
F/YR24/1000/F

**Applicant: Mr D Wyatt
Construct Reason Ltd**

**Agent: Mr Lee Bevens
L Bevens Associates Ltd**

**Land West Of 27 Norfolk Street Accessed From, Morley Way, Wimblington,
Cambridgeshire**

**Erect 5 dwellings with associated garages and the formation of an attenuation
pond**

Officer recommendation: Refuse

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

Government Planning Guarantee

Statutory Target Date For Determination: 12 February 2025

EOT in Place: Yes

EOT Expiry: 06 June 2025

Application Fee: £2890

Risk Statement:

**This application must be determined by 06.06.2025 otherwise it will be out of time
and therefore negatively affect the performance figures.**

1 EXECUTIVE SUMMARY

- 1.1. The application seeks full planning permission for the erection of 5no. storey, 3-bed properties served via an access off Morley Way.
 - 1.2. The proposal is considered to be acceptable when considered in terms of its location within the built form of the settlement of Wimblington, which is identified as a 'Growth Village' in Policy LP3 of the Fenland Local Plan (2014).
 - 1.3. The proposed design and layout of the dwellings, along with the palette of materials, is considered to be in keeping with the surrounding pattern of development seen along Morley Way and Waggoners Way.
 - 1.4. Further, it is not considered that the proposal would give rise to any unacceptable amenity impacts, in accordance with Policy LP16 of the Fenland Local Plan (2014).
 - 1.5. However, it has been identified that the development would result in 'less than substantial harm' to the setting of the adjacent Listed Building, 31 Norfolk Street, and it is not considered that the public benefits arising from the scheme would outweigh this harm in the overall planning balance.

1.6. The proposal is therefore considered to be unacceptable and it is accordingly recommended for refusal.

2 SITE DESCRIPTION

- 2.1. The application site is located at Land West of 27 Norfolk Street, but is accessed via Morley Way in Wimblington.
- 2.2. The site comprises an area of undeveloped grassland that is surrounded by residential properties. There are well-established soft landscaping features that provide natural screening along the western and southern boundary of the site. There is a mix of soft and hard landscaping features along the eastern boundary, although these are less substantial, with the site appearing to sit at a higher level than the residential properties to the east of the site.
- 2.3. The site is located entirely in Flood Zone 1 and is at very low risk of surface water flooding.
- 2.4. The adjacent building dwelling to the east, 31 Norfolk Street, is a Grade II Listed Building.

3 PROPOSAL

- 3.1. The application seeks full planning permission for the erection of 5 single storey, 3-bed dwellings. Plots 1-3 & 5 are proposed to have integral garages, whilst Plot 4 benefits from a detached double garage.
- 3.2. The development is proposed to be served via a new access created onto Morley Way that will run from north to south down the western side of the site, with the dwellings situated immediately east of the access road.
- 3.3. The proposed palette of materials includes a mix of orange and cream facing brickwork, and a mix of red pantiles and Sandtoft slates.
- 3.4. The proposed dwellings measure between 5.5m-5.8m in height to the ridge, between 12m-14m in width, and between 11m-13m in depth.
- 3.5. An attenuation basin is proposed at the southern end of the site.
- 3.6. Full plans and associated documents for this application can be found at:

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

4 SITE PLANNING HISTORY

F/YR24/0051/F	Erect 8 x dwellings (2 x single storey, 2 bed and 6 x single storey 3 bed) with associated garages and the formation of an attenuation pond	Withdrawn 19.07.24
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5 CONSULTATIONS

5.1. Anglian Water – 03.01.25

We need to inform you that there is a 150mm gravity foul sewer which is crossing the development site. We have reviewed the submitted Proposed Site Layout CH23/LBA/630/FP-2-101 revision A which states that there will be 3.0m easement from either side of the existing foul sewer which is acceptable to Anglian Water. It is also stated that the existing gate in Morley Way will be relocated to new southern boundary fence.

So that Anglian Water has clear access to the Anglian Water owned sewer, the applicant is required to clarify that the proposed gate will not obstruct Anglian Water's access to the 150mm sewer for future maintenance and operations to the sewer.

No objection subject to conditions in relation to Wastewater Treatment & Surface Water Disposal.

5.2. Cambridgeshire County Council Highways – 20.01.25

The applicant is proposing a shared use area at 5.5m wide with a turning head at the end. This layout and its dimensions are suitable for refuge vehicles to enter and turn in the proposed road. There is also a suitable existing footway for pedestrians along Morley Way leading directly to the proposed site. As such all highway offsite works are already in place and no further mitigation works on the highway are needed to facilitate this development.

I note that the local residents have concerns regarding the impact of the construction of this development, on the highway. However, the highways authority can not object to a development based on how it will be constructed. As all road legal vehicles are permitted to use the adopted highway. Should the development gain the benefit planning permission I would suggest a Condition where the applicant demonstrate how delivers, parking and the site as a whole is managed including wheel washing facilities for construction traffic.

5.3. Cambridgeshire County Council Archaeology – 02.01.25

Our records indicate the development lies in an area of high archaeological potential. Prior to modern development, cropmarks to the north-west of the development area showed the presence of a series of irregular shaped enclosures (Cambridgeshire Historic Environment Record reference. 11646). Archaeological investigations have since been undertaken to the north of the cropmarks which showed a number of remains dating from the Bronze Age to Roman periods (CHER ref. MCB20356). The earliest activity on the site was a barrow of Bronze Age to Iron Age date. During the middle Iron Age a farmstead was developed comprised of post-built structures and field systems.

The Roman period saw the expansion of settlement in the area, with the creation of a number of enclosures, waterholes and a timber structure (CHER ref. MCB20356). The Roman settlement is believed to have centred upon a trackway leading from the cropmark complex to the north, and has been traced in subsequent archaeological investigations which has revealed similar patterns of Iron Age to Roman enclosures and settlement (CHER refs. MCB31818). Later occupation saw the surrounding development area turn to agriculture, with earthwork remains of ridge and furrow cultivation lying to the west (CHER ref. 02742). To the south-east archaeological investigations revealed evidence for 17th to 20th century pitting (CHER refs. MCB17779 and MCB16492).

We have commented on the previous application within the same bounds (F/YR24/0051/F), of which our advice remains the same. Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.

5.4. Environmental Health – 03.01.25

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal.

Given the nature and scale of the proposed development, the issues of primary concern to this service during the construction phase would be the potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties.

Therefore, this service would welcome a condition requiring the submission of a robust Construction Environmental Management Plan (CEMP) that shall include working time restrictions in line with the template for developers, now available on Fenland District Council's website at: Construction Environmental Management Plan: A template for development sites (fenland.gov.uk)

Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites may also be relevant, as would details of any piling construction methods / options, as appropriate.

5.5. Conservation Officer

Response received 13.02.25

I am of the view that the loss off one of the last remaining parcels of open land on the edge of the historic parts of the settlement will have a considerable impact on the setting of the GII listed 31 Norfolk Street. This is an in-principle objection to the loss of this grazing land.

The setting of the LB is currently that of a building sat within its spacious grounds with a verdant and spacious field setting in the backdrop, as it has benefitted from historically. The change to this setting would be considerable and alter the context that the Listed building is appreciated and understood.

The development results in less than substantial harm (medium) to the identified heritage assets, for which national and local heritage policy and guidance points to a presumption against Councils supporting such development, unless there are strong public benefits which outweigh the harm identified.

Response received 09.04.25

There is a firm disagreement with the statements made in the rebuttal with regards to key views and setting being preserved. Furthermore, there is strong disagreement that the development accords with LP18 and heritage sections of the NPPF.

The proposals came forward with little heritage consideration and without a suitably detailed HIA. The HIA's have been created after the proposal has been put together and attempt to justify.

Owing to the impact on setting and the loss of one of the last remaining parcels of open land adjacent to the historic core of the village, the development will result in less than substantial harm (medium on the spectrum) and therefore is not deemed accord with Policy LP18 of the Fenland Local Plan 2014 and relevant heritage sections of the NPPF.

Finally, para 213 of the NPPF states that any harm to the significance of a designated heritage asset or its setting should require clear and convincing justification for which has not been provided.

Recommendation: Refuse

5.6. Wimblington Parish Council – 21.01.25

5 Dwellings off Morley Way This planning application needs to be refused because it does not comply with a number of FDC Local Planning Policies and NPPF policies, also there are strong objections from both the local community and the Parish Council. The planning officer and planning committee are asked to consider all of the following policies. Wimblington has far exceeded its 'village threshold' for LP12 Part A.

LP2 - Facilitating Health and Wellbeing of Fenland Residents creating sufficient and the right mix of homes to meet people's needs, and in the right location

(LP3, LP4 and LP5) - these dwellings are not in the right location, the village does not need further homes, the health and Well-being of local residents is being affected due to the lack of sustainable facilities, especially the surgery.

(LP14B) - pluvial flooding is a grave concern in this area which includes a number of historic listed buildings, non-listed heritage buildings and the village hall (an asset of value to the community). (LP16) avoiding adverse impacts LP3 Wimblington is no longer a sustainable location and struggles to address local needs, there is no validated need for more housing at present. Wimblington has already exceeded a considerable scale of development.

3.4 - Housing Growth and Meeting Housing Need

3.4.2 - Wimblington as a growth village has not been reviewed, the Housing Needs Assessment done on behalf of the village states that Wimblington has achieved its growth, it also states the village far exceeds the percentage of bungalows needed.

