

MAIN CASE

Reference No: 17/01180/FUL

Proposal: Proposed new 3 bedroom two storey house adjacent to existing house on the site of two existing garages and existing kitchen extension

Site Address: 8 Chewells Close Haddenham Ely Cambridgeshire CB6 3XE

Applicant: Mr R Colclough

Case Officer: Gareth Pritchard Planning Officer

Parish: Haddenham

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

Date Received: 3 July 2017 **Expiry Date:** 11th September 2017
 [S88]

1.0 **RECOMMENDATION**

1.1 Members are requested to **Approve** the application subject to the recommended conditions below, conditions can be read in full in attached appendix 1.

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Materials
- 4 Site Characterisation
- 5 Reporting of unexpected contamination
- 6 Construction times
- 7 Tree protection measures
- 8 Hard landscaping
- 9 Surface water
- 10 Access layout
- 11 Access drainage
- 12 Parking layout

2.0 **SUMMARY OF APPLICATION**

2.1 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.

2.2 The planning application has been called into Planning Committee by Cllr Steve Cheetham who stated: *“I confirm my support for the concerns raised by neighbours and the parish council concerning reasons such as adverse impact on neighbouring properties, etc and therefore should the recommendation be for approval of this application then I would like to call this application in for a formal discussion at the planning committee.”*

2.3 This application is a full application for a single dwelling. The dwelling would have a ridge height of 7.2 metres, eaves of 4.8 metres, width across the front elevation of 7.1 metres and maximum depth of 12.7 metres.

3.0 **PLANNING HISTORY**

3.1

17/00782/FUL	Two new semi-detached 2 bedroom houses adjacent to the existing house at no.8 removing the existing single-storey flat roofed garages	23.06.2017
84/00629/FUL	ERECTION OF ADDITIONAL GARAGE	Approved 23.08.1984

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site is located within the established development framework for Haddenham, and contains the existing dwelling known as No.8 Chewells Close and its associated garage to the south. To the west is private amenity space and east is the highway, there are also a number of trees surrounding the site. The conservation area is located approximately 20 metres to the south and 40 Station Road to the south-west is a Grade II listed building c.40 metres away.

4.2 Chewells Close is characterised with dwellings of a similar age and design, but vary with single storey and two storey dwellings.

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 – Concerned the application is overdevelopment, out of keeping with the street scene. Also seeking to retain trees on site.

Ward Councillors: Cllr Steve Cheetham – *“I confirm my support for the concerns raised by neighbours and the parish council concerning reasons such as adverse impact on neighbouring properties, etc and therefore should the recommendation be for approval of this application then I would like to call this application in for a*

formal discussion at the planning committee.” These views were supported by Cllr Mark Hugo.

Local Highways Authority – No objections subject to necessary conditions

Trees Officer - No objections subject to necessary conditions

Waste Strategy (ECDC) – General waste related comments regarding purchasing of bins

CCC Growth & Development - No Comments Received

5.2 Neighbours – Five neighbouring properties were notified and site notice posted. The responses received from six neighbours are summarised below. A full copy of the responses are available on the Council’s website.

- Overdevelopment of the site
- Over the building line at the rear
- Windows on rear will overlook Nos.42 and 44 Station Road
- Only has two allotted parking spaces
- Obstruct the place so large vehicles cannot turn
- Out of keeping with other properties
- Surface water drainage issues existing
- Decreases drainage capacity of the land
- Increase demand for parking on the road
- If granted would like conditions for drainage improvements, times of construction and restriction on the number of cars
- Financial gain of one individual should not outweigh disruption to Close.
- Plan not accurate
- Concerns with pollution
- Concerns with impact to southern boundary trees/hedges from owner
- Noise and disturbance

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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
ENV 11	Conservation Areas
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development

6.2 Supplementary Planning Documents

Design Guide

Flood and Water

Developer Contributions and Planning Obligations

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

6.3 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes

7 Requiring good design

12 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.0.1 The main considerations of this application are: principle of development, visual amenity, residential amenity, highways safety, parking provision and trees.

7.1 Principle of development

7.1.1 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

7.1.2 The site is located within the established development framework for Haddenham, and therefore is considered to be in a sustainable location in close proximity to services and facilities within the village. As such the principle is considered to be acceptable subject to all other material considerations being satisfied.

7.2 Visual amenity

7.2.1 Under Local Plan policy ENV1 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. Local Plan policy ENV2 requires this application to ensure its location, layout, form, scale, massing and materials are sympathetic to the surrounding area.

7.2.2 The site is considered to be a sufficient distance from the nearby conservation area and listed building to the south and south-west that the proposal would not have a detrimental impact on the conservation area or setting of the nearby listed building. There are no direct views of the site from Station Road due to existing development and boundary treatments, and the site is set within a reasonably modern housing development. Therefore it was not considered necessary to seek the views of the

Conservation Officer. The application would therefore comply with policies ENV11 and ENV12.

