

MAIN CASE

Reference No:	17/01503/FUL	
Proposal:	Construction of a five bedroom, detached dwelling	
Site Address:	The Forge Main Street Westley Waterless Suffolk	
Applicant:	Mr Edward Fletcher	
Case Officer:	Toni Hylton, Planning Officer	
Parish:	Burrough Green	
Ward:	Bottisham	
	Ward Councillor/s:	Councillor Alan Sharp Councillor David Chaplin
Date Received:	18 August 2017	Expiry Date: Extension of Time requested, however applicant has not agreed at time of writing.
		[S206]

1.0 RECOMMENDATION

- 1.1** Members are recommended to REFUSE the Planning Application for the following reasons.
1. The site is in part within the Development Envelope for Westley Waterless and the open countryside. Main Street where The Forge is located is at the end of an established form of linear development, many of the dwellings are single storey although the adjacent property is a storey and a half. It is considered that the dwelling proposed which is shown to be 8.6 – 9 metres in height with 3 floors of residential accommodation above ground and a cellar is not in keeping with the character of the area. Its overall height, mass and scale are disproportionate to its immediate surroundings, causing demonstrable harm to the setting and the character of the area. On this basis the proposal is considered to be contrary to policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.
 2. To the front of the site is 'The Forge' which is a building shown on the East Cambridgeshire District Council Local Buildings of Interest List as a rare surviving example of an industry that was once common in the district and it retains many of its original features. It is considered that proposed dwelling would cause demonstrable harm to the setting of this building due to its overall height, mass and scale of the proposal. Having such a large scale building would detract from this important building. On this basis the proposal is

considered contrary to policies ENV2, ENV13 of the East Cambridgeshire Local Plan 2015 and LP22 and LP27 of the Proposed Submission Local Plan 2017.

2.0 SUMMARY OF APPLICATION

- 2.1 The application proposes the erection of a dwelling. The dwelling would comprise of 3 floors with a cellar. The dwelling would be approximately 8.6 metres in height. Details of the materials were submitted with the application as part of the application form. Access to the site would utilise an existing access. The Forge would be renovated to become ancillary accommodation to the main dwelling, although details of how this would be undertaken have not been submitted with the application.
- 2.2 A bio mass boiler would be included within the dwelling and located within the cellar. Access to the cellar would be from an internal and external staircase at the front of the dwelling, concealed behind a wall.
- 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 is presented to the Planning Committee at the request of Councillor Sharp. The applicant has been in regular contact with Councillor Sharp and it is felt that the application should be discussed in an open forum.

3.0 PLANNING HISTORY

- 3.1
- | | | | | |
|--------------|------------------------------|---------------------------|----------|------------|
| 16/00352/FUL | Proposed house and cartlodge | 4No. bedroom and detached | Approved | 17.08.2016 |
|--------------|------------------------------|---------------------------|----------|------------|

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is within the development envelope for Westley Waterless, although some of the western part of the site is within the countryside. The site sits on Main Street, which is a linear form of development. Dwellings are characteristically single storey in height, although the dwelling immediately adjacent is a storey and half. The dwellings sit behind established hedges and are set back from the road.
- 4.2 The site is at the end of a linear form of development where the area is predominantly rural with Westley Waterless being made up of 3 pockets of residential development.
- 4.3 The site itself has 2 large ash trees to the boundary of the property and a pond to the rear of the site but outside of the application site. The site itself is grassed with a post and rail fence to the boundaries. To the front of the site is 'The Forge' which is

on the Buildings of Local Interest Register which was agreed by East Cambridgeshire District Council in February 2017. The Forge is noted to be an important rare surviving example of an industry that was common throughout the district; many of the original features remain, including the furnace stack.

- 4.4 To the front, side and rear of the site are open fields and paddocks. In 2015 Prior Approval was granted for the conversion of a single storey agricultural building to a single dwelling. This is located south east to the proposed dwelling on the opposite side of the road. The change of use of the barn currently falls under different regulations that came into force in April 2014, allowing for the conversion of agricultural buildings under certain circumstances relating to highways; flooding; contamination; size and previous use.

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.

Local Highways Authority – No objection to the proposal as an access already exists. However would recommend conditions relating to gates not being erected; access to be constructed to a minimum width; there is sufficient space for vehicles to turn and leave the site in forward gear.

