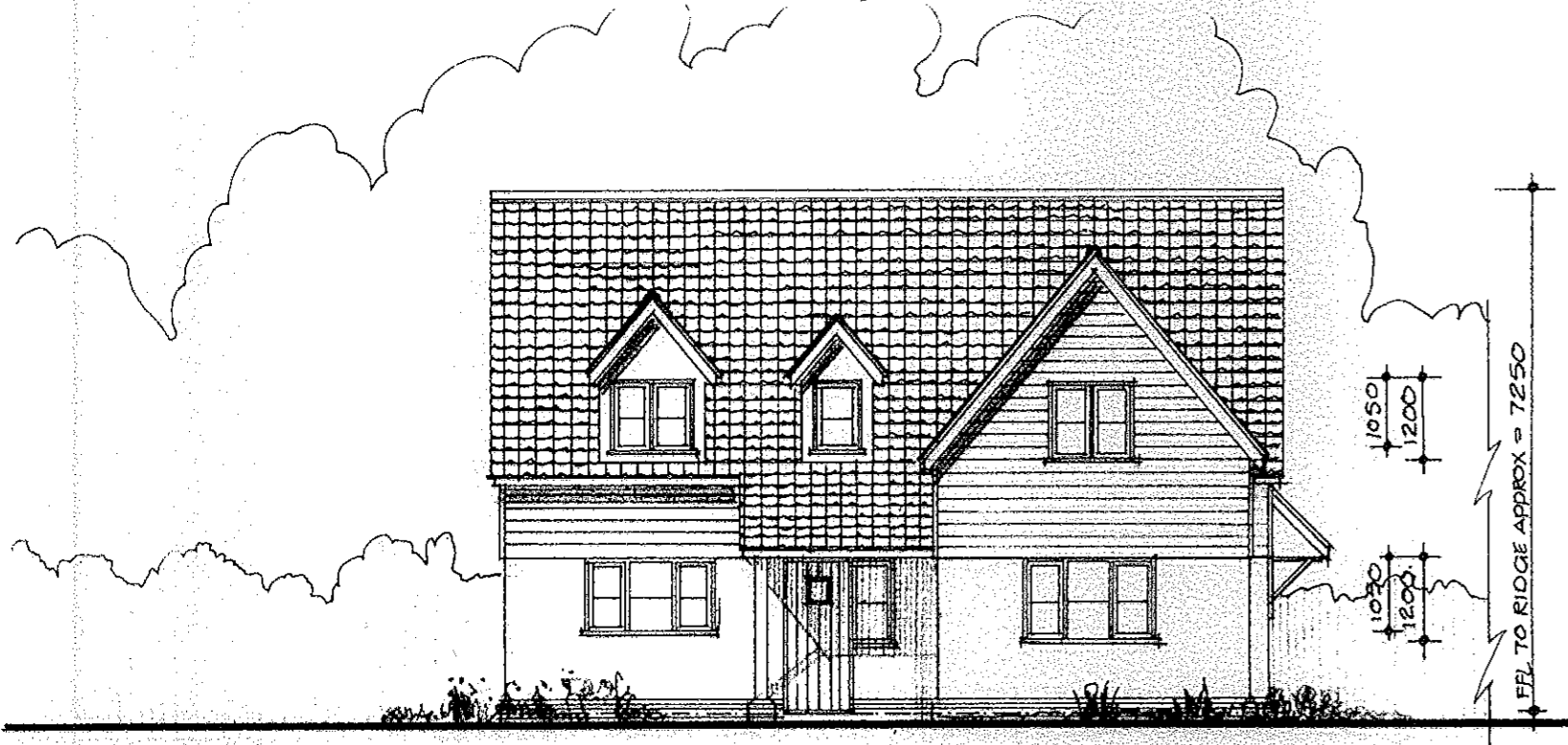
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Project
 PROPOSED DWELLING & GARAGE
 AT -
 HOLLOW HEAD FARM,
 HOLLOW LANE, RAMSEY, CAMBS
 FOR - CLARKE FARMS.

