
F/YR22/0884/PIP

**Applicant: Mr C Waters
Living The Dream Properties Ltd**

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

Land North Of Hill View, Eastwood End, Wimblington, Cambridgeshire

Residential development of up to 9 x dwellings involving the formation of an accesses (application for Permission in Principle)

Officer recommendation: Grant

Reason for Committee: Parish Council comments contrary to officer recommendation

1 EXECUTIVE SUMMARY

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| <p>1.1 The proposal is an application for Permission in Principle to develop the site for up to 9 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in principle and assesses the principle issues namely:</p> <ul style="list-style-type: none">(1) Location(2) Use, and(3) Amount of development proposed; <p>and the second (Technical Details Consent) stage is when the detailed development proposals are assessed. Technical details consent would need to be applied for should this application be granted.</p> <p>1.2 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, matters raised via statutory bodies may not be addressed at this time.</p> <p>1.3 This application site comprises currently open agricultural land at Eastwood End. Previous recommendations and refusals had been based upon the judgement that the area was in an “elsewhere” location as set out in policy LP3 but a recent appeal decision and several subsequent determinations for residential grant of permission by the Council point to Eastwood End being considered as part of the growth village of Wimblington and in a sustainable location. It is against this background that the recommendation for approval is being made.</p> <p>1.4 Considering the scheme purely on the basis of location, use and amount, there could be no grounds to resist the grant of permission in principle.</p> |
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2 SITE DESCRIPTION

- 2.1 The site comprises approximately 0.69 hectares of grazing land within one enclosed field bordered in parts by hedgerow and some trees. It is roughly rectangular in shape and generally flat. There is an area of grass verge between the site and Eastwood End that contains trees, which is outside the application boundary.
- 2.2 The site is bordered to the west by the A141, to the south by Eastwood End (accessed off the A141) which is an unclassified road with no footpaths except for in close proximity to the road junction with the A141. To the south and other side of Eastwood End are relatively large detached residential properties and as the road turns towards the north there are further residential properties flanking each side of the road as well as new residential development under construction (see history and background below). To the north of the site is further open land and beyond that a development site which has received planning permission. The main area of the settlement of Wimblington lies to the west of the A141.
- 2.3 There is a water main running through the site which enters at the west boundary where the site adjoins the A141 and leaves at the southern boundary where it crosses Eastwood End and continues in a southerly direction. There is an easement strip to either side of this main which is 9 metres in width in total.
- 2.4 The application site is within flood zone 1 which is the area at least risk of flooding.

3 PROPOSAL

- 3.1 A suite of plans accompanies the application including an indicative site plan at scale 1:250 which shows an indicative layout of a single access point and internal road off Eastwood End and a development of 4 large, detached houses with double garages. The application, however, seeks Permission in Principle for up to 9 dwellings.
- 3.2 The location plan at scale 1:2500 indicates access off Eastwood End, however, this would be a detail to be considered at the Technical Details stage should this application be granted.
- 3.3 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
- 3.4 Should this application be successful the applicant would 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.
- 3.5 The applicant is only required to submit minimum information to accompany the application.
- 3.6 Full plans and associated documents for this application can be found at:

4 SITE PLANNING HISTORY

- 4.1 There is no site history associated with this site, however, see the “background” section of the report below

5 CONSULTATIONS

5.1 Wimblington Parish Council

Object to the proposal for the following reasons (summarised):

Overdevelopment – this will increase the dwellings on Eastwood End, an elsewhere location, by 12 dwellings. The infrastructure in Wimblington including water, sewerage, healthcare, schools and shops cannot cope and those without a vehicle will have to cross the busy A141 to get there.

The applicant refers to the Inspectors Report which states the settlement boundary is not defined and a matter for a case by case judgement. Since then a further 12 dwellings have been granted which is more than a consistent growth for a growth village and in excess of its growth level. The intensity of dwellings is excessive in terms of its demand on local infrastructure/local amenities and character.

The application will lead to a partial destruction of green habitat and trees.

It is out of keeping with the heritage and style of development at Eastwood End.

The access is not suitable and too close to the junction with the A141.

The site abuts other sites that have been given planning approval by FDC but these should not set a precedent for other development.

The application contravenes policies LP3, LP12 part A, LP13, LP14, LP15, LP16 (c), (d), (f) and (g) and LP18.

