

**HUNTINGDONSHIRE LOCAL PLAN TO 2036
HUNTINGDONSHIRE LOCAL PLAN EXAMINATION**

**MATTER 10 PROPOSED SITE ALLOCATIONS
KEY SERVICE CENTRES – WARBOYS WB4 – SOUTH OF FARRIER’S WAY
STATEMENT FOR CONSIDERATION AT THE LOCAL PLAN HEARING
TUESDAY 18TH SEPTEMBER 2018**

JUNE 2018

HLP2036 – PS:237

HLP2036 –PS:422

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3. Bencroft Lane, improvements to access
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Various correspondence (to be introduced as necessary at the Hearing)

1. General Introduction

- 1.1** We act for B E and A Augstein who own some 1.2 ha of land at Fenton Field Farm, in addition to the farmhouse and farmyard (see location plan Appendix 1). The red line refers to the revised application, the red dotted line demarcates the nursery land, subsequently omitted. We will deal with this matter in more detail at the Hearing. The site has access via Bencroft Lane to Fenton Road, Warboys.
- 1.2** The site was originally contained in a joint allocation with Farrier's Way WB4 in the first Draft Local Plan produced in May 2013. Following representations, the site was included as a separate allocation with access off Bencroft Lane and numbered WB6. The land south of Farrier's Way was allocated separately and numbered WB5. This allocation proposed 15 houses on the Fenton Field Farm part of the allocation. However, following representations from the Highway Authority separate access from Bencroft Lane raised objections such that the final Consultation Plan in June 2017 reverted back to the original proposal of a joint development, but the overall capacity was reduced to 10 houses, following our submitted application for that number. These various allocations introduced since June 2013 are a matter of public record and we will refer to them as necessary at the Hearing. At the final Consultation Stage, we supported the allocation and indicated our preference for Fenton Field Farm to be accessed from an improved Bencroft Lane, for up to 10 dwellings. We intend to deal with this matter in more detail at the Hearing.
- 1.3** Unfortunately, in the submission Draft, the site was removed from allocation, without either discussion or indeed an explanatory report.

The removal of the allocation appears to be based on two fundamental errors. The first was that, because we had amended our planning application from 10 dwellings to 5 dwellings, the officers had made an assumption that the density of the allocated site should be reduced likewise. That was fundamentally incorrect as we explain later. The reason for a reduction to 5 from 10 dwellings was made for the following reasons:

- a) To remove the need (at that time) to provide for affordable housing.
- b) To reduce the need for a subsequent appeal because of the reclaim of common land.
- c) Reduce the complexity of the Bencroft Lane improvement.

1.4 The second fundamental error was the assumption by the Council's officers that there was no available access. This is totally wrong as we explain later. Condition 31 of the outline consent now granted for Site WB4 requires the provision of an access from the major development in the west to provide access from Fenton Field Farm (see Appendix 4). Alternatively, a full improvement of Bencroft Lane with Fenton Road can still be provided to overcome the concerns of the recent planning decision (see 2.1 c below).

2. Access

2.1 As we indicate above, it is totally wrong for the Council to conclude that the site does not have an acceptable access. There were, as indicated in the submitted objection two available acceptable access points. These are:

- a) Access via Farrier's Way – The Council have insisted that access be taken via the adjoining development to the west and arrangements have been made which required the developer to the west to provide for the Fenton Field site to be provided with an access to that site. This was reiterated following the highway Authority's objection to WB6. Indeed, the original Section 106 Obligation for the Farrier's Way development included such an access be provided. Subsequently, following objection from the owners of the larger site the matter of a joint development was to be dealt with by a suitable planning condition but that has now created a ransom position.
- b) As a consequence, the representees have investigated and proposed improvements to Bencroft Lane, which can be achieved, but only by retrieving common land and highway land from adjoining gardens, which in turn requires involvement of the Secretary of State. Detailed plans were nevertheless prepared and were included with a planning application for 10 dwellings to provide an alternative access than the one the subject of a ransom. Agreement with the Highway and Planning officers were reached to provide an improved access which did not impact upon the general character of Bencroft Lane. These agreements

were set out in correspondence at the time and will be referred to as necessary at the Hearing.

