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**MAIN CASE**

**Reference No:** 16/00373/FUM

**Proposal:** Construction of 10 two storey residential units

**Site Address:** Soham Health Centre Pratt Street Soham Cambridgeshire  
CB7 5BH

**Applicant:** Medcentres PLC

**Case Officer:** Andrew Phillips Senior Planning Officer

**Parish:** Soham

**Ward:** Soham South

Ward Councillor/s: Councillor Hamish Ross  
Councillor Ian Bovingdon  
Councillor Dan Schumann

**Date Received:** 23 March 2016 **Expiry Date:** 15 July 2016

[R52]

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1.0 **RECOMMENDATION**

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

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Soft landscaping scheme
- 4 Hard landscaping
- 5 Surface water
- 6 Biodiversity improvements
- 7 Car parking
- 8 Archaeological investigation
- 9 Potential Contaminated Land
- 10 Unexpected Contamination
- 11 Construction Times
- 12 Fire Hydrants
- 13 Materials
- 14 Sustainable Development
- 15 Pedestrian Crossing
- 16 Bin Store

## 2.0 SUMMARY OF APPLICATION

- 2.1 The proposal is for 10 dwellings (5 two bed, 4 three bed and 1 four bed) on a driveway designed with pedestrian footways and includes a parking courtyard (part front parking/ part rear parking courtyard).
- 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 into Planning Committee by Cllr Bovingdon as this application should be determined by elected members.

## 3.0 PLANNING HISTORY

### 3.1

|              |   |  |
|--------------|---|--|
| 16/03003/CCA | Change of use of part of rear garden of former dwelling to car park for a temporary period of 5 years to provide parking spaces for use in association with Weatheralls Primary School, laying hard core surface and erection of 2 no. 6 metre high double headed columns for passive infrared sensor lighting following demolition of workshop (part retrospective). | County Council application still under consideration |
| 16/00181/FUL | Construction of temporary car park with PIR lighting following the demolition of an existing workshop building.   | Withdrawn 21.04.2016                                 |
| 15/01232/FUL | Change of use from former caretakers bungalow to health offices together with replacement rear extension and formation of rear car park   | Approved 09.02.2016                                  |

## 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located on the former Health Centre and is adjacent to Weatheralls Primary School. The public highway defines the northern boundary and on the other

side of the road is the recently approved new Health Centre. To the south are residential properties.

## 5.0 RESPONSES FROM CONSULTEES

5.1 The full responses from Consultees are available on the Council's web site.

Soham Town Council – (29 April 2016) It raises concerns over the proposed development.

The proposal will create overdevelopment of the site causing a severe nuisance to existing dwellings and surrounding properties.

If the development is approved it seeks conditions to protect the footpath, control hours of operation and consideration of children moving to the school.

(27 May 2016) It still has concerns over the proposed layout and asks that the application is considered by Planning Committee.

Local Highways Authority – (26 April 2016) It recommends refusal on the following grounds:

- Not supported by accurate highways information. The road layout as shown on the submitted drawings is not what is existing in this location.
- The proposed access is located on the only pedestrian crossing point to and from the Health Care Center (as per approved Planning Application 15/01232/FUL Condition 4). Therefore if this application were permitted it would result in the detriment to highway safety. Therefore an alternative crossing point must be provided and be deemed suitable by the Highways Authority.

(11 May 2016) The amended layout does not address all of their previous objections and no information has been submitted to explain, rationalise or mitigate these safety issues.

It again points out the importance of condition 4 on planning permission 15/01232/FUL.

It provides detailed comments on how the accesses to the proposed dwellings should cross the public footpath.

It strongly recommends refusal.

(Latest Amendment) No objection received. The informal discussions between the Case Officer and the Local Highways Authority concluded that the latest amendments overcome the highway safety concerns.

Waste Strategy (ECDC) – It states that East Cambridgeshire District Council will not enter private property to collect waste or recycling.

It is suggested that each unit has its own bins within the site area to be accessed from the front of the properties on the normal collection days.

Provides details on charges for Council to provide bins.

