

MAIN CASE

Reference No: 17/01023/FUL

Proposal: Proposed detached dwelling, garaging, parking, access and associated site works

Site Address: Land South Of 70 The Butts Soham Cambridgeshire

Applicant: Mr & Mrs C Sennitt

Case Officer: Ruth Gunton Planning Officer

Parish: Soham

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

Date Received: 9 June 2017 **Expiry Date:** 15th September 2017
[S87]

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE subject to the recommended conditions below:

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Materials
- 4 Archaeological investigation
- 5 Surface water drainage
- 6 Gates - restriction
- 7 Turning and parking
- 8 Reporting of unexpected contamination
- 9 Construction times
- 10 Soft landscaping scheme
- 11 Boundary treatments

The conditions can be read in full on the attached appendix 1.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks planning permission for the erection of one detached 1.5 storey dwelling, with cartlodge parking to front and attached car port to side, and site works. The access would be off The Butts.

- 2.2 The application was amended to bring the dwelling towards The Butts by 4.5m, and to reduce the 3-car detached garage to a 2-car cartlodge subservient to the height of the dwelling.
- 2.3 The proposed maximum ridge height of the dwelling is approx. 6.4m with eaves at 2.3m, and the cartlodge is 5m with eaves at 2.3m. External materials have not been proposed and will need to be approved by the planning authority at a later stage. A native hedge forms part of the eastern boundary with The Butts, and other boundary treatments would be subject to condition.
- 2.4 A contamination report was submitted with the application.
- 2.5 The application is being determined by committee due to the connection with a serving Council Member. Due process of the Constitution has been followed by the applicant to inform the legal department of the District Council of this application.
- 2.6 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

15/01177/OUT	Erection of a detached residential dwelling, parking, garaging & associated site works	Approved	17.12.2015
16/00510/OUT (south of application site)	Residential development for two houses, garaging, parking, access and associated site works	Approved	10.03.2017
17/00833/FUL (south of application site)	Construction of 3 bedroom bungalow with parking	Approved	18.07.2017
81/00215/OUT	ERECTION OF A DWELLING	Refused	30.04.1981

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 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 low-level fences, shrubs and a hedgerow to part of the east of the site.

- 4.2 Outline permission with all matters reserved apart from access has been granted on the site previously for 'one detached dwelling, parking, garaging and associated site works' (15/01177/OUT).
- 4.3 Permission has also been granted for a single storey dwelling with parking to the south of the site where there are currently stables (17/00833/FUL approved July 2017). Before that outline approval was granted on a larger plot of land for two dwellings with garaging and associated works (16/00510/OUT). Either of these permissions to the south of the application site could still be implemented.
- 4.4 There are existing residential dwellings on the opposite side of the road, and 70 The Butts to the north of the site.
- 4.5 The site is located outside but adjacent to the edge of the development envelope for Soham.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees: Cambridgeshire Archaeology, Soham Town Council, Highways Authority, Environmental Health, Waste, and the Internal Drainage Board, and these are summarised below. The full responses are available on the Council's web site.

Cambridgeshire Archaeology – No objection but the site lies in an area of high archaeological potential and a written scheme of investigation prior to development is recommended as a condition.

Soham Town Council – No objection but Council noted the access point onto a bend on the main road and raised concern regarding traffic safety.

Highways Authority – No objections in principle. Recommend conditions to remove permitted development rights for gates across the access with The Butts, and that turning and parking are provided and retained. Informative requested that work to public highways requires a license.

Environmental Health – (Scientific officer) Accept findings of submitted contamination report and recommend condition for reporting of unexpected contamination found during construction.

Waste Strategy (ECDC) – Standard comments regarding bin collection/provision requirements.

Middle Fen and Mere Internal Drainage Board – Object as no details of how surface water will be disposed of.

Ward Councillors - No comments received.

Minerals and Waste Development Control Team - No comments received.

- 5.2 Neighbours – A site notice was posted up on 12th July 2017. 8 neighbouring properties were notified and no responses were received.

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 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
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

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

11 Conserving and enhancing the natural environment

12 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 **Principle of Development**

7.1.1 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).

7.1.2 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 slight economic benefits of construction and additional population to support local businesses.

- 7.1.3 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.
- 7.1.4 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.
- 7.1.5 The application site is located opposite existing dwellings and stable buildings to the south. There are other residential dwellings located to the north of the application site and along the lane. It is therefore considered that the proposal relates well to the existing built form of the settlement and would be considered in a relatively sustainable location.