5.2 FDC Environmental Health

No objections in principle subject to satisfaction that there is no contamination or pollution within the site which is unlikely as it is not previously developed and that the permission is subject to a Construction Management Plan.

5.3 CCC Archaeology

No objections to permission in principle and should archaeological investigations be required we expect these to be secured at the Technical Details stage.

5.4 Local Residents/Interested Parties

Objectors

There are objections from 4 individuals (two households both on Eastwood End) who raise the following issues;

- Access
- Density/overdevelopment
- Design/Appearance
- Drainage
- Environmental concerns
- Flooding
- Local services unable to cope
- Loss of view/outlook
- Out of character with area
- Residential Amenity
- Traffic or Highways
- Trees – need protection
- Visual Impact
- Waste/litter
- Wildlife Concerns – abundance of wildlife e.g. bats, amphibians living in this green land
- Agricultural Land
- Light Pollution
- Parking arrangements
- Reference to local plan policies (as set out in Parish Council objection) and reference to the reasons set out above in the Parish Council objection

Supporters

Seven letters of support have been received from 6 households within Wimblington but not close to the site, who make the following comments;

- There have been applications passed in the last three years in the vicinity of this site
- The site is in flood zone 1
- The site is adjacent the road and is ideal for residential development
- Properties will be of a size and design in proportion with other properties in this area
- This will offer additional housing and attract families with income to spend in the communities

Officer note: Some of these comments are dated before the application was publicised

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).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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.

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 on 25th August 2022, the first stage of the statutory process leading towards the adoption of the 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

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP28: Landscape

LP32: Flood and Water Management

LP33: Development of Land Affected by Contamination

8 KEY ISSUES

- Location
- Use
- Amount of development proposed
- Matters raised during consultation

9 BACKGROUND

9.1 In an appeal decision issued in respect of a single dwelling at land adjacent to 32 Eastwood End (F/YR20/0635/F), the Inspector concluded in that case that Eastwood End, given its contiguity with the remainder of Wimblington (notwithstanding the A141) and its evident functional relationship, that it appears on the ground to be an outlying part of the village rather than a separate settlement. He also noted that a development of three detached houses in Eastwood End (F/YR19/0550/O) had recently been granted permission by Fenland District Council and that on the face of it, this is more consistent with a growth village than an “elsewhere” location. (Decision date of this appeal 12 July 2021). Previous appeals in the vicinity had been determined on the basis that the Inspectors agreed that the sites were located in an “elsewhere” location. Subsequent to this appeal decision the Council has granted two further applications for residential development in Eastwood End, following decisions made by Planning Committee.

9.2 The relevant planning permissions are:

F/YR19/0550/O – land south of 6 Eastwood End. Planning permission granted by Committee contrary to officer recommendation for 3 dwellings and construction of footpath. Granted 24 June 2019 (*Officer note: Members saw the provision of a footpath as outweighing concerns about the site being an elsewhere location*)

F/YR21/0455/F - 1 Eastwood End. Planning permission granted for 3 dwellings involving demolition of existing dwelling. Granted 8 December 2021

F/YR20/0641/F – Land south of Eastwood End. Planning permission granted by Committee contrary to officer recommendation for 9 dwellings with garages and foot/cycle path parallel to A141 and 1.8 m wide footpath along Eastwood End to meet existing footpath. Granted 3 August 2022

10 ASSESSMENT

10.1 Noting the guidance in place regarding Permission in Principle submissions, assessment must be restricted to (a) location, (b) use, and (c) amount and these items are considered in turn below:

Location

10.2 Policy LP3 defines Wimblington as a growth village, where small village extensions will be appropriate, albeit of a more limited scale than that appropriate to the market towns. Locations which do not fit within the defined settlement hierarchy set out in policy LP3 are deemed “elsewhere” locations where only development meeting the criteria set out within this policy will be acceptable, e.g. essential to support agriculture, horticulture, outdoor recreation etc.

