

MAIN CASE

Reference No: 14/01359/FUL

Proposal: Residential Development, Four Dwellings, Garaging, Parking, Access and Associated Works

Site Address: Regal Bingo Club Hempfield Road Littleport Ely
Cambridgeshire CB6 1NW

Applicant: Buckingham And Sparrow

Case Officer: Julie Barrow, Planning Officer

Parish: Littleport

Ward: Littleport East

Ward Councillors: Councillor David Ambrose Smith
Councillor Andy Wright

Date Received: 12 January 2015 **Expiry Date:**

[P226]

1.0 **RECOMMENDATION**

1.1 Members are recommended to **refuse** this application for the following reasons:

- 1 Core Strategy policy EN2 and draft Local Plan policy ENV2 require all development proposals to be designed to a high quality, reinforcing local distinctiveness. In addition, the scale, massing and materials of buildings should relate sympathetically to the surrounding area. This site represents a rare opportunity for a well designed, comprehensive form of development. The proposed dwellings appear overly large and bulky within the site, especially when viewed from the side. The proposed dwellings appear dated with little regard for surrounding buildings and features and the bland nature of the scheme will neither preserve nor enhance the character and appearance of the area and the nearby Conservation Area. The proposal fails to comply with Core Strategy policy EN5 and draft Local Plan policy ENV11 which require development proposals within, or affecting a Conservation Area, to be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. The proposed development is contrary to paragraph 64 of the NPPF which states that permission should be refused for development of poor design does not take the opportunity available to improve the character and quality of the area and the way it functions.

- 2 The layout of the four proposed dwellings is such that Plots 1 and 4 have significantly larger private amenity spaces to the rear than plots 2 and 3. The relationship between Plots 2 and 3 also appears awkward and the rear wall of Plot 3 will be located approximately 6.5 metres from the boundary with Plot 2. The orientation of Plot 3 is such that the rear bedroom window at first floor level will directly over look the private amenity space immediately to the rear of Plot 2. The proposal is therefore contrary to Core Strategy policy EN2 and draft Local Plan policy ENV2 which require development proposals to ensure that occupiers of new dwellings are provided with acceptable residential amenity.

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 application seeks consent for the construction of four detached dwellings together with garaging, parking, access and associated works to facilitate the development, on the site of the former Regal Bingo Club in Littleport. The proposed dwellings are to be arranged in an arc with two dwellings fronting onto Hempfield Road, one dwelling on the corner of Hempfield Road and Hempfield Place and the fourth plot fronting onto Hempfield Place.
- 2.3 Plot 1 comprises an 'L-shaped' two storey dwelling with a footprint of 9.5 metres by a maximum depth of 12.4 metres, with a ridge height of 6.6 metres sloping to an eaves height of 4.8 metres. A detached garage is located alongside the western boundary of the site and occupies a footprint of 3.2 metres by 6.4 metres with a pitched roof over. Plot 2 is angled to provide a maximum width of 14.4 metres and a maximum depth of 8.2 metres, with a ridge height of 6.9 metres sloping to 4.8 metres at the eaves. A detached garage, the same dimensions as the garage serving plot 1, is to be located between plots 1 and 2. Plot 3 is also angled to provide a maximum width of 14.5 metres and a maximum depth of 8.2 metres, with a ridge height of 6.9 metres and an eaves height of 4.8 metres. The detached garage serving plot 3 is to be located between plots 3 and 4 and to the same dimensions as the garages serving plots 1 and 2. Plot 4 is similar in design and footprint to plot 1 with the detached garage adjacent to the southern boundary.
- 2.4 The proposed site layout provides plots 1 and 2 with private amenity spaces to the rear to depths of approximately 25 metres and 19 metres, and width of a maximum of approximately 15 metres and 16 metres respectively. Plots 2 and 3 have private amenity spaces to the rear which are central to the site to a depth of approximately 19 metres and width of approximately 6 metres, narrowing to 4 metres. The materials to be used in the construction of the proposed dwellings would need to be secured by condition should the application be approved.

3.0 PLANNING HISTORY

3.1

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|--------------|--|-----------|------------|
| 14/00131/DEM | Total demolition of two storey former Community Centre and Bingo Hall | Approved | 03.03.2014 |
| 01/00526/OUT | Demolition of existing bingo club and outline consent for residential development | Approved | 01.08.2001 |
| 01/01109/FUL | Change of use to church/community use; youth centre, pre-school group, luncheon club, community centre, charity shop. | Approved | 30.01.2002 |
| 08/01067/FUL | Erection of 1.4 metre high fence, 2 external notice boards to be fitted on the east and west side of the building to advertise activities. | Approved | 07.01.2009 |
| 09/00461/FUL | Erection of storage shed within new play area (Retrospective) | Approved | 05.08.2009 |
| 14/01030/FUL | Erection of Four Detached dwellings, Garaging, Parking, Access drives and associated site works | Withdrawn | 25.11.2014 |

