

**MAIN CASE**

**Reference No:** 18/00137/FUL

**Proposal:** Proposed erection of link detached double garage with storage link including the demolition of two single storey out-buildings.

**Site Address:** 80 Barton Road Ely Cambridgeshire CB7 4HZ

**Applicant:** Mr Colin Every

**Case Officer:** Zoe Boyce-Upcraft, Planning Assistant

**Parish:** Ely

**Ward:** Ely East  
 Ward Councillor/s: Councillor Richard Hobbs  
 Councillor Lis Every

**Date Received:** 29 January 2018      **Expiry Date:** 6 April 2018

[S279]

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to approve this application subject to the recommended conditions below:
- 1 Approved plans
  - 2 Time Limit -FUL/FUM/LBC
  - 3 Materials

Conditions can be read in full on the attached appendix 1.

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 Planning permission is being sought for a double garage and single storey link to the dwelling, following the demolition of two existing out-buildings. The proposed dimensions of the garage are a ridge height of 4.79m with an eaves height of 2.7m, a length of 8.3m and a width of 6.5m. The store linking the main dwelling with the garage would have a flat roof and height of 2.7m, a length of 3.3m and a width of

2.9m. The proposed materials will closely match the existing dwelling with the addition of black garage doors.

2.3 The application is being decided through Planning Committee as it concerns the home of a Council Member. In order to maintain transparency it is considered that delegated powers would not be suitable in determination of this proposal.

### 3.0 PLANNING HISTORY

3.1

16/00448/FUL	Proposed erection of link-detached one and half storey double garage with store and single storey utility room including the demolition of two existing single storey out-buildings	Approved	08.06.2016
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### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the City of Ely, and within the Conservation Area. It is a roughly triangular-shaped site located on a corner of Barton Road. The site contains a detached two-storey residential dwelling, two single storey outbuildings, and garden to the front. The boundary with Barton Road has a hedge and trees, and the boundaries to number 82 and 78a have close-boarded fences between 1.2m and 1.8m in height.

### 5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from Ely City Council and the Conservation Officer and these are summarised below. The full responses are available on the Council's web site.

Ely City Council – The City of Ely Council have no concerns regarding this application.

Ward Councillors - No Comments Received

Conservation Officer – This is a resubmission of a previous application 16/00448/FUL and appears to have addressed the concerns raised previously in regards to the scale of the proposed garage. It is not considered that the amended proposal would result in an unacceptable level of harm being caused to the conservation area. No objections from a conservation viewpoint.

Consultee For Other Wards In Parish - No Comments Received

5.2 Neighbours – An advert was placed in the Cambridge Evening News and a site notice was posted on 21 February 2018. Four neighbouring properties were notified. No representations have been received.

### 6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 2 Design  
ENV 11 Conservation Areas  
COM 8 Parking provision

6.2 Supplementary Planning Documents

Design Guide

6.3 National Planning Policy Framework 2012

7 Requiring good design  
12 Conserving and enhancing the historic environment

6.4 Submitted Local Plan 2017

LP22 Achieving Design Excellence  
LP27 Conserving and Enhancing Heritage Assets

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are impact on residential amenity, and impact on the streetscene including the conservation area.

**7.1 Residential Amenity**

7.2 The location of the proposed development is south of number 78a with a ridge height of 4.79m. The garage is set a distance of 1.2m away from the boundary which comprises of a 1.8m timber fence with 0.3m trellis on top. Given its scale and position it is considered that the bulk and siting of the proposal will not cause significant loss of light or an overbearing impact on the neighbouring property to the north. The height will be considerably less than under the previous scheme which had a ridge height of 6.1m.

7.3 The previous scheme had two dormers and three rooflights to accommodate a games room/gym whereas this scheme does not include a first floor. Therefore there is no potential overlooking. There is an existing timber boundary fence 1.8m with 0.3m trellis on top.

7.4 To the west of the garage a new 1.8m timber fence will replace an existing leylandii hedge and 1.2m fence with 0.6m trellis on top. This will protect the residential amenity of number 82 with the garage being 3.4m away from the existing boundary fence.

7.5 The development is considered to comply with policy ENV2 regarding impact on residential amenity.

**7.6 Visual Amenity and Conservation Area**

- 7.7 As this development is within the Ely Conservation area, care should be taken to preserve or enhance the character and appearance of the conservation area. The demolition of the two out buildings are necessary as they do not serve a purpose on the site and demolition would create the space for better use of the land to create a garage and link to the house. The Conservation Officer has not indicated that the outbuildings are of any architectural, historic or visual significance and has not objected to the demolition.
- 7.8 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires that, in the exercise of planning functions, “special regard shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area. The duty to pay “special regard” includes a duty to pay careful attention to the impact on the conservation area (para 24, *East Northamptonshire*). The term “preserving” in s.72(1) means doing no harm (*South Lakeland District Council v Secretary of State for the Environment [1992]2AC141* at 150, per Lord Bridge of Harwich). The site is on a corner plot and screened from the public highway by established substantial hedging and trees and the proposal would only be fleetingly visible from the entrance to the driveway. The proposal therefore will have an insignificant impact on the street scene and Conservation Area, and there will be no demonstrable harm to it.
- 7.9 The Conservation Officer was formally consulted on this application and there was considered to be no harm to the Conservation Area that would arise from this development.
- 7.10 Whilst the proposal is a large double garage it would be at a noticeably lower height than the dwelling and would appear subservient. It is considered that the site can take the development without appearing cramped and it is therefore not considered to be out of scale.
- 7.11 Materials would match those on the dwelling which help to harmonise the garage and link with the existing development on site.
- 7.12 For the reasons outlined above, the development is considered to comply with policy ENV2 regarding impact on visual amenity. Policy ENV11 of the Local Plan states that development proposals within Conservation Areas should be of a particularly high standard of design and materials. The proposal would be sympathetic to the surrounding area and the street scene. This is considered to comply with Policy ENV11 of the Local Plan 2015 and Policies LP22 and LP27 of the Submitted Local Plan 2017.
- 7.13 Parking**
- 7.14 This application will improve the parking situation on site as the outbuildings cannot currently be used for parking. A minimum of two parking spaces are being retained which complies with policy COM8.

**7.15 Summary**

7.16 The application is for a garage and link to an existing dwelling, and the demolition of two existing outbuildings. There are no issues of overlooking and there are not considered to be any significant impacts from overbearing. There are no concerns with the design from a conservation viewpoint and there is no harm to the Conservation Area.

**8.0 APPENDICES**

Appendix 1 - Conditions

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00137/FUL	Zoe Boyce-Upcraft Room No. 011	Zoe Boyce-Upcraft Planning Assistant 01353 665555
16/00448/FUL	The Grange Ely	zoe.boyce- upcraft@eastcamb .gov.uk

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

## APPENDIX 1 - 18/00137/FUL Conditions

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

Plan Reference	Version No	Date Received
EX100		29th January 2018
EX101		29th January 2018
EX102		29th January 2018
EX103		29th January 2018
PL200		29th January 2018
PL201		29th January 2018
PL202		29th January 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 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 follows:
  - Roof tiles - concrete pantiles to match those on main roof of dwelling
  - Brickwork - to match brickwork on existing dwelling
  - Rainwater goods - black PVCU
  - Render - to match colour on existing dwelling
  - Garage doors - blackAll works shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 and LP22 and LP27 of the Submitted Local Plan 2017.