
F/YR23/0241/O

Applicant: Mr P Gumbley

**Agent : Mr G Edwards
Swann Edwards Architecture Limited**

Land South Of 2B And 2C, Bridge Lane, Wimblington, Cambridgeshire

Erect up to 9 x dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

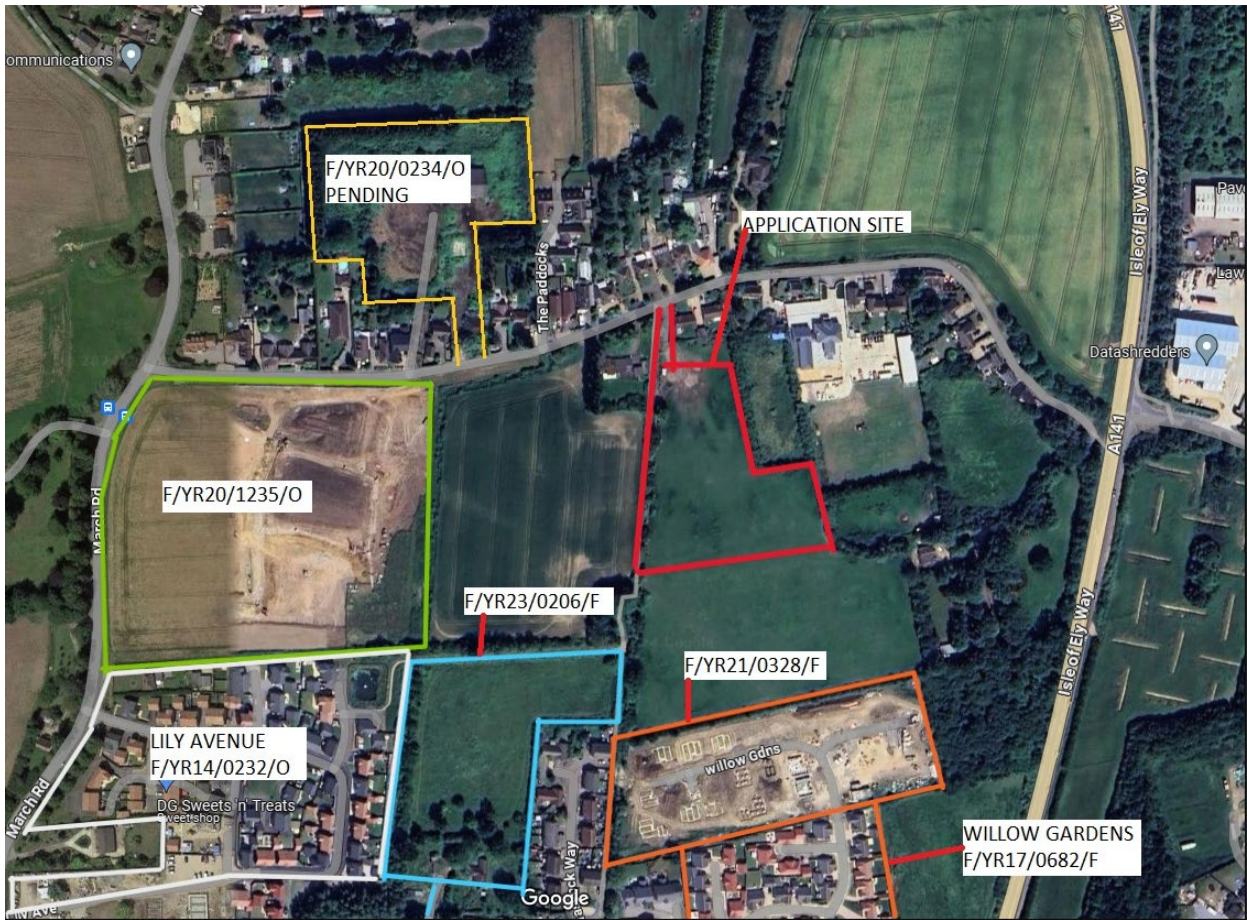
Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission for up to 9 dwellings with all matters reserved on an area of land covering some 1 ha to the rear of 2b and 2c Bridge Lane.
- 1.2 The proposal would result in large scale in-depth development in an area rural in character and characterised mainly by frontage development and would erode an important visual gap and area of separation between this part of Bridge Lane and the main built form of Wimblington. The proposal is therefore contrary to Policies LP3, LP12 and LP16 of the adopted Fenland Local Plan.
- 1.3 There is no expert evidence to support statements in the submitted biodiversity checklist that no protected species or habitats would be affected. Given that all matters are reserved in the application there is therefore little basis on which to state that development would minimise impacts on biodiversity and provide net gains as required by paragraph 186 of the NPPF. Policies LP12, LP16 and LP19 of the FLP are consistent with the Framework in seeking to conserve and enhance biodiversity.
- 1.4 The application site is identified as being in an area of high and medium risk of surface water flooding. The application is not accompanied by any assessments which provide an understanding of the severity of surface water flooding in the area and whether this can be mitigated. As such the application conflict with Policy LP129K) and LP14 (Part B) of the ,FLP and Section 6 of the Cambridgeshire Flood and Water SPD and paragraph 173 of the NPPF which requires that in determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere, and where appropriate applications should be accompanied by specific flood risk assessments.
- 1.5 It is recommended that the application is refused for the above reasons.