- 10.3 Eastwood End is located to the east of the A141 via staggered junction with King Street to the west of the A141. It is a single carriageway road with few footpaths and loops back around to the west to rejoin the A141 further north. There are other roads which radiate off this loop and continue in a northerly and easterly direction. The area to the north of Eastwood End is given over mainly to agriculture/employment buildings, utilitarian in nature. For the most part, Eastwood End itself is fronted by residential dwellings punctuated with open land.
- 10.4 The site is located to the north of Eastwood End adjacent to the junction with the A141. It is presently agricultural land and is considered to be countryside.
- 10.5 Recommendations on previous residential planning applications in the vicinity have been made on the basis that this area is separate to the main settlement area of Wimblington, located to the west of the A141. However, the appeal inspector determining F/YR20/0635/F (albeit a single dwelling in between other dwellings further to the east of this site), disagreed and considered that Eastwood End, though divided by the A141, is contiguous with the settlement of Wimblington. He noted that permission had recently already been granted for 3 dwellings at Eastwood End. (*Officer note: whilst Inspector does not refer to specifics, this is likely to be permission F/YR19/0550/F*). He commented that this would appear more consistent with Growth Village status rather than an “elsewhere” location.
- 10.6 Since then, as noted above two further permissions have been granted for a site immediately adjacent to this site (to the east) for three dwellings and for 9 dwellings on a site to the north, within the “loop” of Eastwood End.
- 10.7 The appeal decision and the three planning permissions set out in the background section above, are material planning considerations. They indicate that Eastwood End is now being treated as part of Wimblington settlement which is a growth village. It is considered that a refusal of permission for this site on the basis of being in an elsewhere location would not be defensible on any subsequent appeal due to these previous decisions on sites at Eastwood End.
- 10.8 With regard to the physical characteristics of the site, whilst it provides a pleasant area of open land it does not contain any statutory designations and is open and flat. It is agricultural land and this would be lost but any development located on a greenfield site adjacent to a growth village would result in the loss of agricultural land – this has been true of at least some of the recent approvals. In particular the granting of permission for 9 dwellings to the north under F/YR20/0641/F has effectively removed the open buffer between the built area of Eastwood End and the A141. As this site has been deemed acceptable by the Council, it is very difficult to see how the current site would be unacceptable. There are trees and hedges at the boundaries and just outside the site boundary, but these are not protected by TPOs or within a Conservation Area. There is a water main running through the site which is a constraint but would not prevent development of the site. The site lies in Flood Zone 1, the area at least risk of flooding. These matters would need to be resolved at Technical Details stage through submission of detailed plans and reports.
- 10.9 The site is accessible to Wimblington although the A141 would need to be crossed via the refuge. It is considered that future residents would be reliant on cars but given the appeal decision outlined above and the recent planning

permissions, it appears that the Council has accepted that Eastwood End is in a sustainable location.

- 10.10 Therefore, given the strong material considerations of the recent planning permissions, it is considered that the location of development is acceptable. These decisions strongly indicate that the Council has recently treated Eastwood End as part of the growth settlement and therefore the proposal would comply with policy LP3 in principle because it comprises a parcel of land joined to the edge of the settlement.

Use

- 10.11 The site is surrounded on three sides (including to the west of the A141) by residential development. As the proposal is for residential development, this is in keeping with the surrounding residential use of land and is therefore acceptable.

Amount

- 10.12 The application seeks Permission in Principle (the first stage) for up to 9 dwellings which is the maximum amount of residential development that can be applied for under this type of application. Indicative drawings show 4 large, detached dwellings each with double garages. The site area is approximately 0.69 hectares. A development of 9 dwellings would equate to an approximate density of 12 to 13 dwellings per hectare which is low density. Some of the dwellings off Eastwood End have very large curtilages whilst some have smaller curtilages. It is considered that up to 9 dwellings of a modest size could comfortably fit onto the site. However, the detailed layout and design would be for consideration at the Technical Details stage. In terms of consideration of amount, the proposal is acceptable.

Matters raised on consultation

- 10.13 Issues raised during consultation are set out as themes in the table below. Consideration is given to whether these are relevant at this PIP stage or if they fall to be considered at the technical stage.

