

# Planning Statement



**CHEFFINS**

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**Client**

Mr and Mrs Wilson

**Date**

January 2024

**Prepared by:**

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Site known as  
24B The Cotes,  
Soham,  
Cambridgeshire,  
CB7 5EP

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## 1. Introduction

- 1.1. Cheffins Planning have been instructed by Mr. and Mrs. Wilson (the applicants) to produce a Planning Statement to support a full planning application for the following development:

“Creation of one self-build residential unit – removal of existing mobile home, installation of vehicular access (retrospective), change of use of land to residential, erection of one dwelling, and associated works.”

- 1.2. The applicants require being close to family (located next door) so that they can be supported with their health needs.
- 1.3. This Planning Statement is seeking to assist East Cambridgeshire District Council (herein referred to as “the Council”) in its decision-making in respect of this application. To achieve this, the Statement outlines the application site and the proposed works before identifying and examining issues relevant to the application. This statement also examines planning policy guidelines established in both the National Planning Policy Framework (NPPF December 2023) and the adopted East Cambridgeshire Local Plan (amended 2023).

## 2. Site Description and Development Context

- 2.1. The Site is located along The Cotes, which is north-west of Soham. The Site falls approximately 800m outside of the development envelope of Soham and is therefore considered to be within the countryside in policy terms.
- 2.2. The road between Soham and The Cotes is characterised by linear development on either side of the road.
- 2.3. The site currently comprises a grassed front lawn, a single vehicle access and driveway, a mobile home, and hard standing to the rear.
- 2.4. Recently the site was granted a certificate of lawful existing use for the siting of a caravan as a permanent dwelling, however that use ceased at least a year ago so the development covered by that certificate would no longer be lawful.
- 2.5. The boundaries of the site are a mixture of close-boarded fencing to the rear sides, and lower wooden fence to the front side (south side with no 24) and conifer hedging (north side with no 24A). There is currently no formal boundary at the rear.
- 2.6. To the immediate north and south are two residential dwellings – 24 is a two storey cream-rendered dwelling, and 24A is a single storey dwelling in brown facing brick (see images below).



- 2.7. To the north and south along The Cotes are residential dwellings, ranging in scale, materials and design style.
- 2.8. The railway line is located to the south of the Site. Beyond the railway line are agricultural fields.
- 2.9. The Site is not within a conservation area and there are no listed buildings in the vicinity of the Site.
- 2.10. According to the Environment Agency's records, the Site is situated in Flood Zone 1.



### 3. Planning History

- 3.1. The site has been subject to the below planning applications according to East Cambridgeshire District Council's public access system. Both of the applications were for a larger site area, the current application site being approximately half the size.
- 22/00212/CLE - Certificate of Lawfulness for siting of a mobile home and use of that home as a permanent dwelling – Approved April 2022.
  - 20/00206/FUL - Proposed detached single storey single bedroom dwelling. Withdrawn March 2020.
- 3.2. Not on Site but relevant to the application's context are examples of recent developments permitted and built out along The Cotes:
- 17/01398/ARN (1 new dwelling)
  - 18/00615/FUL (1 new dwelling)
  - 18/01463/FUL (3 new dwellings)
  - 20/01462/ARN (1 new dwelling)

#### **4. Proposed Development**

4.1. The proposal is to create one self-build residential plot including removal of the existing structures, change of use of land, erection of a dwelling, and installation of means of vehicular access (retrospective).

##### **Use**

4.2. The proposed use would be C3 residential, as one planning unit.

##### **Appearance**

4.3. The dwelling would be a 'park home' as demonstrated by the proposed plans, and the external materials would be cream walls with imitation grey brick detail, dark grey roof tiles, and dark grey UPVC window frames and doors.

##### **Scale**

4.4. The dwelling would be single storey, approximately 13.7m wide by 6m deep.

##### **Layout**

4.5. The dwelling would sit in the rear half of the Site at approximately the same position as the mobile home that was the subject of the Certificate.

##### **Access**

4.6. A vehicular access to serve the site was constructed off The Cotes in 2020/21 and is retrospectively included in this application.

##### **Landscaping and ecology**

4.7. No soft or hard landscaping changes are proposed at this stage.

4.8. Conditioning the recommendations from the Preliminary Ecological Appraisal (PEA) will ensure that ecological impacts are mitigated and enhancements levered.

