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**MAIN CASE**

**Reference No:** 16/00686/OUT

**Proposal:** Outline application for change use of existing caravan touring park site to a maximum of 91 Mobile Homes with some matters reserved

**Site Address:** Stanford Park Weirs Drove Burwell Cambridge CB25 0BP

**Applicant:** Turners Britannia Parks Ltd

**Case Officer:** Barbara Greengrass Senior Planning Officer

**Parish:** Burwell

**Ward:** Burwell

Ward Councillor/s: Councillor David Brown  
Councillor Lavinia Edwards  
Councillor Michael Allan

**Date Received:** 26 May 2016

**Expiry Date:** 16 December 2016

[R154]

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1.0 **RECOMMENDATION**

1.1 Members are requested to REFUSE the application for the following reasons:

1. The proposed development for a maximum of 91 dwellings is on a site which is remote from local services and facilities and does not benefit from a public footpath along a 60mph road, conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance of the private car as expected in local and national policy. The site is in an unsustainable location and the benefits of the proposal would not outweigh the identified harm and the proposal is contrary to Policies GROWTH 2, GROWTH 5 and COM 7 of the East Cambridgeshire Local Plan 2015 and the aims of the National Planning Policy Framework.
2. Insufficient drainage information has been submitted to enable the impact on the layout to be adequately assessed and to demonstrate to the satisfaction of the local planning Authority that the site can physically accommodate 91 dwellings together with the appropriate infrastructure whilst safeguarding important landscape features on the site. It therefore fails to comply with Policy ENV 8 of the East Cambridgeshire Local Plan 2015 and the Flood and Water SPD.

- 3 Local Plan Policy ENV 2 requires development proposals to comply with the RECAP Waste Management Design Guide SPD. There has been insufficient allowance made for refuse collections to comply with the RECAP Waste Management Guide and the proposal is contrary to Local Plan Policy ENV 2 in this regard.

## 2.0 SUMMARY OF APPLICATION

- 2.1 This outline application proposes the change of use of land used as a touring caravan camp site to residential with the erection of a maximum of 91 mobile homes. All matters are reserved apart from scale and access. Access is proposed from a new opening in the existing hedge to the northern end of the site onto Weirs Drove just north of Glengarry bungalow. An indicative layout plan has been submitted to indicate how the dwellings and roadway might be accommodated. It includes provision for an area of open space and a communal space for residents to comprise a small building with community room, park office, sewage treatment plant and recycling area.
- 2.2 The application is accompanied by various supporting documents including Transport Statement, Tree and Ecology surveys, Flood Risk Assessment and Affordable Housing statement.
- 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.**
- 2.4 The application is being presented to Committee as it is over 50 dwellings, in accordance with the amendments made to the constitution at Full Council on the 16 November 2016.

## 3.0 PLANNING HISTORY

- 3.1
- |              |   |          |            |
|--------------|---|----------|------------|
| 11/00137/FUM | Replace extant planning permission 07/01311/FUM for 35 log cabins | Approved | 16.05.2011 |
|--------------|---|----------|------------|

## 4.0 THE SITE AND ITS ENVIRONMENT

The site lies to the west of Burwell village accessed via Reach Road and Weirs Drove. It is located outside of and some distance from the development boundary of Burwell. The site is well landscaped and well enclosed with mature planting both within and outside of the site. It is currently in use as a touring caravan site with ancillary buildings and managers dwelling. The site is surrounded by countryside and to the east by Priory Wood. There are three Public Rights of Way in close proximity to the site leading eastwards.

