
MAIN CASE

Reference No: 19/00329/OUT

Proposal: Erection of two new self-build plots and associated works

Site Address: 3 Main Street Wentworth Ely Cambridgeshire CB6 3QG

Applicant: Mr David Lee

Case Officer: Toni Hylton, Planning Officer

Parish: Wentworth

Ward: Sutton
Ward Councillor/s: Lorna Dupre
Mark Inskip

Date Received: 5 March 2019 **Expiry Date:**
14th June
2019

[U15]

1.0 **RECOMMENDATION**

1.1 Members are recommended to Refuse for the reasons stated below:

1. Located within the open countryside the proposal is considered to be visually intrusive and cause demonstrable harm to the character of the rural area and its setting within the open countryside. The proposal is therefore considered to be contrary to the requirements of policies ENV2 of the East Cambridgeshire District Local Plan 2015.
2. The proposed development is considered to be contrary to policies ENV2 of the East Cambridgeshire District Local Plan 2015. The proposal is tantamount to a form of back land development which is not only a contrived form of development but will generate a significant material detriment to its residential amenities of the dwellings that sit to the front of the proposed development site by reason of proximity and long driveway to access the proposal

2.0 **SUMMARY OF APPLICATION**

2.1 The application is made in outline with all matters reserved apart from access. The proposal is for up to 2 dwellings with access from Main Street along the boundary

with number 3 Main Street. Appearance, landscaping, layout and scale have not been provided and do not form part of the application.

- 2.2 The application states that the proposal will be for self-build plots as opposed to a developer or market housing.
- 2.3 In January 2019 an application for the same site proposing 3 houses was presented to the Planning Committee and was recommended for refusal and supported by members of the Planning Committee. This scheme is exactly the same to the previous application 18/01464/OUT with the only difference being a reduction in the number of units from 3 to 2. A copy of this report is attached as Appendix 1.
- 2.4 The application has been presented to Planning Committee at the request of Councillor Lorna Dupré. The reason is shown below:

“I would like to confirm that I would like to call in planning application 19/00329/OUT | Erection of two new self-build plots and associated works | 3 Main Street Wentworth Ely Cambridgeshire CB6 3QG for determination by the Planning Committee, as I believe it should be considered in the context of recent consents for other back land development in close proximity on Main Street Wentworth, notably 15/01567/FUL and 17/00786/FUL, and also 18/00840/OUT on the other side of the road opposite the application site.”

- 2.5 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

18/01464/OUT	Erection of up to 3 new self-build plots and associated works	Refused	11.01.2019
87/00773/OUT	RESIDENTIAL DEVELOPMENT	Refused	10.08.1987

4.0 THE SITE AND ITS ENVIRONMENT

4.1

The site is to the rear of 2 pairs of semi-detached 2 storey dwellings on Main Street in Wentworth. The site is currently used as a horse paddock and is immediately to the rear of number 3. The site itself sits slightly higher than the road and is open on the remaining sides to the rural area, with no built form. Adjacent to the site is an open field which has a Tree Preservation Order upon it. The site is not within the development Envelope or a Conservation area.

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 - No Comments Received

Ward Councillors – At the request of Cllr Lorna Dupré as shown below the application was requested to be presented to Planning Committee.

“I would like to confirm that I would like to call in planning application 19/00329/OUT | Erection of two new self-build plots and associated works | 3 Main Street Wentworth Ely Cambridgeshire CB6 3QG for determination by the Planning Committee, as I believe it should be considered in the context of recent consents for other back land development in close proximity on Main Street Wentworth, notably 15/01567/FUL and 17/00786/FUL, and also 18/00840/OUT on the other side of the road opposite the application site.”

Local Highways Authority – No objection subject to conditions restricting gates, access to be implemented as shown on the plans and adequate space for vehicles to turn and park.

