

**MAIN CASE**

**Reference No:** 17/01304/VAR

**Proposal:** Variation of condition 1 (Approved plans) of previously approved 17/00454/FUL for Construction of swimming pool changing room/garden room to be built of brick under a slate roof

**Site Address:** Tunbridge Hall 60 Tunbridge Lane Bottisham Cambridge CB25 9DU

**Applicant:** Mr David Chaplin

**Case Officer:** Gareth Pritchard, Planning Officer

**Parish:** Bottisham

**Ward:** Bottisham

Ward Councillor/s: Councillor Alan Sharp  
Councillor David Chaplin

**Date Received:** 19 July 2017

**Expiry Date:** 22<sup>nd</sup> September 2017

[S109]

1.0 **RECOMMENDATION**

1.1 Members are recommended to **approve** this application subject to the conditions below which can be read in full on attached appendix 1.

- 1 Approved plans
- 2 Time Limit
- 3 Materials
- 4 Ancillary use
- 5 Archaeology

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 application has been brought to Planning Committee as the applicant is a District Councillor.

2.3 This application seeks planning permission to vary condition 1 (approved plans) of the previously permitted swimming pool house under 17/00454/FUL. This application was previously determined at Planning Committee 7<sup>th</sup> June 2017. The previous conditions for time limit, materials, ancillary use and archaeology would remain unchanged.

2.4 The proposed changes to the building are a small increase in the height of the building by 0.02 metres on that previously approved. There is an alteration to the location of the rear gable and increase in the footprint (excluding the veranda) from approximately 36.64sqm (previously approved) to approximately 45.76sqm.

3.0 PLANNING HISTORY

3.1

17/00454/FUL	Construction of swimming pool changing room/garden room to be built of brick under a slate roof	Approved	09.06.2017
77/00327/FUL	ERECTION OF A COVERED CATTLE YARD WITH HAY AND FEED STORES ATTACHED	Approved	13.06.1977
87/00428/FUL	ERECTION GENERAL PURPOSE AGRICULTURAL BUILDING (658 SQM)	Refused	08.05.1987
01/00082/FUL	Change of use of an existing building from agriculture to Class B1 (business use) with alterations and car parking	Approved	10.04.2001
08/00161/FUL	Two storey extension to existing dwelling, creation of new entrance door, increase of roof pitch over part of house and demolition of existing porch.	Approved	07.04.2008
15/00719/TPO	T2 Horse Chestnut - C1 - Crown lift to 4m (smaller limbs only) and reduce branches in crown, overhanging tennis court, by 2m only. Light trim to reduce overhang of garden and		21.07.2015

tennis court.

#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the established development framework for Bottisham and within the designated green belt. The site is stepped back from the highway via a private access road. The wider site hosts a large, detached dwelling and its associated grounds including a swimming pool and tennis court.

4.2 Within the site there are some trees with the closest one being directly east of the proposed pool house.

4.3 To the east of the site and within the green belt is BOT2 employment allocation and the site also falls within Water Treatment Works Safeguarding Area. Given the edge of settlement location the surrounding area is mixed with residential and employment uses.

#### 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.

**Site notice posted** – No Comments Received

**Parish** – No Comments Received

**Ward Councillors** - No Comments Received

**Trees Officer** - No Comments Received

5.2 Neighbours – 5 neighbouring properties were notified and one response received from 5 Ancient Meadows. The concerns raised were with regards to noise issues during construction into the evening as they have a special needs daughter who needs medication to help her sleep. Building work may mean this will not take effect.

#### 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 10 Green Belt

ENV 14 Sites of archaeological interest

6.2 Supplementary Planning Documents

## Design Guide

### 6.3 National Planning Policy Framework 2012

- 7 Requiring good design
- 9 Protecting Green Belt land
- 12 Conserving and enhancing the historic environment

### 7.0 PLANNING COMMENTS

7.0.1 The main considerations of this application are: Impact on the Green Belt and visual amenity, residential amenity, trees and other matters.

#### 7.1 Impact on the Green Belt and visual amenity

7.1.1 Local Plan policy ENV10: Green Belt requires development within the Green Belt to be strictly controlled, and limited to exceptions as prescribed in the NPPF. Where development is proposed in the Green Belt it must be:

- Located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt; and
- Subject to landscaping conditions, together with a requirement that any planting in adequately maintained to ensure that the impacts on the Green Belt are minimised.

