
MAIN CASE

Reference No: 17/01089/OUT

Proposal: Proposed New Dwelling and Garage

Site Address: Land Adjacent To The Styx Eye Hill Drove Soham
Cambridgeshire

Applicant: Poppy Development Ltd

Case Officer: Oli Haydon, Planning Officer

Parish: Soham

Ward: Soham North
Ward Councillor/s: Councillor Mark Goldsack
Councillor Carol Sennitt

Date Received: 20 June 2017 **Expiry Date:** 5th October 2017

[S102]

1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for the following reasons:

1. The proposed dwelling is located within the countryside and, by virtue of its 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 this additional dwelling 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 55 of the National Planning Policy Framework. The proposal fails to comply with the Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.

2.0 **SUMMARY OF APPLICATION**

2.1 Outline planning permission is being sought for principle, access and layout for a dwelling on land adjacent to 'The Styx' on Eye Hill Drove. Appearance, landscaping and scale would remain reserved matters.

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.eastcambbs.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 before Planning Committee by Cllr Sennitt as it is believed that the site constitutes a sustainable location with noise and highways issues being straightforward to overcome.

3.0 PLANNING HISTORY

3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located outside of the established development framework for Soham, and as such is considered to be in a countryside location where development is tightly controlled. The site is currently unused garden land belonging to The Styx, a detached single-storey dwelling located adjacent to 'The Styx' camp site. The site is located adjacent to the A142 to the west and Barcham Trees to the northeast and southeast. The surrounding area is considered to be primarily agricultural with sporadic housing along Eye Hill Drove as it leads to Barcham 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.

Environmental Health – “Thank you for reconsulting us on the above application, following the submission of a noise impact assessment dated 23rd August 2017 entitled ‘Eye Hill drove, Soham’, reference number RP01-17541.

Table 2 within section 4.18 on pg 7 of the noise impact assessment states the glazing and trickle vent attenuation requirements. We will require confirmation these will be adhered to.

Section 4.23 states that external noise will exceed government recommended guidelines, however I agree there are likely to be areas that can be sufficiently screened to ensure quieter areas are available that will meet the government guidelines.

Overall it appears that traffic noise from the A142 will be dominant, however whilst there are concerns regarding the noise impact of the A142 on the proposed property, the principal of residential development is acceptable from our remit as mitigation can be undertaken to ensure government guidelines can be met. I understand this is an outline permission and therefore we will need confirmation of mitigation measures at the reserved matters stage when the design and layout of the property are known.

The information received demonstrates a need for windows facing the road to remain closed and the provision of alternative ventilation to ensure internal noise guidelines are not breached.

I would advise the applicants will need to demonstrate what mitigation will be utilised and that it will be sufficient to ensure internal and adequate external areas will meet government guidelines. The layout and orientation therefore require consideration to ensure noise sensitive areas are sufficiently screened. I am aware that the Local Planning Authority have previously raised concerns regarding windows having to remain closed and the use of mechanical ventilation; as well as trickle vents not being sufficient to provide summer cooling. It is important for the applicants to carefully consider the location of windows and doors to noise sensitive rooms and utilise additional fenestration on quieter facades if necessary/practicable. I would therefore recommend a condition requesting that mitigation measures are demonstrated and agreed at the reserved matters stage.

From our point of view if the applicants consider windows need to remain closed for internal noise guidelines to be met there will be a need for an alternative ventilation system which can achieve air changes comparable to an open window. As mentioned above, it is unlikely that trickle vents will achieve this. The occupants of all habitable rooms will require a suitable ventilation system which achieves 2 - 4 Air Changes per Hour, and we would need information regarding this and any noise levels associated with it. Trickle vents on windows facing the noise source will also require acoustic treatment as mentioned above and within the noise impact assessment.

If you have any queries please don't hesitate to contact me, in the meantime, if required, I am happy to discuss the wording of potential conditions to cover the mitigation measures etc."

No other comments subject to contamination conditions.

Soham Town Council – Objects to the proposal as it is outside the development envelope.

