
MAIN CASE

Reference No: 16/00403/FUL

Proposal: Residential development of two detached houses, garaging, parking, access & associated site works

Site Address: Land South Of 36 Newmarket Road Fordham Ely
Cambridgeshire CB7 5LL

Applicant: R F Turner & Son

Case Officer: Barbara Greengrass, Senior Planning Officer

Parish: Fordham

Ward: Fordham Villages
Ward Councillor/s: Councillor Joshua Schumann
Councillor Julia Huffer

Date Received: 17 March 2016 **Expiry Date:** 9 December 2016
[R153]

1.0 **RECOMMENDATION**

1.1 Members are requested to APPROVE subject to the recommended conditions below. The conditions can be read in full in the attached Appendix 1.

1. Approved plans
2. Time Limit
3. Visibility splays
4. Provision of footway
5. No gates on access.
6. Parking, servicing etc
7. Archaeology condition
8. Reporting of unexpected contamination
9. Construction/delivery times
10. Soft landscaping
11. Boundary treatments
12. Permitted development – fences/walls
13. Sample materials
14. Surface water drainage

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks consent to erect two detached dwellings with detached double garages. The application has been amended since submission to omit the

front projections and to overcome objections raised by the County Highway Authority.

- 2.2 The dwellings are a matching pair with two storeys to a height of 6.9 metres, with four bedrooms. The dwellings have rural barn like features and are designed in an L shape with two storey front and rear projections. The main part of the dwellings measure 14.2m in length by 6.7m in depth with a two storey front projection of 4.7m by 6.7m. Details of materials have not been submitted but the elevations show a mixture of brick, boarding and flint dwelling materials. The dwellings front Newmarket Road and are set back from the highway with a new shared access created with an extension to the public footpath in the vicinity of the site to link the new access to the existing footpath.

- 2.3 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.**

The application has been called to Planning Committee by the Ward Councillor, Councillor Huffer as she wished the decision to be taken by Planning Committee as it has generated a great deal of interest and concern and has the potential.

3.0 PLANNING HISTORY

- 3.1 None

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located just outside of the settlement boundary of Fordham and forms part of a larger open field. The front of the site is bounded by a mature hedge and further to the south is a farm complex where the keeping of livestock takes place. To the north within the settlement boundary individual dwellings in spacious plots front Newmarket Road.

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.

Cambridgeshire Archaeology – No objection but recommend a condition requiring a programme of archaeological work.

CCC Growth & Development - No Comments Received

Environmental Health – recommend condition relating to unexpected contamination and restrictions on construction and delivery times.

Local Highways Authority – no objection subject to condition requiring the provision of the footpath extension prior to occupation.

Waste Strategy (ECDC) – no objection. Standard waste informatives.

Parish - No comments but would question access issues.

Ward Councillors – Cllr Huffer wished the decision to be taken by Planning Committee as it has generated a great deal of interest and concern and has the potential.

5.2 Neighbours – A site notice was posted and advert posted in the Cambridgeshire Evening News. 16 neighbouring properties were notified and responses received from 2 neighbours which are summarised below. A full copy of the responses are available on the Council's website.

- The proposed dwelling is beyond the edge of the village and far from local services, including any shops and the school.
- No adequate pavement or safe crossing points.
- Will detract from the entrance to the village.
- Set a precedent for further ribbon development outside the village.
- There is no pavement at this point.
- Access is particularly unsafe. There have been a number of accidents in the last few years at the give way point and any development will increase the potential accident risk.
- Sites are available within the village which are more suitable.

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
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.1 The main issues to consider in determining this application are the principle of development, the impact on the character and appearance of the countryside, impacts on residential amenity and highway safety.

7.2 Principle of development

7.2.1 The application site lies outside of the defined development boundary. The development of the site for housing would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan which seeks to focus new housing development within defined settlement boundaries. However as the Council cannot currently demonstrate a 5 year supply of housing land, Policy GROWTH 2 cannot be considered up to date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

7.2.2 Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, for example, where there are groups of smaller settlements development in one village may support services in a village nearby. Isolated new homes in the countryside should be avoided unless there are special circumstances.

7.2.3 There are other dwellings close to this site and it sits close to the settlement boundary so it cannot be considered isolated. Fordham is a large village with a range of local services, including several shops, a part time post office, a number of pubs and restaurants, a village hall, school and a good range of sporting facilities. There is also a regular bus service to Ely, Newmarket and Cambridge.

7.2.4 In addition, the proposal would make a positive, albeit modest, contribution towards the provision of housing in the area and its construction would provide some short term economic benefits. The proposal therefore supports the economic dimension to sustainable development which weighs in favour of the proposal.

