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**F/YR24/0637/O**

**Applicant: Mr Alan Bedford**

**Agent : Mr G Boreham  
Morton & Hall Consulting Ltd**

**Land North-East Of 190, Wype Road, Eastrea, Cambridgeshire**

**Erect up to 3 x dwellings involving the formation of 3 x accesses (2 x residential, 1 x agricultural) (outline application with matters committed in respect of access)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations and Town Council comments contrary to Officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks outline planning permission with only access committed for the erection of 3no. dwellings and the formation of 2no. accesses.
- 1.2 The location of the site on the edge of the site on the edge Eastrea means that only infill development is accepted by Policy LP3 of the Fenland Local Plan (2014). The site is beyond the built form of Eastrea and therefore the proposal conflicts with Policy LP3.
- 1.3 Further, the location of the site would result in an encroachment into the countryside and subsequently a significantly detrimental landscape character impact, contrary to Policy LP16 of the Fenland Local Plan (2014).
- 1.4 The application is considered to be acceptable in terms of amenity impact and highway safety.
- 1.5 Overall, it is recommended that the application is refused.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located on Wype Road, Eastrea. The site is currently part of an undeveloped agricultural field situated immediately adjacent to the built form of Eastrea to the North-West.
- 2.2 The site is surrounded to the north, east and south by open countryside, largely characterised by agricultural fields. The land to the north and west of the site is characterised by residential development of varied sizes and scales, although the dwellings in the immediate vicinity of the site are predominantly single storey in nature.

### **3 PROPOSAL**

- 3.1 The proposal seeks outline planning permission, with matters committed in respect of access, for the erection of up to 3no. dwellings, and the creation of 2no. new accesses. The proposal also includes the extension of the existing footpath from the north along the frontage of the site.
- 3.2 The proposed access arrangements include an access for Plot 1, and a shared access for Plots 2 & 3.
- 3.3 A suite of indicative plans has been submitted indicating that the proposed dwellings would be detached properties with detached garages, and would likely be single storey in nature.
- 3.4 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

### **4 SITE PLANNING HISTORY**

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

### **5 CONSULTATIONS**

#### **5.1 Whittlesey Town Council**

*The Town Council have no objection and therefore recommend approval. Cllr Wainwright voted in objection however the other councillors voted in favour of approval of the application.*

#### **5.2 Environmental Health**

No objection

#### **5.3 CCC Highways**

No objection

#### **5.4 CCC Archaeology**

No objection subject to pre-commencement condition

#### **5.5 Local Residents/Interested Parties**

##### **Objectors**

No letters of objection were received

##### **Supporters**

A total of 9 letters of support were received on the application (five from residents of Whittlesey, two from Eastrea (Wype Road and Eastrea Road) and one from Coates). The following points were made in support of the application:

- The development will have a positive street scene impact
- The dwellings will be in keeping with the properties on the opposite side of the road that have been granted permission

- The site is ideal for development as it is not within a high-risk flood zone
- The development will offer an attractive entrance to the village

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014), the Whittlesey Neighbourhood Plan 2021 – 2040 and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK – please delete as appropriate**

### **National Planning Policy Framework (NPPF)**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan.

Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP7: Design
- LP8: Amenity Provision
- LP13: Custom and Self Build
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP28: Landscape

## **8 KEY ISSUES**

- **Principle of Development**
- **Visual Amenity Impact**
- **Residential Amenity**
- **Highways/Parking**
- **Biodiversity Net Gain (BNG)**

## **9 ASSESSMENT**

### **Principle of Development and Visual Amenity**

- 9.1 The proposal seeks outline planning permission, with matters committed in respect of access, for the erection of up to 3no. dwellings, and the creation of a new agricultural access.
- 9.2 Policy LP3 of the Fenland Local Plan (2014) identifies Eastrea as a ‘small village’ where a development will be considered on its merits but will normally be limited in scale to residential infilling or a small business opportunity. Appendix C of the Local Plan defines residential infilling as “Development of a site between existing buildings”. The development extends south into open countryside where there is no development beyond. As such, it is not considered to meet the definition of ‘residential infilling’ and the site is considered to relate more to the open countryside than to the settlement, contrary to LP3.
- 9.3 Policy LP12 Part A states that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide-open character of the countryside and subject to criteria (a) – (k). The proposal is considered to be contrary to the following criteria:
- 9.4 Criteria (a) requires that the site is in or adjacent to the existing developed footprint of the village, except for ‘small’ villages such as Eastrea, where only infill sites will normally be supported.
- 9.5 Criteria (c) seeks to ensure that developments do not have an adverse impact on the character and appearance of the surrounding countryside.
- 9.6 Criteria (d) seeks to ensure that the proposal is of a scale and location that is in keeping with the core shape and form of the settlement and will not adversely harm its character and appearance.
- 9.7 Criteria (e) seeks to ensure development does not extend existing linear features of the settlement or result in ribbon development.