1	Overdevelopment in "elsewhere" location (Wimblington PC)	This has been considered under the location and amount sections above
2	Infrastructure cannot cope with further development (Wimblington PC and third parties)	This would fall to be considered at the Technical Details stage, however, FDC does not seek developer contributions on schemes of less than 10 dwellings
3	Loss of green habitat and trees (Wimblington PC and third parties)	Details of tree protection, any loss of trees and hedging and new planting would be required at Technical Details stage together with an evaluation of biodiversity net loss/gain
4	Out of character with heritage and style of Eastwood End (Wimblington PC and third parties)	This application is not considering design detail, which is considered at Technical Details stage, however, in terms of location, given proximity to Wimblington, the A141 and recent residential permissions, the site is within an acceptable location and not out of

		character with the surroundings
5	Access too close to junction/highway safety (Wimblington PC and third parties)	To be considered at Technical Details stage. Detailed drawings and assessment would be necessary.
6	Need to deal with any contamination or pollution present (FDC EHO)	To be considered at Technical Details stage through submission of a stage 1 contamination assessment
7	Need for CMP (FDC EHO)	Conditions cannot be imposed at this stage. This would fall to be considered at Technical Details stage
8	Need for archaeological evaluation (CCC Archaeology)	A Written Scheme of Investigation will be required at Technical Details stage – not applicable at this stage
9	Drainage/Flooding (third parties)	The site lies in Flood Zone 1 and is acceptable in principle. Detailed drainage would be required at Technical Details Stage
10	Environmental concerns (third parties)	This comment could cover a multitude of issues, but no further clarity was provided with the comment. The site is not in a protected area and detailed consideration of the environmental concerns noted elsewhere in this table will be for consideration at Technical Details stage
11	Loss of view/outlook	Loss of the open land considered in the report. Loss of outlook to be considered at Technical Details stage
12	Visual Impact (third parties)	To be considered at Technical Details stage
13	Waste/litter (third parties)	Waste collection to be considered at Technical Details stage
14	Wildlife Concerns (third parties)	To be considered at Technical Details stage through submission of a Preliminary Ecological assessment and any necessary species surveys
15	Agricultural Land (third parties)	Considered above in location part of report
16	Light Pollution (third parties)	To be considered at Technical Details stage
17	Parking Arrangements (third parties)	To be considered at Technical Details stage