CCC Growth & Development - No Comments Received

Senior Trees Officer – The application was submitted with a tree survey however this did not correctly plot the dwelling and a revised tree survey was submitted. Following the assessment of the tree officer, no objection was received, although conditions relating to the retention of the trees; tree protection and Arboricultural Method Statement should be provided to ensure the trees are not damaged during construction.

Conservation Officer – In discussion with the Conservation Officer the following concerns were raised with regard to the proposal. The Conservation Officer was consulted due to 'The Forge' at the front of the site being on the Buildings of Local Interest Register.

- The overall scale and height of the proposed dwelling will have a detrimental impact on the setting of the Forge;
- No details of how the Forge is going to be used (although it does state ancillary to the main dwelling)
- The design having 2 doors to the front of the dwelling would detract from the main entrance point.

Waste Strategy (ECDC) – No objections subject to the payment for bins.

Parish – No objections to the original plans or amended plans.

Ward Councillors – The application has been called into Committee by Councillor Alan Sharp. The applicant has been in regular contact with the Councillor and it is felt the application should be presented in an open forum.

Environmental Health – The revised plans submitted included a Bio Mass Boiler and comments from the Environmental Health Officer required additional information relating to the size; fuel to be used and height of the flue. This information was later provided by the applicant and answered the questions raised by the EHO. A condition should be attached to any planning permission granted to include working hours during construction.

Scientific Officer (Environmental Health) stated:

“The Envirosearch report dated 4th January 2017 supplied with the application fails to highlight the previous use of the site as a smithy or forge. Metal working is an activity which has the potential to cause land contamination. As this activity ceased some time ago any health risk is likely to be low and a condition requiring further site investigation work is not required. As this application is for a sensitive end use (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.”

A site notice was displayed on a sign post along Main Street. It was not advertised in the Cambridge Evening News as a potential departure from the Local Plan as it was considered that the principle of a dwelling in this location had already been established with the extant planning permission granted in 2016. The site is predominantly within the development envelope for Westley Waterless, so advertising the development was not deemed necessary.

Neighbours – 2 neighbours were notified and no responses to the notification were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 5	Presumption in favour of sustainable development
GROWTH 2	Locational 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
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision
ENV 12	Listed Buildings

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

6.3 National Planning Policy Framework 2012

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

6.4 Proposed Submission Local Plan 2017

- LP2 Level and Distribution of Growth
- LP3 The Settlement Hierarchy and the Countryside
- LP22 Achieving Design Excellence
- LP23 Water Efficiency
- LP25 Managing Water Resources and Flood Risk
- LP27 Conserving and Enhancing Heritage Assets
- LP26 Pollution and Land Contamination
- LP30 Conserving and Enhancing Biodiversity and Geodiversity

7.0 PLANNING COMMENTS

- 7.1 An application of this nature requires the following issues to be discussed principle of development; impact on the character of the area; impact on The Forge; impact on the neighbours amenity; highway safety; design; trees; ecology and comparison of the previous approval.

7.2 **Principle of development**

The site is in part of the development envelope for Westley Waterless and a small part to the western boundary is in the open countryside. The development envelope runs along the fence line of the paddock to the side of the site. In 2016 planning permission was granted for the erection of a dwelling and it is considered that the principle of a dwelling in this location has already been established. The reasoning behind this decision is copied from the previous report;

“The Council cannot currently demonstrate a robust five year housing supply and therefore the policies within the Local Plan relating to the supply of housing should not be considered up-to-date. In light of this, applications for housing development, such as this one, should be considered in the context of the presumption in favour of sustainable development as set out in paragraph 14 of the National Planning Policy Framework (NPPF).

The key considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the NPPF taken as a whole, and against the policies within the Local Plan which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.

Although part of the site is located outside the development envelope, the majority of the site is located within the development envelope of Westley Waterless and it is considered to be in a sustainable location.”

Whilst the Council can now demonstrate a 5 year housing land supply through the consultation of the Proposed Submission Local Plan 2017, it is considered that the principle of development has already been established with the extant permission granted, which expires in 2019. On this basis the proposal is considered to comply with policies GROWTH 5 of the East Cambridgeshire Local Plan 2015 and LP1 of the Proposed Submission Local Plan 2017.

