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**MAIN CASE**

**Reference No:** 14/01423/FUL

**Proposal:** Proposed residential development comprising two 2 storey 2 bed dwellings, garaging, parking and associated site works

**Site Address:** Land North East Of 2 Crockfords Road Newmarket Suffolk

**Applicant:** H H & Miss C J James

**Case Officer:** Jon Pavey-Smith Planning Officer

**Parish:** Woodditton

**Ward:** Cheveley

**Ward Councillors:** Councillor Peter Cresswell  
Councillor Mathew Shuter

**Date Received:** 15 December 2014      **Expiry Date:**

[Q21]

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1.0 **RECOMMENDATION**

1.1 Members are requested to approve the application subject to the conditions below:

1. Approved plans
2. Time Limit Condition
3. Sample of Materials
4. Soft Landscape
5. Traffic Management Plan
6. Prevention of surface water onto Highway
7. Construction of Driveway should be used in bound material
8. Maintenance of Soft Landscaping
9. Contamination condition
10. Contamination condition
11. Boundary Treatment

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

2.0 **SUMMARY OF APPLICATION**

2.1 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.**

2.2 Planning permission is sought to erect two dwellings with integral garages and associated garden space. The combined length of the dwellings will be 21m with a width of 7m. The height of the dwellings will be 7.2m. The materials to be used in dwellings are facing brick and concrete roof tiles.

3.0 **PLANNING HISTORY**

3.1

08/00564/OUT	Construction 3no. detached dwellings.	Refused	17.07.2008
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13/00948/FUL	Erection of a dwelling	Approved	16.12.2013
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4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site comprises an elevated landscaping strip sited between the railway line and Crockfords Road. The site occupies an elevated position, being approximately 2-3m above the level of Crockfords Road (which itself slopes in a west to east direction) with variances in ground levels across the site. The site contains a number of mature trees and it is heavily landscaped towards its eastern edge and along the top of the embankment. The area is residential in nature, located within the settlement boundary for the area known as the Newmarket Fringe. The site is bordered by a 2m high palisade fence along the rear boundary with the railway line.

5.0 **RESPONSES FROM CONSULTEES**

5.1 Responses were received from the following consultees Network Rail, Woodditton Parish, Local Highway Authority, Environmental Health, Trees Officer, Waste Strategy and Cllr Morris these are summarised below. The full responses are available on the Council's web site.

**Network Rail:** The developer/applicant must ensure that their proposal, both during construction and following completion of works on site, does not:

- Encroach onto Network Rail land;
- Affect the safety, operation or integrity of the company's railway and its infrastructure;
- Undermine its support zone;
- Damage the company's infrastructure;
- Place additional load on cuttings;
- Adversely affect any railway land or structure;
- Over-sail or encroach upon the air space of any Network Rail land;
- Cause to obstruct or interfere with any works or proposed works or Network Rail development, both now and in the future.

**Wooditton Parish:** The Parish Council has major concerns about the application. The proposed building scheme seems far large for the cramped site. The proposal will also depend on cutting back severely into a railway embankment, with dangers of slippage this entails. A previous scheme some 5 years ago on this site was refused for these reasons.

**Local Highways Authority:** Initially wished to object to planning applications No objection, recommend conditions in respect of access specification and prevention of surface water run-off.

**Environmental Health:** Due to the proposed layout and the locations of other properties within the area, I consider there is little I can recommend in the way of conditions at this time. I would be advisory for the development to have a minimum of double glazing that it and would be beneficial for trickle vents to be acoustically treated. Concerning contamination it is viewed that two contamination conditions should be attached to any proposal.

**Trees Officer:** - I note this current application is the same site as a previous application 13/00948/FUL, for one dwelling approved on 13<sup>th</sup> January 2014. The previous Trees Officer, advised that the Goat Willow (multi-stemmed) and small Ash tree (multi-stemmed) on the site were not considered worthy of protection or retention and could not be retained for the proposed development.