3.4.3 - Wimblington is no longer a sustainable location and struggles to address local needs, further housing will only exacerbate these problems.

3.4.4 - There are a number of developments still awaiting completion, the infrastructure is not coping especially the utilities, residents are suffering because of this.

4.7 - Rural Areas

4.7.1 - This proposal does not retain the distinctive settlement patterns, it is being shoehorned into a central part of the village which is of historical value to the community and the village is no longer a sustainable environment.

LP4 - Housing - total target need - 11,000 in 20 years

**Note: Development at Wimblington and Doddington will be appropriate provided that capacity at, or in the sewerage network leading to, the Waste Water Treatment Work in Doddington can be addressed. - this has not been addressed and Anglian Water do not foresee it being addressed in the immediate future. At present there are major problems with pluvial flooding within areas of the village and this development will exasperated this. Anglian Water cannot manage the present water and sewerage problems and there are a further 88 dwellings off March Road and 21 dwellings off of Willow Gardens that have still to be added to the existing system WHICH ISN'T COPING. (LP13)*

LP5. A recent Housing Need Assessment, now adopted by Parish Council, states Wimblington village far exceeds the national average in Fenland and England for built bungalows in our area, there is no need for further housing.

NPPF

Delivering a sufficient supply of homes 61 To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment - a local housing needs assessment has been completed for Wimblington.

LP 12 - Rural Areas Development Policy It would not put people or property in danger from identified risks It will increase vehicle movement around a residential play area. It will increase the risk of pluvial flooding of peoples properties, increase the risk of drainage and sewage problem already experienced within the village.

It can be served by sustainable infrastructure provision, such as surface water and waste water drainage and highways – The infrastructure within the village is already struggling both with pluvial flooding, sewage coming up through drains and into peoples properties, drains flooding. The roads in the village are damaged, cracked and with potholes, due to the increase in traffic especially heavy traffic.

Waggoners Way and Morley Way roads were not constructed to take heavy plant machinery and vehicles, who will be responsible for the possible deterioration of the road surface and pathways? The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement and will not adversely harm its character and appearance - this application will adversely harm the historic, heritage character of the village. It would not result in the loss of important spaces within the village - the proposed site will remove the open space that helps retains the important historic elements of the village separate from the new built area to the north, both listed and non-listed heritage assets surround this open space.

LP13 - Supporting and Managing the Impact of a Growing District the implications of constructing this development in the heart of the village are of grave concern to local residents and the Parish council, the infrastructure is not sufficient to support or meet all the requirements of the additional growth.

LP 14 - Responding to Climate Change and Managing the Risk of Flooding in Fenland This development could have devastating consequences on both the heritage-built area, historic buildings and the village hall. Parish Council has very recently had to withdraw the option of double depth graves as its cemetery as at a recent grave digging the contractor struggled to dig the depth as the ground is so sodden that the sides collapsed despite robust shoring up. He has advised that he cannot dig double depth in our soil in the future as it would be dangerous.

LP16 - Delivering and Protecting High Quality Environments across the District The proposed site will not make a positive contribution, this site will impose on the historic character of the centre of the village heritage area, it will not reinforce local identity or improve the character of the local built environment. It will introduce an alien environment within the important heritage element of the village.

NPPF - Considering development proposals 112 within this context application for development should a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas - this development will have consequences on the pedestrian and cycle movements within the neighbouring areas, this development is to be situated at the end of a quiet cul-de-sac which incorporates PROW used extensively by local residents and ramblers. c) create places that are safe, secure and attractive - which minimise the scope for conflict between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards - this site increases the scope of conflict between pedestrians, cyclist and vehicles in an area of the village that has always been a quiet street with little traffic. This application is not responding to local character or designs standards that will sit comfortably in an open space surrounded by the village's historically built area.

LP 18 - The Historic Environment This development has the potential to harm the setting and local heritage assets, designated and undesignated, within the heart of our historic environment in the village centre. It is not just the visible historical aspects of the village there is also an archaeological heritage below the surface that needs protecting.

Further Comments

Wimblington is a historic, residential village situated within a unique working landscape which is slowly being eroded. This application is proposed adjacent to one of the most popular 'green spaces' still available within the centre of our village that leads off of PROW 236/1. It is being shoehorned into the end of a recorded 'no through' road that is greatly used, safely, by the local community - school children of all ages, juniors going through to Thomas Eaton school and seniors going through to the main road to catch the bus through to March and Chatteris. The cul-de-sac area of bungalows is predominately older residents who enjoy the relaxed environment surrounding their homes. Constructing 5 un-required bungalows, with up to a minimum of 10 additional vehicles passing through the small estate, is going to impact on this quiet purpose-built environment.

The adjacent roads are the epicentre of Wimblington's historic heritage with a number of listed buildings and buildings on the villages non-listed heritage assets. Allowing dwellings in between the heritage, historic environment of village life is not supported by many of the residents or by the Parish Council. The fact that the proposed area slopes south/easterly means that there is a possibility that those important heritage, historic village assets will be put at risk of flooding. There are already problems within the area of surface flooding, drainage and sewerage back flooding. LLFA have stated, in regards to the planning application adjacent to this application, that there is a water course located on the eastern boundary surface, LLFA also state that 'if the development is in an area with critical drainage problems', which Wimblington is now experiencing, that concern should be raised. The excess water will travel in a south/easterly direction, there are assets of heritage importance and our village hall in that direction. Anglian Water have also stated that they have foul sewer pipes running within the proximity of the site. The site itself has been highlighted as an area of high archaeological interest and for that reason should be respected and preserved.

Trying to get construction vehicles onto the proposed site is going to have a traumatic impact on the residents of both Waggoners Way and Morley Way, especially those facing directly on to the road with little or no frontage. The mental stress of having constant heavy vehicles travelling pass their homes, close to cars parked out on the road and residents walking around the small estate.

Although the actual planning application may comply with a number of FDC Local Planning Policies and NPPF it needs to be recognised as an invasion in two different areas of the village. The historic, heritage area of our beautiful village and the small, quiet, tranquil estate that has appealed to the older resident of the village. This site sits as a buffer between the more modern bungalow area and the historic, heritage area of the village, by shoehorning in 5 unnecessary dwellings it is compacting housing into the heart of the village centre.

It is questionable that this proposed development is sustainable - there has been a sufficiently large increase in the number of dwellings built in Wimblington over the past 10 years, which far outreaches the planned target for this 'growth village'. The infrastructure within the village already struggles to cope and as such could result in detrimental impacts to the local community and the environment (surface water flooding and sewage/waste water back flooding), services are becoming stretched (doctor's appointments can mean travelling to other surgeries, for example, many services can only be accessed at the Ramsey surgery a 22 mile round trip and many residents do not have their own transport), schooling of senior children means travelling by vehicle, shopping means travelling by vehicle) employment is limited locally therefore involves travelling, there is no regular bus service available for the local community. Travelling by vehicle inevitably means using the busy A141 and joining this main road can be both hazardous and difficult especially at busy peak-times. Even service energy providers are struggling to maintain a consistent flow of energies especially at peak-times.

This planning application is not supported by the local community or the Parish Council and as such the planning officer and planning committee are asked to refuse this development and support the local community.

5.7. Tree and Landscape Consultant – 03.01.25

The arboricultural report provided demonstrates the existing trees can be present. I would suggest that the method statement is amended to ensure arboricultural supervision is present when works in the root protection area are undertaken, so that if roots are encountered, they will be suitably protected.

The landscape scheme is acceptable with suitable planting for the scheme.

5.8. LLFA

Response received 22.01.25

At present we object to the grant of planning permission for the following reasons:

We have reviewed the submitted documents and at present we object to the grant of planning permission for the following reasons:

1. Pumping

Pumping of surface water is an unsustainable drainage method. Pumps present a significant residual risk if they are not maintained or fail during a storm event. Our preference is for gravity discharge to the surface water drainage system, mimicking the natural drainage of the site and reducing energy consumption as stated in

paragraph 6.3.5 and 6.3.28 of the Flood and Water Supplementary Planning Document (SPD).

We require that the applicant attempts to discharge as much surface water runoff via gravity as possible. This can be achieved through the use of larger areas of shallow attenuation, alternative SuDS approaches or an amendment to the layout of the site.

2. Inappropriate on H&S grounds

The maximum depth of the permanent pool should not exceed 2 m and should normally be a maximum of 1.2 m unless all safety considerations indicate a greater depth is acceptable. The present design shows a permanent water depth of 3.4m +, if the pump should fail, which is unacceptable.

Response received 27.02.25

We have reviewed the following documents:

- *RESPONSE FROM CONSULTANT TO LLFA COMMENTS, MCT Engineering, 14/2*
- *Indicative Drainage Layout, MTC, Ref: 3087-05 rev G, 27/7/23*
- *External and Floor Levels, MTC, Ref: 3087-12 rev B, 17/5/24*
- *SWS Pump Failure Calcs, MTC, Rev B, 23/1/25*
- *SWS Calculations, MTC, Rev D, 23/1/25*

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable surfacing and attenuation basin, restricting surface water discharge to 2l/s.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse).

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Conditions requested relating to detailed surface water drainage scheme, scheme for managing water run-off during construction and maintenance scheme for surface water drainage.

