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**MAIN CASE**

**Reference No:** 17/00468/FUL

**Proposal:** Construction of 2 bedroom, two storey detached dwelling, parking, access & associated site works

**Site Address:** Land Adjacent To 103 Station Road Soham Ely  
Cambridgeshire CB7 5DZ

**Applicant:** Mr Spencer Griggs

**Case Officer:** Richard Fitzjohn, Planning Officer

**Parish:** Soham

**Ward:** Soham South  
Ward Councillor/s: Councillor Hamish Ross  
Councillor Ian Bovingdon  
Councillor Dan Schumann

**Date Received:** 20 March 2017      **Expiry Date:** 12<sup>th</sup> July 2017

[S41]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for the following reasons:

1. The part of the application site comprising the proposed dwelling would measure less than 200 square metres, significantly below the 300 square metres plot size guidance set out within the East Cambridgeshire Design Guide SPD. The proposed development would appear cramped and contrived within the site, not relating sympathetically to the layout and form of the surrounding conservation area or creating a quality new scheme in its own right, contrary to Policy ENV1, ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.
2. By virtue of its height, location and proximity to neighbouring properties, the proposed dwelling would create a significant overbearing impact and significant loss of light to the gardens of No's 101 and 103 Station Road and No's 98 and 100 Clay Street. The proposed dwelling would therefore create a significant detrimental impact upon the residential amenity of adjacent neighbouring occupiers, contrary to Policy ENV2 of the East Cambridgeshire Local Plan 2015.

## 2.0 SUMMARY OF APPLICATION

- 2.1 Planning permission is being sought for the erection of a two-storey dwelling within the existing garden of No.103 Station Road, Soham. The proposed dwelling would measure 5.2m wide and 8.7m deep, with a ridge height of 6.4m and an eaves height of 4.7m. The proposed development would provide 2 car parking spaces for the proposed dwelling which would be served by a new vehicular access with the public highway. Amended plans have been submitted during the course of the application removing timber boarding from the proposed dwelling, following concerns raised by the Conservation Officer. The external surfaces of the proposed dwelling would predominantly comprise buff facing brickwork and Spanish slate roof tiles.
- 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 This application has been called into Planning Committee by Councillor Bovingdon on the grounds of highway concerns.

## 3.0 PLANNING HISTORY

### 3.1 On application site

|  |  |          |            |
|--|--|----------|------------|
| 04/00358/FUL                               | To demolish existing storage building and build a three bedroom dwelling | Approved | 21.05.2004 |
| <u>No. 100 Clay Street</u><br>04/01295/FUL | Proposed conservatory and 1.8m boundary fence.                           | Approved | 15.12.2004 |

## THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is located within the established development framework and conservation area for Soham. The application site comprises a three storey dwelling with an existing vehicular access and parking located off Station Road to the rear. The existing dwelling has a rear garden which is elevated on higher ground level than the dwelling and the adjacent public highway. The site borders No. 101 Station Road to the east and No's. 96, 98 and 100 Clay Street to the south.
- 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.

Soham Town Council – No objections but planning committee noted unclear how traffic will access.

Ward Councillor Ian Bovingdon – Has called-in the application to Planning Committee on the grounds of highway concerns.

Local Highways Authority – No objections. Recommend conditions relating to parking, pedestrian visibility, access drainage and a gates restriction.

Conservation Officer –

Original comments (11<sup>th</sup> April 2017) – There is a mix of architectural style terraced properties within proximity to the site with no clear character predominant in this part of the conservation area. The existing site forms one of several traditional style terraced properties with the host dwelling being a dual frontage property on the western end of the terrace. Whilst the principle of a dwelling on this site may be acceptable, the proposed design of the dwelling does not relate to its surroundings and looks more like a rural barn style property than something that would be appropriate for an urban setting. So whilst there is no dominant architectural style, any proposal should be mindful of its context and this will result in a single, somewhat visually isolated dwelling on the corner of Station Road. If minded to approve, then the design of the proposed dwelling needs to be looked at and a new design solution put forward to prevent the proposal having an adverse impact on the character or appearance of the conservation area.

Comments following amendments (01/06/17) - The amendments have addressed the concerns regarding design and materials of the proposed dwelling. Whether or not the principle of development on this site is acceptable is a matter for the Planning Officer to determine.

Waste Strategy (ECDC) - East Cambs will not enter private property to collect waste or recycling, therefore it would be the responsibility of the Owners/residents to take sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over loose gravel/shingle driveways.

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, 2003, as well as the Localism Act of 2011.

Each new property requires two bins; this contribution is currently set at £43 per property.

Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to [waste@eastcambs.gov.uk](mailto:waste@eastcambs.gov.uk) detailing the payment amount and the planning reference number.

CCC Growth & Development - No Comments Received.

Natural England - No Comments Received.

5.2 Neighbours – 5 neighbouring properties were notified and a site notice was displayed near the site. Objections have been received from the occupier of 1 neighbouring property. The responses received are summarised below. A full copy of the responses are available on the Council’s website.

- The proposed development would be located on the apex of a blind bend.
- The limited space within the development will impact on local roadside parking.
- The adjacent busy road has 4 junctions in the immediate vicinity and the entrance to the gym located opposite.
- The site is on the boundary of the footpath and up to 3ft vertically above it.
- There is no roadside parking which can serve the development.
- During construction, there would be no room for site access, storage or construction vehicles without effecting a partial road closure, traffic lights and other measures to ensure pedestrian and road safety.
- The proposed development would cause further traffic disruption.
- NPPF requires ‘Good Design’. The Conservation Officer indicated that original proposal was not appropriate in respect of design.
- The site provides inadequate space to sustain the proposed development.
- The site was never intended for development.

