
MAIN CASE**Reference No:** 17/00087/OUT**Proposal:** Proposed two 2 storey dwellings, garage, parking, access and associated site works.**Site Address:** Land Opposite Barley Cottage Barcham Road Soham
Cambridgeshire**Applicant:** Wendy Gooda**Case Officer:** Richard Fitzjohn, Planning Officer**Parish:** Soham**Ward:** Soham NorthWard Councillor/s: Councillor James Palmer
Councillor Carol Sennitt**Date Received:** 27 January 2017 **Expiry Date:** 12th April 2017**[R259]**

1.0 RECOMMENDATION**1.1** Members are requested to REFUSE planning permission for the following reasons:

1. The proposed dwellings would be located within the countryside and, by virtue of their distance from the main settlement of Soham, are considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of the proposed dwellings 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 is therefore contrary to Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14, 35 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.
2. The existing built form within the close vicinity of the site along Barcham Road is generally characterised by dwellings which are located at staggered intervals so that no dwelling is directly opposite another. The openness of the surrounding agricultural land contributes positively to the character of the area. Two dwellings within this location, opposite a parcel of land with full planning permission granted for a dwelling (reference: 16/01606/FUL), could result in dwellings being constructed directly opposite each other on both sides of Barcham Road. This would contribute to a sense of enclosing to that part of Barcham Road which would not preserve the existing street scene or create a complementary relationship with the wider landscape setting, contrary to

Polices ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015.

2.0 SUMMARY OF APPLICATION

2.1 Outline planning permission with some matters reserved is being sought for the erection of 2No. detached dwellings. Matters of access and layout are to be considered as part of this application. Matters relating to appearance, landscaping and scale are reserved.

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.eastcambbs.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 This application has been called in to Planning Committee by Councillor Carol Sennitt as Barcham Road has always had housing and the site is viewed as a sustainable location for development.

3.0 PLANNING HISTORY

3.1

86/01153/OUT	ERECTION OF STORAGE BUILDING FOR RUBBER AND PVC HOSES FOR AGRICULTURE AND AGRICULTURE IMPLEMENTS	Refused	09.01.1987
15/01075/OUT	Outline proposal for single storey residential dwelling, access, garage and associated works	Approved	14.12.2015
16/01606/FUL	Proposed 5 bedroom detached dwelling, garaging, parking, access and associated works. Outline consent granted 15/01075/OUT	Approved	15.03.2017

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located to the north of Soham, outside of the established development framework. Barcham Road is a single car-width road with no pedestrian footpaths, leading from the A142 along the edges of agricultural fields. Dwellings and rural businesses are regularly spaced along Barcham Road within the vicinity of this site.

4.2 The site comprises a small parcel of scrubland between the A142 and Barcham Road, with an area of woodland and a pond immediately to the north, two pairs of semi-detached dwellings within close proximity to the south-west and the A142 to the west. There is some hedging along the east boundary of the site, adjacent to Barcham Road.

4.3 Full planning permission has recently been granted (reference: 16/01606/FUL), for a large two-storey dwelling immediately opposite the site to the east. This was granted due to outline planning permission being approved on the site prior to The Cotes appeal decision in Soham and therefore the principle of development had already been established.

4.4 The site is distanced approximately 0.5 miles from the edge of the established development framework and 1.5 miles from the edge of the town centre boundary for Soham.

5.0 RESPONSES FROM CONSULTEES

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

5.2 Soham Town Council – Consistent with its previous comments regarding other planning applications, the proposed new build is outside the development zone.

5.3 Ward Councillors - Councillor Sennitt requested the application be discussed at Planning Committee as Barcham Road has always had housing and the site is viewed as a sustainable location for development.

5.4 Local Highways Authority – No objections in principle. Recommend conditions are appended to any grant of planning permission in respect of vehicle parking and turning, access visibility, access drainage and an access gates restriction.

5.5 CCC Growth & Development - No Comments Received.

5.6 Middle Fen and Mere Internal Drainage Board – The application states that surface water will be disposed of via soakaways. Provided that soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. It is essential that any proposed soakaway does not cause flooding to neighbouring land. If soakaways are found not to be an effective means of surface water disposal, the Board must be re-consulted in this matter.

