

---

**F/YR18/0646/O**

**Applicant: Mr P Jolley**

**Agent : Mr Liam Lunn-Towler  
Peter Humphrey Associates Ltd**

**Land South Of 6, Eastwood End, Wimblington, Cambridgeshire**

**Erection of up to 3no dwellings (outline application with all matters reserved)**

**Reason for Committee: Recommendation contrary to Parish Council comments for a proposal of more than 2 dwellings**

---

## **1. EXECUTIVE SUMMARY**

The proposal is for the construction of 3 dwellings, made in outline with all matters reserved.

The application site is located in Eastwood End, an Elsewhere location as identified in policy LP3 of the Fenland Local Plan and confirmed in multiple previous appeal decisions. Application references F/YR14/0488/F, F/YR13/0422/F and F/YR13/0755/F relate to residential developments along Eastwood End and were refused permission, with the latter two being upheld at appeal, whereby the Planning Inspectors concluded that Eastwood End does not amount to a sustainable community with any significant services and, other than via use of private motor vehicles, it has relatively poor access to services and facilities elsewhere.

No justification is provided for the development meeting any of the exceptions identified in policy LP3.

The development of this land will result in the urbanisation of a 120m stretch of open countryside in what is a mix of residential and farmland. This length of open countryside is not considered to be small in scale relative to the scale of existing development.

As regards sustainable infrastructure, the site is not part of a highway network which provides good pedestrian links to facilities or services.

Overall the proposal would harm the character of the open countryside and cannot comply with Part A of Policy LP12, Therefore the proposal does not accord with either policy LP3 or LP12.

## **2. SITE DESCRIPTION**

- 2.1.** The application relates to a part of an agricultural field within the open countryside that fronts the eastern side of Eastwood End to the east of the A141 Isle of Ely Way to the east of Wimblington. Eastwood End has a mix of agricultural land and residential properties located along it. The application site sits between 4b and 6 Eastwood End, and benefits from a hedgerow along its frontage approximately 2-2.5m high. This part of Eastwood End demonstrates a rural character.

- 2.2. The application site is located on land designated as Flood Zone 1, the area at lowest risk of flooding.
- 2.3. The following table indicates pedestrian walking distances to the nearest essential facilities. All are across the A141, a busy highway forming the bypass around Wimblington and Doddington. Crossing the A141 from Eastwood End and heading into Wimblington as a pedestrian the only assistance is a central pedestrian refuge to the north of the junction of Eastwood End and the A141 near to the junction with King Street.

Facility	Pedestrian distance to 6 Eastwood End
Post Office	850m
Pub (Anchor Inn)	800m
Primary School	1km
Church	1.2km
General Store	950m
Medical Centre	1.1km

### 3. PROPOSAL

- 3.1. This application is a resubmission of 2 recent refusals for 3 dwellings on the site and is in outline form with all matters reserved. The application includes a site plan with indicative layouts for three large properties on spacious plots. This application seeks to demonstrate that with only a single access point to a shared driveway a development could retain much of the existing hedgerow and it seeks to indicate a footpath could be provided to the rear of the hedgerow and a new footpath to join up with the A141.

### 4. SITE PLANNING HISTORY

F/YR17/1095/O	Erection of up to 3no. dwellings (outline application with all matters reserved)	Refused 15/1/18
F/YR18/0442/O	Erection of up to 3 x dwellings (outline application with all matters reserved)	Refused 8/6/18

### 5. CONSULTATIONS

5.1. **Wimblington Parish Council**

No objections

5.2. **Cambridgeshire County Council Highways Authority**

Could the footway be accommodated on the southern side of Eastwood End and the pedestrian crossing installed near the junction with the A141. Have concern regarding the crossing point being located as indicated.

In relation to revised plans received detailing the alterations requested, the highways authority note that they have some concern regarding deliverability of the proposed footpath.

5.3. **FDC Scientific Officer (Land Contamination)**

No objection. Request condition regarding unsuspected contamination.