## 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 |
| HOU 2    | Housing density                                  |
| ENV 1    | Landscape and settlement character               |
| ENV 2    | Design   |
| ENV 8    | Flood risk                                       |
| ENV 9    | Pollution  |
| ENV 11   | Conservation Areas                               |
| COM 7    | Transport impact                                 |
| COM 8    | Parking provision                                |

### 6.2 Supplementary Planning Documents

Soham Conservation Area  
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
- 12 Conserving and enhancing the historic environment

## 7.0 PLANNING COMMENTS

7.1 The main issues to consider when determining this application relate to the principle of development, in addition to the impacts upon the character and appearance of the conservation area, residential amenity and highway safety.

### 7.2 Principle of Development

7.2.1 The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning 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.

7.2.2 The benefits of this application are considered to be :- the positive contribution of the provision of an additional dwelling 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 dwelling.

7.2.3 The application site is located within the development envelope of Soham, within close vicinity to the facilities and services within the town and well connected by public footpaths. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore considered to be in a sustainable location.

7.2.4 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. The main considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development.

### 7.3 Character and appearance of the conservation area

7.3.1 The site is located within the Soham conservation area and the area is predominantly residential in nature. The surrounding area is mixed in respect of the form, layout, styles and appearances of nearby dwellings. There is mixed pattern of development within the vicinity of the application site and the location of the proposed dwelling would therefore not be out of keeping with the existing built form. Furthermore, the proposed dwelling is modest in scale and of a simple design.

7.3.2 The Conservation Officer originally raised concerns regarding the proposed design of the dwelling which was considered didn't relate to its surroundings. Amended plans have since been submitted which have addressed the conservation officers original concerns regarding the design and materials of the proposed dwelling.

- 7.3.3 However, the part of the application site which would accommodate the proposed dwelling measures less than 200 square metres, significantly below the 300 square metres plot size guidance set out within the East Cambridgeshire Design Guide SPD. As a result of the small size of the site for the proposed dwelling, the proposed development would appear cramped and contrived within the site, not relating sympathetically to the layout and form of the surrounding area or creating a quality new scheme in its own right.
- 7.3.4 It is therefore considered that the proposed development would create a significant detrimental impact upon the character and appearance of the conservation area, contrary to Policy ENV1, ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.
- 7.4 Residential Amenity
- 7.4.1 The proposed dwelling does not include first floor windows which would serve habitable rooms and face towards neighbouring properties within close proximity. Conditions could be appended to any grant of planning permission ensuring that the first floor landing and bathroom windows are obscure-glazed and fixed shut. The proposal would therefore not create any significant overlooking of neighbouring properties.
- 7.4.2 The proposed dwelling would be located a distance of 2.5 metres from the southern (rear) boundary of the rear garden of No.103 Station Road and 7.4 metres from the eastern boundary with the rear garden of No.101 Station Road. The proposed dwelling would also be located within close proximity to the rear gardens of the properties along Clay Street to the south. The proposed dwelling would have a ridge height of 6.4m and an eaves height of 4.7m. By virtue of its height, location and proximity to neighbouring properties (including private gardens), the proposed dwelling would create a significant overbearing impact and significant loss of light to adjacent neighbouring properties.
- 7.4.3 It is therefore considered that the proposed development would create a significant detrimental impact upon the residential amenity of adjacent neighbouring occupiers, contrary to Policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7.5 Highways
- 7.5.1 The proposed development would remove the low wall which is located along the western boundary of the site to provide an altered driveway for the existing dwelling of No.103 and a new driveway for the proposed dwelling. The proposed development would provide 2 car parking spaces for each dwelling which accords with Policy COM8 of the East Cambridgeshire Local Plan. Furthermore, for a dwelling of the size proposed, it is unlikely that this would result in roadside parking by future occupiers of the proposed dwelling.
- 7.5.2 The proposed development does not include any provision for vehicle turning and therefore cars would be required to reverse into or out of the site, as is the existing situation for cars parking at No.103 Station Road. This would result in cars having to reverse into or out of the site opposite a vehicular junction and within close proximity to a bend in the public highway to the south. Visibility of vehicles

approaching the application site from the bend to the south is currently limited by a fence situated above a brick wall at No.100 Clay Street (which was approved planning permission by planning permission 04/01295/FUL). Concerns have been raised by a neighbouring occupier regarding highway safety issues and the application has been called in to Planning Committee by Councillor Bovingdon due to highway concerns. Despite the case officer having some concerns over cars reversing from the application site onto the public highway, the Local Highway Authority has raised no objections to the proposed development subject to recommended conditions.

7.5.3 On balance, it is therefore considered that the proposed development would not create a significant detrimental impact upon highway safety as stated by the Local Highway Authority. The proposal is therefore considered to comply with Policy COM7 of the East Cambridgeshire Local Plan 2015.

7.6 Planning Balance

7.6.1 The benefits of the proposed development are the provision of an additional dwelling 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 dwelling. The site is also located in a sustainable location, close to a wide range of services and facilities within Soham and well connected by public footpaths.

7.6.2 However, on balance, it is considered that the benefits of the proposed development would be outweighed by the significant and demonstrable harm caused to residential amenity and the character and appearance of the conservation area. The proposal is therefore considered to be contrary to Policies ENV1, ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.

| <b><u>Background Documents</u></b> | <b><u>Location</u></b>           | <b><u>Contact Officer(s)</u></b>     |
|------------------------------------|----------------------------------|--------------------------------------|
| 17/00468/FUL                       | Richard Fitzjohn<br>Room No. 011 | Richard Fitzjohn<br>Planning Officer |
| 04/00358/FUL                       | The Grange<br>Ely                | 01353 665555<br>richard.fitzjohn@ea  |
| 04/01295/FUL                       |                                  | stcambs.gov.uk                       |

National Planning Policy Framework -  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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>