F/YR15/0798/O

Applicant: Messrs Keith & Douglas Agent: Mr L Stephan Clark Les Stephan Planning Ltd

Land North Of 3A - 9, Bridge Lane, Wimblington, Cambridgeshire

Erection of 10 x dwellings (max) involving the demolition of 5 Bridge Lane and existing commercial buildings (Outline application with all matters reserved)

This application is a major application.

Reason for Committee: This application is before committee due to the views of the Parish Council being in conflict with the officer recommendation.

1 EXECUTIVE SUMMARY

This application seeks outline planning permission with all matters reserved for a maximum of 10 dwellings involving the demolition of the existing dwelling and buildings occupying the site.

The proposed development is located outside the existing developed footprint of Wimblington village. Accordingly the principle of the proposal would be contrary to Policy LP12 of the Fenland Local Plan 2014.

The proposal would result in a large scale in-depth development, into an area that is currently rural in character and characterised mainly by frontage development. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014.

Policies LP5 and LP13 require all development to be supported by and have good access to infrastructure. The applicant has not entered into an obligation that would provide affordable housing/relevant financial contributions which would offset any potential harm that the development may otherwise have on the locality. For this reason the proposed development is contrary to Policy LP5 and LP13 of the Fenland Local Plan 2014.

The relevant policies of the Local Plan have been considered alongside the identified material considerations. There are no material considerations to override the policy objection to the principle of development in this location. Therefore the scheme is recommended for refusal.

2 SITE DESCRIPTION

The site is located to the north of Bridge Lane, Wimblington and measures approximately 1.60 hectares. The site contains a bungalow (No.5 Bridge Lane) which would be demolished as part of the proposed development. The site is currently vacant and occupies a number of dilapidated buildings and was previously used as a haulage yard. There are a number of trees within the site and various height fencing and hedging bordering the site. The site is located within Flood Zone 1.

3 PROPOSAL

This proposal seeks outline planning permission (with all matters reserved for future consideration) for the erection of 10 dwellings (maximum) involving the demolition of 5 Bridge Lane and existing commercial buildings.

The application has been the subject of a recent refusal for 20 dwellings and has previously had pre-application discussions with the Local Highway Authority where the principle of vehicular access to serve the site has been agreed. In addition the principles of site drainage in respect of foul drainage, have been agreed with Anglian Water.

The application is accompanied by the following submissions:

- Block Plan showing a point of access in-between Nos. 5A and 7 Bridge Lane;
- Design, Access & Planning Statement;
- Highway Access Report;
- Drainage and Flood Risk Assessment;
- Phase 1 Preliminary Risk Assessment (Contaminated Land); and
- Phase 1 Ecological Assessment (dated March 2015).

4 SITE PLANNING HISTORY

F/YR15/0317/O	Erection of 20 x dwellings (max) involving the demolition of 5 Bridge Lane and existing commercial buildings	Refused 16.07.2015
F/YR14/0022/TRTPO	Felling of 1 Ash tree and works to 1 Ash tree covered by TPO M/2/465/17	Grant 04.03.2014
F/1458/89/F	Change of use from agricultural building to garage/workshop use, associated with existing haulage yard	Allowed by SoS 19.04.1990

F/0015/86/F	Hardstanding for parking of trailers and lorries, including the siting of a Portakabin type office and diesel fuel tanks	Grant 03.09.1986
F/0850/85/F	Parking of trailers and lorries	Refuse 14.11.1985
F/0077/85/F	Erection of a domestic garage and joint office building for use in connection with adjoining transport yard r/o 5 Bridge Lane Wimblington	Refuse 16.05.1985
F/0254/79/O	Erection of an agricultural store Off Bridge Lane Wimblington	Refuse 18.07.1979
F/0253/79/F	Construction of agricultural hardcore roadway and hardstanding - Off Bridge Lane Wimblington	Refuse 10.07.1979
F/0079/78/F	Use of land as an agricultural haulage business and erection of a storage building	Refuse 19.04.1978

5 CONSULTATIONS

Parish Council: Support the application. It would improve the area that is now in a derelict state would remove heavy duty lorries from lane, highway, footpath and lighting issues have been addressed.