5.9. Local Residents/Interested Parties

Objectors

A total of 78 letters of objection were received from residents of Wimblington. The comments raised the following points:

- Disruption to residents of Waggoners Way and Morley Way caused by construction vehicles
- Danger to uses of allocated green space on Morley Way
- Road network too narrow for heavy goods vehicles
- Traffic calming measures will be damaged by construction vehicles
- Insufficient parking provision in the area
- Decrease in value of existing properties

- No need for further homes in Wimblington
- Flood risk on and around the site
- Impact on Listed Buildings
- Wimblington has already experienced considerable scale of development
- Lack of privacy for occupiers of proposed dwellings due to overlooking from existing dwelling

Supporters

A total of 23 letters of support were received, raising the following points:

- Same developer that originally built our Morley Way and was always intended to build this land
- Continuity of approach to building
- Some infrastructure already in place on site
- Need for bungalows

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the Wimblington and Stonea Neighbourhood Plan (Pre-Submission Draft October 2024).
- 6.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

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 8 – Promoting healthy and safe communities

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

Chapter 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Uses

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
- 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
- LP18 – The Historic Environment
- LP19 – The Natural Environment

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:

- Policy NE1: Protecting the Landscape
- Policy NE2: Biodiversity
- Policy HE1: Protecting and enhancing local heritage assets
- Policy SD1: Development and the Settlement Boundary
- Policy SD3: High-Quality Design
- Policy SD6: Flood Risk
- Policy H1: Housing Mix
- Policy TT1: Car Parking
- Policy C2: Local Green Spaces

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

Cambridgeshire Flood and Water SPD 2016

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 49 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
- LP7: Design

LP8: Amenity Provision
LP12: Meeting Housing Needs
LP13: Custom and Self Build
LP20: Accessibility and Transport
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape

8 KEY ISSUES

- **Principle of Development**
- **Character and appearance**
- **Amenity Impact**
- **Impact on Historic Environment**
- **Flood Risk and Drainage**
- **Parking provision and highway safety**
- **Biodiversity Impact**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1. The application site was subject to a previous application under reference number F/YR24/0051/F, which sought planning permission for a scheme of 8no. dwellings.
- 9.2. This application was subsequently withdrawn and as such, does not represent a material planning consideration in the determination of this application. However, it is noted that the scheme has been reduced in scale and amended in layout in an attempt to address the objections received, primarily from the Conservation Officer in relation to the impact on the adjacent Listed Building.
- 9.3. The objections from the Conservation Officer remain. However, this will be addressed in further detail in the Assessment section of this report.

10 ASSESSMENT

Principle of Development

- 10.1. The application site is considered to be located within the developed footprint of the village, within the settlement of Wimblington. Policy LP3 of the Fenland Local Plan advises that Wimblington is a 'Growth Village' and that development within the existing urban area, such as this location, is appropriate.
- 10.2. Policy LP12 advises that for villages, new development will be supported where it contributes to the sustainability of that settlement and does not harm the open character of the countryside. The site is considered to be within the developed footprint of the village and therefore would not impact the character of the countryside.
- 10.3. This policy also advises that if a proposal within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more, then the proposal should have demonstrable evidence of clear local community support for the scheme.

- 10.4. Wimblington has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused.
- 10.5. In this instance, a number of representations have been received, both in support and against the proposals, with the objections far outnumbering the letters of support. As such, it cannot be demonstrated that there is clear community support for the proposals. Notwithstanding that, as per the appeal decision referenced in paragraph 10.4, the absence of clear community support does not render the scheme unacceptable in principle in planning terms.
- 10.6. As such, the principle of this development is considered to be supported by Policies LP3 and LP12 of the Fenland Local Plan (2014).

Character and appearance

- 10.7. The application is submitted in Full format and is therefore supported by detailed drawings of the dwellings proposed and a detailed site layout.
- 10.8. The submitted site layout plan identifies the development as being an extension of the existing cul-de-sac, Morley Way, with a spine road that extends from north to south along the western boundary of the site, with the dwellings located immediately to the east of this.
- 10.9. The proposed dwellings are single storey in nature and measures between 5.5m-5.8m in height to the ridge, between 12m-14m in width, and between 11m-13m in depth.
- 10.10. Development along Morley Way is predominantly characterised by bungalows and, as such, the scale of the proposed dwellings is considered to be appropriate in this location. This is further reinforced by a palette of materials that is in keeping with the surrounding area, as set out in paragraph 3.3 of this report.
- 10.11. The density of development is approximately 10 dwellings per hectare. Whilst this density of development is relatively low compared to that seen generally on Morley Way and Waggoners Way, it is not considered that it is so low so as to represent an inefficient use of land. This is particularly notable when considering that the development along Norfolk Street to the east is of a much lower density than that along Morley Way. As such, it can be considered that the development proposed in this application represents a transition in density between the two.
- 10.12. Further to this, the plot sizes for each dwelling are generous, therefore avoiding a cramped form of development in this location. Minimal hardstanding is proposed throughout the site, with soft landscaping features proposed for retention. It is considered that this will soften the visual impact of the development and ensure a reduced impact on the landscape character of the area.
- 10.13. The proposal is overall considered to be in accordance with the requirements of Policy LP16 of the Fenland Local Plan (2014).

Amenity Impact

- 10.14. The site is adjoined by residential dwellings to the east and west. The land immediately to the west comprises private amenity space for dwellings on March Road. The proposed units are separated from the western boundary of the site by

approximately 10m, thereby offering some separation from the adjoining private amenity space. Further, there is existing and well-established hedgerow along this boundary that offers substantial screening and protection for the private amenity space of the neighbouring properties to the west.

- 10.15. The land to the east of the application site also comprises of residential properties on Norfolk Street. The dwellings along Norfolk Street are generally set back from the public highway and are in close proximity to the boundary with the application site. The proposed dwellings are separated from the eastern boundary by 26m-28m, with the nearest residential property, 31 Norfolk Street, separated by a distance of 36m.
- 10.16. The topographical survey undertaken of the site states that the ground level of the site nearest to the adjoining property, 31 Norfolk Street, is 4.54m. The survey further notes that the ridge height of 31 Norfolk Street stands at 10.79m. Whilst the ground level on the adjacent site is not specified on the plans, it is clear that the ground level on the adjacent land is lower than that of the application site.
- 10.17. The single storey nature of the proposed dwellings and length of rear gardens backing onto 31 Norfolk Street are considered to be sufficient to avoid any overlooking impacts or overshadowing impacts on the adjacent dwelling.
- 10.18. It is noted that there is already a degree of boundary screening along the boundary with 31 Norfolk Street, but it is suggested that a condition is imposed requiring the submission of a detailed soft and hard landscaping scheme to ensure that any impacts are suitably mitigated against whilst retaining appropriate private amenities for the existing occupiers.
- 10.19. Further to this, a condition is suggested to remove permitted development rights from the proposed dwellings for any works permitted under Schedule 2, Part 1, Classes AA (Construction of additional stories), Class B (Additions to roof), and Class E (Buildings incidental to the enjoyment of a dwellinghouse).
- 10.20. The removal of these Permitted Development Rights will ensure the avoidance of any undue detrimental impacts on the amenities of 31 Norfolk Street through the further development of the site without first securing planning permission for the works.
- 10.21. The concerns raised by neighbouring properties in respect of the impact of the development during the construction phase in respect of noise and disruption etc. are noted, however, these are not material planning considerations. Notwithstanding this, a condition requiring the submission of a CEMP is suggested to ensure that any impacts arising from the construction phase are mitigated as far as practicably possible.
- 10.22. It is overall considered, on balance, that the proposal is in accordance with Policy LP16 of the Fenland Local Plan (2014) in respect of amenity impacts.

Impact on Historic Environment

- 10.23. The application site is immediately adjacent to a Grade II Listed Building, 31 Norfolk Street, which is a residential property situated to the east of the site. Historic maps show this as a relatively isolated building set within farmland and as such the open application site immediately to the rear forms part of the setting of this, reflecting the listed building's historic relationship with the open countryside. Setting is defined in the Glossary to the NPPF as "The surroundings in which a

heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve”.

- 10.24. The scheme has been considered by the Council’s Conservation Officer, who has objected to the application on the basis that the scheme will result in ‘less than substantial harm’ to the setting of the Listed Building without justification and that the application is supported by insufficient justification as to the harm caused to the Heritage Asset, contrary to the NPPF and Fenland Local Plan. Less than substantial harm is the medium level of harm identified within the NPPF.
- 10.25. Paragraph 215 of the NPPF states that “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*”. In this instance, it is not considered that the benefits arising from the development of only five market dwellings, when considered in the context of the district’s healthy five year housing land supply, outweigh the harm which would be caused to the setting of the Listed Building, and therefore the proposal is considered to be contrary to Paragraph 215 of the NPPF (2024).
- 10.26. It is acknowledged that the context in which the listed building is viewed has changed significantly over time and that it is now seen in a more urban environment than was the case historically. However, as the Council’s Conservation Officer sets out in their objection to the application, “Historic England guidance on setting states that ‘where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policy, strong considerations need to be given to whether additional change will further detract from the significance of the asset’. Negative change would include severing the last link between the asset and its historic setting, as would clearly be the case here”.
- 10.27. The proposal is therefore considered to be unacceptable, on balance, having regard to Policy LP18 of the Fenland Local Plan (2014) and the NPPF (2024) and in the context of the requirements of Section 66 of the Planning (Listed Building and Conservation Area) Act 1990.