5.4. **Local Residents/Interested Parties**

## **Objectors**

Five letters have been received from 5 properties in the immediate vicinity of the application site objecting to the proposal on the following grounds:

- Overdevelopment of a rural location – detrimental impact on character and charm.
- Conflicts with core planning principles and policy provisions.
- Increased road safety risks on an already hazardous road.
- Proposed crossover sited in a hazardous position.
- Reduction of the hedgerow will have a major impact on its potential biodiversity habitat.
- Loss of views of the countryside.
- Several statements made within the design and access statement are incorrect.
- Overlooking of adjacent dwelling.
- No guarantee of the permanency of planting.

## **Supporters**

Seven letters of support have been received in relation to the proposal, from properties ranging between 400m from the site and 3km from the site, citing the following reasons:

- Ideal position for infill development
- New footpath will enhance the area
- Large dwellings will make Eastwood End a more desirable place to live
- Only a short walk from existing amenities.
- No real impact on traffic or noise levels.
- Work to hedges will enhance the area.
- Was advised in 2005 that an application would be supported on the land.
- Will enhance support for local businesses.
- Meets all the criteria needed to approve.
- Existing hedge is of poor quality.
- The crossing on the A141 makes Eastwood End a sustainable community with access to services without resorting to the motor vehicle.

## **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**

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

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 12: Conflict with an up-to-date plan should not usually be granted

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

Para 155-165: Development and Flood Risk  
Para 175: Minimising impacts on biodiversity

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

Determining a planning application

## **7.3. 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

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

## **8. KEY ISSUES**

- **Principle of Development**
- **Character of the Area**
- **Impact on Amenity**
- **Highway Safety**
- **Flood Risk**
- **Ecology**

## **9. BACKGROUND**

**9.1.** Application references F/YR14/0488/F, F/YR13/0422/F and F/YR13/0755/F, F/YR16/0794/O, F/YR17/1181/F and F/YR18/0442/O are related to residential developments along Eastwood End and all were refused permission, with the 2013 and 2016 applications being dismissed at appeal, with the Planning Inspectors concluding that Eastwood End does not amount to a sustainable community with any significant services and, other than via use of private motor vehicles, it has relatively poor access to services and facilities elsewhere. This is a material planning consideration.

**9.2.** Planning application ref F/YR17/1095/O was refused for the following reasons:

**9.3.** *1. Eastwood End has been classified as not forming part of the main settlement of Wimblington due to its physical separation. Consequently the application site is within an elsewhere location in the settlement hierarchy defined in Policy LP3 of the Fenland Local Plan 2014. The principle of three dwellings in such a location would be contrary to this policy and would result in an unsustainable form of development due to poor access to services and facilities for future residents and a consequent reliance on car journeys. This would conflict with the aims and objectives of the National Planning Policy Framework and would also be contrary to Policy LP1 of the Local Plan.*

**9.4.** *2. The development of three dwellings on this site would result in the loss of a significant area of agricultural land which along with the boundary hedge makes an important contribution to the character and appearance of the area. If permitted the development would result in the urbanisation of the area, adversely impacting on this character and appearance and to the detriment of*

*visual amenity. This fails to respect the intrinsic beauty of the countryside and is therefore contrary to the core planning principle in Paragraph 17 of the NPPF and also conflicts with Policy LP16 of the Fenland Local Plan 2014.*

