
MAIN CASE

Reference No: 15/00814/FUL

Proposal: Separate single dwelling into two individual dwelling. Including first floor extension without increasing building footprint.

Site Address: 2 Barton Square Ely Cambridgeshire CB7 4DF

Applicant: Rannerlow Ltd

Case Officer: Rebecca Saunt, Planning Manager

Parish: Ely

Ward: Ely East

Ward Councillor/s: Councillor Richard Hobbs
Councillor Lis Every

Date Received: 13 July 2015

Expiry Date:

[Q153]

1.0 **RECOMMENDATION**

1.1 Members are requested to approve the application subject to the recommended conditions below. The conditions can be read in full on the attached Appendix 1.

- 1 Approved Plans
- 2 Time Limit
- 3 Pedestrian Visibility Splays
- 4 Driveway Construction
- 5 Landscape Scheme
- 6 Replacement Planting
- 7 Matching materials

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 permission for the subdivision of one dwelling to create two, two bedroom dwellings.

- 2.3 The proposal will also include a first floor extension above the existing flat roofed garage and utility room, which will match the ridge height of the existing dwelling. The extension would be 3.8 metres in width, with a length of 7.6 metres. The garage and utility room will be converted to a dining room and lounge area. The extension to the building will replicate the design of the existing building and will be constructed in materials to match the existing building.
- 2.4 This application has been called to Planning Committee by Cllr Lis Every and Cllr Richard Hobbs.

3.0 PLANNING HISTORY

- 3.1 No relevant planning history to note.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located within the development envelope and conservation area of Ely. The existing dwelling is two storey and of Georgian style, with a pitched roof and has a single storey flat roofed garage situated to the side. The west wall/boundary of the site forms part of a party wall that separates the dwelling's garden space with the neighbouring driveway. To the south of the dwelling is an area of amenity space, which abuts Barton Road. To the north and west of the site are residential dwellings, to the east is Barton Square and to the south is the Kings School.

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.

City of Ely Council – Recommend refusal of this application on the grounds of lack of off-street parking. Only one parking space is being provided for both properties.

Ward Councillors – The application affects a property in Ely Conservation Area within close proximity to the Cathedral and other listed buildings. The plans provide parking space for one car only whilst the possible requirement of the 2 properties could be a total of 4 cars. Policy COM7 states development proposals will be required to provide adequate provision for car parking and should not prejudice road safety. The Local Plan states each dwelling in a town centre should have one parking space. The City of Ely Council recommended refusal of the plan on exactly this and is very strong on maintaining this principle. No road parking outside the proposed dwellings, although restricted time parking is available. Parking for further cars will have to be found and there is no on street parking available near Barton Square.

The entrance is extremely close to a busy road, especially at peak times and school drop off and pick up. Movement takes place between the buildings and the Cathedral very regularly during the day and this remains a busy corner and thoroughfare right through to the early evening. Development also faces onto a very busy cul-de-sac. The location of the parking space will force maneuvering round

the cul-de-sac. Potentially dangerous pedestrian and cycling area and the health and safety of students is of paramount importance.

The extension is out of character in the conservation area, both in style and substance and does not conform to the present character of the buildings and will erode the historical and architectural character in an area which we are seeking to maintain or enhance. The site will be over developed and will leave little or no outside space.

Recommend refusal due to lack of parking and health and safety of children and will adversely impact on the streetscene and heritage buildings around the Cathedral.

Local Highways Authority – The Highways Authority has no objections in principal to this application, subject to the recommended conditions.

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 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 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 Acts of 1972, 2000, 2003, as well as the Localism Act of 2011.

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

Arboricultural Officer – It is clear from the drawings submitted by the applicant's Landscape Designer & Arboricultural Consultant that the existing semi-mature Blue Spruce tree and the fastigiata Cherry tree in the front garden (on the corner of Barton Road and Barton Square) will be removed and replaced. The site is in the Ely Conservation Area and within a key centre landscape area. Although the loss of both existing trees will be detrimental, and have a negative impact on the current landscape layout of this conservation area in Barton Square, the proposed two new trees will compensate for the loss, as the new trees mature.

The proposed species for the 2 new trees are both suitable for the locations shown on the drawing and are good choices for becoming specimen trees in this key landscape area. I therefore support the new landscape proposals for the scheme. Recommend conditions for implementation of the scheme and replacement if they fail within 5 years after the date of their initial planting.

Conservation Officer – Internal changes will not impact the conservation area. In terms of external changes it is proposed to change a window on the front elevation to a door, to match the design of the existing door and to construct a two storey side extension above the existing garage, including the conversion of the garage to living accommodation. The proposed extension has been designed sympathetically to the original house, replicating the existing fenestration pattern and window design. The extension will be rendered to match the existing house and will not have a

detrimental impact on the character or appearance of the conservation area. The only change sought is the removal of the chimney stack and is not necessary.

