F/YR17/1201/F

Applicant: Ms K Grange Agent : Mr Hadleigh Chapman Peter Humphrey Associates Ltd

West Of, 2A Bridge Lane, Wimblington, Cambridgeshire

Erection of 3 x single-storey 3-bed dwellings with detached single garages and access bridge over existing drain

Reason for Committee: This is a resubmission of a previously refused application ref F/Y15/0281/F, which was also dismissed at appeal. The considerations are set out below. The Parish Council indicates no objection to the proposal which is at variance to the officer recommendation.

EXECUTIVE SUMMARY

This is a full application for the erection of 3 x single-storey 3-bed dwellings each with a garage. It includes 2 new access points from Bridge Lane, whilst maintaining a 6m wide access from Bridge Lane to the paddock/agricultural land to the rear.

A previous planning application was refused in 2015 and dismissed at appeal in January 2016 (F/YR15/0281F refers). This current application is effectively a resubmission of that scheme.

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.

Bridge Lane is divorced from and has a different character to 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.

The proposal is considered to be contrary to the Council's Spatial Strategy as it would result in the development of an area of open countryside, which would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal is therefore contrary to the Council's Spatial Strategy, Policies LP12 and LP16 of the adopted Fenland Local Plan

Whilst the lack of a 5-year land supply must be given weight it does not 'tilt the

balance' to such an extent that the sustainability credentials of individual sites are no longer a consideration.

2. SITE DESCRIPTION

2.1 The site is located away from the established settlement of Wimblington and is currently in agricultural use. The site is adjacent to an existing dwelling at 2A Bridge Lane and is roughly rectangular in shape. The eastern boundary abuts a fence and a line of poplar trees which forms the boundary of the property at 2A, with all other boundaries open. The area is characterised by a linear form of residential development to the north and east, with open land to the west and south of the site. A watercourse runs through the site and the site is within Flood Zone 1.

3. PROPOSAL

- 3.1 This is a full application for the erection of 3 x single-storey 3-bed dwellings each with a garage. It includes 2 new access points from Bridge Lane, whilst maintaining a 6m wide access from Bridge Lane to the paddock/agricultural land to the rear. There would be 2+ parking spaces for each dwelling including the garages. A bridge is proposed to be constructed over the existing drain to allow access to give access to plots 1 and 2.
- 3.2 It is proposed that the dwellings would incorporate a number of features to improve their environmental performance, including biomass and wood burners with under floor heating and hot water supply, controlled domestic ventilation and heat recovery systems together with rainwater harvesting, solar electricity and hot water panels. Each dwelling would be fitted with swift nesting boxes and enclosed bat boxes.
- 3.3 The materials proposed include a mix of Audley Antique facing bricks and white painted render with slate roofs over.
- 3.4 Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPag

4 SITE PLANNING HISTORY

F/YR15/0281/F	Erection of 3 x single-storey 3-bed dwellings with detached garages	Refused 30/06/2015
		Appeal dismissed 26 Jan 2016
F/YR14/0134/F	Erection of 2 x single-storey 3-bed and 2 x single storey 4-bed dwellings with attached garages	Refused 04/10/2014
F/1765/89/O	Erection of a dwelling	Dismissed by Sec of State
		17/01/1991

4.1 Looking specifically at F/YR15/0281/F, this was refused by the Planning Committee on 24 June 2015, for the following reason:

"The proposed development is located outside the existing developed footprint of Wimblington village. The proposal would result in a ribbon style development, into an area that is currently open agricultural land and has a strong relationship with the adjoining countryside. 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."

This application was dismissed at appeal on 26 January 2016. This is discussed in more detail below.

5.0 CONSULTATIONS

5.1 Parish/Town Council

Wimblington PC have no objections as such to the application, however, ask as in the original application, that improved footpaths and street lighting are added. Both to be maintained by the developer.

5.2 Cambridgeshire County Council Highways Authority

A previous application was submitted, refused and then later dismissed at appeal for the proposal of 3 dwellings in this location under application number F/YR15/0281/F. I can see no significant highways differences between this proposal and that submitted under application number F/YR15/0281/F.

This is a proposal for the erection of three detached dwellings with parking, turning access onto Bridge Lane. Two new accesses are proposed, a shared access and a single access.

Bridge Lane is a single track road with no footways. It is street lit and subject to a 30mph speed limit.