Cambridgeshire Archaeology – It seeks a condition to agree a programme of archaeological investigation.

Conservation Officer – (28 April 2016) The hipped detailing over the first floor windows should be removed as this does little to enhance the overall appearance of the buildings.

Generally the proposed dwellings are of little architectural interest and at best would have a relatively neutral impact on the setting of the conservation area.

East Cambridgeshire Access Group – It welcomes the provision of visitor parking, the accessible parking bay should be laid out to BS8300 (2009).

Environmental Health – The Environmental Health Officer seeks conditions in regards to hours of operation, control burning on site and contaminated land conditions.

Cambridgeshire Fire And Rescue Service – It seeks a method to ensure that fire hydrants are provided on site at the cost of the developer and details the type of equipment Cambridgeshire fire service use.

Middle Fen and Mere Internal Drainage Board – It is outside its district and provided that soakaways form an effective means of surface water disposal in this area, the Board will not object.

Trees Officer – (2 June 2016) The development requires the removal of a number of trees at the site. A Maple tree of significance stands within a small green at the Southern end of the site, within the Soham Conservation Area. This tree is also recommended for removal yet in their view this tree offers a landscape asset.

The current layout offers minimal opportunity for landscape planting as mitigation for the impact of this development.

It is advised that a revised layout is submitted allowing for the retention of the Maple within the Conservation Area.

(21 June 2016) I do not consider the suggested amendments as an effective addition in response to my recommendation that the site increases the landscape provision and associated tree planting, attaches a plan to the developer providing recommendations.

(22 June 2016, informal discussion with the Case Officer) Suggested landscaping is acceptable in principle, detail can be dealt with by condition.

Ward Members – Cllr Sennitt states that she has concerns over the proposal in regards to car parking. If parking is insufficient it will lead to people parking on the road making it dangerous around the vicinity of the school.

Cllr Bovingdon asks that due to several calls from local people, that he would like to call in the above numbered planning application for 10 dwellings as I feel it needs to be discussed & decided by Committee.

- 5.2 Neighbours – 16 neighbouring properties were notified; a notice was in the local paper on the 21 April 2016 and a site notice was put up on the 22 April 2016. The responses received are summarised below and a full copy of the responses are available on the Council's website.

The Weatheralls Primary School (Head Teacher) – The Head Teacher states that it shares the access road with the proposed developer and raises concerns with children safely arriving at the school. Seeks more off road parking to prevent access to the school being blocked with the parked cars of residents.

The Weatheralls Primary School (Governing Body) – The Governing Body are concerned that there is insufficient parking spaces for the number of dwellings and that this will lead to the residents parking their cars on Pratt Street. There concern is that this cause access and safety issues for the families attending the school and that maybe the garages should be changed to 'open' parking spaces.

They make some additional points but make it clear that these are personal views and not those of the Governing Body:

- Footpath leading to the school should be the main right of way
- The four bed property should not be reversing over the public footpath.
- Refuse collection should not impede pedestrian movement.

7 Kents Lane – The occupants consider the proposal an overdevelopment of the site. They seek that the windows overlooking their property are obscurely glazed.

They ask clarification over whose responsibility it is to maintain the shared fence.

(Following amendments) It does not overcome their previous concerns.

47 Guntons Close – The occupant raises concerns over the safety of pedestrians and questions the parking layout. It asks that if planning approval is granted double yellow lines should be added to the road. The occupant wants to ensure that the footpath is not blocked on bin collection day.

## 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 4 Delivery of Growth

GROWTH 6 Presumption in favour of sustainable development

ENV 1 Landscape and settlement character

ENV 2 Design

ENV11 Conservation Areas

|       |                                  |
|-------|----------------------------------|
| ENV14 | Sites of archaeological interest |
| COM 3 | Retaining community facilities   |
| 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  
             Soham Conservation Area

6.3      National Planning Policy Framework 2012

6.4      Planning Practice Guidance

## 7.0      PLANNING COMMENTS

The main considerations are considered to be:

- Principle
- Highway Safety
- Residential Amenity
- Visual Impact

7.1      Principle of Development

7.2      The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore any policy controlling 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.