The current proposal for 2 dwellings and garages leaves very limited area for adequate garden space or for landscaping/tree planting on the site, less than previously available on the approved layout of the permitted development 13/00948/FUL.

If your are minded to recommend approval for this current proposal, then please include the landscaping conditions as worded in Conditions 3 & 4 of the approved planning permission 13/00948/FUL.

**Waste Strategy (ECDC):** Each new property requires two bins; this contribution is currently set at £43 per property.

**Cllr Chris Morris:** Councillor Morris has called the application in as he has concerns regarding the stability of the bank.

5.2 Neighbours – Seven neighbouring properties were notified and the responses received are summarised below. 6 letters of objections have been received from four properties. Full copies of the responses are available on Council's website. The objection letters raised concerns regarding the:

- Stability of the railway embankment maybe undermined.
- Impact on the street scene, particularly as a result of excavating the site.
- Concerns about the safety of the passengers on the train.
- The height of the dwelling will lead to it over dominating the proposal.

- The dwellings will be too close to the railway line and will cause noise disturbance.

## 6.0 The Planning Police Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2      Locational strategy  
 ENV 1      Landscape and settlement character  
 ENV 2      Design  
 GROWTH 4      Delivery of growth  
 GROWTH 5      Presumption in favour of sustainable development  
 HOU 2      Housing density  
 COM 7      Transport impact  
 COM 8      Parking provision

### 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations  
 Design Guide

### 6.3 National Planning Policy Framework 2012

7    Requiring good design  
 6    Delivering a wide choice of high quality homes

## 7.0 PLANNING COMMENTS

The key considerations in determining this application are considered to be:

- The principle of development
- Impact on residential amenity
- Visual Amenity/Impact on the Streetscene
- Impact on highway safety
- Impact on the character of the area

### 7.1 **Principle of Development**

7.2 The site is located within the development envelope where the principle of development is acceptable subject to all other material planning considerations being satisfied.

### 7.3 **Residential Amenity**

7.4 Given the outlook from the proposed dwelling (towards the highway, garden, railway line and garage block), together with the separation distances involved it is considered that the proposed development will not result in loss of residential amenity to neighbouring properties, either through overshadowing or overlooking. Concern has been raised in relation to the proximity to the railway line which runs in an east to west direction immediately to the north of the site. There are a number of

residential properties which border the railway line (along Crockfords Road and Green Road), therefore the occupants of the proposed dwelling will encounter similar levels of noise and vibration as these existing properties. Furthermore the potential occupants of the dwelling will be aware of the immediate proximity to the railway line and modern dwellings can be constructed with sound insulation to attenuate noise and vibration. Given the proximity of the railway line and the inclusion of patio doors in the northern elevation of the proposed dwelling it is considered prudent to recommend a condition (condition 11) for boundary treatment details to be provided, this will allow the Local Planning Authority to ensure that an appropriate, and where required, noise attenuating boundary treatment is erected.

7.5 The proposal would therefore comply with Policy ENV2 of the East Cambridgeshire Local Plan 2015 and guidance contained within Policy 7 of the National Planning Policy Framework 2012.

#### 7.6 **Visual Amenity/Impact on the Streetscene**

7.7 It is noted that the dwellings, when viewed from the proposed driveway will appear to be two storeys in height. However the ground floor (which serves the garages and two bedrooms per dwelling) will be built into the existing bank and will be screened from view, particularly when travelling along Crockfords Road from either direction.