Flood Risk and Drainage

- 10.28. The application site falls within Flood Zone 1 and is at Very Low Risk of Flooding. As such, it is considered that there are no issues to consider with regard to Policy LP14 of the Fenland Local Plan (2014) or Chapter 14 of the NPPF (2024).
- 10.29. The LLFA were consulted on the application and, after the submission of additional information and indicative drainage details, have raised no objections to the proposal, subject to conditions requiring the submission of detailed drainage measures.
- 10.30. The LLFA have no objections to the principle that the site is capable of accommodating the development, providing sufficient drainage and avoiding any adverse off-site impacts in respect of flood risk.
- 10.31. The proposal is therefore considered to satisfy the requirements of Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024) in respect of Flood Risk and Drainage.

Parking Provision and Highway Safety

- 10.32. The Highway Authority have been consulted on the application and have raised no objections to the proposal in respect of its impact on highway safety in the locality.
- 10.33. Whilst the representations made in respect of the impact of the development during the construction phase are noted, it is not possible to object to a planning application on these grounds. As such, a condition is suggested requiring the submission of details of wheel washing facilities and a temporary facilities area to minimise the highway impact of the development during the construction phase.
- 10.34. Each plot is considered to benefit from adequate parking and turning provision to allow vehicles to access the public highway in forward gear, and to avoid on-street parking that could give rise to any highway safety concerns.
- 10.35. The proposal is therefore considered to accord with the requirements of Policy LP15 of the Fenland Local Plan (2014).

Biodiversity Impacts

- 10.36. The application is supported by a Preliminary Ecological Appraisal prepared by Philip Parker Associates Ltd (10.06.2024). The report concludes that there will be no significant biodiversity impacts arising from the development, and that no further surveys are required subject to the precautionary measures set out in the report being adhered to during the construction phase.
- 10.37. Due to the largely built-up nature of the surrounding area, it is considered unlikely that the site will offer little by way of habitat or biodiversity value that could not be mitigated against nor have enhancements provided by virtue of the submission of an appropriate scheme.
- 10.38. The proposal is therefore considered to be acceptable in terms of its biodiversity impact, having regard to Policy LP19 of the Fenland Local Plan (2014), subject to conditions requiring the submission of a full mitigation and enhancement plan.

Biodiversity Net Gain (BNG)

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

11 CONCLUSIONS

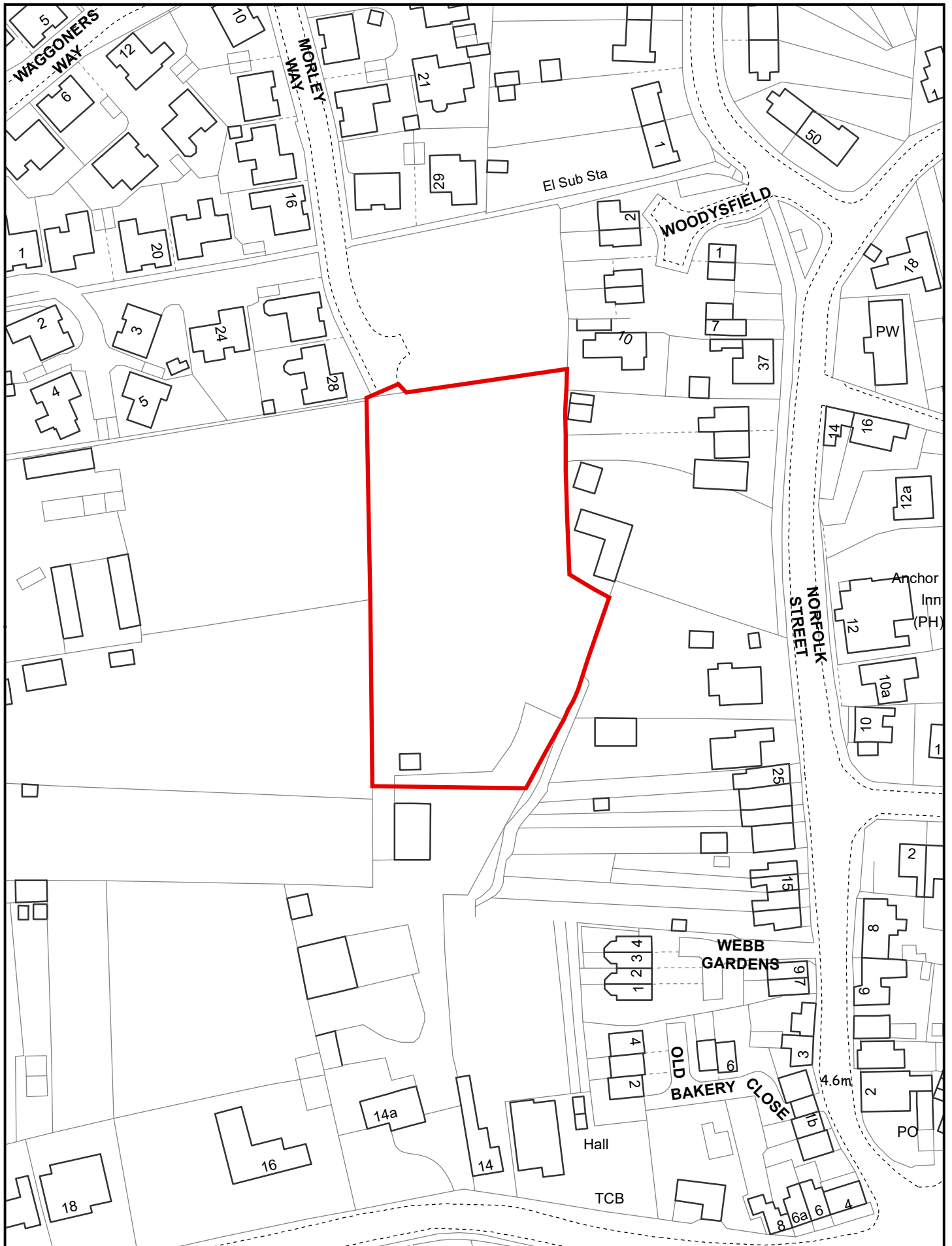
- 11.1 The application seeks full planning permission for the erection of 5no. storey, 3-bed properties served via an access off Morley Way.
- 11.2 Whilst the proposed development accords with the settlement hierarchy of Policy LP3 of the Local Plan, and the proposed design and layout of the dwellings is considered to be in keeping with the surrounding pattern of development seen along Morley Way and Waggoners Way, and it is not considered that the proposal would give rise to any unacceptable amenity impacts, in accordance with Policy LP16 of the Fenland Local Plan (2014) the impact on the setting of the adjacent Grade II listed building is not considered to be acceptable.

- 11.3 It has been identified that 'less than substantial harm', which is the medium level of harm, would occur to this setting, without adequate justification, and, as per Paragraph 215 of the NPPF, it is not considered that the public benefits arising from the scheme would, on balance, outweigh this harm.
- 11.4 The proposal is therefore considered to be unacceptable in planning terms, and it is accordingly recommended that planning permission is refused on this basis. To grant the application may be seen as indicative of a failure by the Council to exercise its duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12 RECOMMENDATION

Refuse; for the following reasons:

1.	The application would result in development within the setting of a Grade II listed building, 31 Norfolk Street, and would result in less than substantial harm to this setting, by virtue of introducing built form into currently undeveloped open land forming the historic context to the listed building, without adequate justification, and without any public benefits outweighing this harm. As such, if permitted, the development would be contrary to Policy LP18 of the Fenland Local Plan (2014) as well as Paragraphs 213 and 215 of the National Planning Policy Framework.
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Created on: 23/12/2024

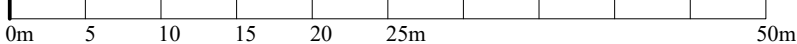
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F/YR24/1000/F

Scale = 1:1,250



Scale: 1:500



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ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES ARCHITECTS LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

Plot Schedule

- Plot 1 - Waveney - 3 bedroom bungalow
- Plot 2 - Waveney - 3 bedroom bungalow
- Plot 3 - Waveney - 3 bedroom bungalow
- Plot 4 - Waltham K - 3 bedroom bungalow
- Plot 5 - Waltham KG - 3 bedroom bungalow

Biodiversity enhancements

(Please refer to Preliminary Ecological Appraisal by Philip Parker Associates Ltd and Soft Landscape Plan by Richard Morrish Associates for locations of bat and bird boxes, bee bricks and hedgehog homes)



Integrated bat boxes inserted on southern and western elevations and noted as **ØBB** on Site Plan



Integrated swift boxes placed in PAIRS. Inserted on north or north-east elevations and noted as **ØSWB** on Site Plan

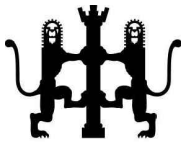


Sparrow terraces integrated into walls. Inserted on north or north-east elevations and noted as **ØSPB** on Site Plan



Bee Bricks integrated into south-western and south-eastern walls of garages and noted as **ØBEEB** on Site Plan

Rev A Sept. 24 Revised following feedback from Heritage Consultant and scheme reduced to 5 dwellings.



