
MAIN CASE

Reference No: 17/01239/OUT

Proposal: Outline permission for single storey residential dwelling, garage and storage barn with some matters reserved except access and scale

Site Address: Land Opposite 5 Moor Road Fordham Cambridgeshire

Applicant: Mr Philip Boon

Case Officer: Gareth Pritchard, Planning Officer

Parish: Fordham

Ward: Fordham Villages
Ward Councillor/s: Councillor Joshua Schumann
Councillor Julia Huffer

Date Received: 11 July 2017 **Expiry Date:** 9 October 2017
[S127]

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE this application for the following reasons.
- 1.1.1 The proposed dwelling is located within the countryside and, by virtue of its distance from the main settlement of Fordham, is considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwelling 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.
- 1.1.2 The proposed is considered to be contrary to Local Plan policy ENV1 of The East Cambridgeshire Local Plan (2015) which states that development proposals should have a location, scale and form which creates a positive and complementary relationship with the surrounding unspoilt rural area. Furthermore, the proposal is contrary to Local Plan Policy ENV2 which ensures that proposals respect the density and landscape of the surrounding area and are of a scale and massing that relate sympathetically. The introduction of a dwelling, garage and agricultural building would introduce an unacceptable hardening of the landscape and would materially alter views into the village of Fordham across what is a predominately open landscape. It would fail to create a positive or complementary relationship

with the surrounding rural landscape, and cause a significant and demonstrable harm contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

- 1.1.3 Policy COM8 of the East Cambridgeshire Local Plan (2015) requires this application to provide a safe and convenient access to the public highway. This applicant cannot provide the required visibility splays for a 60mph road. A reduction in these visibility splays cannot be considered to be acceptable as the application is not supported by a speed survey. Therefore the application is considered contrary to policy COM7 as it cannot provide safe access to the public highway.

2.0 SUMMARY OF APPLICATION

- 2.1 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.**
- 2.2 This application has been called into Planning Committee by Cllr Derrick Beckett for the following reason: *"In the interests of fairness with all applications, I would ask that the above application be called to committee if it is to be refused, as other similar sites have received approval at different locations."*
- 2.3 The application is outline for principle, access and scale with appearance, layout and landscaping to remain reserved matters. The proposed dwelling would have a maximum height of 5.2 metres, width of 12.6 metres and depth of 13.9 metres. The garage would have a maximum height of 3.5 metres, width of 3.3 metres and depth of 6.2 metres. The proposed agricultural building would have a maximum height of 6.2 metres, width of 12.2 metres and depth of 18.4 metres.

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 Fordham approximately 850 metres to the north of the development framework when accessed via Moor Road. Moor Road itself is a single width track leading to a small number of dwellings and agricultural businesses. The area is characterised as being primarily countryside in nature with agricultural fields either side of the highway. The site itself appears to be formally part of an agricultural field but has been cleared to delineate the plot in question. To the south of the site is a small tree belt.

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 web site.

Parish – Would like a restrictive covenant for agricultural use only

Ward Councillors – No Comments from Fordham Ward Councillors

Local Highways Authority – Object to the planning application for the following reason:

“The highways authority requests a holding objection for the following reason:

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

The new access with the highway will be on to a 60mph road. The visibility splays would not be within the adopted highway therefore these splays must be within the land under the control of the applicant and shown on the plans.

These must be 2.4m x 215. The Highway Authority will require that suitable inter-vehicle visibility splays be provided for this development. In this case such splays will have to be 2.4m x 215m. The Highway Authority would be prepared to consider a reduction of these splays in line with the precepts of DMRB if empirical data in the form of a speed and volume count is provided by the applicant.

I would also note at this stage that this is a single track road with limited passing places so any permanent intensification should provide mitigation for its intensification of use.”

The applicant has subsequently held conversations with the Local Highways Authority and an amended plan with a passing place has been provided. A re-consultation request was sent to the Local Highways Authority 15th September 2017 but no response has been received at the time of writing.

CCC Growth & Development - No Comments Received

Trees Officer – Raises no objection to the proposed development

Waste Strategy (ECDC) – General waste related comments

Environmental Health – No Concerns subject to necessary conditions

- 5.2 **Neighbours** – one neighbouring properties was notified, a site notice posted and advert placed in the Cambridge Evening News. No responses were received.

6.0 The Planning Policy Context

- 6.1 East Cambridgeshire Local Plan 2015

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
GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
COM 7	Transport impact
COM 8	Parking provision
HOU 5	Dwellings for rural workers

6.2 Supplementary Planning Documents

Design Guide
Flood and Water
Developer Contributions and Planning Obligations
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

6.3 National Planning Policy Framework 2012

- 7 Requiring good design
- 6 Delivering a wide choice of high quality homes
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.0.1 The main issues to consider when determining this application relate to the principle of development, the impact upon character and appearance of the area, residential amenity, highways safety and other matters.

7.1 Principle of development

7.1.1 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 supply of housing land.

7.1.2 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.

7.1.3 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 850 metres from the nearest settlement of Fordham. The site is located in an isolated, rural location. It is therefore considered

to be an unsustainable location for the erection of a new dwelling, 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.