CCC Growth & Development - No Comments Received

ECDC Trees Team – The Tree Officer reiterated the comments made on the previous application which are copied below:

“This development impacts adversely on the character the village and its setting. New housing sites should relate to the character of the existing place and show an understanding of the existing settlement pattern. The site is in a location where, at present, the housing development is reducing in its effect and giving way to open countryside. Despite the varied pattern of development in the village, it is generally characterised by mostly spacious linear housing on single plots depths with significant landscaping. As backland development which would be readily perceptible from surrounding public viewpoints, it would appear alien and out of keeping with the pattern of development in the locality, Therefore, it is undesirable for this pattern of development to be extended further into countryside and would set a precedent for future development.”

Environmental Health – No objection subject to conditions restricting working hours, contamination and Environmental Notes.

Waste Strategy (ECDC) – No objection subject to the payment towards the provision of bins.

Cambridgeshire Archaeology - No objection subject to a condition requiring a Written Scheme of Investigation.

Infrastructure & Strategy Manager - ECDC - No Comments Received

National Grid – No objection however to note there apparatus in close proximity to the site.

5.2 **Neighbours** –6 neighbouring properties were notified and 11 responses received and are summarised below.

- Wish to support the application
- People need homes to live in
- Lack of 5 year housing land supply
- Attract families to the village
- Screened by hedges
- Not too close to the highway
- Reduced the number of dwellings
- There are other examples of backland development.

A full copy of the responses are available on the Council's website.

5.3 A site notice was displayed at the site on 28.03.19 on a telegraph pole near the site and was advertised as a potential departure from the Development Plan in the Cambridge Evening News on 21st March 2019.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

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 2019

- 2 Achieving sustainable development
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change

7.0 PLANNING COMMENTS

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 benefits of this application are considered to be: the provision of up to three additional residential dwellings built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.1.3 The site is located outside the established development framework of Wentworth, however, the site sits adjacent to the settlement boundary and is therefore considered to be well connected to the settlement, alongside a number of residential dwellings and within close proximity to the facilities and services on offer in the village.
- 7.1.4 The fact that the Council cannot currently demonstrate that it has an adequate five year supply of housing does not remove development envelopes. It does however restrict the application of policy GROWTH 2 within the Local Plan, which states that outside defined development envelopes, development will be strictly controlled and restricted to the main categories set out within the policy.
- 7.1.5 For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the proximity of the site to the settlement boundary is considered to be sufficient to consider the site as being in a sustainable location.
- 7.1.6 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.

7.2 **Residential Amenity**

- 7.2.1 The proposed site is to the rear of 2 sets of semi-detached 2 storey dwellings each having a garden length of approximately 10 to 15 metres. Access will run along the boundary of number 3 Main Street which is approximately 8 metres from the dwelling.

7.2.2 It is considered that the site can be designed to ensure the neighbours' amenities can be maintained using the distances between the existing and proposed dwellings in accordance with the Design Guide SPD. This can be achieved through the final design of the dwellings and landscaping. However having the access running along the side boundary of number 3 Main Street, may be considered to be detrimental to the neighbours' amenities. As such the proposal does not comply with policy ENV2 of the Local Plan 2015.

7.3 Visual Amenity

7.3.1 The site sits to the rear of semi- detached dwellings and visually will have limited impact from the view from the front of the existing dwellings. However it will be prominent when viewed from the playground and Main Street where there is a gap in the residential development. As such it is considered that the provision of 2 dwellings in this rural location, where the land sits higher will be detrimental to the visual character and amenity of the area. As such the proposal is considered to be contrary of the provisions of policies ENV2 of the Local Plan 2015

7.3.2 The street is characterised with linear development and this would push behind this linear pattern of development which would be out of keeping with the character of the area. A dwelling has been approved on land to the rear of the Old School House on Main Street in Wentworth. However this was originally recommended for refusal by the case officer and later approved by the Planning Committee. Whilst, the site is to the rear of an existing dwelling, it backs onto a cul de sac of Church Farm Close, which is group of 2 storey dwellings. It could be argued that this site has already strayed from this pattern of linear development, however this is set closer to a cluster of dwellings and was for a single dwelling.

