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**MAIN CASE**

**Reference No:** 20/01544/FUL

**Proposal:** First floor extension and ground floor battery store

**Site Address:** 14 West Lodge Lane Sutton Ely Cambridgeshire CB6 2NX

**Applicant:** Mr Karl Hogg

**Case Officer:** Gemma Driver Planning Officer

**Parish:** Sutton

**Ward:** Sutton  
Ward Councillor/s: Lorna Dupré  
Mark Inskip

**Date Received:** 21 December 2020      **Expiry Date:** 14 April 2021  
**Report Number [V167]**

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1.0 **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE this application for the following reason:
- 1.2 The proposed first floor rear extension would cause significant and demonstrable harm to the visual amenity of the host dwelling and character of the surrounding area, by virtue of its bulk and materials being overly prominent on a corner position within the street scene. Furthermore, the proposal would fail to visually protect or enhance the character and appearance of the surrounding area. Therefore, the proposal would be contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, and the Council's Design Guide SPD, which seeks new development to relate sympathetically to the surrounding area through appropriate form, massing and materials.

2.0 **SUMMARY OF APPLICATION**

- 2.1 The application seeks consent to construct a first-floor rear extension above the existing single storey element at no.14 West Lodge Lane, together with a single storey battery store to the South of the dwelling. The first-floor element would also include the installation of solar panels on the side (south) elevation and further solar panels on the existing roof slope on the same side.

- 2.2 The first-floor rear extension would measure 5 metres (16 ft) in depth and 4.5 metres (14.8 ft) in width. The extension would sit on top of an existing extension (permitted under application reference no. 17/00167/FUL). Due to the extension being proposed on top of the existing single storey form, the overall height would measure 7.5 metres (24.6ft) to the ridge. The eaves height would measure 5.4 metres (17.7 ft). The extension would introduce two windows to the rear elevation and one window to the South elevation.
- 2.3 The application also proposed a single storey extension to the South elevation to form a battery store to facilitate the proposed solar panels. This element would measure 1.8 metres (5.9ft) in width by 2.8 metres (9.2ft) in depth. The single storey extension would have a mono-pitched roof measuring 3.4 metres (11.2ft) to the highest point and 2.3 metres (7.5ft) to the lowest point.
- 2.4 Both elements of the proposal would be constructed using hardiplank cladding in Blue Grey to match the colour of the existing single storey. The roof would have concrete tiles to match the host dwelling.
- 2.5 The application was called into planning committee by Cllr Dupré for the following reason:
- 2.6 *“The Case Officer is minded to refuse this application on the grounds of visual amenity and its prominence in the surrounding of The Row, Sutton.*
- 2.7 *The Alternative offered by the case officer is to propose a smaller and less visually dominant extension to the first floor in a different colour to that on the existing extension, with a corresponding change in the colour of the existing ground floor HardiePlank cladding to match.*
- 2.8 *This alternative would require the effective dismantle and rebuilding of the existing permitted ground floor extension in order to achieve structural soundness.*
- 2.9 *It is unfortunate that neighbours in The Row facing the site were not initially consulted by the Council. The applicant has now spoken with the two neighbours most visually affected, sought their feedback and supplied them with contact details for the case officer so that they could comment on the application.*
- 2.10 *One neighbour has now commented, not objecting but wanted concerns addressed about overlooking from the side window of the proposed extension, and the appearance of the solar panels on the roof.*
- 2.11 *In view of the above, I feel it would be right for the Planning Committee to be asked: to determine the appropriateness of the application in terms of size and colour and whether the alternative suggested by the case officer is proportionate in its demands of the applicant’s already consent ground floor extension; and to consider whether obscure glazing should be conditioned for the overlooking window in order to address neighbour concern.”*
- 2.12 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/>.

### 3.0 PLANNING HISTORY

92/00164/FUL	Erection of a Detached House & Garage	Approved	07.04.1992
17/00167/FUL	Single storey extension	Approved	14.03.2017

### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises a detached dwelling located in Sutton. The site is located within the development envelope and in an established residential area. The principal elevation of the dwelling is set back into the plot with a large driveway. The dwelling is located on West Lodge Lane, but due to its corner siting is highly visible along The Row. There is also a slight difference in ground levels from West Lodge Lane and The Row. West Lodge Lane increases in ground level from The Row as it approaches the High Street at the top of West Lodge Lane. The street scene is comprised of detached dwellings, all of which vary in style and design along both The Row and West Lodge Lane.