- c) The reduction in numbers to 5 dwellings (as indicated above in paragraph 1.3) did not change the available capacity of the site (which the Local Plan stated to be 10 dwellings) and was never intended other than to avoid significant delays that the retrieval of common land would cause. As a result, we would request the reinstatement of the allocation, accompanied either by a full improvement of the Bencroft Lane junction with Fenton Road or the linking to the development to the west, as provided for by Condition 31 of the outline consent. We intend to deal with this matter in detail at the Hearing, but suffice it to say that the recent appeal decision (APP/H0520/W/17/3187438) which dismissed a lesser improvement of the junction does not mean that we cannot return to the fuller improvement that was negotiated with the highway and planning departments as part of a housing development for 10 dwellings. The correspondence at the time indicates the general agreement of the highway and planning officers to that proposal, subject to the maintenance of the general character of the area. There is of course the "fall back" position of an access through the adjoining development which the Council prefer and as such we would expect the Council to reinstate the original allocation of Fenton Field Farm which was first proposed more than 10 years ago (see Appendix 3). We have written to the Council stating there should be no change in this position until after the Local Plan Inspector's consideration or our representation.

3. Less than 10 Houses

- 3.1** The development of the site has variously considered a density of the site for 14 and subsequently for 10 dwellings. The original allocation of the land was for up to 15 dwellings and subsequently, in June 2017, for up to 10 dwellings. We have indicated above that the reduction to 5 dwellings was to reduce the amount of traffic to be dealt with by a lesser than full access improvements, by improving viability by deleting affordable housing and by bringing forward development as a result of dealing with the common land issue. The differences in the extent of road improvement will be explained in more detail at the Hearing although the differences can be seen in the plans attached to Appendix 3.
- 3.2** The provision of a full improvement to Bencroft Lane, although complicated by procedure, can more than adequately cope with a development of 10-15 dwellings, and there is no reason therefore why the full access improvement cannot be achieved when the land allocated for housing.