- 9.5.** Planning application ref F/YR18/0442/O was refused for the following reasons:
- 9.6.** *1. Eastwood End has been classified as not forming part of the main settlement of Wimblington due to its physical separation. Consequently the application site is within an elsewhere location in the settlement hierarchy defined in Policy LP3 of the Fenland Local Plan 2014. The principle of three dwellings in such a location would be contrary to this policy and would result in an unsustainable form of development due to poor access to services and facilities for future residents and a consequent reliance on car journeys. This would conflict with the aims and objectives of the National Planning Policy Framework and would also be contrary to Policy LP1 of the Local Plan.*
- 9.7.** *2. The development of three dwellings on this site would result in the loss of a significant area of agricultural land which along with the boundary hedge makes an important contribution to the character and appearance of the area. If permitted the development would result in the urbanisation of the area, adversely impacting on this character and appearance and to the detriment of visual amenity. This fails to respect the intrinsic beauty of the countryside and is therefore contrary to the core planning principle in Paragraph 17 of the NPPF and also conflicts with Policy LP16 (d) and LP12 Part A (c) of the Fenland Local Plan 2014.*

## **10. ASSESSMENT**

### **10.1. Principle of Development**

- 10.2.** Policy LP3 considers that Eastwood End is a remote community and as such is an Elsewhere location in terms of LP3, where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture etc. This is upheld by the Planning Inspector's decision made in relation to application F/YR13/0755/F. The proposal clearly does not accord with the criteria for development in Elsewhere locations. Wimblington is a growth village where 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 the Market Towns. Nevertheless it is clear that previous decisions conclude that Eastwood End is a separate settlement to Wimblington and therefore the more restrictive approach for development in Elsewhere locations should be applied to this site.

- 10.3.** Policy LP3 is the Council's Spatial Strategy that reflects the sustainable credentials of settlements. As regards the above mentioned decisions and appeal decisions the isolated nature and poor access to services (other than by motor vehicles) is a key consideration. As sustainability is the 'Golden Thread' running through the NPPF developments that are poorly located are contrary to Local and National Planning Policy and guidance. The proposal to introduce a new footpath to join the application site to the A141 is noted, however this does not overcome the main barriers to non-vehicular access to services, which remains the need to cross the A141 itself and the distance to the relevant services. Therefore it is not considered that the proposal is acceptable in principle.

#### **10.4. Character of the Area**

**10.5.** Policy LP16 seeks to deliver high quality environments across Fenland District, with sub paragraph (d) requiring development to make a positive contribution to the character of an area and its setting. The development of the application site would result in the urbanisation of a 120m stretch of open countryside in what is a mix of residential and farmland. This length of open countryside is not considered to be small in scale relative to the scale of existing development and is an important feature within the street scene in establishing its rural character, linking the residential properties that are present to the agricultural land beyond.

**10.6.** The indicative layout indicates properties with large footprints and large parking turning areas. The plan indicates reducing the hedge height to only 600mm to seek to achieve highway visibility. This is for a length approximately 90 metres in length. Such a low-level hedge will have negligible ecological or visual benefits as regards the appearance to the countryside. It appears the layout has been designed to achieve engineering standards. This results in an urban form of development with substantial hard surface/roads/parking and large footprint properties, whilst no layout or scale is being submitted it is considered that the indicative layout does not overcome concern regarding the harm to the countryside.

#### **10.7. Impact on Amenity**

**10.8.** Policy LP16(e) considers the impact upon neighbouring amenity. This application does not seek determination of siting or scale and therefore it is not possible to assess impact on the amenity of neighbours. The plots are quite spacious and therefore it appears capable of accommodating the dwellings satisfactorily. The proposal is therefore considered capable of complying with policy LP16(e).

#### **10.9. Flood Risk**

**10.10.** The site is within Flood Zone 1 an area at lowest risk of flooding. The proposal is therefore considered to pass the sequential test and accords with Policy LP14 of the Fenland Local Plan,

#### **10.11. Highway Safety**

**10.12.** The LHA does not object, however requests consideration of an alternative route for the proposed footpath. The previous application was not refused on highway safety grounds. This scheme indicates a possible single access point likely to reduce impact on vehicular movements on the highway. The proposal is therefore considered to accord with Policy LP15 of the Fenland Local Plan.

**10.13.** The revised plans relating to the location and route of the proposed footpath and pedestrian crossing are the subject of concern to the highways authority. Given the lack of support for the principle of the development however this is not considered to be a matter that requires resolution at this stage. Should members be minded to approve the application then the precise route of the footpath and location of the pedestrian crossing would need to be resolved prior to the issuing of any decision on the application.