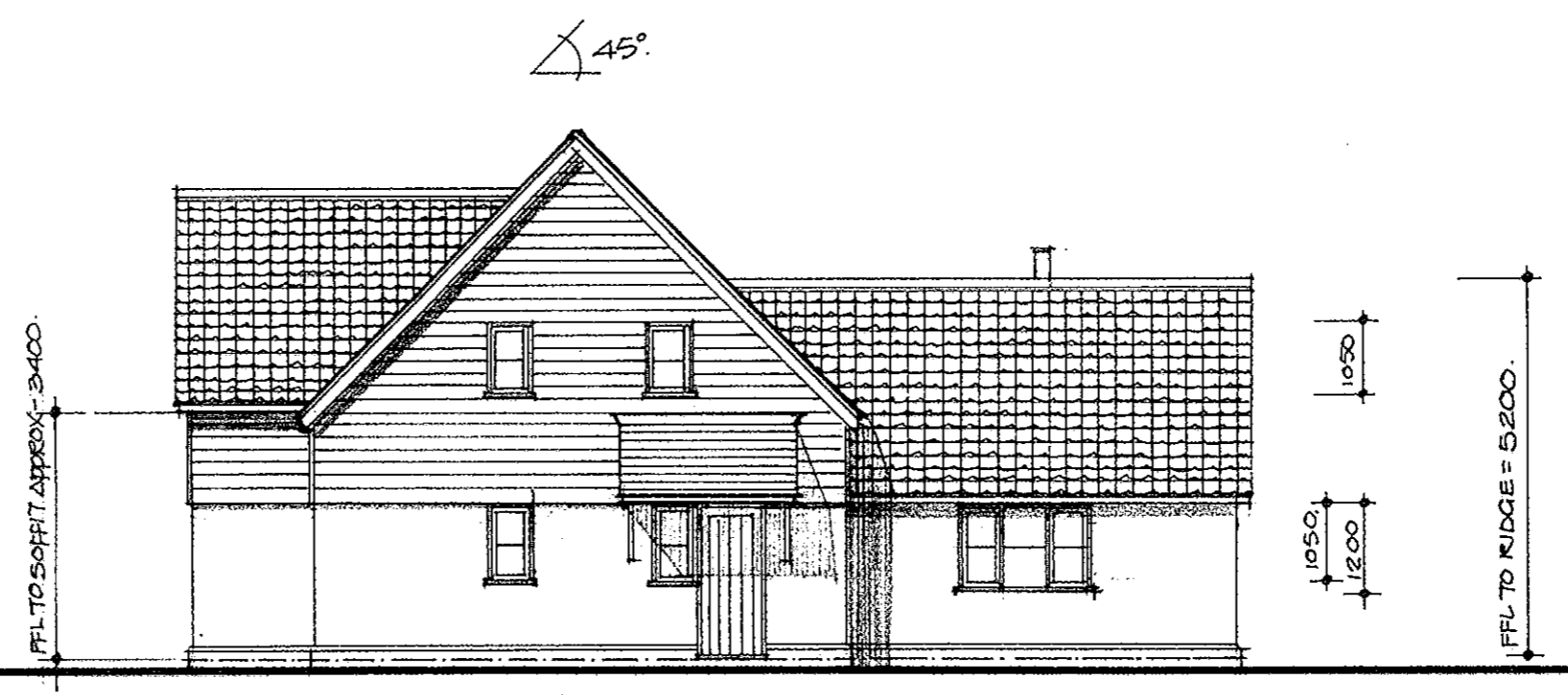
Drawing
 SITE PLAN AS PROPOSED.
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