

MAIN CASE

Reference No: 16/00580/OUT

Proposal: Residential development for 2no. two storey dwellings plus access and parking

Site Address: Land To South Of 22B Northfield Road Soham
Cambridgeshire

Applicant: Mrs Jennifer Webster

Case Officer: Oli Haydon, Planning Officer

Parish: Soham

Ward: Soham North

Ward Councillor/s:

Councillor James Palmer
Councillor Carol Sennitt

Date Received: 26 April 2016

Expiry Date: 16th November 2016

[R102]

1.0 **RECOMMENDATION**

1.1 Members are requested to delegate the REFUSAL of this application to the Planning Manager subject to no further correspondence raising any additional material planning considerations, for the following reasons:

1. The proposed dwellings are located within the countryside and, by virtue of their distance from the main settlement of Soham, are considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwellings will be reliant on motor vehicles in order to access any local services or facilities. The proposal does not meet any of the special circumstances as identified in Paragraph 55 of the National Planning Policy Framework. The proposal fails to comply with the Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.
2. It has not been satisfactorily demonstrated that the future occupiers of the dwellings will not be adversely affected by noise from the adjacent Northfield Farm to the detriment of residential amenity and the future operation of Northfield Farm. As such it is contrary to Policy ENV9 of the East Cambridgeshire Local Plan 2015.

3. The proposed scheme cannot demonstrate the adequate visibility splays necessary to avoid demonstrable harm to highway safety. The application is not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway if the proposed arrangement was permitted. The proposed development would be considered detrimental to highway safety and would not accord with Policy COM7 of the East Cambridgeshire Local Plan.

2.0 SUMMARY OF APPLICATION

- 2.1 Outline planning permission is being sought, with some matters reserved, for the erection of 2no. two-storey dwellings with detached garages. Matters of access and layout are to be considered as part of this application, however matters relating to scale, appearance and landscaping are reserved
- 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 the Committee at the discretion of the Planning Manager and following a meeting with the applicant as the proposal bears similarities to similarly determined proposals outside the established development boundary of Soham.

3.0 PLANNING HISTORY

- 3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside of the established development framework for Soham, and as such is considered to be in a countryside location where development is tightly controlled. The site is currently occupied by grazing land belonging to the adjacent Old Tiger Stables. The surrounding area comprises of equine facilities, large-scale farming operations and occasional residential development. The site is adjacent to a detached two-storey dwelling to the north and Northfield Farm to the south. The site is located 1.3 miles from the development boundary of Soham and a total of 1.8 miles from the services and facilities of Soham.

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 website.

Soham Town Council – No objection but Committee expressed concern that once again development is (well) outside the current development zone and that any development should take into consideration and be in keeping with surrounding properties.

Ward Councillors - No Comments Received

The Ely Group Of Internal Drainage Board – The application proposes surface water shall be disposed of via soakaways. Providing soakaways form an effective means of disposal in this area the Board will not object to this application.

Local Highways Authority – The Highways Authority objects to this application for the following reasons:

1. The application is not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to highway safety

No inter-vehicle visibility splay information has been submitted with this application. This objection could be overcome if the required visibility splays of 2.4m x 215m are annotated on the drawings and proven to be possible in each direction. These splays must be free from obstruction and entirely under the control of the highways authority or the application.

CCC Growth & Development - No Comments Received

Environmental Health – There are internal fans in the farm buildings adjacent to the proposed site which have potential to run 24/7. The department would want to know what mitigation is proposed for the properties which are the subject of this planning application to combat any potential noise nuisance due to the proximity of the fans. It is advised that Contaminated Land condition 1 and 4, requiring an appropriate contamination assessment, be attached to any planning permission granted. Due to the close proximity of current residents to the site I would advise that construction times and deliveries during the construction are restricted to the following:

08:00 – 18:00 each day Monday – Friday
08:00 – 13:00 on Saturdays and
None on Sundays or Bank Holidays

5.2

Neighbours – A site notice was posted and two neighbouring properties were notified and one response was received from the resident of Northfield Farm and is summarised below. A full copy of the response is available on the Council's website.

- The houses will be in close proximity to the corn drying facility of Northfield Farm which can run 24 hours a day, 7 days a week. The fans are extremely noisy and face directly towards the proposed houses.
- The fans will be 4m from the boundary of the development.
- Lorries visit the farm 24 hours a day and will cause great disturbance to the residents.
- Manure and poultry muck is transported to the farm and the smell can be extremely strong.
- One house behind another is not in-keeping with the area.
- There are trees and hedging all the way down the southern boundary between the site and my farm and the development would be

detrimental to the wildlife and appearance of the area if this vegetation was removed.

- 5.3 An advert was placed in the Cambridge Evening News with an expiry date of 17th November. However, at the discretion of the Planning Manager, the application is being considered by Planning Committee prior to this expiry date. This is due to the fact that the neighbouring site (16/00788/FUL) which is also being considered at this Committee and has already been advertised and has since expired (21 July 2016).

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
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

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high-quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider when determining this application relate to the principle of development, the impacts upon character and appearance of the area, ecology, noise impact, highway safety and residential amenity.

