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**F/YR25/0251/PIP**

**Applicant: Mr M Joyce**

**Agent: Mr J Scotcher  
Morton & Hall Consulting Ltd**

**Land South West Of Woodbury, Manea Road, Wimblington, Cambridgeshire**

**Permission in Principle for 5 x dwellings**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations contrary to Officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 This application seeks Permission in Principle (PiP) for the development of up to five dwellings on land to the east of the A141, outside the developed footprint of Wimblington. The proposal follows the refusal of a previous application (F/YR24/0590/PIP) for seven dwellings, reduced in this submission in an attempt to address earlier concerns.
- 1.2 Under Policies LP3 and LP12 of the Fenland Local Plan, the site is considered to be in an 'Elsewhere' location, where new housing is only supported if it is demonstrably essential to a rural-based enterprise. No such justification has been provided. The development would therefore be in direct conflict with the settlement hierarchy and spatial strategy of the Local Plan.
- 1.3 While the number of proposed dwellings has been reduced, the site remains visually and physically detached from the main settlement and would result in the domestication of open countryside, with associated harm to rural character. The proposal would introduce residential use into a location affected by both noise from adjacent commercial uses and traffic on the A141, raising further concern about residential amenity.
- 1.4 Although the density of development proposed is low and could be accommodated physically on the site, this does not overcome the fundamental policy objections regarding location and use. Other technical details, including highway safety, would be addressed at the second stage (Technical Details Consent), though no objections have been raised by the highways authority at this stage.
- 1.5 Therefore, the proposed development fails to comply with the Local Plan's spatial strategy. The revised scheme does not overcome the reasons for refusal of the previous application, and the site's location remains unsuitable for residential development in principle.
- 1.6 Accordingly, this application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located outside of the settlement footprint of Wimblington. The site is situated to the east of the A141 Isle of Ely Way and is therefore divorced from the main residential area to the west of the highway. The site has a dwelling named Woodbury at the northern boundary, with low level timber fencing and trees along the frontage. This dwelling fronts Manea Road close to the junction with the A141. Established lines of trees approximately 8 metres high are located along the eastern and western boundaries. Trees and a field access are located along the southern boundary. The Grade II Listed St Peters Church is located 70 metres to the north-west of the site, adjacent to the western side of the A141.
- 2.2 There is a residential dwelling, known as 'Limes' opposite the site entrance. Neighbouring the site to the east and to the northeast on the opposite side of Manea Road are large commercial warehouse buildings. The site is located within Flood Zone 1 (low risk).
- 2.3 The site is currently used for a dog grooming and kennelling business to the rear of the dwelling, which was granted planning permission under reference F/YR18/0087/F. There is also a family member living beyond the residential curtilage on site in a static caravan which does not benefit from planning permission. Additionally, the site is being used for the storage of work vehicles and materials in connection with the applicant's groundworks business. Planning permission has not been granted for the storage of work vehicles and materials

## **3 PROPOSAL**

- 3.1 A location plan, existing site plan and indicative site layout (although not a requirement of a PiP application) at scales of 1:500 accompany this submission. These indicate the removal of the existing buildings on the site and the provision of five detached dwellings with associated parking and landscaping together with the provision of an access road utilising the existing site access.
- 3.2 The current proposal is the first part of the Permission in Principle application; this 'first stage' establishes whether a site is suitable in principle only, and assesses the 'principle' issues, namely; (1) Location (2) Use, and (3) Amount of development proposed
- 3.3 Should this application be successful the applicant will have to submit a Technical details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.4 The applicant is only required to submit a completed application form, a plan which identifies the land to which the application relates (drawn to scale and with a north point) and the application fee.
- 3.5 This application is a re-submission of a previously refused application F/YR24/0590/PIP, which was refused for the following reason:

*'The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy*

*considerations and thus, in terms of location and use, the Planning in Principle application fails.'*

3.6 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 5 and a minor alteration to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury.