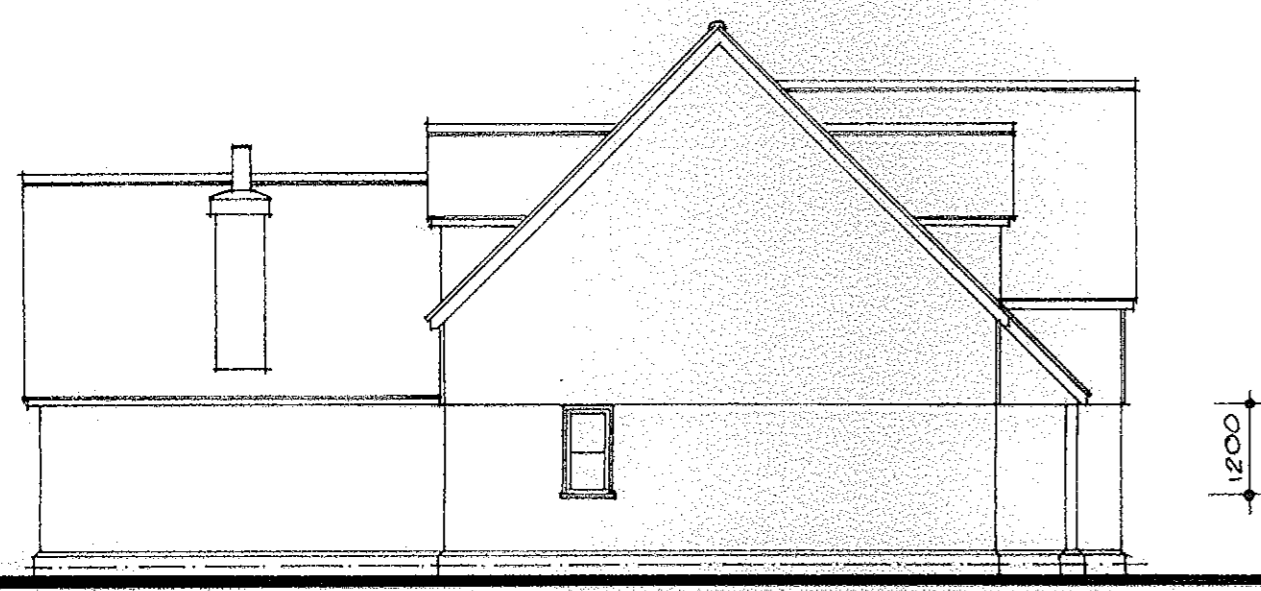
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 REV. A - 3-11-10 - CAR PARKING ADDED.