Middle Level Commissioners: Will be commenting on the above application, however no formal comments received thus far.

FDC Planning Policy: As of today (8.10.15) there have been planning permissions and completions for 102 dwellings in Wimblington since 1st April 2011. This does not include the applications awaiting a decision:

- 1 dwelling at Addison Road;
- 10 dwellings at 3A 9 Bridge Lane (which for the purposes of monitoring following the adoption of the Local Plan on 8th May 2014 are not considered to be in or on the edge of the village).

The 15% target for this Growth Village is 116.

Cambridgeshire County Council Highways Authority (LHA): Refers back to the comments made in relation planning application F/YR/15/0317/O (a scheme for 20 dwellings which was refused). In summary the LHA acknowledged that the original scheme included the widening of the existing carriageway on Bridge Lane to 4.5m and the provision of a footway to the south; this being a reduction from the 5 metre carriageway that would normally be recommended. Notwithstanding this the LHA recognising the rural setting and the rationale for the reduction suggested a 3.5m wide carriageway with a 2m wide footway, incorporating within the footway kerbing

with a 25mm up stand constructed to carriageway construction so that the footway has a shared used and function.

The LHA further acknowledged that full details may be secured at reserved matters stage, together with details of the access from Bridge Lane into the development. The latter should include a minimum of a 5m wide access road built to an adoptable standard with 6m kerb radii bell mouth access. Further conditions should be imposed requiring improvements to the Bridge Lane/ March Road intersection to provide a suitable footway/ pram ramp crossing area on March Road and a condition relating to the layout of the site.

FDC Scientific Officer (Land Contamination): Note and accept the submitted information and have no objections to the proposed development in principle, as it is unlikely to have a detrimental effect on local air quality or the noise climate. However given the previous usage (Haulage Depot) there is a potential for ground contamination to exist. A Phase 1 / desk study has been submitted, this is noted and accepted by Environmental Health, the study suggests that due to the surrounding historical land use that there is the potential for pollutant linkages to exist. An intrusive investigation is needed to characterise the site and ensure that it is suitable for use. At this stage the applicant has not demonstrated that the site is free from potential contamination and is suitable for use as residential land, therefore the contaminated land condition needs to be added if permission is granted.

Police Architectural Liaison Officer: No comments to make concerning these proposals in respect of crime prevention and fear of crime and would not object to granting of permission for this application.

Anglian Water Services Ltd: The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Housing Strategy (FDC): Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on all development sites on which 10 or more dwellings are proposed. Therefore on this development where 10 dwellings are proposed it would be anticipated the provision of 3 affordable dwellings on site subject to viability. In accordance with Local Plan Policy LP5, the mix of affordable tenures should be informed by and compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA). An affordable tenure mix of 70% affordable rented and 30% intermediate tenure is considered appropriate for this development. The mix of affordable housing will be determined by the reserved matters application but I would consider a mix of 2 and 3 bedroom houses to be an appropriate mix. In accordance with Policy LP5 of the Local Plan, all units should meet the lifetime homes standard where appropriate and viable (Part M4 (2) of Building Regulations from October 2015).

CCC Economic & Growth Team: No comments received.

CCC (Lead Local Flood Authority): This site sits within March East Internal Drainage Board district, therefore Middle Level Commissioners should be

consulted and satisfied with the proposed development in relation to surface water flood risk.

Natural England: No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Consultant Ecologist (PCC): No objection to the granting of outline planning permission subject to strict adherence to the recommendations set out in the Ecology Report. Subject to my recommendations being fully incorporated into the approved scheme the development will in my opinion result in no net loss to biodiversity.

The Wildlife Trust: No comments received.

FDC Tree Officer: No comments received.

County Archaeology: The site lies within an area of high archaeological potential. Do not object to the development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigations to be secured via a planning condition.

FDC Environmental Services – Waste: No objections in principle, there is not enough detail to satisfactorily assess the conditions for environmental services and therefore basic requirements are set out.

NHS Property Services: No comments received.

National Grid Plant Protection: No comments received.

EDF Energy Network: No comments received.

County Waste & Minerals: No comments received.

