

21/00412/FUL

Land To South Of 25 Pymoor Lane

Pymoor

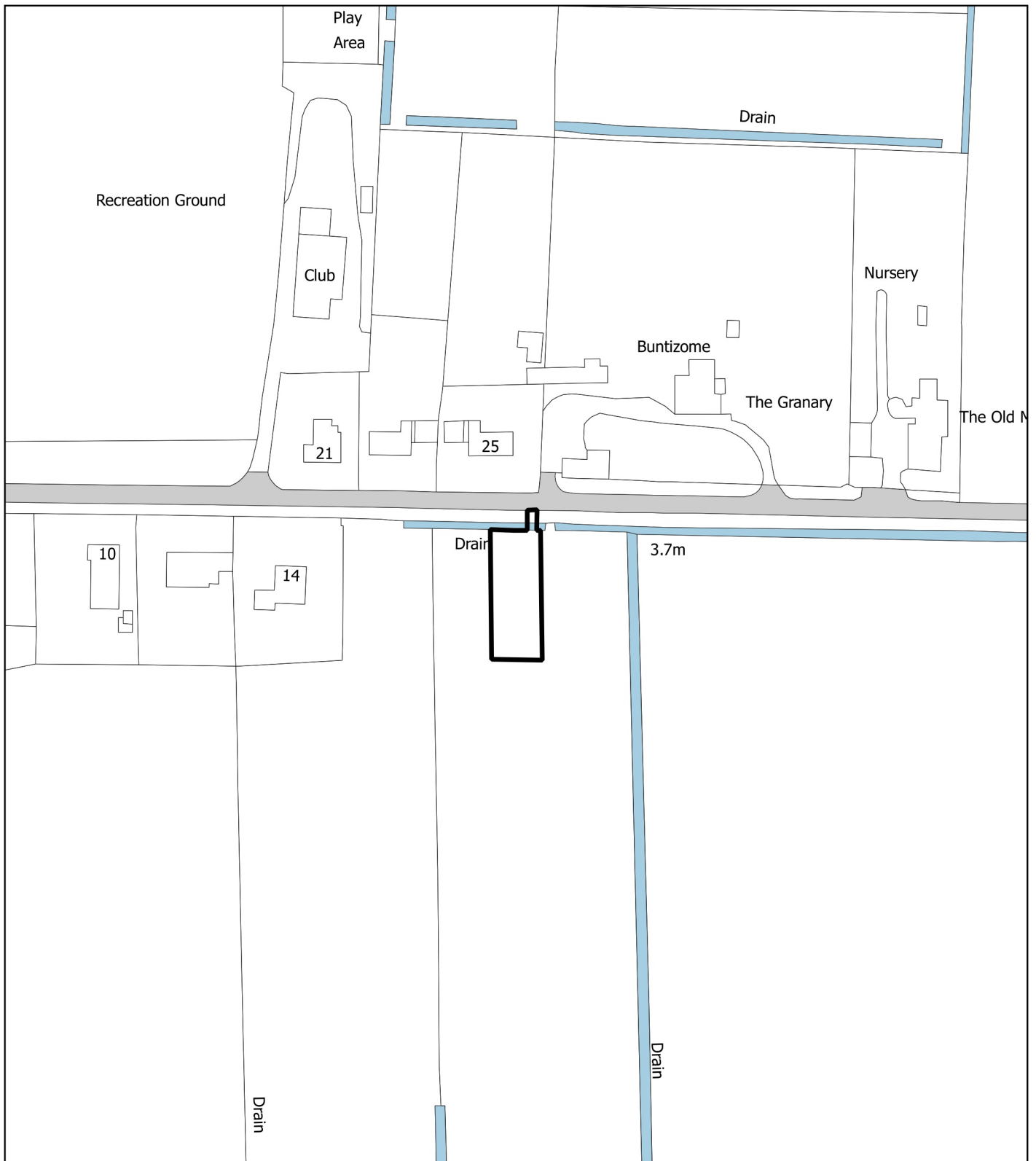
Cambridgeshire

Construction of 1no. four bedroom, two storey detached dwelling

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQKJWZGG0D800>





21/00412/FUL

Land To South Of 25
Pymoor Lane
Pymoor



East Cambridgeshire
District Council

Date: 21/06/2021
Scale: 1:1,500

© Crown copyright.
All rights reserved 100023279 (2021)



