

MAIN CASE

Reference No: 17/00550/OUT

Proposal: Proposed for Two 2 storey dwellings, garaging, parking, access & associated site works.

Site Address: Appleyard Farm, 1 Houghtons Lane, Isleham, Ely, Cambridgeshire CB7 5SR

Applicant: Mr Derrick Beckett

Case Officer: Oli Haydon, Planning Officer

Parish: Isleham

Ward: Isleham
Ward Councillor/s: Councillor Derrick Beckett

Date Received: 31 March 2017 **Expiry Date:** 9th August 2017

[S73]

1.0 RECOMMENDATION

1.1 Members are requested to APPROVE the application subject to the recommended conditions below:

- 1 Approved Plans
- 2 Time Limit - OUT/OUM
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Site Characterisation
- 5 Reporting of unexpected contamination
- 6 Foul and Surface water drainage
- 7 Biodiversity Measures
- 8 Archaeological Investigation
- 9 Soft landscaping scheme
- 10 Boundary Treatments

2.0 SUMMARY OF APPLICATION

2.1 The application seeks outline consent for the construction of 2 two-storey detached dwellings. The matters being considered as part of this application are access, landscaping, layout and scale; with appearance remaining a reserved matter. The dwellings will be set back from Houghton's Lane, with a height of 7.8m and a width of 9.8m. The dwellings will have attached garages and turning areas to the front.

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 has been called before Planning Committee in line with the requirements of The Constitution.

3.0 **PLANNING HISTORY**

3.1 No relevant planning history.

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site is located outside the development envelope for Isleham, adjacent to 1 Houghtons Lane. The site is at the easternmost extent of Isleham and currently comprises agricultural sheds and outbuildings associated with the Appleyard Farm to the rear. The farm is not currently in use as it is under the ownership of the retired applicant and resident of the neighbouring Number 1. The site is adjacent, to the east, to an open field in which planning permission was granted for a detached dwelling (15/01121/FUL). Opposite the site is open agricultural land, bordered by roadside hedgerows.

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.

Isleham Parish Council – Objections on the following grounds; the application is outside of the village's development envelope and takes no account of the proposed Local Plan. Houghton's Lane is no more than a simple, single track, agricultural farm roadway. It is already in a very poor condition, does not include any street lighting and therefore simply not fit for the additional traffic resulting from this proposed development. The proposed development does not meet current housing demands. There are sufficient houses within this style and price bracket already for sale within the village. This would have a detrimental effect on the local, natural environment. The development doesn't protect the amenities and services of the neighbouring properties which are already over stretched. The development would overlook existing houses to the south and therefore result in a loss of privacy. Approval of any houses on this particular site would almost certainly result in further applications being made.

Ward Councillors - No Comments Received

Senior Trees Officer – No objections raised as no significant trees are affected, subject to conditions.

Local Highways Authority - The Highways Authority has no objections in principal to this application. However the Planning Authority should be advised of the following:

- Although Houghtons Lane is partly adopted public highway. The extent of public highway is of unmade ground and not a standard constructed carriageway. It is not possible to incorporate passing bays or road widening along this section (were needed) as there is not enough highway land to do so.
- There is no footway leading to the proposed properties
- The extent of adopted highway stops just after this development on the eastern boundary of approved planning application site 15/01121/FUL
- The highways Authority would NOT fund the constructions of a carriageway AND/OR footway in this location now or in the future as it would not be within the interest of the public
- Houghton's Lane is a single track road and if permitted this would increase the 2 way traffic on this road and egressing vehicles at the junction with Sheldricks Road.
- Should this application gain planning permission I would suggest that any further development would not be possible without a passing bay or road widening along the single track stretch, as it would likely lead to the detriment of highways safety and the obstruction and impediment of drivers at the junction with Sheldricks Road along with potential pedestrian vehicle conflicts.