### 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 Council** - 27 January 2021

Sutton Parish council have no comments - ECDC to determine

**Ward Councillors** - No Comments Received

- 5.2 A site notice was displayed near the site on 18 January 2021.

- 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 side window which would look directly into no.85a The Row;
- Concerns over what the proposal solar panels will look like as there are no other properties in view with solar panels on.

### 6.0 The Planning Policy Context

#### 6.1 **East Cambridgeshire Local Plan 2015**

ENV 1                      Landscape and settlement character

ENV 2	Design
ENV4	Energy and water efficiency and renewable energy in construction

## **6.2 Supplementary Planning Documents**

Design Guide  
Climate Change

## **6.3 National Planning Policy Framework 2019**

12 Achieving well-designed places

## **6.4 Sutton Neighbourhood Plan**

NP3

## **7.0 PLANNING COMMENTS**

7.1 The main considerations in determining this application are the impact on the character of the area, the impact on residential amenity and climate change and sustainability.

## **7.2 Impact on the Character of the Area and Visual Amenity**

7.2.1 The site is within the development envelope, where in principle terms, extensions to residential properties are considered acceptable subject to compliance with the relevant planning policies plus all other material planning considerations that form part of the planning balance for this application.

7.2.2 Policy ENV1 of the Local Plan states that development proposals should ensure that location, scale, form, design, materials and colour create positive, complementary relationships with existing development.

7.2.3 Policy ENV2 of the Local Plan states that design which fails to have regard to local context, including architectural traditions and does not take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable and planning applications will be refused. The policy also expects all new development to ensure that the scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other.

7.2.4 The Council's Design Guide, SPD states that the form and proportions of the original dwelling will determine the extent to which it can be extended. Furthermore, it requires the original building to be clearly legible and pre-dominant following an extension. Any extension will need to be subservient to the existing dwelling.

7.2.5 The proposal consists of two main elements, a first-floor extension to the rear of the dwelling and a single storey extension to the South of the dwelling. The proposal would also include the installation of solar panels on the southern facing roof slopes.

- 7.2.6 The first-floor extension would sit above an existing single storey extension that was permitted under application reference no. 17/00176/FUL. The first-floor rear extension would measure 5 metres (16 ft) in depth and 4.5 metres (14.8 ft) in width. The extension would have a pitched roof that would measure 7.5 metres (24.6ft) to the ridge. The eaves height would measure 5.4 metres (17.7 ft). The first-floor element also proposes solar panels on the southern roof slope, which would be flush against the roof slope. Further solar panels are also proposed on the existing roof slope on the property.
- 7.2.7 Due to the siting of the dwelling within the plot, the rear of the dwelling is exposed to the street scene of The Row. Views of the existing single storey are visible from The Row. Therefore, it is considered that the first-floor element would be highly visible within the street scene of The Row due to the increase in massing and height.
- 7.2.8 As a result of the proposed extension, the span of the dwelling, would increase and would result in an overall addition of mass to the rear that would be largely prominent and dominate these views. It is considered that due to the mass, the dwelling would result in an overbearing and prominent building and would be intrusive and would not relate sympathetically to the character of the existing street scene, therefore resulting in a significant detriment to the appearance of the area.
- 7.2.9 In addition to the mass and bulk, there are concerns relating to the proposed materials. It is acknowledged that the introduction of the blue hardieplank cladding was acceptable for the single storey element approved under Ref: 17/00167/FUL. However, this single storey element does not appear as prominent within the street scene. The Local Planning Authority determines each application on its own merits, and it is considered that the cumulative impact of introducing this material at first floor in addition to the single storey would emphasise its prominence within the street scene, making it 'stand out' within the locality.
- 7.2.10 The cladding is not a particularly distinctive type of material in the locality, although accepted that the single storey element is constructed using hardieplank cladding. However, as already mentioned, the single storey extension is not prominent and does not draw attention to it. By virtue of introducing the cladding at first-floor level, and in a colour that is not considered to be complementary to the host dwelling, nor the surrounding area, this external finish is not supported and is not considered to comply with Policy ENV2 of the Local Plan which seeks to ensure that new developments ensure that the colour of buildings relate sympathetically to the surrounding area.
- 7.2.11 Whilst explaining the Local Planning Authority's concerns to the agent and applicant, we offered them an opportunity to review the materials for the extension and it was suggested that a softer and subtler colour could reduce this impact upon the street scene and lessen the visual prominence of the extension. However, we advised that we still had concerns in relation to the mass and bulk of the extension. In further discussions with the applicant and the agent, it was also suggested to scale-down the first-floor element in order to break up the bulk and the massing. The agent confirmed that the applicant could not accept this and that, structurally, it would be difficult to reduce the depth. As no amended plans were submitted, the Local Planning Authority were unable to advise on the likelihood of an alternative being supported.