As part of the development proposal there is a passing bay proposed to the site frontage. I feel this would be better located fronting 1b Bridge Lane as there is already an informal passing bay immediately to the west of the application site. It would be more beneficial to users of Bridge Lane if this location was formalised as a passing bay with tappers and flush kerbing. This is in lieu of the passing bay proposed to the front of the application site.

5.3 Wildlife Officer

I have the following comments to make with regard to protected species and habitats:

Bats: No evidence of any bat roosts were found during the survey, however the boundary habitats including the wet ditch and eastern boundary trees are likely to be utilised by foraging and commuting bats. I would therefore recommend measures in relation to bats to be conditioned Nesting Birds: The proposal involves the removal of vegetation which may support nesting birds (including ground-nesting species) during the nesting season (1st March to 31st August). I would therefore recommend that a suitably worded condition be attached requiring the avoidance of such site clearance works during this period, or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.

I would also request that a range of bird nest boxes are installed via a condition.

Mammals: Suitable habitat is present within the application site to support hedgehogs which are a UK Biodiversity Action Plan priority species and listed as a Species of Principle Importance under s41 of the NERC Act 2006. I would therefore recommend precautionary conditions. I have no objection to the proposal subject to the use of appropriate conditions.

5.4 Natural England

No comments to make on this application

5.5 Local Residents/Interested Parties

Objections have been received from 4 residents, raising the following issues:

- Access
- Devaluing property
- Environmental Concerns
- Local services/schools unable to cope
- Loss of view/Outlook

- Noise
- Overlooking/loss of privacy
- Residential Amenity
- Visual Impact
- Wildlife Concerns
- Would set a precedent

Bridge Lane does not have the facilities for extra houses as it is a country lane and has traffic driving quickly already

The lane is narrow with no pedestrian paths

The land is agricultural

There are newts and bats in the area and within the dykes, as well as foxes, owls and nesting birds.

Erection of the dwellings would severely impact on residential outlook. Not only would there be a detriment to views, there would be substantial noise during the build, the road would become busier (it is already not possible to pass without one driver pulling over), but there would be a substantial loss to the wildlife which exists as a result of the drain and land.

Believe there is a development of 80 dwellings adjacent to this land which will already impact severely on public services and cause all the problems noted above. This further proposed development is therefore unwelcome and unwanted.

The proposed plans front of the closest house to 2A would directly look into the master bedroom of Four Farthings and the proposed access would be directly in line with the 2 new drive ways that are now in place for the newly built properties. Wouldn't the plans need to be resubmitted to reflect the change in circumstances and take into consideration the proposed street lighting would now illuminate my bedroom.

Supporters

No letters of support have been received

6.0 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).

7.0 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 2: applications to 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 and 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 64: Refuse poor design

Paragraph 69-70: Promoting healthy communities

Paragraph 93-98: Meeting the challenges of climate change

Paragraph 109, 11,118,120-125: Conserving and enhancing the natural

environment

Paragraph 203-206: Planning considerations and obligations

7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

Flood Risk and Coastal Change

7.3 Fenland Local Plan 2014

LP1: Presumption in favour of sustainable development

LP2: Facilitation health and wellbeing of Fenland residents

LP3: Spatial strategy, settlement hierarchy and the countryside

LP4: Housing

LP5: Meeting housing need

LP12: Rural areas development policy

LP13: Supporting ad managing the impact of a growing District

LP14: Managing the risk of flooding in Fenland

LP15: Sustainable transport network

LP16: Delivering and protecting high quality environments across the District

LP19: The natural environment

8.0 KEY ISSUES

- Principle of Development
- Five year land supply
- Character and appearance
- Residential amenity
- Access and sustainability
- Biodiversity
- Impact on watercourse and surrounding area
- Planning Sustainability and Planning balance

