
MAIN CASE

Reference No: 17/01558/FUL

Proposal: Proposed new 4 bedroom 2 storey dwelling with associated double garage and driveway. To include demolition of existing bungalow.

Site Address: The Orchard Weirs Drove Burwell CB25 0BP

Applicant: Mr John Stanford

Case Officer: Ruth Gunton, Planning Officer

Parish: Burwell

Ward: Burwell
Ward Councillor/s: Councillor David Brown
Councillor Lavinia Edwards
Councillor Michael Allan

Date Received: 25 August 2017 **Expiry Date:** 8th November 2017
[S160]

1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE planning permission for the following reason:

1 The combination of the increased height from single to two storeys, the scale and form of the dwelling, and its location on the plot, would result in a visually prominent dwelling in the streetscene given the dwelling that it would be replacing. It is considered that significant and demonstrable harm would arise to the rural character of the streetscene by the incremental change that would take place, changing the streetscene from a mixture of two storey dwellings set well into the plots, and single storey dwellings, to a streetscene where large two storey dwellings are more typical. This does not comply with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Proposed Submission Local Plan 2017. The proposal is not of a similar size and scale to the existing dwelling and therefore conflicts with policy HOU8 of the East Cambridgeshire Local Plan 2015 and LP22 Part C of the Proposed Submission Local Plan 2017.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks planning permission for the erection of one detached dwelling with detached garage and driveway, including demolition of the existing single storey dwelling.

- 2.2 Following officer concerns, amended plans were received which move the dwelling back by approx. 7m, the garage was relocated from in front of the dwelling to the side, and the front boundary treatment was changed from 1.8m close-boarded fencing to 1.2m close-boarded fencing with hedge planting on the Weirs Drove side.
- 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.**
- 2.4 The application was called in to Planning Committee by Cllr. David Brown as he would like the Committee to consider the application in the light of other recent approvals along this stretch of road, to include whether the size and scale are appropriate in this location.

3.0 PLANNING HISTORY

3.1

17/00841/FUL	Replacement dwelling and associated parking	Withdrawn	21.06.2017
86/00531/FUL	LAYOUT OF LAND AS CARAVAN SITE INCLUDING ACCESS/ROADS TOILET BLOCK AND SHOP. AMENDMENT TO OCCUPANCY CONDITION ON "BARRONCOVE" TO OCCUPATION BY CARAVAN SITE MANAGER EXTENSION TO HOUSE	Approved	23.10.1986
86/00033/OUT	ERECTION OF DWELLING	Refused	27.02.1986
85/00034/FUL	ERECTION OF SHED FOR A BOARDING CATTERY APPROX 12' X 18' BOARDING 12 CATS	Approved	08.03.1985
80/00211/FUL	EXTENSION TO FORM CARPORT AND PORCHES WITH 4 BEDROOM CONVERSION	Approved	17.04.1980

76/00915/RMA	ERECTION OF BUNGALOW AND GARAGE TO REPLACE EXISTING	Approved	18.01.1977
76/00646/OUT	RENEWAL OF PERMISSION E/0546/75/0 FOR THE ERECTION OF RE-PLACEMENT DWELLING	Approved	15.10.1976

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the west of Burwell, outside the development envelope. Weirs Drove runs north-south to the west of Burwell, with agricultural land between the Drove and the edge of the development envelope.
- 4.2 The site contains a single storey dwelling with attached double garage and some outbuildings to the rear. The buildings are in a fairly poor state of repair. There is garden land to the front, sides and rear. The rear (west) and side (south) boundaries are approx. 1.8m close-boarded fences, and there is no permanent boundary to the east. The front (east) and north side boundaries are currently enclosed by temporary metal fencing. There has been recent clearance of tall conifer trees from the front of the site and tall trees remain on either side of the site on neighbouring properties.
- 4.3 To the north of the site is a two storey residential dwelling 'Rosewal Manor' which is set back into the plot. To the south is a single storey bungalow similar in materials and scale to the existing dwelling on the application site. To the east across the road is a ditch and agricultural land, and to the west is a park homes site (see application 16/00686/OUM).

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.

Burwell Parish Council – No objections.

Ward Councillors – Cllr. Brown requested that the application be called in to Planning Committee.

Swaffham Internal Drainage Board – No objections if soakaways are an effective means of surface water drainage.

Local Highways Authority – No objections in principle as the site already benefits from an existing vehicular access.

Waste Strategy (ECDC) – Standard comments regarding bin collection requirements.

CCC Growth & Development - No comments received.

