
MAIN CASE

Reference No: 18/01777/OUT

Proposal: Proposed residential development 1 no. dwelling, access and associated site works

Site Address: Site West Of Mulberry House Barcham Road Soham Cambridgeshire

Applicant: Mr & Mrs Tyler

Case Officer: Rachael Forbes, Planning Officer

Parish: Soham

Ward: Soham North
Ward Councillor/s: Victoria Charlesworth
Alec Jones

Date Received: 2 July 2019 **Expiry Date:** 8th November 2019

[U102]

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE planning permission for the following reasons:

- 1) The proposed dwelling would be located within the countryside and by virtue of the distance from the main settlement of Soham, is considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of the proposed dwellings 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 is therefore contrary to Policies GROWTH 2, GROWTH 5 and COM 7 of the East Cambridgeshire Local Plan, 2015 and Paragraphs 8 and 11 of the National Planning Policy Framework, as it does not promote sustainable development.
- 2) The proposed dwelling would result in harm to the character and appearance of the area through the introduction of additional built form in an open countryside location. It would result in the creation of a tight knit row of dwellings with insufficient space between such as it would harm the present sporadic rural nature of the area which is characterised by relatively large houses set within spacious plots. This harm would be further exacerbated by the sheer scale of

the proposal. It is therefore contrary to policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 and the National Planning Policy Framework, which states that the planning system should contribute to protecting and enhancing the natural and built environment and recognising the intrinsic character and beauty of the countryside.

2.0 SUMMARY OF APPLICATION

- 2.1 Outline planning permission with some matters reserved is being sought for the erection of 1no. dwelling, access and associated site works. Matters of access and scale are to be considered as part of this application. Matters relating to appearance, landscaping and layout are reserved.
- 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 Councillor Alec Jones as he considers the application is quite finely balanced.

3.0 PLANNING HISTORY

3.1

17/00087/OUT	Proposed two 2 storey dwellings, garage, parking and associated site works	Approved	11.04.2017
17/01923/RMA	Reserved Matters for 2no. two storey dwellings	Approved	08.05.2018
18/01134/FUL	Construction of two storey detached dwelling and garage	Approved	07.12.2018
18/01637/FUL	Proposed residential development, access and site works including a bund	Approved	10.05.2019

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located between the A142 and Barcham Road on the northern edge of Soham and outside of the established development framework. The proposed dwelling would sit between two previously approved dwellings, which at the time of the case officer's site visit were nearing completion. Barcham Road is a single car width road with no pedestrian footpath or streetlights. A number of dwellings and rural businesses are regularly spaced along Barcham Road. There is an area of woodland and a pond located further to the north.

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 - 30 July 2019

I have no objections in principle.

Visibility splays of 2.4m by 60m are detailed on plan. While this accords with similar approved applications in this area, I note that the available visibility splay extends a significant distance beyond within the public highway, more commensurate to what is required for a 60MPH road.

Conditions have been recommended.

8 October 2019

'I note that while layout is not committed at this time, that an indicative parking and turning area has been included on the site layout plan. This appears to be generally acceptable.

No changes appear to have been made to the access arrangements and I therefore have no further observations beyond those made previously'.

CCC Growth & Development - No Comments Received

Enforcement Section - No Comments Received

Waste Strategy (ECDC) – 8 July 2019

No objections.

Consultee For Other Wards In Parish - No Comments Received

Parish - 1 August 2019

The Parish Council have concerns about the application and commented:

'Outside development envelope. Questions raised about sustainability'.

Ward Councillors – Cllr Jones has requested the application be discussed at Planning Committee as the application is finely balanced.

ECDC Trees Team - 25 July 2019

‘No significant tree related issues with this application but a good quality soft landscaping scheme will be required to help assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015’.

The Ely Group Of Internal Drainage Board - 25 July 2019

‘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’.