5.7 Environmental Health – Due to the proposed number of dwellings, advise that construction times and deliveries during the construction phase are restricted to the following:

08:00-18:00 Monday-Friday

08:00-13:00 Saturdays

None on Sundays, Bank Holidays or Public Holidays.

Accepts the findings of the Envirosearch report dated 18th January 2017. However, the Envirosearch report identifies an area of old landfill to the north of the site. Does not consider that a formal condition requiring further investigation for contamination is required, however the applicant should be informed of the presence of the old landfill site. The applicant may wish to install gas-impermeable damp proof membranes in the properties as a precautionary measure in case any landfill gas is present in the ground. Due to the proposed sensitive end use of the site

(residential), recommends that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

5.8 Trees Officer – Some insignificant trees and vegetation in the site boundaries may be affected. No objection but raises concerns in respect of the negative impact upon the landscape character of the area.

5.9 Neighbours – A site notice was displayed and 6 neighbouring properties were notified. An advert was also placed in the Cambridge Evening News. No representations have been received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM7	Transport impact
COM8	Parking provision

6.2 Supplementary Planning Documents

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

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

7.1 The main considerations in relation to this application are the principle of development, the character and appearance of the area, residential amenity, highway safety, ecology and drainage.

7.2 Principle of Development

- 7.2.1 The application site lies outside of the established development framework for Soham. 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 5 year supply of housing land, Policy GROWTH 2 cannot be considered up to date in so far as it relates to the supply of housing land. Therefore, all Local Plan 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. 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.
- 7.2.2 The benefits of this application are considered to be: the positive contribution of the provision of two additional dwellings to the district's housing stock, and the positive contribution to the local and wider economy in the short term through the construction of the new dwellings.
- 7.2.3 The current application bear similarities with a recent appeal decision (APP/V0510/W/16/3143840) which followed the refusal by the Council for two dwellings at 14 The Cotes, located 1.8 miles north of Soham and in an isolated cluster of dwellings. The appeal decision 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". This application site on Barcham Road is distanced 1.5 miles from the edge of the town centre boundary for Soham where local shops and services are located.
- 7.2.4 Although full planning permission has recently been granted (reference: 16/01606/FUL), for a dwelling immediately opposite the site to the east, this was granted due to outline planning permission being approved on the site prior to The Cotes appeal decision in Soham and therefore the principle of development had already been established. Following The Cotes appeal decision, an application (16/00754/FUL) for a new dwelling further along Barcham Road was refused by the Local Planning Authority in August 2016 due to being an unsustainable location. Additionally two appeals in Isleham and Little Downham parishes (Planning Inspectorate refs APP/V0510/W/16/3160576 and APP/V0510/W/16/3158114) were dismissed by the Planning Inspectorate recently which upheld the Local Planning Authority's decisions to refuse new dwellings due to unsustainable locations, and demonstrates that significant weight can be given to the issue of sustainability.

These appeal decisions form a material consideration to be given significant weight in determining this application.

- 7.2.5 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. Paragraph 35 of the NPPF encourages development to protect and exploit opportunities for sustainable transport. Paragraph 55 of the NPPF states that isolated new homes in the countryside should be avoided unless there are special circumstances.
- 7.2.6 The application site is distanced approximately 0.5 miles from the edge of the established development framework and 1.5 miles from the edge of the town centre boundary for Soham. Barcham Road is a 60mph road with a single-vehicle width and no pedestrian footpaths. There is a limited bus service currently with the closest stop on the A142 and linking with Newmarket, Ely and Cambridge. This would mean that occupants of the proposed dwelling are very likely to depend on a private vehicle to access local services and facilities. Furthermore, the existing dwellings along Barcham Road are located generally at intervals and are not considered to form a substantial grouping to which the proposed dwelling would adhere.
- 7.2.7 For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore not considered to be in an environmentally or socially sustainable location and is contrary to policies COM7 and GROWTH 5 of the Local Plan and paragraphs 35 and 55 of the NPPF.
- 7.3 Character and appearance of the area
 - 7.3.1 Matters of appearance and scale are reserved as part of this application. However, the matter of layout is being considered.
 - 7.3.2 The existing built form within the close vicinity of the site along Barcham Road is generally characterised by dwellings which are located at staggered intervals so that no dwelling is directly opposite another. The openness of the surrounding agricultural land contributes positively to the character of the area.
 - 7.3.3 Two dwellings within this location, opposite a parcel of land with full planning permission granted for a dwelling (reference: 16/01606/FUL), would contribute to a sense of enclosing to that part of Barcham Road which would not be consistent with the existing street scene or the rural and open character of the area.
 - 7.3.4 It is therefore considered that the proposal is contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 as the proposed development would not have a complementary relationship with the character of the wider landscape setting and would not preserve or enhance the street scene. This reason is significant enough to warrant refusal of planning permission.
- 7.4 Residential Amenity
 - 7.4.1 The proposed dwellings would be distanced sufficiently from any neighbouring residential properties to prevent any significant adverse impacts in respect of residential amenity.

