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**MAIN CASE**

**Reference No:** 18/01291/OUT

**Proposal:** Proposed single storey dwelling, garaging, parking, access and associated site works

**Site Address:** Site South West Of Old Ness Farm Ness Road Burwell

**Applicant:** Mr & Mrs R Webb

**Case Officer:** Catherine Looper, Planning Officer

**Parish:** Burwell

**Ward:** Burwell  
Ward Councillor/s: Councillor David Brown  
Councillor Lavinia Edwards  
Councillor Michael Allan

**Date Received:** 17 September 2018    **Expiry Date:** 07/12/2018

**[T154]**

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**1.0    RECOMMENDATION**

- 1.1**    Members are recommended to REFUSE the application for the following reasons:
1. The proposed dwelling is located within the countryside and, by virtue of its distance from the main settlement of Burwell, is considered to be in an isolated and 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 79 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, policies LP1 and LP17 of the Submitted Local Plan 2018, and Paragraphs 11 and 79 of the National Planning Policy Framework, as it fails to promote sustainable development.

**2.0    SUMMARY OF APPLICATION**

- 2.1**    The application seeks outline consent for the construction of a single storey dwelling. The matters to be considered at this stage are access and scale. All other matters would be dealt with as part of a reserved matters application.
- 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 The application has been called in Planning Committee by Councillor Michael Allan.

### 3.0 PLANNING HISTORY

3.1 No relevant planning history.

### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located approximately 1.3 miles to the north of Burwell and is outside of the defined settlement boundary. The site comprises maintained grassland and Nesslands Boarding Kennels lies to the west. There are some sporadic dwellings in the vicinity. The site is accessed via junction with the public highway and is part of a private road leading to other properties.

### 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 –** No objections raised.

**Ward Councillors (Councillor Allan)-** This is to confirm that I am calling in the application: Site South West of Old Ness Farm - Ness Road – Burwell - as I agree totally with the decision of Burwell Parish Council on this matter – No Objection.

**The Ely Group Of 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, as the applicant would need the consent of the Board to discharge into any watercourse within the District.

**Local Highways Authority -** The Highway Authority has no objections in principal to this application. The access / access road to this development benefits from an existing junction with the highway. However the approach road leading to the vehicle access is not adopted highway. The extent of the highway only comprises of the junction and the verge abutting Ness Road.

**CCC Growth & Development -** No Comments Received

**Environmental Health (Scientific) -** I have read the Envirosearch report dated 14<sup>th</sup> September 2018 and accept the findings. The site appears to be at low risk of land contamination and I recommend that a condition requiring further work is not required. As this application is for a sensitive end use (residential) I recommend that

contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

**Environmental Health (Domestic)** - I note that the proposed site is relatively close to Nessland Boarding Kennels to the west. On checking our records it does not appear as though we have ever received a complaint regarding noise from the kennels despite there being existing residential properties unconnected to the kennels being in closer proximity than the proposed site. For this reason I do not feel it appropriate to ask for a noise impact assessment and I have no objections to raise.

**Waste Strategy (ECDC)** – No objections raised. Standard informatives recommended.

5.2 **Neighbours** – One neighbouring property was notified and a site notice was posted in the Cambridge Evening News. No responses have been received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

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

6.3 National Planning Policy Framework 2018

- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment
- 2 Achieving sustainable development

6.4 Submitted Local Plan 2018

LP1	A presumption in Favour of Sustainable Development
LP3	The Settlement Hierarchy and the Countryside
LP5	Community-led development
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP22	Achieving Design Excellence
LP25	Managing Water Resources and Flood Risk

LP26	Pollution and Land Contamination
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity

## 7.0 PLANNING COMMENTS

7.1 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.

### 7.2 **Principle of Development**

7.3 An appeal decision (APP/V0510/17/3186785: Land off Mildenhall Road, Fordham') has concluded that the Council does not currently have an adequate five year supply of land for housing, and as such, the housing policies within the 2015 Local Plan (GROWTH 2) and the 2018 Submitted Local Plan (LP3) cannot be considered up-to-date in so far as it relates to the supply of housing land.

