
MAIN CASE

Reference No: 15/00503/FUL

Proposal: Proposed single storey, 2 bedroom bungalow, access, parking and associated works

Site Address: Land Side Of 124 Mereside Soham Ely Cambridgeshire CB7 5EG

Applicant: Mr & Mrs K Clarke

Case Officer: Lesley Westcott Planning Officer

Parish: Soham

Ward: Soham North

Ward Councillors: Councillor James Palmer
Councillor Carol Sennitt

Date Received: 21 April 2015 **Expiry Date:**

[Q22]

1.0 **RECOMMENDATION**

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

- 1 The positioning of a new dwelling behind No.122 Mereside would create a cramped form of development that would be odds with the general form and character of local development, consequently upsetting the existing settlement pattern. Furthermore, the proposal would not provide the neighbouring properties with a high quality environment, but would result in backland development with all its associated problems relating to noise, disturbance, loss of privacy and lack of amenity. The proposal therefore fails to comply with policy ENV2 of the East Cambridgeshire Local Plan 2015, the Design Guide SPD 2012 and the National Planning Policy Framework.

- 2 Permitting a new dwelling on land at the rear of No.122 would potentially set a precedent for further housing development at the rear of Nos.116, 118 and 120 Mereside, the cumulative impact of which would have a detrimental impact upon the character of the locality. The proposal therefore fails to comply with policy ENV2 of the East Cambridgeshire Local Plan 2015, the Design Guide SPD 2012 and the National Planning Policy Framework.

2.0 SUMMARY OF APPLICATION

- 2.1 This application seeks full planning permission for the erection of a single storey bungalow and integral garage. The site will be accessed from Mereside by an existing driveway which runs between Nos.122 and 124 Mereside.
- 2.2 The proposed bungalow will have a footprint of 189 metres squared and comprise a kitchen/dining room, sitting room, 2 no. bedrooms, bathroom, ensuite, hall, cloakroom and integral garage. The scheme comprises a private garden and patio area to the rear of the proposed bungalow (82 metres squared) and an additional parking space and turning area. The site is enclosed by boarded fencing, with a gate across the proposed vehicular access and a gate is proposed in the boundary fence to give access to a public footpath (in case of flood).
- 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.**

3.0 PLANNING HISTORY

3.1

06/00816/OUT	Outline permission for the erection of detached dwelling, garaging and associated works	Refused	05.09.2006
06/00818/OUT	Outline permission for the erection of detached dwelling, garaging, access road and associated works and appeal V0510/A/07/2035940	Refused Dismissed	05.09.2006 02.07.2007
11/01109/FUL	Extension above existing single storey garage and new porch	Approved	26.01.2012
12/00131/OUT	Outline permission for the construction of a single storey dwelling, access and associated site works.	Refused	26.04.2012
14/01203/FUL	Proposed single storey 2 bed bungalow, access, parking and associated site works.	Refused	26.03.2015

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located within the development envelope of Soham and includes a parcel of land immediately to the rear of No.122 Mereside, which is a single storey dwelling. The land originally formed part of the garden to No.124 Mereside but has since been separated and enclosed by a close board fence. A two-storey property, 11 Bittern Grove, is located along the north-eastern boundary of the site and No.124 Mereside (a two-storey dwelling) is located along the north-western boundary of the site. The application site measures approximately 675 square metres (including the access route). The site is grassed and 2 no. timber sheds are sited within the application site.

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.

Neighbours: A site notice has been posted and 7 neighbour letters sent. 1 No. letter has been received from No.27a Brewhouse Lane, the occupier has no significant objection, but recommends the proposed gate to the rear garden which would give access to the public footpath be removed from the scheme.

Soham Town Council: No concerns.

Rights of Way: No objections. It is recommended that a standard Informative regarding rights of way is attached to any approval.

Environmental Health: No objections.

Environmental Health: No objections. No contamination condition required.

Cllr I Bovington: 'Called-in' the application for determination at Planning Committee as the Parish Council have not objected and accords with current policy.

Internal Drainage Board: No objections subject to the development surface water being disposed of via soakaways in accordance with the application.

Environment Agency: No comments. Site falls within Flood Zone 2 and the design of the bungalow should take account of this for example raised floor levels.

