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**MAIN CASE**

**Reference No:** 16/01527/FUL

**Proposal:** Side extension at first floor

**Site Address:** 12 Falcon Mews Ely Cambridgeshire CB6 3EB

**Applicant:** Mr & Mrs Morris

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

**Parish:** Ely

**Ward:** Ely West

Ward Councillor/s: Councillor Sue Austen  
Councillor Neil Hitchin

**Date Received:** 7 November 2016      **Expiry Date:** 8 February 2017

[R197]

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1.0 **RECOMMENDATION**

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

- The proposed application due to its height and length along the east boundary with 13 Falcon Mews, and the built form stepping pattern, would result in a significantly overbearing impact on the residents of No.13. This will be particularly so when viewed from the French Doors serving the dining room, and from the rear garden.

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 planning application has been called before Planning Committee by Cllr Rouse for the following reason: *"I am informed by the agent that agreement cannot be reached, therefore without prejudice I would like to call this application before the Planning Committee as I believe that there are issues that should be heard in public and the Committee should take the decision. I have no predetermination on the case."*

- 2.3 This application is for a proposed side extension at first floor level above an existing flat roofed section of the dwelling known as 12 Falcon Mews, Ely. The proposed extension would project 3.3 metres from the side elevation, with a depth of 8 metres, and raises the height of the previous flat roofed element from 2.4 metres to a ridge height of 6.1 metres and eaves of 4.9 metres. The proposal includes brickwork to match the existing dwelling. Amended plans were submitted to reduce the dimensions of the proposed extension. Originally the proposal was for a ridge height greater than the existing dwelling, and for the extension to be stepped forward of the front elevation.

3.0 PLANNING HISTORY

- 3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located within the existing development framework for Ely and is a two storey, semi-detached property. The dwelling has an amenity space to the north, and driveway to the south which steps the dwelling back from the main highway. The adjoining semi has been extended in similar fashion to that proposed. The dwelling is also stepped back from the dwelling known as 13 Falcon Mews to the East. The area is characterised as being primarily residential with the property set in a street scene of similarly designed and age of property.

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.

**The City of Ely Council – No Concerns**

**Ward Councillors** – Comments from Cllr Rouse: *"I am informed by the agent that agreement cannot be reached, therefore without prejudice I would like to call this application before the Planning Committee as I believe that there are issues that should be heard in public and the Committee should take the decision. I have no predetermination on the case."*

- 5.2 **Neighbours** – six neighbouring properties were notified and a site notice posted. The responses received are summarised below. A full copy of the responses are available on the Council's website.

- Similar extension constructed at 11 Falcon Mews
- Frontage should remain level with the existing house
- Roof height should be in line with existing house
- Same brick material should be used

- Concerned the child nursery run from the property will increase as a result of the extension.
- Extension of business would create more disturbances through noise of children, increased traffic movements
- Small fence at the front already erect doesn't stop children running into the road
- Removes views to trees at the rear
- Materials not in keeping
- Car parking already an issue
- Decrease in property values

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

ENV 2      Design

### 6.2 Supplementary Planning Documents

Design Guide

### 6.3 National Planning Policy Framework 2012

7      Requiring good design

## 7.0 PLANNING COMMENTS

7.1 The main considerations of this application are residential amenity and visual amenity.

### 7.2 **Residential Amenity**

7.2.1 Local Plan policy ENV2 requires this application to ensure that it has no significantly detrimental harm to the residential amenity of the occupier or neighbouring occupiers as a result of the proposed. Due to the separation distance of approximately 35 metres between the rear elevation of the proposed and the neighbour to the rear of the site, and there being no side elevation windows proposed there is no considered loss of privacy as a result of the proposed. The gardens along the same side of Falcon Mews as the application site are north facing and therefore any loss of light is considered to be minimal.

7.2.2 Consideration has been given as to whether the proposed would be overbearing on the adjacent neighbour to the east (No.13), given the stepping pattern along Falcon Mews. The proposed would be stepped away from this property by their existing flat roofed element, with the ridge of the proposed extension sitting approximately in-line with the back edge of the neighbours flat roofed element. While from the front the flat roofed area on No.13 is a garage at the rear it forms a dining room with French Doors leading out into the amenity space.

- 7.2.3 The proposed extension does decrease in height along the boundary from the back edge of No.13 as the roof pitch slopes away, where amenity space is located. However the lowest height along this boundary would be the eaves at 4.9 metres. The proposed extension would therefore result in a significantly detrimental impact to the residents at No.13 due to its overbearing nature when viewed from the French Doors serving the dining room and patio amenity space area.
- 7.2.4 It is noted that the adjoining semi benefits from the same type of extension. However, it should be noted as this dwelling benefits from being stepped forward of the adjacent neighbours to the west it does not have the same relationship with its neighbour as this application site.
- 7.2.5 As a result of the above the application is considered to fail to comply with Local Plan policy ENV2 due to the significantly detrimental impact the application would have on the occupiers at No.13 in terms of being overbearing.

### **7.3 Visual Amenity**

- 7.3.1 Local Plan policy ENV2 requires this application to ensure the location, layout, form, scale, massing and materials are sympathetic to the surrounding area. The plans originally proposed the extension being taller than the host dwelling and further forward of its principle elevation. The agent was informed this was an unacceptable form of development, and amended plans were submitted for a scheme which matched the previously approved extension on the adjoining semi.
- 7.3.2 The ridge height will match that of the existing dwelling, and the extension will be building in-line with the principle elevation. As a result this will not be subservient as is required by the Design Guide SPD. However, as a similar scheme including a brick pier to break up the extension was permitted on the adjoining semi, it would create an awkward visual appearance should this one be required to be subservient. As a result on this occasion it is considered that the lack of subservience is acceptable.
- 7.3.3 Concerns have been raised with the introduction of boarding for the external wall material. The surrounding area is primarily brick work but there are small amounts of other materials being used in the locale to break up the brick work. Subsequently the agent advised that the proposed extension should it be permitted would be constructed in brick to match the host dwelling. This would be the same as the adjoining semi which benefits from a similar extension, and would create a more consistent visual appearance.
- 7.3.4 As a result of the above the application is considered to comply with the visual aspect of policy ENV2.

### **7.4 Other matters**

- The fence to the front of the site and children playing in the road is not a consideration of this application
- The floor plan indicates the extension is for personal bedroom space and not an extension to child care business

- The proposed does not result in any impact to car parking
- Views over someone else's land and value of property are not a material planning consideration

## 7.5 Planning Balance

- 7.4.1 While the application is considered to broadly comply with the visual aspects of Local Plan Policy ENV2, there is a significantly detrimental impact to the occupiers at No.13 in terms of the overbearing extension when viewed from the dining room and rear amenity space. As a result the application is recommended for refusal.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
16/01527/FUL	Gareth Pritchard Room No. 011 The Grange Ely	Gareth Pritchard Planning Officer 01353 665555 gareth.pritchard@eastcambs.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>