

MAIN CASE

Reference No: 14/01108/FUL

Proposal: Construction of new dwelling, detached garage, new vehicular access and driveway.

Site Address: 55 High Street, Cheveley, Newmarket, CB8 9DQ

Applicant: Ms Olivia Stevens

Case Officer: Lesley Westcott, Planning Officer

Parish: Cheveley

Ward: Cheveley

Ward Councillors: Councillor Tom Kerby
Councillor Sue Willows

Date Received: 7 October 2014 Expiry Date: 30 January 2015
[P160]

A site visit has been arranged for 11.10am prior to the Planning Committee.

1.0 RECOMMENDATION

1.1 Members are requested to **refuse** the application for the following reasons:

- 1.) *Part of the site (the siting of the proposed dwelling) is located outside the development envelope of Cheveley and is classified as 'countryside' where there will be a policy of strict control over residential development. Exceptions to this policy of control may include affordable or special needs housing, travellers sites, replacement dwellings or dwellings essential to rural enterprises. The application proposal does not fall within any of the exceptions allowed and is therefore contrary to Policies CS1 and CS2 of the East Cambridgeshire Core Strategy 2009, Policy GROWTH2 of the East Cambridgeshire Draft Local Plan Pre-submission Version (as modified) and advice contained in paragraph 55 of the National Planning Policy Framework 2012.*
- 2.) *The form and character of the immediate street scene largely consists of properties which front the existing highway. The proposed development by virtue of the access arrangements, width of the plot and scale of dwelling on the site does not reflect this pattern, resulting in a contrived form of backland development at odds with the character and appearance of the area. The proposal therefore fails to comply with policy EN2 of the Core Strategy 2009,*

policy ENV2 of the East Cambridgeshire Draft Local Plan (pre-submission version) 2013 and the Design Guide SPD 2012 which seek to ensure that development respects the character of the area and is of a scale and form which relates sympathetically to the surrounding area.

2.0 SUMMARY OF APPLICATION

- 2.1 The planning application, plans and supporting documents submitted by the applicant can be viewed online via East Cambridgeshire District Council's Public Access service, via the following link: <http://pa.eastcambbs.gov.uk/online-applications/>. Alternatively a paper copy is available to view at East Cambridgeshire District Council Offices in the application file.
- 2.2 The application seeks full planning permission for the erection of a 3 bed dwelling (with accommodation in the roof) and a detached double garage to be sited in front of the proposed dwelling, the construction of a new vehicular access and driveway.
- 2.3 The proposed dwelling would be constructed of bricks, concrete interlocking roof tiles and white upvc window and would have a footprint of 103.04 metres squared (9.2 metres in depth by 11.2 metres in width). The dwelling would have a height of 7.5 metres to apex, with dormer windows to the front and rear.
- 2.4 The proposed double garage would measure 5.6 metres in depth and 5.4 metres in width, with a pitched roof measuring 5.2 metres to apex and 2.1 metres to eaves level.

3.0 PLANNING HISTORY

3.1

13/00136/FUL	2 Storey side and rear extension	Approved	18.04.2013
13/00779/FUL	Two storey side and rear extension	Approved	04.11.2013
14/00739/FUL	Two storey side and rear extension	Approved	06.08.2014

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the east of the High Street, Cheveley, at the rear of No.55 High Street. The host dwelling is a two storey detached house with vehicular access onto the High Street. The site comprises part of the rear garden of the host dwelling with the proposed access drive running along the north boundary of the site. Part of the application site falls within the development envelope of Cheveley (where the proposed garage is sited) and part of the site falls outside the development envelope (where the proposed dwelling is sited). The site is located within a primarily residential area with residential properties to the north, south and

west, with open fields to the east. Fencing and landscaping forms the boundary treatment where the site adjoins neighbouring properties Nos. 53 & 57 High Street, there is no physical boundary between the application site and the host dwelling and curtilage. There are a number of trees located within the application site.

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 website.

Local Highways Authority - No objection to the proposed scheme, subject to standard conditions relating to the restriction of hours of building work, the construction of the driveway to be of a solid construction and contamination condition being attached to any approval.

Waste Strategy (ECDC) - No objections. It will be the responsibility of owner/residents to provide two bins and to take any bins/sacks to the public highway boundary on relevant collection days.