5.2 Neighbours – A site notice was posted up on 27th September and advertised in the Cambridge Evening News on the 14th September 2017. 4 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Turners Britannia Parks – Supportive of application as it will improve the streetscene of Weirs Drive and make it more attractive to users, more in keeping with development at Welsumme Farm and similar to Rosewal Manor. Park homes proposed to west of site will be orientated so no overlooking into this site.
- Welsumme Farm – No objection as will be to betterment of Weirs Drove.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 8	Extension and replacement of dwellings in the countryside
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 - Guidance on submitted Planning Application on land that may be contaminated
Flood and Water Supplementary Planning Document

6.3 National Planning Policy Framework 2012

- 11 Conserving and enhancing the natural environment
- 4 Promoting sustainable transport
- 7 Requiring good design

6.4 Proposed Submission Local Plan 2017

LP2	Level and Distribution of Growth
LP3	The Settlement Hierarchy and the Countryside
LP16	Infrastructure to Support Growth

LP6	Meeting Local Housing Needs
LP1	A presumption in Favour of Sustainable Development
LP31	Development in the Countryside
LP22	Achieving Design Excellence
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP26	Pollution and Land Contamination
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP25	Managing Water Resources and Flood Risk

7.0 PLANNING COMMENTS

7.1 The main considerations in relation to this application are the principle of development, the impact on the streetscene and character of the area, the impact on residential amenity, transport, ecology and drainage.

7.2 Principle of Development

7.2.1 Policy GROWTH2 of the East Cambridge Local Plan 2015 and policy LP3 of the Proposed Submission Local Plan 2017 do not normally allow new housing outside the development envelope. In this case however the dwelling is a replacement rather than a new dwelling and is therefore not subject to this restriction. Policy HOU8 of the Local Plan 2015 and policy LP31 of the Proposed Submission Local Plan 2017 become relevant and permit the replacement of a residential dwelling in the countryside under certain circumstances. The details of these circumstances will be discussed below however the principle of the development is sound and complies with policies GROWTH 2 and LP3.

7.3 Streetscene and character of the area

7.3.1 The character of the area is rural; it is outside the development envelope with agricultural fields to the east and on a single lane road, however there are other residential dwellings to the north and south and outline permission for a park homes site has been granted to the west.

7.3.2 Policy HOU8 of the Local Plan 2015 states that the scale and design of a replacement dwelling should be sensitive to the countryside setting. If an alternative height is proposed it should be of exceptionally high quality of design and enhance the character and appearance of the locality. The proposed dwelling is significantly taller in height – going from a single storey to two storeys with a maximum 8.6m ridge line. No specific justification has been made for this in relation to the requirement of the policy, and the proposed design is not considered to be exceptional in its either its form or use of materials. The design and materials are similar to the dwelling ‘Rosewal’ to the north of the site however simply by using these cues the dwelling is not considered to enhance the character of the area.

7.3.3 In addition to policy HOU8 of the Local Plan 2015, the relevant policy (LP22, Part C) of the Proposed Submission must be considered. The proposal complies with the requirements of the policy in that the dwelling has existing use as a domicile, is not of an architectural or historic merit or valuable in the settlement character, and it is a permanent not temporary structure. It does not meet the requirements of the policy in that it is not of a similar size and scale to the existing dwelling, and it also is not

sited on the footprint of the existing dwelling. Some of the dwelling crosses over the existing footprint but due to the different dimensions of the proposed dwelling, the resulting dwelling would be significantly more prominent in the streetscene than the existing dwelling. It should be noted that the developer amended plans to push the dwelling back by approx. 7m in order to overcome this concern and it has reduced the potential visual impact but it is still considered detrimental. Whilst there is a similarly proportioned dwelling to the north, it is set much further back into the plot so that its visual impact is less significant.

