

MAIN CASE

Reference No: 17/00881/FUL

Proposal: Erection of two detached dwellings

Site Address: Land East And South Of 111 Hillrow, Haddenham, CB6 3TL

Applicant: AJ Lee Developments Limited

Case Officer: Gareth Pritchard, Planning Officer

Parish: Haddenham

Ward: Haddenham
 Ward Councillor/s: Councillor Steve Cheetham
 Councillor Mark Hugo
 Councillor Stuart Smith

Date Received: 22 May 2017 **Expiry Date:** 9th August 2017

[S75]

1.0 **RECOMMENDATION**

1.1 Members are recommended to **refuse** this application for the following reasons:

1.1.1 The proposed dwellings are located within the countryside and, by virtue of their distance from the established development framework for Haddenham, are considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwellings will be reliant on motor vehicles in order to access any local services or facilities. The proposal does not meet any of the special circumstances as identified in Paragraph 55 of the National Planning Policy Framework. The proposal fails to comply with the Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.

1.1.2 The proposed is considered to be contrary to Local Plan policy ENV1 of The East Cambridgeshire Local Plan which states that development proposals should have a location, scale and form which creates a positive and complementary relationship with the surrounding unspoilt rural area. Furthermore, the proposal is contrary to Local Plan Policy ENV2 which ensures that proposals respect the density and landscape of the surrounding area and are of a scale and massing that relate sympathetically to the nearby development. The dwellings are of a large, executive style with garages between the front elevation and highway. The dwellings create an overly large expanse contrary to the dispersed development along Hillrow

creating an urbanising effect. The positioning of the garages between the dwelling and highway is contrary to development along Hill Row. As a result of the overly large scale the application is not considered to preserve this edge of settlement location. As a result the application is not considered to comply with Local Plan policies ENV1 or ENV2, the East Cambridgeshire Design Guide SPD and paragraph 17 of the NPPF.

2.0 SUMMARY OF APPLICATION

2.1 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.**

2.2 This application has been called into Planning Committee by Councillor Mike Rouse as the issues around sustainable or non-sustainable location with Hill Row should be discussed in public.

2.3 This application is for two proposed dwellings on land east and south of 111 Hillrow, Haddenham and follows on from a similar application previously refused under 17/00083/FUL for two dwellings. The dwellings would have a maximum width across the front elevation of 14.7 metres and depth of 11.5 metres, ridge of 7.1 metres and maximum eaves of 4.1 metres. The design of both dwellings broadly match each other. The dwellings would both have a double garage between them and the highway. The dwellings would have private amenity space to the south.

3.0 PLANNING HISTORY

3.1

17/00083/FUL	Erection of two detached dwellings.	Refused	16.03.2017
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located outside of the established development frameworks of Haddenham and adjacent to the Hill Row conservation area which runs to the north-east. The proposed development is located some 150 metres to the west of the Hill Row established development framework, and approximately 800 metres to the west of the main development framework of Haddenham. To the north of the site runs the highway, there is also a hedgerow which fronts the roadside. There are also a number of trees which boarder the site. The site forms part of a traditional fen landscape with sparse development interspersed with fields and agricultural activities. The south side of Hillrow where the site is located does not benefit from a footpath. There is a footpath on the north side of this road, but is separated from the site by a 40mph road.

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 - Recommends refusal. Previous application for extension at No.74 refused due to impact on the conservation area. Set inappropriate precedence for building on this side of Hillrow. Views should be protected along Hillrow in-line with the conservation SPD. Haddenham can demonstrate adequate housing supply in the draft Local Plan. Proposed dwellings are out of keeping with the existing street scene and out of scale. Concerned with visibility at proposed entrance. Development a long way from village amenities with no footpath. There is an established hedgerow along the front of the land which requires protection and would be a loss of Grade 1 agricultural land.

Ward Councillors – Councillor Steve Cheetham has provided the following comments which were fully supported by Councillor Mark Hugo:

“Despite the minor cosmetic amendments to the original refused application, I still have the same concerns and note my formal objection below:

The proposed houses would sit outside of the development envelope for Haddenham as per the developing local plan (January 2017) and immediately opposite the conservation area.