## 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.

- 5.2 Cambridgeshire Archaeology – no objection to development but request the standard archaeology condition.
- 5.3 CCC Growth & Development - No Comments Received
- 5.4 Senior Trees Officer – I have concerns and object to the current proposal. This development requires new access route to be developed which includes the removal of a number of substantial and attractive trees. There is also removal of trees within the site to which I have concerns although these are less observable to the public. I fail to see why new access is required to justify the removal of healthy trees. The proposal for 91 units is excessive as this level of intensity will require homes in close proximity to trees giving rise to nuisance issues arising from tree roots.
- 5.5 Environmental Health – recommend construction and delivery times and condition in the event of unexpected contamination.
- 5.6 Waste Strategy (ECDC) – it is suggested that bins will be brought to the spine road by the maintenance team for collection. Given the distance that some units are from the spine road this would be in excess of what would normally be expected from collection crews or residents. ( max distance a container should be moved is 30 metres from storage to collection point). There is also a possibility that in the future EDDC may move from black sacks to wheeled bins which would require the movement of up to 160 wheeled bins on collection day therefore the roads leading to each area ought to be made up to adoptable standards.
- 5.7 Concerns have been raised by the waste collection supervisors about the number of vehicles that would be using the road to the site and the limited width as there have been numerous occasions where waste freighters have had to try and manoeuvre around oncoming vehicles in narrow sections.
- 5.8 UK Power Networks - No Comments Received
- 5.9 Environment Agency – initially objected but the additional information submitted has removed the objection. No units should be sited in the small area of the site within Flood Zone 3.
- 5.10 Lead Local Flood Authority - initially objected on the grounds of insufficient information but are now satisfied with the Flood Risk assessment and recommend conditions.
- 5.11 Local Highways Authority – no objection after reviewing the Transport information submitted and after confirming the likely level of trips by all modes in the AM and PM periods. The low level of trips predicted means we have been unable to secure pedestrian facilities between the site and the village centre as this would be out of scale with the proposed development.

- 5.12 Natural England – further details required for the foul water disposal including confirmation that Environment Agency is satisfied that any discharge will not have an adverse impact on the natural environment.
- 5.13 Senior Definitive Map Officer - No Comments Received
- 5.14 Fire And Rescue Service – adequate provision should be made for fire hydrants
- 5.15 The Ely Group Of Internal Drainage Board – provided soakaways provide an effective means of surface water drainage the Board will not object.
- 5.16 Burwell Parish – no objections but concerns regarding the location of this development on a single track road with no footpaths. There is limited access and the nearest main road junction onto the High Street is very busy.
- 5.17 Reach Parish – concerned that the site is outside of the development envelope. The CPRE states that development envelopes are in place to protect the countryside. The site is isolated from the main village which goes against national planning policy. The infrastructure within Burwell will not be able to support such a large development, particularly the road, Weirs Drove and the junction with Reach Road.
- 5.18 Ward Councillors – no comments received
- 5.19 Design Out Crime Officers – the area is at low risk of crime. No comments in relation to community safety and crime and disorder
- 5.20 Neighbours – A site notice was posted and advertisement placed in the Cambridgeshire Evening News. 12 neighbouring properties were notified and the 7 responses received are summarised below. A full copy of the responses are available on the Council's website.
- Overdevelopment and outside the development boundary
  - The road is single track and will not cope with 91 new dwellings
  - The existing use is seasonal
  - Unsustainable development
  - There are few passing bays
  - Weirs Drove will be impacted by the increased traffic
  - Visually damaging
  - The site is in open countryside
  - 91 properties is similar to a small village similar to the size of Reach
  - Vehicles will be required as there are no nearby amenities
  - The peacefulness would be destroyed
  - Weirs Drove forms part of the national cycle network and the development will create significant additional traffic and discourage cyclists, particularly those with children from using the route. Cycling is a healthy activity to be encouraged. This development runs counter to that aim.

## 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
HOU 3	Affordable housing provision
HOU 7	Mobile homes and residential caravan parks
COM 7	Transport impact
COM 8	Parking provision

## 6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations  
Flood and Water

## 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 be considered in determining this application are the principle of development, affordable housing provision, impact on the character of the countryside, residential amenity, highway safety, trees and ecology and drainage.

