
MAIN CASE

Reference No: 15/01360/FUL

Proposal: Demolition of existing garage buildings & erection of new dwelling adjacent to existing dwelling.

Site Address: 9 Barton Road Ely Cambridgeshire CB7 4HZ

Applicant: Ms Lucy Cook

Case Officer: Jon Pavey-Smith, Planning Officer

Parish: Ely

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

Date Received: 5 November 2015 **Expiry Date:** 12/02/2016

[Q209]

1.0 **RECOMMENDATION**

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

1.2 The proposal due to its design, form, character and materials would give rise to a form of development which is out of keeping with the character and appearance of the streetscene in the vicinity of the site. As such it would appear as a visually incongruous form of development to the detriment of the character and appearance of the area and Ely Conservation Area, along this part of Barton Road. The proposal is therefore contrary to Policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 and the Design Guide Supplementary Planning Document 2012 and the National Planning Policy Framework.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks consent for the demolition of two flat roof garages to the side of Number 9 Barton Road and the erection of a two storey dwelling on land between 9 and 11 Barton Road. The dwelling is a contemporary design which is not of a similar style and designs to the properties either side. The front elevation will comprise vertical patterned ridged brickwork with aluminium windows, concrete lintel, metal roof and aluminium flue extending from the roof to above ridge height.

2.2 The dwelling is elongated in shape as the plot is narrow. It has a maximum footprint of some 7.4 metres by 15 metres with a ridge height of 8.58 metres which is the same as the ridge height of Number 9, but higher than the ridge height of Number 11. The dwelling will incorporate three bedrooms, together with an en-suite and a shower room at first floor level.

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 has been called to Planning Committee by Cllr Richard Hobbs,

3.0 PLANNING HISTORY

4.0 No Relevant Planning History

5.0 THE SITE AND ITS ENVIRONMENT

6.0 The site belongs to Number 9 Barton Road and is currently occupied by two flat roof garages which adjoin the garage to Number 11. The site lies within Ely Conservation Area. The streetscene in the vicinity of the site is characterised by two storey dwellings, some detached in spacious grounds to the south, north and east of the site, but views to the north along Barton Road and opposite the site are of a uniform style of semi-detached and terraced houses with traditional stocky chimneys and a mixture of tiled and slate roofs. The uniformity is accentuated by the dominance of hipped roofs fronting the road. The dwellings either side of the site and opposite benefit from bay window projects both at ground and first floor and at ground floor only.

5.0 RESPONSES FROM CONSULTEES

5.1 The full responses are available on the Council's web site.

Cllr Richard Hobbs – As Ward Councillor for Ely East, I wish to call in Planning application for 9 Barton Road, Ely, Cambridgeshire. My reasons, It would be in the public interest for this to be considered by Planning Committee, as I believe plans submitted are acceptable, and would enhance Barton Road.

Environmental Health – Advise conditions limiting the construction times on site and an unexpected contamination condition.

Senior Trees Officer - The application requires the removal of two trees which is considered acceptable due to their relatively low landscape value. The Arboricultural report also provides details of a Tree protection Plan to protect the trees to be retained.

Local Highways Authority – No Objection.

Waste Strategy (ECDC) - East Cambs will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways.

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Act's of 1972, 2000, and 2003, as well as the Localism Act of 2011.

Each new property requires two bins; this contribution is currently set at £43 per property.

City of Ely Council – No Concerns.

Conservation Officer – Can the applicant provide an example of where the vertical brickwork has been used and has been successful and can we have a sample panel in the proposed materials prior to any consent as this will be fundamental to the overall design

In terms of the door, I would rather see this element pulled forward slightly to project in front of the building. There is a tradition of projecting gables and bay windows in the vicinity and I think pulling it forward would break up the front elevation – this is not a fundamental issue.

It was disappointing to see that the application still sought consent for a building sited gable end to the street, despite being advised at pre-application stage that this was something officers had concerns about. It may be that subject to a few alterations to the design and a sample of the proposed brickwork that this will be acceptable.

A Site Notice was posted and an advert placed in Cambridge Evening News.

Neighbours – 10 neighbouring properties were notified and the 4 responses received are summarised below. A full copy of the responses are available on the Council's website.

Impact on the streetscene and Conservation Area

- The proposal abuts the garage of Number 11 and will give a “squeezed in” appearance which indicated the site is too small.
- The selection of roof covering is totally out of keeping with the surrounding properties and area and the stainless steel flue is ugly and out of character in this location.
- The present proposals don't quite fit.
- The property appears sandwiched, the style of frontage appears flat, stark and utilitarian in comparison to its neighbours.

- The building would appear cramped amongst spacious plots.
- The flue should be darkened.
- The finished floor level should be the same as Number 11.

Residential amenity

- No windows should be allowed in the side elevation and permitted development rights removed.
- The window to the rear at first floor should be reduced in size.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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| GROWTH 2 | Locational strategy |
| GROWTH 3 | Infrastructure requirements |
| GROWTH 5 | Presumption in favour of sustainable development |
| ENV 2 | Design |
| ENV 11 | Conservation Areas |
| COM7 | Transport impact |
| COM8 | Parking provision |

6.2 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2012

- 5 Supporting high quality communications infrastructure
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

7.0 PLANNING COMMENTS

8.0 The main issues to be considered in determining this application are the principle of development, impact on the character of the streetscene and the Conservation Area, impact on residential amenity and highway safety.