- 9.8 Further to this, LP16(c) requires development to retain natural features such as field patterns and criteria (d) amongst other things, seeks to make a positive contribution to local distinctiveness and character of an area.
- 9.9 In this instance, the site is situated immediately to the south of the extremity of development in Eastrea. When viewed aerially and on the ground, the built form of Eastrea is clearly contained by an established and significant hedgerow to the north of the site that offers a clear distinction between the settlement and the open countryside. It is noted further properties have been approved on the opposite side of Wype Road, beyond the extremity of development on that side of the road. However, it is considered that in this context the application site has increased importance in contributing to a more open character reflective of the edge of village location.
- 9.10 As such, the creation of any further dwellings in this location would detrimentally impact on the character of the area and result in an incongruous incursion into the open countryside, subsequently resulting in substantial harm to the landscape character of the area.
- 9.11 It is therefore considered that the proposals are contrary to the aims of Policy LP12 – Part A (a, c, d and e) and fails to make a positive contribution to the local distinctiveness, character of the area and to the settlement pattern, resulting in a significant adverse impact on visual amenity, contrary to policy LP16 and Policy DM3 of the Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).

### **Residential Amenity**

- 9.12 As the application is submitted in Outline form with no detailed plans provided, it is not possible to fully assess the impact of the development on residential amenity. Notwithstanding this, the indicative layout plan identifies that the site is sufficiently sizes to comfortably accommodate the proposed units on generous plots that afford ample private amenity space provision for each dwelling.
- 9.13 Furthermore, the indicative street scene identifies that the proposed dwellings will likely be single storey in nature, and therefore there are no concerns in terms of overlooking within the site, or into the private amenity space of the existing property to the north of the site.
- 9.14 As such, it is considered that the site is capable of accommodating a suitably designed, detailed scheme in terms of the preservation and provision of residential amenity, and is therefore compliant in principle with Policies LP2, LP16 of the Fenland District Council Local Plan (2014).

### **Highways and Parking**

- 9.15 Access is the only matter committed as part of this outline application. The site layout shows the creation of 2no. access points to serve the new dwellings, with plots 2 and 3 sharing the same access, and the creation of an access from Wype Road to the agricultural field to the rear off the site.
- 9.16 The field does not currently benefit from an access off Wype Road and no justification has been provided as to why this is now needed. However, it is not considered that the application could be refused on this basis, provided that the access is satisfactory in highway safety terms.

- 9.17 In terms of the proposed residential access points, the highway authority have raised no objection. The geometry of Wype Road allows for excellent forward visibility in both directions, even when taking into account the increase to a 40mph speed limit to the south.
- 9.18 In respect of the creation of a new agricultural access, further information has been requested in respect of the proposed hard surfacing and gate setback to allow tractor/trailer clearance from the public highway. This information has not been forthcoming at the time of writing this report, however, it is considered that this can be secured via condition in the event that planning permission is granted as these matters are not fundamental to the acceptability of the access in highway safety terms.
- 9.19 Whilst details of the internal layout of the site would be required at reserved matters stage, the indicative plans indicate that there is sufficient space on site to provide suitable parking and turning space on site.
- 9.20 It is therefore considered that the proposals are acceptable in terms of parking and highway safety, having regard to Policy LP15(c) of the Fenland Local Plan (2014).