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DRAWING STATUS	PRELIMINARY <input type="checkbox"/>	CONSTRUCTION <input type="checkbox"/>
	PLANNING <input checked="" type="checkbox"/>	FILE COPY <input type="checkbox"/>

CLIENT
Construct Reason Ltd

PROJECT
Land South of Morley Way, Wimblington, Cambridgeshire.

DRAWING TITLE

Proposed Site Layout

SCALE DATE DRAWN CHECKED
1:500 @ A3 August 2024 LB

DRAWING NUMBER
CH23/LBA/630/FP-2-101

REVISION
A

Scheme approved for 8 dwellings under Ref. F/YR21/1055/O

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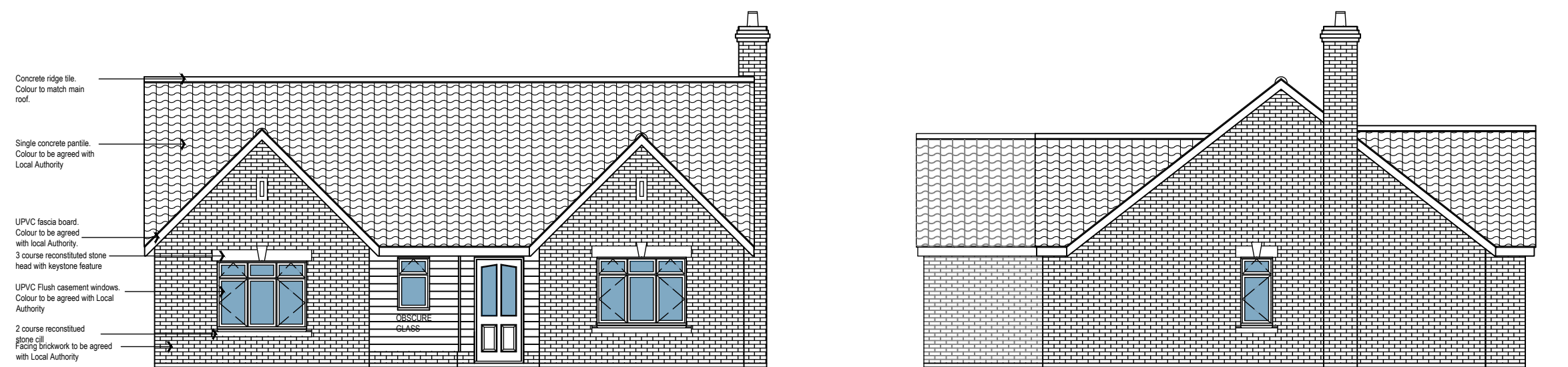


CONSTRUCT REASON LIMITED

DRAWING TITLE

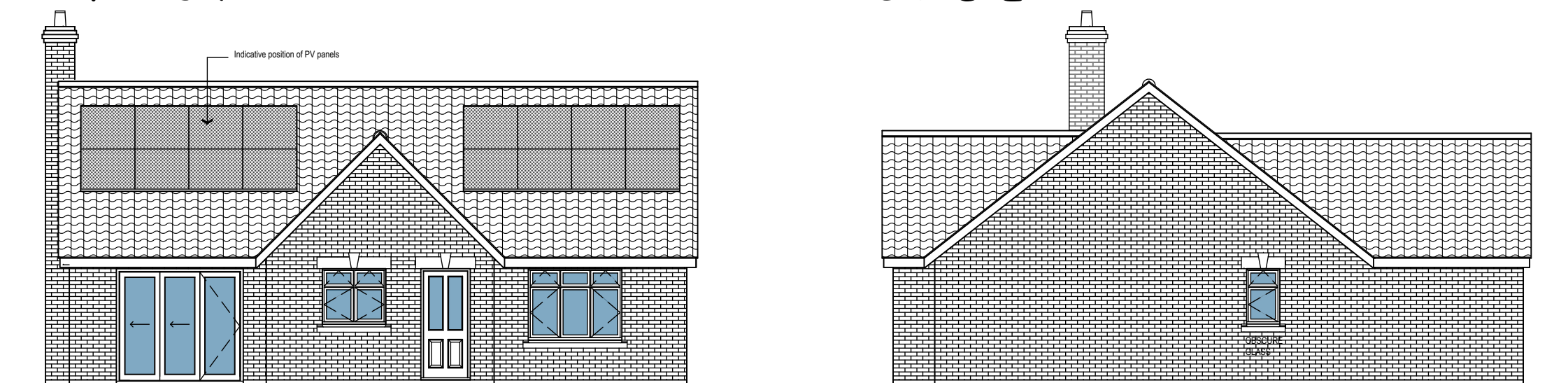
Plots 2 & 3 - Planning Drawing

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FRONT

SIDE

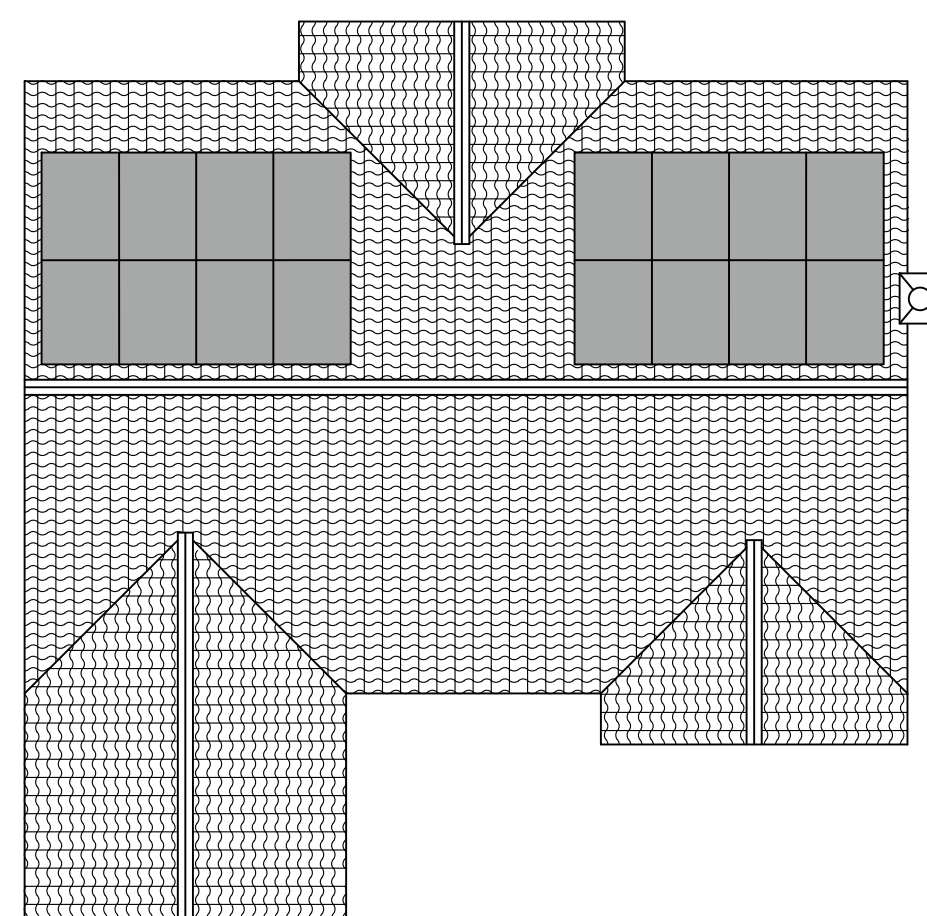


REAR

SIDE



FLOOR PLAN



ROOF PLAN

BUNGALOW TYPE 'WALTHAM K'
floor area 95.29m²(1025ft²)

Beaver House
Northern Road
Sudbury
Suffolk CO10 6XQ

Sudbury 01787 376241

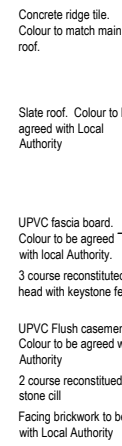
CONSTRUCT REASON LIMITED

JOB TITLE Land South of Morley Way,
Wimblington,
Cambridgeshire.

DRAWING TITLE

Plot 4 - Planning Drawing

[illegible]



SIDE



(Showing Bathroom window)



SIDE



KITCHEN

BEDROOM. 1.

-W.

BEDROOM. 2.

BEDROOM. 3.

HALL

[illegible]

2

11

GARAGE

GARAGE



floor area $95.29\text{m}^2(1025\text{ft}^2)$

CONSTRUCT REASON LIMITED

JOB TITLE Land South of Morley Way,
Wimblington,
Cambridgeshire.