2 SITE DESCRIPTION

- 2.1 This section of Bridge Lane is a fringe rural location which is abutted by dwellings characteristic of roadside ribbon development. The lane is single track with some passing places, but no separate footway. Sporadic dwellings of various types, styles, and sizes line the road. In contrast the application site and the adjoining land to the west of 2a Bridge Lane is open and agricultural in character.
- 2.2 The site is located away from the established settlement of Wimblington and is currently in agricultural use. The site is situated behind two existing dwellings at 2b and 2c Bridge Lane and is roughly 'L' shaped covering about 1ha. The site will be served by an existing access to the west of 2b Bridge Lane. The site boundaries are defined by mature hedging/planting. A public footpath and watercourse run parallel with the western boundary of the site which is within Flood Zone 1 and within an area identified with groundwater vulnerability.
- 2.3 The aerial view of the site and surrounding area, included below, shows the application site in the context of the consented and pending applications in the surrounding area. To the south of the application past a belt of land some 90m in depth (also under the ownership of the applicant) is the northward expansion of Willow Gardens, marked by the orange outline. To its west is an area marked in blue where application F/YR23/0206/F is also before this committee with a recommendation to approve 48 dwellings. The substantially completed Lily Avenue development is sited to the west and marked in white. To its north the Bellway development currently under construction is shown in green. Finally, there is a pending application for 16 dwellings marked in yellow to the north of Bridge Lane where previously 7 dwellings were approved under F/YR18/0385/O.
- 2.4 The ariel view emphasizes that the gap between the settlement of Wimblington and Bridge Lane has closed in over the years to the point where the application site and adjoining land to the west (the appeal decision for which is described in detail under the background section below) remain the only remaining substantial parcels of open land.



3 PROPOSAL

- 3.1 This application seeks outline planning permission for up to 9 dwellings with all matters reserved.
- 3.2 An indicative plan accompanies the application. This shows a private drive running along the western site boundary to serve 4 dwellings before spurring off eastwards and then south to serve a further 5 plots. A passing bay, near the mouth of the access (Drawing No: SE-1896-PP1000 Rev C) is indicated to overcome highway concerns regarding intensified traffic flows along Wimblington Road. A public right of way runs along the western boundary of the site, a section of the right of way near the junction with Bridge Lane merges with the site access and is to be hard surfaced.
- 3.3 The indicated houses are large, detached dwellings set in sizable plots of a suburban nature.
- 3.4 A further strip of land to the south of the application and some 85m deep has been outlined in blue on the location plan, denoting that it is under the ownership of the applicant. Further to the south of this strip of land development of 21 dwellings at the northern end of Willow Gardens is currently taking place under permission F/YR21/0328/F.
- 3.5 Full plans and associated documents for this application can be found at:

[F/YR23/0241/O | Erect up to 9 x dwellings \(outline application with all matters reserved\) | Land South Of 2B And 2C Bridge Lane Wimblington Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Application Site

F/0446/88/O – Outline application for Erection of a speedway museum Adj 2A Bridge Lane Wimblington – Refused.