9.0 BACKGROUND

- 9.1 A previous planning application was refused in 2015 and dismissed at appeal in January 2016 (F/YR15/0281F refers). This current application is effectively a resubmission of that scheme.
- 9.2 The Planning Inspector in their consideration of the appeal noted that the application site is open and agricultural in character and the boundary of No.2A adjacent to the site acts as a "strong punctuation mark" separating the agricultural character of the site from the domestic character of the adjacent dwelling. The Inspector took the view that the proposed dwellings would result in a form of development that would be intrusive and incongruous in the landscape, exacerbated by the inclusion of additional crossovers to the ditch, and would introduce an intrusive domestic character to this otherwise rural feature.
- 9.3 The Inspector went on to state that the site and the wider fields of which it is part, contribute strongly to the rural character of the area and provide a visual break between the sporadic residential development on Bridge Lane and the developed core of Wimblington: The development of this land would result in a visually jarring form of development that would intrude into open countryside and would be harmful to the character of the area. In looking at policy concerns, the Inspector concluded that the development would be contrary to policies LP12 and LP16 of the Local Plan, due to the potential extension of ribbon development along Bridge Lane and the impact on the open character of the land.
- 9.4 With regard to the provision of housing, the Inspector noted that although the scheme would provide additional executive housing they did not consider that this would be of sufficient benefit to outweigh the significant harm to the character and appearance of the area.
- 9.5 In 2014 outline permission was granted on land at 38 March Road, Wimblington (F/YR14/0232/O refers) for up to 80 dwellings, which would be located once built, some 130 metres to the south and west of this site. This consent was in place when the Inspector considered the previous appeal on this site, and notwithstanding this, still considered that Bridge Lane is sufficiently separated from the village that the development of this site would be detrimental.

10.0 ASSESSMENT

Principle of Development

10.1 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.

- 10.2 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 are established dwellings to the north and east of the site it does not form part of the developed footprint of the village.
- 10.3 Policy LP12 sets out that the developed footprint is defined as the continuous built form of the village and excludes the following:
 - Groups of dispersed or intermittent buildings that are clearly detached from the continuous built up area,
 - Gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement,
 - Agricultural buildings and associated land on the edge of the settlement,
 - Outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.
- 10.4 Policy LP12 also contains 11 criteria which must all be satisfied to ensure that the proposed development can be supported. In this particular case (a) which requires the site to be in or adjacent to the existing developed footprint of the village cannot be satisfied, a demonstrated above. Criteria (c) and (d) require that the development would not have an adverse impact on the character and scale 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. Criterion (e) states development would not be supported were it to result in ribbon development or extend the linear features of the settlement. Criterion (g) relates to archaeology, ecology and biodiversity features of sites. There is a drainage ditch that runs along the northern and western boundaries.
- 10.5 Whilst Policy LP3 identifies Wimblington as a growth village, Bridge Lane and the application site ae physically detached from the village. The proposal would result in a ribbon/linear development, it would develop an existing agricultural field and it would erode the space that separates Bridge Lane from the wider settlement. As such the development, in principle, would have an unacceptably adverse impact on the character of the area and would be contrary to Policy LP12 of the Fenland Local Plan.
- 10.6 This assessment of the site is supported by the Inspector's appeal decision of 26 Jan 2016 relating to F/YR15/0281/F.

Five year land supply

- 10.7 Under the NPPF, Local Planning Authorities are required to have and to be able to demonstrate a five year supply of housing. The Council's five year land supply was recently tested on appeal in relation to a proposal for 6 dwellings on land south west of Syringa House, Upwell Road, Christchurch (reference No.F/YR16/0399/O). The Inspector in upholding this appeal and granting planning permission concluded, on the basis of the evidence presented to him, that the Council is currently unable to robustly demonstrate a five year land supply (the supply available is approximately 4.93 years).
- 10.8 The Inspector concluded that applications must be determined in accordance with the National Planning Policy Framework (NPPF). Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of housing. Paragraph 14 states that for the purposes of determining planning applications, this means that applications for housing can only be resisted where the adverse impacts of approving a scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. In considering which policies are 'relevant policies' for the supply of housing, regard needs to be had to the outcome of the decision in Richborough Estates Partnership LLP v Cheshire East Council and Suffolk Coastal DC v Hopkins Homes Limited (2017) which was considered in the Supreme Court.
- 10.9 In summary this decision concluded that only those local plan policies relating to housing distribution and numbers are out of date and all other local plan policies remain relevant.
- 10.10 Whilst initially in response to this appeal decision the LPA took the view that Policies LP3, LP4 and LP12 were policies that influenced the supply of housing, and as such were rendered out of date, this view has been revisited given the outcome of an appeal decision which comes after the Syringa House decision. This most recent decision in respect of 2 no dwellings at land north-east of Golden View, North Brink, Wisbech (reference No. F/YR16/1014/F) clearly highlights that whilst LP3 and LP12 may have an effect on the supply of housing they are primarily concerned with directing most forms of development, including housing, to the most sustainable locations and limited development in the countryside for its protection and on this basis neither is a policy for the supply of housing. Based on the above, there are no relevant policies which influence the supply of housing in this case