An application for a loft conversion at 74 Hillrow (opposite) was recently refused due to the proximity of the Conservation Area.

The proposed houses are out of keeping with the existing street scene and out of scale in terms of size.

The development is a long way from the village amenities and there is no existing footpath into the village.

This development would change grade 1 agricultural land which has always been pasture into housing.

The proposal does not meet any of the special circumstances as identified in Paragraph 55 of the National Planning Policy Framework.

The proposal fails to comply with the Policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015 and Paragraphs 14 and 55 of the National Planning Policy Framework, as it fails to promote sustainable development.

The proposed is contrary to Local Plan policy ENV1 of The East Cambridgeshire Local Plan which states that development proposals should have a location, scale and form which creates a positive and complementary relationship with the surrounding unspoilt rural area.

The proposal is contrary to Local Plan Policy ENV2 which ensures that proposals respect the density.”

Trees Officer – Considered that the driveway for plot one would encroach on the root protection area of the road side tree shown on drawing EDG/16/38/4. Should the application be approved a Tree Protection Plan will be required which is secured by condition for the tree and boundary hedge. A method statement for the construction of the new driveway for plot 1 will also be required. Also recommends a scheme for new boundary hedge planting on the eastern and southern boundaries.

Local Highways Authority - No objections subject to necessary conditions but advise there is no footpath on this side of the road. There pedestrian crossing as labeled on EDG/16/38/4 are dropped kerbs in place for vehicle crossings and not uncontrolled pedestrian crossings with the appropriate tactile pavers and layouts.

County Archeology – Do not object to the application but have requested a condition for a written scheme of investigation.

Environmental Health – No objections but have requested a number of planning conditions.

Waste Strategy (ECDC) – No objections but have provided some general waste related comments regarding purchasing of bins.

Conservation Officer – *“the construction of the two new dwellings as shown on the proposed plans, outside of, but within close proximity to the boundary of the conservation area would not cause harm to the significance of the conservation area or its setting”*

5.2 Neighbours – 5 neighbouring properties were notified, a site notice posted and an advert placed in the Cambridge Evening News. The eight responses received are summarised below. A full copy of the responses is available on the Council’s website.

- Main physical differences are to reduce height and re-site garages. Still cuts off attractive vistas over the trees and fields of Hillrow-to-Aldreth fen edge.
- Revised application attempts to spin favorable argument over sustainability which has already been dealt with by the planning office.
- Revised application does not take into account the main concerns of Planning Department or Haddenham parish Council.
- Not in-line with policies ENV1, ENV11, ENV10, ENV14 and ENV12.
- The development sets a precedence for further development
- Housing not needed as the houses are not affordable and the provision of affordable housing has already been considered and is under consultation in the village already
- Opportunistic development of green field site.
- Impact open character and view of ancient causeway. Overlooked by the development.
- Reference to previous applications is not relevant.
- Should prevent sprawl into the countryside.

- New isolated homes in the countryside should generally be avoided.
- Emerging Local Plan states that protection of views north and south from the villages' ridge position are of particular importance.
- Transport impact from vehicle movements
- Documents submitted are 'boilerplate'.
- Proximity to the guided bus way mentioned which is irrelevant given its distance away. Applicant has no understanding of the area.
- Poor connectivity.
- Light disturbance for properties opposite.
- There is no pedestrian verge crossing as indicated
- Changes are minor and not as significant as previously suggested.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 14	Sites of archaeological interest
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
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
 Flood and Water
 Developer Contributions and Planning Obligations
 Hill Row Haddenham Conservation Area

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 12 Conserving and enhancing the historic environment
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

- 7.0.1 The main issues to consider when determining this application relate to the principle of development, residential amenity, visual amenity and impact on adjacent

conservation area, highways safety and parking provision, ecology and trees, and other matters.

7.1 Principle of Development

7.1.1 The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits. The benefits of this application are the provision of two further homes to the ECDC housing stock, and short term economic value in the construction of the dwellings.