### 7.2 **Principle of development**

7.3 The application site lies outside of the defined development boundary of Burwell. 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. The Council cannot demonstrate a five year supply of deliverable housing sites, and paragraph 49 of the National Planning Policy Framework (the Framework) states that where this is the case, relevant policies for the supply of housing should not be considered up to date. In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission 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. Policy GROWTH 5 of the East Cambridgeshire Local plan 2015 also supports sustainable development.

- 7.4 This site is considered to be an unsustainable location remote from local service centre provision. There is an absence of continuous footpath connecting to village amenities conflicting with the aims of sustainable development, meaning that the nearby village of Burwell is unlikely to be easily accessible other than by private car. As a result this development would be isolated from the services and facilities necessary to meet everyday needs. Additional traffic movements resulting from this development therefore contravene the aims of Paragraph 34 of the Framework.
- 7.5 Paragraph 55 of the Framework, 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 the reasons given above and expanded on below, this is not considered to be the case with this proposal, as it will result in a significant number of isolated new homes in the countryside.
- 7.6 Burwell has a good range of services including a primary school, several shops, public house, banks, village halls, sports centre and pharmacy. It is the fourth largest settlement in the District and serves a hinterland of surrounding smaller villages. The Burwell vision seeks to support growth of the village whilst retaining its rural character, by locating new housing close to the village centre to avoid further elongating the village. The services and facilities of Burwell are principally located at the village centre, a considerable distance from the site. From the site in a northerly direction the primary school is over 1 mile away and in a southerly direction it is 1.6 miles away. There is no footway along Weirs Drove, which has a national speed limit, the nearest footway being, in a southerly direction, on Reach Road, again subject to the national speed limit at a distance of approx. 800m from the junction with Weirs Drove. This route and stretch of path is unlit until much closer to the settlement boundary. In a northerly direction from the site there is no footpath until the junction with Hythe Lane which is then lit. The length of Weirs Drove and Reach Road, which occupiers of the proposed dwellings would have to use to reach the nearest footway, is considered excessive and unsafe, particularly given the rural character of Weirs Drove which is subject to the national speed limit as is Reach Road. There is no street lighting, and whilst there is a grass verge along some of the route, this is unsuitable for use by all pedestrians, given that it has a rough and uneven surface and the added dangers of walking along Reach Road which is a B class road. This will therefore be heavily trafficked and whilst the applicant states that Weirs Drove is suitable for use by pedestrians and cyclists due to the low volume and speed of traffic, it is nevertheless a road subject to the national speed limit. It is also part of the National Cycle Network.
- 7.7 It is considered that both routes to the village are very unattractive and inadequate environments for use as the main pedestrian link to the village which is likely to mean that the future residents of these proposed 91 dwellings will access the village for everyday needs by car, which means the site is poorly connected to the services and facilities, inconsistent with the social and environmental dimensions of sustainable development. This development is therefore not considered to be sustainable. It is therefore contrary to Policy GROWTH 5 of the East Cambridgeshire Local Plan 2015 and the NPPF. It is also contrary to Policy COM 7 which seeks to provide safe, accessible and convenient routes giving priority for walking and cycling states that development should be designed to reduce the need to travel, particularly by car and should promote sustainable forms of transport. This reiterates the aims of paragraph 32 of the NPPF which seeks to

promote safe and suitable routes for all people and connectivity to existing facilities.

7.8 The applicant's case gives weight to the presence of two Public Rights of Way to the east of the site from Weirs Drove, 130m south of the site, which lead to Priory Close in the village. A permissive right of way is also available through Priory Wood to Priory Close. The latter is maintained by the Woodland Trust and is of course unlit and informal. The site is approximately 1km to Burwell village via the Priory Wood footpath or 1.7km (1 mile) via Weirs Drove walking north to Hythe Lane.

7.9 It is considered that in planning terms, these PROW and permissive path cannot be accepted as the principle pedestrian route to the village facilities as it is not a formal lit route with hard surfacing capable of catering for all users.