Character and appearance

10.11 The scheme proposes three detached bungalows with single garages to the side.

- The proposed layout would be linear in nature and would be set back to avoid the existing watercourse which runs through the site. Details have been provided of the bridge over the drain.
- 10.12 Properties along Bridge Lane are predominantly single storey bungalows. Some are set back from the highway similarly to the proposal. Most of the other properties have larger rear gardens but it is accepted that large gardens are not always desirable, and there is adequate amenity space.
- 10.13 It is considered that the setting back of the development to accommodate the ditch, combined with the depth of the proposed dwellings, would result in a form of development that would be much deeper into the open surroundings of Bridge Lane and result in a form of development that would appear intrusive and incongruous in the landscape. Further, the site and its surrounding agricultural land at present act as a visual break and the development of this site would result in a visually jarring form of development that would intrude into open countryside and be harmful to the character of the area, in conflict with the objectives of PL16 of the Local Plan.

Residential amenity

10.14 Subject to securing boundary treatment details, each dwelling would be able to provide a dedicated primary amenity space. As the siting of the bungalows has been set back beyond the watercourse, the distance between the facing properties located on the north of Bridge Lane has increased. Therefore the proposal would not have an unacceptably adverse impact on properties opposite. Further, as there exists a 2m high close board fence with intervening poplars on the eastern boundary Plot 3 would not have an unacceptably adverse impact on the amenity of No.2A Bridge Lane.

Access and sustainability

- 10.15 Bridge Lane is relatively narrow with limited street lights and no footpaths. There is a Public Right of Way 100m to the east and the nearest made-up footway, which provides access to Wimblington Village, is located in excess of 200m to the west. It should be highlighted that the footway is located on the west of March Road therefore future occupiers would be required to cross a busy road to walk to shops and services available in Wimblington Village. This reinforces concerns about the sustainability of the location of this site.
- 10.16 During the consideration of this development previously, the local highways authority has requested an amendment to the location of the passing bay as there is already an informal passing bay immediately to the west of the application site. As the principle of the proposal is considered contrary to policy, this has not been taken forward.
- 10.17 It is noted within the Design and Access Statement that each dwelling would be

fitted with Ibstock swift nesting boxes. The gable of each dwelling/garage would be fitted with the Ibstock enclosed bat box 'C' designed specifically for the pipistrelle bat which creates roosting zones within the box. A comprehensive landscaping scheme would also provide habitat for wildlife.

Biodiversity

10.18 The applicant has provided a Preliminary Ecological Assessment and include various biodiversity measures .

Impact on watercourse and surrounding area

10.19 Middle Level Commissioners objected to the original scheme. The water course has now been included on the proposed site plan and Internal Drainage Board maintenance access strips have been shown on the plans. Middle Level Commissioners response will be reported to Members.

Planning Sustainability

10.20 For the sake of completeness the scheme has also been assessed against Paragraph 7 of the NPPF. Paragraph 7 states:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to Improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 10.21 In respect of this proposal the development of this site would further the sustainability objectives as follows:

Economic: The provision of housing, especially in light of the current deficiency in supply would contribute to the economic success of the District. It is recognised that the construction of the development would provide some employment for the duration of the work contributing to a strong responsive and competitive economy and it may also be argued that there may be some potential for increased expenditure with regard to local facilities

Social Role: There would be limited opportunities for community cohesion in the wider locality of the settlement given the relationship of the site to the main village. The proposal has a benefit of 3 houses towards the 5 year supply offering the opportunity for residents to settle in the locality however they would be at some distance from the main village core.

Environmental: It is considered that the proposal will result in an unacceptable incursion into the open countryside rather than small scale infilling. This would result in the loss of the open character of the site and the urbanisation of the area.

Planning Balance

- 10.22 As indicated above the scheme has limited sustainability credentials over and above a limited economic benefit during the construction phase in terms of goods and services and in terms of sustaining village services and facilities. Its social credentials whilst positive are not so convincing as to overcome the significant concerns highlighted with regard the character of the area and to this end the tilted balance afforded by the lack of housing land supply whilst giving some further weight to the case for supporting this scheme does not tilt it to an extent where the balance renders the scheme acceptable.
- 10.23 There is a direct correlation between the aims of the FLP and a clear planning argument to continue to resist this development as unsustainable. Whilst the scheme would deliver 3 additional dwellings and would therefore contribute in part to addressing the 5-year land supply deficit the weight which can be given to this is not so convincing as to override the shortcomings of the proposal.

