

MAIN CASE

Reference No: **18/01448/FUL**

Proposal: **New dwelling**

Site Address: **Forge Farm Cottage Brinkley Road Westley Waterless
Newmarket Suffolk CB8 0RD**

Applicant: **Mr John Peters**

Case Officer: **Catherine Looper, Planning Officer**

Parish: **Westley Waterless**

Ward: **Bottisham**

Ward Councillor/s: Councillor Alan Sharp
Councillor David Chaplin

Date Received: **1 November 2018** **Expiry Date:** **08/03/2019**

[T211]

1.0 RECOMMENDATION

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

1. The proposed dwelling is located within the countryside and, by virtue of its distance from the settlement of Westley Waterless, is considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwelling 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 79 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, policies LP1 and LP17 of the Submitted Local Plan 2018, and Paragraphs 11 and 79 of the National Planning Policy Framework, as it fails to promote sustainable development.
2. The resulting development will have an overly cramped appearance, contrived layout and appear incongruous within the street-scene. The development site does not lend itself to residential development and the proposal would appear out of keeping in this plot and would appear incongruous in the grounds of another dwelling. This harm would be further exacerbated by the removal of a significant section of mature hedgerow to accommodate the access. The development is not considered to be in accordance with Local Plan Policy ENV1 and ENV2 and Policy LP28 and LP22 of the Proposed Submission Local Plan 2017 which states that development should respect the density, landscape and character of the surrounding area and is recommended for refusal on these grounds.

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks consent for the construction of a dwelling on garden land adjacent to Forge Farm Cottage. The proposed dwelling is 1.5 storey and has a frontage of 10m. The proposed dwelling extends back into the plot by 11.2m. The upper floor is served by roof lights and dormer windows of a gable design.
- 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.
- 2.3 The application has been called into Planning Committee by Councillor Alan Sharp.

3.0 PLANNING HISTORY

3.1

07/01208/FUL	Demolition of cottage, erection of new dwelling and change of use of land to residential garden	Refused	06.03.2008
17/00512/OUT	Erection of a replacement dwelling and associated garage on land at Forge Farm Cottage	Approved	26.07.2017
18/00392/FUL	Two storey rear extension	Approved	21.05.2018

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site comprises garden land to Forge Farm Cottage and is enclosed by a mature hedgerow. The surrounding area is agricultural land and is open in nature. The site is located outside of the development envelope of Westley Waterless and is found alongside a 60mph 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.

Local Highways Authority – “The highways authority has no objections in principal to this application.”

CCC Growth & Development - No Comments Received

ECDC Trees Team - No Comments Received

Waste Strategy (ECDC) – No objections raised. Standard informatives recommended.

Parish - No Comments Received

Ward Councillors - No Comments Received

- 5.2 Neighbours – Due to the rural location, no neighbouring properties were notified. An advert was placed in the Cambridge Evening News. No responses have been received.

6.0 The Planning Policy Context

6.1 *East Cambridgeshire Local Plan 2015*

- ENV 1 Landscape and settlement character
- ENV 2 Design
- ENV 7 Biodiversity and geology
- ENV 8 Flood risk
- ENV 9 Pollution
- COM 7 Transport impact
- COM 8 Parking provision
- GROWTH 1 Levels of housing, employment and retail growth
- GROWTH 2 Locational strategy
- GROWTH 3 Infrastructure requirements
- GROWTH 5 Presumption in favour of sustainable development

6.2 *Supplementary Planning Documents*

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

6.3 *National Planning Policy Framework 2018*

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

6.4 *Submitted Local Plan 2018*

- LP1 A presumption in Favour of Sustainable Development
- LP2 Level and Distribution of Growth
- LP3 The Settlement Hierarchy and the Countryside

LP5	Community-led development
LP6	Meeting Local Housing Needs
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP22	Achieving Design Excellence
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP31	Development in the Countryside

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are the principle of development, the impact upon character and appearance of the area, residential amenity, highways safety and other matters.
- 7.2 Principle of Development
- 7.3 The application site lies outside of the defined development boundary. The development of the site for housing would therefore conflict with policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 and policy LP3 of the Submitted Local Plan 2018 which seek to focus new housing development within defined settlement boundaries. However, as the council cannot currently demonstrate a five year land supply for housing, policy GROWTH 2 and policy LP3 cannot be considered up to date in so far as they relates to supply of housing land.
- 7.4 In this situation the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.
- 7.5 Paragraph 79 of the NPPF states that isolated new homes in the countryside should be avoided unless there are special circumstances. The site is located in a rural location, with only the historic adjacent dwelling found in the locality. It is therefore considered to be an unsustainable location for the erection of a new dwelling, similar to the conclusions of the Inspector in a recent appeal decision which forms a material consideration to be given significant weight in determining this application. Appeal decision for The Cotes in Soham (APP/V0510/W/16/3143840) cited the location as unsustainable due to the reliance on the car. The appeal stated that "*both (sites) would be reliant on the car to gain access to services and facilities. This would not accord with the Framework or the environmental dimension of sustainable development*" and "*the isolation of the sites from community facilities would weigh against the social dimension and would not accord with paragraph 55 of the Framework regarding the location of rural housing*". Furthermore, the appeal also stated "*given the distance of the sites from local facilities and the unsuitability of the road for pedestrian access, I conclude on this issue that the occupiers of the proposed dwellings would be highly reliant on the car to gain access to services and facilities*". This application site is approximately 250 metres from the edge of Westley Waterless which does not