Local Residents/Interested Parties: 6 letters/emails from local residents objecting to the proposed development. These may be summarised as follows:

- Outside the existing development footprint of Wimblington village;
- Traffic increase and safety along Bridge Lane (not wide enough, no footpaths and used by many walkers and horse riders);
- Sewerage problems;
- There is another application on the opposite side of the road (F/YR15/0281/F

 which has since been refused on 30/06/15);
- Impact on the rural character of the area;
- Lack of infrastructure or facilities to substantiate the growth of the village (doctors surgeries, hospitals and schools are already under pressure);

- Difficulties entering and exiting Bridge Lane at its junction with March Road and the road surface is very bad in places;
- It is difficult to see how the lane could be widened as there are underground cables with access points which are used regularly.
- Unknowns about site layout, dwelling numbers and size.

1 email received not objecting to the proposal, however setting out reservations with regard to the proposal which may be summarised as follows:

- Questions raised in respect of the amount and type of development proposed i.e. number of dwellings and if single-storey or two-storey, social housing mix?
- What criteria will be laid down in respect of site operating restrictions of days and hours of work, site security, size and weight of vehicles authorised to access the site, parking for contractors, potential damage to properties caused by vibrations, road sweeping, cleaning neighbouring properties windows and vehicles and who will fund the lane widening.
- It is understood that Planners will only consider development on this size within the centre of the village and not around the perimeter.
- Could consideration be made to maintaining the large conifer trees that border the proposed development and the new properties at New Woods Drive.
- Could consideration be made to the future elevations and ensure no openings overlook New Woods Drive.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 14: Presumption in favour of sustainable development;

Paragraph 17: Core planning principles;

Paragraph 18-22: Building a strong competitive economy;

Paragraph 32, 34 - 37, 39: Promoting sustainable transport;

Paragraph 47-50: Delivering a wide choice of quality homes;

Paragraph 55: Avoid isolated homes in the open countryside;

Paragraph 56-61: Requiring good design;

Paragraph 69-70: Promoting healthy communities;

Paragraph 93-98: Meeting the challenges of climate change; and

Paragraph 109, 111, 118, 120-125: Conserving and enhancing the natural environment.

National Planning Policy Guidance (NPPG)

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 Area Development Policy

LP13 – Supporting and Mitigating the Impact of a Growing District

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

LP17 - Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

7 KEY ISSUES

- Principle of Development
- Character and appearance
- Residential amenity
- Highway matters
- Biodiversity
- Flood Risk and Drainage
- S106 Obligations
- Health and wellbeing
- Economic Growth
- Other matters

8 BACKGROUND

This is a revised proposal submitted in response to the recently refused planning application for a maximum of 20 dwellings (LPA reference: F/YR15/0317/O). That planning application was refused on three grounds which related to the following matters:

- The site being detached from the existing developed footprint of the village and the proposal resulting in a large-scale in-depth development into a rural area mainly characterised by frontage development; contrary to Policy LP12;
- In accordance with Policy LP12, the village threshold would be breached as a result of the proposed development and there being no evidence of clear local community support for the scheme and the Parish Council, at that time, did not support the proposal; and
- The applicant had failed to enter into an obligation that would provide affordable housing/relevant financial contributions which would offset any potential harm.

There has been no appeal lodged against the refusal of the application thus far.

9 ASSESSMENT

Principle of Development

Policy LP3 of the Fenland Local Plan identifies Wimblington as a "growth" village where small village extensions of a limited scale will be appropriate as part of the strategy for sustainable growth. Policy LP3 must be read in conjunction with other policies in the Local Plan which steer development to the most appropriate sites.

Policy LP12 sets out the Council's development policy for rural areas. Among other things, the supporting text states that within the growth villages, including Wimblington, new development commensurate with the size of the settlement, will be encouraged whilst at the same time will need to retain the open character of the wider countryside. To this end the Council has adopted a criteria based approach

to assess new proposals for development in these settlements which is detailed in the Policy.