Ward Councillors - No Comments Received

Local Highways Authority – No objections raised, although it is noted the LHA raise serious concerns with any incremental development within Eye Hill Drive. There is no pedestrian infrastructure, sustainable travel or highways amenities. The junction with the A142 is a known accident cluster site and any increase in the number of traffic generated from and to this junction increases the risk to all road users of the A142 at this location. Although speeds are low along Eye Hill Drive, this is a 60mph road and a single track road and there is no lighting or footways. Should 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.

CCC Growth & Development - No Comments Received

Waste Strategy (ECDC) – No objections subject to informatives.

Consultee For Other Wards In Parish - No Comments Received

5.2 **Neighbours** – One neighbouring property was notified, a site notice was posted and an advert was placed in the Cambridge Evening News and no response were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision
GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development

6.2 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations
Flood and Water
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

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

7.0 **PLANNING COMMENTS**

7.0.1 The main issues to consider when determining this application relate to the principle of development, the impact upon character and appearance of the area, residential amenity, noise impact, highways safety and other matters.

7.1 **Principle of development**

7.1.1 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 five year land supply for housing, policy GROWTH 2 cannot be considered up to date in so far as it relates to supply of housing land.

- 7.1.2 In this situation the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.
- 7.1.3 Paragraph 55 of the NPPF states that isolated new homes in the countryside should be avoided unless there are special circumstances. This site is considered to be isolated from any built settlement, being approximately 1.5 miles from the nearest settlement of Soham. The site is located in an isolated, rural location. It is therefore considered to be an unsustainable location for the erection of a new dwelling, similar to the conclusions of the Inspector in a recent appeal decision which forms a material consideration to be given significant weight in determining this application.
- 7.1.4 The appeal decision bears similarities with this proposal and followed the refusal by the Planning Committee for two dwellings at 14 The Cotes, located 1.8 miles north of Soham, in an isolated cluster of dwellings. The proposed development site in this case is approximately 1.5 miles north of Soham and 2 miles from the centre of Soham where local shops and services are located.
- 7.1.5 The recently received appeal decision for The Cotes in Soham (APP/V0510/W/16/3143840) cited the location as unsustainable due to the reliance on the car. The appeal stated that *“both (sites) would be reliant on the car to gain access to services and facilities. This would not accord with the Framework or the environmental dimension of sustainable development”* and *“the isolation of the sites from community facilities would weigh against the social dimension and would not accord with paragraph 55 of the Framework regarding the location of rural housing”*. Furthermore, the appeal also stated *“given the distance of the sites from local facilities and the unsuitability of the road for pedestrian access, I conclude on this issue that the occupiers of the proposed dwellings would be highly reliant on the car to gain access to services and facilities”*. As previously stated, the Cotes is approximately 1.8 miles to the centre of Soham, and this application site is approximately 1.5 miles from the edge of Soham and approximately 2 miles from the centre of Soham where local shops and services are located. Members are also aware of subsequent appeal decisions in Little Downham and Isleham relating to unsustainable locations and reliance on the private motor vehicle (APP/VO510/W/3158114 and APP/V0510/W/3160576 respectively).
- 7.1.6 It is considered that the proposal is contrary to Local Plan policy COM7 which requires that development is designed to reduce the need to travel, particularly by car, and to promote sustainable forms of transport. This site is located 1.5 miles from the centre of Soham and, as such, the Local Planning Authority view it as isolated and unsustainable as there are a number of sites within Soham which are in a more sustainable location and are either allocated for development or could be windfall sites.
- 7.1.7 The Local Planning Authority have recently received a further appeal (APP/V0510/W/17/3173190) relating to sustainability. While the appeal was allowed it is considered that as the site was previously developed, it carries little weight in determining this application as this site is undeveloped agricultural land. In any event each site needs to be treated on its own individual merits.

7.1.8 This proposal differs from residential permissions granted in the small rural settlements in the District. This is due to the fact that encouraging growth at these rural sites will improve their sustainability and since they are presently reliant on nearby villages and reliant on the car already; the introduction of new dwellings ultimately helps their long-term sustainability and keeps these communities alive. This proposal, while in the parish of Soham is located a considerable distance from the main settlement. The NPPF supports this by stating in paragraph 55 that development can support services in a village nearby and that isolated new homes in the countryside should be resisted unless there are special circumstances.