7.2.3 The East Cambridgeshire Design Guide SPD requires plots to be a minimum of 300sqm with the dwelling forming one third of the plot and 50 sqm minimum provided for amenity space. The plot itself is approximately 300sqm in size, and the proposal broadly complies with these guidelines.

7.2.4 The proposed dwelling is considered to be of a similar design of the directly surrounding two storey properties. The applicant has sought to maintain the same height and fenestration pattern of these dwellings. It also occupies a broadly similar footprint to these dwellings.

7.2.5 Porches of that proposed are prevalent along Chewells Close, and there is also a similarly designed one with lean-to roof in close proximity to this site.

7.2.6 It is therefore considered that the application complies with policies ENV1 and ENV2 in regards to visual amenity as the proposed dwelling is in keeping with the surrounding built form.

7.3 Residential amenity

7.3.1 Under Local Plan policy ENV2 this application must ensure that it does not result in a significantly detrimental harm to the residential amenity of future or neighbouring occupiers.

7.3.2 Given the separation distance of 20 metres to No.44 Station Road to the west, and 10 metres from No.42 Station Road to the south it is not considered to have a significant impact through loss of light or by being overbearing. No.44 Station Road to the south is also situated further to the east therefore having a relationship which further reduces any impact.

7.3.3 Consideration has been given as to whether there would be a significant loss of privacy for the occupier at No.44 Station Road. The East Cambridgeshire Design Guide outlines acceptable separation distances. This includes 10 metres to the rear boundary and 20 metres to inter-visibility windows. This site would have 10 metres from the rear first floor windows to the boundary, and 20.2 metres to the rear windows on No.44. As a result the application complies with these guidelines set out, and therefore is not considered to result in a significant loss of privacy.

7.3.4 As a result of the above the application is considered to comply with the residential amenity aspect of policy ENV2.

7.4 Highways safety and parking provision

7.4.1 Under Local Plan policy COM7 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 a 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 in relation to safe and convenient access.

7.4.2 Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The indicative layout shows adequate parking at the dwelling for two motor vehicles. The proposed dwelling would remove parking from 8 Chewells Close, and the applicant has sort to provide this parking in front of the existing dwelling for two vehicles. This can be conditioned as being provided as part of an approval. As a result the application is considered to comply with policy COM8.

7.5 Trees

7.5.1 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees.

7.5.2 The Tree Officer has not raised objections to the application subject to necessary planning conditions to implement the tree protection scheme as shown on plan TIP 17 223.

7.5.3 As a result the application is considered to comply with policy ENV7 in this regard.

7.6 Other matters

7.6.1 Concerns have been raised by neighbours in relation to surface water drainage. An acceptable scheme and is considered to adequately address surface water.

7.6.2 A restriction in construction hours and deliveries can be secured by way of planning condition as can the submission of a contamination land report.

7.6.3 A neighbour comment requested a restriction on the number of cars. It was not clear whether this was number of cars owned or number of cars at the site. Given the application it was not considered reasonable to condition the number of cars on the site given that it provides parking for two cars per dwelling as required under policy COM8.

7.6.4 An amended plan was submitted to include the host dwelling in the application red line in order to secure the access and parking arrangements. Should any further comments be recorded following the publication of this report they will be reported to the Planning Committee.

7.7 Planning balance

7.7.1 The proposal would provide the following benefits:- the provision of an additional residential dwelling to the district's housing stock which would be built to modern, sustainable building standards. This attracts weight in favour of the proposal. In addition there is a positive contribution to the local and wider economy in the short term through construction work. However, these are considered to carry limited weight.

7.7.2 The dwelling is considered to be in a sustainable location close to services and facilities, and there is no considered significant impact to residential or visual

amenity. The Local Highways Authority have raised no objections to the application, and sufficient parking can be provided on site.

7.7.3 In the absence of significant or demonstrable effects to outweigh the benefits the application is recommended for approval.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01180/FUL	Gareth Pritchard Room No. 011 The Grange	Gareth Pritchard Planning Officer 01353 665555
17/00782/FUL 84/00629/FUL	Ely	gareth.pritchard@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>

APPENDIX 1 - 17/01180/FUL Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
0751 01	H	19th July 2017
0751 02	G	19th July 2017
0751 00		8th August 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until details of the walls, roofing, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.

- 6 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.

- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 7 The tree protection measures as shown on drawing TIP 17 223 shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered

- 7 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

- 8 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: hard standing and boundary treatment. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

- 8 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 9 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation.
- 9 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 The new access to be installed shall be installed as shown on drawing 0751 01 Rev prior to first occupation of the hereby approved dwelling. This shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 11 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 The parking as shown on drawing 0751 01 Revision H for the hereby approved dwelling and existing dwelling as known as 8 Chewells Close shall be laid out as shown prior to first occupation of the hereby approved dwelling and retained in perpetuity for that use.
- 12 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.