
MAIN CASE

Reference No: 17/00291/FUL

Proposal: Construction of 2no. four bedroom, two storey detached 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: 23 February 2017 **Expiry Date:** 12th June 2017
[R279]

1.0 **RECOMMENDATION**

1.1 Members are requested to APPROVE this application subject to the recommended conditions below. Conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Sample materials
- 4 Site Characterisation
- 5 Reporting of unexpected contamination
- 6 Biodiversity Improvements
- 7 Noise Mitigation
- 8 Tree Protection Measures
- 9 Gate Restriction
- 10 Parking & turning
- 11 Visibility Splays
- 12 Foul and Surface water drainage
- 13 Hard Landscaping

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.

- 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 as it is a resubmission of a previously determined application decided at Planning Committee on 2nd November 2016. The previous application was recommended for refusal by the Case Officer on the grounds of an unsustainable location and insufficient highways information. It was resolved that the application be refused subject to the removal of the sustainability reason and the addition of a reason relating to potential noise levels from Northfield Farm.

3.0 PLANNING HISTORY

- 3.1
- | | | | |
|--------------|-------------------------------------|---------------------------------|------------|
| 16/00788/FUL | Construction of 2no 4 bed dwellings | Refused (at Planning Committee) | 03.11.2016 |
|--------------|-------------------------------------|---------------------------------|------------|

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 objections

Ward Councillors - No Comments Received

Senior Trees Officer - No objections. This proposal is for two dwellings upon an existing paddock. There are a number of trees potentially affected upon the site boundaries. The proposal seeks to remove sections of a hedgerow adjacent the highway and the site to allow for site access. An Arboricultural report has been submitted to support the development. The Arboricultural report indicates that most significant trees can be retained affectively. This report also confirms that the hedgerow to be impacted is not considered of high value within the landscape, while sections are to be retained. If the application is to be approved, the Tree Protection

Plan within P2664.1 002 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site.

Local Highways Authority – No objections in principle. The submitted speed survey information is accepted as true and correct and as such the splays, in line with the precepts of the DMRB, can be reduced as shown on the submitted plan.

Environmental Health – “I write following our discussions regarding the above and can confirm I have read both noise reports entitled ‘Land Adjacent to the Old Tiger, Northfield Road, Soham CB7 5UF dated February 2017 and April 2017.

Further to the additional information received I can confirm that it appears the noise levels when the grain dryer is operating are likely to be significantly higher than the background noise levels when the grain dryer is not operating. However, BS4142 does state that noise levels need to be considered in context. I have spoken to my manager and we have taken into consideration the proposed mitigation including the close boarded fence and screening from the properties themselves (along with the other residential property in-between the site and the noise source), as well as the likely duration of the use of the dryers, the surrounding land uses and the fact no previous complaints have been received. We conclude that the screening should be sufficient to reduce noise levels to an acceptable level within the residential garden area.

With regard to internal noise levels the new plans indicate additional fenestration on the sheltered aspects of the properties to serve as alternative ventilation for noise sensitive bedrooms. We consider this mitigation is acceptable to ensure government noise guidelines are met within the properties whilst ensuring sufficient ventilation can be achieved.

I agree with the noise report that all windows on the southern and western aspects will require acoustically treated trickle vents and would therefore advise this as a condition.”

Waste Strategy (ECDC) – No objections subject to informatives.

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.

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
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

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
- 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.
- 7.2.4 The issue of the sustainability of this site was debated at the Planning Committee of November 2nd 2016. It was considered by the Committee members that this site constituted a sustainable location due to its close enough proximity to the built up area of Soham.

- 7.2.5 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. 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 8.3m with projecting gables at the same height. 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 The existing boundary fencing (belonging to the neighbouring dwellings) is to be retained in addition to a 1.8m high boundary fence separating the two plots, a post and rail fence demarcating the rear of each building plot and a 2m fence on boundaries facing Northfield Farm. As the majority of the site is to be screened by boundary hedging and neighbouring dwellings, it is considered that the proposed boundary treatments will not cause a harmful visual impact on the open and rural nature of the surrounding area.
- 7.3.5 On balance and given the existence and retention of the majority of the front boundary hedge, 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 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 as part of the previous application, there was not considered to be a harmful impact arising from the proximity of the stables to the development site.

