

MAIN CASE

Reference No: 17/01154/FUL

Proposal: Proposed erection of two flats comprising of one one-bed and one two-bed including associated external works and parking.

Site Address: 32 Main Street Littleport Ely Cambridgeshire CB6 1PJ

Applicant: Techneat Engineering Ltd

Case Officer: Ruth Gunton, Planning Officer

Parish: Littleport

Ward: Littleport East
Ward Councillor/s: Councillor David Ambrose-Smith
Councillor Jo Webber

Date Received: 29 June 2017 **Expiry Date:** 8th November 2017

[S155]

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE planning permission for the following reasons:

1. The plot size of 142m² is way below the recommended minimum plot size per dwelling of 300m² in the East Cambridgeshire Design Guide. This would result in significant and demonstrable harm to the future occupiers due to the cramped conditions, with each flat having a private amenity space which is below the Design Guide recommendation of 50m². In addition, the occupiers of the ground floor flat would suffer a loss of amenity due to the proximity of the south-east facing window of bedroom 1 to the boundary wall. The windows serving bedrooms 1, 2 and the living room on the south-west elevation of the ground floor flat both require a boundary treatment to protect residential amenity, and would suffer from proximity (approx. 0.9m) to such a boundary, which is considered to highlight the overdevelopment of the site. The impact on residential amenity of both flats is considered significantly detrimental and does not comply with policy ENV2 of the East Cambridgeshire District Council Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.

2. The public benefit of two additional dwellings to the housing stock is not considered to outweigh the harm to the conservation area which would arise primarily from cramped overdevelopment of the site, and to a lesser extent from the orientation of the development with Globe Lane which is out of keeping with the general pattern of development in the vicinity. In addition there would be a small

negative impact on the wider setting of the Grade II* listed St. George's Church as the extent of the view from Globe Lane would be reduced. The proposal does not comply with East Cambridgeshire District Council Local Plan policy ENV11 and ENV12 and Policy LP27 of the Proposed Submission Local Plan 2017 which require development to preserve or enhance the conservation area, and not to materially harm the wider setting of a listed building. The harm which arises from the proposed development is considered to be demonstrable and is not outweighed by the public benefit.

2.0 **SUMMARY OF APPLICATION**

- 2.1 The application seeks planning permission for the construction of a two storey dwelling to house one 2-bedroom flat and one 1-bedroom flat (one on ground floor, one on first floor) with individual courtyard amenity space. The plot size is stated as 148m² although measuring from the site plan the entire site including the parking area is approx. 190m², and excluding the parking is approx. 120m². The proposed ridge height is approx. 8.2m, and the materials would be a mix of red brick and painted render to the walls, slate roof, and timber windows and doors.
- 2.2 The application is a resubmission of a previously refused application on the site for two flats (17/00205/FUL).
- 2.3 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.**
- 2.4 The application was called-in to Planning Committee by Cllr David Ambrose-Smith in the due to public interest and to provide guidance for future developments of this kind in Littleport.

3.0 **PLANNING HISTORY**

3.1

17/00205/FUL	Proposed erection of two 2 bedroom flats.	Refused	15.05.2017
16/00037/ORN <i>ADJACENT SITE</i>	Convert Offices into 5 Flats (3 x 1 bed & 2 x 2 bed)	Approved (not required – prior notification)	29.02.2016
00/00442/FUL <i>ADJACENT SITE</i>	Change of use to B1 (Offices)	Approved	30.06.2000

98/00781/ADN <i>ADJACENT SITE</i>	New Corporate Lettering	Approved	28.10.1998
93/00584/FUL <i>ADJACENT SITE</i>	Change of use from shop and flat to one dwelling	Approved	26.08.1993
75/00321/OUT <i>ADJACENT SITE</i>	CHANGE OF USE OF VACATED BANK HOUSE TO OFFICES	Approved	06.08.1975

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is within the town centre boundary of Littleport, and within the Conservation Area. To the south of the site is 32 Main Street which houses 5 flats, to the east is Globe Lane with residential dwellings fronting the road, to the north is a single storey building used as a community church, and to the west is a pub car park.
- 4.2 The site is tarmacked and currently used as parking for the residents of 32 Main Street which was converted from offices to flats through planning application 16/00037/ORN, and is under the same ownership as the application site.
- 4.3 Access to the site is off Globe 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.

Ward Councillors – Cllr David Ambrose-Smith requested the application be discussed at Planning Committee due to public interest and the need for guidance for applications of this type in Littleport.

Littleport Town Council - Objection - recommends outright refusal on grounds of lack of parking on a one way street with restricted parking.

Local Highways Authority - No objections in principle. Notes that insufficient off-street parking has been provided which may impact on residential amenity due to competition for on-street parking. Additional parking cannot be created on the public highway as proposed on the plans without a Grampian Condition which would itself be subject to a public consultation, and is also not required to facilitate the development. The applicant should state that they wish to alter the parking bays or remove the annotation on the plans.