7.4 In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. Paragraph 78 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances.

7.5 The proposed dwelling would make a small but positive contribution to the local housing supply in the form of one dwelling and would be beneficial to the economy in the short term due to the construction stage, although this holds limited weight in the determination of the application.

7.6 Paragraph 78 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances.

7.7 With regard to the existing dwellings in the vicinity, these are historic properties and remain isolated within the agricultural landscape. The application site is located approximately 1.3 miles to the north of Burwell. Public transport links are poor and this would mean that future occupiers of the proposed dwelling would rely on the use of a car to access basic services which is contrary to policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2018. The public highway between the site and Burwell does not benefit from pedestrian footpaths or street lighting, and therefore any person choosing to walk between the site and the nearby town would have little choice but to walk on the public highway.

7.8 The Local Planning Authority considers this site to be unsustainable, as there are a number of sites locally within Burwell as well as other nearby settlements within the district that are considered to be much more sustainable in terms of their suitability for residential development.

## **7.9 Visual Amenity**

7.10 In terms of visual amenity, Policy ENV2 of the Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2018 require proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other. The full details of the visual appearance have not been included within the application and would need to be assessed at reserved matters stage. The dwelling is positioned on a plot which is already well screened and which can accommodate additional planting. It is considered that a dwelling would be satisfactorily accommodated on the site without being visually intrusive. There are other residential dwellings at sporadic points along Ness Road and therefore the introduction of one dwelling would not be significantly harmful to the rural character and appearance of the area.

7.11 The applicant has included scale as one of the matters to be determined. The plans show an acceptable footprint measuring 7.1m in depth and 5.1m in width across the frontage. The height of the proposed dwelling at 5m is considered appropriate.

## **7.12 Residential Amenity**

7.13 Policy ENV2 of the East Cambridgeshire District Council's Local Plan 2015 states that proposals should ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. There is more than sufficient distance between the indicative footprint of the proposed dwelling and the neighbouring properties to the north-east and south-west. These distances are considered sufficient to prevent overlooking or overshadowing impacts to neighbouring occupiers and it has been demonstrated that there is sufficient room within the plot to achieve an acceptable layout. The full impact of the proposed dwelling on the residential amenity of nearby occupiers would be assessed at reserved matters stage once all of the details are submitted.

7.14 Nesslands Boarding Kennels is located to the west of the site, however Environmental Health have reviewed the proposals and have advised that no complaints have been received about noise from other residential properties which are unrelated to the kennels, and therefore they do not feel it is appropriate to request a noise assessment and raise no objection.

7.15 The proposed plot size, rear amenity space and building size comply with the requirements of the Design Guide SPD.

## **7.16 Highways**

7.17 The Local Highways Authority has been consulted regarding the application and has confirmed that they have no objections in principal to this application. The indicative layout suggests that there is sufficient room on site for the manoeuvring

and parking of two vehicles, and this is considered to comply with Policy COM8 of the Local Plan 2015.

## **7.18 Ecology**

- 7.19 The site is maintained grass land and therefore the proposal is not considered to impact biodiversity in the area. It is considered appropriate to seek biodiversity improvements as part of the application, and this can be secured by condition. The request for biodiversity improvements is guided by the local plan policies which seek to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species. As this development is proposed on previously undeveloped land, there is potential for disturbance, which could be overcome by the introduction of biodiversity improvements. The hard and soft landscaping details for the site can be secured by condition.

## **7.20 Flood Risk and Drainage**

- 7.21 The site is located in Flood Zone 1 where the principle of development is considered acceptable in terms of Flood Risk. A scheme for the disposal of foul and surface water drainage can be secured by condition to ensure that a suitable scheme is proposed which prevents the increased risk of flooding and improves and protects water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2018.

## **7.22 Planning Balance**

- 7.23 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.
- 7.24 However, it is considered that these benefits would be outweighed by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. For these reasons the application is recommended for refusal.

## **8.0 APPENDICES**

None

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/01291/OUT	Catherine Looper Room No. 011 The Grange Ely	Catherine Looper Planning Officer 01353 665555 catherine.looper@eastcambs.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>