7.3 Comparison of the previous approval (16/00352/FUL)

The previous application was submitted in March 2016 and determined in August 2016. It was for the erection of dwelling with a detached garage. The Forge at the front was conditioned to be renovated by way of condition and to be ancillary to the main dwelling, the condition is shown below as it appeared on the decision notice.

“Prior to the occupation of the proposed dwelling, a schedule of works for the repairs and maintenance of the Old Forge and timescales for carrying out the work shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved schedule of works and the building shall thereafter be retained as an ancillary building to the hereby approved dwelling.”

The table below provides a comparison of the extant planning permission and the proposed dwelling.

	Extant Planning Permission 16/ 00352/FUL	Proposed Dwelling 17/01503/FUL	Difference between the 2 proposals
Front Elevation Length	14.5 metres	15.4 metres	+0.90 metres
Depth of the dwelling	10.5	15.6 metres	+5.1 metres
Height of the Dwelling	8.2 metres	8.6 – 9 metres due to the land slope	+0.40 – 0.80 metres
Ground Floor Area	108 m ²	178.6m ²	+70m ²
Ground Floor Area including Garage	132.8 m ²	178.6m ²	+45.8m ²
Total Floor Area	216m ²	392.3m ² (excluding cellar)	+176m ²
Frontage of the Site	24 metres	24 metres	0

The table clearly demonstrates that the proposed dwelling is significantly larger than what has previously been approved. The site is currently vacant and is the last site within the settlement boundary for Westley Waterless. The site should have respect for its rural character on the edge of a settlement boundary. This dwelling previously approved was of a smaller scale which did have respect for its surroundings it was set approximately 11 metres away from The Forge and 16 metres from the

entrance, and set in a similar linear position to the adjacent Ainslea Cottage. The proposed development is only 7 metres from The Forge (this is due to the front projection) and 17 metres from the road, although the front projection is closer to the road. It is considered that the overall height, mass and scale is not in keeping with the character of the area and would be contrary to policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.

7.4 Impact on the character of the area

Main Street, Westley Waterless is predominantly low ridge height detached dwellings, set in large plots. The dwellings immediately adjacent to the site are also set behind high hedges. The proposed development is significantly higher in height in comparison to the adjoining site. Ainslea Cottage is shown on the street scene provided by the applicant and shown as 5.4 metres in height, with the proposed dwelling at 8.6 metres in height increasing to 9 metres where the land slopes away. This is considered to be a significant change in height of over 3 metres. Ainslea Cottage is a storey and half dwelling and the roof slopes away from road, the proposed dwelling has a front projection which is gable end to the road, the overall impact of the proposed dwelling will be significant when viewed from the street.

Add to this the width of the proposal it is going to be dominant in the street when viewed from the street. It is considered that the proposal does not meet the criteria of policies ENV2 of the East Cambridgeshire Local Plan 2015 or LP22 of the Proposed Submission Local Plan 2017.

7.5 Design

The design of the proposal is in principle acceptable and follows some characteristics of nearby dwellings in the use of the materials proposed shown on the application form. However the Conservation Officer did raise a concern with regard to having 2 doors to the front elevation and detracting from the main entrance of the dwelling. Whilst this in design terms is correct, in terms of planning it would seem onerous on the applicant to remove this element, when it is something they could achieve using permitted development rights in the future.

Whilst the overall design is considered acceptable the amount of mass and scale is considered to be a dominating feature which is detrimental to the character of the area as discussed in a previous section 'Impact on the character of the area'.

7.6 Impact on The Forge

The proposed dwelling is approximately 7 metres from 'The Forge' with a ridge height of 8.6 metres in this location. The Forge is on the Local Buildings of Interest register which was adopted in February 2017. It is considered to be a rare example of the industry that was common throughout the district, and retains many of its original features including its furnace stack. To have such a dominant building behind The Forge is going to detract from the historic setting of the building causing demonstrable harm to its local importance. Whilst the height is a factor, it's the overall mass and scale that detracts from the setting of The Forge. Policy ENV13 of East Cambridgeshire Local Plan 2015 and LP27 of the Proposed Submission Local Plan 2017 requires that development that would have a detrimental impact on the visual, architectural or historic significance of a structure on the Local Register will

not be permitted. It is considered that the dominate nature of the proposed development would have demonstrable harm on the visual setting of The Forge and as such is contrary to those policies.