- 5.2 Neighbours – 8 neighbouring properties were notified, site notice posted and advert placed in the Cambridge Evening News and the responses received are summarised below. Comments were received from 3, 4 and 6 Barton Square and 60 Cambridge Road. Full copies of the responses are available on the Council's website.

Historical

- Designated as a conservation area – importance of heritage recognised
- House is only one room deep
- Materials suggest a date of not earlier than 1539 as being the very earliest that any material could have been incorporated into the footings of these walls
- Unusual to come across a dwelling which has been constructed right up against the boundary of the curtilage
- Quite possible earliest structures on Barton Square were outbuildings
- Endangering the conservation of important historical fabric
- Out of character with rest of dwellings on western side of Barton Square
- Unhistorical and out of character with Barton Square
- Market evidence suggests proposed development will most likely be offered for rental
- Disagree with Conservation Officers comments;
- Just because something copies does not make it sympathetic
- Hypothesis is it is a fragile agricultural building adapted to a dwelling;
- Disagree that the design of the roof has replicated existing design;
- Concerns over positioning of the front door and its visual impact – wasted design opportunity
- Application gives little detail of historical details
- Robs the conservation area of one of its key attractions and different scale in Barton Square
- Attempts to hide 2 dwellings in the shell of 1 dwelling

Built Form

- Overdevelopment of site
- Density will rise to a level at which the ratios of buildings to garden must fall below regulation minima
- Lack of outside space – 2nd dwelling will have no outside space
- Front door will be the only exit to the property;

Highways

- Change to garage use – raise questions about parking
- Is there space for 2 vehicles?
- Where would access be, little room for manoeuvring
- Area very busy with King School pupils
- No off street parking

Trees

- Proposed parking space impacts large tree in the front garden

Other Issues

- Ownership issues and rights of way across land
- No provision for waste bins
- Two rented dwellings will be accompanied by a concomitant increase in the impact of potential disturbance;
- Very little outside space and what it does have is questionable in ownership;
- Ancient right of way affected

Support for proposal

- Offer full support for the proposal
- Will enhance the overall look of the square by removing ugly flat roofed garage
- Will provide another much needed home
- Although no additional parking impact could be reduced by removing disabled parking bay number 3 which was provided specifically for occupants of that house
- Given County Council cut down 2 trees on square with no consultation seems harsh to refuse this application on the removal of 2 unremarkable trees
- Could a condition ensure replacement of the trees

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
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 11	Conservation Areas
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Ely Conservation Area
Developer Contributions and Planning Obligations

6.3 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

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are the principle of development; impacts of the proposal on residential amenity, visual amenity (including trees), the historic environment and highway safety.
- 7.2 Principle of Development
- 7.3 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.
- 7.4 The benefits of this application are considered to be: the provision of an additional residential dwelling and the positive contribution to the local and wider economy in the short term through construction work.
- 7.5 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.
- 7.6 It should be noted that all other local plan policies and relevant material consideration remain relevant and form part of the planning balance for this application.
- 7.7 Residential Amenity
- 7.8 Local Plan policy ENV2 seeks to ensure that development proposals do not have a significantly detrimental impact on the residential amenity of nearby occupiers and of future occupiers of new dwellings.
- 7.9 Due to the siting of the proposed extension to the building in relation to the neighbouring properties it is considered that the proposal would not have an overbearing impact on the neighbouring properties. The extension and its fenestration pattern have also been designed to ensure that the proposal would not introduce an unacceptable level of overlooking.
- 7.10 The existing dwelling has a limited amount of amenity space associated with it and this proposal requires this space to be divided between the two dwellings. The amount of space being provided is below that recommended by the East Cambridgeshire Design Guide SPD, however, it is not unusual for dwellings located close to or within the town centre to have limited amenity space. Given that the current arrangement is limited it is considered that refusal of the application on this ground would not be warranted.

7.11 Visual Amenity

7.12 Initial concerns were raised with the applicant in relation to the impact the proposal would have on the two existing trees in situ on the corner of the site between Barton Square and Barton Road. The applicant submitted additional information, including a tree survey and landscape proposals. The Tree Officer has reviewed the information submitted and commented that although the loss of both existing trees will be detrimental, and have a negative impact on the current landscape layout of this conservation area in Barton Square, the proposed two new trees will compensate for the loss, as the new trees mature. The proposed species for the 2 new trees are both suitable for the locations shown on the drawing and are good choices for becoming specimen trees in this key landscape area. The Tree Officer therefore supports the new landscape proposals for the scheme. Recommend conditions for implementation of the scheme and replacement if they fail within 5 years after the date of their initial planting have been attached at appendix 1.