- 7.1.4 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 0.54 miles north of Fordham's established development framework.
- 7.1.5 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"*. Members are also aware of subsequent appeal decisions in Little Downham and Isleham relating to unsustainable locations and reliance on the private motor vehicle (APP/VO510/W/3158114 and APP/V0510/W/3160576 respectively).
- 7.1.6 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 850 metres from the edge of Fordham and, as such, the Local Planning Authority view it as isolated and unsustainable as there are a number of sites within Fordham which are in a more sustainable location and are either allocated for development or could be windfall sites.
- 7.1.7 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. Due to the locality this is considered to be an isolated dwelling in the countryside.
- 7.1.8 At this point it is also important to highlight that this application has not been made for a rural workers dwelling. A supporting statement has been provided by the applicant, advising they would be happy to accept an agricultural tenancy condition. However, no supporting documentation has been provided. Policy HOU5 relates dwelling for rural workers which has strict criteria including the need to:
- It can be demonstrated that the dwelling is essential to the needs of the business

- That the enterprise has been established for three years and is, and should remain financially viable

While there are further criteria within the policy this application has done neither of the above. As a result it is being assessed purely as a market dwelling as no information has been provided to assess the proposal in accordance with the relevant policy.

7.2 **Visual amenity**

- 7.2.1 Under Local Plan policy ENV1 this application should ensure that it provides a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. Under Local Plan policy ENV2 this application should take care to ensure that the location, layout, form, scale, massing and materials are sympathetic to the surrounding area.
- 7.2.2 The Design Guide SPD suggests that dwellings should occupy one third of a plot which should be a minimum of 300sqm. The site and scale of the proposed dwelling would comply with these guidelines.
- 7.2.3 The site area is currently an open agricultural field with one single storey dwelling to the north-east of the site on the other side of Moor Road. The introduction of a dwelling, garage and agricultural building would introduce an unacceptable hardening of the landscape and would materially alter views into the village of Fordham introducing built form across what is a predominately open landscape. It would fail to create a positive or complementary relationship with the surrounding rural landscape, and cause a significant and demonstrable harm contrary to policies ENV1 and ENV2 of Local Plan.
- 7.2.4 This impact is further compounded as when the site is viewed from the highway the fields are devoid of development until the established development of Fordham is almost reached to the south.
- 7.2.5 At this point again it is important to highlight that the application is not made for an agricultural rural workers dwelling. As a result the agricultural building proposed would not be viewed as being associated with a business. It is instead viewed as an overly large residential outbuilding which is out of scale and proportion with the proposed single storey dwelling and single garage. The applicant was requested to remove this from the application but amendments have not been forthcoming. As a result this relationship is also considered to have a visual impact contrary to policies ENV1 and ENV2.
- 7.2.6 The indicative layout shows additional planting as being offered. As the planting is outside of the red line this landscaping could not be conditioned as part of any application. It appears weight has been placed on landscaping and screening the proposed development from the surrounding area. It is considered that this emphasis seeks to 'hide' the development from the surrounding area, and serves to highlight that it is an unacceptable form of development given its local context, and landscaping/screening cannot be used to make an unacceptable scheme acceptable.

- 7.2.7 As a result of the above the application is considered to be contrary to Local Plan policies ENV1 and ENV2 and considered to have a significant and demonstrable harm to the character of the area.
- 7.3 **Residential amenity**
- 7.3.1 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 proposed.
- 7.3.2 The Design Guide SPD requires new dwellings to provide a minimum of 50sqm private amenity space. The proposal will provide sufficient space as to comply with this.
- 7.3.3 Due to the location of the proposed in relation to neighbouring dwellings it is not considered to cause a significant loss of privacy for neighbouring occupiers that could not be dealt with at reserved matters stage. Nor is it considered to have a significant impact through loss of light or by being overbearing due to the separation distance to No.5.
- 7.3.4 As a result the application is not considered to result in a significantly detrimental harm to the residential amenity of nearby occupiers or future occupiers that could not be dealt with at reserved matters. As a result it is considered to broadly comply with the residential amenity aspect of policy ENV2.
- 7.4 **Highways safety and parking provision**
- 7.4.1 Under Local Plan policy COM7 this application should ensure that it can provide safe and convenient access to the highway network. The Local Highways Authority were consulted as part of this application and have raised objections regarding the visibility splays being below that required on a 60mph road. They advised these may be reduced should a speed survey be produced by the agent. They also note the lack of passing places and the further intensification of the road.
- 7.4.2 Following these comments the planning agent has submitted an amended plan to provide a passing place approximately 200 metres to the south of the site within the highways verge. The Local Highways Authority have been consulted regarding this amendment, but at the time of writing amended comments have not been received from the Local Highways Authority.
- 7.4.3 In the absence of new comments the application is considered to fail to comply with policy COM7 as it does not provide a safe and convenient access to the public highway.
- 7.4.4 Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The indicative layout shows adequate parking at the dwelling for two motor vehicles. As a result the application is considered to comply with policy COM8.

7.5 Other material matters

- 7.5.1 Surface water, contamination and ecology enhancements can all be dealt with through a planning condition. Given the site is currently an agricultural field which is farmed it is considered to have minimal ecological value currently.

7.6 **Planning balance**

- 7.6.1 The proposal would provide the following benefits:- the provision of an additional residential dwelling to the district's housing stock which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.6.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm visually and by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. The applicant has also failed to demonstrate they can provide a safe and convenient access to the public highway.
- 7.6.3 The application is therefore considered to be contrary to this proposal is in conflict with Local Plan policies GROWTH5, ENV1, ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01239/OUT	Gareth Pritchard Room No. 011 The Grange Ely	Gareth Pritchard Planning Officer 01353 665555 gareth.pritchard@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>