DRAWING TITLE

Plot 5 - Planning Drawing

REV	DATE	DETAILS		BY
SCALES		DESIGN BY		DATE
1:100 @ A2		DRAWN BY		
		LB		
DRAWING No.			REV	
CH23/LBA/630/FP-2-106				

MEETING TRANSCRIPT

F/YR24/1000/F - Land West of 27 Norfolk Street
Accessed from Morley Way, Wimblington, Cambridgeshire

In attendance at meeting on: 28th May 2025

Councillors:

Charlie Marks (Vice-Chairman), Ian Benney, Mrs Jan French, Roy Gerstner, Elisabeth Sennitt Clough, Mark Purser

Officers & Council Staff:

David Rowen, Alan Davies, Tom Donnelly, Stephen Turnbull, Jo Goodrum

Speakers:

Steve Dubois (Local Resident, Objector), Amy Richardson (on behalf of Agent)

Speaker	Transcription	Para
Chair	That proposal has been passed. I will now hand over to Tom Donnelly to present FYR 24-1000F Agenda Item Number 8.	1.
Tom Donnelly	<p>Thank you, Chairman. So this is a full application seeking the erection of five dwellings with associated garages and the formation of an attenuation pond. The location plan and aerial photograph identifies the site as being an area of green space surrounded by residential dwellings with relatively high density development present on Morley Way to the north, with much lower development – density development to the east and west.</p> <p>On this slide we can see the relationship to the site with the adjacent listed building which is 31 Norfolk Street, which is highlighted in blue immediately adjacent to the eastern boundary of the site. The submitted site plan identifies a linear form of development running from north to south within the site, with the access road running tight up against the western boundary of the site.</p> <p>So we've had four sets of elevation plans submitted, which are the four house types across the five plots. All of the dwellings are single storey in nature and a palette of materials which match the existing development on Morley Way to the north. We also have a street scene drawing, viewing the development as seen from the east of the site. You may just be able to make out the dotted lines above plot 3 and immediately to the left of plot 2, which identify the rough outline of the listed building behind the site and an associated outbuilding on that site also.</p> <p>So image 1, we have an internal view of the site taken from the north-western corner looking towards the boundary shared with the adjacent listed building. Image 2 taken from the same location is a view down the site looking from north to south. Image 3 has been taken from an area of open space immediately north of the site which also shows an example of the existing development on Morley Way and also showing that the site is currently fenced off from public view and access. And finally, image 4 taken from the driveway of the listed building 31 Norfolk Street looking towards the application site in the backdrop there.</p> <p>In terms of assessment of the application, it's been found to be acceptable in terms of principle, design and appearance, amenity impact, highway safety</p>	2.

	<p>and flood risk. However, it is Officers' opinion that the development would result in less than substantial harm to the adjacent listed buildings, however, with insufficient benefits arising from the scheme to outweigh the harm caused. The Council's Conservation Officer has considered the proposal and has concluded that this harm would arise through the loss of open space which has historically contributed to the historic setting of the listed building.</p> <p>As such, it's considered that the proposal is unacceptable in planning terms on the basis of the impact on the designated heritage asset, and it's accordingly being recommended for refusal. Thank you.</p>	
Chair	<p>Thank you, Tom. We have two speakers on this application. Firstly, I would like to invite Steve Dubois, an objector, to make his presentation to the Committee. Okay, gentlemen there, you have five minutes to make your presentation.</p>	3.
Steve Dubois	<p>Okay. So good afternoon, my name is Steve Dubois. I live at 31 Norfolk Street, the listed building that borders the proposed development. I oppose the proposal and welcome the Planning Officer's recommendation to refuse.</p> <p>Now whether or not you agree with the heritage assessment, when it comes to evaluating the recommendation, we are all bound by the same guiding principles, that great weight should be given to the asset's conservation, that the Local Planning Authority shall have special regard to the desirability of preserving the building and its settings, and whilst those are a matter for the Committee, the NPPF also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case with 31 Norfolk Street, this harm should be weighed against the public benefit of the proposal.</p> <p>So what are the benefits of the proposal? Can I have the next slide, please? Increased housing stock, obviously. Opportunity to monetise an under-developed – or undeveloped, sorry, parcel of land. And out of due diligence, I would also look to consider the key themes from the 23 letters of support that were provided and weigh these up against the harm to the listed building and the loss of green space. Given more time, I would touch on the increased fire risk – it is a thatched property – the loss of privacy and the lack of community support, as evidenced by the 78 letters of objection.</p> <p>Can I have the next slide, please? I appreciate that the FDC are working on a new plan, but as a designated growth village, Wimblington has reached nearly three times its target set in 2014. There is no economic merit in building a further five homes. There is a significant pipeline of activity or building or developments in Wimblington and the wider March area to keep much of the local construction industry busy for quite some time. Building what is an area favoured by older residents, there is no educational merit. The proposed development would do very little to address the under-subscription of the Thomas Eaton Local Primary School. It has no social merit, it offers no affordable housing and potentially compounds already stretched medical services.</p> <p>Can I have the next slide, please? I've lived in the village for 25 years. When we moved in, we could see our house from March Road. The hedges were much, much lower and looking west, we could see the big skies and fen sunsets from our patio. That is the traditional context in which 31 Norfolk Street should be appreciated. Figure 1 not only shows the growth in housing, but the erosion of green spaces within the heart of the village.</p>	4.

	<p>Can I have the next slide, please? Figure 2 provides an aerial view of the proposed site, the circle at 31 Norfolk Street for reference. This is how the plot stands today, the modern Morley Way development to the west, the green amenity to the north acting as a buffer between the old and the new, in line with Wimblington and Stonea Design Guidance and Codes, which stipulates, and I quote, "New developments in proximity to designated and non-designated heritage assets must propose green screenings to mitigate any unpleasant visual impact whilst also preserving key views."</p> <p>So in light of that statement, now consider the impact of the proposal on 31 Norfolk Street. If I could have the next slide. Now, I'm no CAD technician, but whilst I made every effort to draw things to scale, my Photoshop skills have their limitations. So returning to those letters of support, many reference the scheme as being an extension of Morley Way. There is no disputing that access is from Morley Way, but viewed from the air, figure 3 clearly shows it to be a standalone development. It is not a benefit.</p> <p>Can I have the next slide please? Supporters also place significant weight on having the same developer as Morley Way. When we talk about a buffer between old and new, Construct Reasons Ltd were the ones responsible for the siting of the green amenity, now an asset of community value, between Morley Way and the heritage part of the village. You can see it in figure 4. Can I have the next slide or back, please? I think we may have gone ahead. Thank you. That says figure 4. That same developer is now proposing to develop a site that is closer to the listed building than the very buffer they created some 20 years earlier. It is simply incongruous and is not a benefit.</p> <p>Finally, supporters of the scheme also believe that there is a need for more bungalows in Wimbleton. The proposed development is for five three-bedroom bungalows. Yet, the Wimblington and Stonea Housing Needs Assessment of January 23 stated that the village far exceeds the national average for built bungalows and suggests that the greater proportion of dwellings are delivered as two-bedroom dwellings with an emphasis on affordable housing. This is not a benefit.</p> <p>The Fenland plan calls for a presumption in favour of sustainable development. It talks of growth that is not for its own sake. The only true benefit of this proposal is the monetisation of an undeveloped parcel of land and that is not a public benefit. It is growth for its own sake. To conclude, in line with NPPF guidelines, there is no clear and convincing justification or public benefit that outweighs the harm to the setting of the listed building. To draw any other conclusion would be irrational. Thank you.</p>	
Chair	Thank you. I would now like to invite Members to put questions to Mr Dubois. If you would like to ask a question, please can you raise your hand? Starting with Cllr Sennitt Clough.	5.
Cllr Sennitt Clough	Thank you Chair. Hello, Chair. I'd just like to –	6.
F1	Sorry, can you just turn your microphone on?	7.
Cllr Sennitt Clough	Hello, start again. The word harm is used quite a lot and everybody has a different interpretation of what harm means. I wondered if you could just unpack that term in regard to your own experience of what you think that will mean in relation to this development next to your property?	8.
Steve	Look, I'm not a planning expert and I would defer that question to the planning	9.

Dubois	<p>experts, the very same people who have offered or proposed a refusal. But in this case, it is certainly in my opinion a view that we have got a heritage and a legacy in terms of that property that stood there for over 200 years in an open space and then all of a sudden we're now going to enclose that space.</p> <p>There is a connection, and if you look at some of the other documentation, there is a connection between that property and the other listed building at Addison Road and that's the field that separates those two. So there is very much a connection between that field and the property at 31 Norfolk Street. I'd invite the planning experts to answer what is a technical question.</p>	
Chair	Cllr Sennitt Clough, I suggest you put your question to Officers in a moment. Cllr Bennie. Sorry.	10.
Cllr Sennitt Clough	[REDACTED]	11.
Chair	Yes, certainly, sorry.	12.
Cllr Sennitt Clough	I appreciate that there is a technical aspect. I was asking the question from your own personal experience. That was all. I'm well aware of what harm means in terms of what the Planning Officer meant. I meant from your own perspective. Thank you.	13.
Steve Dubois	Thank you, Cllr Clough. I did say that with greater time, I would touch on other factors. That house has been there for 200 years. It is a listed building. It does not have the modern amenities in terms of things like soundproofing, there is no double glazing for example, it is a one and a half elevation building, so effectively, you know, upstairs is plasterboard and thatch. You can literally hear everything outside. It is dependent on its isolation for modern living, not – it is not conducive to being in an environment with a sort of housing density that you would have as part of a modern development. I think building that close to it is not conducive to that house.	14.
Cllr Sennitt Clough	Just to come back on that. Thank you. I'm glad that I asked again because that is the sort of information I wanted to hear, as I'm keeping an open mind on this application. I really wanted to hear from your own perspective, so thank you.	15.
Chair	Cllr Benney.	16.
Cllr Benney	Good afternoon. You bought this house obviously some time ago. Was the field whatever part of the land that was associated with that house?	17.
Steve Dubois	No, certainly not in our lifetime. That was always part of the farm behind it I think, and again the Planning Officers may have further information. I think there is definitely a relationship between that and the house at Addison House with the other listed property, and there may well have been historically a connection between those two properties.	18.
Cllr Benney	So that the house, was it – I know it could go back far further than you can remember – was that field ever associated with this house? Has somebody sold the land off separately to the house? Is it a separate piece of land or...?	19.
Steve Dubois	It was always a separate piece of land, but obviously whilst ownership was different, the location – it has always been in context of that land.	20.
Cllr Benney	Okay. Thank you very much.	21.
Chair	Thank you. A couple of questions from myself. Could we go back to the slide where we had the imposed – that one, thank you very much. What distance from your property, you talk about noise, do you believe they will be built?	22.
Steve Dubois	I think the plan is marked up. I think the plan is marked up. I think from memory – is it 36 meters I think?	23.
Chair	36, yes. Sorry. Okay, yeah, 36. And the second one – and second question, proximity to the other buildings around you, is that within the same distance?	24.
Steve	It's a good question. So clearly the road to the right is Norfolk Street. It	25.

