
MAIN CASE

Reference No: 16/01536/FUL

Proposal: Proposed Self-Contained Annexe with Hydrotherapy Suite & Site Works to Accommodate Special Medical Requirements of Applicant.

Site Address: Land Adjacent To 14A The Cotes Soham CB7 5EP

Applicant: Mr B A Edwards

Case Officer: Rebecca Saunt, Planning Manager

Parish: Soham

Ward: Soham North
Ward Councillor/s: Councillor James Palmer
Councillor Carol Sennitt

Date Received: 8 November 2016 **Expiry Date:** 2 February 2017
[R198]

1.0 RECOMMENDATION

1.1 Members are requested to APPROVE subject to the recommended conditions below:

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Sample materials
- 4 Use of annexe
- 5 Surface water drainage
- 6 Soft landscaping and biodiversity enhancements

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

2.0 SUMMARY OF APPLICATION

2.1 The applicant seeks permission for a self-contained annexe with a hydrotherapy suite and site works to accommodate the special medical requirements of the applicant. The proposed annexe would measure 15.5 by 8.5 metres, with a height of 5 metres to the ridge and would contain a bedroom, wet room, kitchen/dining area and a sitting and physio area. The hydrotherapy suite would measure 8.2 metres by 6.8 metres, with a ridge height of 4.6 metres.

- 2.2 The annexe would be located within land owned by 14A The Cotes and would be situated to the north east of the existing dwelling.
- 2.3 The annexe is required to provide the assisted living requirements, the need for more regular care and ongoing rehabilitation in conjunction with the applicant's medical condition.
- 2.4 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.**
- 2.5 This application is coming to Planning Committee as the previous application at this site was determined by Planning Committee and due to the implications of the previous application the Chairman of Planning Committee thought it would be wise for the Committee to consider this application.

3.0 PLANNING HISTORY

3.1

15/01138/FUL	Proposed Dwelling, Parking, Access & Associated Site Works	Refused	06.01.2016
16/01352/FUL	Proposed Bungalow, Hydrotherapy Suite , Access & Site Works	Withdrawn	21.10.2016
15/01139/FUL	Proposed Dwelling, Parking, Access & Associated Site Works	Refused	06.01.2016

Applications 15/01138/FUL and 15/01139/FUL were both also dismissed at appeal.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside the established village framework and is within the centre of a small cluster of dwellings. The site is located on a mowed grass area which is connected to the host dwelling and situated to the north east of the host dwelling, accessed from The Coates.

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.

Parish – Approve as personal application which will expire when applicant dies or moves.

Ward Councillors - No Comments Received

Local Highways Authority – The Highways Authority has no objections in principal to this application. The development is accessed of a private road which has an existing access with the public highway. This access is not to the current width or visibility standards for a shared use access however it is an existing access and it is my opinion that the development will have a negligible effect on the increase in traffic movements. Footpath No. 16 runs along the boundary of the development therefore I would suggest that the Cambridgeshire Council Rights of Way team is contacted prior to the determination of this application.

5.2 Neighbours – 5 neighbouring properties were notified, a site notice posted and an advert placed in the Cambridge Evening News – no responses were received.

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 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations
Contaminated Land
Flood and Water

6.3 National Planning Policy Framework 2012

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

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the principle of the development, the impact on residential and visual amenity and highways.

7.1 Principle of Development

7.2 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 5 year supply of housing land, Policy GROWTH 2 cannot be considered up to date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.

- 7.3 The applicant is seeking permission for an annexe to the existing dwelling 14A The Cotes to enable the applicant's daughter and her family to provide round the clock care for the applicant without having to call outside care or travel an inappropriate distance to get to the applicant in the case of an emergency.
- 7.4 The applicant has submitted medical information, which includes a letter from their GP and also a letter from Addenbrooks Hospital, which outlines their medical condition. The applicant at present resides in 14A The Cotes and further information has been sought as to why this property cannot be converted or amendments made to the property to facilitate the long term needs of the applicant. Additional information has been submitted which concludes that the access to and the use of the existing bungalow is not sufficient to cater for the growing demands of the applicant. The door openings in the existing property are not wide enough to accommodate wheelchair access, there is no flush entrance threshold, kitchen furniture and worktops are at an inappropriate height for the applicant using a wheelchair and there is insufficient strength within the existing structure to support the hoists and associated tracks that will be required to lift and aid with the transport of the applicant from room-to-room as his health continues to deteriorate. The information submitted concludes that a complete makeover of the existing property would not be a financially viable option.
- 7.5 Further information was requested from the applicant in relation to the size of the annexe and the necessity for the space proposed. Additional information was submitted which outlined the required equipment needed by the applicant and the need for the annexe and associated facilities to enable sufficient provisions and facilities on site to support and aid the quality of life.
- 7.6 If permission is granted for the annexe, the applicant and his wife would reside in the annexe and his daughter and her family would move into the existing bungalow on site, in order to provide the care required by the applicant, without having to call upon outside care or for a family member to have to travel some distance to get to the applicant in the case of an emergency. The applicant has advised that there would not be sufficient space within the existing bungalow to accommodate both the applicant and his wife and his daughter's family, to provide the ongoing care required.
- 7.7 Given the nature of this application and the specific requirements from the applicant, a condition would be recommended to tie the proposed annexe to the host dwelling, and while in essence it will be lived in independently by the applicant, this will still form part of a family unit and will not be separated from the curtilage of the host dwelling.

