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**MAIN CASE**

**Reference No:** 17/00108/FUL

**Proposal:** Construction of single storey log cabin style annex

**Site Address:** 1 Bury Lane Sutton CB6 2BB

**Applicant:** Mr Richard Hamence

**Case Officer:** David Gibson, Planning Officer

**Parish:** Sutton

**Ward:** Sutton

**Ward Councillor/s:** Councillor Lorna Dupre  
Councillor Lisa Stubbs

**Date Received:** 25 January 2017      **Expiry Date:** 08 May 2017

[R275]

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1.0 **RECOMMENDATION**

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

1. Policy ENV2 of The East Cambridgeshire Local Plan 2015 requires development proposals to ensure that their location, layout, scale, form and massing relate sympathetically to the surrounding area. The proposed accommodation will be located some distance from the main dwelling and has to be accessed by leaving the main dwelling and walking through the side/rear garden. The separation distance is such that any future occupant would be isolated from daily household activities taking place within the main dwelling and from care being provided. The proposed annex is of a size and benefits from facilities that could easily be converted to function as an independent unit of accommodation and its size in comparison to the host dwelling is not commensurate with ancillary accommodation. Due to the size and location of the annex the applicant has failed to demonstrate the functional link to the host dwelling. The proposal is therefore considered to be contrary to Policy ENV2.

2.0 **SUMMARY OF APPLICATION**

2.1 The planning application seeks consent for the erection of a single storey annex to the side of the property to provide assisted living for an elderly relative with severe medical needs. The applicant has stated that the relative is very unsteady on her feet already and requires round the clock assistance, a wheel chair to move about over long distances and a specialist bed which requires additional equipment.

The proposed annex would measure 9.15m x 5.94m and would have a maximum height of approximately 3.5m. It would be finished in timber boarding. It would be located approximately 3 metres from the side elevation and side door of the host property, 1 Bury Road. Internally, the annex would provide a lounge and dining area, a W.C, a study and a bedroom. A small decking area would be provided to the rear to allow outdoor sitting for a wheelchair user. A ramp would lead from this decking to a walkway to the host dwelling

- 2.2 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.**

- 2.1 The application was called in on 13<sup>th</sup> April 2017 by Cllr. Lorna Dupre in allow the application to be determined by Planning Committee due to the needs of the applicant.

### 3.0 PLANNING HISTORY

- 3.1 None relevant to this planning application

### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site consists of a semi-detached dwelling and a large side and rear garden. The site is located to the north of the development envelope of Sutton. The site benefits from some vegetation along the eastern and northern boundary which provides some screening. The site is also quite set back from the main road.
- 4.2 The adjacent property has a large wooden outbuilding in the side garden. Further along Bury Road a set of semi detached dwellings of similar design and layout both benefit from large wooden outbuildings to the side. These outbuildings are as large as the structure being applied for here and located in similar positions.

### 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 - No Comments Received

Ward Councillors - Councillor Dupre has requested that the application be determined by Planning Committee due to the needs of the applicant.

5.2 Neighbours – A site notice was erected adjacent to the site and one neighbouring property was notified. No comments or objections have been received.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

ENV 7	Biodiversity and geology
ENV 8	Flood risk
COM 7	Transport impact
COM 8	Parking provision
GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design

### 6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations

### 6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 1 Building a strong, competitive economy
- 11 Conserving and enhancing the natural environment
- 7 Requiring good design
- 8 Promoting healthy communities

### 6.4 Planning Practice Guidance

## 7.0 PLANNING COMMENTS

The applicant seeks planning consent for the erection of a detached annex to the side of the property. The key issues relating to the assessment of annexes are –

- The principle of the development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring residents
- Impact on parking and highway safety

### 7.1 Principle of Development

When assessing annexes it is important to consider the principle of the proposed annex in particular; the location, why it is required and the wider site in context.

