
MAIN CASE

Reference No: 16/01170/OUT

Proposal: Erection of dwelling

Site Address: Innisfree Bradley Road Kirtling CB8 9JB

Applicant: Mr G Harbinson

Case Officer: Ruth Gunton, Planning Officer

Parish: Kirtling

Ward: Cheveley
Ward Councillor/s: Councillor Peter Cresswell
Councillor Mathew Shuter

Date Received: 7 September 2016 **Expiry Date:**
7th March
2017

[R213]

1.0 **RECOMMENDATION**

1.1 Members are requested to REFUSE planning permission for the following reasons:

1. The proposed site is not considered to be sustainably located and would have negative effects on the environmental and social roles of sustainability.

The site is located outside of the development framework at a distance of approximately 1 mile from the nearest part of Kirtling Green. There is a bus stop at a distance of approx 300m from the site along a 60mph road with no footpaths. This road is also used to access Kirtling Green which is approx. 1 mile from the site. This road is not considered a safe route for pedestrians, and would lead to a reliance on vehicular transport to access facilities by the future occupiers of the dwelling. The contribution to the housing supply by one additional dwelling and from biodiversity enhancements would be modest, and the benefits to the construction trade would be short term and minimal.

This does not accord with paragraphs 35 and 55 of the National Planning Policy Framework (NPPF) or policy GROWTH 5 of the East Cambridgeshire District Council Local Plan 2015. The adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, by virtue of unsustainable location and reliance on car.

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission with all matters reserved for the erection of a residential dwelling. An indicative site layout shows a detached garage but as this is not part of the description it has not been considered as part of the application.
- 2.2 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/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.3 The application was called in on 17th January 2017 by Cllr Joshua Schumann for the reason of fairness as there have been a number of similar applications considered by Committee.

3.0 PLANNING HISTORY

3.1

90/00468/FUL	CHANGE OF USE FROM AGRICULTURAL TO DOMESTIC GARDEN	Approved	07.03.1991
90/00469/OUT	ERECTION OF REPLACEMENT DWELLING AND DEMOLITION OF EXISTING	Approved	07.03.1991
90/00965/FUL	ERECTION OF A DWELLING AND GARAGE	Approved	07.03.1991
91/00250/FUL	Erection of Stable	Approved	12.04.1991
92/00738/FUL	Temporary stationing of two mobile homes (Single Occupancy 1 year)	Approved	14.10.1992
93/00628/FUL	Conversion of Roofspace above Treble Garage to Self Contained Two Bedroom Annexe	Approved	08.09.1993

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the east of the village of Kirtling and outside the development envelope of Kirtling and Upend. The area is rural and characterised by open countryside with small groups of detached dwellings at well-spaced out intervals along the roads.
- 4.2 The proposed site is within current garden land to the west side of the dwelling 'Innisfree' which is set back from the road. There is a separate garage with accommodation over, and a stable block on site. There is existing hedging and mature trees along the north, west and south sides of the garden, and a large pond in the south-west corner of the garden (not in proposed site).
- 4.3 There is an existing access from the public highway (Bradley Road) which serves Innisfree. Bradley Road is a single-track road with no pedestrian footpath. Kirtling Green is the closest village approximately 1 mile away by road, the majority of which has a speed limit of 60mph.
- 4.4 The proposed site would be approx. 1000m² (0.10 hectares).
- 4.5 Kirtling parish has a reasonable range of facilities for its size, including a garage, a pub, two churches and a village hall.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees: Kirtling and Upend Parish Council, Highways Authority, Senior Trees Officer, Waste Strategy, and these are summarised below. The full responses are available on the Council's web site.

Kirtling and Upend Parish Council – No concerns.

Local Highways Authority – No objections in principle. Conditions and an informative are recommended in relation to the installation of gates, retention of vehicular access width, establishment of vehicular turning space, access drainage, and requirement of a license for work on the public highway.

Senior Trees Officer - No objections. As additional planting is proposed, it is recommended that a full landscaping scheme and associated landscaping maintenance scheme is conditioned to be submitted to and approved by the Local Planning Authority.

Waste Strategy (ECDC) – Standard advice regarding the maximum distance that an occupant should have to take a wheeled bin for collection, suggestions for surfacing, charges for bins and payment details.

A site notice was posted up on 15th September 2016.

- 5.2 Neighbours – 1 neighbouring property was notified and no responses were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
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
COM 7	Transport impact
COM 8	Parking provision
HOU 2	Housing density

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

6.3 National Planning Policy Framework 2012

- 4 Promoting sustainable transport
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

7.0 PLANNING COMMENTS

The main considerations in relation to this application are the principle of development, the visual impact on the streetscene and settlement character, ecological impact, transport impact and parking provision.

7.1 Principle of Development

The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Plan policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits. It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.

The benefits of this application are considered to be: the positive contribution of the provision of an additional dwelling to the District's housing stock, the positive

contribution to the local and wider economy in the short term through the construction of the new dwelling, and biodiversity enhancements.

