
MAIN CASE

Reference No: 17/01260/OUT

Proposal: Residential development of four dwellings, garaging, parking, access and associated site works.

Site Address: Land Adjacent 21-23 Ironbridge Path Fordham Cambridgeshire

Applicant: R F Turner & Son

Case Officer: Gareth Pritchard, Planning Officer

Parish: Fordham

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

Date Received: 12 July 2017 **Expiry Date:** 9 October 2017

[S128]

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to **refuse** the planning application for the following reason:
- 1.2 Policy ENV1 of the East Cambridgeshire Local Plan (2015) requires this application to 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. The proposed Plots 2-4 are considered to deviate from the linear pattern of development of No's 14-28 and 21-23 Ironbridge Path along the single track. By wrapping around the rear of No's 21-23, Plots 2-4 appear as contrived backland development particularly when viewed from the public footpaths to the south and east. These Plots do not have any particular visual or physical affinity with the existing pattern of development. The proposal is therefore contrary to policies ENV1 and ENV2 of the Local Plan and the East Cambridgeshire Design Guide SPD.

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 The planning application has been called into planning committee by Cllr Joshua Schumann for the following reason: *“I wish to call it in as I feel it will allow the issues that have been identified to be aired in an open forum and some of the issues on both sides are subjective and fall within a grey area with regards to planning policy.”*
- 2.3 The proposed application seeks outline planning permission for access, scale and layout for four dwellings, garaging, parking, access and associated works. Appearance and landscaping would remain reserved matters. The applicant has confirmed that the maximum heights of all four dwellings would be 8 metres.

3.0 **PLANNING HISTORY**

- 3.1
- | | | | |
|--------------|---|----------|------------|
| 17/00088/OUT | Residential development comprising 2 No. two storey buildings, garaging, parking, access and associated site works. | Approved | 15.03.2017 |
|--------------|---|----------|------------|

4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The site is located outside of but adjacent to the established development framework which runs to the south and west of the site. The site is in use as a paddock with existing residential dwellings to the south and west. The highway to the south of the site is unadopted and forms part of a public byway which starts at 15 Ironbridge Path. The area itself reflects an edge of settlement location closely related to the village boundary.
- 4.2 Outline planning permission has been recently granted on the land between No's 15 and 21 for two, two storey dwellings. This site form part of the current application site No's 21 and 23 Ironbridge Path are located within the established development framework.

5.0 **RESPONSES FROM CONSULTEES**

- 5.1 Responses were received from the following consultees [LIST] and these are summarised below. The full responses are available on the Council's web site.

Parish – *“The site is outside the development envelope of the village as approved in the adopted local plan of 2015 and encroaches into open countryside and will have a visual impact on the existing dwellings and surrounding countryside.*

The access road is an unmade single carriageway of minimum width and already serves eleven dwellings. The Parish Council supported the previous application for 2 dwellings on the frontage of this access road but recommended the road be improved and properly surfaced but the applicant has disregarded the comments.

The Parish Council agree with the comments of the neighbours and support their objections.

Fordham Parish Council therefore object to this application.”

Ward Councillors – Cllr Joshua Schumann commented: *“I wish to call it in as I feel it will allow the issues that have been identified to be aired in an open forum and some of the issues on both sides are subjective and fall within a grey area with regards to planning policy.”*

Cllr Julia Huffer also later requested the application was brought before Planning Committee for the following reasons: *“There is much local concern about this application in fact every resident of Ironbridge Path recently attended the Parish council meeting to beg them to stop the further houses on this already cramped location. The access is very poor and limited to a single track which the refuse vehicles cannot access and there is a very real fear that emergency vehicles could struggle to reach houses. Encroaching into paddock land, was another concern and I think that the planning committee would be best placed to make this decision.”*

Local Highways Authority – No objections but note that this section of Ironbridge Path is not adopted and as a result cannot adopt the estate road.

Asset Information Definitive Map Team – Do not object to the application but recommend a number of informatives.

