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**MAIN CASE**

**Reference No:** 15/01177/OUT

**Proposal:** Erection of a detached residential dwelling, parking, garaging & associated site works

**Site Address:** Land South Of 70 The Butts Soham Cambridgeshire

**Applicant:** Carol Sennitt & Linda Hitchings

**Case Officer:** Jon Pavey-Smith, Planning Officer

**Parish:** Soham

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

**Date Received:** 29 September 2015      **Expiry Date:**

[Q152]

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1.0 **RECOMMENDATION**

1.1 Members are requested to approve the application subject to the recommended conditions below:

- 1 Drawing Numbers
- 2 Reserve Matters Time Scale
- 3 Reserve Matters Commencement
- 4 Reporting Unexpected Contamination
- 5 Driveway Construction
- 6 Inter-vehicle visibility splays
- 7 Pedestrian visibility splays
- 8 Driveway constructed using bound material
- 9 Location of Access Gates
- 10 Surface Water Drainage

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks outline planning permission for the erection of one detached dwelling and associated works, with all matters reserved apart from access. An indicative layout plan showing details of layout and landscaping has been submitted as part of the application, together with a contamination report.

2.2 As the application is in an outline format, the plan submitted with the application shows an indicative appearance, layout, scale and landscaping for the proposal, these matters would be assessed as part of a reserved matters application. The plan submitted with the application indicates that the scale parameters would be 8 metres in height, 9.5 metres wide and 12.5 metres long.

2.3 This application has been brought to Planning Committee as one of the applicants is an East Cambridgeshire District Councillor.

2.4 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.**

### 3.0 PLANNING HISTORY

3.1 No Relevant Planning History

### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located to the western side of the Butts within the Parish of Soham, outside the development envelope in the countryside. The site has an area of approximately 0.1 hectares, accessed and situated to the west of the Butts.

4.2 The site comprises a field and has stables to the south and dwellings to the east and north. The boundaries of the site are defined by existing gates and a mature hedgerow to the east of the site.

### 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.

Local Highways Authority - The Highways Authority has no objections in principal to this application. However the Planning Authority should be advised of the following:

- No inter- vehicle visibility splays information has been included within the application.
- However, there appears to be adequate room within the site to accommodate these splays and as such the highways authority has no objection to this aspect of the proposal if these measures are conditioned.

Environmental Health – Recommend one land contamination condition should be attached to this condition.

Minerals and Waste Development Control Team - No Comments Received

Parish – No Objections.

Ward Councillors - No Comments Received

Arboricultural Officer- The site contains vegetation at the front of the site including an Ash tree. This vegetation does not have a high landscape value although I do believe it would be of benefit for the trees to be retained. I am therefore supportive that this application seeks to retain this feature. The development will likely require that the trees are fenced off during construction if permitted.

- 5.2 Neighbours – Site notice posted and 7 neighbouring properties were notified. Responses received from the occupiers of 49 the Butts, 83 the Butts and 70 Butts Lane and the responses received are summarised below. A full copy of the responses are available on the Council's website.
- No concerns regarding this current application, however would strongly oppose any large scale development in our area of the Butts.
  - The application is about property development and greed.
  - Allowing this type of application makes a mockery of the time, energy and Money that went into forming the Soham Development Plan.
  - This dwelling could set a precedent to destroy an area of beauty and wildlife.
  - Brownfield development should be considered first before Greenfield 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 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations

### 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 **Principle of Development**

- 7.2 The site is located outside the development envelope of Soham. However, the Council cannot currently demonstrate a robust five year housing supply and therefore the policies within the Local Plan relating to the supply of housing should not be considered up-to-date. In light of this, applications for housing development, such as this one, should be considered in the context of the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).
- 7.3 This application is for 1 dwelling, to be added to the housing stock in the district. The benefit of this development is therefore the contribution it would make in terms of housing supply within the District as a whole as well as the economic benefits of construction and additional population to support local businesses.
- 7.4 The key considerations in determining this application are therefore: whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development, as set out above, when assessed against the policies in the NPPF taken as a whole and against the policies within the Local Plan which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.
- 7.5 Soham has a reasonable range of services including a post office, several shops, public houses, churches, primary schools and bus services which run through the town. While outside the development boundary, the proposed dwelling would be located within close proximity to the development envelope and a number of these services.
- 7.6 The application site is located adjacent to existing dwellings and stable buildings to the south. There are other residential dwellings located to the east and west of the application site on the opposite side of the lane. It is therefore considered that the proposal relates well to the existing built form of the settlement and would be considered a sustainable location.
- ### 7.7 **Residential Amenity**
- 7.8 The site is located 20m to the south of No70 the Butts. Given the separation between the neighbouring dwelling and the proposed development, it is considered that in principle, subject to reserved matters details relating to layout, scale and appearance, an acceptable relationship could be achieved. Due to the proposed location of the site the proposed dwelling would therefore not be overbearing on any nearby residential properties. Due to the siting of the proposed dwelling in relation to other properties within the vicinity, the proposal would not introduce an unacceptable level of overlooking.