7.1.2 The proposed development is located some 150 metres to the west of the Hillrow established development framework, and approximately 800 metres to the west of the main development framework of Haddenham where the main amenities and services are located. The dwellings are also to be located to the south of Hillrow, which is not serviced by a footpath and is a section of 40mph road. Given its location and distance from the main settlement of Haddenham with its limited amenities and services, and its distance from the main market town of Ely it is considered likely that future occupants would be highly reliant on the motor vehicle. The Local Planning Authority considers the application site therefore to be in an unsustainable location.

7.1.3 These views are also echoed in recent planning appeal decisions in the authority, which form material planning considerations. APP/V0510/W/16/3160576 and APP/V0510/W/16/3158114 both note that due to the distance from services and lack of footpath, trips would likely take place by car. This is contrary to Local Plan policy GROWTH2, COM7 and paragraphs 14 and 55 of the NPPF. As a result of the above the principle of the development is considered to be unacceptable.

7.1.4 The applicant has provided additional information as part of this resubmission to address these points including a transport statement. As noted in this report the closest bus stop serving the proposed development is within the centre of the village, some 1.5km away. This is outside of the generally established 800 metres for a walkable neighbourhood. The statement advises that there is an upper limit of 2km on this. However, the Local Planning Authority considers that those with high levels of mobility may only walk this distance to a wide range of facilities that may be found in large towns or cities, not in the case of the village facilities found in Haddenham. As a result this additional information does not overcome the concerns over the principle of development.

7.2 Residential Amenity

7.2.1 Under Local Plan policy ENV2 this application must ensure it does not result in a significantly detrimental harm to the residential amenity of neighbouring occupiers. Considering the location of the proposed units and the location of neighbouring properties there are no considered detrimental impacts caused through loss of light or overbearing impacts.

- 7.2.2 Consideration has been given as to whether the proposal would result in a loss of privacy for neighbouring occupiers. The proposed windows on the front and rear elevations are, due to separation distances, considered to be acceptable and comply with guidelines set out in the East Cambridgeshire Design Guide SPD. On the side elevations there are two first floor windows proposed on each plot. These would be to serve bathrooms, and it is considered that loss of privacy concerns could be dealt with by way of an opaque glazing condition.
- 7.2.3 Concerns have been raised by neighbouring occupiers regarding disturbance from car lights entering and leaving the site. There is approximately 10 metres between the edge of the proposed access and the front elevation of the adjacent dwellings. While it is considered there may be an impact, due to the residential end use the vehicle movements are not considered to be so significant so as to warrant refusal. As a result the application is considered to comply with the residential amenity aspect of policy ENV2.
- 7.3 **Visual Amenity and impact on the historic environment**
- 7.3.1 Under Local Plan policy ENV1 this application should ensure that it provides a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. Local Plan policy ENV2 requires this application to ensure its location, layout, form, scale, massing and materials are sympathetic to the surrounding area.
- 7.3.2 The site is located outside of the Hill Row Conservation area, the boundary of which is opposite the site on the North Side of Hill Row adjacent to No. 78. The site is considered to be sufficiently close to the conservation area to trigger the need to consider Policy ENV11 in relation to any impact on the character and setting of the designated heritage asset. Policy ENV 11 requires development proposals to be of a particularly high standard of design and materials in order to preserve or enhance the character and appearance of the area. The Hill Row Conservation Area SPD states the loss of views to the south from Hill Row should be resisted. The site can be viewed from the conservation area to the north and on this basis the proposals will partially obscure views to the south out of the conservation area. The Conservation Officer has not objected to the proposal and considers that it would not cause harm to the significance of the conservation area or its setting despite its position in relation to the conservation area. On this basis it is considered that while the proposal does not enhance the conservation area it will not have an adverse effect given that it lies on the fringe of the area and any loss of view to the south will be minimal. The proposal is therefore considered to comply with Policy ENV11 in this regard.
- 7.3.3 The main changes from the scheme previously refused under 17/00083/FUL for its visual impact are to reduce the height of the ridge and eaves, and relocate the previously attached garages to the front of the site between the dwellings and the highway.
- 7.3.4 Despite the changes to the scheme previously refused the dwellings remain of a large, executive style. The applicant has sought to overcome the previous reason

for refusal by detaching the garage and relocating it so that the dwellings do not occupy the whole frontage when viewed from Hill Row. However in detaching the garages and locating them between the dwelling and highway, the applicant is considered to have created a new visual impact. The Design Guide SPD advises it is rarely acceptable to construct a garage between the front elevation and the highway. Outbuildings are generally located to the side or rear of dwellings along Hill Row. There are some that are on the back edge of the footpath but are more agricultural in nature.