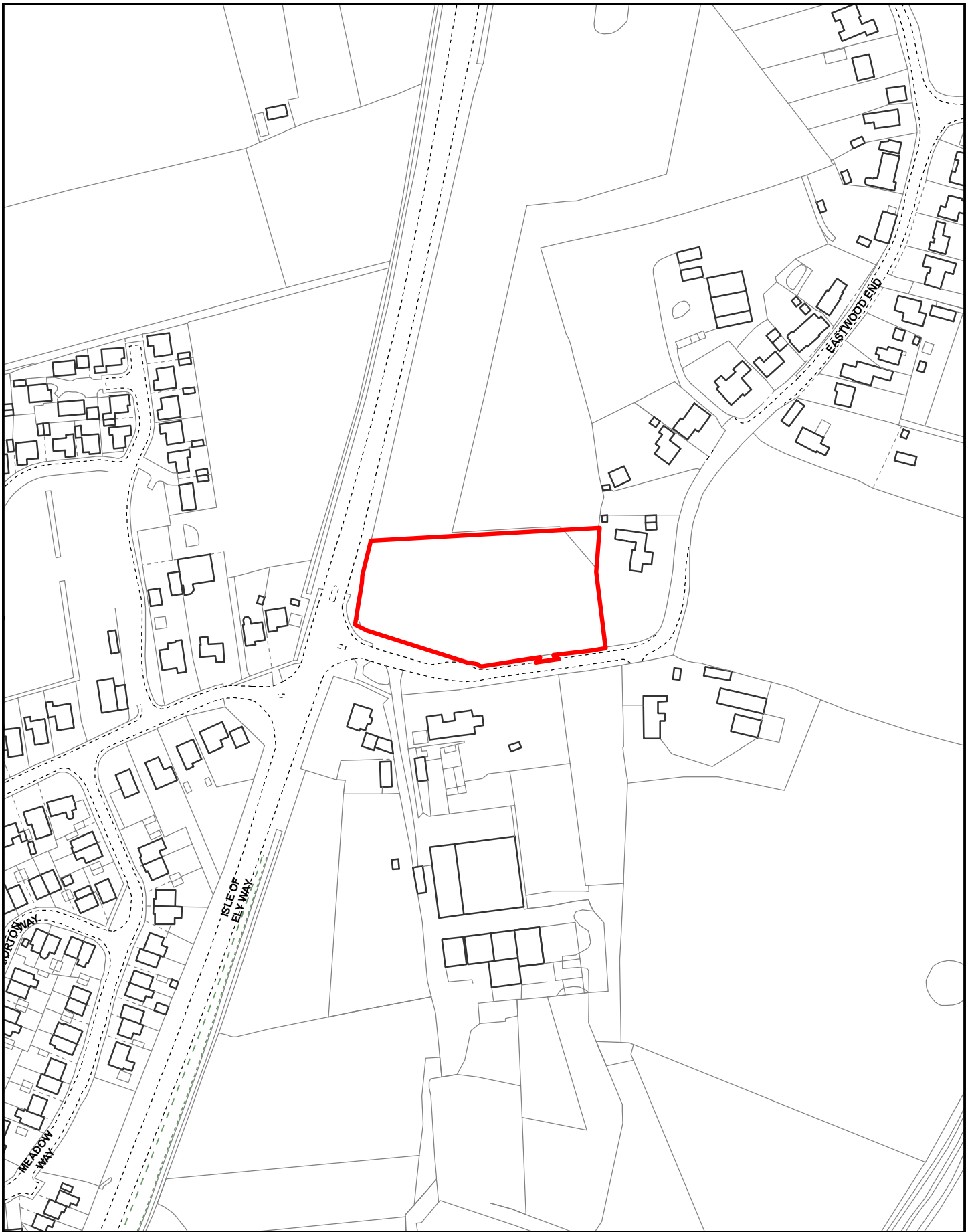
11 CONCLUSIONS

- 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 these elements are found to be acceptable.
- 11.2 The grant of permission in principle alone does not grant planning permission with the second part of the process requiring the “technical” details to be found “sound” in order for the site to achieve the equivalent of a grant of planning permission.

- 11.3 It should be further noted that there is no mechanism to attach conditions to a Stage 1 permission in principle with the application either being granted or refused.

12 **RECOMMENDATION**

Grant Permission in Principle



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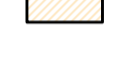






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Scale = 1:2,500



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 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

LEGEND

-  SLAB PAVING
-  PERMEABLE BLOCK PAVING (NON SLIP)
-  GRASS
-  TARMAC
-  GRAVEL
-  EXISTING DWELLINGS
-  PAVEMENT
-  WHEELIE BINS
-  HEDGING
-  VEGETATION
-  SOLAR PANELS
-  AIR SOURCE HEAT PUMP

REVISIONS	DATE

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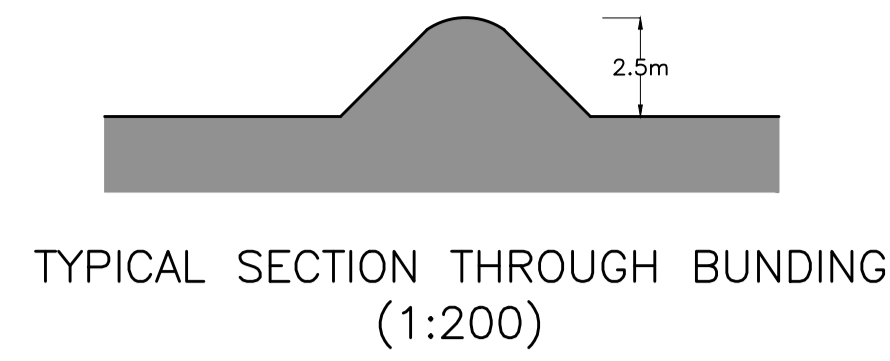
Fenland District Council
 Building Design Awards
 Building Excellence in Fenland

CLIENT
Living the Dream Properties Ltd

PROJECT
Land West of 1 Eastwood End, Wimblington Cambridgeshire PE15 0JG

TITLE
Indicative Site Plan

DRAWN R.Papworth	DATE OF ISSUE
CHECKED	
DATE Jun 2022	DRAWING NUMBER H8421/03
SCALE As Shown	