3.7 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR24/0590/PIP	Permission in Principle for 7 x dwellings	Refused 1 November 2024
F/YR22/1217/PIP	Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings	Application withdrawn 6th November 2023
F/YR18/0087/F	Erection of 2 kennel blocks including outdoor runs for a maximum of 20 dogs	Approved – 6th April 2018
F/YR17/1235/CERTP	Certificate of Lawful Use (Proposed): Siting of a caravan ancillary to the main dwelling	Permission required – 13th February 2018.
F/YR09/0205/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective)	Refused – 29th May 2009
F/YR08/0891/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective)	Refused – 18th November 2008.
F/94/0843/F	Construct vehicular access	Approved – 24th March 1995.

## 5 CONSULTATIONS

### 5.1 Wimblington Parish Council

Object to the proposal on the following grounds:

- High quality residential environmental design would be compromised

- Congestion and high impacts on the junction
- Not meeting housing needs
- Outside the village Settlement area

## **5.2 CCC Highways**

The proposed development is acceptable, subject to additional details at the technical consent/future planning consent relating to design and layout of the site access, details of future management and maintenance of the streets and a review of street lighting requirements at the site access junction

## **5.3 FDC Environmental Health**

No objection. However, should permission be granted a robust noise assessment will be required at the Technical Details Stage

## **5.4 Local Residents/Interested Parties**

Nine letters of support have been received from residents on Manea Road (x3), Eastwood End, Blue Lane, King Street, Norfolk Street and Hospital Road, Doddington these are summarised below:

- Will not create any additional highway impacts
- Good addition to the local area
- Retention of existing vegetation and screening is commendable
- Small-scale private projects are more suitable for the area than large corporate house building schemes
- Certainly, a need for more local housing and this proposal is in line with the growth of the area
- Efficient use of land
- Does not encroach on anyone and will not be visible to existing residents
- Larger building developments have been authorised in the Village
- The transport company is extending its current site
- Continuous growth of the area whereby sufficient infrastructure to cope
- Need to balance the space and tranquillity with encouraging local expenditure.
- Site is more than adequate with an immediate link to the village (including school and village shop)

One letter of offering comments on the application have been received from a resident on Morton Way this is summarised below:

- Buildings are going up along the bypass and Eastwood End – if the access is safe this isn't going to cause a problem

## **6 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 POLICY FRAMEWORK**

## **National Planning Policy Framework (NPPF) 2024**

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 places

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

Chapter 15 – Conserving and enhancing the natural environment  
of minerals

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

Context Paragraph: 012 (Reference ID: 58-012-20180615). The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission but can advise applicants on the decision notice, where Permission in Principle is granted, what they would expect to see at Technical Details stage.

## **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

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing 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

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  
LP4: Securing Fenland's Future  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP18: Development in the Countryside  
LP19: Strategic Infrastructure  
LP20: Accessibility and Transport  
LP22: Parking Provision

### **Wimblington and Stonea Neighbourhood Plan (Pre-Submission Draft October 2024)**

Wimblington & Stonea Parish Council has carried out a pre-submission consultation on the draft plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The draft plan has not yet been submitted for examination. Given the very early stage which the draft plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry very limited weight in decision making. Of relevance to this application are policies:

#### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM2 – Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

## **8 KEY ISSUES**

- **Location**
- **Use**
- **Amount**

## **9 BACKGROUND**

- 9.1 The proposal is an application for Permission in Principle to develop the site for up to 5 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues namely:

- (1) Location
- (2) Use, and
- (3) Amount of development proposed

And the second (Technical Details Consent) stage is when the detailed development proposals are addressed. Technical details consent would need to be applied for should the application be granted.

- 9.2 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process, Accordingly, some matters raised via statutory bodies may not be addressed at this time.
- 9.3 It is pertinent to note that this application is a re-submission of a previously refused application F/YR24/0590/PIP, which was presented to Planning Committee on 30<sup>th</sup> October 2024. The application was refused for the following reason:

*'The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails'*

- 9.4 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 5 and a minor alteration to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury.

