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**MAIN CASE**

**Reference No:** 15/01313/OUT

**Proposal:** Proposed detached two storey dwelling, garaging, access & associated site works

**Site Address:** Land East Of 139 The Butts Soham Cambridgeshire

**Applicant:** Mr C Palmer

**Case Officer:** Julie Barrow, Senior Planning Officer

**Parish:** Soham

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

**Date Received:** 8 December 2015      **Expiry Date:** 8 April 2016

**[Q239]**

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**1.0**      **RECOMMENDATION**

- 1.1**      Members are requested to APPROVE this application subject to the recommended conditions below. The conditions can be read in full on the attached appendix 1.
- 1    Approved plans
  - 2    Time Limit - OUT/OUM
  - 3    Time Limit - OUT/OUM/RMA/RMM
  - 4    Sample materials
  - 5    Surface water drainage
  - 6    Access, parking and turning
  - 7    Access drainage
  - 8    Access material
  - 9    No gates
  - 10   Energy and sustainability strategy
  - 11   Reporting Unexpected Contamination
  - 12   No pruning/cutting or felling/removal
  - 13   PD - Extensions and outbuildings
  - 14   External lighting
  - 15   Hedge maintenance

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for the construction of a two storey detached dwelling with garaging, access and associated site works. During the course of the application the applicant has confirmed, via his agent, that he wishes access, appearance, layout and scale to be determined at this stage. Landscaping will remain as a reserved matter. During the course of the application amended plans have been submitted by the applicant in order for the matters listed above (save landscaping) to be fully assessed. The application has therefore been assessed based on the plans submitted on 15 February 2016. Since that date the applicant's agent has also submitted computer generated images of the proposed dwelling together with a Draft Energy Performance Certificate/SAP Calculation document.
- 2.2 The proposed dwelling is contemporary in design and at ground floor level will have a width of 25.8m and a maximum depth of 18.4m. A car port will be attached to the west facing elevation and a series of terraces and verandas are created around the dwelling where the flat roof overhangs. At first floor level the accommodation occupies a footprint of 18.1m (max) and a depth of 8.5m (max). The dwelling will have a maximum height of 6.3 metres with the single storey sections having a height of 3.2m.
- 2.3 The computer generated images show the use of cream/white render on a large proportion of the ground floor section, with some horizontal boarding on a smaller section and the carport. The first floor accommodation is finished in vertical boarding.
- 2.4 The proposal includes the creation of a new access off Cherry Tree Lane together with a driveway, parking and turning area and path leading to the front entrance. The proposed access incorporates an adoptable standard turning head which would be constructed and offered for adoption by Cambridgeshire County Council via a Section 278 Agreement, because Cherry Tree Lane does not benefit from a turning head at its termination. This turning head would form an opening in the existing hedge which borders the front of the site and would also serve as the access to the site.
- 2.5 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.**
- 2.6 This application has been brought to Planning Committee at the discretion of the Planning Manager because the applicant is Cllr Palmer's father. It is not a requirement of the Constitution that the application be considered by Planning Committee.

3.0 PLANNING HISTORY

14/00969/OUT	Proposed residential dwelling, garage, parking, access and associated site works	Refused	06.11.2014
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the Parish of Soham, outside the development envelope in the countryside. The site has an area of approximately 0.29 hectares, accessed and situated to the north of Cherry Tree Lane. The site comprises a field and is surrounded by countryside, with the railway line situated to the west and a couple of residential properties situated within the vicinity of the site. The boundaries of the site are defined by existing hedging.

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.

Soham Town Council – No concerns. Noted that whilst the proposed dwelling was outside the development zone the Committee had previously not made comment/raised objection to another application (15/01177/FUL November 2015) in a similar location.

Ward Councillors - No Comments Received

Local Highways Authority – The proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of conditions and informatives in relation to the access.

CCC Growth & Development / Minerals & Waste – The proposed development lies in a Safeguarding Area for sand and gravel designated by the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011), and shown on Proposals Map C.

However, the deposit of sand and gravel is patchy and irregular in shape and the proposed development site is immediately adjacent Cherry Tree Lane and in close proximity to the railway line; both of which would require a standoff in terms of any potential mineral extraction. Together this means that the sand and gravel affected does not represent an economic mineral resource.

The County Council, as Mineral Planning Authority, therefore does not object to this proposed development.