- 7.9 The size of the plot and potential amenity space all accord with the guidelines of the East Cambridgeshire Design Guide and therefore will ensure that the future occupiers will enjoy high standards of amenity.
- 7.10 The proposal will not have a significantly detrimental impact on the residential amenity of nearby occupiers and it therefore complies with policy ENV2 of the Local Plan in this regard.
- 7.11 Impact on character and appearance of the Area/Countryside**
- 7.12 As part of this application the applicant only seeks approval of access, while appearance, landscaping, layout and scale would be dealt with at reserved matters stage. Therefore the plan submitted with the application showing the scale, layout and design of the dwelling is only indicative.
- 7.13 At present the application site is an agricultural field, which is undeveloped flat and open land, with existing hedging and fences defining the boundaries. However, the site is surrounded by built form with dwellings to the north and east and stable buildings to the south. The proposed dwelling is therefore deemed not to be detached from the built form of the settlement of Soham by open countryside.
- 7.14 It is considered that due to the existing use of the site and its locality, the proposal would not change the overall character and appearance of this area. It is therefore considered that the proposed dwelling would not have an adverse impact on the character and appearance of the area and would comply with policy ENV1 of the Local Plan 2015
- 7.15 Highways**
- 7.16 The application is for outline planning permission with access to be the only matter determined at this stage. Local Plan policy COM7 requires development proposals to provide safe and convenient access to the highway network and be capable of accommodating the level/type of traffic generated without detriment to the local highway network. The Highways Authority has assessed the application and has no objections in principle to the proposal. It is noted that no inter-vehicle visibility splays have been included in the application. The Highways Authority has added that these splays should be entirely within the curtilage of the site boundary. However, there appears to be adequate room to accommodate these splays and as such the highways authority has no objections to this aspect of the proposal as long as these conditions are met as part of the proposal.
- 7.17 The proposal provides at least two parking spaces and would be in accordance with policy COM8 of the Local Plan which states that a dwelling should provide two parking spaces.
- 7.18 Ecology/Trees**
- 7.19 The site contains vegetation at the front of the site including an Ash tree. This vegetation does not have a high landscape value although the Arboricultural Officer does believe it would be of benefit for the trees to be retained. The

Arboricultural Officer is therefore supportive that this application that seeks to retain this feature.

- 7.20 On balance it is considered that the proposal would meet the requirements of policy ENV7 of the East Cambridgeshire Local Plan.

#### **7.21 Flood Risk and Drainage**

- 7.22 The site is not located within flood zone 2 or 3 and is located within flood zone 1 where development should normally be located. Therefore the proposal would not have an adverse impact on flood risk.

#### **7.23 Other matters**

- 7.24 The application site is within a mineral safe guarding area. The mineral and waste county council team has been consulted on the application no reply has been received. It is considered that due to the small scale nature of the application it is unlikely to have a detrimental impact on the proposal.

#### **7.25 Planning Balance**

- 7.26 On balance it is considered that any adverse impacts do not significantly and demonstrably outweigh the benefits of the development and the proposal is therefore in accordance with the context of the presumption in favour of sustainable development as set out in the National Planning Policy Framework. The proposal also accords with the relevant policies of the Local Plan and is therefore recommended for approval.

### **8.0 APPENDICES**

- 8.1 Appendix 1 Condition

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
15/01177/OUT	Jon Pavey-Smith Room No. 011 The Grange Ely	Jon Pavey-Smith Planning Officer 01353 665555 jon.pavey-smith@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>

## APPENDIX 1 - 15/01177/OUT Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
15:126-0		29th September 2015
15:126-1		29th September 2015

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping (including boundary treatment details), layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority within 24 hours. An investigation and risk assessment must be undertaken and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 The driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

- 5 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 6 Inter-vehicle visibility splays be provided for this development. In this case such splays will have to be 2.4m x 43m.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Two 2.0 x 2.0 metres pedestrian visibility splays be provided and shown on the drawings. The splays are to be included within the curtilage of the new dwelling. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 The proposed drive shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the first occupation of the development (or prior to commencement of the use hereby permitted) any gate or gates to the vehicular access shall be set back a minimum of 6m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 No demolition or construction work shall commence on site until a surface water management scheme has been agreed in writing with the Local Planning Authority. The surface water management scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
- 10 To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policy ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.