7.3.5 It should be noted that while the plots do comply with the Design Guide SPD in terms of the plot size, the development will create an urbanising impact which erodes the predominantly rural open character of the plot and the dispersed development along Hill Row. Furthermore, it is visually intrusive upon the surrounding rural landscape and harmfully impacts on the extensive countryside views from the Hill Row conservation area and the surrounding highway.

7.3.6 As a result the application on balance is considered to be contrary to Local Plan policies ENV1 and ENV2 due to the detrimental visual impact it is considered to have on the surrounding area, and dispersed nature of development along this side of Hill Row.

7.4 Highways safety and parking provision

7.4.1 Under Local Plan policy COM7 this application must ensure that it can achieve a safe and convenient access to the highway. The Local Highways Authority have raised no objections to the principle of the application, and recommended a number of conditions relating to the access. This aspect complies with policy COM7.

7.4.2 However, they do note that the footpath to the settlement is on the north side of the road, and that this a 40mph section of road. It is considered that it may be dangerous for residents to cross the road to access the footpath if they were to walk to the main settlement. This combined with the distance from the main settlement and as noted the likely use of the motor vehicle means the application is considered to fail to comply with policy COM7 in that it does not encourage sustainable forms of transport.

7.4.3 Under Local Plan policy COM8 this application should also ensure that it can demonstrate a minimum of two parking spaces per a dwelling. The driveway area as denoted on drawing EDG/16/38/2 shows sufficient capacity on each plot to park two vehicles. As a result the application is considered to comply with policy COM8.

7.5 Ecology and trees

7.5.1 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees.

7.5.2 The Tree Officer has raised no objections to the application providing conditions are attached to any permission for tree protection measures of the trees on the verge

and the hedgerow fronting the highway. This aspect is therefore considered to comply with policy ENV7.

7.5.3 Additional information was requested from the applicant in terms of ecological value within the hedgerow. Two sections of the hedgerow would be removed to provide accesses to the proposed dwellings. The applicant has advised this would be done outside of nesting season for birds which can be conditioned. They can also be appropriately checked for bat roosts. The rest of the site is open and of agricultural use and therefore is considered to be of little ecological value.

7.5.4 The site could also provide an opportunity for ecological enhancement measures to be used, and secured by way of condition. It is for these reasons and on balance that the application is considered to comply with the biodiversity aspect of policy ENV7.

7.6 Other matters

7.6.1 Due to archaeological potential on the site a condition to secure a scheme of investigation is considered to be acceptable.

7.6.2 A refused extension for a loft conversion at 74 Hill Row has been mentioned in a number of comments. There was an application under 16/01230/FUL, however, this application was withdrawn.

7.6.3 The agricultural land is considered to be of a good to moderate standard as defined by DEFRA and its loss not considered to be significantly detrimental.

7.6.4 Contamination can be dealt with by way of condition.

7.6.5 No details regarding surface water drainage have been submitted. This can be dealt with by way of condition.

7.7 Planning Balance

7.7.1 The proposal would provide the following benefits:- the provision of two additional residential dwellings to the district's housing stock which would be built to modern, sustainable building standards. This attracts significant weight in favour of the proposal. In addition there is a positive contribution to the local and wider economy in the short term through construction work. However, these are considered to carry limited weight.

7.7.2 It is considered that these benefits would be outweighed by the significant and demonstrable harm which would be caused by the siting of two additional dwellings in an unsustainable location and increasing reliance on the car to gain access to services and facilities, and the visual impacts of the proposed development on its locale. The application is therefore considered to be in conflict with Local Plan policies GROWTH5, ENV1, ENV2 and COM7 of the East Cambridgeshire Local Plan 2015 and the Design Guide SPD.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00881/FUL	Gareth Pritchard Room No. 011	Gareth Pritchard Planning Officer 01353 665555
17/00083/FUL	The Grange Ely	gareth.pritchard@e astcambs.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>