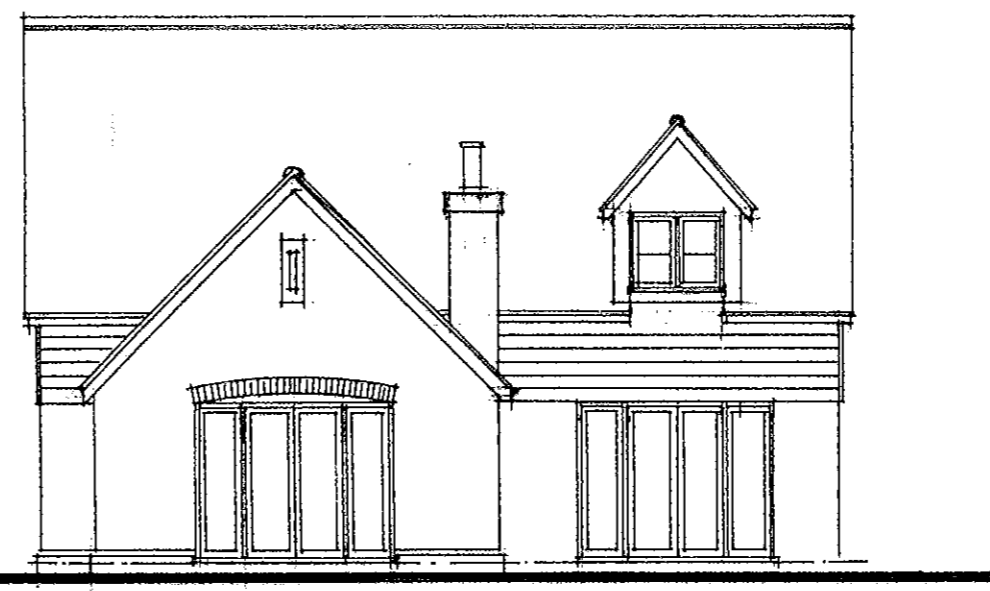
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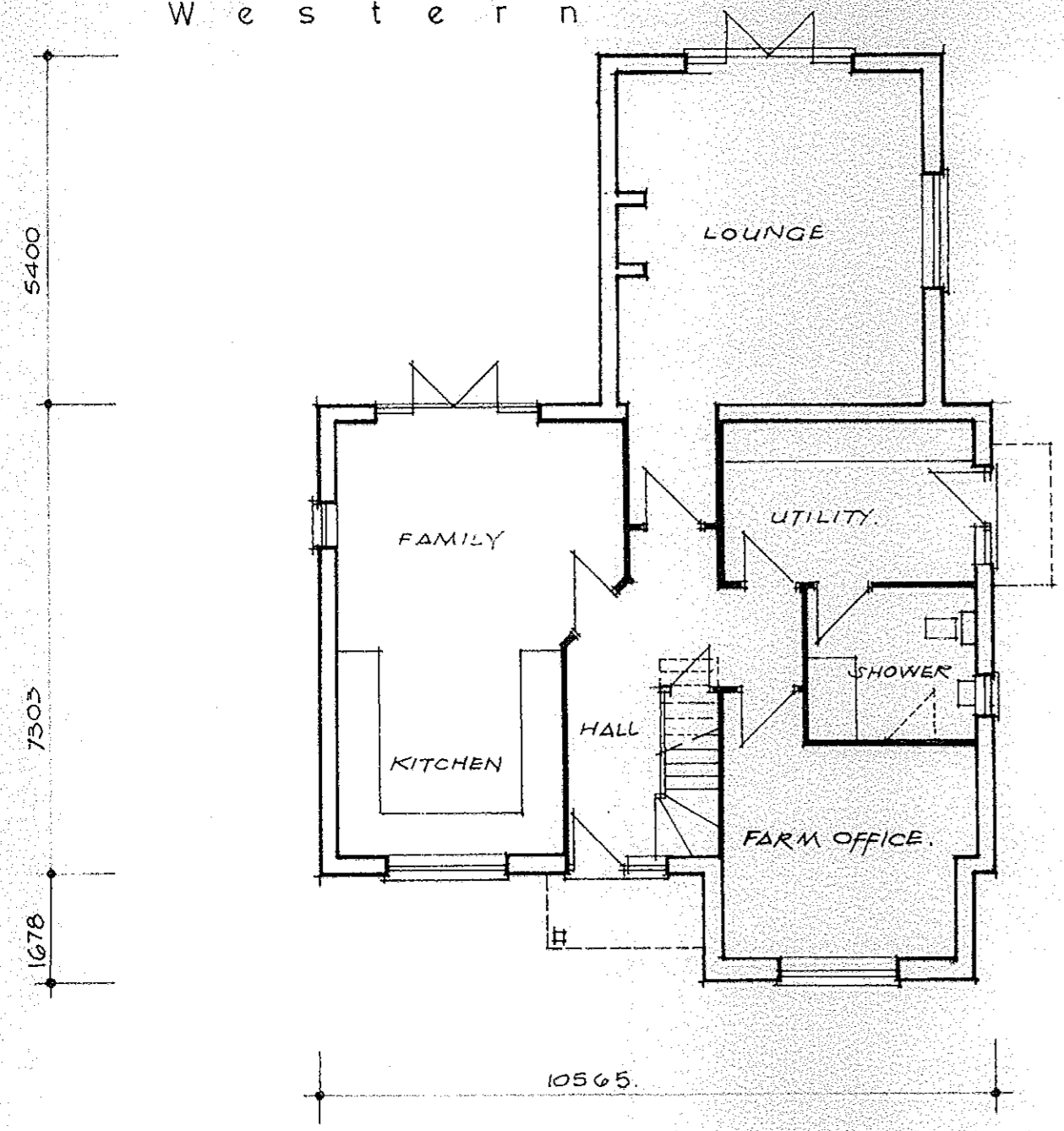