#### **10.14. Ecology**

**10.15.** The applicant submitted a Biodiversity Checklist which identified no sensitivity with the site. However the Hedgerow is considered a habitat corridor on the edge of the field which has some ecological benefit. Notwithstanding visual amenity considerations however it is accepted that a replacement hedgerow could be conditionally required within the site either at the front or to the rear given the applicant's ownership of the adjacent land. Therefore in this instance it is not considered that the impact upon biodiversity is a reason on which to refuse the application.

## **11. CONCLUSIONS**

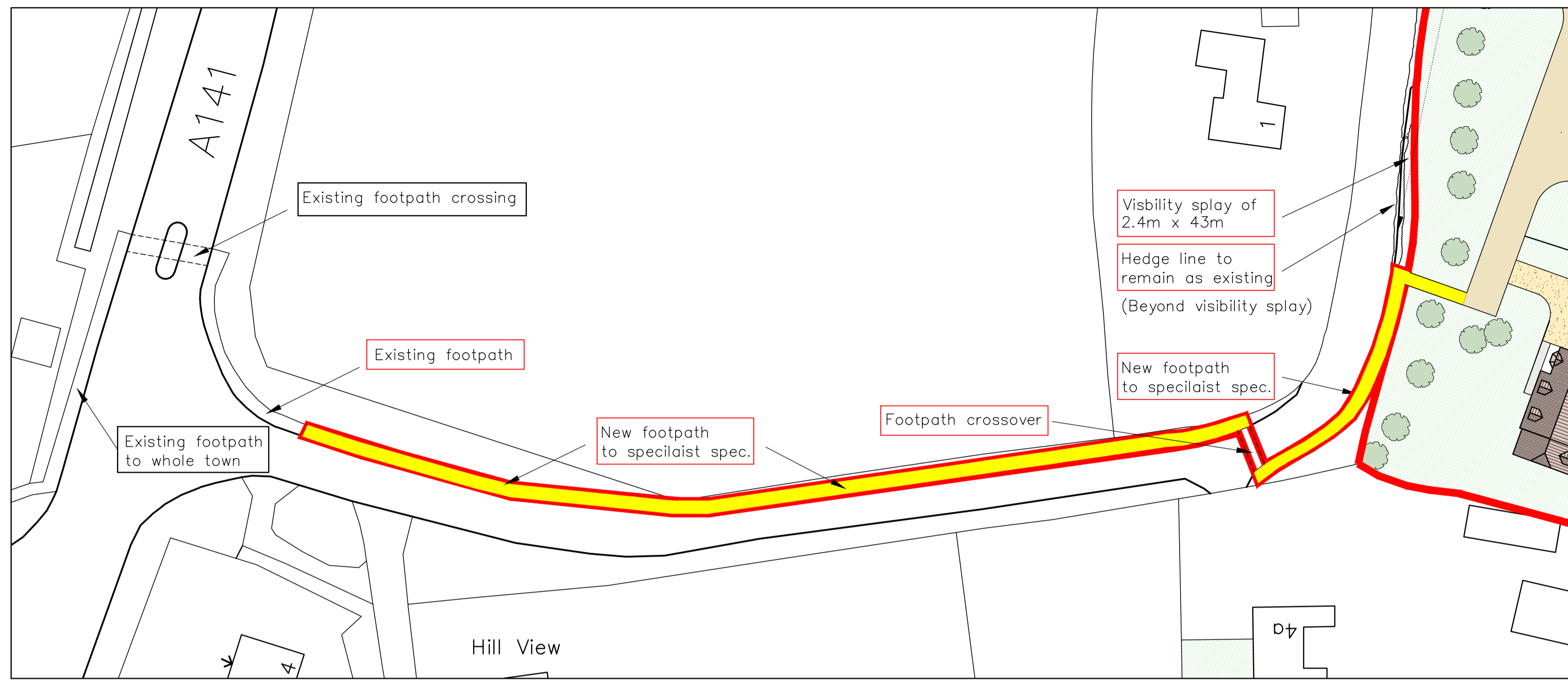
**11.1.** This proposal conflicts with Policy LP3 the Council's Spatial Strategy as it fails to demonstrate how it falls within any of the categories set out for development within Elsewhere locations. The development is considered to have poor access to services and facilities and fails to support a strong, vibrant and healthy community with accessible local services that reflect the community's needs and support its health, social and cultural well-being, and fails to protect and enhance the natural environment. It is therefore not considered to represent sustainable development and does not comply with the aims of the NPPF. There are considered to be significant or demonstrable adverse impacts arising from the development of this site that are not overcome by the benefits of the scheme.