F/0340/83/F - Erection of a stable block 2a Bridge Lane Wimblington – Granted.

5 CONSULTATIONS

5.1 County Archaeologist (27.03.2023)

States that as the site lies in an area of potential archaeological importance a programme of investigation and recording is required to provide more information regarding surviving archaeological remains in the area and establish the need for necessary mitigation. To this extent an archaeological condition/informative is recommended.

5.2 Definitive Map Team (13.04.2023)

Public footpath No 5, Wimblington, runs next to the access to the site and the applicant proceeds with any development that might affect public footpath 5 at own risk, any surface changes will require authorisation.

No objections, footpath No 5 must remain open and unobstructed at all times – informatives to this effect are recommended.

5.3 Environmental Heath Team (04.04.2023)

“No objections to the proposed scheme as it is unlikely to have a detrimental effect on local air quality and the noise climate or be affected by ground contamination.”

A Construction Environmental Management Plan (CEMP) is recommended due to the proximity of the proposed site to established residential properties.

5.4 Highway Authority (02.08.2023)

“The revised proposals as shown on the drawing PP1000 Revision C include a suitable passing place on Wimblington Road which will help offset the impact of intensified traffic flows along Bridge Lane. This is sufficient to overcome my previous objection and I consider the principle of development acceptable. While the layout submitted is indicative only, it is not to a standard which would be considered for adoption by the Local Highway Authority. The applicant appears accepting of this arrangement, but it may have implications for refuse collection from private streets. Please consult with FDC’s waste team on this matter.”

Conditions (access road details, construction facilities, management of estate roads, wheel wash facilities and off-site highway works) informative (works in the public highway) are recommended.

5.5 Wimblington Parish Council (17.04.2023)

Objections are summarised as follows:

- traffic and highway safety
- out of character with the surrounding countryside
- not within the developed footprint
- detached from the built-up area
- erode rural character and local distinctiveness.
- contrary to policy
- encroachment onto public footpath No 5.
- Flooding.

5.6 Representations

A total of 43 representations have been received, 4 of which are from the same source. There have been 24 letters of objections (15 from Bridge Lane, 4 from Lily Avenue, 2 from March and 1 each from Willow Gardens, Sutton Sandy and Levington), and 17 (11 from March, 3 from Doddington, 2 from Wimblington and 1 from Elm) in support.

The representations are summarised as follows:

Objections

- Bridge Lane is single track with no footpaths and only a couple of passing places. It was not built to take the current level of traffic, and the proposal will place further strain.
- The proposed entrance does not appear to be wide enough to accommodate a road and footpath and has poor visibility. The occupiers of the bungalow adjacent to the access will be adversely impacted by vehicular noise and disturbance especially during construction.
- Bridge Lane is too narrow to accommodate construction traffic and machinery.
- The local drainage system does not have the capacity to cope with further development.
- The 'countryside' walk afforded by the narrow footpath adjacent to the site would lose its attractiveness should housing be built next to it.
- All but two of the letters of support are from local residents.
- Loss of green open space.
- Infrastructure/local services cannot cope with more development.
- Flooding.
- Loss of wildlife.
- Merging of settlements through loss of open separation space.
- The proposal will not address the shortage of affordable housing.
- The proposal will add to noise pollution and disturbance.
- Inadequate capacity of the foul sewer.
- The bungalow is incorrectly shown on the submitted drawing.

Support

- Excellent scheme which will attract affluence to the area which in turn will support local businesses.
- Will bring in more people to the area which in turn will support local business.

- Attractive development.
- Development will support local businesses and construction firms.
- Attract people with a diverse range of skills which be utilised within the village.
- Good use of land providing much needed homes.
- Sustainable development of executive houses.
- Nice to see a few quality homes.
- Would benefit the village.
- Better to have 9 decent houses than an estate of poor-quality social housing.

5.7 **The landowner has commented that:**

- Encroaching hedging was cleared to facilitate use of the path.
- Drainage has been improved.
- Heavy vehicles have accessed the site before.
- The application site is an area of green space encircled by built form.
- Many supporters were born locally, and objectors are relatively new to the area.