Middle Fen & 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. If any other method of surface water disposal is considered in relation to this application, the Board must be re-consulted in this matter.

Trees Officer - No concerns.

Environmental Health – Nothing to add to previous comments regarding this site under planning application 14/00969/OUT. A condition relating to the reporting of unexpected contamination is recommended.

- 5.2 Neighbours – Site notice posted and 5 nearby properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

2 responses received from 58B Fordham Road, Soham and Soham Kennels, The Butts, Soham raising the following points:

- Site can only be access down single track roadway, used by walkers, dog walkers, disabled and families with pushchairs. No passing places or parking along the route.
- Millenium and Wicken Walks access via this track.
- As population of Soham increases more people will be using such recreational walks. Increase in usage will create conflict and risk to pedestrians.
- Original house close to railway line built for level crossing gate person.
- Any building or development would be wholly unsuitable for this area and would set a precedent for further expansion.
- Road in very bad state. One lorry has already gone off the road due to the road dropping into the main drain.
- Proposal would bring 2-4 cars daily as well as concrete and brick lorries and all other deliveries.
- Drains from the new build will all finish in the main drain which goes around the common and past houses.

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 4	Energy efficiency and renewable energy in construction
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

7.0 PLANNING COMMENTS

The main issues to consider in the determination of this application are the principle of development; impacts of the proposal on visual amenity; highway safety; residential amenity and drainage.

7.1 Principle of Development

7.1.1 The local planning authority 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.

7.1.2 The benefits of this application are considered to be: the provision of an additional residential dwelling built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.

7.1.3 The site is located outside the established development framework of Soham, approximately 0.5km from the edge of the settlement boundary. The site is accessed via The Butts, the lower end of which is characterised by pairs of semi-detached cottages and detached dwellings. Upon leaving The Butts and entering Cherry Tree Lane the area becomes much more rural, with open fields to either side and rows of trees and hedges alongside the road. Approximately 70m beyond the site is a single dwelling alongside the railway track. Based on the distance from the settlement boundary and the character of the area it is considered that the site is not well connected to the facilities and services on offer in the settlement and that future occupiers would be reliant on a private motor vehicle.

7.1.4 A previous application submitted for a residential dwelling on the site was made in outline form with all matters save for access reserved. That application was refused by the planning committee in November 2014. This application seeks to address the fact that the previous application did not contain sufficient detail to demonstrate that it would be an exemplar development. As stated above, all matters except for landscaping are to be determined at this stage.

7.1.5 The fact that the Council cannot currently demonstrate that it has an adequate five year supply of housing restricts the application of policy GROWTH 2 within the Local Plan, which states that outside defined development envelopes, development

will be strictly controlled and restricted to the main categories set out within the policy.

- 7.1.6 The proposal to construct a detached dwelling does not fall within any of the exceptions set out in policy GROWTH 2. Paragraph 55 of the National Planning Policy Framework (NPPF) states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. Proposals for exceptional quality or innovative nature of design, which help to raise standards of design in rural areas and reflect the highest standards in architecture, are considered to fall within special circumstances. Such proposals are also expected to significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- 7.1.7 The applicant has sought to demonstrate that the proposal now under consideration falls into this category of special circumstances. The contemporary design has been coupled with a desire to achieve an energy efficient dwelling and a draft Energy Efficiency Report has been submitted with the application. This is in draft format as it is based upon the plans drawn up for this application. The report would be reviewed and finalised on production of the detailed drawings required at building regulation stage. The Report states that an energy efficiency rating of A can be achieved and that measures such as the installation of an air source heat pump will be incorporated into the scheme.
- 7.1.8 The principle of the proposed dwelling on this site is therefore considered acceptable in line with paragraph 55 of the NPPF, provided its impact on the visual amenity of the area does not cause demonstrable harm. An assessment of the design and its impact on its immediate setting is outlined below.
- 7.2 Visual Amenity
- 7.2.1 As stated above, the application site is located outside of the established settlement boundary and is surrounded by open fields and existing vegetation. In addition to the requirements of the NPPF for proposals such as this to enhance their immediate setting and be sensitive to the area, Policy ENV1 of the East Cambridgeshire Local Plan 2015 requires proposals in the countryside to protect, conserve and enhance the pattern of distinctive historic and traditional landscape features and the settlement edge.
- 7.2.2 The edges of the site are currently marked by mature hedgerow and trees, which the applicant intends to retain. The dwelling itself will be set back approximately 19m into the site and its height is restricted to 6.3m. The dwelling will in part be screened by the existing boundary treatments and as it is set back within the site, its prominence in the street scene will be minimised. The applicant also intends to retain the hedge to either side of the access and whilst future retention cannot be guaranteed, the proposal would be subject to a reserved matters application in respect of landscaping and it is expected that a scheme to assimilate the development into its surroundings will be submitted.
- 7.2.3 The proposed dwelling is contemporary in design, however, due to the rural nature of the area there is no requirement for a particular style or form of property to be put forward in order to complement any existing architectural style. Whilst it could be

