

21/00080/FUL

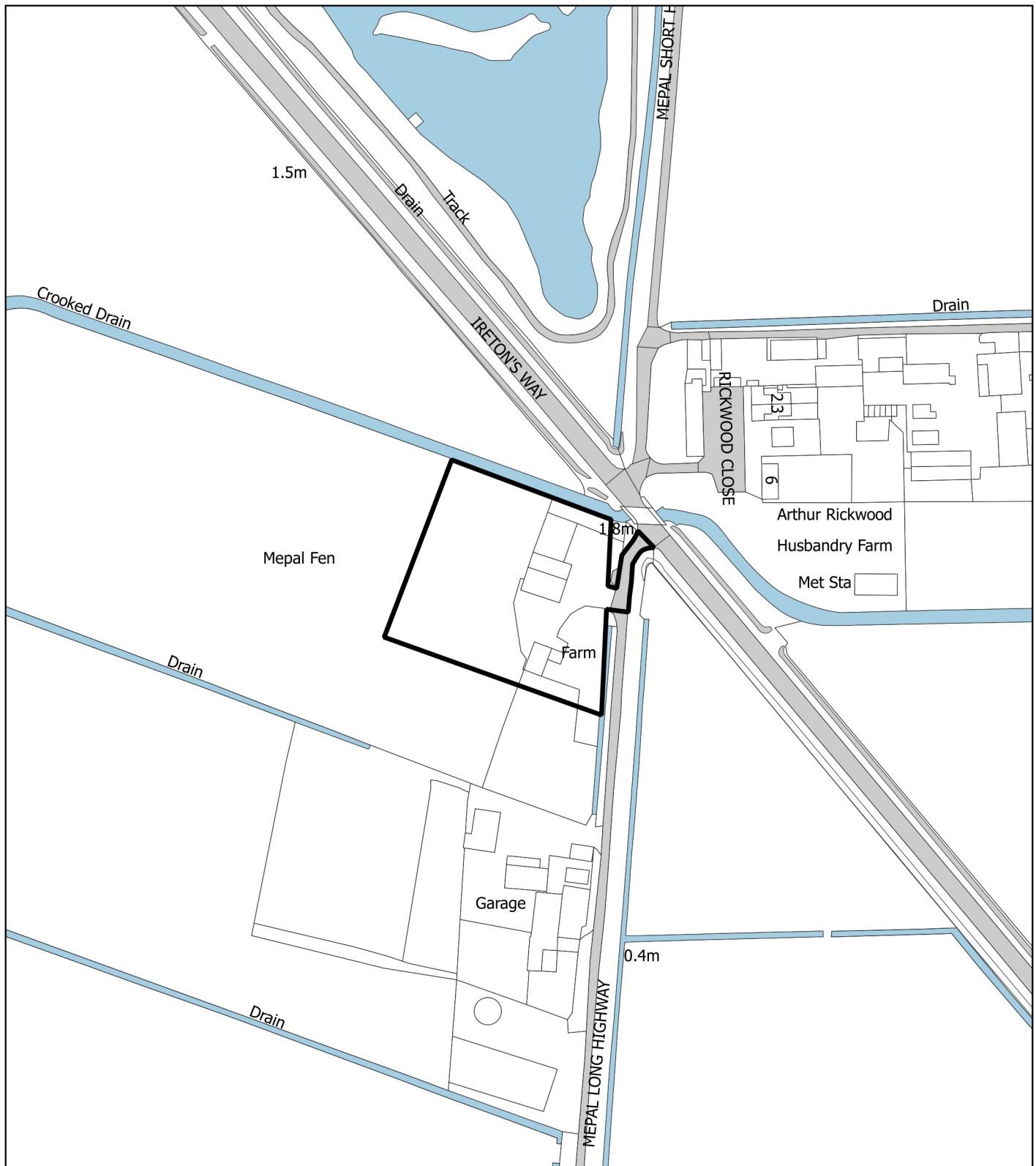
Hiams Farm
Chatteris Road
Mepal
Ely
Cambridgeshire
CB6 2AZ