### **Biodiversity Net Gain (BNG)**

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

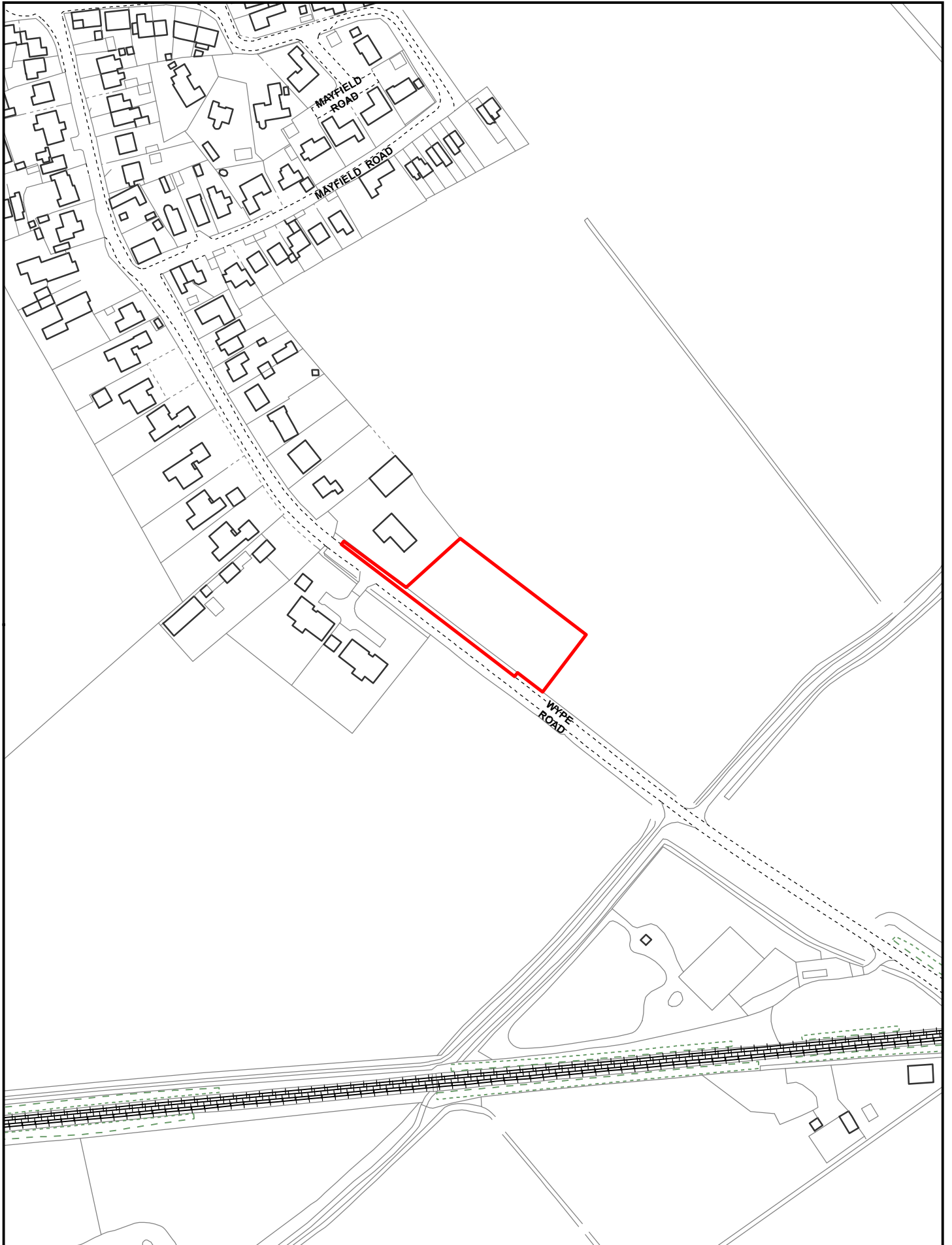
## **10 CONCLUSIONS**

- 10.1 The application seeks outline planning permission with all matters reserved except for access, for the erection of 3no. dwellings and the creation of a new agricultural access.
- 10.2 It is considered that the location of the site beyond the extremity of development in Eastrea would not constitute infill development, as required by Policy LP3 of the Fenland Local Plan, thus resulting in an unacceptable encroachment into the open countryside.
- 10.3 The resultant harm from this would significantly and detrimentally impact on the landscape character of the area. As such, the proposals fail to make a positive contribution to the character of the area.
- 10.4 Therefore, it is considered that the proposal is unacceptable in principle and is contrary to Policy LP12 – Part A (a, c, d and e), LP16 of the Fenland Local Plan, and Policy DM3 Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).
- 10.5 Subsequently, it is recommended that the application is refused on this basis.

## **11 RECOMMENDATION**

**Refuse;** for the following reasons:

1.	<p>Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district and identifies Eastrea as a 'small village' where a development will be considered on its merits but will normally be limited in scale to residential infilling or a small business opportunity. This is further supported by Policy 1(e) of the Whittlesey Neighbourhood Plan. The site is located beyond the built form of the parish with open countryside beyond and therefore would not constitute infill development, contrary to Policy LP3 of the Fenland Local Plan 2014 and Policy 1(e) of the Whittlesey Neighbourhood Plan 2021 – 2040.</p>
2.	<p>Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. Policy 7(c) of the Whittlesey Neighbourhood Plan requires development to respect the character of, and minimise the visual impact on, the surrounding landscape. By virtue of its location beyond the built form of Eastrea, development at this site would result in a significant encroachment into the open countryside resulting in an unacceptable and adverse impact on the rural landscape character of the area, contrary to Policy LP12, Policy LP16, Policy DM3 of the Fenland District Council Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014), and Policy 7(c) of the Whittlesey Neighbourhood Plan.</p>



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Scale = 1:2,500





# Ash Tree Farm



## LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP)
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION

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 Please read, if in doubt ask. Change nothing without consulting the Engineers.  
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.  
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.  
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.  
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer  
 All finishes, insulation and damp-proofing to architect's details

B	PLANNERS COMMENTS	SEP 24
A	CLIENTS COMMENTS	APR 24
	REVISIONS	DATE

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**LABC** Fenland District Council Building Design Awards winner

CLIENT  
 Alan Bedford

PROJECT  
 Land South-East Of 127 Wype Road, Eastrea Peterborough PE7 2AZ

TITLE  
 Proposed Site Plan  
 INDICATIVE LAYOUT

DRAWN G. Boreham	DATE OF ISSUE
CHECKED	
DATE Mar 2024	DRAWING NUMBER H9631/02B
SCALE As Shown	