There are five parts to Policy LP12 (A through to E), however only Part A is relevant to this proposal. It states that for villages, new development will be supported where it contributes to the sustainability of that settlement and does not harm the wider open character of the countryside. It adds that any proposal will need to satisfy the applicable policies of the Local Plan (including criteria, (a) to (k). Criteria (a) requires that a site is in or adjacent to the existing developed footprint of the village, which is defined as the continuous built form of the settlement. The policy adds that 'the existing developed footprint of the village' excludes:

- (a) Individual buildings and groups of dispersed or intermittent buildings that are clearly detached from the continuous built up area;
- (b) Gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built up area of the settlement;
- (c) Agricultural buildings and associated land on the edge of the settlement; and
- (d) Outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

Bridge Lane is divorced from the main settlement of Wimblington; the nearest part of Wimblington village is located in excess of 250 metres south and is separated by agricultural fields. It is intrinsically rural in character, and the site does not immediately adjoin the existing built up form of the settlement adding to its detachment from the built form of the village and relationship with the open countryside. Although there is residential development to the north, south, west and east of the application site it does not form part of the developed footprint of the main village and as such it is clearly detached from the rest of Wimblington.

Policy LP12 also contains 11 criteria which must all be satisfied to ensure the proposed development can be supported. In this particular case criteria (a) which requires the site to be in or adjacent to the existing developed footprint of the village cannot be satisfied as demonstrated above. Criteria (c) and (d) requires that the development would not have an adverse impact on the character and appearance of the surrounding countryside and is of a scale and in a location that is in keeping with the core shape and form of the settlement. Criteria (e) states development would not be supported were it to result in ribbon development or extend the linear features of the settlement. Criteria (g) states that any proposal respects and retains existing archaeological, ecological and biodiversity features of the site.

This revised application overcomes the reason for refusal relating to the village threshold breach set out in the previously refused application: F/YR15/0317/O, insomuch that the scheme has reduced its numbers so that the proposal would not increase the number of dwellings in the village by 15%.

The Council has demonstrated a 5 year housing land supply, and therefore it has sufficient land to meet the housing requirement and also demonstrate that there is choice and competition in the market (see Five Year Housing Land Supply- Final Report – Published September 2014).

Notwithstanding that the proposal would be located on previously developed land (in that the site was previously a haulage yard which ceased its operation in 2006), it would be located in an area not supported by policy. Furthermore, it is

considered that the harm that would be caused to the character of the area outweighs the benefits of bringing back into use a previously developed site.

LP12 is clear that new development will be supported in a village where it contributes to the sustainability of that settlement. Occupiers of the proposed dwellings will be some distance from key services in the village. This will result in a limited choice of travel with most likely to rely on private cars to reach village services. The proposal therefore does not comprise sustainable development as required by either LP12 or LP1 of the Local Plan.

As such the development, in principle, would be contrary to Policies LP1 and LP12 of the Fenland Local Plan 2014 for the reasons referred to above.

Furthermore it is important to note that a recent appeal decision (dated 20 July 2015) was dismissed on land at March Road, Wimblington, further north of this site (LPA reference: F/YR14/0416/O) where it was concluded that the principle of development would be contrary to Policy LP12. In this appeal decision Bridge Lane is referred to as an 'outlier of ribbon development' and 'is clearly detached from the continuous built form of Wimblington' paragraph 7 refers.

Character and Appearance

The scheme proposes a maximum of 10 dwellings. There is no indicative layout proposed, as this application seeks to establish the principle of development.

The site measures 1.60 hectares and therefore the density of development would be approximately 6 dwellings per hectare.

The existing residential development of Bridge Lane is in the main characterised by linear frontage development, predominantly single-storey bungalows. This section of Bridge Lane is characterised by frontage development on the northern side which overlooks the open agricultural fields to the south.

It is noted that there is an in-depth development to the east of the site known as 'The Paddocks' which consists of 4 dwellings, however elsewhere remains as frontage development. This development scheme would introduce a significant amount of development in a relatively open area of land which would be out of keeping with the prevailing character of the area; which is rural in nature with frontage development.

Although there is not an indicative site layout plan it is clear that any form of indepth residential development in this location would be out of keeping with the overall character and appearance of the area. For this reason the proposal would not make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local building environment as advocated within criteria (d) of Policy LP16 of the Local Plan. Furthermore the proposal would adversely impact on the settlement pattern of Bridge Lane and would result in a further coalescence with the development along March Road to the north.