MAIN CASE

Reference No: 21/00412/FUL

Proposal: Construction of 1no. four bedroom, two storey detached dwelling

Site Address: Land To South Of 25 Pymoor Lane Pymoor Cambridgeshire

Applicant: Mr J Everett & Ms A Miller

Case Officer: Emma Barral Planning Officer

Parish: Little Downham

Ward: Downham
Ward Councillor/s: Anna Bailey

Date Received: 25 March 2021 **Expiry Date:** 14th July 2021
Report Number W36

1.0 RECOMMENDATION

1.1 Members are recommended to **REFUSE** the application for the following reason:

The proposed development is situated outside of the development envelope and is not an allocated site or an affordable housing exception site; on this basis fails to comply with policy GROWTH 2 of the East Cambridgeshire Local Plan, 2015 which restricts development outside of the defined development envelopes and does not meet any of the defined exceptions within that policy.

2.0 SUMMARY OF APPLICATION

2.1 The application submitted seeks planning permission for the construction of 1no. four bedroom, two storey detached dwelling. The proposed dwellinghouse would measure 13 metres (42 feet) by 10 metres (32 feet) with an eaves height of 4.3 metres (14 feet) and a total height of 8 metres (26 feet). The proposed materials of construction would be TBS Audley Antique Brickwork, a slate roof finish and black flush casement uPVC windows and doors.

2.2 The application has been called to Planning Committee by Councillor Bailey for the following reason- "I understand and accept the reasoning of Officers that this application cannot be supported in principle - the previous permission on the site has expired, the site is outside the development envelope and it has no live or extant planning permission on which it can rely. *I support Officers and the Council in working to respect the development envelopes and to uphold the Council's 5 year housing*

land supply status. I am therefore normally hugely reluctant to call in applications that are outside the development envelope to Planning Committee. However, I have visited this site and considered the situation carefully and on its own individual merits. Although this site is outside the development envelope, it is within the speed restricted area of the village, it is an infill site and has previously had the benefit of planning permission which was granted when the Council could not demonstrate a 5 year housing land supply. Although it is not a material planning consideration, the applicant purchased the site believing it to have the benefit of planning permission in place. Planning Committee exists for a reason - it can make decisions that Officers cannot. It can give consideration to circumstances that Officers cannot. I believe this application is one that does merit being determined by Committee”.

- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

- 3.1 In terms of planning history, the site was the subject of LPA Ref 16/01115/FUL which also included the site to the east of the application site and no conditions were ever discharged for this consent. The site to the east was the subject of LPA Ref 18/00972/FUL which has been implemented on site. To the west the application site is covered by 16/00209/FUL and 19/00238/FUL and the conditions were discharged in April 2021 under LPA Ref 19/00238/DISA.
- 3.2 It therefore appears that separate consents have been submitted for both the sites to the east and to the west of the application site. These were also approved when the Council could not demonstrate a 5 year housing land supply. The only consent that covers the current application site was from 2016 and has expired as of the 18th October 2019 and it also not extant.
- 3.3 The relevant applications discussed above are as follows-

Application Reference	Development Description	Outcome	Date of Decision
16/00209/FUL (west of application site)	Erection of 4 bed dwelling	Approved	06.07.2016
19/00238/FUL (west of application site)	Construction of 4 bed dwelling- resubmission of previously approved 16/00209/FUL	Approved	09.04.2019
13/00976/FUL (application site and sites to west and east)	Construction of three dwellings and new access to the paddock.	Refused	03.01.2014

16/01115/FUL (application site and site to east)	Erection of 2No four bed dwellings	Approved	18.10.2016
18/00972/FUL (east of application site)	New four bed dwelling	Approved	06.09.2018

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises part of field on the south side of Pymoor Lane, located outside of, but within close vicinity to, the established development framework for Pymoor which is 40 metres (131 feet) to the west of the application site enclosing Number 14 Pymoor Lane. There are existing residential bungalows located on the south side of Pymoor Lane, with No.14 Pymoor Lane distanced 40 metres (131 feet) west of the application site. There are existing two-storey residential dwellings located opposite the application site, on the north side of Pymoor Lane. To the south of the application site the surrounding area comprises open countryside. There are dwellings with planning permission immediately adjacent to the application site. A Grade II Listed Building, known as The Old Mill, is located on the north side of Pymoor Lane approximately 100 metres (328 feet) in distance from the application site.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Little Downham Parish Council- No Comments Received

Ward Councillors - See above call in details.