Dubois	formerly was the High Street. The nearest building is about 25 meters away and that's the back of the garage, so it's probably a good 30 meters to Norfolk Street.	
Chair	Thank you. So the new proposed buildings would be 36 meters from the back of their properties as well.	26.
Steve Dubois	No, that's incorrect because the thing about 31 Norfolk Street is that it is set back in its plot, whereas every other house along Norfolk Street is running adjacent to the street. So the one house that is most affected and nearest to the development is the listed building, the thatched property at 31 Norfolk Street.	27.
Chair	Sorry. So just to clarify, you are saying that the existing properties are 25 metres from your property. The new proposed properties would be 36 metres from – and they are the rear of the properties.	28.
Steve Dubois	<p>Yeah. So just to clarify, my neighbours to the front of the property, where incidentally we have secondary double glazing, they are roughly 25 meters and they are, you know, in line with the road. This development is at the rear of the house and that would be effectively 36 meters away where we don't have those kinds of measures.</p> <p>Might I just add whilst we're on that subject, one of the things about having a thatched property is that things like Guy Fawkes night are not the greatest time of year, right? We do have – in our insurance we're not allowed to have any incineration or burn anything within 100 meters of or on our property within 100 meters, right? It's a clause within our insurance.</p> <p>Those back gardens will literally be the other side of the hedge. I cannot stop people from having barbecues, from setting off fireworks, from incineration, and potentially I have certainly got two if not three properties that would be incredibly close to that thatched property.</p>	29.
Chair	If I could come back on that, but you also have, as you've said previously, within 25 metres existing properties who also could have barbecues, fires or whatever, so you already have that existing problem. So would you agree?	30.
Steve Dubois	I would also agree and, look, the owners of the land have had bonfires on that land in their time. They have set them much further back than this proposed development, but I can assure you that on one occasion we had to call the fire – it only takes one occasion, right? If needs be, I can go and find the date for you, but yeah, it would be incredibly concerning and these are a lot, a lot closer than some 50 meters away that the owners might have previously had bonfires on.	31.
Chair	Thank you. Any further questions? Thank you very much.	32.
Steve Dubois	Thank you.	33.
Chair	I would now like to invite Amy Richardson on behalf of the agent to make her presentation to the Committee. You also have five minutes.	34.
Amy Richardson	Thank you, Chairman, Members. We've worked closely with the Planning Officer, Tom Donnelly, throughout the planning process and dealt with any issues proactively. As noted in his report, the scheme complies with policy LP3 of the Local Plan, provides a scheme that is in keeping with the surrounding pattern of development in Morley Way and Waggoners Way and does not give rise to any unacceptable amenity impacts in accordance with policy LP16 and the scheme also accords with policy LP12. The Officer even refers to the fact that the plot sizes are generous and avoid a cramped form of development while still making an efficient use of the land.	35.

	<p>The main issue here is the impact on the listed building at 31 Norfolk Street. As Members will be aware from the Officer report, the previous scheme for eight bungalows was withdrawn to try and address the impact of development on the listed property and the scheme has been reduced to only five bungalows with frontage development onto a private road. The road will remain private and not be offered for adoption. All issues around drainage for the development have been addressed in the planning process and the Lead Local Flood Authority have no objections to the scheme.</p> <p>Members should be made aware of the fact that the original listing to 31 Norfolk Street only referred to three windows which face east, that's the front elevation of the property, towards Norfolk Street and part of the original rectangular shaped cottage. More recent additions have been added to the western side of the property together with a detached garage.</p> <p>There are no first floor windows in the listed building facing towards the application site and as we've just heard, the nearest bungalows in the development are over 36 metres away from the listed building. We've added photographs of the listed building which confirm that there are no windows facing the development. These are taken from estate agents' particulars, as the property is currently on the market.</p> <p>Our Heritage Consultant has tried to address the concerns raised by the Conservation Officer, noting amongst things that the village of Wimblington has significantly changed over the last 100 years from a much smaller village to a growth village and noting there is nothing to suggest that 31 Norfolk Street has had a direct functional connection with the site such as grazing or farmland. The site is not known to have ever been grazing land and the asset is not located within open countryside or on the edge of the village but instead surrounded by residential development within the heart of the village.</p> <p>The grounds of the listed building primarily extend to the east towards Norfolk Street where the majority of the bedroom windows face, suggesting that the property is clearly orientated towards the east and this has formed its primary amenity space. It's considered that the Conservation Officer has given undue weight to the contribution the site makes to the setting of the listed building and has failed to acknowledge the current setting asset as experienced in, which is one of residential built form.</p> <p>The proposed layout was amended to offer a single line of dwellings to the far west of the site and provide greater distances to the listed building within the spaces between each dwelling, helping ensuring that the dwellings do not appear as a solid wall of development and with a variety of roofscapes helping to break up the massing.</p> <p>Members should also be aware that the District Council are looking to sell the open space in Morley Way – sorry, could you just skip to the last one, thank you – that the applicants provided as part of the original Morley Way development. This will take away the nearby public open space and will no doubt be subject to residential development, removing current green space.</p> <p>We would ask Members to look at the benefits of this scheme and what it can provide and largely the supporting nature of the Planning Officers comments and go against the Conservation Officer's recommendations. Thank you.</p>	
Chair	Thank you. I would now like to invite Members to put questions to Ms	36.

	Richardson. If you would like to ask a question, please raise your hand. Cllr French.	
Cllr French	Thank you, Chair. I noticed Anglia Water, excuse me, Anglia Water do have – thank you. I notice Anglia Water have concerns. Have you addressed these concerns?	37.
Amy Richardson	Yes, there aren't any drainage concerns anymore, it's been dealt with.	38.
Chair	<p>Okay. Thank you very much. I would now like to invite Members to put questions to Officers. Officers are getting away very lightly then. Okay. Thank you, everyone.</p> <p>I would now like to invite Members to debate the item in respect of the material planning considerations relevant to the application. If you would like to speak, please raise your hand. Cllr Gerstner.</p>	39.
Cllr Gerstner	Thank you. I think it's going to be a difficult one in the respect that we have a heritage site here. We have a green field site that's nearby. I have reservations about the impact on noise and amenity in respect for the questions you brought, Chairman. 25 metres and 36 metres I think was the quoted distances away. Where do we value our heritage, is the question that needs to be asked. It looks to be a well thought out, designed development. Thank you.	40.
Chair	Cllr Benney.	41.
Cllr Benney	<p>Thank you, Chairman. Yeah, sitting here listening to the speaker's views, see what he says, but equally, if this was any other development, the distance between houses is 21 metres. We've got 36 here. I think the developer has worked to try and mitigate the harm to the historic building, nor should a historic building be a block to development. It's a piece of land, it's well within the build form of Wilmington.</p> <p>These houses – I've been at Morley Way several times, often with Cllr French when we've done site visits, we've looked at other things down there when we've been down there to look at stuff. And this piece of land is – and land usage is what we're looking at here today is. Is this land suitable to build on?</p> <p>I do take on board the comments about fire risk of a thatched cottage, but that's a risk you take when you buy a thatched cottage. that could come from anywhere. That doesn't necessarily mean if it does catch fire that it's going to come from these five dwellings. There is a everywhere in everything you buy.</p> <p>This piece of land from what the speaker was saying has no connection to this house. And I think this has been well planned out. I think consideration has certainly been given to keep the distance away from the heritage asset. We have certainly passed other applications that have been a lot closer to a heritage asset. There was one in Whittlesea we passed a few years ago and the Committee at that point decided that we would build closer to that.</p> <p>So I think that, you know, it's a district wide policy that we've got and we have passed stuff there before near a heritage asset. I think looking at the size of green that is left there, I think there is sufficient there to safeguard the heritage asset and provide the homes that Fenland so much needs.</p>	42.
Chair	Thank you. Cllr Sennitt Clough.	43.
Cllr Sennitt Clough	Thank you, Chair. I agree with the points raised by the two Members so far. It is a difficult one because I think that the bungalows look of a very nice design.	44.