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)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Places great emphasis on well-designed places which are integrated into their surroundings, so they relate well to them. To this extent its Policy C1 requires development to relate well to existing built development and landscape character.

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 Area Development Policy

LP13 – Supporting and Mitigating 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

LP17 – Community Safety

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:

Policy LP1 – Settlement Hierarchy

Policy LP2 – Spatial Strategy for the Location of Residential Development

Policy LP7 – Design

Policy LP12 – Meeting Housing Needs

Policy LP19 – Strategic Infrastructure

Policy LP20 – Accessibility and Transport

Supplementary Planning Documents/ Guidance:

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

DM4 – Waste and Recycling Facilities

Developer Contributions SPD 2015

Fenland Infrastructure Delivery Plan 2016

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Character and Appearance**
- **Residential Amenity**
- **Biodiversity/Trees**
- **Flood Risk**
- **Public Right of Way**

9 BACKGROUND

- 9.1 The application site has no planning history of relevance, the planning history of land to the west of 2a Bridge Lane however is pertinent given the similarities and proximity to the application site. A previous planning application for 3 dwellings was refused on land to the west of 2a Bridge Lane in 2015 and dismissed at appeal in January 2016 (F/YR15/0281/F).

- 9.2 The Planning Inspector noted that the appeal 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. Although the proposed dwellings were set in a line fronting Bridge Lane 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 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 The Inspector did not consider that the provision of additional executive housing would be of sufficient benefit to outweigh the significant harm to the character and appearance of the area.
- 9.5 The site north of 3A – 9 Bridge Lane (marked F/YR20/0234/O on the aerial view included at paragraph 2.4 above) is also relevant to this application. Although subsequently granted permission for redevelopment of a non-confirming use on a brownfield site it was originally refused (under Ref F/YR15/0798/O) on the grounds that the proposal would result in large scale in-depth development into an area that is currently rural in character and characterised by mainly frontage development. The Inspector in deciding the appeal (APP/D0515/W/16/3146008) against the refusal of F/YR15/0798/O referred to recent residential schemes that resulted in the continuity of frontage schemes along March Road and the north side of Bridge Lane. In particular, the Inspector remarked that Bridge Lane remains significantly separated by open agricultural fields from the main core of the village to the south. For this reason, the Inspector concluded that the appeal site was not adjacent to the development footprint of the village, and in an area strongly controlled where it did not comprise an appropriate form of development and would unacceptably consolidate ribbon development.
- 9.6 In summary, the appeal decision supports the position that the application site does not lie within or adjacent the developed core of Wimblington but in open countryside notwithstanding the recent Bellway development to the south of the junction of Bridge Lane and March Road.

10 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 Policy LP12 seeks to protect the sustainability of settlements and the open character of the countryside. To this end, in this instance it requires that:
- a) The site is in or adjacent to the existing developed footprint of the village.
 - b) It would not result in coalescence.
 - c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland.
 - d) It is in keeping with the core shape of the settlement, and not harm its character and appearance.
- 10.3 Policy LP12 sets out that the developed footprint is defined as the continuous built form of the village and excluding groups of dispersed or intermittent buildings that are clearly detached from the continuous built-up area.
- 10.4 The requirements of Policy LP12 are reinforced by Policy LP16 which stipulates that new development must make a positive contribution to the local distinctiveness and character of the area. The application site and the blue lined field beyond comprise an area of open land some 230m deep from the rear of 2b Bridge Lane to the northern boundary of the development currently being implemented at Willow Gardens. This part of Bridge Lane remains intrinsically rural in character, and the application 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 around the site it does not form part of the developed footprint.
- 10.5 Whilst Policy LP3 identifies Wimblington as a growth village, Bridge Lane and the application site are physically detached from the village. The proposal would result in the development of an existing agricultural field and would erode the space that separates Bridge Lane from the wider settlement. As such the development would have an unacceptably adverse impact on the character and local distinctiveness of the area and would be contrary to Policy LP12 and LP16 of the Fenland Local Plan. This assessment of the site is supported by the Inspector's appeal decision relating to F/YR15/0281/F and discussed above.
- 10.6 Whilst the policies of the emerging local plan carry extremely limited weight in decision making it should be noted that Policy LP1, Part A identifies the settlement boundary for Wimblington as a large village, the application site is not included within the settlement boundary or residential site allocations for Wimblington.