- 7.8 This site has an extensive planning history with a number of previous applications for new dwellings being refused and subsequent appeals being dismissed. However, the basis of this application differs and seeks to provide an annexe for the applicant for the reasons outlined above. Given that the application is for an annexe the local planning authority can control the occupation of the unit by condition and therefore the principle of an annexe could be acceptable, subject to the recommended conditions, based on the information which has been submitted.
- 7.9 Residential Amenity
- 7.10 The proposed annexe is single storey and due to the location of the proposed windows in relation to neighbouring dwellings and boundaries of the site it is not considered that the proposal would be overbearing or create an unacceptable level of overlooking.
- 7.11 The proposed annexe will reduce the amenity space of the host dwelling. However, the annexe will be conditioned to be associated with the host dwelling and while in theory it will provide independent accommodation for the applicant, this will be tied to the host dwelling. The proposed annexe and the land associated with it will therefore still remain within the curtilage of the host dwelling.
- 7.12 Visual Amenity
- 7.13 The proposed annexe is a simple single storey building and is of a similar design/style to the host dwelling. The proposed annexe would be in keeping with the vicinity and it is considered it would not have a detrimental impact on the area. No materials have been specified as part of the application and it is therefore recommended that these are secured by condition.
- 7.14 Highways
- 7.15 The development is accessed off a private road which has an existing access with the public highway. The Highways Authority have advised that this access is not to the current width or visibility standards for a shared use access however it is an existing access and it therefore their opinion that the development will have a negligible effect on the increase in traffic movements. Footpath No. 16 runs along the boundary of the development and the Cambridgeshire County Council Rights of Way team have been consulted on the application. Any comments received prior to Planning Committee will be dealt with by housekeeping at the meeting.
- 7.16 The proposal is for an annexe and therefore will be associated with the host dwelling. As part of the proposal additional parking spaces have not been proposed, as it is in essence an extension to the existing dwelling. The existing property has an existing double garage and in addition space for at least 2 additional parking spaces, which are all included within the red line of the application site. Therefore it is considered that the proposal complies with policy COM8 of the Local Plan.
- 7.17 Ecology
- 7.18 Due to the existing characteristics of the site it is not considered to have any specific ecological importance and therefore an ecology survey was not required to be submitted as part of the application. A condition requesting details of a soft landscaping scheme, including biodiversity enhancements, is recommended to

increase the biodiversity potential on the site and also to help assimilate the annexe into its setting.

7.19 Flood Risk and Drainage

7.20 The application site is located within Flood Zone 1 and therefore there would be no impact in terms of flood risk. A condition is recommended to ensure a surface water scheme is submitted prior to the commencement of development, to ensure that rainwater runoff from the annexe remains at Greenfield rates.

7.21 Planning Balance

8.0 APPENDICES

8.1 Appendix 1 – Recommended conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01536/FUL	Rebecca Saunt Room No. 011 The Grange	Rebecca Saunt Planning Manager 01353 665555
15/01138/FUL	Ely	rebecca.saunt@eas
16/01352/FUL		tcambs.gov.uk
15/01139/FUL		

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>

Appendix 1 – Recommended conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below
Plan Reference Version No Date Received

JP-16-009-1 B 8th November 2016
- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until details of the roof and wall materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 The annexe hereby permitted shall only be used for purposes associated with the residential use of the main dwelling known as 14A The Cotes and shall only be occupied by someone with a functional connection to the main dwelling. The annexe shall not be used as an independent unit of accommodation, not associated with 14A The Cotes at any time.
- 4 Reason: The application has been assessed as acceptable and complying with policy on this basis.
- 5 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to the occupation of the annexe.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 Prior to first occupation or commencement of use a full schedule of all soft landscape works and biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 Reason: To protect and enhance species and to assimilate the development into its surroundings, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.