CCC Growth & Development – No Comments Received

Minerals And Waste Development Control Team - No Comments Received

Trees Officer – Does not object and requests conditions relating to tree protection and landscaping.

Waste Strategy (ECDC) – general waste related comments

Environmental Health – No objections but has recommended conditions.

Natural England – No comments to make

County Archeology – requested a planning condition for an archeological investigation.

5.2 Neighbours – 25 neighbouring properties were notified, site notice posted and advert placed in the Cambridge Evening News and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

- Access is via a privately owned track. Alongside is a footpath maintained by Cambridgeshire County Council and for the most part separated from the track by a railing which in part has been lost due to vehicle movements. The access serves 8 dwellings, 7 of which were built more than 50 years ago.

- The width of the track is maximum 3.3m between No.11 and public footpath opposite No.14. This is further reduced by an existing hedge.
- The footpath is a busy thoroughfare well used by people of all ages.
- Properties on Ironbridge path are not served by standard refuse vehicles due to the width of track and delivery vehicles often have issues.
- The official minimum width for an access road serving a maximum of three houses is 3.65m, a shared driveway 4.1m and 5.5 metres for the number of homes in this application. Standard footpath width is 2m.
- The access road and footpath are clearly inadequate for this development.
- Lorry access for building works would be impossible.
- This open land has been prized as a village amenity enjoyed by many who use the footpaths. Status should be preserved as being outside of the development framework.
- Impact on character of the area.
- Noise and disturbances will be caused.
- Safety of pedestrians using Ironbridge Path.
- Impact on local wildlife.
- 15/01422/OUT – one property is still to be built. Objects to being close to two building sites.
- Parking is an issues on Ironbridge Path.
- Impacts right of way and right of access.
- Heavy amount of traffic passing through.
- Loss of privacy for neighbouring occupiers.
- Loss of light for neighbouring occupiers.
- Concerns with access onto Ironbridge Path.
- Impact on birdlife.
- In conflict with the Local Plan.
- Outside development framework.
- Errors on the submission.
- Existing issues with blocked drains.
- Represents sprawl for monetary gain.
- Increased density of housing in the area contrary to the NPPF.
- Objects due to no design information.
- Loss of views.

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
COM 7	Transport impact
COM 8	Parking provision
GROWTH 2	Locational strategy

GROWTH 3 Infrastructure requirements
GROWTH 5 Presumption in favour of sustainable development

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

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

7.0 PLANNING COMMENTS

7.0.1 The main considerations of this application are: principle of development, visual amenity, residential amenity, highway safety, parking provision, ecology, trees 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. However, while the site is located outside of the established development framework for Fordham it is adjacent to it, with the boundary of this framework running along the western and southern boundaries of the site.

7.1.4 Given the close proximity to the established development framework the site is considered to be within a sustainable location in close proximity to the services and facilities on offer in Fordham.

7.1.5 The Local Planning Authority recently granted outline planning permission for two dwellings (17/00088/OUT). These dwellings were two storey and located between No's. 15 and 21 fronting onto the highway. Approval was given on the basis that the site could accommodate two dwellings whilst maintaining the open character of

the area. The proposal was also effectively infilling a gap between the settlement boundaries and would not result in significant adverse impacts that would outweigh the benefits.