**11.2.** It is also considered that the development of dwellings on this 120m length of open countryside will result in an urbanising impact on the rural street scene or this part of Eastwood End and as such is considered contrary to Policy LP16(d).

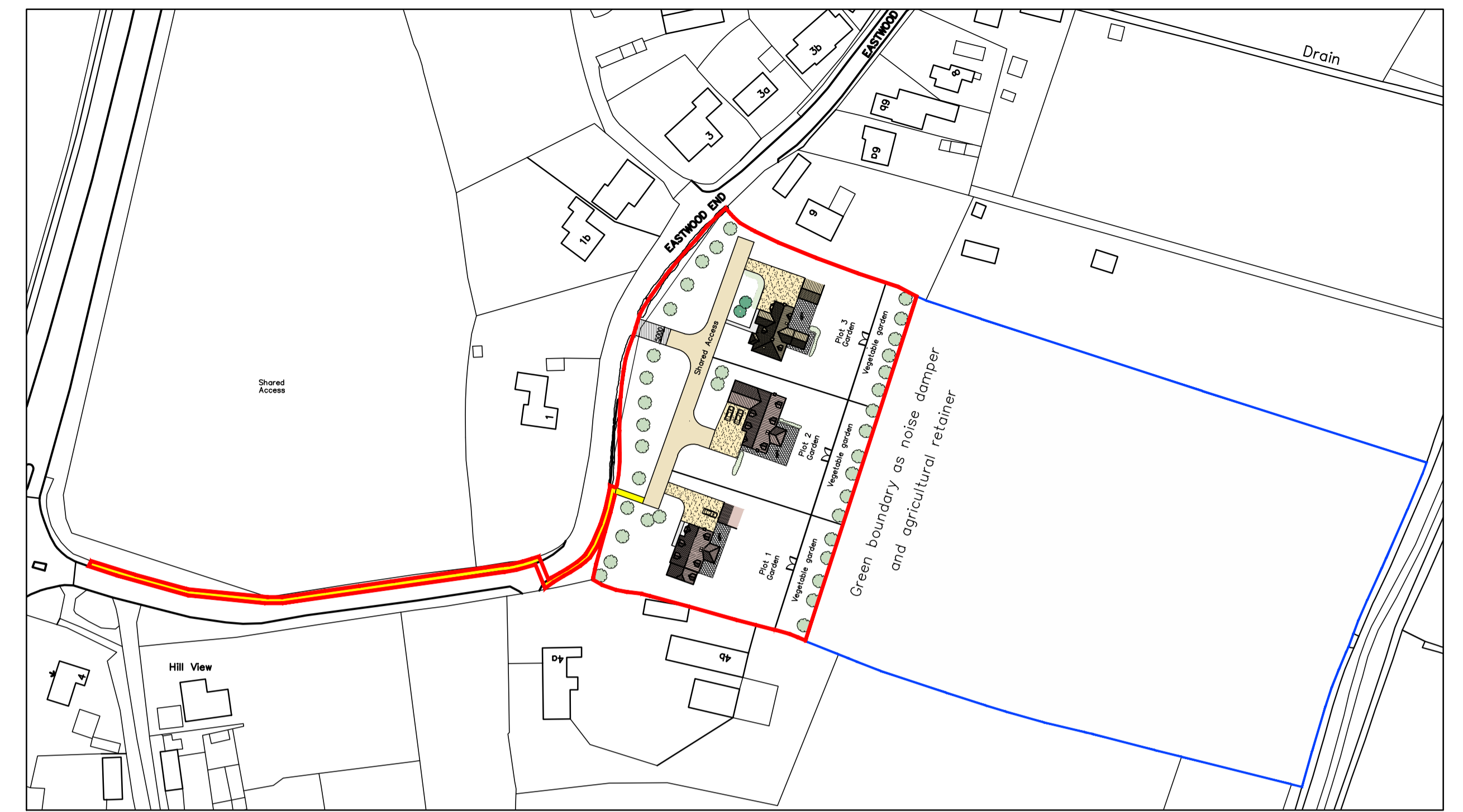
## **12. RECOMMENDATION**

### **Refuse**

- 1 Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy for the district, identifying the scale of development that will be appropriate for each level of the hierarchy. The proposal is for the construction of 3 dwellings in Eastwood End, which is categorised as an Elsewhere location within LP3, where development is to be restricted to that falling within a specific set of categories. Policy LP12 part D supplements policy LP3 in identifying the supporting information required of proposals for new dwellings in Elsewhere locations. No evidence has been provided to indicate that the proposed development falls within any of these categories for consideration and therefore the proposal is contrary to policy LP3 and LP12 part D.
- 2 The development of three dwellings on this site would result in the loss of a significant area of agricultural land which along with the boundary hedge makes an important contribution to the character and appearance of the area. If permitted the development