Overall the proposal would be in conflict with Policy LP16 of the Local Plan in this respect and would not overcome the reason for refusal of the previous application.

Residential Amenity

Without any details of an indicative site layout, an assessment of any impact on neighbouring dwellings cannot be undertaken. However given the proposed low density nature of the scheme it is not considered that there would likely to be any adverse impact, and a full assessment would be able to be carried out at reserved matters stage.

Highway matters

Access will be off Bridge Lane with the demolition of No.5 Bridge Lane. Bridge Lane is currently a 3.5m wide lane with a number of street lights and passing bays and no footway.

As part of the development, a proposal has been put forward to widen the existing carriageway on Bridge Lane to 4.5m between its junction with March Road and the entrance to the proposed development site. The widening has been indicated to be taken from the south side of Bridge Lane. In addition to this, a footway will be provided to the south side.

The Highway Authority has indicated that whilst it would usually require a 5m carriageway, it recognises that the reduction proposed seeks to ensure that the development is in keeping with the rural street scene. Therefore they have suggested that the scheme incorporates a 3.5m wide carriageway with a 2m wide footway which has a 25mm up stand kerb and is constructed to carriageway construction; enabling it to have a shared use and function. These details are capable of being secured by conditions at reserved matters stage.

Access has not been committed at this stage and therefore there are no detailed drawings for the access off Bridge Lane into the development site. Again, these details are capable of being secured by conditions and can be fully assessed at reserved matters stage.

Accordingly the Highway Authority has no objections to the proposal on highway safety grounds and therefore the proposal accords with Policy LP15 in this respect.

Biodiversity

The application contains an Ecological Assessment dated 31 March 2015 (site visit undertaken on 20 March 2015). The Council's Ecologist has reviewed the assessment and has confirmed that subject to strict adherence to the recommendations set out in the Ecology Report and subject to appropriate conditions being secured the development will result in no net loss to biodiversity.

Flood Risk and Drainage

The site is located within Flood Zone 1. Surface water drainage will be discharged in accordance with sustainable drainage principles via infiltration drainage soakaways. Foul drainage will be discharged via the existing public sewage network and treatment plant via a connection to the existing public foul sewer to the south of Bridge Lane.

Accordingly there is no flood risk or drainage related grounds in the context of the Local Plan and to the NPPF on which to object to the proposed development.

S106 Obligations

The proposal will require the applicant to enter into a S106 planning agreement in relation to developer contributions as required by Policies LP5 and LP13 of the Local Plan. These requirements relate to:

 25% affordable housing on-site provision of 3 dwellings, in accordance with Policy LP5. • Open space – off-site financial contribution of approximately £35,200, in accordance with the Developer Contributions SPD.

Whilst the application submission indicates that the applicant would be willing to enter into such an agreement, at this point in time there is not a completed agreement and therefore the proposal as such conflicts with the Local Plan in relation to the provision for affordable housing and public open space.

Health and wellbeing

In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people's needs, and in the right location. This is an outline application where details of the dwelling mix and tenure types have not been committed; however it is acknowledged that the proposal could provide appropriate housing in the District.

Economic Growth

The development would be likely to provide a degree of local employment during construction which would support the continued sustainability and economic growth of Wimblington.

Other Matters

The County Archaeologist and Environmental Health Officer have raised no objections to the proposal. The County Archaeologist has requested a condition securing an archaeological investigation prior to works commencing on site should planning permission be granted. Neighbour's concerns about additional construction traffic; construction management i.e. days/times of working would be temporary in accordance with the build programme and any issues that may arise could be dealt with via Environmental legislation. The Local Highway Authority has not objected to the proposal on highway safety grounds.

10 CONCLUSIONS

The proposed development is located outside the existing developed footprint of Wimblington village. The proposal would result in a large scale in-depth development, into an area that is currently rural in character and characterised mainly by frontage development. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014.

Policy LP5 requires the provision of affordable housing and LP13 requires all development to be supported by and have good access to infrastructure. The applicant has not entered into an obligation that would provide affordable housing/relevant financial contributions which would offset any potential harm that the development may otherwise have on the locality. For this reason the proposed development is contrary to Policy LP5 and LP13 of the Fenland Local Plan 2014.