FOOTPATH APPROVED UNDER SEPARATE APPLICATION

A 7147

POST AND RAIL FENCE

PLOT 2

PLOT 1

PLOT 4

PLOT 3

BUNDING

BUNDING

1.8m HIGH CLOSE BOARDED FENCE

BIN COLLECTION POINT

EASTWOOD END

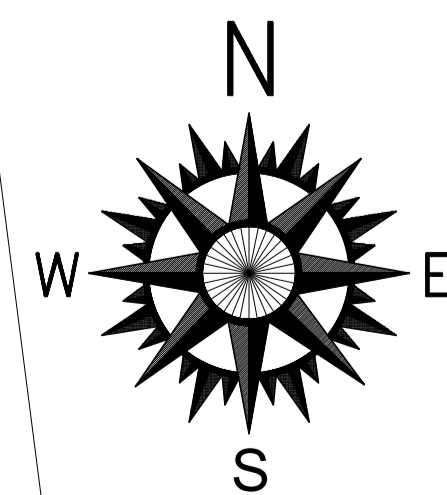
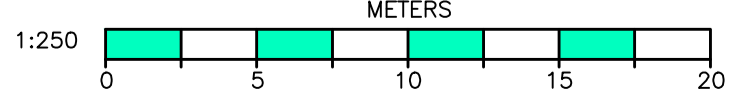
PROPOSED FOOTPATH LINK ALREADY APPROVED

PROPOSED FOOTPATH LINK ALREADY APPROVED

Hill View

PRIVATE ACCESS ROAD

INDICATIVE PLAN (1:250)