Character and appearance

- 10.7 The proposal would result in large scale in-depth development, into an area that is currently rural in character and characterized mainly by frontage development. -At present the application site, and the wider fields of which it is a part, contribute strongly to the rural character of the area and provide a visual break between the sporadic residential development along Bridge Lane, and the developed core of Wimblington. Through the intensification of residential buildings and associated development the scheme would result in a visually jarring form of development that would intrude into the open countryside and would be harmful to the character of the area.
- 10.8 Far from being within the developed village of Wimblington as required by Policy LP12 the proposal would intrude into open countryside and be harmful to the character of the area, in conflict with the objectives of LP12 and LP16 of the Local Plan.

Residential Amenity

- 10.9 The layout shown on the indicative drawing suggests that adequate separation distances can be achieved between dwellings for the living conditions of the occupiers of the proposed and existing dwellings not to be adversely affected.

Biodiversity/Trees

- 10.10 Policy LP16 of the local plan requires all new development to retain and incorporate natural and historic features of a site, including features such as trees, hedgerows, field patterns, drains and water bodies. In addition, policy LP16 requires protection and enhancement of biodiversity on and surrounding the proposal site.
- 10.11 Policy LP19 states that planning permission will be refused for development that would cause demonstrable harm to a protected habitat or species unless the public benefits of the proposal clearly outweigh the harm and the mitigation and/or compensation measures are first secured to offset the harm and if possible secure a net gain in biodiversity. In addition, opportunities will be taken to incorporate beneficial features for biodiversity in new developments.
- 10.12 Paragraph 186(d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 10.13 The biodiversity checklist which accompanies the application states that protected species are not present or affected, and that surveys are not required. The submitted Design and Access Statement refers to retaining boundary landscaping and providing further trees to enhance and encourage flora and fauna.
- 10.14 Given the location of the site in open countryside with mature planting on boundaries and the presence of a watercourse on the western boundary the presence of protected species or habitats on or near the site would not be an unreasonable expectation. No expert evidence to support the statements in the biodiversity checklist that no protected species would be affected or are present have been presented. Therefore, an assessment on the impact of the proposal on biodiversity cannot be made.
- 10.15 The application fails therefore, to comply with policy LP16 (b) and (c), policy LP19 and paragraph 186(d) of the NPPF regarding a lack of information on potential protected species and habitat and a likely net loss in biodiversity with no proposals for achieving a net gain. These matters must be secured prior to any positive recommendation being made as such the application should be refused for these reasons.

Flood Risk

- 10.16 The Policy LP14 requires that a sequential approach to flood risk should be adopted from all forms of flooding, and that permission will only be granted if the sequential and exception (if necessary) tests are passed, these requirements are reflected in the NPPF.
- 10.17 The application form states that surface water will be drained by a soakaway, and

that the site is not within an area at risk of flooding or within 20m of a watercourse or will increase flooding elsewhere. The government's long term flood risk mapping system indicates that part of the front of the site is at high risk of surface water flooding, and the greater part of the southern part of the site at medium risk. A drain runs along the western boundary of the application site.

- 10.18 The application is not accompanied by any assessments which provide an understanding of the severity of surface water flooding in the area and whether (K) and LP14 (Part B) of the FLP and Section 6 of the Cambridgeshire Flood and Water SPD and paragraph 173 of the NPPF which requires that in determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere, and where appropriate applications should be accompanied by specific flood risk assessments.

Public Right of Way

- 10.19 A public right of way runs along the western boundary of the site, it would appear that a section of the right of way near the junction with Bridge Lane merges with the site access and is to be hard surfaced. The Definitive Map Officer has been reconsulted and has stated that surface change will require separate authorisation.
- 10.20 Policy LP2 and LP15 of the FLP and paragraph 114 of the NPPF seek to achieve safe and suitable access for all users. The legal width of the PROW is unknown and as such there is no guarantee that a well-designed, safe and sustainable access can be achieved. However, as the Definitive Map Officer has not objected to the scheme the matter has not been included as a reason for refusal.