## **10 ASSESSMENT**

### **Location**

- 10.1 Policy LP3 of the Fenland Local Plan (2014) identifies Wimblington as being a 'Growth Village'. For these settlements, development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 10.2 Policy LP12 identifies that to receive support, the site must be in or adjacent to the existing developed footprint of the village, defined as the continuous built form of the village and excludes individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement. The Local Plan does not rely on defined settlement boundaries but rather requires a physical assessment to be made to determine whether or not a site is within a village for the purposes of Policy LP12. This results in a situation where a site could be considered in general terms to be part of the village but not be in the village for the purposes of the spatial strategy.
- 10.3 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This is a material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.4 It is apparent, that in the case of the application site, it is clearly detached from the remainder of Wimblington by the major road of the A141 and thus outside the continuous built form of the settlement. Adjacent development consists of only two residential dwellings and commercial development, with areas to the east rural in

nature. As such the proposal would constitute development in an 'Elsewhere' location as defined under LP3 which seeks to restrict that to essential rural based development. The proposal is therefore in conflict with Policies LP3 and LP12.

- 10.5 It is noted that the services and facilities within the Village would be accessible by utilising the footpath, and that a number of local residents have supported the application on this basis. This is not considered sufficient to overcome the harm identified by providing five residential units, in what is considered a countryside location, whereby there is no demonstrable need.
- 10.6 Similarly, it is noted that the Agent has advised of other residential developments having been approved at Eastwood End, which is also east of the A141. Each application must be determined on its own merits. Notwithstanding this basic principle, it is considered that the sites are materially different in that the character of the area at Eastwood End features existing residential development and does not benefit from larger commercial uses. Furthermore, these sites are set back further within the main settlement, whereas the site the subject of this application is within open countryside, which represents the visual transition into countryside as travelling along the A141, whereby the eastern side of the road is relatively free from residential development, when travelling in a southerly direction towards Chatteris.

### **Use**

- 10.7 The site is situated close to the edge of the settlement, however as stated above, it will be contrary to Policy LP12 – Rural Areas Development Policy and Policy LP16 – Delivering and Protecting High Quality Environments across the District. The introduction of residential units and associated paraphernalia is considered to erode the character and appearance of the open countryside. It is therefore considered that the site is not acceptable to use for new dwellings.
- 10.8 In addition, whilst perhaps being a matter more appropriate for consideration at Technical Consent stage, the location of the site between commercial activity and the A141 does raise potential issues around noise and whether a high quality residential environment would ultimately be created.

### **Amount of Development Proposed**

- 10.9 The application seeks Permission in Principle for up to five dwellings on a site of 0.38ha which will equate to a density of approximately 14 dwellings per hectare. This is low density and could comfortably be accommodated on-site without being considered an overdevelopment of the site. However, the detailed layout and design will be for consideration at the Technical details stage. In terms of consideration of amount, the proposal is acceptable.

### **Matters Raised During Consultation**

- 10.10 It should be noted that a number of supporting letters have commented noting that the provision of five dwellings will not impact on highway safety or increase congestion. These comments are noted, and this does form a material consideration as part of this assessment, but as discussed above there are no concerns, in respect of highway matters to the amount of development proposed.



- 10.11 It is also noted that the Parish Council have raised concerns in terms of congestion and the associated Highways impact of the proposal, however, Cambridgeshire County Highways have raised no concerns at this stage, with any additional details being secured at the Technical Details or subject of a subsequent application. Further given that the proposal relates to Five dwellings this quantum of development, is unlikely to result in sufficient harm, to justify the refusal of the application contrary to the Highway Authority's recommendation.