7.2 Residential Amenity

- 7.2.1 The size of the plot and private amenity space accord with the guidelines of the East Cambridgeshire Design Guide and therefore will ensure that the future occupiers will enjoy high standards of amenity.
- 7.2.2 The site is located 20m to the south of No. 70 the Butts, and approx. 30m on the opposite side of the road. Given the distances to the neighbouring dwellings, and the location of the first floor windows facing to the front and back, there are not considered to be any significant concerns regarding loss of privacy, overbearing or loss of light to existing dwellings. A single storey dwelling has been approved to the south of the site although work had not started at the time of the site visit. Due to the height of both proposed dwellings and their layouts, and provided that a suitable boundary treatment is installed along the southern boundary, it is considered that the dwellings will have an acceptable relationship with each other.
- 7.2.3 It is considered reasonable that external construction and delivery times are limited to the hours of 08:00-18:00 on Monday-Friday and 08:00-13:00 on Saturdays, with no construction on Sundays, public holidays or bank holidays. This will limit the impact on residential amenity neighbours during development of the site.
- 7.2.4 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.

7.3 Visual Amenity and character

- 7.3.1 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.

- 7.3.2 The streetscene has a mixture of styles of dwelling, however in general in the immediate vicinity they are two storeys with use of buff brick, set fairly close to the front of the plot. The proposed dwelling is longer and lower and of modern design, and set back further on the plot. The applicant moved the dwelling forward by 4.5m following officer concerns about the intrusion into the countryside. Therefore whilst it does not preserve the streetscene by reproducing a similar dwelling to those already there, the dwelling is good and simple design and by setting it lower than neighbouring dwellings it will provide a softer edge to the end of the development and will sit well with the approved (but not built) single storey dwelling to the south.
- 7.3.3 There is an example further along The Butts to the south of garages to the front of the dwelling, and the applicant reduced the scale and style of the garage to better reflect the semi-rural environment and minimise visual impact.
- 7.3.4 Materials have not been proposed therefore they will be conditioned.
- 7.3.5 The dwelling and garage are not considered to cause detrimental impact to the streetscene and comply with policy ENV2.
- 7.3.6 There is a tree and some hedge/shrubs to the east (front) of the site which are considered of low landscape value, and the entire site has low ecological value, mostly being open grass field. Plans indicate that a native hedge is proposed for the front of the site, and a feature tree to be planted, but no other soft landscaping or biodiversity information has been indicated. Therefore a soft landscaping condition will be added to approval to ensure that the development assimilates well with the edge of settlement location. With this condition the application is considered to comply with policy ENV1.

7.4 Highways

- 7.4.1 The Highways Authority had no concerns in principle about this development and requested that conditions to ensure the turning and parking, and remove permitted development rights for gates across the vehicular access are added. These are considered reasonable and will ensure that there is no undue impact on highway safety.
- 7.4.2 With the proposed conditions the scheme is considered to comply with policy COM7.

7.5 Ecology

- 7.5.1 Policy ENV7 looks for development to take opportunities to improve biodiversity. To comply with this a condition will be added for proportionate biodiversity enhancements to be provided on site.

7.6 Flood Risk and Drainage

- 7.6.1 The site is in a location of low flood risk therefore no flood risk assessment was required. The Internal Drainage Board objected to the application as they said that no details had been provided about disposal of surface water, however the

application form states that a soakaway will be used therefore the objection is not considered reasonable. Details of the soakaway will be required by condition to satisfy policy ENV8 and the Cambridgeshire Flood and Water Supplementary Planning Document (SPD).

7.7 Other Material Matters

- 7.7.1 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.
- 7.7.2 The site is lies in an area of high archaeological potential and a written scheme of investigation prior to development was recommended by Cambridgeshire Archaeology as a condition. This is considered reasonable to be added to approval, and would comply with policy ENV14.
- 7.7.3 There is sufficient parking space provided on site within the car port and cartlodge to meet the parking standards of policy COM8 for 2 car parking spaces per dwelling in this location.

7.8 Planning Balance

- 7.8.1 On balance it is considered that there are no significant impacts which would outweigh the benefits of an additional dwelling and biodiversity benefits. The proposal is therefore in accordance with 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 2015 and is therefore recommended for approval.

8 APPENDICES

- 8.1 Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01023/FUL		
15/01177/OUT	Ruth Gunton	Ruth Gunton
16/00510/OUT	Room No. 011	Planning Officer
17/00833/FUL	The Grange	01353 665555
81/00215/OUT	Ely	ruth.gunton@eastcamb.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 17/01023/FUL Conditions

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

Plan Reference	Version No	Date Received
CONTAMINATION REPORT		9th June 2017
15;126-1 LOCATION PLAN ONLY		9th June 2017
15;126-2	C	1st August 2017
15;126;1	A	21st July 2017

- 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 No above ground construction shall take place on site until details of the external materials to be used on the dwelling and garage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 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 within the area indicated until the applicant, or their agents or successors in title, 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.
- 4 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.
- 5 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first occupation of the dwelling.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 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.
- 6 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the

approved vehicular access with The Butts, as shown on 15;126-1 Rev A received 21st July 2017.

- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 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 to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to 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.
- 8 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.
- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00-18:00 each day Monday-Friday, 08:00-13:00 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 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. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 10 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation.
- 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 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.
- 12 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.