7.2 Principle of development

- 7.2.1 The application site lies outside of the defined development boundary. The development of the site for housing would, therefore, conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan which seeks to focus new housing development within defined settlement boundaries. However, as the Council cannot currently demonstrate a five-year land supply for housing, policy GROWTH

2 cannot be considered up to date in so far as it relates to the supply of housing land.

- 7.2.2 In this situation the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.
- 7.2.3 Paragraph 55 of the NPPF states that isolated new homes in the countryside should be avoided unless there are special circumstances. This site is considered to be isolated from any built settlement, being 1.3 miles from the nearest settlement of Soham. The site is located in an isolated, rural location. It is therefore considered to be an unsustainable location for the erection of two new dwellings, similar to the conclusions of the Inspector in a recent appeal decision which forms a material consideration to be given significant weight in determining this application.
- 7.2.4 The appeal decision bears similarities with this proposal and followed the refusal by the Planning Committee for two dwellings at 14 The Cotes, located 1.8 miles north of Soham, in an isolated cluster of dwellings. The proposed development site in this case is some 1.5 miles east of Soham and 2.2 miles from the centre of Soham where local shops and services are located.
- 7.2.5 The recently received appeal decision for The Cotes in Soham (APP/V0510/W/16/3143840) cited the location as unsustainable due to the reliance on the car. The appeal stated that *“both (sites) would be reliant on the car to gain access to services and facilities. This would not accord with the Framework or the environmental dimension of sustainable development”* and *“the isolation of the sites from community facilities would weigh against the social dimension and would not accord with paragraph 55 of the Framework regarding the location of rural housing”*. Furthermore, the appeal also stated, *“given the distance of the sites from local facilities and the unsuitability of the road for pedestrian access, I conclude on this issue that the occupiers of the proposed dwellings would be highly reliant on the car to gain access to services and facilities”*. As previously stated, the Cotes is approximately 1.8 miles to the centre of Soham, and this application site is 3 miles from the edge of Soham and 4 miles from the centre of Soham where local shops and services are located.
- 7.2.6 It is considered that the proposal is contrary to Local Plan policy COM7 which requires that development is designed to reduce the need to travel, particularly by car, and to promote sustainable forms of transport. This site is located 4 miles from the centre of Soham and, as such, the Local Planning Authority view it as unsustainable as there are a number of sites within Soham which are in a more sustainable location and are either allocated for development or could be windfall sites. The proposal is located within the parish of one of the market towns where growth should be focused in a sustainable location in accordance with the inspector’s decision.
- 7.2.7 This proposal differs from residential permissions granted in the small rural settlements in the District. This is due to the fact that encouraging growth at these rural sites will improve their sustainability and since they are presently reliant on

nearby villages and reliable on the car already, the introduction of new dwellings ultimately helps their long-term sustainability and keeps these communities alive. The NPPF supports this by stating in paragraph 55 that development can support services in a village nearby and that isolated new homes in the countryside should be resisted unless there are special circumstances.

- 7.2.8 It should be noted that the plot sizes are deemed acceptable in line with the recommendations of the SPD Design Guide 2012.

7.3 Visual Amenity

- 7.3.1 The area surrounding the application site is predominantly rural in nature, largely comprising agricultural fields. The surrounding landscape is one of open agricultural fields with occasional and small pockets of industrial and residential development. The application site is currently grazing land for the horses belonging to Old Tiger Stables with surrounding farm buildings and sporadic residential dwellings. The site is currently obscured from view from the Highway by hedging, although this is to be partly removed in order to create the shared access for the dwellings. To the north-east of the site is the Old Tiger Stable complex and on the northern boundary of the site is a detached two-storey dwelling, Number 22B. Beyond Number 22B is a development site, currently undergoing consideration, for two dwellings (16/00788/FUL) and is reported elsewhere on this agenda.
- 7.3.2 Along the southern boundary lies Northfield Farm, a large complex of farm buildings and a recently approved farm manager's dwelling (16/00099/FUL). The farm building closest to the development site, according to the farm owner, is a corn-drying facility with a concrete track running alongside. The farm complex has a large area of hard-standing acting as a forecourt, with the buildings set back from the Northfield Road by 23m.
- 7.3.3 Policy ENV1 of the East Cambridgeshire Local Plan 2015 requires new development proposals to demonstrate that their location creates positive, complementary relationships with existing development and protects, conserves, and where possible enhances space between settlements and their wider landscape setting. Furthermore, Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires all new development proposals to respect the landscape of the surrounding area and ensure the location of buildings relates sympathetically to the surrounding area.
- 7.3.4 Due to the matter of appearance being reserved, no details of the design of the proposed dwelling will be considered at this stage.
- 7.3.5 The proposed layout features the two dwellings being stepped from one another. The first dwelling, at the front of the plot, is set back from Northfield Road by 15m and will contain a garden with detached garage. The second dwelling, noted on the plans, indicatively, as representing a 'converted barn-style dwelling with outbuildings' will be 50m from Northfield Road. The shared access for both dwellings will run along the south-side of the site.