Proposed two storey, two bed annexe

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QN52Z7GGM5Q00>





21/00080/FUL

Hams Farm
Chatteris Road
Mepal



East Cambridgeshire
District Council

Date: 21/06/2021
Scale: 1:2,500

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MAIN CASE

Reference No: 21/00080/FUL

Proposal: Proposed two storey, two bed annexe

Site Address: Hiams Farm Chatteris Road Mepal Ely Cambridgeshire CB6 2AZ

Applicant: Mr Cas Baxter

Case Officer: Emma Barral Planning Officer

Parish: Mepal

Ward: Sutton
Ward Councillor/s: Lorna Dupré
Mark Inskip

Date Received: 18 January 2021 **Expiry Date:** 14th July 2021

Report Number W35

1.0 RECOMMENDATION**1.1 Members are recommended to **REFUSE** the application for the following reason-**

The proposal, by virtue of its design and scale would constitute a separate dwellinghouse, with no reliance on the host dwelling. The building benefits from a bathroom, downstairs WC, kitchen facilities, a living room, dining room and a bedroom. This is not considered to be ancillary or subordinate in size, is subdivided from the main dwelling and lacks a clear functional relationship with main dwelling. The creation of a separate new dwelling is contrary to Policies ENV2, GROWTH2 of the East Cambridgeshire Local Plan 2015, and the Design Guide SPD, and is inconsistent with proposals for genuine ancillary accommodation.

2.0 SUMMARY OF APPLICATION

2.1 The application submitted relates to a proposal for two storey annexe. Amended plans were received on the 12th April 2021 due to Officers concerns in relation to the size and scale of the annex originally proposed. Officers suggested that the annex should be significantly smaller or take the form of an extension to the main host dwellinghouse, however a detached building was still proposed. In the applicants planning statement they have stated the following in relation to the proposed development-

“The applicant would like to construct a small annexe to be used for daughter and her partner who currently live in the family bungalow Hiams Farm. The couple are planning to start a family and want to also rely on the grand parents living in the main dwelling. The daughter and partner are on low income and cannot afford a property locally. The applicant is going to be helping with childcare and therefore they need to be living nearby. We would ideally have designed a bungalow to match Hiams farm, however the flood risk in the area recommended no ground floor sleeping accommodation. Therefore, it has to been designed as a chalet bungalow to match Lindas House, the neighbouring property.

The applicant understands that the annexe cannot be used as a separate property and has no intention of doing so and would be happy with a suitably worded condition within any approval”.

2.2 The proposed annex would measure approximately 7.5 metres (24 feet) by 6.2 metres (20 feet) with a total height of 6.2 metres (20 feet) and would be around 93sqm (960sqft). The annex would be located 6 metres (19.5 feet) to the north of the host dwellinghouse.

2.3 The Agent has stated in relation to the proposal that “this annexe is proposed to be between the existing bungalow and the barn related to the host bungalow, therefore it would rely on shared access/ garden and facilities by the nature that it is located in the middle of the existing bungalow curtilage”.

2.4 The application has been called to Planning Committee by Councillor Dupré for the following reasons-

“I would like to call in the application on the grounds that the building as proposed is an annexe as it is reliant on the host dwelling and does not create a separate new dwelling”.

2.5 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/>.

3.0 PLANNING HISTORY

17/01036/FUL- Proposed four bed dwelling (approved, 05.10.2017)

19/01105/FUL- Erection of double car port and store also including change to driveway (approved, 30.09.2019).

4.0 THE SITE AND ITS ENVIRONMENT

4.1 Hiam’s Farm is an agricultural holding on the western side of Mepal Long Highway approximately 2km north (1.2 miles) west of Mepal. The site comprises an access from Mepal Long Highway and an area of land to the north of an existing dwelling and to the south of an agricultural building. A caravan, which provides residential accommodation, is within the site. The area of development is approximately 0.04 hectares (0.09 acres).

- 4.2 The site is located approximately 1.2 miles to the north-west of the established development framework for Mepal, accessed via the A142 which runs to the east and north of the site. The site is located within Flood Zone 3.
- 4.3 To the south of the site where the proposed annex is proposed lies the host dwellinghouse which is a bungalow. To the north lies an agricultural building which is described by the Agent as follows- "The existing barn is currently used in connection with the applicants small holding behind for storage of tractors, implements, hay/straw etc".
- 4.4 There are a number of trees fronting the highway. The site is characterised as being in a countryside location with sporadic development in the locality.

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.

Anglian Water Services Ltd - 27 January 2021- "The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat".

Waste Strategy (ECDC) - 10 February 2021-

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number **43135897**, Sort Code **52-41-19**, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Mepal Parish Council - 11 February 2021- “no concerns”.

Environment Agency - 15 February 2021- “We have no objection to the proposed development but wish to make the following comments.

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to. In particular, the FRA recommends that:

- Finished floor levels of the proposed annexe will be set no lower than 0.9mAOD or at least 700mm above the existing ground level.
- Flood resistant and resilient measures will be incorporated up to 600mm above the finished floor level”.

Local Highways Authority - 22 February 2021- “The highways authority has no objections in principal to this application”.