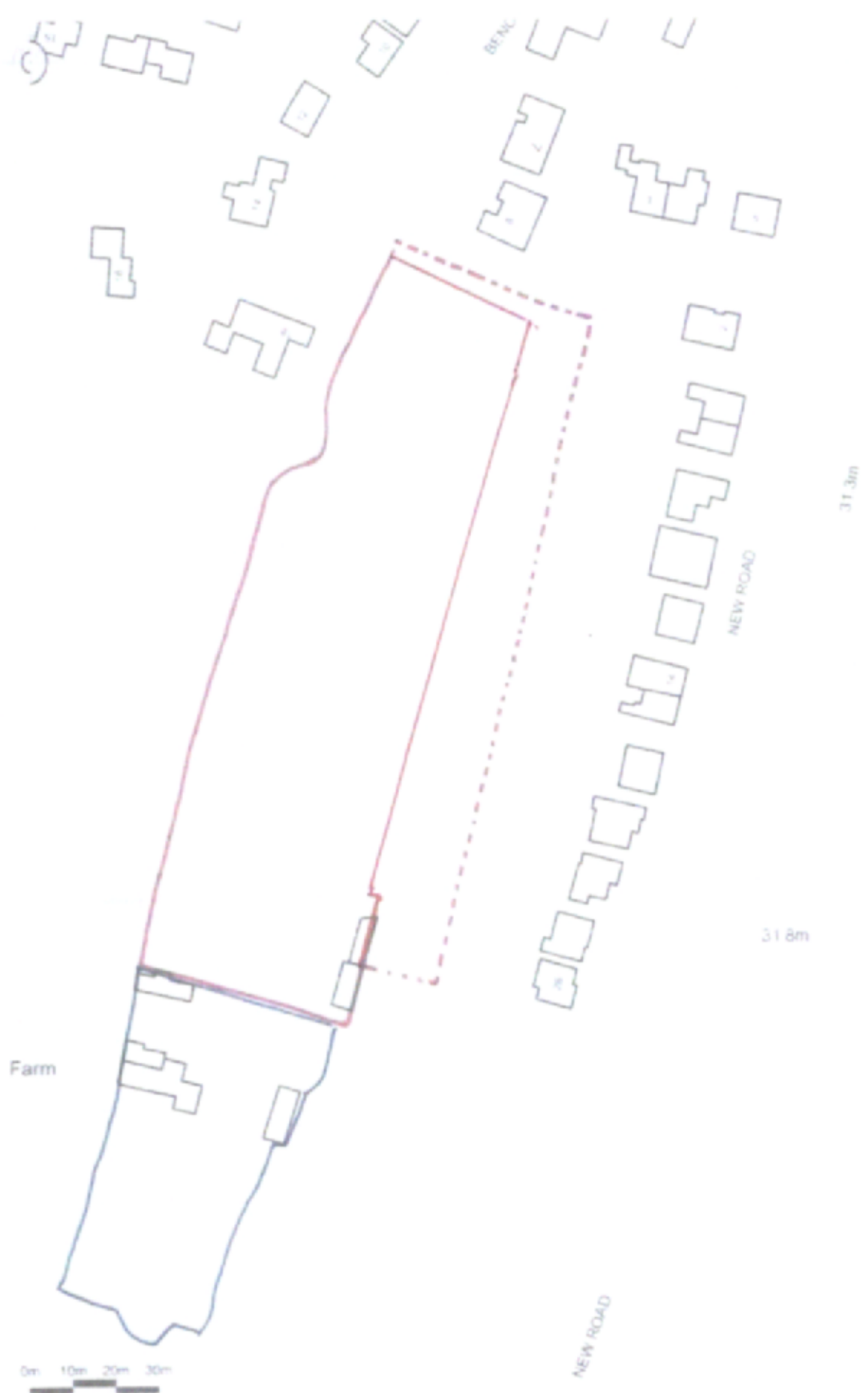
4. Conclusions

- 4.1** The Council have wrongly concluded that there is no available access to serve the development of Fenton Field Farm.
- 4.2** For reasons indicated above, there are two clear access arrangements still available. The first is a complete improvement of the access to Fenton Road, which is acceptable to the highway authority. The second is the "fall back" position of access via the adjoining development to the west and which is safeguarded by a planning condition in the outline consent.
- 4.3** The housing density which the site can achieve is at least 10-dwellings, sufficient to justify a housing allocation. The Council have wrongly assumed that the reduction to 5 dwellings (now dismissed on appeal) was the only way that the site could be developed. That is totally incorrect. There are two alternative access solutions that will permit a development of at least 10 dwellings.
- 4.4** The development viability of the site of up to 10 dwellings can now be improved both by the relaxation by central government of the need to provide affordable housing and by the ability of the representees (who is a builder) to build out the development, thus improving development profit.
- 4.5** The reasons for the deallocation of the site (ie the non-availability of a suitable access and the reduction in density to 5 dwellings only) are both incorrect. The allocation of the land should therefore be reinstated.