7.5 Noise Impact

- 7.5.1 Following a previous reason for refusal relating to the noise impact of the nearby Northfield Farm, consideration has been made with regards to the impact of the nearby farm on the proposed dwellings.
- 7.5.2 Following an initial site visit and an assessment of this impact by the Environmental Health department, a noise assessment was supplied with regard to the impact of the corn-drying facilities at Northfield Farm. Local Plan Policy ENV9 (Pollution) 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.”*
- 7.5.3 The Environmental Health Officer considers that the proposed mitigation including the close boarded fence and screening from the properties themselves (along with the other residential property in-between the site and the noise source), as well as the likely duration of the use of the dryers, the surrounding land uses and the fact no previous complaints have been received should be sufficient to reduce noise levels to an acceptable level within the residential garden area.

- 7.5.4 With regard to internal noise levels, amended plans indicate additional fenestration on the sheltered aspects of the properties to serve as alternative ventilation for noise sensitive bedrooms. The Environmental Health department considers this mitigation to be acceptable to ensure government noise guidelines are met within the properties whilst ensuring sufficient ventilation can be achieved.
- 7.5.5 It is concluded that the proposed development will not conflict with the existing operations of Northfield Farm. Suitable mitigation measures can be implemented into the development without compromising design or visual impact whilst ensuring residential amenity is protected for future occupiers. A condition will be applied to any permission ensuring details of the acoustic window vents are submitted to the LPA prior to first occupation.
- 7.6 Flood Risk and Drainage**
- 7.6.1 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.
- 7.7 Trees**
- 7.7.1 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.
- 7.7.2 If the application is to be approved, the Tree Protection Plan within P2664.1 002 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site.
- 7.8 Highway Safety**
- 7.8.1 The application will create two new accesses into the development site, through the existing hedge. The Local Highways Authority have raised no concerns with the scheme following the submission of a speed survey to support a reduction visibility splays.
- 7.8.2 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.
- 7.9 Other Material Matters**
- 7.9.1 To ensure the future protection and enhancement of species in accordance with Local Plan Policies ENV1, ENV2 and ENV7 a scheme of biodiversity improvements shall be secured by condition to any approval.

- 7.9.2 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, a condition requiring the submission of a contaminated land report shall be attached to any approval.

7.10 Planning Balance

- 7.10.1 The proposal would provide the provision of two additional residential dwellings 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.
- 7.10.2 The issue of the sustainability of this site was debated at the Planning Committee of November 2nd 2016. It was considered by the Committee Members that this site constituted a sustainable location due to its close enough proximity to the built up area of Soham.
- 7.10.3 Sufficient highways information has been provided to ensure that the Local Highways Authority have raised no objections scheme; overcoming the previous reason for refusal on this site.
- 7.10.4 The noise mitigation measures proposed are considered sufficient to avoid conflict with the nearby Northfield Farm, ensuring compliance with Local Plan Policy ENV9. These measures can be implemented into the development without compromising design or visual impact whilst ensuring residential amenity is protected for future occupiers.
- 7.10.5 The application is considered to be broadly in compliance with the relevant local and national policies referred to above and is therefore recommended for approval subject to appropriate planning conditions.

8.0 APPENDICES

- 8.1 Appendix 1 – Planning Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00291/FUL	Oli Haydon Room No. 011	Oli Haydon Planning Officer
16/00788/FUL	The Grange Ely	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>

APPENDIX 1 - 17/00291/FUL Conditions

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

Plan Reference	Version No	Date Received
ARBORICULTURAL IMPACT ASSESSMENT		6th March 2017
LOCATION PLAN		23rd February 2017
NOISE IMPACT ASSESSMENT2		19th April 2017
01-1	C	19th April 2017
01-2	C	19th April 2017
01-3	C	19th April 2017
01-4	C	19th April 2017
01-06	C	19th April 2017
02-1	C	19th April 2017
02.2	C	19th April 2017
02.3	C	19th April 2017
02.4	C	19th April 2017
02.5	C	19th April 2017
02.6	C	19th April 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until details of the walls, roof, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 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 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.
- 6 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation, details of the acoustically treated trickle vents to be used on the southern and western aspect windows shall be submitted to the Local Planning Authority.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 The tree protection measures as shown on Drawing P2664.1 002 shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within

the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered

- 8 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 9 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved access as shown on Drawing No. 01-2 (rev C).
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to commencement; visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan Drawing no. 01-2 (rev C); The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 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 commencement
- 12 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.
- 13 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 13 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.