5.2 **Neighbours** – A site notice was displayed and an advert placed in the Cambridge Evening News and 8 neighbouring properties were notified. One comment was received which states:

‘My husband and I wish to oppose the application for yet another property to be built at the land at the back of my garden, where we have lived for 20 years. The original planning at the land at the back of 32 The Shade was for 2 properties, with a shared driveway. Barcham Road has changed considerably since we moved to The Shade, and the road is getting busier and busier; what was once a quiet country lane is now a busy road - and this has affected wildlife and the community around it. We had no opposition to the 2 properties being built currently, but I feel adding another to the mix will be overkill - both properties already built have changed the outlook from the back of my house considerably, and we see no need for another property to be squeezed in between. This will increase vehicular traffic, more noise being created whilst the building is being constructed, and have no positive impact on the views from both our house and the a142/Barcham Road. We feel another building on the plot of land to the rear of our building will impact on privacy, noise, disturbance, and the character of a quiet rural lane, now fast becoming another estate on the outskirts of Soham.

If this application is approved, how many more will be approved along Barcham Road, and most specifically at the back of my property and garden. We are very anxious that if this is approved, then more applications will materialise taking away the current feel of the road, and making it feel less and less rural’.

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
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 2019

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

9 Promoting sustainable transport

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

6.4 Planning Practice Guidance

7.0 **PLANNING COMMENTS**

7.1 The main considerations in the determination of this application are the principle of development, the character and appearance of the area, residential amenity, highway safety, ecology and drainage.

7.2 **Principle of Development**

7.3 Paragraph 78 of the NPPF, 2019 states that to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply; there is an essential need for a rural worker; the development would represent the optimal viable use of a heritage asset or would be enabling development to secure the future of heritage assets; the development would re-use redundant or disused buildings and enhance its immediate settings, the development would involve the subdivision of an existing residential dwelling or the design is of exceptional quality.

7.4 The Council 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.

7.5 It is necessary, therefore, to consider the benefits of the proposed development and weigh those against any adverse impacts in order to determine whether or not the development comprises sustainable development.

8.0 Sustainable Development

8.1 In economic terms, the proposal would result in the erection of one dwelling, which would count towards the Council's housing land supply deficit, however, it would not result in a significant reduction of this deficit. There would only be limited economic benefits from the erection of one dwelling to the local and wider economy through the construction of one new dwelling and the future spending of occupiers.

8.2 In respect of the social role, Barcham Road is a 60mph road with a single vehicle width and no pedestrian footpaths or streetlights. There is a limited bus service with the closest stop on the A142 and linking with Newmarket, Ely and Cambridge. From the proposed dwelling, the secondary school, library, sports complex and drama centre are all between 2 and 2.4 miles and would take approximately 40-50 minutes to walk to. The closest of the primary schools is approximately 0.7 miles and would take around 15 minutes to walk. However, the occupants would have to walk along the A142 and then cross a busy roundabout. This would mean that occupants of the proposed dwelling are very likely to depend on a private vehicle to access local services and facilities. There are numerous sites allocated for housing within Soham.

8.3 It is therefore considered that the proposal would not meet the social objective of sustainable development.

8.4 The limited economic benefit of the proposal would weigh in favour of the proposal, however the proposal does not meet the social objective of sustainable development.

8.5 However, Paragraph 8 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways; these are an economic objective, a social objective and an environmental objective.

8.6 The environmental objective includes the impact of the proposed dwelling on the character and appearance of the area, which will be assessed in the 'visual amenity' section of this report. In accordance with the NPPF, planning permission should only be granted for sustainable development unless any adverse effects of doing so, would significantly and demonstrably outweigh the benefits of the development. This report will show that the proposal is not a sustainable form of development due to the impact on the environmental objective of sustainable development.