APPENDICES

APPENDIX 1

Location Plan 1:1250
Land at Fenton Field Farm Warboys Cambs

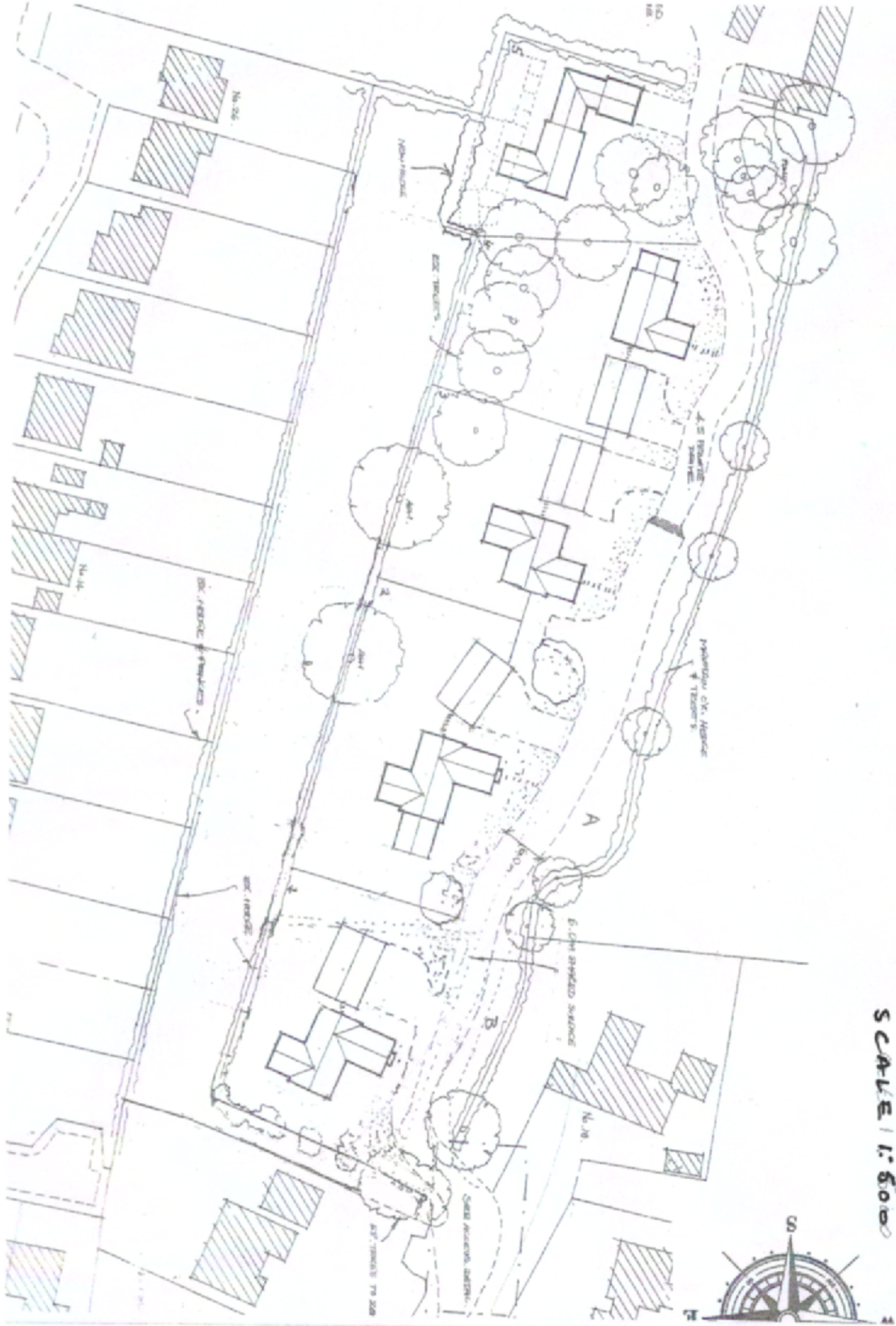


0m 10m 20m 30m

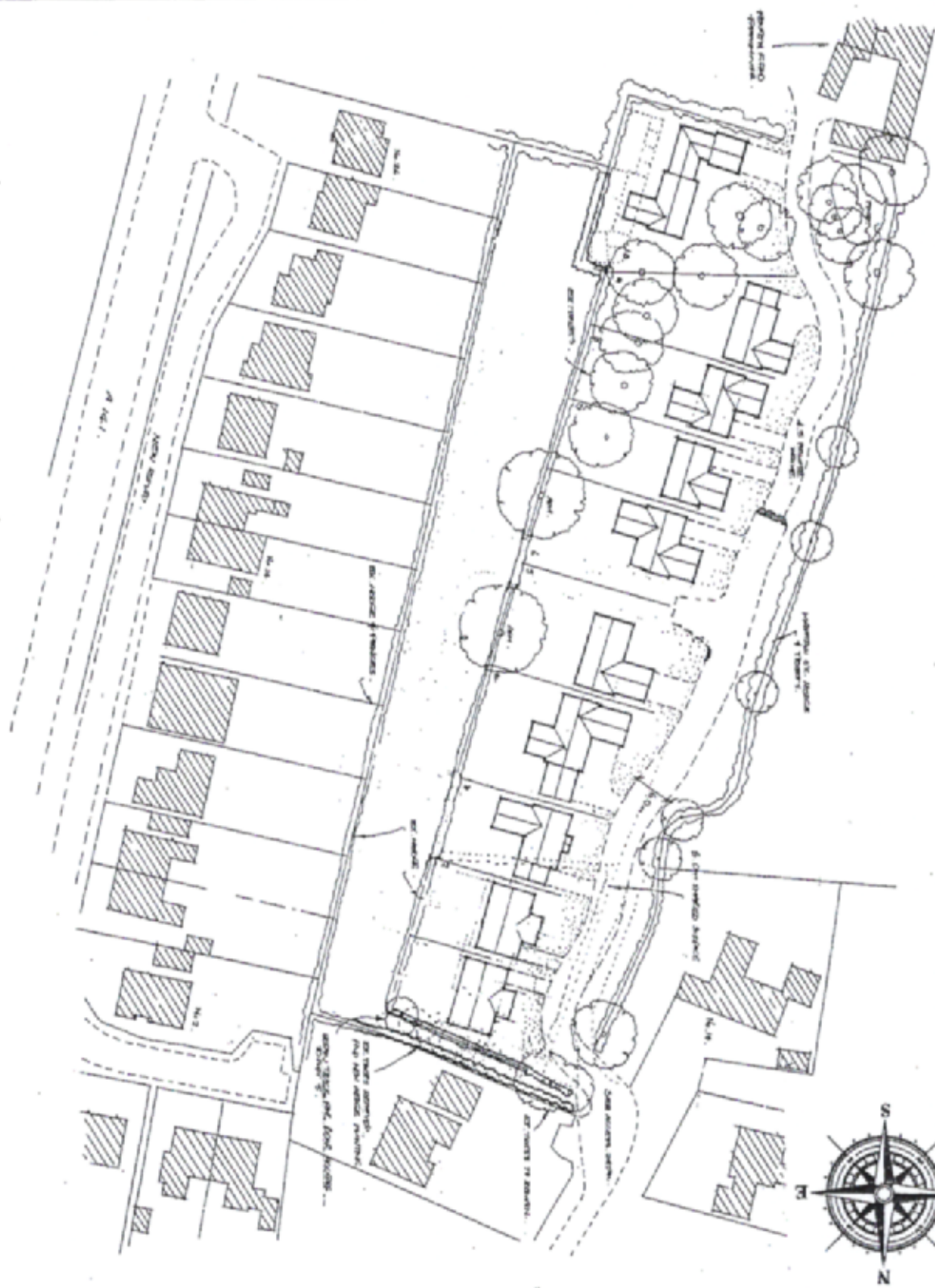


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APPENDIX 2



