

Planning Committee Update – 10 January 2024

Agenda Item	Application Reference	Additional Info Received/Updates to Committee
6	23/01148/FUL	See attached letter/statement from Next Phase Development.

REFERENCE NUMBER: 1207/01

DATE: 28th November 2023

Charlotte Elston
East Cambridgeshire District Council
The Grange, Nutholt Lane
Ely
Cambridgeshire
CB7 4EE

By Email

Dear Charlotte,

Re: Regarding planning application 23/01148/FUL – Demolition of an existing barn and construction of a new dwelling and a garage / annexe with associated landscaping at Abbey Yard, Brinkley Road, Brinkley

Submission for members of the planning committee on behalf of the applicant, Mr S Long

With reference to the above I write on behalf of the applicant, Mr Simon Long, to provide a planning opinion to members of the planning committee, having regard to the fact that the application has been called in for the committee's attention.

I am mindful that you have recommended the application be approved within your Delegated Report, and as such provide this advice note to members as a supplementary consideration of the application against the Development Plan further to your recommendations.

I conclude that, having regard to both the Development Plan policies, the National Planning Policy Framework as a material consideration and specific material considerations associated with the site, that the principle of development is acceptable. Whilst the site is located outside of the development envelope for the village of Brinkley and would in isolation otherwise fail to accord with Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015, the site has an established and extant planning consent for the delivery of a new dwelling and a garage, under planning reference 21/01238/FUL, that which itself was approved having regard to the *fallback* position available to the applicant with regard to their available Permitted Development Rights for a residential dwelling within the site.

The available extant consent is a singular material consideration that should be prescribed significant weight in any planning balance exercise that is undertaken against the Development Plan, and it is the applicant's assertion that there is no singular or combined provision of harm created by the proposal in policy terms that outweighs this clear beneficial material consideration.



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The predominant difference between the extant consent and the proposal is the inclusion of an annex; however, as noted by the applicant, the requirement for the annex is to house an elderly parent and a full time carer, and it is clear that appropriate conditions can be raised in order to address any concerns that the annex itself may become an independent dwelling itself at a future point.

Having regard to the extent of the development by comparison to the established consent and with the lack of restriction in policy terms with regard to the introduction of annexes as ancillary residential development, I conclude that there is no reasonable basis on which to determine that the introduction of the annex in this instance would offer any measurable harm by comparison to the extant consent.

With regard to design, it is concluded that the proposal accords in its entirety with Policy ENV 2 together with the Council's Design Guide, bringing forward a proposed architectural design that is concluded to be entirely in keeping with the agricultural aesthetic of the existing barn and contributes rather than detracts from the existing character of the area. Having regard to the applicant's Heritage & Design Statement, it is concluded that the approach that has been taken to the proposal provides an enhanced architectural design by comparison to the existing consent with regard to the proposal's contribution to the character of the area.

It is concluded that the proposal offers no measurable harm to the nearby Listed Building, nor to the character of the Conservation Area, a position that is shared by the Council's Conservation Officer. On this basis it is concluded that the proposal offers no measurable harm to heritage assets and complies in full with the expectations of Policy ENV 11 and ENV 12 of the Local Plan, together with requirements as set within the Framework.

The design of the dwelling maintains a negligible impact upon adjacent amenity, offering no measurable impacts on the neighbouring dwelling and the proposal maintains the established access provision already consented to.

Finally, with regard matters of biodiversity, the accompanying Preliminary Ecological Appraisal identifies a series of recommendations that can assist in providing biodiversity enhancement within the site, in accordance with the expectations of ENV 7. It is concluded that, subject to the implementation of appropriate planning conditions and securing the enhancement opportunities raised within the report, it would maximise opportunities for the site to contribute to the enhancement of biodiversity.

Overall, therefore it is concluded that the proposal accords with the Development Plan as can be applied; any lack of accordance with individual policies of the Development Plan are clearly and significantly outweighed by beneficial material considerations in favour of the proposal. By comparison to the extant consent, the proposal brings forward a series of additional benefits that allows for the proposal to better contribute to the character of the area by comparison.

It is respectfully requested therefore that members support the recommendations of their Officer, and grant planning consent for the proposal.

Kind Regards



Christopher Whitehouse MRICS BSc (Hons) RICS Accredited Expert Witness
Managing Director / Chartered Planning & Development Surveyor

For and on behalf of NextPhase Development Limited



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