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the development envelope of Littleport and adjacent to the Littleport Conservation Area boundary. The site comprises of a former bingo hall and associated car park and was most recently in use as a community building incorporating a childcare facility. The site occupies a corner position on the junction of Hempfield Road and Hempfield Place. The former bingo hall is now vacant although the car park area is in use, presumably for local residents and workers. The site is located close to the town centre in a predominantly residential area with two storey dwellings to the west and south on Millpit Furlong and Broom Close. Two pairs of single storey semi-detached dwellings are located immediately to the south of the site, fronting onto Hempfield Place, with two storey dwellings beyond and on the eastern side of Hempfield Place. A modern development of two storey dwellings is located on the northern side of Hempfield Road, opposite the site. Outline planning permission has been granted in the past for the demolition of the former bingo hall and for the construction of a residential development. A listed building at 5 High Street is located approximately 30 metres to the north-west of the site.

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.

Architectural Liaison Officer
Parish
Ward Councillors
Local Highways Authority
Conservation Officer
Environmental Health
Waste Strategy (ECDC)
Archaeology

Crime Prevention Design Team (CCC) – The site shows a secure boundary to the south and west elevations which is acceptable. The layout provides an active frontage to Hempfield Road and Hempfield Place. I would expect to see a good defensible space to the front of the dwellings, e.g. metal railings or wooden picket fencing, a pedestrian gate for the footpath to the front door and a gate to 1.8m high at the front garage building line to provide good security of the rear yard. Suitable secured doors are recommended for the side doors to plots 2 and 3. I do not have any objection from a crime reduction and or community safety perspective.

Littleport Parish Council – No objections.

Councillor Ambrose Smith – Would like to call this application in for consideration by the Planning Committee for the wider public interest.

Local Highway Authority – No objections subject to appropriate conditions in relation to the creation of the accesses and the provision of a traffic management plan.

Conservation Officer – This application affects a site located within close proximity to the boundary of Littleport Conservation Area and diagonally opposite a Grade II listed building. Therefore any development should take care to preserve or enhance the character or appearance of the area and not have a detrimental impact.

The proposal seeks consent for the demolition of the existing bingo hall which is of poor quality and has been unsympathetically extended in the past, losing most of its art deco character as a result. The demolition of this building is acceptable as the building is of no architectural value and does little to enhance the character of the area or street scene.

There is no overarching clear character to this part of the settlement with a mix of traditional terraced properties to High Street and both modern and interwar housing along Hempfield Road. Within the vicinity of the site, there is a mix of good and bad quality architectural styles. The site should therefore be regarded as a 'blank canvas' and as an opportunity to introduce high quality development, in accordance with the adopted Design Guide SPD and the principles set out in the NPPF.

The application is identical to the previous application that was withdrawn. My previous concerns regarding the scale and design of the properties remain the same and these have not been addressed in the resubmission. The properties remain overly large in size and dated in their design, they do not relate to their context in any way and do little to preserve or enhance the character or appearance of the area.

The previous building did feature an art deco entrance, which is common on bingo halls and community buildings of this type and it was suggested that the design gave a nod to the previous use of the site by incorporating some art deco features into the replacement properties.

The proposal is contrary to policy EN2 of the Core Strategy and ENV2 of the draft Local Plan as it does not contribute positively to the character of the settlement, is not of a high quality design and will neither enhance nor complement local distinctiveness.

Whilst it is recognised that the application site is currently having a detrimental impact on the character and appearance of the area and the street scene, the desirability to 'right the wrongs' and have development on the site, should not ride rough shod over the desire to achieve the highest quality design standards. The fact that the site is in one of the smaller settlements, that perhaps does not feature the same standard of architectural quality as Ely, does not mean that we should not push for better design standards wherever possible and not continue to replicate the same mistakes of the 1960s and 70s.

The site is a perfect example of the type of site that does not become available often, it provides a unique opportunity to encourage innovative, creative, modern design that will preserve, enhance and enrich the character, appearance and quality of the area.

Consent should not be granted from a conservation viewpoint as the proposal is contrary to Policy EN2, ENV2 and Section 7 of the NPPF as well as the adopted Design Guide SPD.

Environmental Health – Assume that this is the same landmark Envirosearch as previous submitted. The Landmark Envirosearch dated 27 August 2014 and can confirm that no further works are required. I would advise limiting construction hours due to the size of the development and the proximity of surrounding noise sensitive dwellings.

ECDC Waste Strategy – It is the responsibility of owners/residents to take any sacks/bins to the public highway on the relevant collection day. ECDC as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles. This contribution is currently set at £43 per property.