- 7.2.12 The proposed single storey battery store proposed to the South is considered acceptable due to the single storey nature and discrete location of this element and therefore would not have a significant impact on the character or visual amenity of the area.
- 7.2.13 The comments received regarding the concerns of the proposed solar panels have been noted. The sustainability statement submitted, states that the solar panel would be flush to the roof slope, and therefore would not project any higher from the roof slope. No specific plans have been submitted showing this, however, it is considered that these elements are acceptable from a visual amenity point of view. It is considered that further details of the proposed solar panels could be secured by condition if planning permission was granted.
- 7.2.14 It is considered that the first-floor extension would add an unacceptable level of additional bulk that would be visually intrusive, creating a form that is uncharacteristic of this part of The Row. The corner position of the site means that any development at first floor level would be prominent and highly visible. The proposal therefore fails to respect the character and form of the neighbourhood by virtue of the massing and bulk. It is therefore considered that the proposal would be contrary to Policies ENV1 and ENV2 of the Local Plan 2015 which seek to preserve the character and appearance of the area, and contrary to the Design Guide SPD.

### **7.3 Residential Amenity**

- 7.3.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers.
- 7.3.2 Policy NP3 of the Sutton Neighbourhood Plan states that sustainable development proposals within the development envelope will be supported in principle subject to being of an appropriate scale and not having an unacceptable impact on the amenity of residents.
- 7.3.3 The proposed first floor extension would be located to the rear of the host dwelling and the single storey extension to the Southern side of the host dwelling.
- 7.3.4 It is noted that the extension would result in an increase in built form at first floor level and the application does include the provision of two windows to the rear elevation and one window to the Southern elevation.
- 7.3.5 The introduction of the proposed windows has been acknowledged, however the existing dwelling already benefits from windows in both of these elevations. It is noted that the proposed extension would be bringing these openings closer to neighbouring dwelling to the rear no.96 The Row. However, a separation distance of approximately 17 metres (55.8ft) would be in place between the proposed openings and this neighbouring dwelling due to the large amenity space of the host dwelling.
- 7.3.6 Comments from no.85a The Row and Cllr Dupré raised concerns with regards to the proposed window on the South elevation increasing levels of overlooking towards no.85a The Row. It is considered that due to no. 85a The Row being

separated from the application site by a highway, the impact of this window has been lessened. A separation distance of approximately 9.5 metres (31.2ft) would be in place between the proposed opening and the boundary of no.85a and a separation distance of approximately 19 metres (62.3ft) would be in place from the proposed opening and the principle elevation of no.85a. It is therefore considered that chances of overlooking from the introduction of this opening would be minimal.

- 7.3.7 The proposed single storey battery store, due to its size and location, is not considered to cause significantly detrimental impacts to neighbouring dwellings and is acceptable.
- 7.3.8 Cllr Dupré raised concerns with regards to properties along The Row not being directly notified by letter. In relation to the process of notifications of householder applications, the Local Planning Authority are only obliged to notify those neighbours who abut the site only i.e. those that are touching the red line on the location plan. However, a site notice was also erected on the telegraph pole located on The Row which would have informed those residents who do not live directly near the site. The Local Planning Authority would only send notifications to those neighbours along The Row if it was considered that the proposal would directly affect them. Following the case officer's site visit, it was considered that due to the separation distances and the site notice posted nearby, notification by letter of further properties would not be necessary. It is therefore considered that the Local Planning Authority have consulted with all those directly affected in accordance with the protocol, and have exceeded our obligation by posting a site notice.
- 7.3.9 It is considered that the proposed development would not result in any significantly detrimental effects on the residential amenity of nearby occupiers and therefore complies with Policy ENV2 of the East Cambridgeshire Local Plan, 2015.