Local Highways Authority – 4 June 2021- “I have no objections. The access arrangements appear to be the same as that previously permitted with respect to applications 16/00209/FUL and 19/00238/FUL, and while facility for turning has been reduced, it appears to be broadly workable if potentially awkward for the parking space closest to the dwelling. While I would recommend that the access be widened or relocated slightly to the west to ease turning out, I would have no objections in this regard. All works within the highway must be constructed in accordance with Cambridgeshire County Councils Housing Estate Road Construction Specification (HERCS) with any trafficked surface in the site within 6m of the carriageway edge constructed in a bound material. The proposal appears to require construction of ditch crossing. The Local Planning Authority should consult the LLFA in this regard and be satisfied with any necessary construction”.

Conservation Officer - 9 April 2021- “No conservation implications”.

Waste Strategy (ECDG) - 20 April 2021-

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take

any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (98 feet) (assuming a level smooth surface).

- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £52 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

The Ely Group Of Internal Drainage Board - 12 April 2021- “The application states that surface water will be disposed of via soakaways. Provided that soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. It is essential that any proposed soakaways does not cause flooding to neighbouring land. If soakaways are found not to be an effective means of surface water disposal, the Board must be re-consulted in this matter, as the applicant would need the consent of the Board to discharge into any watercourse within the District.

If the new access crosses a ditch, the Boards consent will also be required”.

Wildfowl & Wetlands Trust - No Comments Received

- 5.2 A site notice was displayed near the site on 23 April 2021 and a press advert was published in the Cambridge Evening News on 8 April 2021. Neighbours – Eight neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

21 Pymoor Lane- “We have no objection to the construction of the proposed 4-bedroom house as it has previously been approved and any objection at this stage would not carry any weight, however we would like to make the following observations: -

A 30MPH speed limit was recently placed in Pymoor lane that ends just before the entrance to the cricket club, the reason given for ending there was that there were no houses on the left side of the road, this in spite of the fact that planning permission had already been granted for three houses further down the lane one of which has already been built and the second of which is this application, this speed limit should now be extended. In addition, there is no 30 MPH sign on the near side of the road.

There is no footpath beyond the entrance to the cricket club to the end of the village and this needs to be rectified as the lane is narrow at this point and poses a risk to

anyone walking along the road. Pymoor Lane also needs more official passing places as it is only a single carriage road and now carries significantly more traffic.

The planning department seem only to be concerned with buildings and apparently give no consideration to infrastructure. In Pymoor we suffer again with frequent power cuts, over the past few years the size of the village has grown considerably having looked a number of applications there is never a request to the power company to ensure there is sufficient capability of the power supply to cope with the increased demand. This question also applies to sewerage.

There are no facilities in the village, even to fetch a loaf of bread one has to drive, there is no bus service”.

6.0 The Planning Policy Context

East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

Natural Environments

Climate Change

National Planning Policy Framework 2019

2	Achieving sustainable development
4	Decision-making
5	Delivering a sufficient supply of homes
9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well-designed places
14	Meeting the challenge of climate change, flooding and coastal change

- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are the principle of development, the impact it may have on the residential amenity of nearby occupiers and the impact it may have on the visual appearance, parking provision, drainage and flood risk, biodiversity and climate change.

7.2 Principle of Development

- 7.3 The site is not within an established development envelope of Pymoor and Local Plan policy GROWTH 2 restricts market housing in such locations. Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its *Five Year Land Supply Report - 1 April 2019 to 31 March 2024* (published April 2020) and later in its updated *Five Year Land Supply Report - 1 April 2020 to 31 March 2025* (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14 year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing Delivery Test (HDT) result of 66%.

- 7.4 The 2020 HDT result (published in January 2021) indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council's housing land supply to 7.01 years. This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date and gives them full weight in the determination of this application.

- 7.5 The application site is located outside the development envelope of Pymoor with the boundary located to the east of the application plot (22 metres, 72 feet away). Policy GROWTH2 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport. Ely is the most significant service and population centre in the district, and will be a key focus for housing, employment and retail growth. More limited development will take place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs. Policy GROWTH2 also states that outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted outside of development envelopes, and will only be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied. The proposed development does not meet any of the identified exceptions, as stated in GROWTH 2, and therefore the development is unacceptable in principle. It is therefore considered that the proposed development would be contrary to policy GROWTH 2 of the East Cambridgeshire Local Plan and is unacceptable in principle.