7.13 Historic Environment

7.14 The application affects a property located within Ely Conservation Area and within close proximity to several listed buildings. Therefore any development should take care to preserve or enhance the character or appearance of the area and not have a detrimental impact. The application seeks consent for the subdivision of the existing dwelling into two properties and a number of external alterations to facilitate this.

7.15 The internal changes proposed to the property will not impact on the conservation area. As the building is not listed any internal changes can be carried out without the requirement of planning permission. In terms of the external changes it is proposed to change a window on the front elevation to a door, to match the design of the existing door and to construct a first floor extension above the existing garage, which will also include the conversion of the garage to living accommodation. It is considered that the proposed extension has been designed sympathetically to the original house, replicating the existing fenestration pattern and window design. The extension will be constructed with materials to match the existing building. The applicant has removed the proposed fake chimney stack following comments received from the Conservation Officer and it is not considered that the proposal would not have a detrimental impact on the character or appearance of the conservation area.

7.16 Highways

7.17 The Highways Authority has raised no objections to the proposal, subject to the recommended conditions as set out in their comments.

7.18 The proposal includes the subdivision of the existing property to two dwellings and incorporates the conversion of the existing garage to living accommodation. Policy COM8 of the Local Plan requires two parking spaces to be provided per dwelling or 1 parking space to be provided per dwelling in a town centre. While the proposal is located within close proximity to the town centre, it is not located within the defined boundary as detailed in the Local Plan.

- 7.19 The existing dwelling only provided 1 parking space so did not meet the parking requirements of policy COM8. However, there is some flexibility with the requirements of policy COM8 in appropriate circumstances, to reflect accessibility of non-car modes.
- 7.20 Due to the location of the site and its accessibility to the train station and the centre of Ely it is considered that a reduction in the number of parking spaces in this case can be supported. A number of residential dwellings within and close to the centre of Ely have limited or no parking. One of the proposed dwellings would have access to 1 parking space, and reflects the current situation. The other dwelling would not have access to a parking space. However, given the location of the proposed dwelling, on balance it is considered that the lack of one parking space would not be sufficient reason to warrant the refusal of this application.
- 7.21 Other Material Matters
- 7.22 Land ownership and rights and rights of way are not material planning considerations are therefore do not form part of the assessment of this application. The footprint of the proposed building would not increase as the proposal only incorporates a first floor extension, so would not lead to the built form being introduced to the existing right of way.
- 7.23 Amended plans have been submitted which include bin storage for both properties.
- 7.24 Planning Balance
- 7.25 The proposal involves the subdivision of the existing dwelling into two dwellings and the construction of a first floor extension to create additional accommodation. The proposal will create an additional unit of accommodation, located close to the town centre and with access to the facilities on offer in the settlement as well as bus and train services in and out of the city. The addition of a unit of accommodation to the housing stock weighs heavily in favour of the proposal. In addition, the associated economic benefits also attract weight in favour.
- 7.26 The proposal has been assessed in relation to its impact on visual amenity and the historic environment. It is considered that the scale and design of the external changes, together with the commitment to replace the trees that will be lost as part of the development, ensures that the proposal will not have an adverse effect on the character and appearance of the area. Whilst the amenity space on offer for residents is limited, it is considered that this only attracts limited weight against the proposal given the sites location close to the town centre and the public open space on offer. There is insufficient space to provide two parking spaces on the site, one for each dwelling. It is accepted that, given the sites location, that one parking space per dwelling would be considered sufficient and that in this case, the provision of a unit of accommodation with no allocated parking attracts limited weight against the proposal. On balance it is considered that the benefits of the scheme outweigh any adverse effects and on this basis the application is recommended for approval.

8.0 APPENDICES

8.1 Appendix 1 – Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
15/00814/FUL	Rebecca Saunt Room No. 011 The Grange Ely	Rebecca Saunt Planning Manager 01353 616357 rebecca.saunt@eastcambs.gov.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>

APPENDIX 1 - 15/00814/FUL Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
15-268 01		11th July 2015
15-268 02 EXISTING		11th July 2015
15-268 03 EXISTING		11th July 2015
15-268 04 EXISTING		11th July 2015
15-268 06 PROPOSED		11th July 2015
15-268 07 PROPOSED	B	26th October 2015
15-268 05	A	13th October 2015
MMX 143/1		13th October 2015

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 Prior to the commencement of use 2.0 x 2.0 metre pedestrian visibility splays shall be provided within the curtilage of the new dwelling and shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
- 3 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 4 The proposed drive way shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
- 4 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 5 The landscape scheme detailed on Drawing No. MMX 143/1 shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development.
- 5 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 All soft landscaping works shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 The materials to be used in the construction of the external surfaces, including walls, roofs, doors and windows, shall be of the same colour, type and texture as those used in the existing building. All works shall be carried out in accordance with the approved details.
- 7 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.