

TITLE: 24/00479/FUL

Committee: Planning Committee

Date: 7 August 2024

Author: Planning Assistant

Report No: Z45

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Site Address: 48 Mill Lane Stetchworth Newmarket Suffolk CB8 9TR

Proposal: Single storey extension and detached cart lodge and associated works

Applicant: Ms K Bartlett

Parish: Stetchworth

Ward: Woodditton

Ward Councillor/s: James Lay
Alan Sharp

Date Received: 7 May 2024

Expiry Date: 16 August 2024

1.0 RECOMMENDATION

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

1. The proposed front extension and detached garage, by virtue of their inappropriate building form, excessive scale and inadequate design would fail to visually protect or enhance the existing character and appearance of the host dwelling or surrounding area. The proposal would form a prominent mass of development, not considered to be of a high standard of beautiful design. Therefore, the proposal would not be considered to comply with policies ENV1, ENV2 and HOU8 of the East Cambridgeshire Local Plan 2015, as amended 2023 and the aims and objectives of Chapter 12 of the National Planning Policy Framework which states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It is for this reason the proposed development also opposes policy GROWTH 2 as the development would provide a “significant

adverse impact on the character of the countryside” and does not satisfy other policies within the Local Plan.

2. Insufficient supporting information has been provided regarding the ecology of the site. The development could provide substantial disturbance to any bats within the existing cladding during construction, a potential criminal offence under section 9 of the Wildlife and Countryside Act 1981. This would also be contrary to Policy ENV 7 of the East Cambridgeshire Local Plan, as amended 2023, which states “all development proposals will be required to protect the biodiversity and geological value of land and buildings.” The proposal is also in opposition to section 15 of the National Planning Policy Framework and the aims and objectives of the Natural Environment SPD.

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/>.
- 2.2 The application seeks permission for a single storey extension located forward to the principle elevation of the original dwellinghouse. Additionally, the application incorporates the erection of a detached cart lodge. The measurements of the proposed extension and detached cart lodge are set out in the following table:

	Front extension (metres)	(feet)	Detached cart lodge (metres)	(feet)
Width	9.56	31.36	8.10	26.57
Length	9.91	32.51	6.62	21.72
Eaves Height	2.4	7.87	2.4	7.87
Ridge Height	4.3	14.10	4.2	14.11
Materials	To match the existing			

2.3

- 2.4 The extension will provide an overall floor area coverage of approximately 61 square metres (656.599 square feet). The proposed cart lodge will provide approximately 45.71 square metres (492 square feet) of internal floor area.
- 2.5 The current application has been called into Planning Committee by Councillor Sharp on the basis of a wider discussion of the proposal. “I have spent a lot of time looking

at the application and the comments of the planning officers. The key issue appears to be how much the proposed extension has taken away from the original dwelling, per planning policy. The applicant has made changes after the pre-app discussion and I feel that committee should examine the current proposal as to whether those changes are sufficient.”

3.0 PLANNING HISTORY

3.1 The relevant planning history to the application is provided below:

10/00019/CLE

Residential dwelling within a defined curtilage

Permitted

26/02/2010

13/00084/FUL

Erection of a stable block

Permitted

25/04/2013

13/00188/FUL

Replacement dwelling and associated works

Permitted

11/06/2013

13/00188/DISA

To discharge condition 2 (materials) and 5 (landscaping) of decision notice dates 11/06/2013 for replacement dwelling and associated works

Conditions Discharged

20/05/2014

4.0 THE SITE AND ITS ENVIRONMENT

4.1 Located on the western boundary of Stetchworth, the application site is outside of the policy defined development envelope. Consequently, the surrounding environment is rural. This is characterised by vast open fields, agricultural buildings, irregular housing forms, low post boundary treatments and vegetation. The application site comprises of an existing detached dwelling with a stable block also shown to be within the occupiers' ownership. The site is accessed by an unclassified road with limited vehicle usage. A public right of way runs past the South- Western boundary of the site and adjacent to the South- Eastern boundary. The application site is not located on article 2(3) land or within close proximity to a listed building or monument. However, a detached dwelling is located adjacent to 45 Mill Lane which is incorporated into the council's adopted local list.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees as summarised below. The full responses are available on the Council's website.