would result in the urbanisation of the area, adversely impacting on this character and appearance and to the detriment of visual amenity. This fails to respect the intrinsic beauty of the countryside and is therefore contrary to Policy LP16 (d) of the Fenland Local Plan (2014) and the also conflicts with aim of Paragraph 170 of the NPPF.



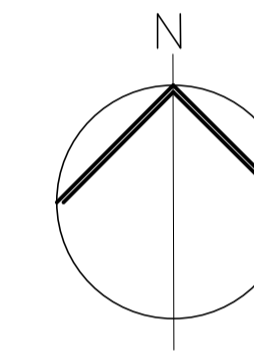
Footpath 1:500



Location Plan 1:1250



Site Plan 1:500  
(Indicative)



1. Agricultural land is Grade 3 – Good to Moderate. (Better land quality available)
2. Existing boundary hedge to remain/reduced height.
3. Proposed footpath to main crossing makes village fully accessible

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

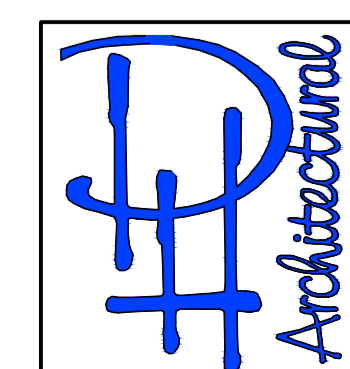
PROJECT  
PROPOSED RESIDENTIAL DEVELOPMENT  
LAND AT WEST OF 6 EASTWOOD END  
EASTWOOD END  
WIMBLINGTON  
PE15 0QQ

DRAWING TITLE  
**SITE PLAN**

CLIENT  
**Mr Paul Jolley**

DATE JULY 2018 SCALE As Shown JOB No 5754/01H

DO NOT SCALE FROM THIS DRAWING  
COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED  
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



**Peter Humphrey Associates**  
ARCHITECTURAL DESIGN AND BUILDING  
TELEPHONE 01945 466 966  
FAX 01945 466 433  
E-MAIL: info@peterhumphrey.co.uk  
31 OLD MARKET WISBECH CAMBS PE13 1NB

