
MAIN CASE

Reference No: 18/00384/VAR

Proposal: Variation of condition 1 (Approved plans) of previously approved 17/00881/FUL for Erection of two detached dwellings

Site Address: Land East And South Of 111 Hillrow Haddenham
Cambridgeshire

Applicant: AJ Lee Developments Limited

Case Officer: Catherine Looper, Planning Officer

Parish: Haddenham

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

Date Received: 27 March 2018 **Expiry Date:** 07/09/2018

[T79]

1.0 **RECOMMENDATION**

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

1. The proposal is considered to be contrary to policies ENV1, ENV2 and ENV11 of the Local Plan 2015, and policies LP22, LP27 and LP28 of the Submitted Local Plan 2017 by virtue of its size and design which would not create a positive and complementary relationship with the surrounding rural area. The proposed dwelling would create a highly dominant and visually intrusive form of urbanizing development within the rural landscape which fails to preserve the edge of settlement location. The dwelling is of a large, modern style with a garage between the front elevation and highway, contrary to the dispersed development along Hillrow.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks to vary the approved plans for the previous application 17/00881/FUL, for one plot only. The variation would result in a dwelling with a maximum height of 7.6m. The dwelling would feature an M shaped roof with various elements protruding, resulting in a continuous line of built form which extends 32.3m in depth into the plot.

2.2 Planning permission was previously approved by Planning Committee in August 2017 against officer recommendations for the erection of two detached dwellings. This application for one of the plots has therefore been brought back to Planning Committee.

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.**

3.0 PLANNING HISTORY

3.1

17/00083/FUL	Erection of two detached dwellings.	Refused	16.03.2017
17/00881/FUL	Erection of two detached dwellings	Approved	03.08.2017

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 150m to the west of the Hill Row established development framework, and approximately 800m 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 a number of trees which border 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 [LIST] and these are summarised below. The full responses are available on the Council's web site.

Local Highways Authority - The highways Authority has no objections in principal to this application. The access has approval under planning number 17/00881/FUL. Please include any previous and relevant highways comments, recommend conditions and informatives to any permissions that the planning authority is minded to grant as per approved application number 17/00881/FUL and / or any other relevant approvals.

CCC Growth & Development - No Comments Received

Environmental Health - Under section 14 of this application the applicant has indicated 'yes' in the 'proposed use that would be particularly vulnerable to the presence of contamination' box but I cannot see an environmental statement attached. I therefore advise contaminated land conditions 1 and 4, requiring an appropriate contamination assessment, to be attached to any planning permission granted. In addition, due to the proposed number of dwellings and the close proximity of existing residential properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

08:00 – 18:00 each day Monday – Friday
08:00 – 13:00 on Saturdays and
None on Sundays or Bank Holidays

Other than that, no issues, but please send out the environmental notes.

Waste Strategy (ECDC) - No Comments Received

Parish - The Council meet yesterday evening to consider the above application and wish to recommend outright refusal and return the following comments;

- The new proposal is significantly larger than that previously approved and would be out of scale with neighbouring properties as well as being out of keeping with the street scene.
- The Hillrow conservation area document clearly states that views should be protected along and across this ancient causeway, a property of this scale would have a significant visual impact.

Ward Councillors - No Comments Received

Conservation Officer - No Comments Received

5.2 **Neighbours** – Nine neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Concerns regarding overdevelopment.
- The application proposes development on the scale of the original application which was refused (17/00083/FUL).
- The proposal would set a precedent.
- The proposal would impact the conservation area of Haddenham.

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 2018

5 Delivering a sufficient supply of homes
 12 Achieving well-designed places
 15 Conserving and enhancing the natural environment
 12 Achieving well-designed places

6.4 Submitted Local Plan 2017

LP6	Meeting Local Housing Needs
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP22	Achieving Design Excellence
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP27	Conserving and Enhancing Heritage Assets
LP2	Level and Distribution of Growth
LP3	The Settlement Hierarchy and the Countryside
LP16	Infrastructure to Support Growth
LP17	Creating a Sustainable, Efficient and Resilient Transport Network

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of the application are the residential amenity of neighbouring occupiers, the visual impact, and the impact on the adjacent Conservation Area.

7.2 The principle of development has already been established on this site under application 17/00781/FUL, whereby two detached dwellings were permitted. The current application seeks to amend the design of one plot.

- 7.3 With regard to residential amenity, the proposed dwelling is a significant distance from neighbouring properties and is not considered to create overbearing or overshadowing impacts due to these distances. There are no side facing windows at first floor level, and therefore the proposed dwelling would not create overlooking to neighbouring properties or the proposed dwelling on Plot 2.
- 7.4 Policies ENV1 of the Local Plan 2015 and LP28 of the Submitted Local Plan 2017 requires proposals to provide 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. Policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2017 require proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other.
- 7.5 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 of the Local Plan 2015 and policy LP27 of the Submitted Local Plan 2017 in relation to any impact on the character and setting of the designated heritage asset.
- 7.6 The streetscene is characterised by dwellings of a traditional scale and design. There are also some larger dwellings which are typical of farmhouse style properties in a rural setting, and these contribute to the character and appearance of the Conservation Area. To the south of Hillrow the land slopes away and is predominantly agricultural, with sporadic dwellings of a smaller scale in this vicinity.
- 7.7 Policy ENV 11 of the Local Plan 2015 and policy LP27 of the Submitted Local Plan 2017 require 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 introduction of a modern and dominant dwelling of this scale would be harmful to the rural character and appearance of the Conservation Area.
- 7.8 The principle of a dwelling in this location has been established, however policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2017 state that design which fails to have regard to local context including architectural traditions and does not take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable. The previous application granted permission for two dwellings of a significant scale. The current proposal would see a significant increase in the footprint and level of built-form on one of the plots. The level of built-form would extend back into the plot by a further 10m from the original scheme, which would be visually intrusive to the rural setting. The applicant has advised that the ridge height of the proposed dwelling would be equal to that of the previously approved scheme, however this has been achieved by digging down and setting the property at a lower level. The width of the proposed dwelling is increased from 14.7m in the previous scheme, to 16.5m. This is exacerbated by the proposed detached garage which would mean

that built form is present across 18m of the 27.5m frontage. In addition to the visually intrusive impact, the design of the proposed dwelling is of a much more modern design than the previous approval, which provided for a much more rural appearance, more in keeping with the character of the area. The current proposal would be out of character with the rural setting of the area, and would therefore introduce a significantly urbanising influence in this rural setting.

- 7.9 The proposal fails to satisfy the requirements of policies ENV1, ENV2, and ENV11 of the Local Plan 2015 and policies LP22, LP27 and LP28 of the Submitted Local Plan 2017.
- 7.10 The access arrangements remain unchanged from the previous application 17/00881/FUL, to which the Highways Authority raised no objections. Therefore the proposal is considered acceptable in terms of highway safety and access.
- 7.11 The previous application dealt with trees, hedgerow and biodiversity matters by condition and these are considered suitable to append to any grant of permission on the new design.
- 7.12 On balance the benefits of the provision of a dwelling are outweighed by the detrimental impacts on visual amenity and the character and appearance of the Conservation Area, through the introduction of a highly dominant and urbanising level of built-form, which is contrary to policies ENV1, ENV2 and ENV11 of the Local Plan 2015, and policies LP22, LP27 and LP28 of the Submitted Local Plan 2017. The application is therefore recommended for refusal.

8.0 APPENDICES

8.1 None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00384/VAR	Catherine Looper Room No. 011 The Grange	Catherine Looper Planning Officer 01353 665555
17/00083/FUL 17/00881/FUL	Ely	catherine.looper@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>