11.0 CONCLUSIONS:

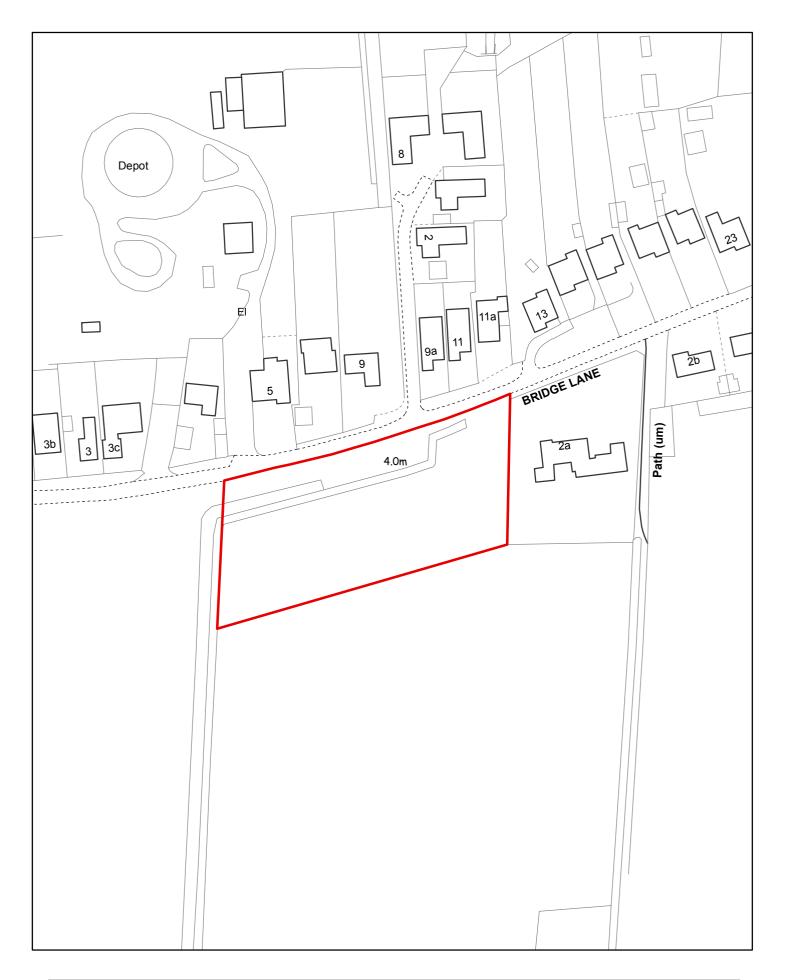
- 11.1 The proposal is considered to be contrary to the Council's Spatial Strategy that would result in the development of an area of open countryside, which would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal is therefore contrary to the Council's Spatial Strategy, Policies LP12 and LP16 of the adopted Fenland Local Plan.
- 11.2 Whilst the lack of a 5-year land supply must be given weight it does not 'tilt the

balance' to such an extent that the sustainability credentials of individual sites are no longer a consideration.

12.0 RECOMMENDATION

Refuse for the following reason:

The proposed development is located outside the existing developed footprint of Wimblington village. The proposal would result in a ribbon style development, into an area that is currently open agricultural land and has a strong relationship with the adjoining countryside. 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.



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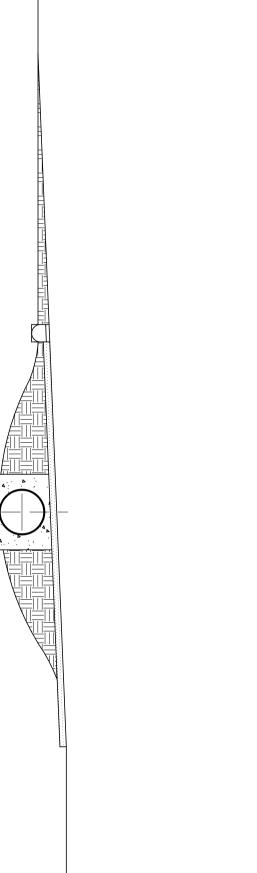
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Culvert Section 1:50

Culvert Section 1:50 Road Pipe

Architectural Associates

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Design Awards
Building Excellence in Ferrland
Category Winner 2008

BRIDGE DETAILS 1:50

Deter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

Land West of 2a, Bridge Lane Proposed Residential Development

Wimblington

Nr. March K Grange BRIDGE DETAIL

DATE December 2013 SCALE AS SHOWN JOB No. 4991-P04

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