7.6 Visual Amenity

- 7.7 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires that all development proposals are designed to a high quality, enhancing and

complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. Additionally, Policy ENV2 of the East Cambridgeshire Local Plan 2015 makes it clear that all new development proposals will be expected to respect the density and character of the surrounding area, whilst ensuring that the location, layout, scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other, as well as creating quality new schemes in their own right. Furthermore, the East Cambridgeshire Design Guide Supplementary Planning Document 2012 states that, in most cases, building plots should be approximately 300 square metres, the footprint of any proposed development should be no more than approximately one third of the plot size and rear private amenity space should be 50sqm.

- 7.8 The visual impact of the proposed dwelling is not considered to cause significant and demonstrable harm to the character and appearance of the area such that would warrant refusal. The proposed development has been designed with some regard to the existing dwellings located opposite the application site, on the north side of Pymoor Lane. Furthermore, the proposal would not create an isolated dwelling within the countryside as there are a number of existing residential dwellings located to the north and west of the application site. It should be noted that the garage projecting in front of the main elevation does weaken the overall design quality of the scheme. However, the proposed design of the dwellinghouse is considered to be acceptable. The proposed materials of construction, as shown on the proposed plans, would be TBS Audley Antique Brickwork, slate tiles and black uPVC doors and windows.
- 7.9 Given the depth of the rear garden into the countryside it is considered necessary to remove permitted developments rights under Classes A and E to safeguard the openness and rural character of the area. On balance, it is considered that the proposal would maintain the character and grain of the village and be of a design and scale which maintains and respects the character and appearance of the surrounding area. It is therefore considered that the proposed development would preserve the character and appearance of the surrounding area in accordance with Policies ENV1 and ENV2 of the Local Plan 2015.
- 7.10 Due to the open countryside located to the east and south of the application site, it is considered that it would be reasonable for a landscaping condition to be appended to any grant of planning permission in order to help the development assimilate into area.
- 7.11 Residential Amenity
- 7.12 Policy ENV2 of the East Cambridgeshire District Council's Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. The front elevation of the proposed dwelling is located more than 25m from the front elevation of the closest residential dwelling, No.25 Pymoor Lane, which is located on the opposite side of Pymoor Lane. The site is also distanced 40 metres (131 feet) from the curtilage of No.14 Pymoor Lane which is located on the south side of Pymoor Lane.
- 7.13 The proposed dwelling does not include any side-facing windows which would face towards No.14 Pymoor Lane or the other approved adjacent dwellinghouses and the windows proposed within the front elevation of the dwelling would be located more

than 25m from the front elevation windows of the residential dwellings located on the north side of Pymoor Lane, preventing any significant overlooking or loss of privacy to any neighbouring properties.

- 7.14 Furthermore, due to the proposed dwelling being well-distanced from the nearby residential properties to the west, east and north, the proposal would not create a significant loss of light or an overbearing impact upon these properties. Due to the distance of the proposed dwelling from the nearby residential properties, it is considered that the proposal would not create any significant adverse impacts upon the residential amenity of any nearby properties. It is therefore considered that the proposal accords with Policy ENV2 of the Local Plan 2015 in respect of residential amenity.

7.15 Historic Environment

- 7.16 The application site is distanced nearly 100m from the curtilage of the nearby Listed Building, The Old Mill, which is located on the north side of Pymoor Lane. Due to the significant separation distance between the application site and the Listed Building, in addition to the scale of the development which comprises a single dwelling, it is considered that the proposal would not cause any materially harm to the immediate or wider setting of the Listed Building and would therefore preserve those elements that make a positive contribution to or better reveal the significance of the heritage asset. The Conservation Officer has no comments or concerns. It is therefore considered that the proposal accords with Policy ENV12 of the Local Plan 2015.