## **8.0 Affordable housing provision.**

8.1 The proposed development for dwellings would normally require the provision of 40% affordable housing provision. As the proposed dwellings are not suitable for provision of affordable housing units on site the applicant has offered an off site contribution in lieu of on site provision. Advice has been sought from the District Valuer who has confirmed that the sum of money offered can be considered acceptable.

## **9.0 Visual Amenity**

9.1 The impact of the proposal on the character of the countryside is considered to be minimal as the site is very well enclosed by mature planting on all site boundaries. However the applicant is not proposing to use the existing site access but rather create a new vehicular access to the north of the site next to Glengarry bungalow. This will involve removing a section of mature hedgerow and trees which will then allow views into the site. However this will be limited and it is not therefore considered that a refusal would be justified on these grounds. It is desirable to retain the hedgerow and trees as this makes an important visual amenity contribution to the street in the vicinity of the site. The Trees Officer is of a similar view but it is considered on balance that the loss of this small section of mature planting can be accepted if other mature vegetation within the site is retained.

## **10.0 Residential amenity**

10.1 Baron Cove is occupied by the manager of the caravan site so it is likely that this would remain as the manager's house for the park homes. The dwelling at Glengarry is within the application red site line so it may be the intention to link its occupation to the operation of the site. If it is not occupied by an employee at the site it is likely that the future residents would suffer loss of residential amenity by the position of the new access road alongside the boundary of that property as the level of noise and disturbance associated with vehicles accessing the site is likely to be significantly harmful. This could be overcome by securing future occupation by condition.

## **11.0 Highways**

- 11.1 The Highway Authority has raised no objection to the proposal either in terms of the suitability of the new access or the wider transport impacts of the proposal on the surrounding highway network.

## **12.0 Ecology**

- 12.1 An Ecology report has been submitted with the application. The findings of the assessment are that the habitats to be affected by the development are of low ecological value. There will be limited impacts on amenity grassland habitats and minor potential impacts on hedgerow and tree habitats. Mitigation measures are recommended to avoid potential harm to animals and biodiversity enhancements are recommended for bats and birds.
- 12.2 The application shows the removal of three hedgerows within the site. Although this is indicative the applicant has been requested to retain the two species hedgerows as they would add landscape value within the site and they have a habitat value which would lead to loss of biodiversity and the applicant has agreed to do this.

## **13.0 Flood Risk and Drainage**

- 13.1 A flood risk assessment and additional information has been submitted to satisfy both the Environment Agency and the Lead local Flood Authority that the development can be accommodated in principle. However further information is required to demonstrate that the site can accommodate 91 units whilst avoiding the small part of the site within Flood Zone 3 and whilst providing for the surface water attenuation measures. The FRA proposes swales and on site attenuation, so the Planning Authority would need to be satisfied that the site can physically accommodate this number of units and the required SUDS system. This information has not been provided so it has not been satisfactorily demonstrated that the site can accommodate 91 units. The proposal therefore does not comply with Policy ENV 8 or the Flood and Water SPD.

## **14.0 Planning Balance**

- 14.1 The proposal provides for 91 new dwellings contributing to the councils housing provision, construction would provide some short term economic benefit and there is no harm to highway safety or residential amenity, if the dwellings on site are occupied in connection with the business.
- 14.2 However, this is outweighed by the significant and demonstrable harm caused by the siting of a substantial number of dwellings in an unsustainable location where future residents would be reliant on the car to gain access to local services and facilities.
- 14.3 In addition, in the absence of sufficient drainage information and its impact on the layout it cannot be demonstrated that the site can physically accommodate 91 dwellings together with the appropriate infrastructure whilst safeguarding important landscape features on the site contrary to Policy ENV 8 of the east Cambridgeshire Local plan 2015.



14.4 In conclusion this proposal conflicts with Policies GROWTH 5, COM 7 and ENV 8 of the East Cambridgeshire Local Plan 2015, the provisions of the National Planning Policy Framework and the Flood and Water SPD.

## **15.0 COSTS**

- 15.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 15.2 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e. relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 15.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
16/00686/OUT	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](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>