Environmental Health - No objection to the proposed scheme, subject to standard conditions relating to the restriction of hours of building work, the construction of the driveway to be of a solid construction and contamination condition being attached to any approval.

Arboricultural Officer - Several trees will need to be removed to allow the development and the Tree Officer objects to the removal of a semi-mature Hornbeam Tree located at the entrance of the application site as it will have a detrimental impact on the street scene. The scheme does not include provision for any replacement planting and no planting to provide screening between 53 and 55 High Street.

Parish - No objections: No comments recorded.

5.2 Site notice posted and 2 No. neighbours notified. 2 no. letters of objection have been received from Nos.53 and 57 High Street, Cheveley. – Summary of responses received attached at Appendix 1.

6.0 The Planning Police Context

6.1 East Cambridgeshire Core Strategy 2009

CS1	Spatial Strategy
CS2	Housing
EN1	Landscape and settlement character
EN2	Design
S7	Parking provision

6.2 East Cambridgeshire Draft Local Plan Pre-submission version (as amended June 2014)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
COM 8	Parking provision

6.3 Supplementary Planning Documents

Design Guide

6.4 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

7.0 **PLANNING COMMENTS**

Principle of Development

7.1 Part of the application site (the siting of the proposed dwelling and the rear garden area) is located outside the development envelope of Cheveley and is therefore designated as being in the countryside, where development is severely restricted and new houses require special justification.

7.2 Core Strategy Policy CS1 sets out the exceptions allowed, which include development which is essential to the efficient operation of local agriculture, horticulture, forestry, mineral extraction, and outdoor recreation, or to other uses specifically identified in the local plan which support the rural economy help meet affordable housing or special housing need, or provide essential rural services or infrastructure. Policy CS2 of the Core Strategy and Policy GROWTH 2 of the East Cambridgeshire Local Plan sets out the residential exceptions allowed outside settlement boundaries, which are affordable housing, sites for gypsies and travellers, dwellings for essential rural workers, alterations to or replacement of dwellings, or the re-use or replacement of existing buildings.

7.3 In this case the proposal is for market housing, which does not fall within any of the above exceptions and is therefore contrary to policies CS1 and CS2 of the Core Strategy and Policy GROWTH 2 of the East Cambridgeshire Local Plan.

Residential Amenity

7.4 Policy EN2 of the Core Strategy seeks to ensure that there is no detrimental impact on the residential amenity of nearby occupiers. The proposed scheme seeks to create a separate vehicular access off High Street and a separate drive running down the north side of the host dwelling No.55 High Street. There will be a distance of 4 metres between the driveway and the proposed drive and No. 55 High Street and the drive will be screened from the neighbouring property by a section of existing hedge and approximately 1.8 metre high fence. While it is recognised that the proposed driveway will result in increased general noise and disturbance from its use, it is considered that the level of impact would not be a justifiable reason for refusal.

7.5 Concerns have also been raised by a neighbour regarding nuisance from vehicle lights and the noise which would be created by vehicles on a gravel drive. It is considered that the retention of the section of beech hedge (adjacent the proposed access) and the existing boundary fence will help screen lights of vehicles using the drive and a condition could be attached to any approval requiring the drive to be constructed in a bound surface material (not loose gravel).

7.6 It is considered that there would be an acceptable relationship between the proposed development and the neighbouring residential properties. The proposed dwelling is located more than 20 metres from neighbouring dwellings and there will be a distance of approximately 56 metres between the proposed dwelling and the host dwelling No.55 High Street, which satisfies the criteria set out in the Design Guide SPD.

Visual Amenity

7.7 The predominant character of this part of Cheveley is development along the road frontage. The exception is a backland development of a bungalow to the west of the application site 'No.49 High Street' which was originally granted outline planning permission under planning application 92/00642/OUT. There would be restricted views of the proposed dwelling from the street scene, due to its siting behind the host dwelling No.55 High Street. However it is considered that this glimpsed view of the proposed dwelling to the rear would be out of keeping with the area.

7.8 It should be noted that if the application site was wholly within the development envelope of Cheveley, such a scheme would still be considered an inappropriate form of development, as a comprehensive development with adjacent properties as required by the SPD would need to be explored.