7.1.2 Paragraph 89 of the NPPF describes new buildings in the Green Belt as inappropriate with exceptions to this considered to include:

- The extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building.

7.1.3 Taking the above points the proposed alterations to the previously approved plans for the pool house would still ensure that it is of a scale that is subservient to Tunbridge Hall in terms of footprint and height. It is considered to be proportionate to the size of the dwelling and the grounds it is set within.

7.1.4 The site already benefits from mature landscaping in the shape of a large tree to the east of the proposed development and this offers adequate screening when viewed from the Green Belt to the east. This would still be the case with the minor height increase and increase in the footprint.

7.1.5 The proposed alterations are also not considered to have an adverse impact on the Green Belt as the application site forms part of a domestic curtilage, defined by mature planting around the site and fencing to the east in the form of a post and rail style. Therefore the proposed is not considered to impact on the openness of the Green Belt. As previously noted BOT2 employment allocation is also to the east of the site. This site has therefore been considered acceptable for development despite being in more open land and more visually intrusive when compared to this

site. It is for these reasons the proposed alterations are considered to comply with policy ENV10 and relevant paragraphs of the NPPF in this regard.

7.1.6 In terms of general visual amenity Local Plan policy ENV2 requires this application to ensure that its location, layout, form, scale, massing and materials are sympathetic to the surrounding area.

7.1.7 As previously noted the scale of the proposed pool house is proportionate to the plot size and dwelling on the plot and as such its dimensions are acceptable.

## 7.2 Residential amenity

7.2.1 Under Local Plan policy ENV2 this application should take care to ensure there is no significantly detrimental harm to the residential amenity of neighbouring occupiers.

7.2.1 Despite the proposed alterations to the previously approved plans the orientation of the pool house and the location of the windows remain broadly the same. The glazing would look down the plot with roof lights still looking across the plot and across employment land. The location also remains the same and therefore there are no overbearing or loss of light impacts considered.

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

## 7.3 Trees

7.3.1 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.

7.3.2 The proposed variation to condition 1 would still see the proposed building constructed in the same location within the plot. As a result it is not considered to have a detrimental impact to the nearby hedgerow or trees.

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

## 7.4 Other matters

7.4.1 A concern has been raised by a neighbouring occupier regarding construction noise into the evening. The pool house is located approximately 42 metres from the southern boundary shared with Ancient Meadows. It is considered that any construction noise would be minimal. In addition the principle for the pool house has already been established and this application solely seeks to amended condition 1 (approved plans).

7.5 Planning Balance

7.5.1 As a result of the points highlighted above the proposed variation to the previously approved plans are not considered to cause detrimental harm to the Green Belt or visual amenity of the area in-line with policies ENV2 and ENV10. There is no considered impact to residential amenity in-line with policy ENV2 or trees as considered in policy ENV7. As a result the application is recommended for approval subject to the conditions detailed in appendix 1.

8.0 APPENDICES

8.1 Draft conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01304/VAR	Gareth Pritchard Room No. 011 The Grange Ely	Gareth Pritchard Planning Officer 01353 665555 gareth.pritchard@eastcambs.gov.uk
17/00454/FUL		
77/00327/FUL		
87/00428/FUL		
01/00082/FUL		
08/00161/FUL		
15/00719/TPO		

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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 - 17/01304/VAR Conditions

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

Plan Reference	Version No	Date Received
813/17/02	B	19th July 2017
813/17/05	B	1st September 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 original decision notice dated 9th June 2017.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces shall be as specified below. All works shall be carried out in accordance with the approved details.
  - Wall: Buff brick
  - Roof: Slate
  - Windows: UPVC casement windows
  - Doors: Magnet bifolding
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 The swimming pool/garden house hereby permitted shall be used for purposes ancillary to the residential use of the main dwelling known as Tunbridge Hall; and shall not be occupied as an independent unit of accommodation at any time.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015
- 5 A programme of archaeological monitoring and recording shall be undertaken during construction in accordance with the requirements of the Historic Environment Team.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015.