7.7 Impact on the neighbours amenity

The proposed dwelling is sited 17 metres away from Ainslea Cottage, although it does sit further forward on the site. The only elevation to face Ainslea Cottage is the east elevation, 4 windows and a door are provided at ground floor with 3 windows at first and second floor, 2 of which are indicated to be fitted with obscure glazing at first floor. It is considered that the distance between the dwellings and the ash trees that the amenities of the adjoining neighbour would not be compromised. If the ash trees were not there, the degree of separation would still maintain the neighbours amenities to a reasonable standard. On this basis it is considered that the proposal complies with policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.

7.8 Highway safety

In consultation with the Highways Officer the proposal is considered acceptable. The proposal is using an existing access and adequate visibility can be provided. Highway conditions have been requested with regard to the provision of gates being set back from the road; the access should be made to the width as shown on the plans with no unbound material for 6 metres and that the parking area should be provided and maintained to ensure that vehicles can leave the site in a forward gear. On this basis it is considered that the proposal complies with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Proposed Submission Local Plan 2017.

7.9 Trees

Within the site are 2 mature ash trees which are on the eastern boundary with Ainslea Cottage and to the south of the site is ancient woodland.

In consultation with the Tree Officer, it was considered following the submission of a revised tree survey that the proposed dwelling would not cause any detrimental harm to the health of the 2 ash trees, on the basis that a condition requiring tree protection of the trees during construction, and arboricultural method statement and the need to approve any works to the trees to ensure their retention.

The previous approval required tree protection of the ash trees. The comments of the tree officer in this application requires additional protections of the tree, this is due to the increase of development on the site and the desire to retain the trees for the future not only from a landscaping perspective but also as it provides a visual screen between the Ainslea Cottage and the proposed development. On this basis it is considered that the application complies with policies ENV7 of the East Cambridgeshire Local Plan 2015 and LP30 of the Proposed Submission Local Plan 2017.

The ancient woodland is to the south of the site; however is in excess of 100 metres from the site with a road between them. On this basis it is considered that the proposal would not be detrimental to the woodland and complies with policies ENV11 of the East Cambridgeshire Local Plan 2015 and LP28 of the Proposed Submission Local Plan 2017.

7.10 Ecology

The application was supported by a Great Crested Newt – Habitat Suitability Assessment which was prepared in March 2016, in support of the previous application. The report was also supported by a covering letter from the authors of the report stating it could be used by the applicant and the findings of the report were valid for 2 years, therefore would expire in March 2018. For consistency the previous report comments have been copied and shown below;

“The Ecology Report and Great Crested Newt Survey in respect of the adjacent pond, assesses the impact of the proposed development on protected species. The report considers that the habitats on the site are of moderate ecological value and sets out appropriate mitigation measures in respect of protected species. The need for a further Great Crested Newt survey on neighbouring ponds was also identified and a statement from the planning agent dated 7 June 2016 addressed this issue referring to recent neighbouring surveys indicated no presence of Great Crested Newts in other neighbouring ponds. A condition will be attached to any approval requiring the implementation of these recommended mitigation measures including the provision of bird and bat boxes, together with an informative indicating that Great Crested Newts are a protected species under the Wildlife and Countryside Act 1984.”

On this basis the proposal is considered to comply with policies ENV7 of the East Cambridgeshire Local Plan 2015 and LP30 of the Proposed Submission Local Plan 2017.

7.11 Biomass Boiler

The revised plans indicated that a biomass boiler would be situated within the cellar. Further discussions were had with the Environmental Health Officer and the applicant. Following these conversations it was considered that the information supplied was acceptable and met with Environmental Health standards with regard to position of the flue, size of boiler and installed by a MCS Contractor. Whilst there may be some impact to the neighbour the EHO considered it would not cause enough harm to warrant a refusal. Further conditions could be applied with regard to the installation and the material burnt as fuel.

7.12 Conclusion

Whilst the design, ecology, impact on neighbours, highway safety and tree information that has been submitted has addressed these issues subject to suitable conditions, the overall scale, mass and height of the proposal has not been addressed. The proposed dwelling would detract from the historic building which is locally listed to the front of the dwelling and would be dominant in the street. On this basis the application is recommended for refusal.

Background Documents

Location

Contact Officer(s)

17/01503/FUL	Toni Hylton Room No. 011 The Grange Ely	Toni Hylton Planning Officer 01353 665555 toni.hylton@eastcambs.gov.uk
16/00352/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					