7.3      The proposal is located within the village framework and is well connected to village services and facilities and for these reasons is considered to be a sustainable location for new dwellings.

7.4      The proposal will lead to the loss of a building that has until recently been used as a Health Centre within Soham and the loss of such an important community building should be carefully considered. A new Health Centre was approved recently (15/01232/FUL), though this building is more to provide office space than one on one medical care/diagnosis. In addition to this evidence has been submitted within the 'Policy Com 3 Statement' stating that the current building is surplus to requirements, which the Secretary of State for Health has confirmed.

- 7.5 The proposed loss of the existing building and use is therefore not considered to be substantially detrimental to the community of Soham and for this reason meets with the requirements of Policy COM3 of the adopted Local Plan.
- 7.6 The proposal is considered to be acceptable in principle.
- 7.7 Highway Safety and Parking Provision
- 7.8 The developer has revised their plans in order to reflect the comments made by the Local Highways Authority. With the developer having amended its scheme and no objections now being received by the Local Highways Authority it is considered that the proposal will not have a detrimental impact upon highway safety. Members will be updated at Planning Committee if additional comments are received.
- 7.9 The application for the new health centre (15/01232/FUL ) on the other side of the road had a Grampian Condition to ensure that a suitable pedestrian crossing was provided. With both developments seeking to come forward at approximately the same time and with the road layout likely to change in the foreseeable future it is considered necessary to add a Grampian condition to this application to ensure there remains a safe pedestrian crossing between the proposed development and the health centre.
- 7.10 The minimum internal garage dimensions are 3 metres x 6 metres. The proposed garages have an internal dimension size of 3.5 metres x 6 metres, this internal space provision will allow most modern cars to easily park within the garage spaces proposed. While the drawings only show one disabled parking space; it is noted that parking spaces 2-2b, 3-2b and 5-2b on drawing number 67-P 003 Revision E are likely to meet the requirements of disabled/accessible parking spaces. With each dwelling have access to at least two parking spaces the proposal meets with the requirements of Policy COM 8. The proposal also provides two visitor parking spaces, which again is line with Policy COM 8.
- 7.11 The painting of yellow lines are not in itself a planning issue, as this falls within legislation covered by the Local Highways Authority. It is noted that the current street does have double yellow lines but if a new road layout is constructed by County Council it will fall under their responsibility to ensure the free movement of traffic to and from the School is duly controlled.
- 7.12 Residential Amenity
- 7.13 The majority of the proposed dwellings are going to overlook either their own gardens/parking area or the school's car park. However, Plot 1-4b rear bedroom windows are going to overlook the rear of 6 and 8 Pratt Streets rear amenity area but with this being used as a parking courtyard the level of harm is considered to be minimal and not a reason for refusal. With the layout of the proposed dwellings there is not considered to be any loss of amenity between the plots.
- 7.14 The proposed amenity spaces of the dwellings are over 50 square metres and complies with the guidance contained within in the Design Guide SPD.

- 7.15 Conditions in regards to potential contamination and to control hours of construction are considered reasonable to ensure that the proposal does not detrimentally affect residential amenity of either existing or future residents.
- 7.16 Visual Amenity
- 7.17 The proposed density of the development is approximately 34 dwellings per hectare that is slightly on the high side but it is noted that this is within very close proximity to the centre of Soham. With the properties gardens having approximately 9m rear garden lengths and access to two parking spaces per dwelling; it is considered that the proposal does not lead to an overly cramped development for the local area.
- 7.18 The developer has submitted further information regarding soft landscaping, which demonstrates that there is space within the site to accommodate medium sized trees. However, with the lack of detail it is considered reasonable to add landscape conditions.
- 7.19 The designs of the dwellings have been amended to reflect the comments provided by the Conservation Officer, which were in line with the view of the Case Officer. The design of the proposed dwellings is considered to be of a simple design that is unlikely to have noticeable impact upon the character of the local area or Conservation Area. With an overall neutral impact on the streetscene it would not been reasonable to refuse the application in regards to design.
- 7.20 There is a lack of information regarding materials and for this reason it is recommended that a materials condition is added to ensure the materials are appropriate.
- 7.21 Other Material Matters
- 7.22 The plans submitted suggest the complex ownership with the developer and County seeking to swap land between themselves in order to ensure that the school retains suitable access to the highway and that the development can come forward. The developer does at the moment control part of the entrance into the school and has served notice on the County Council.
- 7.23 Matters such as biodiversity, surface water drainage and sustainable construction can be duly dealt with by conditions. It is important to condition these details in order to ensure that the development does not detrimentally affect the surrounding area and that the proposal positively contributes to sustainable development.
- 7.24 There is a lack of detail in regards to the bin store, but this can be overcome by an appropriately worded condition.
- 7.25 Planning Balance
- 7.26 It is considered that the merits of providing 10 dwellings in a sustainable location outweigh the minor negative impacts of the proposal. The proposal is, therefore, recommended for approval subject to the suggested conditions.