Historic Environment Team (CCC) – Our records indicate that the site lies in an area of high archaeological potential. We do not object to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a pre-commencement condition. This will secure the preservation of the archaeological interest of the area either by record or *in situ* as appropriate. A brief for the archaeological work can be obtained from this office on request.

5.2 Neighbours – 21 neighbouring properties were notified, site notice posted and advert placed in the Cambridge Evening News. No neighbour responses were received.

6.0 The Planning Police Context

6.1 East Cambridgeshire Core Strategy 2009

| | |
|-----|------------------------------------|
| CS1 | Spatial Strategy |
| CS2 | Housing |
| CS7 | Infrastructure |
| H2 | Density |
| S4 | Developer contribution |
| S6 | Transport impact |
| S7 | Parking provision |
| EN1 | Landscape and settlement character |
| EN2 | Design |
| EN5 | Historic conservation |

6.2 East Cambridgeshire Draft Local Plan Pre-submission version (as modified)

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|----------|------------------------------------|
| GROWTH 2 | Locational strategy |
| GROWTH 3 | Infrastructure requirements |
| HOU 2 | Housing density |
| ENV 1 | Landscape and settlement character |
| ENV 2 | Design |
| ENV 11 | Conservation Areas |
| COM 7 | Transport impact |
| COM 8 | Parking provision |

6.3 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

6.4 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 12 Conserving and enhancing the historic environment

6.5 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 **Principle of Development**

7.2 The application is located within the development envelope of Littleport and therefore the principle of development is accepted provided there is no adverse impact on the character of the area and all other material planning considerations are satisfied.

7.3 **Residential Amenity**

7.4 The proposed scheme involves the positioning of the four dwellings so that they are fronting onto Hempfield Road and Hempfield Place with the rear garden areas concentrated in the south-western portion of the site. The side elevation of plot one is located approximately 4.5 metres from the site boundary at its narrowest point and the orientation of the dwelling is such that at its furthest point the side elevation is approximately 11.5 metres from the boundary. Plot 1 is also separated from the rear of No. 1 Millpit Furlong by the detached garage, which is itself situated 1 metre from the site boundary. Whilst the proposed dwelling will appear bulky, with large expanses of brickwork to the occupiers of No. 1 Millpit Furlong, it is sufficient distance from the boundary so not to appear overbearing. A small window opening is proposed at first floor level in the side elevation to serve a bedroom with three additional high level windows towards the rear of the dwelling which will serve the master bedroom. These window openings are not considered to create an unacceptable level of overlooking given their size, height and the separation distance between Plot 1 and No. 1 Millpit Furlong.

7.5 Plots 1 and 2 are separated by the detached garage serving Plot 2. There are no window openings in the west facing elevation of Plot 2 and the two dwellings would not be considered to have either an overbearing impact on one another or cause any overlooking in this respect. The garden areas serving Plots 2 and 3 are significantly smaller than those serving Plots 1 and 4 and whilst they meet the guidelines for the provision of private amenity space as set out in the Design Guide SPD, there does not appear to be any justification for the discrepancy in plot sizes and better use of the site could be made. Plot 3 is angled to turn the corner between Hempfield Road and Hempfield Place and this arrangement leads to a bedroom window in Plot 3 overlooking the area immediately to the rear of Plot 2. The area immediately to the rear of a dwelling is expected to be private and the layout of this site compromises this. The rear wall of Plot 3 is located approximately 6.5 metres from the boundary with Plot 2 and is therefore considered to create an unacceptable level of overlooking towards the private amenity space to the rear of Plot 2 and would have a significantly detrimental impact on the amenity of the occupiers of that dwelling. As previously mentioned, this is an opportunity to provide a well designed and informed development which can be achieved without compromising the amenity of future occupiers.

7.6 Plots 2 and 3 staggered so that Plot 3 appears forward of Plot 2. Whilst the separation distance between the two dwellings is less than the distance between Plots 1 and 2 and Plots 3 and 4, the lack of window openings on the facing side elevations ensures that neither plot appears overbearing on the other.