## 5. Planning Policy and National Standards

- 5.1. Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 5.2. The plan-led system contains a hierarchy of policies that encompasses national and local planning guidance. The following section explores how the application accords with relevant national and local policies, and any other material considerations. Planning policies relevant to this application are contained within the National Planning Policy Framework (NPPF December 2023) and the adopted East Cambridgeshire Local Plan (2015 amended 2023).

### National Policy

- 5.3. Relevant national planning policy is established within the revised NPPF. The purpose of the planning system is to contribute to the achievement of sustainable development – this is a ‘golden thread’ running through the document.

### Paragraph 7 & 8

- 5.4. Paragraph 7 of the NPPF clearly states that the purpose of the planning system is to contribute to the achievement of sustainable development. Meanwhile, Paragraph 8 establishes the economic, social, and environmental dimensions that are central to the notion of sustainable development<sup>1</sup>.

- 5.5. The NPPF defines the economic, social, and environmental objectives as follows:

- a) **“an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 5.6. The sustainability of the proposal is discussed in more detail later in this report.

### Paragraph 10 & 11

- 5.7. Regarding the relationship between sustainable development and decision-making within the planning system, Paragraph 10 of the NPPF highlights that:

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<sup>1</sup> Sustainable development is defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs.



*“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”*

- 5.8. Furthering this, Paragraph 11 of the NPPF outlines that development proposals should be “approved without delay” when they accord with national and local policy.
- 5.9. Therefore, all plans should promote a sustainable pattern of development that seeks to: meet the development needs of the area; align growth and infrastructure; improve the environment; and mitigate climate change and adapt to its effects. In practice, this means that development which encourages economic growth, results in social cohesion, and protects and enhances the natural, built and historic environments should be supported.

### Paragraph 12

- 5.10. Paragraph 12 states that:

*“[t]he presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”*

- 5.11. As such, the East Cambridgeshire Local Plan (as amended 2023) was a material consideration in the formation of the above development proposal. The site is covered by a Neighbourhood Plan area however the Soham and Barway Neighbourhood Plan is at the pre-submission consultation stage (Reg 14) and therefore the draft policies can only be given minimal weight as they may be subject to change.

### Paragraph 38

- 5.12. In relation to decision-making, Paragraph 38 of the NPPF advises the following:

*“local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

### Paragraph 70

- 5.13. Part b) of this paragraph was inserted in the update to the NPPF in December 2023. Its addition makes clear that government sees a strong benefit to the housing mix and speed of deliverability of self-build housing. Through both local policies and local decisions LPAs are required to ‘seek opportunities to support’ self-build housing.

*Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: ...*

*...b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;*

### Paragraph 83

- 5.14. Within the NPPF's Rural Homes chapter, paragraph 83 discusses the location of new rural dwellings:

*"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services."*

### Paragraph 84

- 5.15. That chapter continues to state that:

*"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:...*

*...c) the development would re-use redundant or disused buildings and enhance its immediate setting;"*

### Paragraph 109

- 5.16. Paragraph 109 of the NPPF acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

### Paragraphs 114 and 115

- 5.17. These paragraphs from the Promoting Sustainable Transport chapter state that:

*"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users;*

*c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and*

*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

- 5.18. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

### Paragraph 194

- 5.19. Under Paragraph 194 of the NPPF, it is necessary to "describe the significance of any heritage assets affected, including any contribution made by their setting." In this case there are no heritage assets being affected as there are none on site or near the site, and the site is not in a Conservation Area.

### **East Cambridgeshire Local Plan 2015 (as amended 2023)**

5.20. The adopted East Cambridgeshire Local Plan (as amended 2023) sets out the vision and policies for the future development of the district. These policies contain guidelines for appropriate development across the district and have been a material consideration in the formulation of this application.