CCC Archaeology - No objection but due to the historic importance of finds around the site, a condition is requested requiring a pre-development programme of archaeological investigation.

Environmental Health - Conditions requiring a contamination report and reporting of unexpected contamination during development are requested due to the sensitive

end use (residential). Due to noise complaints regarding The Crown pub, it is advised that the rooms are re-orientated to face north towards the church to minimise potential impact. It is also advised that the fire service is consulted regarding fire safety.

Waste Strategy (ECDC) - Maintains concerns raised to the previous application which were that a decrease in available parking and an increase in properties could exacerbate difficulties of waste collection from Globe Lane due to a pressure on parking spaces causing double-parking. Other standard information was included regarding bin collection requirements.

Consultee For Other Wards In Parish - No Comments Received

Conservation Officer - No significant changes to the scheme which change the original objection comments. The design and supporting planning documents do not pick up on the design of the Building of Local Interest. Inconsistent heritage comments made in supporting documents. Misleading photomontages with viewpoint in wrong place.

Conservation Officer comments for previous refusal (17/000205/FUL):

“The proposal seeks consent for the construction of a new property providing two 2 bed flats. The proposed building is located to the north of the former bank building on the corner of Main Street and Globe Lane.

The proposed building is relatively simple in terms of design and is two storeys in height which is not uncharacteristic in the vicinity of the site. However, the built form in this area predominantly features properties that front onto the public highway and are either set on or close to the back edge of the public footpath and the proposed dwelling is positioned gable end to the street.

Whilst the building design would not cause harm to the character or appearance of the area, the proposal does feel like overdevelopment of the site, no private amenity space appears to have been provided for each flat and by it is also not clear where the parking provision for these two flats will be provided.

I would raise concerns about whether this type of development is appropriate in this location. From the scheme submitted it is likely that some harm would be caused to the significance of the conservation area and wider setting of the Grade II St Georges Church.”*

5.2 **Neighbours** – Five neighbouring properties were notified and a site notice was posted and no responses were received.

6.0 **The Planning Policy Context**

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development

HOU 2	Housing density
COM 7	Transport impact
COM 8	Parking provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
ENV 13	Local Register of buildings and structures

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
 Design Guide
 Little Downham Conservation Area
 Flood and Water

6.3 National Planning Policy Framework 2012

- 4 Promoting sustainable transport
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 12 Conserving and enhancing the historic environment

6.4 Proposed Submission Local Plan 2017

LP22	Achieving Design Excellence
LP2	Level and Distribution of Growth
LP16	Infrastructure to Support Growth
LP1	A presumption in Favour of Sustainable Development
LP6	Meeting Local Housing Needs
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP26	Pollution and Land Contamination
LP27	Conserving and Enhancing Heritage Assets

7.0 **PLANNING COMMENTS**

7.1 **Principle of Development**

- 7.1.1 The site is located within the defined development envelope for Littleport where the principle of residential development is acceptable. The proposal is considered to be compliant with LP1, LP3 of the Proposed Submission Local Plan 2017 and GROWTH2 of the 2015 Local Plan.

7.2 **Residential Amenity**

- 7.2.1 The proposed plot size including parking is stated on the application form as 148m² but measured on plans and taken to be as approx. 190m². This is significantly below the recommended minimum plot size of 300m² in the East Cambridgeshire Design Guide even considering that they are flats. There is outside courtyard space for each dwelling of approx 4m x 3m (12m²) which is also significantly below the Design Guide recommendation of 50m². The small courtyards will also have to house two wheelie bins per dwelling as there is insufficient space for them to be stored around the edges of the development. The courtyard areas are therefore considered too small and undesirable for use as amenity space.
- 7.2.2 Changes have been made to the application since the previous refusal which attempt to address the concerns raised; however again the constraints of the site mean that the first floor flat relies on roof lights and two windows facing to the front and rear for all the light in the flat. Bedroom 2 has no safe escape route in the event of a fire although this could be amended to remove the internal wall with bedroom 1 and create one large bedroom. Environmental Health officers have also raised concerns regarding the location of windows in the elevations facing towards The Crown Pub, which serve the kitchen and bathroom of the ground floor flat, and the sitting room and bedroom 2 of the first floor flat. As the previous application was not refused on noise impact, and this subsequent application has improved the potential noise impact by changing the number and location of windows, it would not be reasonable to refuse the application on noise impact.
- 7.2.3 There are no concerns regarding significant impact on residential amenity of existing neighbours adjacent to the site.
- 7.2.4 Despite some improvements it is therefore considered that arising from the cramped development the proposal does not ensure the high standards of amenity required of development by 2015 Local Plan Policy ENV2 and LP22 of the Proposed Submission Local Plan and the Design Guide and should be refused on these grounds.
- 7.3 **Visual Amenity & Historic Environment**
- 7.3.1 The application proposes a two storey building divided into a ground floor and a first floor flat with a ridge height of approx. 8.25m. Whilst this is tall and the church adjacent is single storey, 32 Main Street and the predominant scale of the dwellings in the street-scene are two storey and it is not considered that that scale is out of keeping. As the site is within the conservation area, development must take care not to harm the character or appearance of the conservation area.
- 7.3.2 The Conservation Officer noted that the orientation of the building with the gable end facing the street is not in keeping with the general pattern along Globe Lane, and also that the scheme appeared to be overdevelopment of the site; these were likely to cause harm to the significance of the conservation area. Although the materials proposed are likely to preserve the street-scene, if the application were approved the specific materials would be controlled by condition to ensure the high quality required for a conservation area.
- 7.3.3 In balancing the requirements of Policy ENV11 of the 2015 Local Plan and LP27 of the Proposed Submission Local Plan, consideration must be made of existing