The application site is located outside the development envelope of Kirtling parish and approx. 1 mile away by car from the closest village with services - Kirtling Green. Bradley Road and the majority of the distance to Kirtling Green are 60mph roads with no pedestrian footpaths. There is a limited bus service currently linking with Newmarket 4 days a week; the nearest bus stop is on Mill Lane approximately 300m from the site. This would mean that occupants of the proposed dwelling are very likely to depend on a vehicle to access the services of the local village and beyond. The existing dwellings which are located generally at intervals (apart from a very small cluster of the hamlet 'Mill End') along the local roads, are not considered to form a substantial grouping to which the proposed dwelling would adhere.

Paragraph 55 of the National Planning Policy Framework (NPPF) states that local planning authorities should avoid new isolated homes in the countryside; this proposal also does not meet any of the exceptions detailed in that paragraph. Paragraph 35 also encourages development to protect and exploit opportunities for sustainable transport. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore not considered to be in an environmentally or socially sustainable location and is contrary to policy GROWTH 5 of the Local Plan and paragraphs 35 and 55 of the NPPF.

Two appeals in Isleham and Little Downham parishes (Planning Inspectorate refs APP/V0510/W/16/3160576 and APP/V0510/W/16/3158114) were dismissed by the Planning Inspectorate recently. This upheld officer decisions to refuse new dwellings due to unsustainable locations, and demonstrates that significant weight can be given to the issue of sustainability.

7.2 Visual Amenity and Character

Scale and design are not being assessed as part of this Outline application, however the proposed site is likely to be almost entirely screened from view from the public highways of Bradley Road and Mill Road due to being set back, having new hedging along the proposed access drive, and the existing hedging and trees along the north, west and southern boundaries of the current site which are not proposed to change. These boundary treatments are considered appropriate to the rural location.

In terms of the impact on built form and character of the area, there are some examples in the neighbouring roads (Mill Road, Malting End) of dwellings being at similar or closer proximities to that of Innisfree and the proposed dwelling, therefore it could not be said that a new dwelling would cause significant harm to the character of the area, and therefore complies with policy ENV1. If submitted, the Reserved Matters application will still need to comply with relevant policies.

7.3 Ecology

An ecological appraisal was submitted by the applicant which concludes that there are no ecological constraints that would adversely affect the proposed scheme. Whilst the pond adjacent to the site was considered suitable for great crested

newts, the report found it unlikely that they would use the pond in practice therefore any impact on great crested newts is unlikely. A number of measures are recommended to avoid or mitigate impact on biodiversity (namely bats and birds) and habitats, and recommendations are also made for enhancement opportunities; these would be conditioned if the application were approved. The majority of hedging and trees on site would remain and more native hedging is proposed, although landscaping would be considered under a reserved matters application. Therefore with the above conditions the proposal is considered to comply with policy ENV7.

7.4 Residential Amenity

Whilst scale and design are reserved matters and not part of this application, it is considered that there is sufficient distance from the existing closest 1.5 storey dwelling (approx. 23m) that a new dwelling could be designed which would have minimal impact on the residential amenity of neighbours. There is sufficient space on site to provide at least 50m² of private rear amenity space. This complies with policy ENV2 and the Design Guide.

7.5 Highways

There are no Highways Authority objections to this proposal, however at Reserved Matters stage the application would need to demonstrate that the proposal could take place with gates being set back from the highway, that there was sufficient turning space, that the vehicular access width would be maintained, and that surface water would not drain onto the public highway. At that stage the applicant would also need a license for work on the public highway.

7.6 Other Material Matters

Standard conditions requiring a contamination report to be carried out and any contamination found during construction to be reported, would be added to any approval.

There is considered to be sufficient space for two cars to park and turn on site, which complies with policy COM8.

If approved a condition to require details of the surface water drainage to be agreed with the Local Planning Authority would be applied in order to comply with policy ENV8.

7.7 Planning Balance

In summary, the proposal is not considered to be sustainable development and therefore conflicts with Policy GROWTH 2 due to its location outside the defined settlement boundary. However there is currently a shortfall of housing within the District. The services of Kirtling parish are not safely accessible, hence car dependency will be high, contrary to the social and environmental dimensions of sustainable development. The development is not likely to be visually intrusive in this countryside location such that it will not materially and significantly harm the character of the countryside. There are no highways or parking concerns and the proposal is likely to result in an improvement in biodiversity. On balance, it is considered that the proposal is contrary to Policies GROWTH 2 and GROWTH 5 of the East Cambridgeshire Local Plan 2015, and paragraphs 35 and 55 and the aims of the National Planning Policy Framework.

It is requested that Members REFUSE the application.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01170/OUT	Ruth Gunton Room No. 011 The Grange Ely	Ruth Gunton Planning Officer 01353 665555 ruth.gunton@eastca mbs.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>