5.21. The most relevant planning policies and supplementary planning documents are:

- GROWTH 1 – Levels of Housing, Employment and Retail Growth
- GROWTH 2 – Locational Strategy
- GROWTH 5 – Presumption in Favour of Sustainable Development
- HOU 1 – Housing Mix
- ENV1 – Landscape and Settlement Character
- ENV2 – Design
- ENV 7 – Biodiversity and Geology
- ENV 8 – Flood Risk
- ENV 9 – Pollution
- COM 7 – Transport Impact
- COM 8 – Parking Provision
- East Cambridgeshire Design Guide SPD
- Natural Environment SPD
- Custom and Self-Build SPD

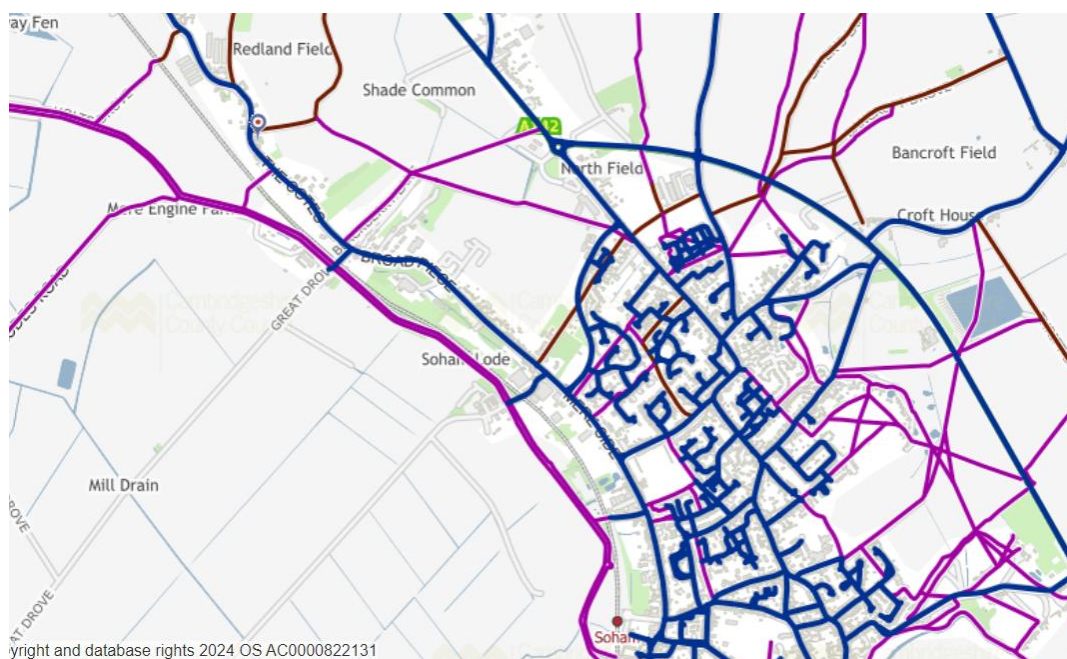
### **Soham and Barway Neighbourhood Plan (emerging)**

5.22. The Site is covered by a Neighbourhood Plan area however the Soham and Barway Neighbourhood Plan is at the pre-submission consultation stage (Reg 14) and therefore the draft policies are not considered to carry more than minimal weight and have not been further considered in this document.

## 6. Evaluation

### Principle

- 6.1. The location is outside the development envelope of Soham where Local Plan policy generally resists new development. Within the wording of policy GROWTH 2 the explanatory text states that the drawing of development envelope boundaries is “in order to prevent sprawl into the open countryside, and protect the character and setting of settlements.” It also explains that “The Local Plan can help to ensure that growth is sustainable, by ensuring that the majority of new development is focused on the market towns of Ely, Soham and Littleport. The market towns have a wide range of jobs, services and facilities, and locating development here can reduce out-commuting, the need to travel, carbon emissions and energy use. It can also contribute to the quality of people’s lives.” Within the NPPF there is support for rural housing “where it will enhance or maintain the vitality of rural communities” and as long as it is not ‘isolated in the countryside’.
- 6.2. The application site is on a road which leads directly out of the market town of Soham, one of the three key locations for new development in the District, and therefore broadly within the area in which the Council looks to focus growth.
- 6.3. The site is in between two existing residential dwellings of no 24 and no 24A The Cotes, and part of a string of development which exists generally on alternating sides of The Cotes from the edge of the development envelope to the south, and past the site to the north. In recent years there have been a number of dwellings permitted and built out having obtained permissions through permitted development conversions of former agricultural buildings or having established the principle when the Council had no 5 year housing land supply and the ‘tilted balance’ applied (examples of these are in the Planning History section above).
- 6.4. There is a network of footpaths and byways which lead into Soham as well as The Cotes itself – see image below from MyCambridgeshire (purple and brown lines are byways and public footpaths, blue lines are adopted highways, and the site location is shown by a small pin shape).