7.8 Essentially the dwellings will appear as single storey dwellings positioned on top of the railway embankment. Concern was raised initially regarding the height of the two dwellings, with the two dwellings being three stories high as seen from the principle elevation. Following discussion with the agent an amendment was received, reducing the height to two storeys. This reduced height is consistent with the siting, height and elevated position of dwellings on the opposite side of the road (Pembroke Close) and to the east on New Cheveley Road. It should also be noted that the height of the dwellings is the same as the height of the previously approved application for a single dwelling on the site under ref 13/00948/FUL. Furthermore the street scene to the south (Pembroke Close) and east (New Cheveley Road) is characterised by detached bungalows on elevated plots, therefore the introduction of two additional semi detached dwellings on an elevated position (i.e. the railway embankment) will be consistent with the existing form of development in this part of the Newmarket Fringe and will not result in two incongruous dwellings within the street scene. Given that the proposed dwellings will be two-storeys in their principal elevation and will largely appear as single storey upon approaching the site along Crockfords Road it is considered that the proposed dwellings (in terms of its scale and height) will assimilate with the existing street scene, which has a mix of both single and two-storey dwellings. The principal elevation of the proposed dwelling will be aligned with the block of flats located 43.5m to the west and with the garage block immediately to the west. It is worth noting that there is a significant separation distance between the proposed dwelling and the block of flats to the west (43.5m), however there is a garage block immediately to the west, thereby meaning that the dwelling will not appear as an isolated building within the streetscene.

## 7.9 **Design**

7.10 The dwellings are of a simple and uniform design which mirror each other in their layout. Each of the elevations are broken up by window and door openings, whilst the principal elevation (the two-storey element) is punctuated by two garage doors. The design is similar to dwellings farther up Crockfords Road. The proposal would therefore comply with Policy ENV2 of the East Cambridgeshire Local Plan 2015 and guidance contained within Policy 7 of the National Planning Policy Framework 2012.

## 7.11 **Size of the residential amenity space**

7.12 The size of the building plots and the size of the residential amenity space that is provided for each of the two dwellings are above the guidelines as stated in the East Cambridgeshire Design Guide as such the development complies with Policy ENV2 of the Local Plan 2015.

## 7.13 **Landscaping**

7.14 The existing site is densely landscaped, particularly to its eastern edge and along the top of the embankment; this gives a greened appearance to the street scene. It is accepted that much of this soft landscaping will be removed to facilitate the development; no objection has been raised by the tree officer to this occurring. The land to either side of the proposed dwellings will be retained as garden space, thereby preserving the existing greened appearance. It is considered prudent to recommend a condition for the provision of a soft landscaping scheme, this will ensure two objectives are achieved, namely it helps the dwelling to assimilate into the street scene and retains a greened appearance to the site, particularly when approaching from New Cheveley Road to the east. The proposal would therefore comply with Policies and ENV1 and ENV2 of the Cambridgeshire Local Plan 2015 and guidance contained within Policy 7 of the National Planning Policy Framework 2012.

## 7.15 **Highways**

7.16 The proposed development makes provision for garages and parking for 2 no. vehicles which complies with the requirements set out in policy COM8 of the East Cambridgeshire Local Plan 2015. The County Highway Engineer raises no objections to the proposed scheme subject to the inclusion of conditions. It is therefore considered that the proposal complies with Policy COM8 of the East Cambridgeshire Local Plan.

## 7.17 **Stability of the bank and the effect on the railway line**

7.18 Given the elevated position of the site and the requirement to construct part of the dwellings and vehicular access below the existing ground level it is inevitable that the land will be excavated to achieve this. However the construction of the driveway, the dwellings and the foundations adjacent to the railway line will be dealt with under the building regulations procedure. It is noted that some disruption will be inevitable to neighbouring properties during the construction period. Neighbours may suffer some disturbance and inconvenience during the

construction period but these works would only take place for a temporary period with no long-term harm to the residential amenities of the locality. In addition, it also should be noted that Network Rail have not objected to the scheme subject relevant conditions concerning tree planting and the development not encroaching onto their boundary and land.

7.19 **Summary**

7.20 The application has been amended to reduce the height of the dwelling and is now considered to have an acceptable relationship within the streetscene. It is therefore considered that for the above reasons the application is recommended for approval.

8.0 **APPENDICES**

8.1 Appendix 1 - Planning Condition.

8.2 Appendix 2 – Network Rail Response

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
14/01423/FUL - Application File	Jon Pavey-Smith Room No. 011 The Grange	Jon Pavey-Smith Planning Officer 01353 665555
13/00948/FUL – Previous Application File.	Ely	jon.pavey-smith@eastcambs.gov.uk