

MAIN CASE

Reference No: 16/00788/FUL

Proposal: Construction of 2no 4 bed dwellings

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

Applicant: Mrs Lorraine Webster-Green

Case Officer: Oli Haydon, Planning Officer

Parish: Soham

Ward: Soham North

Ward Councillor/s: Councillor James Palmer
Councillor Carol Sennitt

Date Received: 17 June 2016 **Expiry Date:** 16th November 2016
[R103]

1.0 **RECOMMENDATION**

1.1 Members are requested to REFUSE this application 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 these 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. 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. It is therefore contrary to Policy COM7 of the East Cambridgeshire Local Plan.

2.0 SUMMARY OF APPLICATION

- 2.1 Full planning permission is sought for two detached dwellings on land north of 22B Northfield Road, Soham. The proposed two-storey dwellings will be the same design but handed. The dwellings will feature detached double garages, individual accesses and gardens upwards of 300m² in size with a fence dividing the two plots. Amendments were sought in respect of various design elements, however such amendments were not received.
- 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 located 1.3 miles from the development boundary of Soham and a further 0.5 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 Parish 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.

Senior Trees Officer - This proposal is for the development of 2 dwellings at land currently used as a paddock. Trees are required for removal at this site to allow for access. An Arboricultural report has been submitted which states the impact upon trees will have minimal visual impact and be compensated by improved management of the retained vegetation. The Trees Officer agrees with these statements and therefore does not object to this application. If the application is to be approved the Tree Protection Plan within Drawing P2664.1 002 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site.

CCC Growth & Development - No Comments Received

Environmental Health – No issues to raise, although it is advised that Contaminated Land conditions 1 and 4 be placed on any approval due to the proposed sensitive end use. The site to the NW is a stable with livery and there should be no issues.

5.2 Neighbours – A site notice was posted, an advert was placed in the Cambridge Evening News and three neighbouring properties were notified and no responses were received.

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
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

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, 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 reliant 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 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 individual accesses for each dwelling. To the north of the site is the Old Tiger Stable complex and to the south is a detached two-storey dwelling. Beyond the dwelling is a development site, currently undergoing consideration, for two dwellings (16/00580/OUT – elsewhere on the Committee agenda) which borders Northfield Farm. The surrounding landscape is one of open agricultural fields with occasional and small pockets of industrial and residential development.
- 7.3.2 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.

- 7.3.3 The dwelling design is that of a two-storey dwelling with dormers and an overlaid hip and a mix of cream render, buff brickwork and red clay pantiles. The designs contain several positive elements and features that resemble the scattered residential dwellings located in the vicinity. The height of the proposed dwellings is 8.4m with projecting gables at the same height. Discussions have taken place with the applicant's agent to vary the design and decrease the visual dominance. However, amendments have not been received. The proposed dwellings will not occupy more than a third of the plot size, in line with the guidelines of the SPD Design Guide. It is considered that the proposed dwellings complement the neighbouring dwelling visually and will not have an incongruous appearance within the street-scene.
- 7.3.4 On balance and given the existence and retention of the front boundary hedge, it is considered that the proposed dwelling 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 southernmost dwelling will be located 13m from the similarly sized dwelling at 22B, with the nearest side facing window 20m from this dwelling. To the north, the neighbouring dwelling, belonging to the Old Tiger Stables is upwards of 40m away. Due to these separation distances, the proposals are not considered to cause a significant loss of privacy for neighbouring occupiers.
- 7.4.4 Consideration has been given as to whether the proposed would be significantly overbearing or would cause a significant loss of light to the dwelling at 22B Northfield Road. Due to the location of the proposal and the similarities in scale and bulk of the dwellings to the neighbouring property, there is not considered to be a harmful overbearing impact.
- 7.4.5 Consideration has been made with regards to the impact of the nearby stables on the proposed dwellings. Following a site visit and an assessment of the impact by the Environmental Health department, there was not considered to be a harmful impact arising from the proximity of the stables to the development site.

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 several trees on the site that will be impacted upon as a result of the development. An Arboricultural Impact Assessment was submitted as was a tree protection plan which shows the front boundary hedge will be largely retained. The documents were considered by the Trees Officer to be acceptable.
- 7.6.2 Additional information was requested in relation to visibility splays as their provision would likely result in unacceptable loss of hedgerow. This clarification has not been received and therefore the impact of the access provision on hedgerow removal is of concern.

7.7 Highway Safety

- 7.7.1 The application will create two new accesses 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 Policy 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 In conclusion, this proposal conflicts with Policies GROWTH5, ENV1, ENV2 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>
16/00788/FUL	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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>