The Ely Group Of Internal Drainage Board - No Comments Received

Asset Information Definitive Map Team - No Comments Received

Cambridge Ramblers Association - No Comments Received

Cambs Wildlife Trust - No Comments Received

Ward Councillors – See comments above.

5.2 A site notice was displayed near the site on 10 February 2021.

5.3 Neighbours – Two neighbouring properties were notified. However, no responses were received.

6.0 The Planning Policy Context

East Cambridgeshire Local Plan 2015

GROWTH 2 Location Strategy

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

COM 7 Transport impact

COM 8 Parking provision

HOU 8 Extensions in the Countryside

Supplementary Planning Documents

Design Guide

Developer Contributions and Planning Obligations

Flood and Water

Natural Environments

Climate Change

National Planning Policy Framework 2019

- 6 Building a strong competitive economy
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are the principle of development, the impact it may have on the residential amenity of nearby occupiers and the impact it may have on the visual appearance and parking provision.
- 7.2 Principle of Development
- 7.3 Annexes should in the first instance be an extension to the existing property. This was suggested to the Agent as a more favourable option however the amended plans received on the 12th April 2021 only reduced the scale of the annex and did not amend the scheme to form an extension to the host dwellinghouse.
- 7.4 Where detached buildings are an option, for instance the conversion of an existing outbuilding could be acceptable. The annex should not form a separate planning unit. There should be a clear functional relationship to the host dwellinghouse with a shared access, garden and parking area. While sited in close proximity to the host dwellinghouse, the proposed building could be capable of being used as a separate residential dwellinghouse by the current or future occupiers. Dwellinghouses outside the development envelopes are restricted due to policy GROWTH2 of the Local Plan 2015. To be an annexe it needs to rely on the main dwellinghouse for key facilities, services and utilities, whereas this proposed annexe is self-sufficient and does not meet the tests of an annexe in the view of Officers.
- 7.5 The building which is proposed to be used as ancillary accommodation is two storey in scale and located approximately 6 metres (19.5 feet) away from the main dwellinghouse to the south. It is noted that the red line plan submitted with the householder planning application includes the host dwellinghouse, the site for the proposed annex and the agricultural storage building to the north. The red line plan therefore ignores the curtilage of the host dwellinghouse to which it should be relate to. The annex therefore appears to be sited in the middle of the farm area, rather than directly in the curtilage of the dwellinghouse and these details are therefore unclear.
- 7.6 It is considered that the building has all the facilities required to function as an independent unit of accommodation and its size in comparison to the host dwelling is not commensurate with accommodation that is ancillary to the main dwelling.
- 7.7 In essence, the proposal would be used as a separate single dwellinghouse where it is self-contained with all the necessary day to day living facilities and has resulted in the creation of a separate planning unit. Both the provision of facilities within the

annexe (kitchen, living room, two bathrooms, and a bedroom) and the siting and physical relationship with the parent dwelling leads the Local Planning Authority to the conclusion that there is an unacceptable level of independence and a lack of functional relationship with the main dwelling.

- 7.8 The proposed unit would have all of the required facilities in order to function independently of the main dwelling and is tantamount to the creation of a new dwelling (or separate planning unit). This is not considered to be ancillary or subordinate in size, is subdivided from the main dwelling and lacks a clear functional relationship with main dwelling. While the Agent has stated that “it would rely on shared access/garden and facilities by the nature that it is located in the middle of the existing bungalow curtilage”, the proposed unit could easily benefit from its own parking arrangements, private amenity space, a separate front door and letterbox, and all the internal facilities required to exist independently. As stated above, the submitted red line plan is not clear enough. The unit is capable of subdivision from the main dwelling, and for these reasons the annex is considered to result in the creation of a separate new dwelling is contrary to Policies ENV2 and GROWTH2 of the East Cambridgeshire Local Plan 2015, and the Design Guide SPD, and is inconsistent with proposals for genuine ancillary accommodation.
- 7.9 Visual Amenity
- 7.10 Policy ENV1, ENV2 and HOU8 of the Local Plan 2015 require proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other.
- 7.11 In terms of visual amenity, the proposed annex will be visible within the street scene of Mepal Long Hwy and the A142 to the north and north-east given its projection to the side of the host dwellinghouse. It will be visible from some angles along the A142 from the south-east. Therefore, the character and appearance of the application site would be altered and would be visible within the street scene and from the public highway (A142). The proposal is sizeable, however the bulk of the annex would be retained to the side of the dwellinghouse and the dwellinghouse is set back within the curtilage and from Mepal Long Hwy. While the annex takes the appearance of a single dwellinghouse, given the setback and limited built up character of surrounding area and countryside setting, the proposed annex is not considered to result in harm to visual amenity. The proposed materials of construction would match those of the existing dwelling. The proposal is therefore not considered to result in harm to the character and appearance of the dwellinghouse, the surrounding area and street scene given the mixed character of the dwellings and agricultural buildings on Mepal Long Hwy. The proposal complies with Policy ENV2 and HOU8 of the Local Plan 2015, by utilising sympathetic materials to ensure that the proposed building remains sympathetic to the character and appearance of the surrounding area and countryside setting.
- 7.12 Neighbour Amenity
- 7.13 Policy ENV2 of the East Cambridgeshire Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. It is considered that the proposed annex would not result in any harm to neighbouring amenity in terms of overbearing nature, loss of privacy, loss of light or