- 7.7 Plots 3 and 4 are separated by the detached garage serving Plot 3. A window opening is proposed at first floor level in the north facing side elevation to Plot 4, but this serves a bathroom and is not considered to lead to any loss of privacy. The separation distance between the two plots ensures that neither appears overbearing. In a similar arrangement to Plot 1, Plot 4 is separated from the site boundary by its detached garage. The dwelling itself is also located approximately 5 metres from the site boundary at its closest point. The dwellings immediately to the south of the site are single storey and the separation distances are considered sufficient to prevent the dwelling from appearing overbearing. Similarly designed high level windows are proposed to the master bedroom which are not considered to introduce an unacceptable level of overlooking.
- 7.8 Core Strategy policy EN2 and draft Local Plan policy ENV2 state that there should be no significantly detrimental impact from development proposals upon the residential amenity of nearby occupiers, and that occupiers of new dwellings are provided with acceptable residential amenity. It is considered that whilst the layout of the four proposed dwellings on the site could be improved, they would not have a significantly detrimental impact on the amenity of nearby occupiers or on any future occupiers.
- 7.9 Visual Amenity and Historic Environment**
- 7.10 The application site is located within a few metres of the Littleport Conservation area and, whilst not inside the Conservation Area, it is considered appropriate for the proposal to be considered in context with the Conservation Area on the basis that it will have an impact on the general character and appearance of the area. In addition, the site is a rare opportunity for a well designed, comprehensive form of development to be put forward and its close proximity to the Conservation Area presents an opportunity to enhance the street scene for the benefit of the whole area and to encourage further high quality development in the locality.
- 7.11 The site is also located within approximately 30 metres of 5 High Street, a residential dwelling constructed in around 1830. In accordance with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a local planning authority has a duty, when considering whether to grant planning permission for a development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting. Similarly, S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area in the exercise of planning functions. The requirement to have 'special regard' or 'attention' to such matters therefore goes beyond mere assessment of harm.
- 7.12 Core Strategy policy EN2 states that all development will be designed to a high quality, reinforcing local distinctiveness. Design which fails to have regard to local context and does not preserve and enhance the character, appearance and quality of an area will not be acceptable. These core design principles are carried forward to draft Local Plan policy ENV2. Both policies also require the scale, massing and materials of buildings to relate sympathetically to the surrounding area. Core Strategy policy EN5 and draft Local Plan policy ENV11 state that development proposals, within, or affecting a conservation area should adopt a particularly high standard of design to preserve and enhance the character and appearance of the

area. The East Cambridgeshire Design Guide SPD echoes these design principles whilst noting that the appearance of many conservation areas is made up of the various styles attributed to it and that nothing within the guidelines prevents the submission of contemporary design within historic areas.

7.13 The applicant has previously submitted an application in the same form as the application currently under consideration. Comments were sought from the Council's Conservation officer at the time the previous application was made and the case officer at the time advised the applicant's agent that the design of the dwellings were such that they would appear overly large and bulky within the site, especially when viewed from the side elevation. During discussions with the applicant's agent it was suggested that the quality of design should be improved and that design inspiration could be taken from the Art Deco features on the dilapidated bingo hall. It was suggested that the windows, fenestration patterns, garages and proposed materials should be reviewed with the introduction of a variation of roof types, including flat roofs, banding, curves and blocks.

7.14 These key concerns regarding the design of the four dwellings proposed remain. The Council's Conservation Officer has acknowledged that there is no predominant character in this primarily residential area, with a mix of good and bad architectural styles. The proposed dwellings remain overly large in size and appear dated. They do not relate to their context in any way and will do little to enhance the character or appearance of the area. Section 7 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. It also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. It is considered that the design of the proposed dwellings does not fulfil the objective of local and national policy which seeks to improve the quality of places and encourage good design. It is accepted that the site can readily accommodate four dwellings and that the current appearance of the site detracts from the quality of the area, however, the delivery of four, poorly designed dwellings does not outweigh the need to improve the appearance of this site and the scheme as proposed will not enhance or enrich the character, appearance and quality of the area.

7.15 **Highways**

7.16 Core Strategy policy S6 and draft Local Plan policy COM7 require development proposals to provide safe and convenient access to the highway network. The Local Highway Authority raised no objections to the application subject to appropriate conditions relating to traffic management during construction and the construction of the accesses and driveways. Core Strategy policy S7 and draft Local Plan policy COM8 require adequate levels of car parking, in accordance with the Council's adopted parking standards. Each dwelling has space to park at least one vehicle on the driveway and one in the garage and the proposal is therefore considered to comply with Council policy in this regard.

7.17 **Other Material Matters**

7.18 The construction of four dwellings on this site will undoubtedly lead to a number of public benefits including the addition of 4 dwellings to the housing stock in the district and the gain to the local economy in the form of employment from construction and the contribution the new occupiers will make to local shops and

services. However, these benefits do not outweigh the harm caused to the character and appearance of the area through the poor design of the dwellings. The Local Planning Authority is fully supportive of the redevelopment of this site and has indicated its willingness to engage with the applicant and its agent to achieve a high quality of design. This application is therefore recommended for refusal for the reasons set out below.

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|--|--|--|
| 14/01359/FUL Application File | Julie Barrow Room No. 011 The Grange | Julie Barrow Planning Officer 01353 665555 |
| 14/0130/FULL Previous Application File | Ely | julie.barrow@eastcambs.gov.uk |
| 14/00131/DEM Previous Application File | | |