- 6.5. The site is not considered to be isolated as it is between and within a ribbon of mainly residential development leading out of the town. It is a 1.6 mile cycle ride to Soham train station, which is less than the 1.9 miles from the southern edge of the Downfields area of the town *which is* within the development envelope. The proximity of Soham means that the future occupiers will naturally use the services, facilities and employment opportunities of the town, and their focus is there, indeed the location is generally considered to still be part of Soham. Given the rural nature of the area it is unrealistic to think that many of the trips from the site will not be by private vehicle, however there are alternatives such as cycling or using the public footpath network which do offer ways to access Soham and the railway station without private vehicle. An electric vehicle charging point can be conditioned by the Council to be installed at the site in order to provide the infrastructure and therefore highest chance for low-carbon private vehicle travel.
- 6.6. The proposed development complies with policy GROWTH 2's intention to avoid sprawl into the open countryside. It is a plot which infills between two existing dwellings and will extend back to a lesser depth than those either side. The site does not contribute to important views or provide an important part of the character of the area – it historically housed single storey sheds and an allotment/small holding style use across the entire width, and more recently is the site of a mobile home again across most of the width of the site, along with a hard standing and gravelled vehicular access. A certificate of lawful use confirmed the stationing and use of the mobile home as a residential dwelling, and the mobile home is still on site although the residential use has now ceased. The site therefore has been previously developed to some degree, and its use for the proposed development will protect the character and setting of Soham in compliance with the intention of policy GROWTH 2.
- 6.7. In terms of the three objectives of sustainable development – economic, social and environmental, there are good justifications for the site to be considered sustainable on balance.
- 6.8. Firstly, though modest, there will be a benefit to local trades and companies during the building/installation process and then some ongoing benefit from the occupiers using local facilities, and from Council Tax receipts. These weigh in favour of the application.
- 6.9. Secondly the proposed park home will be a self-build dwelling, and its approval would support access to home ownership through a non-standard route, and contribute to a housing mix in the area – the supporting text to policy HOU1 acknowledging that:
- “The development of self-build properties by individuals or community groups (including Community Land Trusts) can also contribute to meeting the need for additional housing within the district, and provide a more diverse housing stock. The policy below proposes that larger housing schemes should include an element of self build plots, to facilitate this diversity.”*
- and the NPPF paragraph 70 requiring that LPAs should ‘seek opportunities to support self/custom build housing’ through policies and decisions.
- 6.10. One modest plot with a single storey dwelling will be suitable in the future for a variety of occupiers and so is a good addition to the local housing stock. The future occupiers may add to the numbers at local social groups, sports clubs, religious meetings etc. and help support their viability. These elements weigh in favour of the application.
- 6.11. The PEA notes that the impacts can be mitigated, and ecological enhancements can be secured through the proposed development. Visually the site has not historically provided views through to the countryside or other landscape or streetscene value, and most recently



it was the site of a mobile home for residential use so it will have a neutral impact in that respect.

- 6.12. The relatively short distance into Soham (1.6 miles to the train station) as stated earlier is comparable with the distance to the station from the extremity of the southern development boundary (1.9 miles). Cycling would be an option and there are public footpaths adjacent to the site. It is unlikely that future occupiers would walk along The Cotes into Soham as there are no pavements or lighting so private motor vehicle use is likely to be the most common mode of travel despite the alternatives. This weighs against the application however the proposed dwelling is very modest (two bedrooms, single storey) so the number of occupiers will be limited. Also, the Council can require an electric vehicle charging point to be installed which will fit the site for future electric car use. It should also be considered that in a rural District such as East Cambridgeshire, car usage is often needed in place of minimal public transport options which may not run at suitable times or frequencies to be an alternative even where easily accessible.
- 6.13. The site is a good use of land which is currently redundant, and the development can bring about positive benefits for the economy, society and the environment. In the overall planning balance the proposal should be considered sustainable.
- 6.14. In respect of the principle of development, the site lies outside of the development envelope, however to the immediate north and south of the site and along The Cotes are residential dwellings, several of which were approved while the Council could not demonstrate a five year housing land supply. This has resulted in a string of new residential dwellings along the Cotes and an urbanisation of the area over the past 10 years. While GROWTH 2 restricts residential development in the countryside except in certain circumstances, it is because the policy seeks to protect the countryside and it is considered that in this case, as this area has become built-up, a further dwelling in this undeveloped gap, which does not protrude into the countryside and which would not result in harm to the countryside is justified.

