



Appeal Decision

Site visit made on 10 December 2024

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2024

Appeal Ref: APP/D0515/W/24/3342451

Land East of 64-66 March Road, Wimblington, Cambridgeshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Jenmain Builders Limited against the decision of Fenland District Council.
 - The application Ref is F/YR24/0130/PIP.
 - The development proposed is described as erection of 2no dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for Permission in Principle (PiP). Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The PiP consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) (TDC) stage is when the detailed development proposals are assessed. It is the granting of TDC that has the effect of granting planning permission for the development. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent TDC application if PiP is granted.
4. An applicant can apply for PiP for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, PiP has been sought for 2 dwellings on the appeal site.
5. In my banner heading above I have used the address used by the Council in their decision notice as this more accurately describes the location.
6. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. As a result, I consider that there is no requirement for me to seek further submissions in respect of these matters, and I am satisfied that no party's interests would be prejudiced by my taking this approach.

Main Issue

7. The main issue is whether the site is suitable for residential development, having regard to its location.

Reasons

8. The appeal site comprises an open and relatively flat parcel of land which I observed to form part of the semi-rural character of the golf club. It would be accessed by way of the existing drive that serves the golf club. In the vicinity of the appeal site, dwellings generally front the highway, being set back from the highway boundary with spacious front gardens.
9. Policy LP3 of the Fenland Local Plan Adopted May 2014 (the Local Plan) sets out the district-wide spatial strategy. Wimblington is designated as one of the four Growth Villages, which form the second tier of the settlement hierarchy. At these villages, development and service provision are permissible, on a limited scale, either within the existing urban area or as small village extensions. Settlement boundaries are not defined, but are left to be considered on a case-by-case basis. Elsewhere development will be restricted to a closed list of exceptions.
10. The appeal site has an open character, and in this respect a different character from that of the nearby residential development, which is predominantly a linear pattern of development along March Road. The proposal would result in built form protruding into an otherwise open space to the rear of properties that would be at odds with the prevailing character and appearance of development in the locality.
11. My attention has been drawn to residential developments that the appellant states include cul-de-sac layouts. However, from the evidence before me, and as observed at my site visit, such developments are not within the immediate context of the appeal site, being located some distance from the appeal site further along March Road to the south. Furthermore, such development are located on the opposite side of the road and do not form part of the immediate site context. Consequently, I do not consider the developments to be comparable.
12. The appellant submits that the site represents infill development as it would sit between existing residential properties that front March Road and the Priory Golf Club House. The development plan defines residential infilling as development of a site between existing buildings. I acknowledge that this does not preclude the infilling in-between residential and non-residential buildings.
13. Whilst the proposed dwelling would be positioned between built form, whether the proposal would represent infill is a question of planning judgement based on an assessment of the site and its surroundings. I am not convinced that the proposal constitutes infill development. The dwelling would be set back from March Road and would be separated from the golf clubhouse to the east by an area of hardstanding, which I understand is used for vehicular parking, and a large undeveloped area of land. Whilst I do not disagree that infill generally refers to development between existing development, to my mind despite the site having built form either side the proposal would not result in the completion of a gap between an otherwise continuous and contiguous frontage.

14. My attention has been drawn to a major development allocation to the north of the appeal site of employment land in the merging plan, which the appellant states would impact any perceived settlement pattern. I do not have any further information before me in this regard. However, given the early stage of the emerging plan little weight can be afforded to its policies. Nevertheless, I find that residential development of the site would have an urbanising impact on the land that would be discordant with the existing development pattern to the east of March Road.
15. For the reasons stated above, I conclude that the proposal would not be an appropriate location for development. Accordingly, I find conflict with Policies LP12 and LP16 of the Local Plan and the Framework. Amongst other things, these policies require, that residential development should be in a location that is in-keeping with the core shape and form of the settlement.

Other Matters

16. The appellant suggests that the policies of the Local Plan are out-of-date by virtue of their age. However, paragraph 232 of the Framework confirms that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In this circumstance, the policies most important for determining the application are broadly consistent with the overall aims and objectives of the Framework insofar as it relates to location and character and appearance.
17. It is not disputed that the site lies in Flood Zone 1, identified as having a low probability of flooding. Similarly, it is recognised that the appeal site would not result in the loss of high-grade agricultural land and that the site is not located within a conservation area, SSSI or an AONB (now known as a National Landscape). It is noted that there are no highway objections at the PiP stage, and I have no reason to reach a different view in this regard. Nevertheless, these are neutral matters that weigh neither for, nor against the proposal.
18. The surrounding area is varied in terms of the scale, design and external appearance of dwellings. I am satisfied that the appeal site could accommodate the quantum of development proposed. Whilst it is indicated that the proposal would be for single storey or chalet style dwellings, the scale and design of the proposed dwelling is a matter for the TDC. Nevertheless, there is no evidence before me to suggest that the dwellings could not be designed in a manner in-keeping with the external appearance of other properties within the locality and that the proposal would have only a limited visual impact. However, this does not overcome the harms identified.
19. The appellant seeks to draw comparisons between the appeal proposal and sites recently granted permission¹ stating that these cases support the view that the location of the proposed development would be suitable. From the limited evidence before me, all the identified application references related to a different quantum of development to the appeal scheme and relate to a different location, some distance from the appeal site, which limits their

¹ F/YR19/0550/0 (3 dwellings), F/YR21/0455/F (3 dwellings), F/YR20/0641/F (9 dwellings) and F/YR22/0884/PIP (9 dwellings)

equivalence. Furthermore, in the case of 1 Eastwood End the evidence indicates that the land was occupied by an existing dwelling. In any event, I have assessed the appeal on its own merits.

20. The proposed development would be an efficient use of land, making a contribution towards the local housing supply that would support the Government's aim of significantly boosting the supply of homes. I acknowledge that the Framework is supportive of small and medium sized sites, such as this site, which are often built out relatively quickly. It is recognised that March Road provides for a lit footway and that future occupiers would not necessarily be reliant on the private motor vehicle. There would be benefits arising from the construction period and future spend of occupants giving support to the local services and facilities. However, as construction benefits would be short term and given the scheme is for 2 units, the weight I give these factors is limited.
21. Overall, there are no other considerations, including the Framework, that outweigh the conflict with the development plan in this case.

Conclusion

22. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

R. Gee

INSPECTOR