County Highways: No objections subject to standard highway conditions relating to: traffic management plan, visibility splays, the use of bound materials for the first 5 metres of the driveway and its construction.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2 Locational strategy
GROWTH 5 Presumption in favour of sustainable development
ENV 2 Design
ENV 1 Landscape and settlement character
COM 8 Parking provision

6.2 Supplementary Planning Documents

Design Guide

6.3 National Planning Policy Framework 2012

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

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The key considerations in determining this application are considered to be: the principle of development, Impact on the character of the area, residential amenity and highways.

Principle of development

7.2 The site is located within the development envelope of Soham, as such the broad principle of development is acceptable provided that all other material planning considerations are satisfied.

7.3 The site has been the subject of a number of planning application for residential development. Outline planning permission 06/00816/OUT was refused in September 2006 for a detached dwelling, garaging and associated works. An appeal (V0510/A/07/2035940) was submitted and dismissed in July 2007. In April 2012 an outline planning application 12/00131/OUT for the construction of a single storey dwelling, access and associated site works was refused on the grounds of cramped form of development, precedent for similar inappropriate development and detrimental impact on the character of the area. An indicative layout and elevations were submitted as part of the application. A full planning application 14/01203/FUL was refused on 10 April 2015, the plans submitted were identical to the indicative plans submitted as part of outline application 12/00131/OUT. The current application under consideration is identical to planning application 14/01203/FUL and it is considered that the reasons for the refusal of planning applications 12/00131/OUT and 14/01203/FUL are still pertinent to the current planning application.

Impact on the character of the area

7.4 This part of Mereside is an established residential area and mainly consists of detached properties set back from the road with generous sized rear gardens. A recently built, higher density development is located immediately to the rear of the site (Bittern Grove) and clearly reads as a separate development. While the design of the proposed bungalow is considered to be in keeping with the general character of the area, the positioning of a new dwelling behind No.122 would be at odds with the general form and character of local development, consequently upsetting the existing settlement pattern. It is considered that the application does not accord with Policy ENV2 of the East Cambridgeshire Local Plan.

Residential amenity.

7.5 The proposed development would not provide the neighbouring properties with a high quality environment, but would result in backland development with all its associated problems relating to noise, disturbance, loss of privacy and lack of amenity. Although located within the development envelope of Soham, it is clearly not the intention that such sites should be regarded as having unrestricted development potential. The argument that there is sufficient physical space to construct a dwelling, all other considerations should be set aside is not supported by either national or local policies.

7.6 Development at the rear of No.122 would also potentially set a precedent for further housing development at the rear of Nos.116, 118 and 120 Mereside. Cumulatively if this were allowed to occur, it would have a detrimental impact upon the character of the locality. It is considered that the application does not accord with Policy ENV2 of the East Cambridgeshire Local Plan.

Highways

7.7 The proposed development makes provision for an integral garage, parking for 1 no. car, turning and manoeuvring area, which complies with highway standards. The dwelling would be served by an existing access off Mereside. The County Highway Engineer raises no objections to the proposed scheme subject to standard conditions relating to: a traffic management plan; visibility splays; the use of bound materials for the first 5 metres of the driveway and its construction. It is considered that the proposal complies with Policy COM8 of the East Cambridgeshire Local Plan.

Flood risk

7.8 A Flood Risk Assessment has not been submitted as part of the planning application, on the basis that only the first few metres of the site entrance which is located within a flood risk area (flood zone 2), with the majority of the site including the siting of the proposed bungalow outside the flood risk area and at least 2 metres above the flood zone area 2 and thus accords with Policy ENV8 of the East Cambridgeshire Local Plan.

Summary

- 7.9 Whilst an effort has been made to address the issues raised in the 2006 Appeal Decision (V0510/A/07/2035940), for example, a new access arrangement, the laying of a hard surfaced driveway in order to reduce some of the noise caused by vehicular movements, repositioning the garden in line with that of No.11 Bittern Grove and ensuring the property would only measure 4m to the ridge, the fundamental principle of developing this plot of land cannot be overcome. The Inspector clearly states in his decision report “placing an additional house in the backland area of No.124, would to my mind create a cramped development, which would have an adverse effect on its surroundings”. The Inspector’s decision is a material consideration in respect of the current planning application.
- 7.10 For the reasons outlined above the proposal fails to comply with the relevant Policies and is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
6/00816/OUT and appeal decision V0510/A/07/2035940	Lesley Westcott Room No. 011 The Grange Ely	Lesley Westcott Planning Officer 01353 665555 lesley.westcott@eastcambs.gov.uk