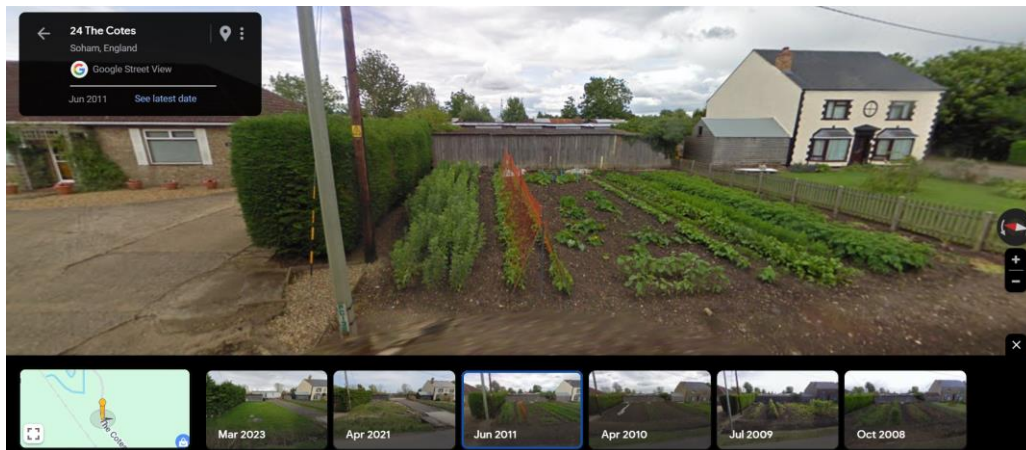
Visual and residential amenity

- 6.15. As discussed earlier, the plot historically contained sheds a mobile home, in the approximate position that the proposed park home would occupy. The images below have been taken from Google Streetview to demonstrate how the site looked when passing along The Cotes in 2008, 2011 and 2023.

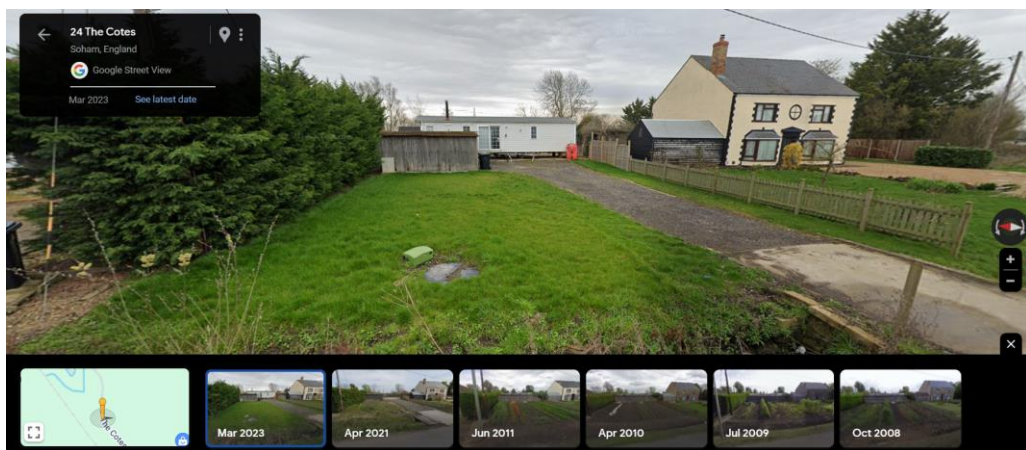


(October 2008)





(June 2011)



(March 2023)

- 6.16. Policy ENV 1 requires that proposals are complementary with existing development and will 'protect, conserve, and where possible enhance' the landscape. Policy ENV 2 controls the design of proposals and looks for development to take account of context, and 'to preserve, enhance or enrich' the area. The proposal is for a self build park home which is single storey and rectangular in shape. The external materials are dark grey pantiles for the roof, exterior plywood with cream render and imitation dark grey brick features for the walls, with window frames and doors in dark grey UPVC. Examples of cream render are visible in the immediate streetscene, and no. 24 adjacent to the site has dark grey window frames, front door and brick features. The materials are appropriate to the location.
- 6.17. The proposed single storey height is in keeping with the mixture of both single and two storey dwellings in the vicinity, and the dwelling would be located at a depth similar to no 24 and no. 24A in keeping with the pattern of development.
- 6.18. There is suitable space to the rear for private amenity , and an open front lawn. The proposal can comply with the Design Guide advice regarding the minimum size of a plot, the proportion of the dwelling on the plot, and the amount of private rear amenity space.
- 6.19. The angle of view onto the site from the first floor rear windows of no 24, and the position of the proposed dwelling, mean that there would not be a significant degree over overlooking into the rear garden of 24B. There would be no overlooking from no 24A as it is also single