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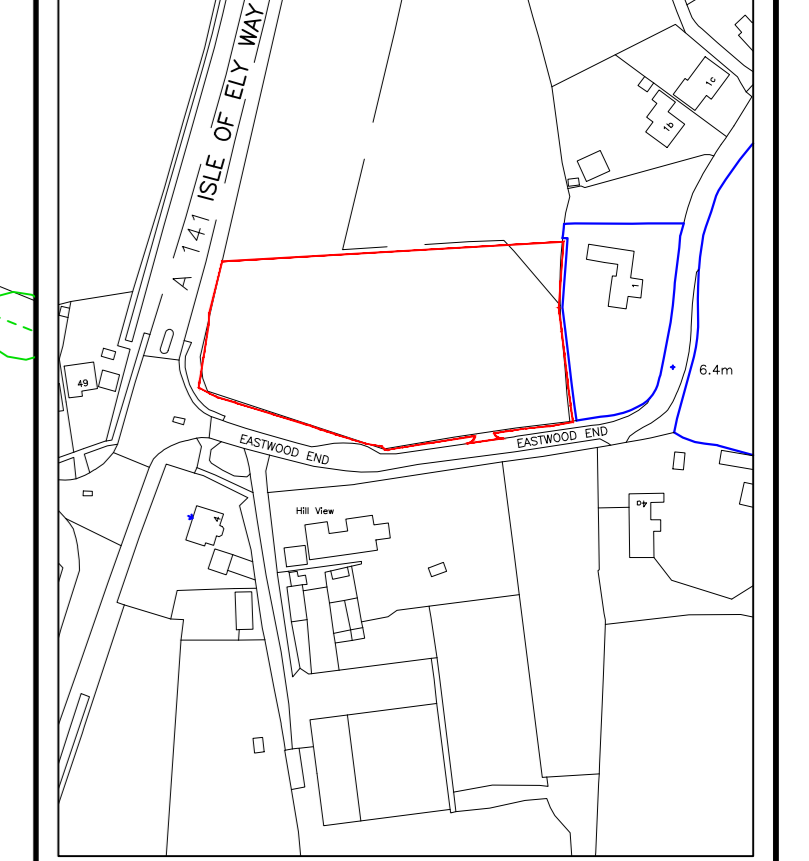
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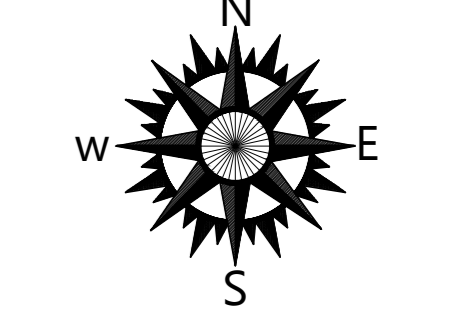
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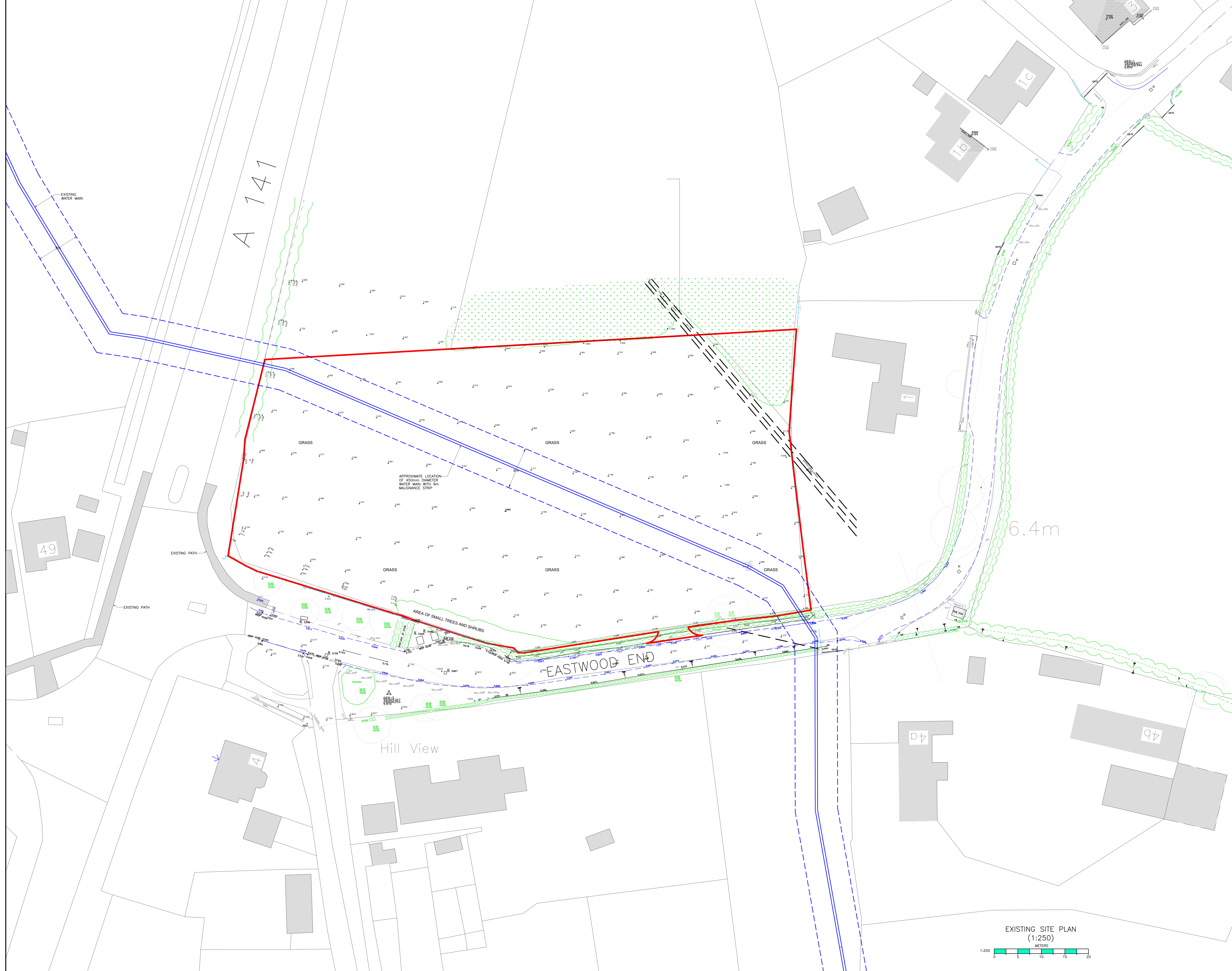


LOCATION PLAN (1:2500)

1:2500
0 20 40 60 80 100 METERS



— SITE
- - LAND UNDER SAME OWNERSHIP



EXISTING SITE PLAN (1:250)
0 5 10 15 20 METERS

A PLANNERS COMMENTS		JUL 2022
REVISIONS		DATE
 MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS 1 Gordon Avenue, March, Cambridgeshire, PE15 8AU Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk		
 Fenland District Council Building Design Awards Building Excellence in Fenland		 Living the Dream Properties Ltd
Land West of 1 Eastwood End, Wimlington Cambridgeshire PE15 0QQ		
Existing Site Plan/Layout		
DRAWN: R.Papworth CHECKED: July 2022 DATE: As Shown	SHEET OF: 1 SHEET NO: H8421/01_A	