Parish - 19 June 2024
no objection

Ward Councillors – 17 July 2024

“I have spent a lot of time looking at the application and the comments of the planning officers.

The key issue appears to be how much the proposed extension has taken away from the original dwelling, per planning policy.

The applicant has made changes after the pre-app discussions and I feel that committee should examine the current proposal, as to whether those changes are sufficient.”

Local Highways Authority - 4 June 2024

Recommendation

On behalf of the Local Highway Authority, I raise no objections to the proposals.

Asset Information Definitive Map Team - 20 May 2024

Public Footpath number 19, Stetchworth runs alongside the proposed planning application site and will possibly be used to access the site. To view the location of the ROW please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the footpath must remain open and unobstructed at all times.

Cambridge Ramblers Association - No Comments Received

East Cambs Ecologist - 21 May 2024

I confirm this is exempt from mandatory BNG. This application is in an SSSI IRZ but no impact is expected.

I see there is cladding on the side of the building this could provide habitat for bats, which should be investigated prior to approving the application, as the presence of bats is a material consideration when determining planning applications. If bats are present, then suitable mitigation and licence will need to be provided.

If no bats present, please also note ENV 7: "Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals". This could easily be achieved with the inclusion of nest boxes or similar targeting species such as swifts, house sparrows and bats which can be conditioned

Conservation Officer

During informal conversations regarding the application, the conservation officer clearly stated no concerns with the proposal, mentioning by virtue of its location, the proposed development is disconnected from the non- designated heritage asset.

- 5.2 A site notice was displayed near the site on 24th May 2024 and a press advert was published in the Cambridge Evening News on 23rd May 2024.

5.3 Neighbours – Four neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Concerns of the proposed cart lodge causing a loss of light and view from the neighbouring kitchen/ dining/ living space at 46 Mill Lane.

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2 (Locational Strategy)

HOU 8 (Extension and replacement of dwellings in the countryside)

ENV 1 (Landscape and settlement character)

ENV 2 (Design)

ENV 4 (Energy and water efficiency and renewable energy in construction)

ENV 7 (Biodiversity and geology)

ENV 13 (Local register of buildings and structures)

COM 7 (Transport impact)

COM 8 (Parking provision)

6.2 National Planning Policy Framework (December 2023)

9 (Promoting sustainable transport)

12 (Achieving well- designed and beautiful places)

14 (Meeting the challenge of climate change, flooding and coastal change)

15 (Conserving and enhancing the natural environment)

16 (Conserving and enhancing the historic environment)

6.3 Supplementary Planning Documents

Design Guide

Climate Change SPD

Natural Environment SPD

7.0 PLANNING COMMENTS

The material planning considerations of importance to review when determining this application are:

- Principle of development
- Visual amenity
- Residential amenity
- Impact upon the non- designated heritage asset within close proximity
- Climate change
- Highways safety
- Ecology

7.1 **Principle of Development**

7.2 Policy GROWTH 2 of the East Cambridgeshire Local Plan seeks to strictly control development outside of the policy defined development envelopes, restricting acceptable development to specific named categories including the extension and replacement of dwellings in the countryside. The policy clarifies development would be considered acceptable provided “there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.”

The application proposes development of a minor scale within an existing residential curtilage. Therefore, the principle of development has previously been established and is compliant to GROWTH 2 in this respect. However, for reasons stated below, it is considered the supporting information submitted illustrates the proposed development does not meet other Local Plan policies, including ENV 1, ENV 2 and HOU8. It is for this reason the proposed development cannot be considered compliant with this aspect of GROWTH 2.

7.3 Residential Amenity

Policy ENV 2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of the nearby occupiers.

Concern has been raised by the occupiers of 46 Mill Lane with regards to the detached cart lodge preventing natural lighting and outlook from their kitchen area. Upon request, a site visit was conducted to the neighbouring property to gain further understanding of the proposal’s potential effects on the neighbouring occupiers.