storey. The scale of the proposal will not cause any overbearing to neighbours, nor will the neighbours overbear on them due to the position of the dwellings. The dwelling will not cause overshadowing, and neither will it be significantly overshadowed by its two storey neighbour.

- 6.20. An appropriate rear boundary treatment can be conditioned to ensure a suitable edge of development in the countryside, that will also protect residential amenity. The existing boundary treatments to the sides of the plot with nos. 24 and 24A will remain.
- 6.21. Waste including recycling bins can be stored in the shelter on site, and can easily be brought to the road on collection days.
- 6.22. The proposal is compliant with policies ENV 1 and ENV 2, and the East Cambridgeshire Design Guide.

Highway safety and parking

- 6.23. A new access has previously been installed on site (between May 2020 and April 2021 according to aerial imagery) and this application retrospectively requests approval for it.
- 6.24. The access is suitable for use by a single household, and although parking is informal there is sufficient space for turning to take place on site, in compliance with policy COM 7.
- 6.25. Two vehicles can be parked in accordance with the parking standards of policy COM 8.

Ecology and biodiversity

- 6.26. A PEA has been carried out by Samsara Ecology and is submitted with this application. It found that hedgehogs may be impacted by the proposed development, and that enhancement opportunities are available for bats and hedgehogs. The recommended enhancements are a pole-mounted bat box in the rear garden, and a hedgehog dome, and during works there are recommendations for mitigation by timing of any clearance, covering of works during the night, management of arisings, and storage of construction materials.
- 6.27. Policy ENV 7 and the Natural Environment Supplementary Planning Document (SPD) requires that proposals will minimise harm and provide appropriate mitigation, and take opportunities to create, restore and enhance natural habitats. Conditioning the recommendations of the PEA will result in a gain in biodiversity on site.

Flood risk and drainage

- 6.28. The site is within flood zone 1 which is the lowest risk zone and does not require a sequential test. Surface water run-off from the mobile home on site (previously the subject of the certificate of lawful use) currently discharges directly onto the ground on site. A condition requiring a surface water drainage plan will need to be added to any approval for the current application as this has not yet been finalised, and will contribute to an overall flood risk reduction for the site as required by policy ENV 8.
- 6.29. A treatment system for foul drainage (access port visible on pictures of the front lawn) was installed on site approximately three years ago and details can be conditioned.
- 6.30. With appropriate conditions the proposal complies with policy ENV 8.

Other material matters

- 6.31. As the whole of the site involves a change of use from agricultural to residential it would be classified as vulnerable to the presence of contamination, even though there is no obvious sign of potential contamination (such as oil spills, storage of chemicals etc). A contamination report can be conditioned by the Council to provide further information and, if necessary, remediation works.
- 6.32. There will be no significant impact to the countryside or neighbours in terms of noise or light pollution arising from the proposed use, considering the location between two existing dwellings.
- 6.33. The proposal complies with policy ENV 9.

## 7. Conclusion

- 7.1. The proposal is for the creation of one self-build plot: change of use of the land, a new dwelling, retrospective approval for the access, and associated works.
- 7.2. Although the site is outside the development envelope for Soham, it is part of ribbon development extending out of the town, in The Cotes area where many new homes have been permitted over the past 10 years, and can provides the ability for the applications to be supported by family living adjacent.
- 7.3. Since December 2023 the Government requires LPAs to 'seek opportunities to support self/custom build housing'. This means that self-build sites should be given more weight in planning balances than previously have been. As this site is otherwise policy-compliant it is one such opportunity, and where a departure from the Local Plan would be justified.
- 7.4. The new dwelling will allow the applicants to be supported by family members.
- 7.5. It is sustainable when considering the three objectives of sustainability, and should be supported.



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