
MAIN CASE

Reference No: 15/00999/FUL

Proposal: 3 bedroom detached dwelling

Site Address: 51 Queensway Soham Cambridgeshire CB7 5BU

Applicant: Mr Paul Chaplin

Case Officer: Jon Pavey-Smith Planning Officer

Parish: Soham

Ward: Soham North
Ward Councillor/s: Councillor James Palmer
Councillor Carol Sennitt

Date Received: 2 September 2015 **Expiry Date:**

[Q129]

1.0 **RECOMMENDATION**

1.1 Members are requested to REFUSE the application for the following reason:

1.2 The proposal would represent a cramped, unacceptable form of development with the building plot below the recommended 300m squared as stated within the East Cambridgeshire Design Guide and contrary to guidance within ENV2 of the East Cambridgeshire Local Plan and guidance within the National Planning Policy Framework Chapter 7 2012, which requires proposals to make efficient use of land whilst respecting the density and character of the surrounding area and ensure that the location, layout, scale, form and massing of buildings relates sympathetically to the surrounding area.

2.0 **SUMMARY OF APPLICATION**

3.0 The application seeks consent for the construction of a two storey dwelling together with a new parking area. The proposed dwelling will have a length of 8.5 metres and a maximum depth of 7.2 metres. The dwelling will have a ridge height of 7 metres and an eaves height of 4.5 metres. The materials proposed are render for the walls, pantiles for the roof and uPVC for the windows.

3.1 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.

3.2 The application has been called to Planning Committee by Cllr Derek Beckett.

3.0 PLANNING HISTORY

3.1 No Relevant Planning History

4.0 THE SITE AND ITS ENVIRONMENT

5.0 The site is located within the development envelope of Soham and currently comprises of the garden of No 51 Queensway. The site is located in a residential area made up of ex-local authority housing stock. The dwellings immediately to the north west of the site are single storey with a footpath that links the road to the front of the plot to the dwellings to the north. There is a mature hedgerow to the front of the site which helps to screen the site from the road.

5.0 RESPONSES FROM CONSULTEES

5.1 The full responses are available on the Council's web site.

Local Highways Authority – No Objections

Environmental Health – The application appears to have no bedrooms windows on the aspect facing towards the substation next to the site apart from an en-suite window. There is also a driveway in-between the boundary of the substation and the site, similar to the property on the other side of the substation. Therefore I can confirm I have no issues regarding noise or disturbance from the substation.

Waste Strategy (ECDC) - ECDC Waste Strategy – East Cambs 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 on the relevant collection day. ECDC as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles. This contribution is currently set at £43 per property.

Parish – Recommend refusal due to over-development of the site, and for it not to be left to delegation but for these comments be forwarded on to planning committee for a decision.

Environmental Health Scientific Officer – Any residential property is classed as vulnerable to the presence of contamination. I therefore advise contaminated land conditions 1 and 4, requiring an appropriate contamination assessment, to be attached to any planning permission granted.

Ward Councillors - No Comments Received

Tree Officer – No objection to the proposal, as there are a number of small trees to the front of the site to be lost for the development, it is recommended that a replacement planting is provided by condition to ensure that a degree of green landscaping is maintained.

5.2 Neighbours – 13 neighbouring properties were notified and the responses received are summarised below. No correspondences have been received from any of the neighbouring properties.

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 2	Design
ENV 7	Biodiversity and geology
ENV4	Energy and water efficiency and renewable energy in construction
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

7.0 PLANNING COMMENTS

The main issues to consider in the determination of this application are therefore the principle of development, the impact of the proposal on visual amenity and residential amenity and highway safety.

7.1 **Principle of Development**

7.2 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning 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.

- 7.3 The benefits of this application are considered to be: the provision of a residential dwelling built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.4 The site is located within the established development framework of Soham, in a built-up residential area close to the facilities and services on offer in the settlement. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore considered to be in a sustainable location.
- 7.5 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.
- 7.6 Residential Amenity**
- 7.7 Policy ENV2 also requires development proposals to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers of new buildings enjoy high standards of amenity.
- 7.8 Taking into consideration the height and proximity of the proposed dwelling to the nearest neighbours No51 Queensway and No53 Queensway, the location of habitable room windows serving both properties and the open aspect that both neighbours enjoy from their gardens; it is considered that the proposal will have some impact on the level of light and some impact on the level of oppressiveness felt to each property. However, officers must also take into account the fact that No51 Queensway and No53 Queensway only have small non habitable windows in their side elevations facing the proposed dwelling with their main outlook being to their own rear elevations which will be unaffected by the proposed dwelling. In addition there is approximately a 6m gap between the side elevation of No51 Queensway and the proposed dwelling with an 8m gap between No53 Queensway. This is deemed sufficient distance to retain No51 and No53 Queensway's residential amenity to an acceptable level.
- 7.9 Concerning any overlooking incurred to No51 Queensway from the rear bedroom window this is seen as acceptable as the window overlooks the front garden of No51 Queensway which has an open public view from the footpath to the front and is not used as No51 Queensway private amenity space. The overlooking of this window is therefore given less weight in assessing the impact on the residential amenity of No51 Queensway.
- 7.10 The single storey dwellings to the north west of the site are approximately 16m away from the side elevation of the proposed dwelling. These single storey dwellings (33, 35 and 37 Queensway) have a path and a proposed a new line of trees separating from the proposed dwelling. In addition, the proposed dwelling has a blank elevation facing these three dwellings.