- 7.3.4 The context of the proposed dwelling is key to this determination. The location is considered as countryside and is on a rural road with agricultural fields opposite. There are a small number of dwellings on the same side of the road which are a mixture of smaller single storey dwellings, and larger two storey dwellings. Policies ENV2 of the Local Plan and LP22 require development to enhance or preserve the streetscene and not cause unacceptable impacts, and given the above consideration of the immediate surroundings, it is considered that a new dwelling significantly larger than the existing dwelling would not be preserving the streetscene as it would be incrementally changing the character of the immediate vicinity area towards a more urban one.
- 7.3.5 The proposed front boundary treatment was amended from 1.8m close-boarded fencing only, to 1.2m close-boarded fencing with planting in front. The use of closeboarded fencing to the front of the site is not considered appropriate to the rural context of the area and there are no other examples of closeboarded fencing to the front of dwellings in this vicinity. This must be balanced with permitted development rights which would already allow up to 1m fencing in this location without a planning application. It is considered that it would therefore not be reasonable to refuse the application for this reason, especially as planting in front is proposed to help soften the appearance. If approved it is recommended that details of this front boundary are conditioned to ensure that sufficient planting is provided to assimilate the development into the surroundings. The north (side) boundary is also proposed as 1.8m close-boarded fencing, although it is acceptable in this location as less visually prominent and also the same as the existing boundary treatment to the south (side).
- 7.3.6 Two neighbour responses commented that the development would improve the streetscene of Weirs Drove however a single storey, well designed dwelling could also achieve this without being contrary to Local Plan policies.
- 7.3.7 It is therefore considered that the proposed dwelling does not meet with policies HOU8 or LP31 due to the proposed height, scale, and layout. It also does not meet policies ENV2 and LP22 due to the impact on the streetscene and rural character of the area arising from the above.

7.4 Residential Amenity

- 7.4.1 There is a proposed first floor bathroom window on the south (side) elevation which would face the neighbouring single storey dwelling. If the application were approved it is recommended that this is conditioned to be obscurely-glazed or fixed closed below 1.7m. There are no other windows that are considered to cause concern about loss of privacy to this neighbour. This distance between the two dwellings is

considered sufficient for there to be no concerns regarding significant overbearing or loss of light.

7.4.2 Due to the distance to and layout of neighbouring Rosewal Manor to the north or the park homes site to the west, there are no concerns regarding detrimental impact on their residential amenity.

7.4.2 The proposal complies with the Design Guide in terms of plot size, plot ratio, and amenity space for future occupants.

7.4.4 The application is considered to comply with policy ENV2 of the Local Plan 2015 and LP22 of the Proposed Submission 2017 regarding impact on residential amenity.

7.5 Highways

7.5.1 The Highways Authority had no objections in principle to this application as there is already a vehicular access off Weirs Drove which will be used for the replacement dwelling scheme. Whilst a sliding entrance gate is proposed, there is enough space for a car to pull off Weirs Drove to wait for it to open without impeding traffic flow. There is sufficient space on site for cars to turn and leave the site in a forward gear. The proposed therefore meets policies COM7 of the Local Plan 2015 and LP17 of the Proposed Submission 2017.

7.6 Ecology

7.6.1 Policy ENV7 of the Local Plan 2015 and LP30 look for opportunities to maximise biodiversity gain from development. The site has a small number of trees to be removed which are not considered significant in terms of biodiversity or character of the area. The supporting information proposes new planting, although details of this will be required by condition through a soft landscaping scheme. In addition, a scheme of proportionate biodiversity enhancements is recommended to be conditioned. With these conditions the application would comply with policies ENV7 of the Local Plan 2015 and LP30 of the Proposed Submission Local Plan 2017.

7.7 Flood Risk and Drainage

7.7.1 The site is not within flood risk zones 2 and 3 and subject to soakaways being suitable for the soil in this location, the Internal Drainage Board had no objections. A condition requiring submission of details of the surface water drainage is recommended if approval is to be given. With this condition the proposal complies with policy ENV8 of the Local Plan 2015 and LP25 of the Proposed Submission Local Plan 2017.

7.8 Other Material Matters

7.8.1 The scheme provides a double garage for 2 cars and sufficient outside space for at least 2 cars to park. The proposal therefore meets parking standards of policies COM8 of the Local Plan 2015 and LP22 of the Local Plan 2015 and LP30 of the Proposed Submission Local Plan 2017.

7.9 Planning Balance

- 7.9.1 The proposal would provide the following benefits: the provision of a replacement residential dwelling which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.9.1 However, it is considered that the proposal would cause significant and demonstrable harm to the streetscene and character of the area due to the combination of the additional height, scale, form and layout of the dwelling on the plot. The dwelling would be visually prominent and would incrementally change the rural character of the area.
- 7.9.2 The application is therefore considered to conflict with Local Plan policies ENV1, ENV2, and HOU8 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP31 Proposed Submission Local Plan 2017.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01558/FUL	Ruth Gunton Room No. 011 The Grange Ely	Ruth Gunton Planning Officer 01353 665555 ruth.gunton@eastca mbs.gov.uk
17/00841/FUL		
86/00531/FUL		
86/00033/OUT		
85/00034/FUL		
80/00211/FUL		
76/00915/RMA		
76/00646/OUT		

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>