benefit from an adequate level of services. In addition, the public transport services are poor and mean that future occupiers would be reliant on the use of a vehicle in order to access services and facilities further afield. Members are also aware of subsequent appeal decisions in Little Downham and Isleham relating to unsustainable locations and reliance on the private motor vehicle (APP/VO510/W/3158114 and APP/V0510/W/3160576 respectively).

- 7.6 It is considered that the proposal is contrary to policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2018 which require that development is designed to reduce the need to travel, particularly by car, and to promote sustainable forms of transport. This site is located outside of the development envelope and as such, the Local Planning Authority view it as unsustainable as there are a number of sites within adjacent villages which are in a more sustainable location.
- 7.7 Residential Amenity
- 7.8 Under policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2018 this application should take care to ensure there is no significantly detrimental harm to the residential amenity of the future occupiers and neighbouring occupiers as a result of the proposed. The Design Guide SPD requires new dwellings to provide a minimum of 50sqm private amenity space. The proposal will provide sufficient space as to comply with this.
- 7.9 Due to the location of the proposal in relation to the neighbouring dwelling it is not considered to cause a significant loss of privacy for neighbouring occupiers or create overbearing or overshadowing impacts. As a result it is considered to broadly comply with the residential amenity aspect of policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2018
- 7.10 Visual Amenity
- 7.11 In terms of visual amenity, policy ENV2 of the Local Plan 2015 and policy LP22 of the Submitted Local Plan 2018 require proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other. Under policy ENV1 of the Local Plan 2015 and policy LP28 of the Submitted Local Plan 2018 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.
- 7.12 The proposal, by virtue of its design and positioning, would constitute a cramped and contrived form of development on a plot which does not appear to warrant residential development. Forge Farm Cottage is a detached dwelling set in spacious grounds with mature boundary treatments. In addition, Forge Farm Cottage is historic and is set within a wide garden. The introduction of a further dwelling in this location would create a dense and urbanising form of development which is not characteristic in the vicinity of the site. In addition this would necessitate the removal of a significant section of mature hedgerow to the front of the site which would increase the urbanising impact of the proposal in the rural setting. The siting of the proposed development is considered to be inappropriate

for its setting and will appear out of keeping with the pattern of development in this area. It will appear cramped and visually discordant in the street scene. This will result in a poor relationship with the adjacent property and overdevelopment of the site.

- 7.13 As a result, the proposal is considered contrary to policies ENV1 and ENV2 of the Local Plan 2015 and policies LP22 and LP28 of the Submitted Local Plan 2018.
- 7.14 Highways
- 7.15 Under policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2018 this application should ensure that it can provide safe and convenient access to the highway network. The Local Highways Authority did not object to the principle of the application but have requested a number of necessary conditions which can be attached to any approval. As a result the application is considered to comply with policy COM7 and policy LP17 in relation to safe and convenient access. Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The layout shows adequate parking at the dwelling for two motor vehicles. As a result the application is considered to comply with policy COM8.
- 7.16 Flood Risk, Drainage and Contamination
- 7.17 The details of foul and surface water drainage have not been submitted as part of the application. However, a scheme to deal with surface water can be secured by way of condition as can unexpected contamination due to the sensitive end use.
- 7.18 Other Material Matters
- 7.19 Consideration has been given to the ecological value of the site. The site upon visit is currently used as garden land. Policy ENV7 of the Local Plan 2015 and policy LP30 of the Submitted Local Plan 2018 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. It is recommended that a condition requiring a scheme of biodiversity improvements is placed on any grant of permission. The request for biodiversity improvements is guided by the local plan policies which seek to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species. As this development is proposed on previously undeveloped land, there is potential for disturbance, which could be overcome by the introduction of biodiversity improvements.
- 7.20 Planning Balance
- 7.21 On balance the application would provide one additional house to the district's housing stock. However this is considered to be an unsustainable location outside of the defined development envelope of Westley Waterless and would result in the reliance on a vehicle in order to access basic services, contrary to policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2018. In addition, the proposal would appear cramped and contrived, on a site which does not

warrant residential development and would be harmful to the character and appearance of the area. The application is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/01448/FUL	Catherine Looper Room No. 011 The Grange Ely	Catherine Looper Planning Officer 01353 665555 catherine.looper@eastcambs.gov.uk
07/01208/FUL		
17/00512/OUT		
18/00392/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>