7.2 **Noise Impact**

7.2.1 Consideration has been made with regards to the impact of the A142 on the proposed dwelling. The applicant has submitted a noise impact assessment which was sent to the Environmental Health department for consideration. They stated that it appeared that traffic noise from the A142 will be dominant, however whilst there are concerns regarding the noise impact of the A142 on the proposed property, the principal of residential development is acceptable from their remit as mitigation can be undertaken to ensure government guidelines can be met. As this is an outline permission, the EH department will require confirmation of mitigation measures at the reserved matters stage when the design and layout of the property are known. The EH department stressed the importance for the applicants to carefully consider the location of windows and doors to noise sensitive rooms and utilise additional fenestration on quieter facades if necessary/practicable; the design and implementation of these mitigation measures can be secured by condition.

7.3 **Visual amenity**

7.3.1 Under Local Plan policy ENV1 this application should ensure that it provides a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. Under Local Plan policy ENV2 this application should take care to ensure that the location, layout, form, scale, massing and materials are sympathetic to the surrounding area.

7.3.2 The Design Guide SPD suggests that dwellings should occupy one third of a plot which should be a minimum of 300sqm. The site of the proposed dwelling would comply with these guidelines (with scale being assessed at reserved matters stage).

7.3.3 The site area is currently an open and unused area of garden land, the site has an existing access through the dense planting which marks the boundary of the site. To the northeast is the existing dwelling, The Styx, with the Barcham Trees site and additional dwellings beyond; the A142 runs along the southern boundary of the development site.

7.3.4 The introduction of a dwelling alongside the existing dwelling, The Styx, would, to a certain extent, result in an urbanising of the landscape. However due to the plot size, existing boundary planting and existing access point there would be minimal views of the dwelling from the surrounding landscape.

- 7.3.5 The proposed dwelling would be built on the north side of the road which follows the pattern of development along Eye Hill Drove.
- 7.3.6 Appearance, scale and landscaping remain reserved matters but it is considered that an acceptable design, scale and materials could be achieved on this site.
- 7.3.7 Therefore on balance while there is a considered harm through the urbanisation of this agricultural field, it is not considered to have a significant and demonstrable harm on its locale. Therefore the application is considered to comply with policies ENV1 and ENV2 in this regard.

7.4 **Highways safety and parking provision**

- 7.4.1 Under Local Plan policy COM7 this application should ensure that it can provide safe and convenient access to the highway network. The Local Highways Authority did not object to the principle of the application but have noted that they have serious concerns with any incremental development within Eye Hill Drove as there is no pedestrian infrastructure, sustainable travel or highways amenities. The junction with the A142 is a known accident cluster site and any increase in the number of traffic generated from and to this junction increases the risk to all road users of the A142 at this location. Although speeds are low along Eye Hill Drove, this is a 60mph road and a single track road and there is no lighting or footways. It was concluded that should 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. As a result of the lack of formal objections raised, the application is considered to comply with policy COM7 in relation to safe and convenient access.
- 7.4.2 Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The layout shows adequate parking at the dwelling for two motor vehicles. As a result the application is considered to comply with policy COM8.

7.5 **Other Material Matters**

- 7.5.1 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees. The application is unlikely to impact upon any trees or biodiversity in the area as it is currently mown garden land with no trees within the site. In order to safeguard future biodiversity, a condition could be applied to a permission to ensure biodiversity enhancements are implemented within the site. The application is considered to comply with Local Plan policy ENV7 in this regard

7.6 **Planning Balance**

- 7.6.1 The proposal would provide the following benefits:- the provision of an additional residential dwelling to the district's housing stock which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.

7.6.2 However, it is considered that these benefits 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 gain access to services and facilities.

7.6.3 The application is therefore considered to be contrary to Local Plan Policies GROWTH5, ENV1, ENV2 and COM7 of the East Cambridgeshire Local Plan 2015 and would counterbalance the recent conclusions of the Planning Inspectorate.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01089/OUT	Oli Haydon Room No. 011 The Grange Ely	Oli Haydon Planning Officer 01353 665555 oli.haydon@eastca mbs.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>