7.9 Although the proposed dwelling will have accommodation in the roof, it is considered to be a 2-storey dwelling as the ridge height of the proposed roof will be 7.5 metres. Contrary to the statement that the proposed dwelling would be subservient to No.55 High Street in the submitted Design and Access Statement, it is considered that given the height of the proposed dwelling, it would be actually of a similar scale and not subservient to the host dwelling, No.55 High Street.

7.10 With regards to the design of the proposed dwelling, it is considered to be acceptable and would be in keeping with the appearance and design of neighbouring properties. The plot size and the footprint of the proposed dwelling also accord with the requirements set out in the Design Guide SPD.

7.11 The proposed design and appearance of the double garage is also considered to be acceptable. Whilst the siting is proposed garage in front of the proposed dwelling does not accord with the requirements set out in the Design Guide SPD, this is considered to be acceptable as it would not be seen in the public realm, as it would be screened by No.55 High Street.

Highways

7.12 The proposed development makes provision for a double garage and parking for 2 no. vehicles in front of the garage and a turning and manoeuvring area, which complies with highway standards. The proposal would be served by the creation of

a new access onto the High Street and a driveway running down the north boundary of the site.

- 7.13 The County Highway Engineer raises no objections to the proposed scheme subject to standard conditions relating to the access, visibility splays, surfacing materials and surface water drainage being attached to any approval. It is therefore considered that the proposal complies with Policy S7 of the Core Strategy and Policy COM 8 of the East Cambridgeshire Local Plan.

Ecology

- 7.14 The proposed development will result in the loss of some trees, the most prominent will be a semi-mature Hornbeam located at the front of the site adjacent the highway, which will need to be removed in order to create the proposed separate vehicular access to the site. However the site is not located in a conservation area and while the Tree Officer objects to its removal, it is not worthy of a Tree Preservation Order due to its age and size. Therefore it is considered that the loss of the tree would not constitute a reason for refusal. It is recommended that a condition requiring a replacement tree be attached to any approval.

Other Material Matters

- 7.15 Reference has been made to the bungalow at 49 High Street, Cheveley in the Design and Access Statement submitted as part of the planning application, which is in a backland location. It was originally granted planning permission following an appeal against refusal of planning application E/0990/84/0, which was upheld in December 1985 (Appeal reference: APP/0510/A/85/032470/PS).
- 7.16 In summary, the proposed dwelling would be located outside the development envelope for Cheveley in the 'countryside' where there is strict control over residential development. The application proposal does not fall within any of the exceptions allowed, and is therefore contrary to development plan policy.
- 7.17 In addition, the access arrangements, limited width of the plot and positioning on the site does not reflect the pattern of development fronting the highway, resulting in a contrived form of backland development at odds with the character and appearance of the area. The scheme would fail to enhance the character of the area. As such the proposed development is considered to be contrary to Core Strategy and East Cambridgeshire Draft Local Plan Policy and the NPPF. The application is therefore recommended for refusal.

8.0 APPENDICES

- 8.1 Appendix 1 – Summary of neighbour comments

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
Application file 14/01108/FUL	Room No. 011 The Grange	Lesley Westcott Planning Officer 01353 665555
Draft Local Plan http://www.eastcamb.gov.uk/localdevelopment-	Ely	lesley.westcott@eastcamb.gov.uk

[framework/eastcambridgeshire-local-plan](#)

Core Strategy

<http://www.eastcambs.gov.uk/localdevelopment-framework/adoption-corestrategy>

East Cambridgeshire Local Plan – post hearing work and proposed modifications

<http://www.eastcambs.gov.uk/sites/default/files/d%26t%20cttee%20report%20on%20post%20hearing%20work%2014apr14.pdf>

Summary of Neighbour Comments

2 no. letters of objection have been received from Nos.53 and 57 High Street, Cheveley raising the following issues:

- No objections in principle to the development, however to protect residential amenity would wish to see development in a single storey format.
- The impact of the proposed driveway would result on the loss of trees and bushes which provide screening and privacy to their property.
- Detrimental impact on residential amenity from the use of the proposed driveway: noise (vehicle traffic crunching gravel on the drive), vehicle lights and general movement of vehicles and people in the area where there is none at present.