11 CONCLUSIONS

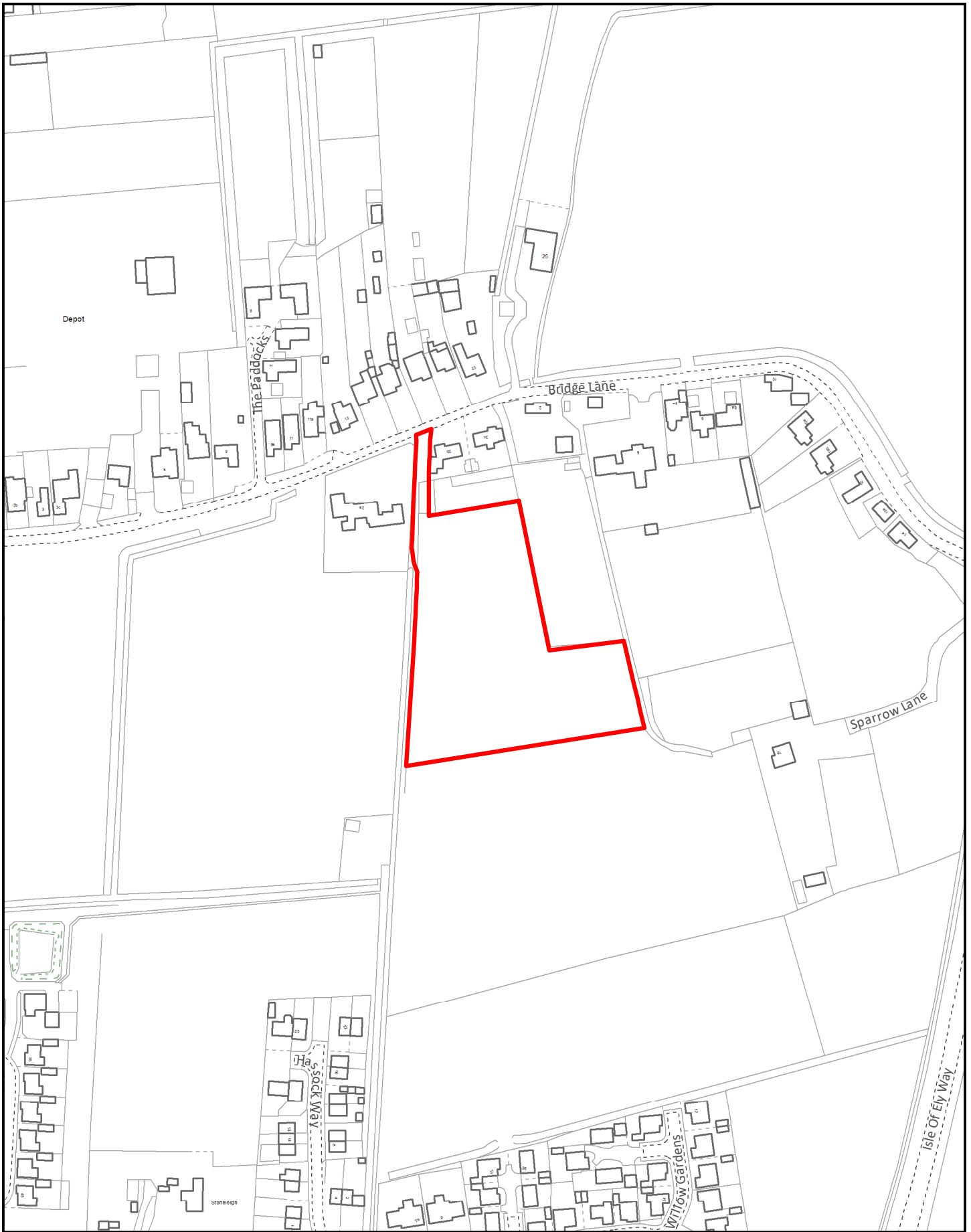
- 11.1 This application seeks to provide up to 9 dwellings in an area of open countryside away from the established settlement of Wimblington and at risk of surface water flooding. The application is not accompanied by supporting evidence in relation to flood risk and biodiversity. As such, the proposal contravenes national and local policy on development in the open countryside, areas of flood risk and the need of biodiversity conservation and enhancement.