- 7.11 The proposal is not considered to have a significantly detrimental impact on the residential amenity of the occupiers of nearby dwellings. Whilst the amenity of future occupiers of the proposed dwelling will be affected by neighbouring development, it is considered that on balance the proposal complies with policy ENV2 of the Local Plan in respect of residential amenity.
- 7.12 Visual Amenity**
- 7.13 The site is located within a predominately residential area, generally characterised by pairs of ex-local authority housing stock set within generous plots sizes.
- 7.14 In pre application discussions between the developer and the Council it was stated that:
- “the Design Guide SPD states that building plots should be approximately 300 square metres, the rear private amenity space should be a minimum of 50 square metres and the footprint of any proposed development should be no more than approximately one third of the plot size. The site plan submitted with your pre-application enquiry appears not to meet the above criteria.*
- However, the Design Guide SPD acts as only a guide and at 221m² is close to the guide of 300m². There appears to be room to accommodate a very modest dwelling on this plot. The proposal’s relationship with the existing built form and settlement layout would be in keeping with the streetscene and surrounding area.”*
- 7.15 After these discussions this application was submitted with a three bedroom en-suite property. Officers had concerns with the size of the proposed dwelling in relation to the plot size and with the proposed dwelling being overly large compared to other dwellings within the area. Officers therefore requested that the dwelling should be reduced substantially in size. However, the applicant has chosen to not reduce the size of the dwelling but to increase the size of the plot from 221m² to 250m² by taking more of No51 Queensway side garden for the proposed dwelling’s own amenity space.
- 7.16 This refusal by the applicant to reduce the size of the dwelling has led to a development that is cramped in nature, evidenced by the fact that the site area of 250m² (approx) square metres is below the guideline set out in the East Cambridgeshire Design Guide SPD which states that, in most cases, building plots should be approximately 300 square metres. It is accepted that sites close to the town centre of Soham may fall below this requirement, however, this area is characterised by its generous plots and openness between rows of dwellings and a plot size significantly below the guideline in this location would not be considered acceptable.
- 7.17 Whilst it is noted that the layout of the dwelling provides a footprint of no more than one third of the plot size and the rear private amenity space at 80m² is above the guidelines as stated in the Cambridgeshire Design Guide SPD, this does not outweigh the harm caused by the addition of an overly bulky dwelling on an cramped site highly visible site at the corner of Queensway.

7.18 The proposal is therefore considered to be contrary to policy ENV2 of the Local Plan, which requires development proposals to make efficient use of land while respecting the density and character of the surrounding area and ensure that the layout, scale, form and massing of buildings relates sympathetically to the surrounding area.

7.19 Design

7.20 The dwelling is of a simple and uniform design which mirrors the uniform style of the surrounding mostly semi-detached ex council properties. The front elevation is broken up by well-proportioned windows matching the fenestration pattern of the semi-detached properties surrounding the site. The materials proposed are render with pantiles for the roof with white UPVC for the windows. The materials are seen to be acceptable. The proposal would therefore comply with Policy ENV2 of the Cambridgeshire Local Plan 2015 and guidance contained within Policy 7 of the National Planning Policy Framework 2012.

7.21 Highways

7.22 The Local Highway Authority is satisfied that the proposal would not have a significant adverse effect on the public highway and on this basis the proposal complies with policy COM7 in relation to the provision of safe and convenient access to the public highway.

7.23 The proposal includes the provision of two car parking spaces to the front of the proposed dwelling, in accordance with policy COM8 of the Local Plan.

7.24 Ecology/Trees

7.25 There will be the removal of the hedge to the front of site for vehicular access to be achieved. No objection to the proposal has been stated by the Tree Officer as part of the scheme a number of small trees replacement trees will be planted to the side of the dwelling. It is recommended that if planning permission were to be granted a condition to ensure that a degree of green landscaping and the replacement trees are maintained.

7.26 On balance it is considered that the proposal would meet the requirements of policy ENV7 of the East Cambridgeshire Local Plan.

7.27 Other Material Matters

7.28 The application site is next to a small substation. Environmental Health have been consulted and state that as the dwelling has a driveway between the boundary of the substation there are no issues to raise regarding noise or disturbance from the substation in the proposed dwelling.

7.28 Planning Balance

7.29 The proposal would give rise to an important benefit in the provision of an additional dwelling to the district's housing stock, which should be afforded significant weight in the planning balance. The proposal would also give rise to direct and indirect

economic benefits, which should also be given weight. These benefits have to be set against the harm that would arise if the proposal was to go ahead. The proposal is considered to detrimentally harm the character and appearance of the area, with the proposed dwelling appearing cramped and contrived in the street scene. Such harm attracts significant weight in the planning balance, such that it outweighs the benefits of the proposal. The proposal is therefore recommended for refusal for the reason set out at the beginning of this report.

8.0 APPENDICES

8.1 None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
15/00999/FUL	Jon Pavey-Smith Room No. 011 The Grange Ely	Jon Pavey-Smith Planning Officer 01353 616205 jon.pavey-smith@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>