SCALE 1" = 50'



NOTES:
 1. ALL DIMENSIONS ARE IN METERS
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED



1	DATE	PROJECT
2	DATE	PROJECT
3	DATE	PROJECT

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Client: St. Andrew's Church
 Job Title: Architectural Plan
 Project: St. Andrew's Church, St Helens
 Date: 19th Nov 2014

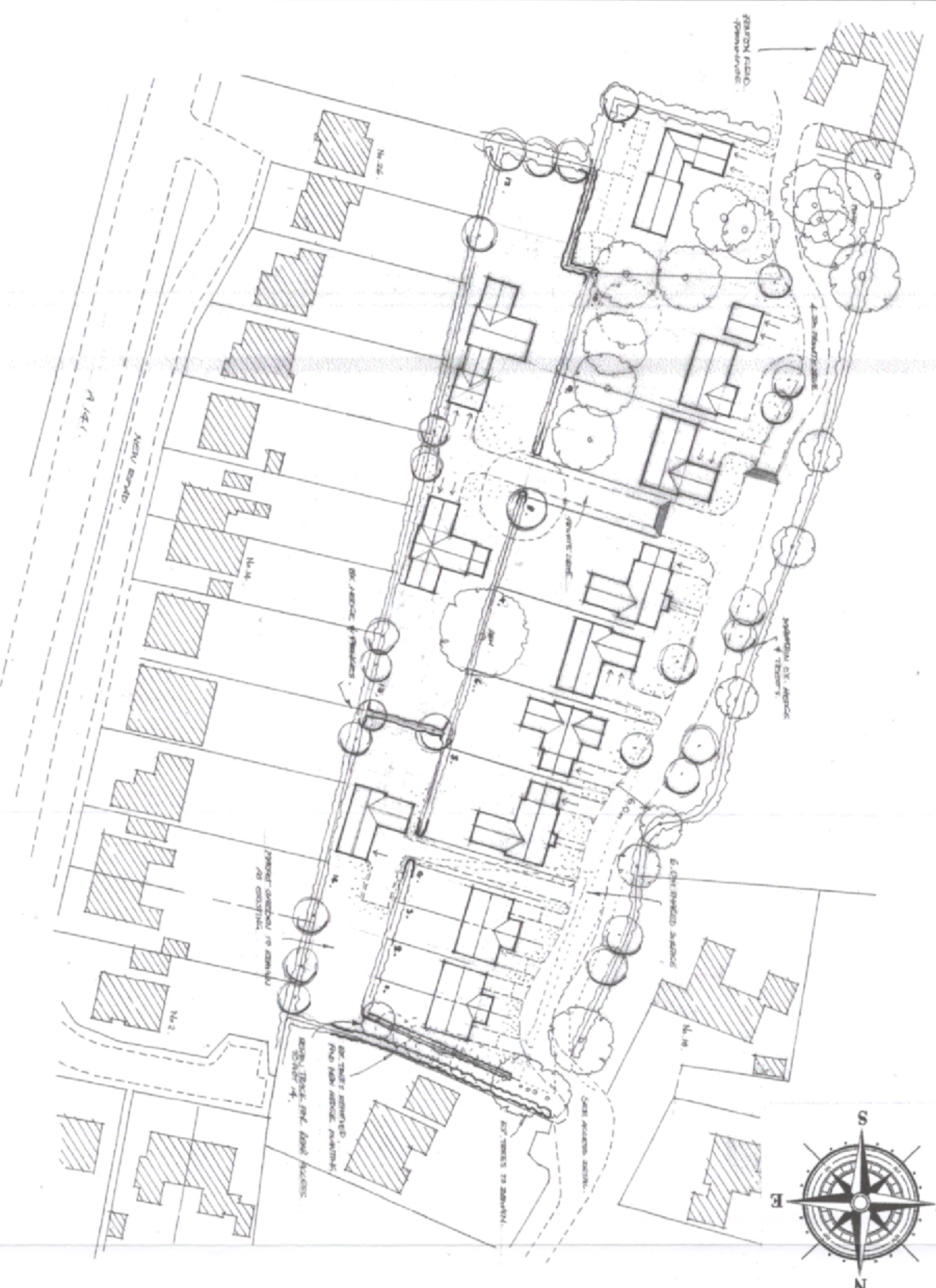
Drawing Title:
 .SECTION OF THE CHURCH (REV.)