CCC Archaeology – No objection to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

Environmental Health - The Envirosearch report does not highlight the previous use of the site for agricultural storage. Such sites may have contamination potential due to past uses which may include fuel storage, storage and preparation of agricultural chemicals, the garaging and servicing of vehicles and plant, and the presence of made ground and asbestos. The EH department recommend that further investigation be secured by condition. Additionally, the EH department understand that it is mainly tractors being stored in the existing agricultural buildings and have no comments to make regarding any impact on residential amenity.

Waste Strategy (E CDC) – No objections subject to informatives.

5.2 **Neighbours** – Three neighbouring properties were notified, an advert was placed in the Cambridge Evening News and a site notice was posted. The two responses received are summarised below. A full copy of the responses is available on the Council's website.

- Outside the development envelope
- Road is not fit for purpose and prone to flooding
- Removal of wildlife from hedgerow
- No street lighting causing safety risk
- No current demand for property
- School is at capacity
- No pedestrian access
- Hazardous nature of Sheldricks Road/Houghtons Lane
- Poor state of the lane

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 3	Infrastructure requirements
GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Flood and Water
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
Design Guide
Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.1 The main considerations in relation to this application are the principle of development, the visual impact on the rural character of the area, residential amenity, transport impact and ecological impact.

7.2 Principle of Development

7.2.1 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.

7.2.2 The benefits of this application are considered to be: the positive contribution of the provision of two additional dwellings to the district's housing stock, and the positive

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

- 7.2.3 The key considerations in determining this application are therefore: whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development, as set out above, when assessed against the policies in the NPPF taken as a whole and against the policies within the Local Plan which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.
- 7.2.4 Isleham has a reasonable range of services including a post office, several shops, three public houses, three churches, a village hall, a large recreation ground, a bowls club, a playground, a primary school and two bus services which run through the village. While outside, the proposed dwelling would be located within close proximity to the development envelope and a number of these services.
- 7.2.5 The application site is located adjacent to an existing dwelling and a number of buildings associated with the farm. There are other residential dwellings located to the west of the application site with the adjacent site to the east having an approval for one dwelling (15/01121/FUL). It is therefore considered that the proposal relates relatively well to the existing built form of the settlement.

7.3 Residential Amenity

- 7.3.1 The proposed dwellings will be set back from Houghton's Lane by approximately 11m with a distance of 4.1m separating the 2 two-storey dwellings. The easternmost proposal would be located over 20m from the outline approval to the east with the westernmost dwelling 11m from the dwelling at 1 Houghton's Lane. Without details of the appearance of the dwellings, the impact on privacy cannot be fully assessed at this outline stage. However, by virtue of the separation distances alone and the scale of the existing and proposed dwellings, there is likely to be scope within the reserved matters application to ensure residential amenity remains protected for existing and future residents
- 7.3.2 The site has sufficient space to accommodate the two dwellings with an acceptable level of private amenity space as set out in the SPD Design Guide.
- 7.3.3 To the west and rear of the site is East End Farm which, according to the agent comprises several portal framed structures which are used for agricultural storage. The farm access will run close to the westernmost dwelling although there could be scope within the reserved matters to ensure any sporadic noise disturbance is minimized in its impact. On balance, due to the small scale of the farm and the lack of intensive use during the site visit, it is considered there will be an acceptably minimal impact on any future occupier from the nearby farm.
- 7.3.4 On balance, the proposal is broadly in accordance with the residential amenity aspect of Local Plan Policy ENV2 and the NPPF Paragraph 7.

7.4 Visual Amenity

As previously mentioned, the matters of appearance of this proposal will be dealt with as a reserved matter and as such a limited assessment of visual impact in terms of design can be made at this stage.

- 7.4.1 The site is located on the edge of the built settlement of Isleham, adjacent to agricultural fields albeit in-between one existing two-storey dwelling and one recently approved two-storey dwelling (15/01121/FUL). The 2 two-storey proposals, in essence, could be classed as an in-fill development. In addition to the requirements of the NPPF for proposals such as this to enhance their immediate setting and be sensitive to the area, Policy ENV1 of the East Cambridgeshire Local Plan 2015 requires proposals in the countryside to protect, conserve and enhance the pattern of distinctive historic and traditional landscape features and the settlement edge.
- 7.4.2 Native species hedging and post-and-rail fencing has been proposed to demarcate the boundary of the dwellings and on balance it is considered that subject to further detail being submitted and approved at reserved matters stage, that two proposed dwellings can be accommodated on the site. The proposal will be sensitive to the defining characteristics of the area and will not seek to inappropriately encroach into open countryside; the proposal is therefore considered to meet the requirements of Paragraph 55 of the NPPF as well as Policies ENV1 and ENV2 of the Local Plan.

