
MAIN CASE

Reference No: 17/01384/FUL

Proposal: New dwelling house for manager, storage building & associated landscaping relating to the facilities of existing bed and breakfast and wedding/function venue.

Site Address: The Old Hall Soham Road Stuntney Ely Cambridgeshire CB7 5TR

Applicant: The Old Hall Ely Partnership

Case Officer: Barbara Greengrass, Senior Planning Officer

Parish: Ely

Ward: Ely East
Ward Councillor/s: Councillor Richard Hobbs
Councillor Lis Every

Date Received: 10 August 2017 **Expiry Date:** 5 October 2017
[S132]

1.0 RECOMMENDATION

- 1.1 Members are recommended to REFUSE planning permission for the following reason;
1. An essential need for an additional permanent dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU5 of the East Cambridgeshire Local Plan 2015. The proposal does not meet the functional test as the additional dwelling is not essential to meet the needs of the business, contrary to Policy HOU 5 and paragraph 55 of the National Planning Policy Framework.

2.0 SUMMARY OF APPLICATION

- 2.1 This application proposes a managers dwelling with ancillary offices and meeting rooms together with an outbuilding to provide for ancillary storage to the main use of the Old Hall as a wedding venue with 14 rooms for B & B provision.
- 2.2 The outbuilding is situated in the same place as that previously approved in 2016 the alongside the car park but has an amended design and the dwelling is proposed alongside it, to the east and set below the earth bank.

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 has been called to Planning Committee by the Ward Members Cllr Every and Cllr Hobbs.

3.0 **PLANNING HISTORY**

3.1

| | | | |
|--------------|---|----------|------------|
| 16/00358/VAR | To vary Condition 1 (Time Period) of planning permission 12/01012/FUL to extend the time period for the use of the site for weddings and functions and the siting of associated marquees. | Approved | 11.05.2016 |
| 16/00255/FUL | Change of use of The Old Hall to provide bed and breakfast accommodation with 14 rooms and 2 staff bedrooms, change of use to provide kitchen, bar, WCs and storage space within The Old Hall to support the wedding and party business. The construction of an outbuilding for a biomass boiler, fuel store, laundry and storage all ancillary to the operation of The Old Hall, and the retention of the extended car park and the construction of additional car parking | Approved | 09.01.2017 |
| 11/00823/FUL | Alterations to previously approved proposals to extend existing dwelling comprising of two storey brick faced cross wing and one and half storey weatherboarded wing (10/00217/FUL) | Approved | 03.11.2011 |

| | | | |
|--------------|--|----------|------------|
| 10/00217/FUL | Extension to existing dwelling comprising of two storey brick faced cross wing and one and half storey weatherboarded wing | Approved | 04.05.2010 |
| 02/00843/FUL | Part two storey part single storey extension to existing dwelling | Approved | 04.11.2002 |

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located in the countryside and comprises a very large detached building used as a wedding and party venue with ancillary marquees. The building is located immediately to the east of the A142 and positioned on an elevated plot with the surrounding gardens and ponds. The site is accessed via a pair of gates that lead to a car park. The marquees are in situ to the rear of the building.

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.

Waste Strategy (ECDC) – No objection. Standard informative.

CCC Growth & Development - No Comments Received

Local Highways Authority – No objections in principal. The development benefits from an existing and suitable access with the public highway. The additional number of vehicles that this development will create will mostly be outside of peak hours.

Environmental Health – recommend standard contaminated land conditions.

Consultee For Other Wards In Parish - No Comments Received

City of Ely – no concerns regarding this application

Ward Councillors – As Ward members for Ely East we wish to support planning application 17/01384/FUL. As the success of this business depends on this planning application as without it would be difficult to grow the business which brings much needed employment.

- 5.2 Neighbours – A site notice was posted and an advert placed in the Cambridge Evening news. Seven neighbouring properties were notified. No responses have been received.

6.0 The Planning Policy Context

- 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2 Locational strategy
 ENV 1 Landscape and settlement character
 ENV 2 Design
 ENV 7 Biodiversity and geology
 ENV 8 Flood risk
 ENV 9 Pollution
 HOU 5 Dwellings for rural workers
 EMP 2 Extensions to existing businesses in the countryside
 COM 7 Transport impact
 COM 8 Parking provision
 GROWTH 3 Infrastructure requirements
 GROWTH 5 Presumption in favour of sustainable development

6.2 Supplementary Planning Documents

Design Guide
 Developer Contributions and Planning Obligations
 Cambridgeshire Flood and Water

6.3 National Planning Policy Framework 2012

3 Supporting a prosperous rural economy
 5 Supporting high quality communications infrastructure
 7 Requiring good design

7.0 **PLANNING COMMENTS**

7.1 The main issues to consider in determining this application are the principle of development, the impact on the character and appearance of the countryside, impact on residential amenity and highway safety.