#### **7.4 Climate Change & Sustainability**

- 7.4.1 Policy CC1 of the Council's Climate Change SPD is relevant and supports Policy ENV4 of the Local Plan in which it seeks applicants to demonstrate how they have considered maximising all aspects of sustainable design and construction.
- 7.4.2 The applicant was invited to submit sustainability details in accordance with the Climate Change SPD. The applicant has advised the following:
- 7.4.3 *"I am very interested in the environmental impact of our proposed extension, and welcome the opportunity to comment on that aspect of our plans.*
- 7.4.4 *I have already commissioned a structural engineer report to design a timber frame that uses the existing structure of the existing ground floor to fully support the proposed first floor extension. This negates the need for any additional structural steels or alterations to the current building or its foundations. The design brief was to reduce the deconstruction of the existing ground floor as much as possible. This in turn reduces the need for construction materials, by using what is already in place. This has been achieved very successfully with none of the existing construction materials being sent for landfill.*

- 7.4.5 *The timber frame studs are 50mm wider than standard 100mm studs. This will allow for a corresponding increase in wall insulation. Timber frame construction is by design more thermally efficient than conventional brick and block. The additional 50mm of insulation will take the building well beyond the required U value required by the building regulations.*
- 7.4.6 *The plan is to use the same exterior cement board cladding. I have a number of surplus boards left over from the earlier extension. Being able to clad the extension in the same material and colour will allow me to use these surplus boards and reduce the need to purchase additional boards. Your request to change the colour of the boards will require all of the existing boards to be sent to landfill replaced with boards of a different colour. This would have a significant negative environmental impact on the overall proposal.*
- 7.4.7 *Timber frame construction is a dry construction method and therefore the use of water in the construction phase is almost zero, just a few litres for the plaster skim.*
- 7.4.8 *The plans include the installation of solar panels and corresponding battery storage. I intend to install panels that fit flush with the existing roof tiles, not mounted on top of the tiles. This will require the removal of any existing tiles under the footprint of the panels. I intend to re-use these, to tile the majority of the planned pitch roof extension. Again, the re-using of materials reduces the environmental impact of the building. The house is all electric, the installation of the solar panels and battery storage will make the building close to self-sufficient for its energy needs in the future.*
- 7.4.9 *With the planned first floor extension sitting directly above the current ground floor extension, this will improve the thermal efficiency of that room. The planned pitched roof with loft insulation of 250mm will make the whole timber frame extension on both floors very thermally efficient.”*
- 7.4.10 Given the size and use of the proposed extension, it is considered that the information provided by the applicant is sufficient to fulfil the requirements of the Climate Change SPD and is therefore acceptable in this respect.

## **7.5 Planning Balance**

- 7.5.1 The proposed first floor extension is considered to have a detrimental impact on the form and character of the area and has a poor relationship with the host dwelling due to the mass and bulk. However, the proposed development, including the single storey battery store and solar panels is considered not to have a significant impact on the residential amenity of adjacent neighbours.
- 7.5.2 On balance, although the proposal would not have a significant impact on the residential amenity of neighbouring properties, it is considered that this is outweighed by the proposal causing significant and demonstrable harm to the visual amenity of the host building and the surrounding area. The development, by virtue of its mass, bulk and materials on the character of the area would fail to visually protect or enhance the street scene. The proposal is therefore considered to be contrary to Policies ENV1 and ENV2 of the Local Plan 2015 and the Design Guide SPD, which require all proposed developments to be of a high quality and design

and protect, enhance or enrich the distinctive character of the area. The application is therefore recommended for refusal.

## 8.0 **APPENDICES**

8.1 None.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
20/01544/FUL	Gemma Driver Room No. 011 The Grange Ely	Gemma Driver Planning Officer 01353 665555 gemma.driver@east cambs.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.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>