- 7.2 The proposed annex would be separated from the main dwelling by approximately 3 metres. A walkway would provide a link between the annex and the host dwelling. At the site visit stage the case officer raised concerns over the gravel driveway and the difficulties this could raise for a person using a wheelchair. The applicant has confirmed that provisions would be made to ensure this would not be an issue.
- 7.3 It is accepted that where a genuine annex is required it is preferable for it to be created through an extension to the existing dwelling so that it can be incorporated into the main accommodation should it be no longer required. This was considered by the applicant but was dismissed based on the size of the annex that would be required to accommodate the elderly relatives needs, the amount of structural and building work that would be required to link it functionally to the dwelling, the potential impact this could have on the attached neighbouring property and the cost of creating a physical extension to the dwelling. The applicant believes that the addition of a separate structure close to but not attached to the host dwelling would overcome these concerns.
- 7.4 In terms of need, the applicant has stated that the annex would be required by an elderly relative who is in need of care but is still able to live a semi-independent life. The host dwelling is owned and occupied by the family of the proposed annex resident and would therefore be able to help with any assisted living needs.
- 7.5 With regards to the size and internal layout of the building, the proposed annex is considered to be relatively large. It would be over 9 metres long and almost 6 metres wide. It would contain a large living and dining area, a double bedroom, a study, a hallway, a WC and a storage cupboard. The applicant has stated that the reason for the large amount of space is because of the needs of the proposed user. They do not want the elderly relative to live in a small space. The applicant has also stated that additional space may be required for someone to stay over in the annex should additional care be needed if the family members are away.
- 7.6 The Council has concerns that the annex is overly large and is not subservient or incidental to the host dwelling. The study or the dining area could easily be converted to provide a small kitchen area thereby converting the building into a completely separate unit of accommodation. Officers have offered advice to the applicant on ways to reduce the size of the annex without losing the important facilities within the proposed building. The Officers advised that reducing the length to 6.65m and removing the study and hallway or reducing the size of the living/dining area would help to ease concerns. The applicant does not consider these amendments to be acceptable as they feel this level of accommodation would not be suitable for the family member.
- 7.7 It is considered that the applicant has failed to justify the need for the additional accommodation of this size. As stated above, the starting point for any annexe should be an extension to the existing dwelling. If this is not feasible then a small annexe building could be considered. It is considered that the proposed annexe is too large and contains facilities that would normally be expected to be found in a separate unit of accommodation. With small internal modifications the annexe could become a fully functioning separate unit of accommodation. The proposal is therefore considered to be contrary to Policy ENV2 in this respect.

- 7.8 Impact on character and appearance of the area  
Policy ENV2 and the Design Guide seek to ensure that any development would not have an adverse impact on the visual amenity of the surrounding area.
- 7.9 The proposed development would be finished in timber and would have a maximum height of 3.5m. The development would be located to the side of the dwelling which is relatively open and is easily viewed from the south and east of the site. Whilst it would be set back from the highway to the south west, the property benefits from little screening to soften the appearance of the proposal.
- 7.10 As stated above, the attached property to the west, 2 Bury Lane, already benefits from a large shed in the side garden and further along Bury Road, the next dwellings which are a pair of very similar semi-detached properties also benefit from large wooden garages in the side gardens.
- 7.11 On balance, it is therefore considered that the proposed works, whilst being prominent when viewed from the public realm, when viewed in the context of the residential property and other outbuildings in the surrounding area, it is not considered that it would have enough of a significant adverse impact on the character and appearance of the host dwelling and the surrounding area, to warrant refusal of the application on these grounds.
- 7.12 Based on the above, it is considered that the proposed development would accord with policy ENV2 and the Design Guide in this regards.
- 7.13 Impact on neighbouring residents  
Policy ENV2 seeks to ensure that developments do not have an adverse impact on the amenity of the neighbouring residents.
- 7.14 The site only has one immediate neighbour, which is located to the west of the application site. Agricultural land surrounds the site in all other directions. The proposed annex would be located to the east of the host dwelling. It would be screened completely from the neighbouring property by the host dwelling so would not lead to any loss of light, any overbearing impact or any loss of privacy. All of the proposed windows would look out onto the host dwelling or the boundary treatment surrounding the site.
- 7.15 It is therefore considered that the proposed dwelling would not have an adverse impact on the neighbouring properties and fully accords with Policy ENV2 in this regard.
- 7.16 Impact on parking and highway safety  
Policies COM7 and COM8 combined seek to ensure that the proposed development would not have an adverse impact on the highway safety and ensure that the development would not lead to an increase in on street car parking.
- 7.17 The proposed annex would be located to the side of the dwelling and would leave the parking area to the front of the dwelling untouched. The elderly relative who would reside in the annex would not be using a car. In any case, space for up to 4no. cars is available to the front of the site.

It is therefore considered that the proposed development would accord with Policy COM7 and COM8 and not have an adverse impact on highway safety.

7.18 Planning balance

On balance, it is considered that the proposed development would not be ancillary and incidental to the host dwelling. Due to its size and proposed internal layout which would provide rooms and facilities above what would normally be expected in ancillary accommodation, it is considered that the proposed development could ultimately lead to a new separate unit of accommodation within the countryside. The provision of ancillary accommodation should be explored through an extension to the dwelling or smaller ancillary building which would rely much more on the facilities of the host dwelling.

7.19 It is requested that Members refuse this application for the above reason.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00053/OUT	David Gibson Room No. 011 The Grange Ely	David Gibson Planning Officer 01353 665555 David.Gibson@east cambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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>