Scale: 1/1000

Date: 19th Nov 2014

Drawn By: G.M.
 Checked By: G.M.
 Date: 19th Nov 2014

AUGSTEAD SKETCH PLAN 07 REVISION A DECEMBER 2013



NOTES:
All dimensions must be checked on site and not scaled from this drawing.



Date	Revisions
DEC 2013	CLIENT REVIEW & ARCH. CONSULT. DISCUSSIONS
DEC 2013	CLIENT DISCUSSIONS

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Client: **Mrs A. AUGSTEAD**

Job Title: **PROPOSED DEVELOPMENT, LAND FOR FUTURE FIELD STAFF, AUGSTEAD**

Drawing Title: **SKETCH SITE PLAN FROM (STS)**

Scale: **1:500**

Date: **NOV 15** Drawn by: **AM**

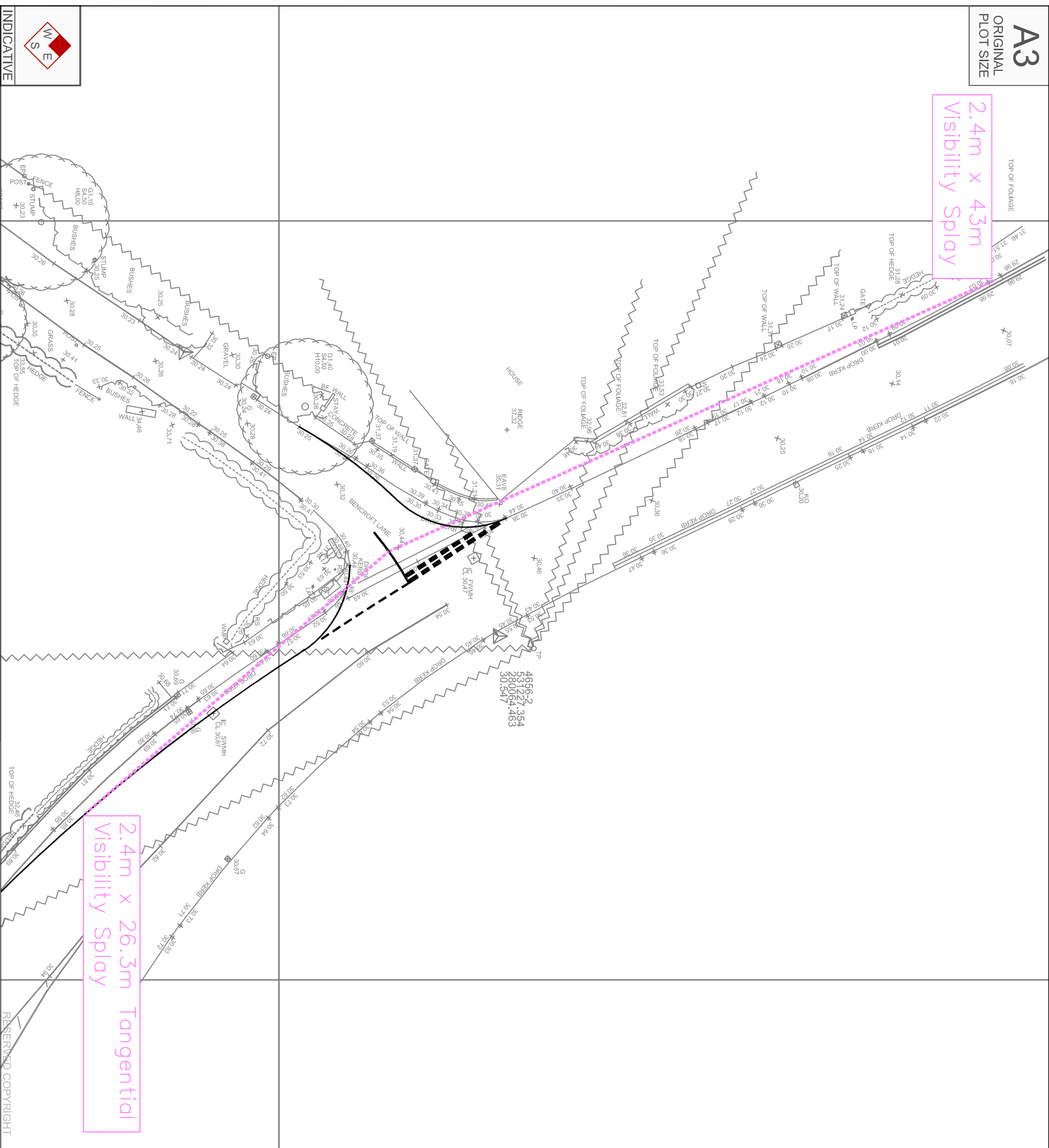
Orig No.: **ASCA/AM/13/21/2** Rev: **B**