9.0 Visual Amenity

- 9.1 Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 9.2 Matters of appearance, landscaping and layout are reserved as part of this application. The matters of access and scale are being considered at this outline stage.
- 9.3 The proposed dwelling would sit between two previously approved dwellings (originally approved under 17/00087/OUT and 17/01923/RMA and then the site to the north 18/01637/FUL and the site to the south 18/01134/FUL).
- 9.4 It was considered under the original outline application that *'the existing built form in close proximity to the site was generally characterised by dwellings located at staggered intervals and that the openness of the surrounding agricultural land contributed positively to the character of the area and the addition of two dwellings in this location, opposite a parcel of land with full planning permission granted for a dwelling would contribute to a sense of enclosing of that part of Barcham Road and would not be consistent with the existing street scene or rural and open character of the area'*. It is considered that the current proposed dwelling would result in further enclosure and further erosion of the openness and rural character in this countryside location through the introduction of further built form. This impact is further exacerbated by the sheer scale of the dwelling at a depth of 16 metres. It would also result in a group of three dwellings which would be contrary to the general pattern of sporadic development on Barcham Road.
- 9.5 It is noted that the officer report for 19/01923/RMA (reserved matters for 2no. two storey dwellings) that in relation to the character of the area that *'Due to the dwellings being relatively large in scale and located outside of the established development framework where they would be highly visible from the main road (A142) it is considered reasonable to append conditions removing permitted development rights for extensions, outbuildings, fences and gates etc. This will ensure that the Local Planning Authority retain adequate control over future development on the site, in order to ensure that any harm to the character and appearance of the area is minimised as far as possible'*. The red line boundary for application 19/01923/RMA included the land that is subject to this application. A similar condition was added to 18/01134/FUL for the site to the south and 18/01637/FUL for the site to the north.
- 9.6 In respect of scale, officers raised concern as the original proposal was tight to the boundary. The scale has now been reduced to move the development area away from the boundary by 3 metres each side. The plot is 978sqm which far exceeds the 300sqm building plot size stated in the Design Guide SPD and does not take up more than one third of the plot. However, the plot is narrow in comparison to the

neighbouring dwellings; the application site is 19.8 metres along the frontage, both of the neighbouring plots are approximately 32 metres across the frontage. The dwelling is proposed to be 13.8 metres in width, 16 metres in depth and 7.4 metres in height. The neighbouring dwelling to the north is 15.7 metres in width, 7.7 metres in depth and 7.1 metres in height and the dwelling to the south is 19 metres in width, 16.5 metres in depth at its deepest point and 7.4 metres in height. It is noted that both neighbouring dwellings have garages which are not included in the above measurements.

- 9.7 While the proposed dwelling is of similar dimensions to that of its neighbours, it is sited in a much narrower plot. The proposed dimensions of the dwelling are the dimensions of the hatched area shown on the plan. As scale is to be agreed at this outline stage, it is considered that if approved, the dwelling could be built to the size of the whole hatched area with little articulation, resulting in an inappropriate scale, bulk and mass.
- 9.8 While it is considered that the principle of a dwelling in this location is not acceptable and will result in harm to the character and appearance of the countryside, when assessing matters of scale, it is also considered that this is out of keeping with the neighbouring dwellings and will further exacerbate the visual harm.
- 9.9 The proposal is considered to result in further enclosure and therefore further erodes the openness and rural character in this countryside location through the introduction of further built form. It would also result in a group of three dwellings which would be contrary to the general pattern of sporadic development along Barcham Road and is therefore contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.

10.0 Residential Amenity

- 10.1 Policy ENV2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 10.2 Only matters of scale and means of access are for consideration at this stage. Appearance, landscaping and layout are not for consideration at this stage.
- 10.3 The dwelling to the north of the site has a small window at first floor level which serves a bedroom and a living room window at ground level on the south elevation. While the proposed dwelling is situated to the south of this dwelling and therefore may result in an overshadowing impact to the side elevation, both windows are secondary windows. Given this and the separation distance (from the area shown hatched) to the neighbouring dwelling is 8 metres, it is considered that the impact would not be significant.
- 10.4 There is approximately 8 metres between the proposed development and the garage of the dwelling to the south. There is approximately 18 metres between the proposed development and the dwelling itself. It is considered that these distances would be sufficient such that the proposal would be unlikely to result in a significant impact to residential amenity.

- 10.5 It is considered that a dwelling could be accommodated in this location without resulting in a significant adverse impact to neighbouring dwellings.
- 10.6 The proposed dwelling is in close proximity to the A142. Drawing number 19:048-2 rev B shows that the site benefits from an acoustic bund approved and constructed under planning permission 18/01637/FUL. It is considered that as with the two dwellings approved next door it would be possible to achieve acceptable internal and external noise levels such that the residential amenity of future occupiers would be protected whilst allowing for windows to be open. This would need to be secured by condition.
- 10.7 The site has sufficient space to accommodate the proposed dwelling with an acceptable level of amenity as set out in the Design Guide SPD. It is therefore considered that the proposal complies with policy ENV 2 of the East Cambridgeshire Local Plan, 2015.