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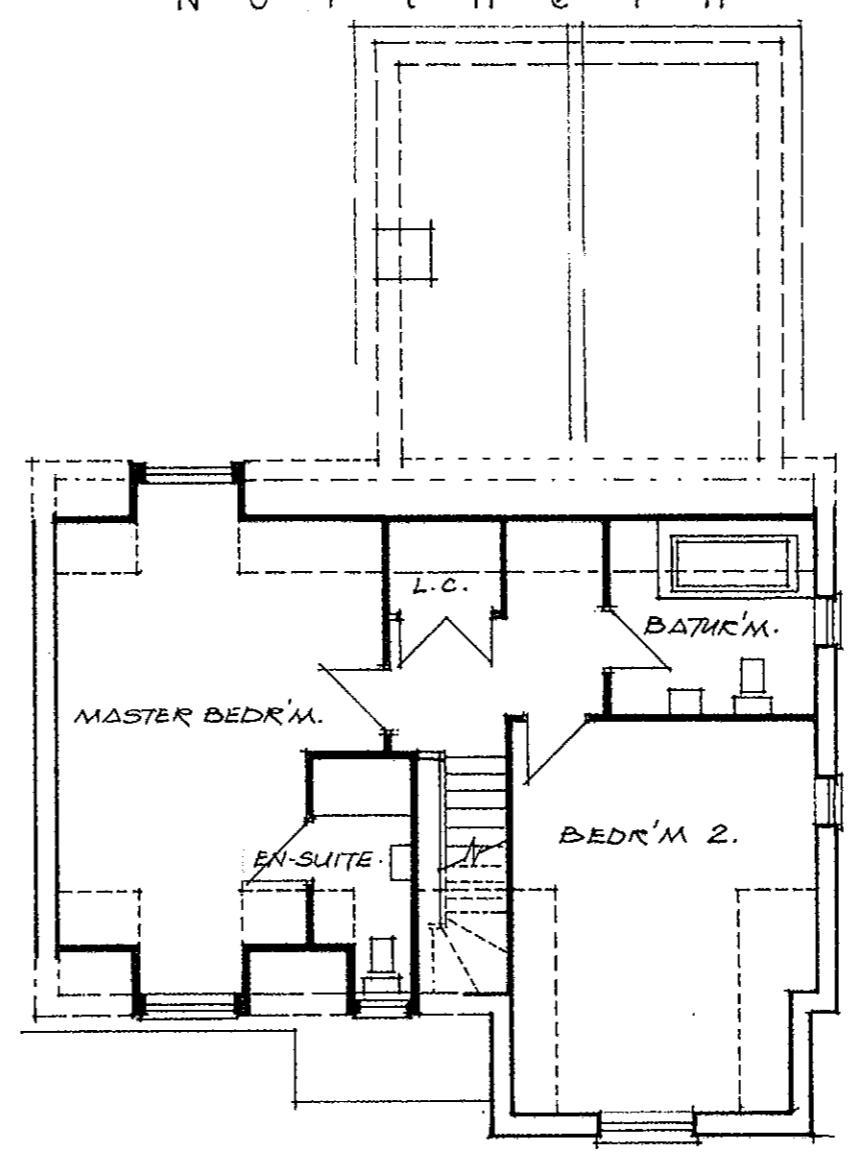