7.1 **Principle of Development**

7.2 The Old Hall has been operating as a successful wedding venue and various permission have been given, which are substantially complete. Work has yet to commence on the ancillary outbuilding granted permission in 2016. Part of this application proposes an amended outbuilding, in the same position as that previously approved but offering different accommodation to include a machinery store instead of the biomass boiler and staff rooms instead of two offices. The building is single storey and measures some 34 metres in length and 13.5 metres in width at the widest point, with a separate small garden store to the front measuring 8 metres in length. The building has been sympathetically designed to respect the character of the Old Hall, being of black stained weatherboarding and reclaimed pantiles construction, and has been sited some 48 metres away from the Old Hall to protect its setting. In addition the scale of the ancillary accommodation is considered reasonable to serve the needs of the business.

7.3 However the application also includes the provision of a new managers dwelling with attached office and meeting space for the business. This accommodation comprises two meeting rooms, a manager's office and a large office capable of accommodating eight work stations. The enlarged bed and breakfast business is

proving very successful, both in conjunction with the weddings and parties and in its own right. It is intended to remove the office from the Old Hall to provide another sitting room for guests. All the admin would be run from the new office accommodation which will provide workspace for the events team, dealing with bookings though to the ceremonies and parties and all the staff which currently amounts to 7 full time and 20 part time staff. Two meeting rooms are required to accommodate the many meetings with perspective customers with at least 300 couples visiting the site to make enquiries , together with additional meetings required to plan the event. Often two meetings will be held at the same time or couples will call in casually.

- 7.4 Based on the information supporting the application it is considered that the principle of the provision of these ancillary offices and meeting rooms are justified in support of the expanding and successful business at the site, subject to compliance with all the criteria within Policy EMP 2 which supports the principle of the expansion of existing businesses in the countryside.
- 7.5 The new managers dwelling needs to be assessed against Policy HOU 5 of the Local Plan as the site is located in the countryside. The development of the site would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan in so far as it seeks to focus new housing development within defined settlement boundaries. As the Council cannot 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. However, proposals for permanent dwellings for full time workers associated with rural activities are catered for within Policy HOU 5 where they can be allowed as an exception to the normal policies of control, due to their isolated location, providing certain criteria are met.
- 7.6 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application. The benefits of this application are considered to be modest, in providing for one additional dwelling to the district's housing stock, and the positive contribution to the local and wider economy in providing a convenience to the manager of the business at the site.
- 7.7 Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, for example, where there are groups of smaller settlements which may support services in a village nearby. Isolated new homes in the countryside should be avoided unless there are special circumstances. The site is considered to be unsustainable such that future occupants would be reliant on car borne transport to access services and facilities and as such, the proposal would be contrary to Local Plan Policy COM7. It is also considered that there are other sites available within easy reach within Ely and Stuntney including allocations, that provide for a more sustainable alternative.

However, the applicant has submitted justification for this dwelling on the basis of the need for the manager of the Old Hall to live on site. Policy HOU 5 allows for permanent dwellings in the countryside for full time workers as an exception to the normal policies of control providing certain criteria are met. Critically, it must be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times). There must also be no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available. If these tests can be met then it must then be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable and that the size of dwelling proposed is of a size no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise can sustain.

7.8 Essential need to live on site most of the time

7.9 To meet this test the applicant must be able to demonstrate that it is essential for the proper functioning of the business for a worker, to actually live on the site most of the time. This normally equates to the need for a full time worker. Such a requirement might arise, for example, if workers are needed to be on hand day and night to prevent failure or serious loss to the business which could not be met by living off site.

7.10 The applicant's justification for this need is as follows.

"With the wedding and party business hosting about 160 events each year, the throughput is constant. Often, and particularly at week-ends, one wedding party will be in progress whilst those involved in a wedding on the following day are arriving. This means that there can be lot of excited and demanding people on site, with needs and requests which need careful handling.

The Old Hall Partnership needs to have a senior manager on site to deal with such situations, and this is in addition to the staff who need to attend to practical matters at any time of day or night. The existing permissions include two staff bedrooms and these are used by junior staff on a rotating basis to ensure that the practical matters are always addressed.

Handling the clients and guests with complaints or concerns, or sudden ideas as to how arrangements might be improved upon at the last minute, all require tactful handling; the person involved must be a member of the senior staff, able to take decisions and to ensure that anything which needs to be done is delivered.

There is also a need for the manager and his/her family to have some private space. This cannot be found in The Old Hall because of the level of activity when events are held, both in the day and at night, and because of the music and noise which will be generated in the party marquee. Whilst there are no issues with noise for the village, with strict control and regular monitoring, the noise level on the site is quite significant and this would have a serious effect on anyone living as part of an employee's family in The Old Hall. Therefore the application seeks to include a three bedroom house in the same new building."