It is considered the proposed outbuilding would not significantly worsen the existing situation. With an existing public right of way running adjacent to the habitable room and windows in question, large scale fences already dramatically limit natural views, lighting and contain an overbearing presence into the kitchen/ dining area. The previously mentioned habitable interior room would still retain adequate natural lighting and views provided from generously sized additional fenestration located on the ground floor North- Eastern facing elevation. Therefore, the proposed outbuilding is considered to preserve the already substandard situation and cause neutral impacts to the residential amenity of the nearby occupier.

Due to the front extension’s proximity to any neighbouring dwellings and single storey nature, this aspect of the proposal is not considered to cause any detrimental effects onto the residential amenity of the nearby occupiers.

7.4 Visual Amenity and Heritage Impact

Policy ENV 1 of the East Cambridgeshire Local Plan 2015 states that “development proposals should demonstrate that their location, scale, form, materials, colour, edge treatment and structural landscaping will protect, conserve and where possible enhance” the surrounding environment.

Policy ENV 2 states that development should be designed sympathetically to the local area with their location, layout, scale, form, massing, materials and colour.

Policy HOU 8 of the East Cambridgeshire Local Plan 2015 states “proposals which seek to extend or replace an existing dwelling in the countryside will only be supported where the extension to an existing dwelling is in keeping with the height, scale and character of the original dwelling and does not adversely affect the character and appearance of the locality or its countryside setting.”

Policy ENV 13 of the East Cambridgeshire Local Plan states that “proposals that affect a building or structure on the Local Register will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.

Section 12 of the National Planning Policy Framework requires the creation of high quality, beautiful and sustainable buildings and places. Paragraph 139 also states that development that is not well designed should be refused where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and design codes.”

Although 45 Mill Lane is not a formally listed building, the structure is considered to be a non- designated heritage asset of local heritage significance and is included within the councils adopted local list. It is considered any proposed development should respect the integrity, character and intrinsic merits of the host dwelling. However, since the application site is located within close proximity to 45 Mill Lane, preserving and enhancing the irreplaceable structure is of great importance.

It is considered the relationship between the host dwelling of 48 Mill Lane and the non- designated heritage asset, 45 Mill Lane, is weak. The substantial distance between the structures disconnects the two sites and helps to alleviate any damage to the heritage asset. Therefore, by virtue of the proposals disarticulate location, the harm to the non- designated heritage asset is concluded to be neutral.

There are fundamental concerns with the design of the proposed development. The design guide states “when a dwelling has been extended, the original building should still be clearly legible and pre-dominate”. The guide also mentions that “in the countryside, existing dwellings should not be regarded as building plots. The size of the original dwelling will determine the extent to which it can be enlarged. The visual impact should be minimised in all cases.” With the proposed extension providing an additional gross area of 61 square metres, the proposal is considered to significantly increase the scale and mass of the building on its primary elevation, increasing its prominence within the site.

It is considered there is no significant reason to warrant an extension forward to the principle elevation, contrary to policy, within this application site. The open site contains the potential for the extension of the host dwelling in a much more complementary location containing more sympathetic forms and designs. Through extending from the front elevation, the original building form is disrupted, creating a visually jarring, asymmetrical building form, diminishing and concealing the host dwelling.

Whilst the materials have been sympathetically selected to match the existing agricultural nature, it is considered the use of fenestration and decorative

architectural ornamentation reads separate and creates a contrasting language to the host dwelling, further detracting from the elevation.

The application also seeks permission for a detached cart lodge located towards the South- Eastern boundary of the site. The design guide mentions “it will rarely be acceptable to construct a garage between the front elevation and the highway.” Small ancillary buildings and structures can help to give scale to their superiors and cause a noticeable impact to the character and identity to a place. By virtue of the structures excessive scale, inappropriate location, and inadequate design, the cart-lodge is made to be a prominent feature of the site, along with the proposed extension, adding visual clutter to the country views not compliant with policies ENV1, ENV2, HOU8 or GROWTH 2 of the East Cambridgeshire Local Plan.