8.0 APPENDICES

8.1 Appendix 1 – Recommended Conditions

| <b><u>Background Documents</u></b>                               | <b><u>Location</u></b>                               | <b><u>Contact Officer(s)</u></b>  |
|--|--|---|
| 16/00373/FUM<br><br>16/03003/CCA<br>16/00181/FUL<br>15/01232/FUL | Andrew Phillips<br>Room No. 011<br>The Grange<br>Ely | Andrew Phillips<br>Senior Planning<br>Officer<br>01353 665555<br>andrew.phillips@ea<br>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>

## APPENDIX 1 - 16/00373/FUM Conditions

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

| Plan Reference | Version No | Date Received   |
|----------------|------------|-----------------|
| 67 P 004       | A          | 6th June 2016   |
| 67-P 003       | E          | 27th May 2016   |
| 67 P 005       | C          | 6th June 2016   |
| 67 P 006       | A          | 27th May 2016   |
| 67-P 001       | B          | 11th April 2016 |

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 4 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 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.
- 5 No development shall take place until a scheme detailing how surface water will be drained within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first occupation.

- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV7 and EMV8 of the adopted Local Plan. This is prior to commencement as these details are needed before construction work begins.
- 6 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 6 Reason: To protect and enhance species in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation; space shall be laid out within the site for cars to park in accordance with drawing number 67-P 003 Revision E. This area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 7 Reason: To ensure adequate car and cycle parking in accordance with Policy COM 8 of the adopted Local Plan.
- 8 No development shall begin until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The archaeological work shall be carried out in accordance with the approved details.
- 8 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 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.
- 9 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
  - (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health  
property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;  
adjoining land;  
groundwaters and surface waters; ecological systems;  
archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).  
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details before any development takes place.
- 9 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 10 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.
- 10 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.
- 11 Construction times and deliveries, shall be limited to the following hours 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays or Bank Holidays.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to first occupation a scheme detailing the type and location of fire hydrants shall be submitted to and agreed in writing with the Local Planning Authority. Development shall commence in accordance with the approved details.
- 12 Reason: To ensure that public safety is maintained.
- 13 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

- 14 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in Policy ENV 4 of the adopted Local Plan. This condition is pre-commencement as some of the measures may be below ground level.
- 15 The new dropped kerb and tactile paving to create a pedestrian crossing point as detailed on drawing number 67-P 003 Revision E shall be installed to County Council Local Highways Authority specification prior to first occupation. Any alternative pedestrian crossing must be agreed in writing with the Local Planning Authority and constructed before the first occupation.
- 15 Reason: To ensure safe pedestrian movements in accordance with Policy COM 7 of the adopted Local Plan. This is a Grampian condition because the work is outside of the site area of the development.
- 16 Prior to first occupation the details of the bin store shall be submitted to and agreed in writing with the Local Planning Authority. Development shall commence in accordance with the agreed details before any of the hereby approved dwellings are occupied.
- 16 Reason: A lack of detail has been submitted to ensure that the development meets with the requirements of ENV2 of the East Cambridgeshire Local Plan Adopted April 2015 in order to ensure it is of a suitable design and usable for bin storage.