
MAIN CASE

Proposal: New dwelling

Location: 42 Lode Way, Haddenham, Ely, CB6 3UL

Applicant: Mr Brian Young

Agent: HaddenhamBDC

Reference No: 14/01027/OUT

Case Officer: Jon Pavey-Smith

Parish: Haddenham

Ward: Haddenham

Ward Councillor/s: Councillor Gareth Wilson.
Councillor Ian Allen.
Councillor Pauline Wilson.

Date Received: 22 September 2014 Expiry Date:

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1.0 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission with all matters reserved for the erection of a dwelling on land located next to 42 Lode Way Haddenham.
- 1.2 Section 38 (6) of the Planning and Compulsory Purchase Act requires that decisions on planning applications are made in accordance with the Development Plan, unless material considerations indicate otherwise. The statutory Development Plan for the District currently comprises the East Cambridgeshire Core Strategy, 2009 and the Cambridgeshire and Peterborough Minerals and Waste Plan 2012.
- 1.3 The proposed development is located outside the development envelope on unallocated land, and would therefore normally constitute a departure from both Core Strategy and draft Local Plan policies.
- 1.4 A hearing session was held with the Planning Inspector on the 11th November to discuss the Further Proposed Modifications to the Local Plan (the additional Soham allocations that were approved by Full Council in September 2014). The Inspector indicated that he would consider the evidence presented to him and would contact the Council by the 14th November if he had concerns about the Further Proposed Modifications, and the Council's ability to demonstrate that it has a five year supply of housing land. The Council did not receive any further communication from the Inspector by Friday 14th November. In light of this and the previous legal advice sought

the Council can therefore continue to operate on the basis that it has a five year supply of land, in advance of receiving the Inspector's final report.

- 1.5 For this reason, current housing applications will not be considering the proposal in terms of the presumption in favour of sustainable development set out in the NPPF and policies within the development plan will be the starting point for any assessment, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act.
- 1.6 The key considerations in determining this application are therefore: The principle of development in the countryside; Impact on residential amenity; Impact on highway safety and impact on the character of the area.
- 1.7 The proposal represents unsustainable development in the countryside on a site remote from any established centre of settlement and local facilities and would result in reliance upon the use of the private motor car which would be contrary to national policy guidance. Furthermore the proposal would be contrary to the spatial vision and objectives of the Core Strategy, the East Cambridgeshire Local Plan and the National Planning Policy Framework which seek to focus development in sustainable locations where there are local services, employment and infrastructure.
- 1.8 The size of the building plot is approximately 150m squared which is below the recommended 300m squared for a single dwelling as stated in the East Cambridgeshire Design Guide.
- 1.9 This application is therefore recommended for REFUSAL.
- 1.10 This application has been called in to Committee by Councillor Pauline Wilson.
- 1.11 **A Site visit has been arranged for 12.25pm, prior to the Planning Committee meeting.**

2.0 THE APPLICATION

- 2.1 Outline planning permission is being sought for the erection of a single dwelling. Approval is sought for outline only with all matters reserved. The site area is 0.08 hectares in size and is positioned to the entrance of the coach depot.

3.0 THE APPLICANT'S CASE

- 3.1 The Applicant's case is set out in 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, on the application file.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside the settlement boundary for Haddenham, on a quiet road leading out from the village towards farm land. The site for the dwelling is at the entrance of Young's coach depot. The northern boundary treatment of site is a hedgerow.

5.0 **PLANNING HISTORY**

5.1

87/00186/FUL	Change of Use From Agricultural Storage to Agricultural and General Engineering	Approved	02.04.1987
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6.0 **REPLIES TO CONSULTATIONS**

- 6.1 **Neighbours:** Site notice posted and 1 No. neighbours notified – no responses received.
- 6.2 **Ward Councillor Response:** Mr Young has lived in the village all his life and his father owns the coach business which he runs on a day to day business. Coaches return through the night, sometimes midnight or one o'clock in the morning. His parents are getting old and they find the hours that Billy has to work disruptive to their sleep. Recently the Planning Inspector approved 4 residential dwellings just further up Lode Way in Hod Hall Lane, also outside the village envelope. Please could the planning department support this local business.
- 6.3 **Haddenham Parish Council:** No Objections.
- 6.4 **County Council Highways Engineer:** Request separate access required for the new dwelling. Subject to full details being provided at reserved matters application stage – means of access; materials of construction of access and visibility splays.
- 6.5 **Environmental Health** – No Objection, subject to the inclusion of planning conditions relating to land contamination.
- 6.6 **Waste strategy** – Each new property requires two bins; this contribution is currently set at £43 per property and will be required by the applicant.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 East Cambridgeshire Core Strategy 2009