Officers first viewed the proposal as part of a confidential pre-application submission. This incorporated a proposal of a similar nature for which officers provided a written response raising concerns in particular regarding the design of the structures and their scale. Officers note and acknowledge some of the minor suggestions have been incorporated into the proposal but feel many critical points raised have not been addressed. Therefore, no amendments were sought to the proposal in line with the council’s adopted negotiation protocol.

Officers acknowledge the proposal would provide enlarged accommodation for the occupier of the dwelling and that the design has had minor amendments from the earlier scheme in an attempt to overcome objections. However, these insufficient amendments and points are not considered to outweigh the harm that would result to the character and appearance of the host dwelling within the application site and wider street scene.

Notwithstanding the lack of heritage concern, officers consider the proposed extension to detract from the character and visual appearance for the host dwelling and believe the additions of the structures would represent poor design in this context. Therefore, the proposed extension and detached cart lodge are not considered to comply with Policies ENV1, ENV2 and HOU8. Given the additional scale and mass being extended from the principle elevation, the character is consequently harmed.

7.5 Highways

Policy COM 7 of the East Cambridgeshire Local Plan 2015 states development proposals should provide a safe and convenient access to the highway network.

Policy COM 8 mentions that “development proposals should provide adequate levels of cycle parking and make provision for parking broadly in accordance with the councils parking standards.”

Plan referenced P-6521-02 illustrates a new turning area is proposed onto the site. It is noted that the principle for the new access shown has previously been approved as part of application 18/00774/FUL. However, no additional information has been provided with regards to the proposed materials for the hardstanding. Therefore, this aspect of the proposal was not fully assessed due to insufficient information.

The application site already contains a suitable access, hard surfacing and sufficient exterior space to accommodate two off street parking spaces in line with the councils parking standards. These two exterior parking spaces were previously approved within application 13/00188/FUL and illustrated within the approved block plan to be located where the extension is proposed.

The scale and proportions of the proposed cart lodge as illustrated on plan referenced P-6521-02 would provide a suitable additional parking space for vehicles, meeting the required measurements of the Councils parking standards, in accordance with policy COM 8.

The Definitive Map Team was consulted as part of the application due to a public right of way being located forward to the South- Western boundary of the site and adjacent to the South- Eastern boundary. The Definitive Map Team raised no objection to the proposed development but stated that the footpath must remain open and unobstructed at all times.

7.6 Ecology

Policy ENV 7 states that “all development proposals will be required to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.”

The Council’s ecologist was consulted on the proposal due to the rural location and the application site being located within a SSSI impact zone. The ecologist mentioned there is a chance the existing cladding could provide a habitat for bats, which is required to be investigated prior to determination. Due to the outcome of this application, further investigation regarding the protection and mitigation of existing ecology was not sought by officers. Notwithstanding this, full assessment of this aspect of the proposal was not possible due to the insufficient information initially provided. Therefore, this has been incorporated as a reason for refusal.

Additionally, the ecologist mentioned that opportunities for habitat creation and enhancement could easily be achieved on site in line with policy ENV 7. Due to the minor nature of the proposal, officers did not consider this necessary to obtain in line with the natural environment SPD.

7.7 Climate Change

Local Plan Policy ENV 4 states: ‘All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on- site as far as practicable’ and ‘Applicant will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.’ Chapter 14 of the NPPF encourages all development to include sustainability measures within their proposal. No measures have been put forward as part of the application. While this does weigh against the application, it would not form a reason for refusal on its own merit.

7.8 Planning Balance

Although the proposal does not raise any concerns with regards to heritage, it is considered the proposal would provide the site with an inappropriate form of development which provides detrimental impacts to the character and appearance of the area contrary to policies ENV 1, ENV 2 and HOU 8 of the East Cambridgeshire Local Plan 2015, as amended 2023. Given the proposal does not comply with HOU8, the proposal also fails GROWTH2. The proposed development is considered to oppose the aims and objectives of section 12 of the National Planning Policy Framework and the principles of the Design Guide.

Additionally, it is considered key supporting information was excluded from the application with regards to ecology.

Background Documents

24/00479/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.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