12 RECOMMENDATION

Refuse; for the following reasons:

1	The proposal would result in large scale in-depth development in an area rural in character and characterised mainly by frontage development and would erode an important visual gap and area of separation between this part of Bridge Lane and the main built form of Wimblington. The proposal is therefore contrary to Policies LP3, LP12 and LP16 of the adopted Fenland Local Plan.
2	The application site is an open field site bordered by hedgerows, trees, and a ditch the western boundary. No ecological surveys of evaluation have been undertaken to accompany the application. As such the local planning authority is unable to undertake its duty to conserve biodiversity due to this lack of information. The application is therefore contrary to Policies LP16(b) and LP19 of the Fenland Local Plan (2014) and paragraph 186(d) of the NPPF which seeks to ensure that new development protects and enhances biodiversity including

	protected species and their habitats.
3	The application is not accompanied by any assessments which provide an understanding of the severity of surface water flooding in the area and whether this can be mitigated. As such the application conflict with Policy LP12 Part A(K) and LP14 (Part B) of the Fenland Local Plan (2014) and Section 6 of the Cambridgeshire Flood and Water SPD and paragraph 173 of the NPPF which requires that in determining planning applications local planning authorities should ensure that flood risk is increased elsewhere, and where appropriate applications should be accompanied by specific flood risk assessments.



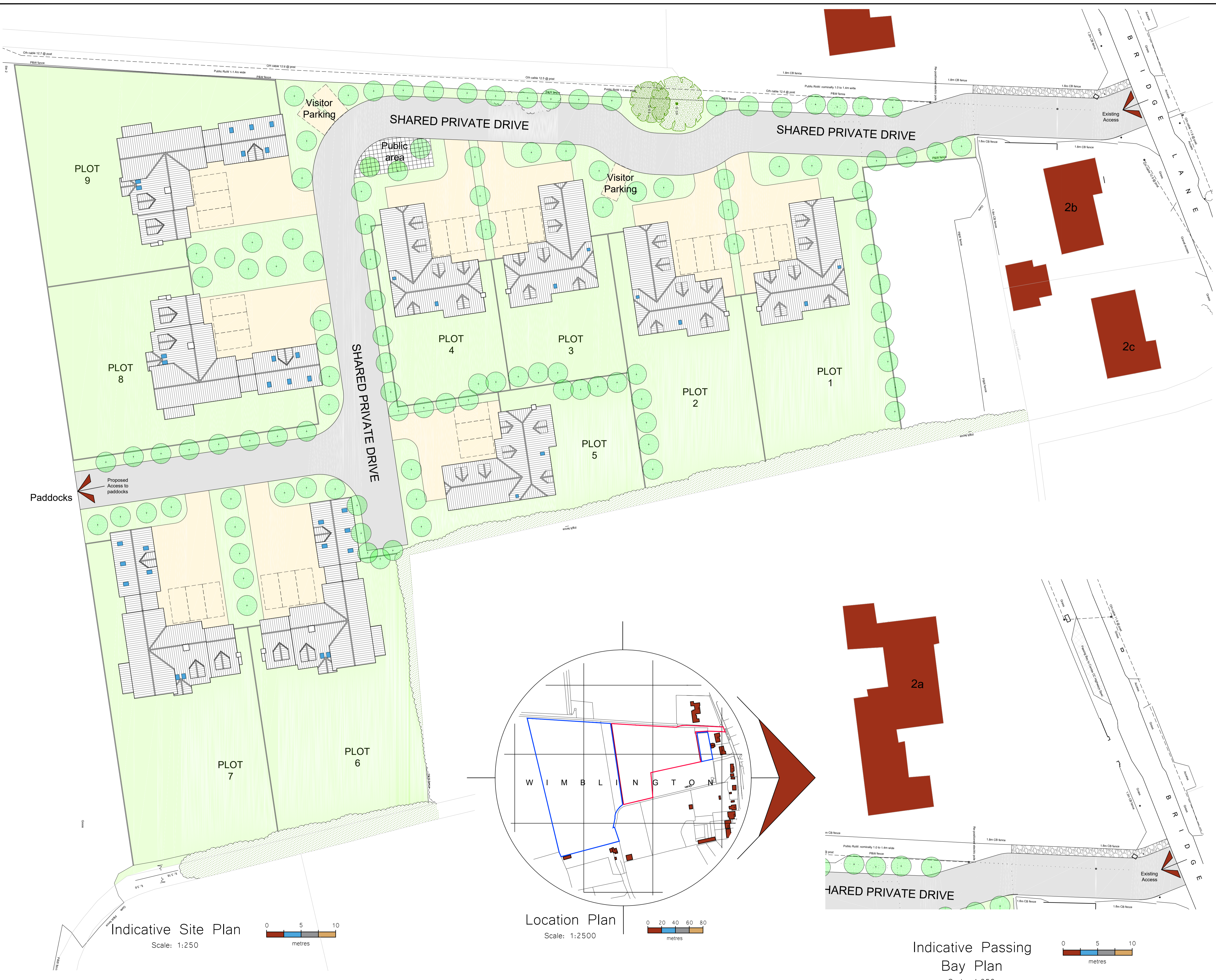
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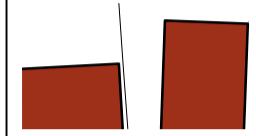
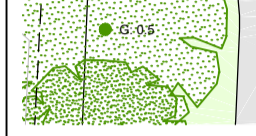
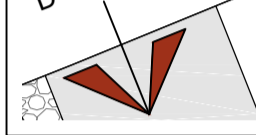