8.1 **Principle of Development**

8.2 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

- 8.3 The benefits of this application are considered to be: the provision of a residential dwelling built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 8.4 The site is located within the established development framework of Ely, in a built-up residential area close to the facilities and services on offer in the settlement. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is therefore considered to be in a sustainable location.
- 8.5 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.
- 8.6 **Visual Amenity**
- 8.7 The style and design of the dwelling proposed is not considered acceptable on this particular site for the following reasons.
- 8.8 Firstly, the gabled front elevation is not in keeping with the character of existing development in the immediate streetscene. All the dwellings in the vicinity of the site have a hipped roof design facing the street. A gable fronting onto the road would appear alien and incongruous in the streetscene. In addition the appearance of the vertical ridged brickwork on the front elevation would be out of keeping and appear out of context in the area. Whilst the applicant has submitted a picture showing the type of detailing proposed this has not satisfactorily demonstrated that this detailing would look appropriate in this location. The conservation officer requested a sample panel in the proposed materials prior to any consent and this has not been provided by the applicant.
- 8.9 The applicant has also provided, as part of the application submission, a Design and Access and Heritage Statement. This shows a variety of dwellings elsewhere in Ely and Barton Road but none are directly relevant to the context of this site and the impact of this dwelling on the streetscene in the vicinity of the site. The dwellings included within the Heritage Statement of Barton Road are, in the main, pitched or hipped roof dwellings some with a subservient projecting gable element, rather than a dwelling with the main gable fronting onto the road.
- 8.10 While the principle of a dwelling is considered acceptable, it is considered that this proposal would be harmful to the character of the existing streetscene and to the character and appearance of the Conservation Area. Any proposed dwelling on this site should reflect the design characteristics of the neighbouring dwellings and the immediate streetscene.
- 8.11 The harm caused by the erection of this dwelling on the site is further exacerbated by the proposed materials, in particular, the metal roof and the aluminium flue. Neither of these elements are characteristic of the locality and it is considered they would look out of keeping with the character and appearance of the streetscene. The existing dwellings in the vicinity of the site are constructed using roof tiles and slate with brick chimneys.

- 8.12 Paragraph 60 of the NPPF states '*Planning policies and decisions should not attempt to impose architectural styles of particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness*'. In this case it is considered that the proposal does not seek to promote the local distinctiveness within the area.
- 8.13 Overall, the proposal is considered to be detrimental to the character of the area and would not preserve or enhance the character or appearance of the Conservation Area, contrary to Policies ENV2 and ENV 11 of the East Cambridgeshire Local Plan 2015. In addition, the Design Guide requires any new development within Conservation Areas to relate to its surroundings and that care should be taken to ensure that any contemporary design proposals respect the character of the area and pay heed to its immediate and wider setting. It is considered that the development due to its form and character and materials does not accord with this guidance.
- 8.14 The Conservation Officer shares the same concerns regarding comments are set out in full, above but concerns are expressed about the acceptability of the dwelling with a gable end fronting the street and the use of the vertical brickwork. Amendments to the design are recommended and have been sought from the applicant. However, these have not been forthcoming.
- 8.15 It is considered that a major re-design is required to provide for a dwelling with a hipped roof to the road frontage to reflect the dominance of this characteristic in the streetscene and to make use of materials which would not be out of keeping in this location.
- 8.16 **Residential amenity**
- 8.17 In terms of residential amenity it is considered that the velux windows on the side elevation at high level will serve to safeguard the residential amenity of the occupiers of Number 11. Some loss of privacy will occur to those occupants from the first floor bedroom window to the rear as it will allow views into the rear which are closer than the views already experienced from the dwelling at Number 9. Indeed the neighbour has expressed this concern and has asked that the rear window be reduced in size. It is noted that there are windows on the property further north which already overlook the garden of Number 11 and it is not considered that this rear window would reduce the level of privacy of those occupiers to an extent which would cause demonstrable harm. It is also considered that there is sufficient separation distance between the dwellings at Number 9 and 11 such that the new dwelling would not be overbearing or cause loss of light or undue noise and disturbance to those residents or the residents of the host dwelling.
- 8.18 The proposal is considered to comply with Policy ENV2 in relation to residential amenity.

8.19 **Highway safety**

8.20 The proposal involves the demolition of two garage spaces which serve the host dwelling. These would be lost should the proposed dwelling be allowed. The submitted plans show the provision of two parking spaces within the frontage of the new dwelling and the creation of a new vehicular access to serve the host dwelling with provision of two onsite parking spaces. The proposal is considered to comply with Policy COM8 of the Local Plan, which requires at least two parking spaces per dwelling to be provided. The County Highway Authority has raised no objections to these proposals. It is therefore considered to comply with Policy COM7 as the applicants can achieve safe and convenient access to the public highway.

8.21 **Ecology/Trees**

8.22 The proposal includes the removal of the hedge to the front of site for vehicular access to be achieved. No objection to the proposal has been stated by the Tree Officer as part of the scheme a number of small trees replacement trees will be planted to the side of the dwelling. It is recommended that if planning permission were to be granted a condition to ensure that a degree of green landscaping and the replacement trees are maintained.

8.23 On balance it is considered that the proposal would meet the requirements of policy ENV7 of the East Cambridgeshire Local Plan.

8.24 **Planning Balance**

Whilst the principle of providing a dwelling on this site is not in dispute, the design needs to respect the setting in which the dwelling is located. In this case, the harm to the streetscene and the Conservation Area, from the combination of the gabled design and proposed materials is considered to be significant enough to warrant refusal of planning permission.

9.0 APPENDICES

9.1 None .

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|-----------------------------|---|---|
| 15/01360/FUL | Jon Pavey-Smith Room No. 011 The Grange | Jon Pavey-Smith Planning Officer 01353 616205 |
| 13/00316/TRE | Ely | jon.pavey- smith@eastcamb.s. ov.uk |

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