7.3.3 This proposal would be for an in depth development of 2 dwellings on land which has not been previously developed and would protrude into the open countryside, creating substantial detrimental harm to the rural character and appearance of the settlement. Despite the Council being unable to demonstrate a five year housing supply, the significant visual harm of the proposal is considered to outweigh the provision of two dwellings and is contrary to the provisions of policies ENV2 of the Local Plan 2015.

7.4 Historic Environment

7.4.1 The site is not within a Conservation Area nor is it in close proximity to a Listed Building, however is in close proximity to an area of archaeology. In consultation with the County Archaeologist no objection has been raised however a condition requiring a Written Scheme of Investigation is required. On this basis the proposal complies with policies ENV15 of the Local Plan.

7.5 Highways

7.5.1 In consultation with the Highways Officer no objection to the proposal subject to conditions relating to no gates to be erected across the access within 6 metres of the highway; width of the access to be 5 metres for a distance of 10 metres and that parking and turning can be provided within the site. Main Street can in places

accommodate 2 cars passing each other, and in places there are passing places where the road narrows. The proposal would increase traffic but it is not considered to the detriment of highway safety and as such complies with policies COM7, COM8 of the Local Plan 2015.

7.6 Ecology

7.6.1 The site is unlikely to be of a sensitive nature for protected species, the site is not overgrown and is used for horse grazing. On this basis the proposal is unlikely to cause harm to protected species. Any planning permission that is issued for approval would require a condition for biodiversity measures in the final build of the proposal. As such the proposal complies with policies ENV7 of the Local Plan 2015.

7.7 Flood Risk and Drainage

7.7.1 The site is within Flood Zone 1 where you would expect vulnerable development such as dwellings to be located. On this basis the proposal complies with policies ENV8 of the Local Plan 2015. A scheme for foul and surface water drainage could be secured by condition.

7.8 Previous Planning Permissions in Wentworth

7.8.1 At the request of the Local Member, Councillor Dupré the application is being presented to the planning committee and one of the reasons is the previous approvals for dwellings in Wentworth and whether these are comparable.

7.8.2 In 2015 (15/01567/FUL) planning permission was granted for a single storey dwelling within the garden of Sunnycree. This dwelling has some views from the street and shares boundaries with other residential properties. The site was within residential curtilage of Sunnycree and not an open field as with this proposal.

7.8.3 In 2017 (17/00786/FUL) planning permission was granted for a detached, sustainable low energy dwelling, garage and associated works. Planning permission was granted on the basis of previous approvals for a dwelling on the site, planning permissions 13/00111/FUL and 16/01490/FUL. In 2013 (13/00111/FUL) planning permission was granted for a dwelling on this site against the recommendation of the planning officer and approved at planning committee. The planning officer had concerns with the potential for overlooking and that the dwelling would be a form of backland development. However the planning committee at the time were impressed by the design of the dwelling and considered it was innovative. On this basis in 2013 planning permission was granted and has been carried through with subsequent applications on the site. However, it has always been made clear that a dwelling on this site should be a sustainable, low energy dwelling.

7.8.4 It is considered that the circumstances around these applications are different to those of the proposal before the Committee. Each application should be considered on its own merits and no two sites have the same context and relationship.

7.9 Planning Balance

- 7.9.1 The site is outside of the development envelope for Wentworth, however as the Local Planning Authority cannot demonstrate a 5 year housing land supply in some circumstances can consider some development outside of these boundaries acceptable. However there are other considerations which need to be assessed and the impact on the visual landscape, back land development are considered to cause demonstrable harm and as such this is not considered to be an acceptable form of development.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/00329/OUT	Toni Hylton Room No. 011 The Grange	Toni Hylton Planning Officer 01353 665555
18/01464/OUT 87/00773/OUT	Ely	toni.hylton@eastca mbs.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>