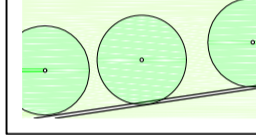

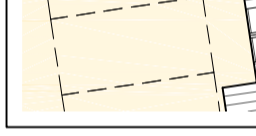

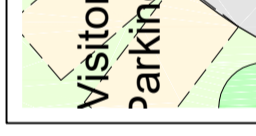
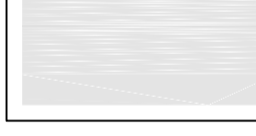
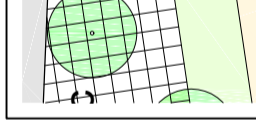
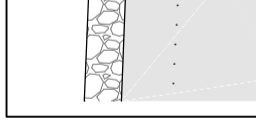




General Notes
 1. All dimensions are shown in "mm" unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

Schedule
 9 No. 4 bed detached dwellings

SITE PLAN KEY

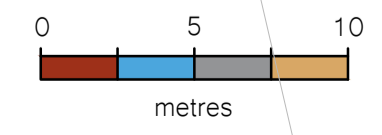
-  Indicates surrounding buildings - from OS Location Plan
-  Indicates existing trees to be protected and retained
-  Indicates site access to Cambs Highways specification
-  Indicates proposed new dwellings
-  Indicates proposed 1.8m high close boarded fence
-  Indicates position of proposed trees
-  Indicates proposed permeable block paving
-  Indicates proposed parking spaces
-  Indicates proposed grassed areas
-  Indicates visitor parking spaces
-  Indicates private access road built to adoptable standard, finished with permeable tarmac
-  Indicates public seating area
-  Indicates 1.2m tarmac plantings footpath adj. to shared access road

Status
FOR APPROVAL

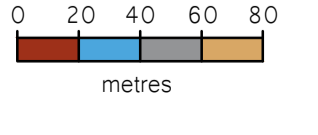
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 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed Residential Development Bridge Lane, Wimblington March, Cambs For: Mr P Gumbley	Date December 2022	Drawn by G.E. Checked by J.B.
Drawing Title Outline Planning Drawing Site and Location Plan	Job No. SE-1896 Dwg No. PP1000	Sheet Size A1 Revision C

Indicative Site Plan
 Scale: 1:250



Location Plan
 Scale: 1:2500



Indicative Passing Bay Plan
 Scale: 1:250