argued that the design is not truly outstanding, it is innovative for the area and combined with the predicted energy efficiency rating, it is considered to be of much high quality of design and construction than much of the housing stock within the District.

7.2.4 The applicant proposes to use white or cream render on the lower section of the dwelling, with the addition of horizontal boarding in the area of the car port. The use of vertical boarding at first floor level adds interest and character to the dwelling and the computer generated images indicate that a pallet of organic colours will be utilised. A condition can be imposed requiring samples of materials to be submitted prior to any above ground work taking place on site and it is expected that high quality, durable materials will be used.

7.2.5 On balance it is considered that subject to an appropriate landscaping scheme being submitted and approved as reserved matters stage, that the proposed dwelling can be accommodated on the site and that the scale, form and layout of the site does relate sympathetically to the surrounding area. The proposal is sensitive to the defining characteristics of the area, with the height of the dwelling appropriate for its countryside setting. The proposal is therefore considered to meet the requirements of Paragraph 55 of the NPPF as well as Policies ENV1 and ENV2 of the Local Plan.

### 7.3 Highway Safety

7.3.1 The Local Highway Authority raises no objection to the proposal and has again advised that it would welcome the proposed provision of a turning head to Cherry Tree Lane and would, if suitably designed and constructed, adopt it under the Highways Act 1980. At present there is limited room for passing and turning on Cherry Tree Lane and this would improve the situation. On the basis that, subject to appropriate conditions, the Local Highway Authority does not object to the application the proposal is considered to comply with Policy COM7 in relation to highway safety. The proposal itself does not impact on any local walking routes and whilst there will be an increase in traffic, it is considered that this will be minimal and can be accommodated along the route.

7.3.2 The proposal provides sufficient space within the site for several cars to park and is in accordance with Policy COM8 in relation to residential parking standards.

### 7.4 Residential Amenity

7.4.1 There are no existing dwellings within close proximity or adjacent to the site and the introduction of a dwelling of this size and scale would not be overbearing or cause any loss of privacy. The proposal would not therefore have a significant detrimental effect on the residential amenity of any nearby occupiers and future occupiers of the dwelling would enjoy a satisfactory level of amenity. The proposal complies with Policy ENV2 in this regard.

### 7.5 Drainage and Flood Risk

7.5.1 The site is located in Flood Zone 1 and is not therefore at high risk of flooding. The Internal Drainage Board has not objected to the application on the basis that

soakaways are an effective means of surface water disposal. 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. The applicant proposes to install a package treatment plant in relation to foul drainage.

**7.6 Planning balance**

7.6.1 The proposal is for a contemporary dwelling, constructed to an exceptionally high standard in relation to energy efficiency and to a design which is both innovative for the area and sensitive to its countryside setting, in accordance with Paragraph 55 of the NPPF. The proposal will also result in an additional dwelling to add to the Council's housing stock and there are associated economic benefits from the construction process and continuing contribution to the local economy by future occupiers. All of the above attract significant weight in favour of the proposal.

7.6.2 The proposal is not considered to cause significant and demonstrable harm to its countryside setting, due to its contemporary design and energy efficiency measures, such that it would outweigh the benefits of the proposal. Subject to appropriate conditions the proposal does not raise any issues in relation to highway safety, residential amenity and drainage. The proposal is therefore recommended for approval.

**8.0 APPENDICES**

**8.1 Draft Planning Conditions**

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
15/01313/OUT	Julie Barrow Room No. 011 The Grange	Julie Barrow Senior Planning Officer
14/00969/OUT	Ely	01353 616307 julie.barrow@eastca mbs.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>