7.3.6 The proposed layout of the dwellings is not harmfully out of character with the surrounding residential development and it is not likely to harm the rural nature of the immediate area as the site is well enclosed. However, care needs to be taken with the front boundary hedge as this should be kept to preserve the visual amenities of the area. The proposal has been designed to represent the relationship between farmhouses and agricultural barns and is likely to benefit from the agricultural aesthetic present in this area. The proposed dwellings will not occupy more than a third of their respective plot size, in line with the guidelines of the SPD Design Guide.

7.3.7 On balance, it is considered that the proposed dwellings in this location would not have a significant and demonstrable impact on the rural character and appearance of the area. The visual impact of the proposal is therefore considered to be acceptable with regards to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14, 17 and 56-68 of the NPPF.

7.4 Residential Amenity

7.4.1 Under Local Plan policy ENV2 this application should take care to ensure there is no significantly detrimental harm to the residential amenity of the occupier and neighbouring occupiers as a result of the proposal.

7.4.2 The Design Guide SPD requires new dwellings to provide a minimum of 50sqm private amenity space. The proposals will provide sufficient space as to comply with this.

7.4.3 The dwellings will be located 15m from the dwelling at 22B to the north, a sufficient separation distance between side-elevations exists to prevent any overbearing impact or significant loss of light. However, without detailed elevations, any impingement of privacy as a result of side-facing windows cannot be considered at this outline stage.

7.4.4 Consideration has been made with regards to the impact of the adjacent farm on the proposed dwellings. Following a site visit and an assessment of this impact by the Environmental Health department, additional details were requested with regard to the noise impact of the corn-drying facilities at Northfield Farm. The applicant has chosen not to submit the required noise assessment.

7.4.5 In the absence of this information, the impact of the farm on the residential amenity of future occupiers of the dwelling is considered to be significantly and demonstrably harmful. The disturbance from these facilities and from vehicular movements on Northfield Farm is unacceptable and contrary to the guidelines of Local Plan Policy ENV9 (Pollution). The policy stresses that:

“New development will not be permitted where there is a potential to conflict with existing developments that require particular conditions for their operation, or that are authorised or licensed under pollution control or hazardous substances legislation, where it would be likely to impose significant restrictions on the activities of the existing use in the future.”

- 7.4.6 The lack of information provided is contrary to Local Plan Policy ENV9 which further states '*all applications for development where pollution is suspected must contain sufficient information to enable the Council to make a full assessment of potential hazards and impacts*'. In the absence of this information, the Council is unable to make a full and informed assessment of the potential disturbance from Northfield Farm, as such, the application is recommended for refusal for this reason.

7.5 Flood Risk and Drainage

- 7.5.1 The site is in Flood Zone 1 and is not therefore considered to be at high risk of flooding. Any planning permission granted will be subject to a condition requiring a detailed drainage strategy to be submitted and approved by the Local Planning Authority.

7.6 Trees

- 7.6.1 The applicant has stated that there are no trees on the site which will be impacted upon as a result of the development. At the reserved matters application stage, a scheme to assimilate the development into its surroundings will be submitted and further consideration will be made with regards to the arboricultural impact of the proposal.

7.7 Highway Safety

- 7.7.1 The application will create a new access into the development site, through the existing hedge. The Local Highways Authority have objected to the scheme stating that the application is not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway if the proposed arrangement was permitted. The proposed development would be considered detrimental to highway safety and would not accord with Policies COM7 of the East Cambridgeshire Local Plan.
- 7.7.2 The detached double garages will provide the two parking spaces necessary for residential dwellings, in line with Local Plan Policy COM8. Furthermore, there is sufficient manoeuvring space within the site to ensure vehicles can egress in a forward gear.

7.8 Planning Balance

- 7.8.1 The proposal would provide the provision of an additional residential dwelling to the district's housing stock which would be built to modern, sustainable building standards. There would be the additional benefit of the positive contribution to the local and wider economy in the short term through construction work.
- 7.8.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities.

- 7.8.3 In the absence of sufficient highways information, the Local Highways Authority have objected to the scheme on the grounds that the development would be prejudicial to the satisfactory functioning of the highway if the proposed arrangement was permitted. The proposed development would be considered detrimental to highway safety and would not accord with Policies COM7 of the East Cambridgeshire Local Plan.
- 7.8.4 Furthermore, without sufficient information regarding the disturbance arising from the adjacent Northfield Farm, the Council is unable to make a full and informed assessment of the potential disturbance from Northfield Farm, as such, the application is contrary to the requirements of Local Plan Policy ENV9.
- 7.8.5 In conclusion, this proposal conflicts with Policies GROWTH5, ENV1, ENV2, ENV9 and COM7 of the East Cambridgeshire Local Plan 2015 and would counterbalance the recent conclusions of the Planning Inspectorate.
- 8.0 **APPENDICES**
- 8.1 No Appendices.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/00580/OUT	Oli Haydon Room No. 011 The Grange Ely	Oli Haydon Planning Officer 01353 665555 oli.haydon@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>