7.17 Highways

- 7.18 The application site is located to the south side of Pymoor Lane, where there are existing vehicular accesses on to the public highway which serve the bungalows located to the west of the site. The public highway is a quiet road with little traffic and the proposed access provides adequate visibility in both directions. It is considered that the creation of an additional access point to the south of Pymoor Lane to serve a single residential dwelling would not create any significant impacts upon the public highway network in respect of traffic volume or highway safety. Pymoor Lane is not served by public footpaths along the whole length of the road, with existing footpaths ending further west along Pymoor Lane before reaching the application site. However, this is an existing situation along Pymoor Lane and the erection of a single dwelling would be unlikely to give significant rise to pedestrian safety beyond what is currently experienced.
- 7.19 Pymoor is a small village in a rural location which does not benefit from public transport. However, the proposal is for a single dwelling and would not fundamentally change the sustainability of the village in respect of transport.
- 7.20 The submitted plan shows details of the proposed access and how the parking and turning layout could be achieved within the site. Space would be provided for 2 cars to park within the site and to enter the public highway in a forward gear.
- 7.21 The Local Highway Authority has been consulted on the application and have not raised any objections. It is noted that the Highways Officers have referred to the

surrounding planning history, not the specific history for the application site which is only LPA Ref 16/01115/FUL.

7.22 It is recommended that conditions are appended to any grant of planning permission in respect of vehicle manoeuvring, driveway surfacing and gate restrictions as per the conditions on the historic planning permission (ref: 16/01115/FUL). It is therefore considered that the proposed development accords with Policies COM7 and COM8 of the East Cambridgeshire Local Plan.

7.23 Ecology

7.24 Paragraph 170(d) of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175(d) advise that opportunities to incorporate biodiversity improvements should be encouraged, stating that development should be supported where the primary objective is to conserve or enhance biodiversity. Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. Furthermore, the Natural Environment SPD also seeks for biodiversity net gain under policy NE6. Some relevant details relating to mitigation measures have been provided with the submission including bat and bird boxes as well as bees boxes. A condition requiring a scheme of biodiversity improvements can be added if the application was approved. The request for biodiversity improvements is guided by the local plan policies which seek to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species. The proposed development therefore complies with Policy ENV7 of the East Cambridgeshire Local Plan 2015, and Policy NE6 of the Natural Environment SPD.

7.25 Flood Risk and Drainage

7.26 The application site is located within Flood Zone 1, defined within Planning Practice Guidance as land at low risk of flooding.

7.27 Policy ENV8 of the Local Plan 2015 makes it clear that all applications for new development must demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site.

7.28 A block plan has been submitted with the application which shows the proposed surface water arrangements within the site, however these details have not been confirmed to be acceptable and a condition should be appended The Littleport and Downham Internal Drainage Board do not object provided soakaways form an effective means of surface water disposal. In order to ensure that adequate surface drainage measures are incorporated into the scheme, it is recommended that a condition is appended to any grant of planning permission to ensure that the developer complies with the surface water drainage strategy shown on the submitted plans.

7.29 Climate Change

7.30 East Cambridgeshire District Council (ECDC) declared a Climate Emergency at its Full Council meeting on 17 October 2019. ECDC has joined over 200 Councils around the UK in declaring such an emergency. In declaring a Climate Emergency, the Council committed to producing an Environment Plan, which it subsequently did so (adopted June 2020). One action within that Plan was to prepare a Climate Change Supplementary Planning Document (SPD). The SPD has become a material consideration for the purpose of determining planning applications. The agent was invited to address the Climate change SPD that requests applicants may wish to look at minimising demand through design and maximising energy efficiency. The agent was informed of the requirements in the SPD, however no further details have been provided at the time of determination, which weighs against the proposed development but would not result in the application being refused on this basis alone.

7.31 Other Material Matters

7.32 As this application is for a particularly sensitive end use (residential), it is recommended that conditions are appended to any grant of planning permission requiring a contamination assessment to be submitted to and agreed by the Local Planning Authority prior to commencement of any development and also to address any unexpected contamination which may be found when carrying out the development.

7.33 Planning Balance

7.34 The application site for the proposed dwellinghouse is located outside the development envelope of Pymoor that has no extant planning permission and therefore the principle of development is not acceptable. It is therefore considered that the proposed development would be contrary to policy GROWTH 2 of the East Cambridgeshire Local Plan 2015. The application is therefore recommended for refusal for these reasons. All other concerns can be overcome via a condition as detailed above.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00412/FUL	Emma Barral Room No. 011 The Grange Ely	Emma Barral Planning Officer 01353 665555 emma.barral@eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>