similar given the distances retained. It is therefore considered that the location and scale of the proposed annex would not create any significantly detrimental effects on the residential amenity of nearby occupiers and therefore complies with Policy ENV2.

- 7.14 No flank windows are proposed in the north and south facing side elevation of the proposed annex and therefore this is not considered to create overlooking or loss of privacy. The provision of windows in the front elevations and rear elevations are not considered to create overlooking or to be harmful to residential amenity of nearby occupiers and are not required to be obscure glazed by condition. It would not result in harm by way of loss of privacy if it was to be used as a separate unit from the host dwellinghouse. Therefore, it is considered that the location and scale of the proposed extension would not create any significantly detrimental effects on the residential amenity of nearby occupiers and therefore complies with Policy ENV2.
- 7.15 Furthermore, due to the proposed annex being well-distanced from the nearby residential properties to the south beyond the host dwellinghouse, the proposal would not create a significant loss of light or an overbearing impact upon these properties. Due to the distance of the proposed annex from the nearby residential properties, it is considered that the proposal would not create any significant adverse impacts upon the residential amenity of any nearby properties. It is therefore considered that the proposal accords with Policy ENV2 of the Local Plan 2015 in respect of residential amenity.
- 7.16 Climate Change
- 7.17 East Cambridgeshire District Council (ECDC) declared a Climate Emergency at its Full Council meeting on 17 October 2019. ECDC has joined over 200 Councils around the UK in declaring such an emergency. In declaring a Climate Emergency, the Council committed to producing an Environment Plan, which it subsequently did so (adopted June 2020). One action within that Plan was to prepare a Climate Change Supplementary Planning Document (SPD). The SPD has become a material consideration for the purpose of determining planning applications. The agent was invited to address the Climate change SPD that requests applicants may wish to look at minimising demand through design and maximising energy efficiency. No additional details have been received which weighs against the application.
- 7.18 Ecology
- 7.19 As the application is a householder application, the requirements of the Natural Environments SPD are not applicable in this case.
- 7.20 Flood Risk and Drainage
- 7.21 The site at Hiams Farm and the proposed siting of the annex is within Flood Zone 3 and, as such, a Flood Risk Assessment (FRA) has been submitted with the proposal. The submitted FRA gave the following recommendations-
- Finished floor levels of the proposed annexe will be set no lower than 0.9mAOD or at least 700mm above the existing ground level.
 - Flood resistant and resilient measures will be incorporated up to 600mm above the finished floor level.

- 7.22 The Environment Agency have been consulted and have commented that “We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to”. On that basis, the proposed development is considered acceptable in terms of its susceptibility to flooding.
- 7.23 The proposed development is therefore considered to be acceptable, if conditioned, in terms of its impact on flood risk and drainage and accords with the requirements of Policy ENV 8 of the East Cambridgeshire Local Plan 2015 which seeks to ensure that all development proposals should ensure to minimise flood risk
- 7.24 Planning Balance
- 7.25 The development can be undertaken without detriment to the residential amenities of neighbouring occupiers and without having an adverse impact upon the character of the surrounding area and rural setting. However, the proposed annex would have all of the required facilities in order to function independently of the main dwelling and is tantamount to the creation of a new dwelling (or separate planning unit). This is not considered to be ancillary or subordinate in size, is subdivided from the main dwelling and lacks a clear functional relationship with main dwelling. The unit is capable of subdivision from the main dwelling, and for these reasons the annex is considered to result in the creation of a separate new dwelling is contrary to Policies ENV2 and GROWTH2 of the East Cambridgeshire Local Plan 2015, and the Design Guide SPD, and is inconsistent with proposals for genuine ancillary accommodation.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00080/FUL	Emma Barral Room No. 011 The Grange Ely	Emma Barral Planning Officer 01353 665555 emma.barral@eastcambs.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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>