CS1	Spatial Strategy
CS2	Housing
CS7	Infrastructure
CS8	Access
H2	Density
H5	Dwellings for rural workers
EN1	Landscape and settlement character
EN2	Design
EN8	Pollution
S4	Developer Contributions
S7	Parking Provision

7.2 East Cambridgeshire Draft Local Plan Pre-submission version (as amended June 2014)

ENV 1	Landscape and settlement character
ENV 2	Design
COM 7	Transport impact
COM 8	Parking provision
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing Density
ENV9	Pollution

7.3 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations

8.0 CENTRAL GOVERNMENT POLICY

8.1 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

8.2 Technical Guide to the National Planning Policy Framework

9.0 PLANNING COMMENTS

9.1 The key considerations in determining this application area are considered to be:

- The principle of development in the countryside
- Impact on residential amenity
- Impact on highway safety
- Impact on the character of the area

9.2 The proposed development is located outside the development envelope on unallocated land, and would therefore normally constitute a departure from both Core Strategy and draft Local Plan policies.

9.3 Section 38 (6) of the Planning and Compulsory Purchase Act requires that decisions on planning applications are made in accordance with the Development Plan, unless material considerations indicate otherwise. The statutory Development Plan for the District currently comprises the East Cambridgeshire Core Strategy, 2009 and the Cambridgeshire and Peterborough Minerals and Waste Plan 2012.

9.4 A hearing session was held with the Planning Inspector on the 11th November to discuss the Further Proposed Modifications to the Local Plan (the additional Soham allocations that were approved by Full Council in September 2014). The Inspector indicated that he would consider the evidence presented to him and would contact the Council by the 14th November if he had concerns about the Further Proposed

Modifications, and the Council's ability to demonstrate that it has a five year supply of housing land. The Council did not receive any further communication from the Inspector by Friday 14th November. In light of this and the previous legal advice sought the Council can therefore continue to operate on the basis that it has a five year supply of land, in advance of receiving the Inspector's final report.

- 9.5 For this reason, current housing applications will not be considering the proposal in terms of the presumption in favour of sustainable development set out in the NPPF and policies within the development plan will be the starting point for any assessment, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act.

The principle of development in the countryside

- 9.6 The site is located outside the settlement boundary, and therefore designated as being in the open countryside, where development is severely restricted and new houses require special justification. Core Strategy Policy CS1 sets out the exceptions allowed, which include development which is essential to the efficient operation of local agriculture, horticulture, forestry, mineral extraction, and outdoor recreation, or to other uses specifically identified in the local plan which support the rural economy, help meet affordable housing or special housing need, or provide essential rural services or infrastructure. Policy CS2 of the Core Strategy and Policy GROWTH 2 of the East Cambridgeshire Local Plan sets out the residential exceptions allowed outside settlement boundaries, which are affordable housing, sites for gypsies and travellers, dwellings for essential rural workers, alterations to or replacement of dwellings, or the re-use or replacement of existing buildings.
- 9.7 The application was not accompanied by a statement of justification for a special rural need, such as for an agricultural or stud workers dwelling, neither is the proposed dwelling affordable. Even though the business is located within the countryside, an employee of a Coach Depot is not considered to be a rural worker. As such the principle of development on this site is contrary to policy.
- 9.8 In this case the proposal is for market housing, which does not fall within any of the above exceptions and is therefore contrary to policies CS1 and CS2 of the Core Strategy and Policy GROWTH 2 of the East Cambridgeshire Local Plan. The National Planning Policy Framework Chapter 6 promotes the delivery of a wide choice of high quality homes and in rural areas sustainable development is a key requirement. Housing should be located where it will enhance or maintain the vitality of rural communities and should not be isolated in the countryside unless there are special circumstances such as for a rural worker. No evidence has been submitted in this respect as part of this application.
- 9.9 In terms of sustainability, the proposal constitutes development in an unsustainable location, where there would be reliance on private car use contrary to the strategic objectives and Policy CS1 of the East Cambridgeshire Core Strategy 2009, Policy GROWTH 2 of the East Cambridgeshire Local Plan.
- 9.10 Comparisons have been made between the proposed scheme and another application approved at Planning Committee – outline consent for a new dwelling approved at Greys of Ely (13/00135/FUL). However, this application was recommended for refusal by officers and overturned at Planning Committee.

- 9.11 A comparison has also been made with an application at Hod Hall Lane, less than a mile from the application site under ref No 14/01027/OUT for 4 dwellings. This application was refused by officers and members and later approved at Appeal. This application was approved at appeal when the council could not demonstrate that it had a five year housing supply. In addition, this site had previously been given consent as a gypsy site for three pitches and is closer to the settlement of Haddenham and therefore was viewed as a sustainable site by the Planning Inspector.
- 9.12 The proposal represents unsustainable development in the countryside on a site remote from any established centre of settlement and local facilities and would result in reliance upon the use of the private motor car which would be contrary to national policy guidance. Furthermore the site is located outside the settlement boundary and would therefore be contrary to the spatial vision and objectives of the Core Strategy, the East Cambridgeshire Local Plan and the National Planning Policy Framework which seek to focus development in sustainable locations where there are local services, employment and infrastructure.