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 two previously approved dwellings were considered to be acceptable as they generally followed the pattern of development by fronting Ironbridge Path in a similar manner to No's 21 and 23 on the north side of the road, and No's 14 – 28 on the south side of the road.
- 7.2.3 The layout of the proposed development presents a contrived form by surrounding the dwellings of No.21 and 23 to provide three dwellings to the rear of them. Plot one is considered to be broadly acceptable in terms of location and layout as it follows the general built form of the area. However, plots 2-4 are contrary to the directly surrounding linear nature of development.
- 7.2.4 The proposed constitutes a form of development that is out of character with the established form of development along this street. No's 1-15 read as their own comprehensive development. This proposed development would be read in the context of the dwellings to the south and No's 21 and 23 which follow a linear pattern of development. The development deviates from this established pattern.
- 7.2.5 The site is on the transition between the urban area of Fordham and is an area of open space within the village. The proposed siting and layout of these dwellings would not have any particular visual or physical affinity with the existing pattern of development. The proposal would result in an undesirable hardening of the edge between the built up extent of the village and the rural area. It can also be considered to be a large scale backland development being read as behind the dwellings of No's 1-15 and 21-23 contrary to the Design Guide SPD. The proposed scheme would also be visible from the public realm with the footpath running along the south and east of the site.
- 7.2.6 As a result the proposed is considered to be contrary to policies ENV1 and ENV2 due to the location of plots 2-4 and their significant 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 Each plot is capable of providing the minimum of 50sqm private amenity space as outlined with the Design Guide SPD.
- 7.3.3 Concerns have been raised by residents in relation to loss of light and privacy. The layout demonstrates that acceptable distances to boundaries and neighbouring properties can be achieved with distances exceeding those required within the Design Guide SPD. While the window locations would remain a reserved matter under appearance, it is considered window locations can be located in appropriate locations to prevent overlooking.
- 7.3.4 The proposed dwellings which are considered to have the greatest impact on residential amenity are plots 2 and 3. However, these dwellings would be situated 35 metres and 42 metres respectively from the rear edge of No's 21 and 23. As a result it is not considered that the impact due to overbearing and loss of light would be significant enough that would warrant refusal.
- 7.3.5 Concerns have also been raised due to the impact of traffic movements which could be considered to be noise and lights. It is not considered that two additional dwellings above that already permitted would result in significant detrimental harm to residential amenity through noise and light disturbances from vehicle movements. Environmental Health have also recommended a condition relating to restriction on construction hours which is considered to be acceptable.
- 7.3.6 As a result of the points highlighted above the application is considered capable of complying with the residential amenity aspect of policy ENV2 subject to acceptable reserved matters.
- 7.4 Highway 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 did not object to the principle of the application. They have noted that as the proposed estate road does not adjoin the public highway as the existing section of Ironbridge Path is not adopted or to an adoptable standard they will not seek to adopt the new estate road.
- 7.4.2 Footpath No.12 also runs along the south and east of the site. The County Council Rights of Way Team have not raised any objections to the application either. However, they have requested a number of conditions are attached to the granting of any permission. In the absence of an objection from the Local Highways Authority the application is considered to comply with policy COM7.
- 7.4.3 Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The layout shows adequate parking at the dwellings for two motor vehicles. As a result the application is considered to comply with policy COM8 in this regard.
- 7.5 Ecology and trees**
- 7.5.1 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of

environmental features such as hedgerows and trees. The site is primarily an open paddock with trees and vegetation limited primarily to the north and western boundaries. Given this the site itself is considered to have limited ecological value and due to the limited impact on boundary treatments again impact is considered to be minimal. A biodiversity enhancement condition can be attached to any granting of permission.

- 7.5.2 The Tree Officer has raised no objections to the applications and does not believe any significant trees will be negatively impacted upon. They have requested tree protection and landscaping conditions. They do however raise concerns with the impact on the character of the area contrary to policy ENV1.

7.6 Other matters

- 7.6.1 A scheme to deal with surface water can be secured by way of condition as can a condition relating to unexpected contaminated due to the sensitive end use.
- 7.6.2 The County Council Minerals and Waste team were contacted regarding the application as the site is within a sand and gravel protection area. However, no comments or concerns have been received from them. The application is therefore considered to be acceptable in this regard.

7.7 Planning balance

- 7.7.1 The proposal would provide the following benefits:- the provision of two additional residential dwelling (beyond that already approved) 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.
- 7.7.2 However, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused to the character of the area due to a contrived layout and location of plots 2-4, and therefore contrary to policies ENV1 and ENV2. The application is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01260/OUT	Gareth Pritchard Room No. 011 The Grange	Gareth Pritchard Planning Officer 01353 665555
17/00088/OUT	Ely	gareth.pritchard@e astcamb.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>