contribution of the site which is a visually unappealing car park. However it is considered that improvements could be made to the site, such as soft landscaping, which could enhance the site without necessarily constructing dwellings on it. Therefore on balance, the development of the site as proposed by this application is considered to cause moderate harm to the character and appearance of the street-scene through overdevelopment of a site in a design (orientation) out of keeping in the street-scene. This harm is not outweighed by the small contribution of two dwellings to the housing stock and does not comply with policy ENV11 of the 2015 Local Plan and LP27 of the Proposed Submission Local Plan. The application is recommended for refusal on these grounds.

- 7.3.4 The site provides views of the tower of St. George's Church from Globe Lane across Crown Lane. The church is a Grade II* listed building. The case officer agrees with the conservation officer that this scheme would cause harm to the wider setting of the church as it would limit the extent of the view of the tower from Globe Lane – this is considered to be less than substantial harm due to the varied standard of buildings already within the view and setting, and that the majority of the view would remain. This complies with 2015 Local Plan Policy ENV12 and LP27 of the Proposed Submission Local Plan. Whilst the harm is considered equal to the benefit of a small addition to the housing stock, when taken in context with the other reasons for refusal, it is considered to add a marginal weight for refusal.

7.4 Highways & Parking

- 7.4.1 This application provides one parking space per dwelling which meets the parking standards of policy COM8 and LP22 for this location. This would result in a reduction of 2 spaces for the flats in 32 Main Street, however as 32 Main Street is owned by the applicant and there would still be 5 spaces for the 5 flats, the parking standards are considered to be met.
- 7.4.2 The developer proposed that an additional parking space would be created on Globe Lane due to an existing access onto the site being blocked off, however the Highways Authority states that permission for this would need to be established through successful public consultation to change the traffic regulation order that governs the car parking on this part of the public highway. As the result of a public consultation is not certain a Grampian Condition is not considered appropriate. Also the establishment of the parking space on Globe Lane is not required to facilitate the development. Therefore the proposed parking on Globe Lane has not been taken into account. Amended plans were not requested as the parking standards are met without it, and the applicant is free to pursue the additional space with the Highways Authority should they wish.
- 7.4.3 In summary, the scheme provides sufficient car parking for future occupiers and those in 32 Main Street to meet parking standards of policy COM8 of the 2015 Local Plan and LP22 of the Proposed Submission Local Plan.

7.5 Other Material Matters

- 7.5.1 The proposal has included a minimal level of additional planting, although it is considered acceptable within such a constrained site. A condition could be placed on any approval to ensure the submission of a soft and hard landscaping scheme.

7.5.2 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees. The application is unlikely to impact upon any trees or biodiversity in the wider area. In order to safeguard future biodiversity, a condition could be applied to a permission to ensure biodiversity enhancements are implemented within the site. The application is considered to comply with Local Plan policy ENV7 in this regard.

7.5.3 The site is located at a low risk area of flooding and as such a Flood Risk Assessment was not required. A condition could be placed on any approval to ensure the submission of a surface and foul water drainage scheme for consideration by the Local Planning Authority.

7.6 Planning Balance

7.6.1 The proposal would provide the following benefits:- the provision of two additional residential units to the district’s housing stock which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.

7.6.2 However, it is considered that the proposal would cause significant and demonstrable harm to the future occupiers due to the cramped conditions of each flat and potential privacy impingement. The prospective issues faced by the future occupiers further accentuate the overdevelopment of the site that this scheme represents.

7.6.3 The proposal would cause harm to the conservation area by virtue of appearing as out of keeping with the established building typologies along Globe Lane and as overdevelopment of the plot. The scheme would also interrupt key views from Globe Lane of the Grade II* listed St George’s Church.

7.6.4 The application is therefore considered to be contrary to this proposal is in conflict with Local Plan policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 and Policy LP22 and LP28 Proposed Submission Local Plan 2017

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01154/FUL	Ruth Gunton	Ruth Gunton
17/00205/FUL	Room No. 011	Planning Officer
16/00037/ORN	The Grange	01353 665555
00/00442/FUL	Ely	ruth.gunton@eastca
98/00781/ADN		mbs.gov.uk
93/00584/FUL		
75/00321/OUT		

National Planning Policy Framework -

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>