The relevant policies of the Local Plan have been considered alongside the identified material considerations. There are no material considerations to override the policy objection to the principle of development in this location. Therefore the scheme is recommended for refusal.

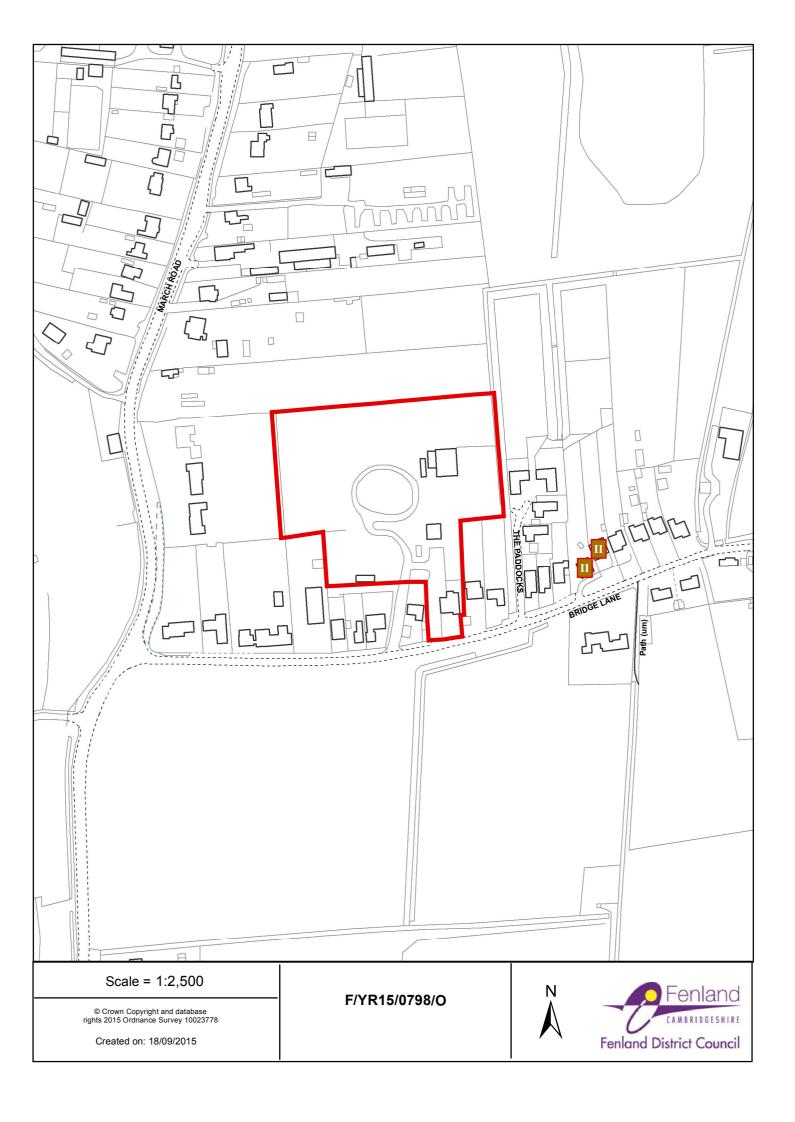
11 RECOMMENDATION

Refuse

1. Policy LP12 allows for new development in villages, subject to the requirements of Policy LP3, to be positioned in or adjacent to the existing developed footprint of the village. The footnote to LP12 stipulates that the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings which are clearly detached from the continuous built up area of the settlement. Policies LP12 and LP16 also require proposals to be of a scale and in a location that is in keeping with the core shape of the settlement.

The proposed development is located outside the existing developed footprint of Wimblington village. The proposal would result in a large scale in-depth development, into an area that is currently rural in character and characterised mainly by frontage development. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014.

2. Policies LP5 and LP13 requires all development to be supported by and have good access to infrastructure. The applicant has failed to enter into an obligation that would provide affordable housing/relevant financial contributions which would offset any potential harm that the development may otherwise have on the locality. For this reason the proposed development is contrary to Policy LP5 and LP13 of the Fenland Local Plan 2014.



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