7.3 Visual Amenity

7.3.1 As this is an edge of settlement location Policy ENV 1 seeks to protect landscape and settlement character and in particular, respect views into and out of

settlements. These aims are reiterated in paragraph 17 of the NPPF which seeks to protect the intrinsic character and beauty of the countryside. The site forms part of a sizeable field of open agricultural land immediately to the south of the settlement boundary of Fordham and is very prominent and open when approaching the village from a southerly direction. The site therefore makes a valuable contribution to the wider field within which it is situated. The site does benefit however from a mature hedge with hedgerow trees along its frontage and this would help to screen the proposed dwellings from the streetscene on approach to the site. The applicant, following advice from officers, has therefore endeavoured to retain as much of this hedge as possible by proposing a shared access to minimise the amount of hedgerow removal and help assimilate any new development into the surrounding landscape and on approaching the village from the south.

- 7.3.2 The development would be assimilated further by the provision of sensitive boundary treatments to provide for soft boundary features. The applicant has indicated the provision of post and rail fencing along the southern and western boundaries of the site with native hedge and tree planting. The prevention of harsh boundary treatment could therefore be controlled by condition. In addition the design of the dwellings which are a matching pair only handed, is considered to be sympathetic to this rural setting, with traditional scale and proportions and the use of different traditional materials and features to break up the facades, giving variety and cohesion and a form of development which would not provide a harsh urbanising feature on this gateway location to the village.
- 7.3.3 Furthermore, should consent be granted permitted development rights could be removed to prevent detached structures being erected within the curtilage.
- 7.3.4 Whilst any dwelling will be visible in the landscape, the proposal now under consideration is not considered to be visually intrusive such that it would cause significant and demonstrable harm to the settlement edge and the character and appearance of the countryside.
- 7.4 Residential amenity
 - 7.4.1 The most northern dwelling is situated some 15m from the nearest dwelling to the north with an intervening mature boundary hedge. This is sufficient separation distance to prevent any loss of residential amenity to those occupiers in accordance with Policy ENV 2. In addition sufficient amenity space has been provided on the proposed plots for the future occupiers, in accordance with the Design Guide SPD.
- 7.5 Highway safety
 - 7.5.1 The County Highway Authority initially recommended refusal of the application as it was not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to highway safety. The applicant has amended the application to overcome these objections by providing an extension to the existing footpath up to the site entrance and showing adequate visibility splays from a joint access to retain as much of the front boundary hedge as possible. The plan shows removal of this section of hedge for a length of 9 metres.

A section of hedge further north will also be removed and replaced in order to accommodate the footpath extension.

7.6 Other Material Matters

7.6.1 There is considered to be no issues relating to ecology on the site as the land has been recently farmed.

7.7 Planning Balance

7.7.1 The proposal provides for two additional dwellings contributing to the Council's housing provision, construction would provide some short term economic benefits and there is no harm to highway safety or residential amenity.

7.7.2 Any development on the site will have an impact on the character and appearance of the area and will be visible from the public highway. It is considered that the scale and design of the dwellings are sensitive to this edge of settlement location and the retention of most of the boundary hedge together with additional planting will assist in assimilation into the surroundings. It is considered that the proposal will not significantly harm the character and appearance of the area and complies with Policies ENV 1 and ENV 2 in this regard. The application is therefore recommend for approval.

8.0 APPENDICES

APPENDIX 1 – Planning conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/00403/FUL	Barbara Greengrass Room No. 011 The Grange Ely	Barbara Greengrass Senior Planning Officer 01353 665555 barbara.greengrass @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>

APPENDIX 1 - 16/00403/FUL Conditions

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

Plan Reference	Version No	Date Received
16:042-1	B	12th October 2016
16:042-2	A	12th October 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 the occupation of any dwelling visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan 16:042-1 Rev B The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 3 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 4 Prior to occupation of any dwelling a footway shall be constructed to County Council standards as per drawing number 16:042 Rev B.
- 4 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 5 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 access access, as shown on drawing number 16:042 - 1 Rev B.
- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 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.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 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.
- 7 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.
- 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 or Bank Holidays or 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 including biodiversity improvements, 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 safeguard the character and appearance of the area, in accordance with policy 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 of the dwelling to which it relates.

- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no fences or walls shall be erected within the curtilage of the dwellinghouse.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015
- 13 No above ground construction shall take place on site until details of the external materials and roof 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 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(s) shall be implemented prior to the occupation of the dwelling
- 14 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