APPENDIX 3

A3

ORIGINAL PLOT SIZE

2.4m x 43m
Visibility Splay



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NOTES:

Rev	Date	Details	Drawn By	Checked By	Approved By

Bristol
Cambridge
 Cardiff
 London
 Oxford
 Welwyn Garden City



Sheraton House
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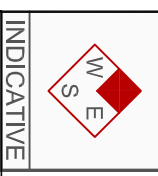
CLIENT:
A. Augstein

PROJECT:
**Land off Bencroft Lane,
 Fenton Road,
 Warboys**

TITLE:
**Proposed Bencroft Lane &
 Fenton Road Minor Access
 Improvement Works**

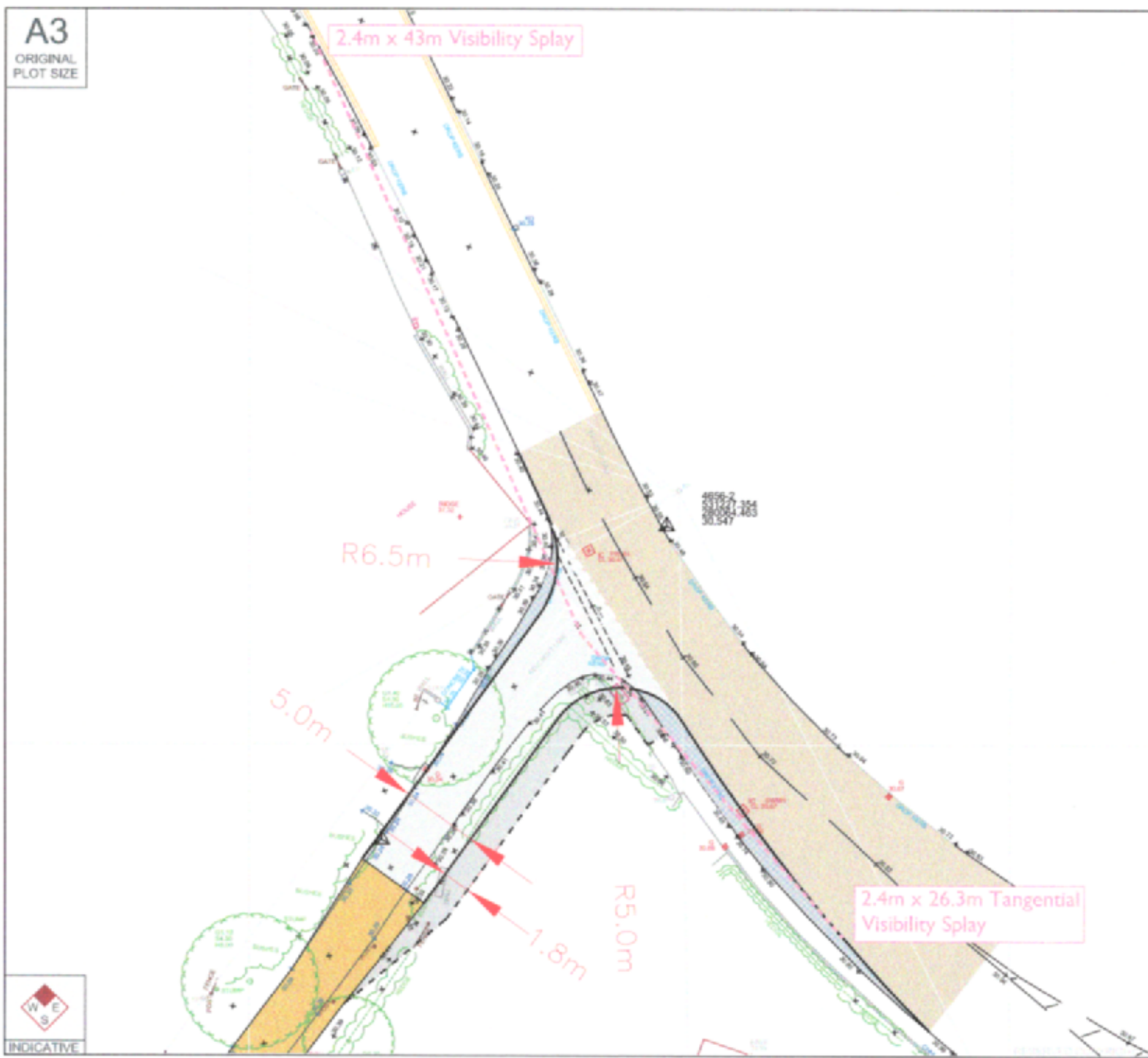
STATUS:
FOR INFORMATION

SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:	
1:250	08.11.16	JH	JA	JH	
JOB NO.:	1305-27	DRAWING NO.:	PL09	REVISION:	-



INDICATIVE

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A3
ORIGINAL
PLOT SIZE

INDICATIVE

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NOTES:
1. Based on Raschff Land & Engineering Surveys Ltd, Drawing No. 4656-I Rev A.

KEY

- New footway.
- Footway widening.
- New carriageway.
- Existing carriageway.
- Shared surface.

Rev	Date	Issue	Drawn	Checked	Approved
B	16.11.15	Footway removed/landmarks to east	JA	JC	JC
A	16.10.15	Key amended, dimensions added	JA	JC	JC

Bristol
 Cambridge
 Cardiff
 London
 Oxford
 Weymouth Garden City



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CLIENT:
B.E & A. Augustein

PROJECT:
**Land off Bencroft Lane,
Fenton Road,
Warboys**

TITLE:
**Proposed
Access Junction and
Visibility Plan**

STATUS:
FEASIBILITY

SCALE: 1:250	DATE: 10/06/15	DRAWN: JA	CHECKED: JC	APPROVED: JC
JOB NO: 1305-27	DRAWING NO: PL01	REVISION: B		

APPENDIX 4



- KEY FEATURES**
- 1 Proposed Access to the development
 - 2 Proposed Landscaping / Greenery
 - 3 Strategic Landscaping / Focal areas
 - 4 Proposed Parking
 - 5 Area designated for a Store
 - 6 Proposed Open Access area
 - 7 Retained Vegetation
 - 8 Proposed Storage District
 - 9 Proposed bus point
 - 10 Proposed vehicle turn through to adjacent site
 - 11 Potential access to Sports Club
 - 12 Proposed
 - 13 Proposed

AN INDICATIVE SITE LAYOUT AS PROPOSED - not to scale

1. Proposed Access to the development
 2. Proposed Landscaping / Greenery
 3. Strategic Landscaping / Focal areas
 4. Proposed Parking
 5. Area designated for a Store
 6. Proposed Open Access area
 7. Retained Vegetation
 8. Proposed Storage District
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 12. Proposed
 13. Proposed

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