7.5 Highways

- 7.5.1 The proposal includes two 3.5m wide accesses with parking and turning on site. The Local Highways Authority (LHA) have raised no concerns with the scheme, although they are concerned that Houghton's Lane is not wide enough to incorporate passing bays or road widening and that there is no footway leading to the properties. They are concerned that additional vehicles will place undue stress on the single-track road and the nearby junction with Sheldricks Road.
- 7.5.2 During the course of the application, discussions were had between the Planning Department and the agent regarding the implementation of a passing bay to the southern side of Houghtons Lane. This was presented to the Local Highways Authority who saw no real benefit of a passing bay on *this* side of the road instead they would rather see one implemented on the northern side of Houghtons Lane. This scheme does not include a passing bay, although the agent and applicant have made it clear that there would be scope for such an improvement should the need arise. As no objections were raised by the LHA and there is sufficient parking and turning within the site, the application is deemed compliant with Local Plan Policy COM7 and COM8.

7.6 Ecology & Trees

- 7.6.1 The construction of the proposed dwellings would be facilitated by the removal of several unused sheds on the site. An ecology survey was requested to ensure no harm to local biodiversity would occur as a result of this scheme. The survey found that no significant ecological constraints were identified that would adversely affect the proposed residential development site.

7.6.2 In order to protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015, a condition should be placed on any approval to ensure that measures to enhance the biodiversity in the vicinity are installed prior to occupation of the development.

7.6.3 The matter of landscaping is being considered as part of this scheme; the scheme includes additional tree and hedge planting along with a range of fencing to demarcate the two plots. The Senior Trees Officer raised no concerns with the proposed planting (or removal of any trees on the site) and recommended a full landscaping scheme be secured by condition.

7.7 Other Material Matters

7.7.1 The site is not located within an identified Flood Zone and any permission granted will be subject to a condition requiring a detailed drainage strategy to be submitted and approved by the Local Planning Authority.

7.8 Planning Balance

7.8.1 The outline proposal is for a small residential development in a peri-urban setting on the edge of Isleham. The proposed development site, by virtue of its established pedestrian connections with the services and facilities of Isleham, is deemed to be in a sustainable location, from a National Planning Policy perspective. The proposal will result in two additional dwellings to add to the Council's housing stock and there are associated economic benefits from the construction process and continuing contribution to the local economy by future occupiers. All of the above attract significant weight in favour of the proposal.

7.8.2 The proposal is not considered to cause significant and demonstrable harm to its edge-of-countryside setting, such that it would outweigh the benefits of the proposal. Subject to appropriate conditions the proposal does not raise any issues in relation to highway safety, residential amenity and drainage. The proposal is therefore recommended for approval.

8.0 APPENDICES

8.1 17/00550/OUT Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00550/OUT	Oli Haydon Room No. 011 The Grange Ely	Oli Haydon Planning Officer 01353 665555 oli.haydon@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.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 17/00550/OUT Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
ECOLOGY REPORT		5th July 2017
17;053-01	2	13th July 2017
ENVIROSEARCH		3rd April 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason; The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The

condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 6 No development shall take place until a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to occupation of the dwellings.
- 6 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 As part of the reserved matters application or prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 7 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 8 All works carried out shall be in accordance with the discussion and conclusions of the Ecological Appraisal dated 5th July 2017 completed by Greenlight Environmental Consultancy.
- 8 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 As part of the reserved matters application or prior to first occupation or commencement of use a full schedule of all soft landscape works based on Drawing no. 17:053-01 and the recommendations in the Greenlight Ecological Report (submitted 5 July 2017) shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It

shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 9 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation.
- 10 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.