- 7.11 Following a comprehensive review of the evidence provided, it is considered that the existing two staff bedrooms on the site within the Old Hall provides for sufficient on site accommodation to meet the needs of the business and to deal with the matters highlighted above, whilst providing for an overnight presence. It is considered that there is not an essential need for an additional managers dwelling on the site to serve the needs of the business. The requirements of the business listed above can adequately be addressed by using the existing accommodation to manage the business and there is not a need for the manager to actually live on site to manage the day to day running of the business. This could be adequately achieved by living off site without causing critical interference to the successful operation of the business. The occupiers of the staff accommodation in The Hall could adequately deal with any on site emergencies and call the manager to site should the need arise.
- 7.12 It is also noted that the business has thrived and expanded successfully to date without the need for a manager to live on site and there is no reason why this could not continue in the future. It may be desirable and convenient for the manager to live on site but this does not meet the test of being an essential requirement to meet the functional needs of the business , in line with Local Plan policy and the NPPF.
- 7.13 No accounts have been submitted, although it is not disputed that the business is profitable and likely to remain so, such that the income from the business could sustain a dwelling of the size proposed. The dwelling is two storey with a floorspace of approx 1750sqft. Policy HOU 5 makes it clear that rural dwellings should be no larger than that required to meet the functional needs of the enterprise, nor should it be unusually expensive to construct in relation the income the business can sustain. The size of the dwelling is not considered excessive in this regard.
- 7.14 **Visual Amenity**
- 7.15 Policies ENV 2 and HOU 5 recognise the importance of ensuring new development is sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset. Policy ENV 1 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, Policy ENV 2 seeks to ensure 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.
- 7.16 The new outbuilding will not be visually intrusive or unacceptable due to its siting to the south east of the Hall alongside and cut back into the hill and the sensitive choice of materials. Likewise the dwelling and ancillary offices have been sensitively sited and make use of sympathetic materials. The latter are proposed in second hand or hand made Cambridge buff bricks and buff peg tiles to match the original Hall. The dwelling itself is modest rising to a height of some 8 metres and will not detract from the setting of The Hall itself.
- 7.17 The new outbuilding and dwelling are entirely in character with the style of the main building and sit as subsidiary buildings beside and behind the main building, appearing smaller and subservient to it, but reflecting the same style.

- 7.18 The dwelling site is at the end of the car park and beside the previously approved outbuilding, with links to it; the new structure will appear as a natural part of the whole complex. The building will have dedicated parking for visitors and the office staff will park in the bays. The entrance to The Old Hall site is well landscaped and much planting has been undertaken around the main house. It is intended that the outbuilding and new building and the car park will be landscaped to a similar standard.
- 7.19 The dwelling would be visible from long distant views on Queen Adelaide Way, however the dwelling will be set behind and beyond the Hall and this view is distant enough that it would not provide imposing views to the detriment of the Old Hall or the wider countryside setting. The proposal is therefore considered to comply with Policies ENV 1, ENV 2 and HOU5 in this regard. It is accepted, in accordance with Policy HOU5, that the proposed dwelling is well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings.
- 7.20 Residential amenity**
- 7.21 The proposed dwelling will have adequate amenity space in line with the Design Guide SPD. The addition of the ancillary buildings and the managers dwelling will not give rise to any adverse impact on the residential amenities of neighbouring dwellings as there are no dwellings within close proximity of the site.
- 7.22 Highway safety**
- 7.23 The building and dwelling will use the existing access from the A142; the volume of traffic movements will not change as a result of this application because the accommodation available for guests to sleep will remain unchanged, and so will the wedding and party arrangements; the office staff will simply be moved to the new building; there will be a manager with partner and, perhaps children on site but the journeys they create as residents will be offset by the reduced number of trips to the site which senior managers are currently obliged to undertake in order to address problems for clients and guests.
- 7.24 The County Highway Authority is satisfied that this proposal will have no harmful impact on highway safety. The proposal therefore complies with Policy COM 7 of the Local Plan.
- 7.25 Other Material Matters**
- 7.26 It is considered that the proposal would cause no material harm in terms of flood risk or ecology. The site is located within flood Zone 1 wherein development is considered appropriate and given the position of the new development there are no ecology issues or loss of biodiversity.
- 7.27 Planning Balance**
- 7.28 The proposed ancillary outbuildings and offices are considered to be acceptable in planning terms, however the managers dwelling to serve this business is not justified, as it is not essential to meet the needs of the business, to have a full time

worker living on the site, to be on hand day and night to deal quickly with emergencies that could cause serious loss to the business.

7.29 The proposal therefore conflicts with Policy HOU 5 of the Local Plan.

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|------------------------------------|---|---|
| 17/01384/FUL | Barbara Greengrass Room No. 011 The Grange Ely | Barbara Greengrass Senior Planning Officer 01353 665555 barbara.greengrass @eastcambs.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>