N o r t h e r n

GENERAL.
ALL EXTERNAL MATERIALS &
FINISHES TO BE AGREED IN
WRITING WITH L.A. PLANNING DEPT.
PRIOR TO WORKS COMMENCING
ON SITE.



G r o u n d F l o o r



F i r s t F l o o r

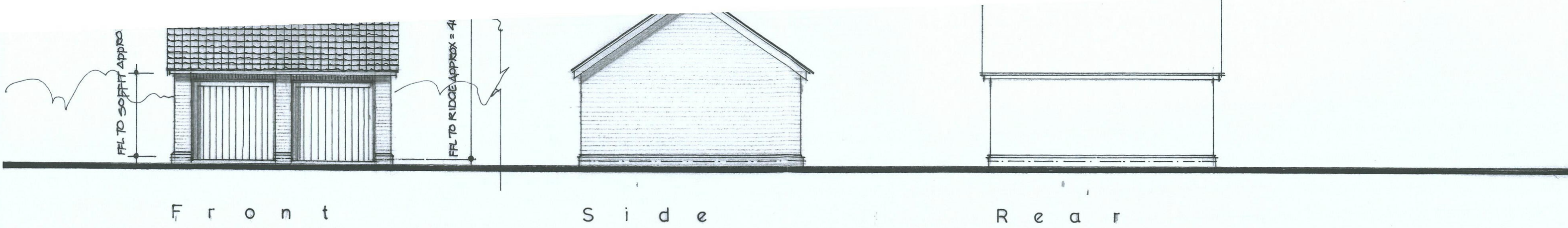
REV. A - 6-5-11 - DRAWING FINALISED FOR PLANNING SUBMISSION.

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Project
PROPOSED DWELLING & GARAGE AT:-
HOLLOW HEAD FARM,
HOLLOW LANE, RAMSEY, CAMBS.
FOR:- CLARKE FARMS.

Drawing
PROPOSED PLANS & ELEVATIONS
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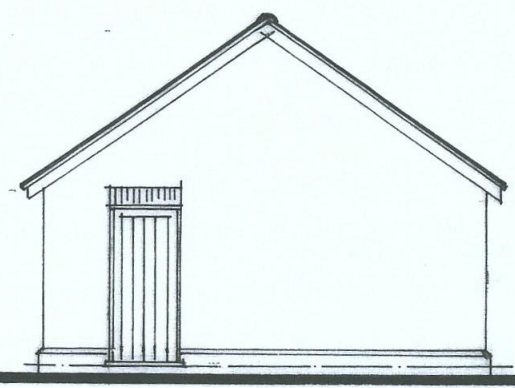
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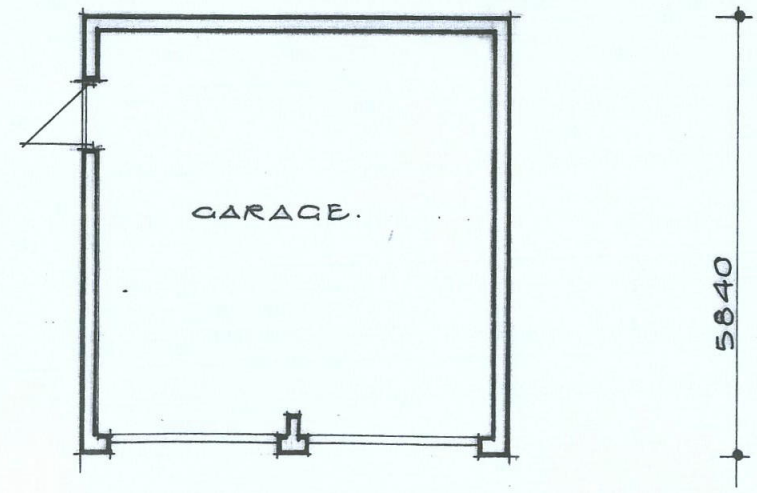
S i d e

R e a r



S i d e

GENERAL.
 ALL EXTERNAL MATERIALS &
 FINISHES TO BE AGREED
 IN WRITING WITH L.A. PLANNING
 DEPT. PRIOR TO WORKS
 COMMENCING ON SITE.



PROJECT:
 PROPOSED DWELLING & GARAGE AT:-
 HOLLOW HEAD FARM,
 HOLLOW LANE, RAMSEY, CAMBS

CLIENT:
 CLARKE FARMS

DRAWING:
 GARAGE - PLAN & ELEVATIONS.

SCALE:
 1:100

DATE:
 MAY 2011.

DWG N°
 10: 602/3.

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