	<p>They are some distance away. Somebody mentioned about the 25 meters versus 36 or whatever it is. I mean, there's a point at which I'm thinking, well, do we need to add more properties to surround this historic building though? I keep coming back to LP18.</p> <p>I'm obviously still deciding myself, but it is a difficult one, weighing up the value of this thatched building with the need for bungalows. And obviously, as was stated, Wilmington is a growth village, but its growth has been reached. So I'm very much sort of undecided at the moment.</p>	
Chair	Thank you. Cllr Gerstner.	45.
Cllr Gerstner	Just one more time. There seems to be a good break between the development and the listed building. It doesn't seem to me to be overdeveloped at all. You know, they look to be, I'd say, good form, good planned buildings. I think there's a need for that type of development – type of building and it looks to be quite desirable. I think the distance is acceptable, you know. Whether that field was part of the heritage of that building, we don't know and it really doesn't make much difference at this moment in time. But I think there's still a good break there between that development and the listed building.	46.
Chair	Thank you. Cllr Purser.	47.
Cllr Purser	<p>Thank you, Mr Chairman. Yeah, I had to wander down there and had a look around the site and what have you, and while I understand there's a need for the development, there's a need for the bungalows and it's all well planned out there, there is another side of it from my perspective on that, which we actually had a look at another site some time ago, and the fact that a lot of the people who actually live there already are actually quite older people, retired people and what have you.</p> <p>And the heavy traffic going through there to actually develop the site could have a detrimental effect to their own properties that are down there. And I think there's a – I'm let's believe there's a possibility of a flooding issue there, but I'm concerned for those people who actually live down there with the disturbance and they actually have their own living down there at the moment. Thank you.</p>	48.
Chair	Thank you. Cllr French followed by Cllr Benny.	49.
Cllr French	Thank you, Chairman. I listened to what Cllr Purser has said. What you've just stated really isn't a planning merit. The question I'd like to answer has – as Elizabeth pointed out, policy LP18, were English Heritage involved in any discussions?	50.
Chair	I believe that would be a question to Officers. Would you like me to ask Officers now? Are you happy to...?	51.
David Rowen	Yeah, through you, Chairman, so English Heritage or Historic England are only consulted on certain applications, so development within the setting of a Grade II listed building would not be an application that would be consulted upon.	52.
Cllr French	Thank you.	53.
Chair	Cllr Benney.	54.
Cllr Benney	Yeah, thank you, Chairman. I think this could be a lot worse. We turn this down today and you could get this come back with it full of houses. I think this is truly is a compromise and compromise is where we try and be, and compromises never seem to please anybody. But we have got a good fire break there and we have got a good break for sound. I mean, if this was any other development, it would be 21 meters and you wouldn't be able to build between – closer than that. And if this gets refused, this could come back with	55.

	<p>more and even closer ties to it. I think this is a – this is the compromise.</p> <p>I understand what the applicant says, but nobody ever wants anything built near them, do they? And, you know, you can always come up with a thousand reasons why you shouldn't. But in truth, looking at this, I think, you know, look at the bungalows. They are [REDACTED] bungalows and you never see them empty. As soon as they're built, they sell. and that proves a need for it. And you know, I personally think this is an application worthy of support.</p>	
Chair	<p>Thank you. I quite agree. I mean I look at it and think to myself, like I do with most applications, would I want to live there? And actually, yes, in both properties. I don't think, you know, with the bungalows built, you're going to have any overlooking problems. It's not as though we're putting up five bedroom houses or anything. Noise wise, the likelihood is if they're going to be bungalows, they're going to be older people anyway.</p> <p>The likelihood of them having fires and bonfires and fireworks and stuff I guess is fairly negligible, but you know, there is always that risk, but in saying that, there's the same risk around all the other properties as well. At the moment, from what I can see, I'm still not 100% mind made up, but at the moment I am leaning more to pass this application. Any further debate? Cllr Sennitt Clough.</p>	56.
Cllr Sennitt Clough	<p>Thank you, Chair. I just wanted to say that there was a comment made about if we refuse and the future of the site and da-da-da-da, I think we just have to stick to the application that's in front of us today. I still haven't made my mind up, but I think, you know, we just need to focus on what we think of this application rather than think about what would happen down the road.</p>	57.
Chair	<p>Thank you. Any further comments for debate? No? Okay. Thank you, Members. Does any Officer have any points of clarification?</p>	58.
David Rowen	<p>Yeah. Thank you, Chair. So I think just to pick up on a few of the issues that Members have raised, so in terms of the separation distances, I think some of the distances that have been referenced are sort of amenity standards, so in terms of distances between properties, in terms of overlooking, etc.</p> <p>We're not looking at amenity here, we're looking at the setting of the listed building. Within the report there is the definition of setting that's given by Historic England and that setting varies from listed building to listed building. So in some instances, you will potentially have new build very close to a listed building because that reflects the historic pattern of development, etc.</p> <p>Here, it's considered that the setting is the open space around that building and that encroaching into that open space is what's detrimentally impacting upon that setting. Whether that land has been in the ownership of the building, the listed building historically, is not particularly relevant. Land that is not – that is in separate ownerships, multiple separate ownerships, can still form part of the setting of a listed building. So that is the pertinent issue.</p> <p>If Members are minded to grant the application, I would remind the Committee of the legal duty, again set out in the Officer report, within the 1990 Listed Building Act, that essentially Local Planning Authorities when considering development should pay special attention to preserving a listed building or its setting. So the lawful duty on the Council is to give great weight to preserving the setting of a listed building.</p> <p>If Members are minded to grant the application, however, within that context I</p>	59.

	would perhaps advise that any reason for doing that needs to be sort of clearly articulated and clearly set out in respect of the public interest sort of benefit or balance that's set out within the NPPF, so there's a sort of clear decision making trail almost that you have to go through to ensure that it's a robust and unchallengeable decision. I'm not sure whether there's anything that the Legal Officer would want to add to that in terms of the duty in law.	
Stephen Turnbull	<p>Thank you. Through you, Chair, yes, what David just said is correct, that there is a legal duty to pay special – that's the word they use – special attention, special regard to preserving the setting of a listed building. So if Members decide that this proposal can proceed notwithstanding some degree of harm to that setting, then they must explain whether they think that level of harm is low enough to justify the proposal or whether there's a countervailing public benefit to overcome the harm that's involved.</p> <p>And just to repeat a point that was raised earlier, that setting is not the same as ownership, so the two are completely separate concepts. So the setting of a building transcends its ownership and ownership is irrelevant. So the fact that this field is not owned by the same people as the listed building has nothing – no relevance at all to the test that should be applied. Thank you.</p>	60.
Chair	Any further questions to Officers? Or to Stephen? No? Okay. Do I have a proposal to go with the Officers' recommendation to refuse planning permission? Cllr Sennitt Clough. Do I have a seconder for this recommendation? No? Okay. Do we still need to go to the vote on this, as we haven't got a seconder? We can't. Right. Okay, fine. So that proposal has now failed. So do we have a proposal to go against Officers' recommendation? Please raise your hand. Cllr Benney.	61.
Cllr Benney	<p>Yeah, Chairman. I propose that we go against Officers' recommendation on this one and approve the application. I don't think it does any serious detrimental harm to the setting of the listed building. There is still sufficient space around it not to harm it. It's a very subjective answer, as David has already pointed out, there's no set distances for this. If there were, it would be very clear cut. It depends on each building individually.</p> <p>And we need houses in Fenland. As Councillors, we know what this is costing in terms of emergency accommodation because we have not got enough houses in this district. We've got people living in bed and breakfasts and they won't move into those houses, but somebody will move out of a small house to move into a bigger house and that will create homes because we are desperate. We are so, so desperate. I know that houses are being built here, but we as a Council have a legal responsibility to provide homes for people, and truthfully, we are struggling as a Council to do this.</p> <p>So if there is public need, go and ask anybody who lives in bed and breakfasts and ask them if there's a need for housing. I feel there is. I feel that the distances between this and the listed building are sufficient that it won't cause harm in terms of noise, no more than the other residents that live near that property. In terms of construction traffic, not a material planning consideration. We pass stuff every day with it. There's building materials go past people's houses, that's not a consideration.</p> <p>And I just feel that, you know, in terms of land usage, this is what this piece of land is for. It's never going to be agricultural, it will be built on at some point, and this scheme does provide a buffer zone between here and that house. So I'm quite comfortable with approving this application, Mr Chairman.</p>	62.

Chair	Thank you, Cllr Benney. Could we just be very clear on the planning reasons, obviously having heard what the Legal Officer has said, as to why we believe we should go against this?	63.
Cllr Benney	I think I've already done that, Mr Chairman.	64.
Stephen Turnbull	Well, I've heard what was said, yeah, I think to characterise what Cllr Benney said, your view is there's no harm to the setting or if there is some harm, that's counterbalanced by public benefits.	65.
Cllr Benney	Whenever you build something, it changes the character of the area. Whether that is harm, or whether that is benefit is in the eye of the beholder. And truthfully, this to me does not do sufficient harm to warrant a refusal on this application.	66.
David Rowen	Through you, Chairman, that's the reason that Cllr Benney's given, so I think that's the one on which the Committee need to vote.	67.
Chair	Thank you. As the proposal is to go against Officers' recommendation and you have provided planning reasons for the proposal, do I have a seconder? Cllr Gerstner. We will now go to the vote. If you support the new proposal, please raise your hand.	68.
F1	That's five votes, Chairman.	69.
Chair	If you're against the new proposal, please raise your hand.	70.
F1	One vote, Chairman.	71.
Chair	Conditions to Officers, yeah, not too onerous. Do you want to see – Cllr Benney, do you want to see the conditions? No? Okay. Okay. The Committee has decided to go against Officers' recommendation and grant planning.	72.