7.4.2 The site also has sufficient space to accommodate the proposed dwellings with an acceptable level of amenity as set out in the SPD Design Guide. It is therefore considered that the proposal accords with Policy ENV2 of the East Cambridgeshire Local Plan 2015 in respect of residential amenity.

7.5 Highways

7.5.1 The proposal demonstrates sufficient room within the site to provide parking and turning for 2 cars within each plot, in accordance with Policy COM8. There are no Highways Authority concerns subject to standard conditions being appended to any grant of planning permission in respect of vehicle parking and turning, access visibility, access drainage and an access gates restriction.

7.5.2 It is therefore considered that the proposal accords with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

7.6 Ecology

7.6.1 The proposal includes the removal of some of the hedging along the east boundary of the site to accommodate the vehicular access to each dwelling. The Council's Tree Officer has been consulted on the application and considers the trees and vegetation on the site to be insignificant. The Tree Officer does not object to the application, however concerns have been raised regarding impact upon the landscape character of the area.

7.6.2 Due to the characteristics of the site which largely comprises grass and shrubs of relatively short growth, it is considered unlikely that the site provides habitats for protected species. There are 2 ponds within close proximity to the site, however an ecological appraisal of these ponds has recently been carried out which confirmed that both ponds score below average suitability for Great Crested Newts and are unlikely to provide aquatic habitat for Great Crested Newts. The application site is separated from the small area of woodland to the north and the proposal would not affect the habitats within this site. Landscaping is a reserved matter, however ecology enhancements could be provided through landscaping.

7.6.3 It is therefore considered that the proposal accords with policy ENV7 of the East Cambridgeshire Local Plan 2015.

7.7 Flood Risk and Drainage

7.7.1 The site is located 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.

7.8 Planning Balance

7.8.1 The location of the application site, significantly distanced from the established development framework and on a 60mph road with no footpaths, is not considered to meet the social and environmental aspects of sustainability expected by the

NPPF. Nor are the dwellings proposed for special circumstances as outlined in paragraph 55 of the NPPF.

7.8.2 The proposal would provide some modest benefits to the district's housing supply and to the construction trade. In addition, the proposal would not create any significant adverse impacts in respect of highway safety, residential amenity, ecology or flood risk. However, it is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the siting of two dwellings in an unsustainable location and increasing reliance on the car to gain access to services and facilities. The unsustainable location of the site is given significant weight as the primary reason for the recommendation of refusal. The secondary reason for refusal is the detrimental impact upon the rural, open character of this part of Barcham Road which would result from dwellings being constructed directly opposite each other on both sides of Barcham Road.

7.8.3 It is requested that Members REFUSE this application for the above reasons.

8 APPENDICES

8.1 Appendix 1 – Appeal Decision APP/V0510/W/16/3143840

8.2 Appendix 2 – Appeal Decision APP/V0510/W/16/3160576

8.3 Appendix 3 – Appeal Decision APP/V0510/W/16/3158114

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00087/OUT	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Planning Officer 01353 665555 richard.fitzjohn@ea stcambs.gov.uk
86/01153/OUT	Ely	
15/01075/OUT		
16/01606/FUL		

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>