11.0 Highways

- 11.1 The site proposes access from Barcham Road and drawing number 19:048-2 rev B shows the provision of visibility splays measuring 2.4m x 60m. The plan shows two 2.5m x 6m parking spaces. Access is for agreement at outline stage.
- 11.2 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. The Local Highways Authority have been consulted as part of the application process and have commented that they have no objection in principle, subject to conditions, however they have reiterated the observations made in respect of application 17/00087/OUT, with regard to incremental development in this location, which were as follows:
- 11.3 *'It should be noted at this time that I am concerned with the increasing number of new dwellings along Barcham Road. There is a lack of infrastructure, sustainable travel and highways amenities. Although speeds are low, this is a 60mph road this is a single track road and there is no lighting or footways. Should this incremental development continue it is likely that it will result in the detriment to highways safety an increase in vehicle and pedestrian conflict and be unaligned with the ECDC Sustainability policies'.*
- 11.4 Policy COM7 of the East Cambridgeshire Local Plan, 2015, paragraph 7.8.2 states that the planning and design process should ensure access to the site is safe and convenient to the needs of all users, including pedestrians, cyclists, bus and rail passengers, people with disabilities and occupants of vehicles are taken into account. This should include the provision of routes for walking and cycling in order to encourage sustainable forms of movement as an alternative to the car. As noted in the 'sustainable development' section, Barcham Road is a 60mph road, with no footpath or street lighting. These factors, combined with the distance to the village and larger settlements, the future occupiers are likely to be reliant on the use of the private motor vehicle and therefore it is considered that the proposal does not comply with policy COM 7 as it does not promote or encourage the use of sustainable transport.

11.5 Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The proposal demonstrates two adequately sized parking spaces and although layout is not for consideration, it is considered that there is sufficient space on site to accommodate parking and turning. The proposal is therefore considered to comply with policy COM 8 of the East Cambridgeshire Local Plan, 2015.

12.0 Ecology

12.1 Policy ENV7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.

12.2 The application form states that there is not a reasonable likelihood of protected or priority species, designated sites or geological features being affected by the proposed development. No ecological assessment has been submitted, however, the previous applications at the site have ascertained that the site is not of particular ecological importance and the last of these applications was approved this year.

12.3 It is considered that ecological enhancements could be secured via an appropriately worded condition. The proposal is therefore considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan, 2015.

13.0 Flood Risk and Drainage

13.1 The site is entirely located within flood zone 1 and is therefore considered at the lowest risk of flooding and a location where residential development is acceptable in terms of flood risk. The application form states that surface water will be disposed of via soakaways, however, this has not been shown on the plan. It is therefore considered reasonable and necessary that a scheme for the provision of surface water drainage should be secured via condition, if the application were to be approved.

13.2 It is therefore considered that the proposed development is acceptable in terms of its susceptibility to and impact on flood risk and the drainage measures proposed in accordance with Policy ENV8 of the East Cambridgeshire Local Plan 2015.

14.0 Planning Balance

14.1 The location of the application site, significantly distanced from the established development framework and on a 60mph road with no footpaths or streetlights and is not considered to meet the social or environmental aspects of sustainability expected by the NPPF. The dwelling does not constitute an exception under paragraph 79 of the NPPF.

- 14.2 The proposal would provide very limited benefits to the district’s housing supply and to the construction trade. In addition, the proposal would not create any significant adverse impacts in respect of highway safety, residential amenity, ecology or flood risk.
- 14.3 In respect of the environmental objective of sustainable development, the plan shows that the proposed dwelling would be constructed to exceed building regulations performance and a parking space with an EV charge point has been shown. While it is considered that these are environmental benefits, the dwelling does result in further enclosure and therefore further reduces the openness and rural character this countryside location through the introduction of further built form which would give rise to significant and demonstrable harm to the character of the area.
- 14.4 It is considered that the benefits of the scheme would be outweighed by the significant and demonstrable harm which would be caused by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to give access to services and facilities. The unsustainable location of the site and the significant and demonstrable harm caused to the character and appearance of the countryside are given significant weight in the determination of this application.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/01777/OUT	Rachael Forbes Room No. 011 The Grange Ely	Rachael Forbes Planning Officer 01353 665555 rachael.forbes@eastcambs.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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>