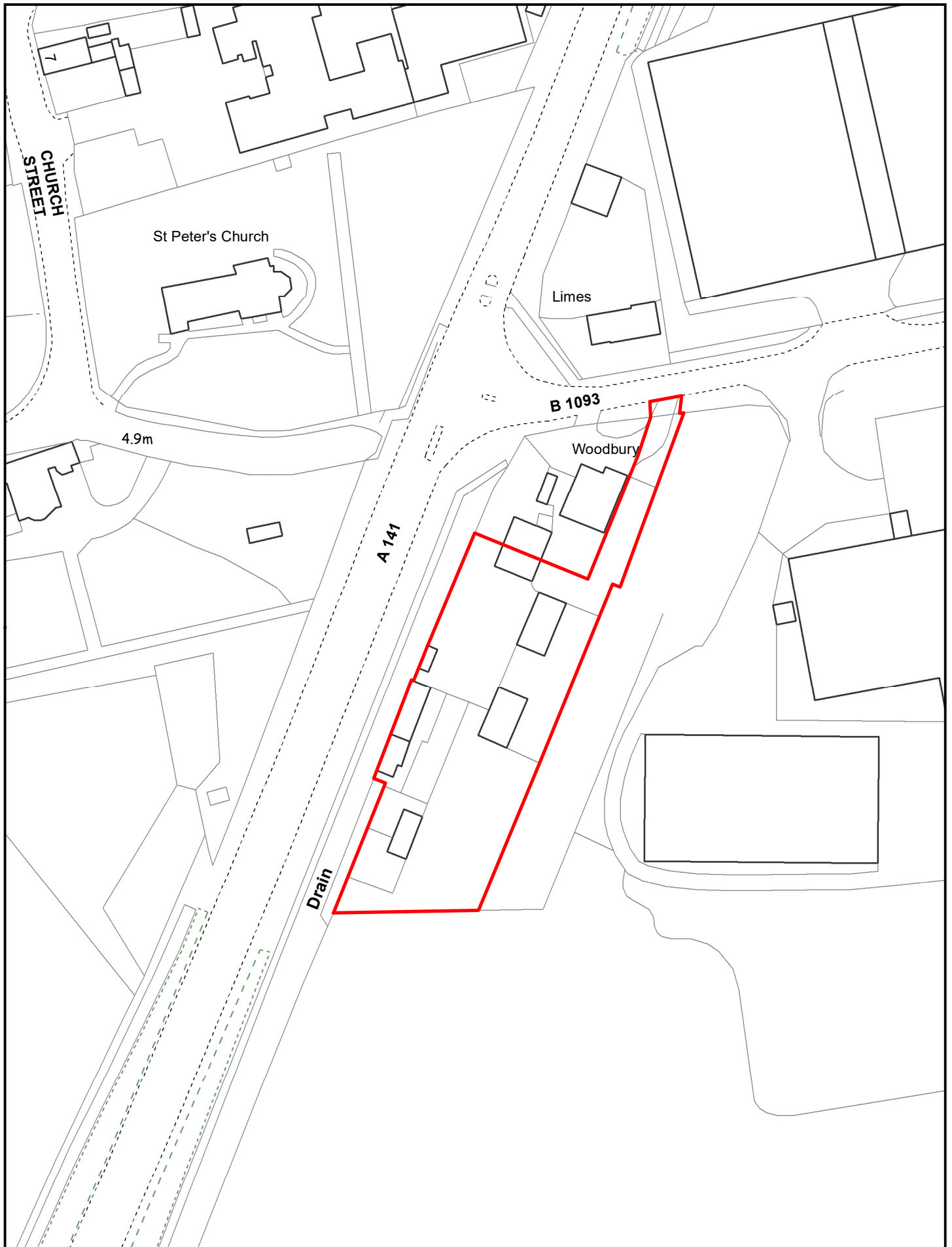
## 11 CONCLUSIONS

- 11.1 As indicated above it is only location, use and amount of development that may be considered at the first 'permission in principle stage' and it is considered that the location and use of the site for residential development is unacceptable due to the conflict with the settlement hierarchy of the Local Plan. The amendments proposed to this scheme (reduction in the number of units to be provided) are not considered to overcome the harm identified previously and therefore, the application remains unacceptable in principle.

## 12 RECOMMENDATION

**Refuse;** Permission in Principle for the following reason:

1.	The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails.
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