Impact on residential amenity.

- 9.13 The proposed dwelling would be located on a site of approximately 15m in length and 8m in depth. The nearest dwelling is 42 Lynn House, which is within the applicant's ownership. There would be an increase in noise from comings and goings of new residents, but this is not considered to give rise to significant adverse impact. It is therefore considered that whilst there would be a change for the immediate neighbours from the development proposals, this would not have a significant impact and the proposal would therefore comply with Policy EN2 of the Core Strategy and Policy ENV2 of the draft Local Plan Pre-submission version (as amended June 2014). The size of the building plot is approximately 150m squared. The size of the building plot is below the recommended 300m squared for a single dwelling as stated in the East Cambridgeshire Design Guide. Notwithstanding this application is for outline with all matters reserved, the plot is considered by officers too small to adequately achieve a satisfactory dwelling with satisfactory amenity space and would therefore impact on the end users residential amenity.

Impact on highway safety

- 9.14 The County Highways Engineer would require a separate access for the dwelling and would require certain planning conditions imposition on any type of approval. The proposal would have to provide at least 2 off street parking spaces, so would be in accordance with East Cambridgeshire parking standards for residential dwelling this would be included in any reserve matters application. However in terms of sustainability, the proposal constitutes development in an unsustainable location, where there would be reliance on private car use contrary to the strategic objectives and Policy CS1 of the East Cambridgeshire Core Strategy 2009 and Policy GROWTH 2 of the East Cambridgeshire Draft Local Plan Pre submission version as amended June 2014.
- 9.15 The proposal would have to provide at least 2 off street parking spaces, so as to be in accordance with East Cambridgeshire parking standards for residential dwelling this would be included in any reserve matters application.

Impact on the character of the area

- 9.16 The Development Envelope is a policy tool that delineates coherent and established built-up areas. By introducing a new house on this site the proposal would be visible and subsequently would result in the loss of the green open space area, consolidating ribbon development along this part of Lode Way. The proposal would therefore fail to comply with Policies EN1 and EN2 of the of the East Cambridgeshire Core Strategy, 2009 and ENV1 and ENV2 of the Cambridgeshire Draft Local Plan and guidance contained within Policy 7 – Requiring good design - of the National Planning Policy Framework, 2012. It should be noted that this is an outline application and the design, scale, layout, landscaping and means of access details of the proposed dwelling will be included in the any subsequent reserve matters application.

Conclusion

- 9.17 Given that the proposed development is outside the settlement boundary, on land in the open countryside, where development is strictly limited by both local and national planning policy, and does not fit with any of the exceptions allowed under the adopted Core Strategy and East Cambridgeshire Draft Local Plan Pre-submission version (as amended June 2014), the application is recommended for refusal. In addition, the plot size is less than 300m squared as recommended by the East Cambridgeshire Design Guide and would represent a cramped form of development.

10.0 RECOMMENDATION

RECOMMENDATION: Refusal for the following reasons:

1. The site is located outside the development envelope of Haddenham and is classified as 'countryside', where there will be a policy of strict control over residential development. Exceptions to this policy of control may include affordable or special needs housing; travellers sites, replacement dwellings or dwellings essential to rural enterprises. The application proposal does not fall within any of the exceptions allowed, and is therefore contrary to Policies CS1, and CS2 of the East Cambridgeshire Core Strategy 2009, Policy GROWTH 2 of the East Cambridgeshire Draft Local Plan Pre-submission version (as modified) and advice contained in paragraph 55 of the National Planning Policy Framework 2012.
2. The proposal would represent unsustainable development on a site remote from any established centre of settlement and local facilities and would result in reliance upon the use of the private motor car, contrary to the strategic objectives and Policy CS1 of the East Cambridgeshire Core Strategy 2009, Policy GROWTH 2 of the East Cambridgeshire Draft Local Plan Pre-submission version (as modified) and the National Planning Policy Framework 2012.
3. 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 Policy EN2 of the East Cambridgeshire Core Strategy and ENV2 of the East Cambridgeshire Draft Local Plan Pre-submission version (as modified) and guidance within the National Planning Policy Framework Chapter 7 2012.

11.0 **APPENDICES**

11.1 None.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Application File 14/01027/OUT	Room No. 011 The Grange Ely	Jon Pavey-Smith Planning Officer 01353 665555 jon.pavey-smith@eastcambs.gov.uk