
MAIN CASE

Reference No: 15/00453/FUL

Proposal: Construction of two 2 bed semi-detached dwellings

Site Address: The Firs, Wilburton, Ely, Cambridgeshire, CB6 3FL

Applicant: Mr Benjamin Hughes

Case Officer: Andrew Phillips Senior Planning Officer

Parish: Wilburton

Ward:

Ward Councillor/s: Councillor Bill Hunt
Councillor Charles Roberts

Date Received: 22 May 2015 **Expiry Date:** 9 November 2015

[Q103]

1.0 RECOMMENDATION

Refuse for the following reason:

- 1.1 The two dwellings are located in a traditional streetscene within the Conservation Area and located at the rear of a Grade II Listed Building. The proposal by virtue of its design does not take into account the traditional setting in order to preserve the streetscene nor does it seek a strong high quality contemporary design that would enhance the character of the local area. Instead its mixture of styles makes the proposal look incoherent. The harm to the setting of the Grade II Listed Building (38 High Street) is not outweighed by the public benefit by virtue of the poor design of the proposed two dwellings. The proposal, therefore, does not comply with policies ENV2, ENV11 and ENV 12 of the East Cambridgeshire Local Plan Adopted April 2015.

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 Planning permission is being sought to erect two semi-detached dwellings. The application was amended on the 16 September 2015.
- 2.3 This application has been called in by Cllr Roberts who wanted the application to be determined by Planning Committee to prevent delays.
- 3.0 PLANNING HISTORY
- 3.1 06/00062/FUL - Construction of 8 houses and garages was approved (adjacent development)
- 4.0 THE SITE
- 4.1 The site is located inside the village framework, conservation area and is within the setting of a thatched Grade II Listed Building (38 High Street). The remainder of The Firs is a recent residential development at the end of a cul-de-sac with a traditional style.
- 5.0 RESPONSES FROM CONSULTEES
- 5.1 The full responses are available on the Council's web site.

Wilburton Parish Council – No comments received.

Conservation Officer - (7 July 2015) The heritage statement submitted with this application is insufficient. The heritage statement does not provide enough detail or any assessment of the surrounding heritage.

(16 October 2015) The applicant has submitted a heritage statement which attempts to justify the development proposal and argue that it will not have an impact on the setting of the listed building as it is not visible from the cottage.

The proposal is not acceptable from a design viewpoint however, the scheme bears no relation with the character of the surrounding area. The listed cottage is a very traditional style dwelling and there is modern development situated at the end of the road.

Whilst accepting that the application site is a logical and sensible site for development, the proposal as submitted would not preserve or enhance the character or appearance of the conservation area or the nearby listed building.

As the design is so out of context and so different to everything around it, it is likely that it would become visually dominant and would detract significantly from the nearby listed building. It would have been much more appropriate to design the new dwellings to reflect the style of the existing modern development which would have provided an element of continuity and cohesion helping the scheme to assimilate into its surroundings.

Consent should not be granted from a conservation viewpoint.

Tree Officer - (31 July 2015) Requests that if the application is to be approved a condition is required to implement the Tree Protection Plan within the report. It is considered that the current plan will create the requirement for regular pruning of the adjacent Ash tree (T3 in Tree Survey) once it grows toward maturity and the development will likely compromise it in the long term. However, the Ash tree is not considered to be of sufficient quality to object to the proposal.

(15 October 2015) Amendments do not affect the relevance their previous comments.

Waste Strategy (ECDC) - (5 June 2015) East Cambridgeshire District Council will not enter private property to collect waste or recycling. It also states that bins will need to be purchased currently at a cost of £43 per property.

Environmental Health Officer - (13 July 2015) Is pleased to see that the proposed dwellings are not located on the boundary with the adjacent substation. Is unaware of a specific distances required and if more information is required then Public Health England should be consulted.

They request conditions regarding potential contaminated land and construction/delivery times.

Local Highways Authority - (7 July 2015) The Highways Authority requests a holding objection to be put on this application. It requests an amended drawing depicting a 0.5m highway maintenance strip along the frontage of the proposed access points.

If approved requests a condition requiring pedestrian visibility splays.

(5 August 2015) States that visibility splays of 1.5 x 1.5m might be acceptable in this location, though this must be formally submitted for due consideration.

(21 October 2015) The Highway Authority requests conditions regarding that the visibility splays are maintained and kept free of obstructions exceeding 0.6m in height, that 0.5m maintenance strip is provided and that surface water does not drain onto the public highway. It also requests an informative to ensure the developer knows it is separate permissions from the Highway Authority.

Cllr Charles Roberts - Requests that the application be determined at planning committee as soon as reasonably practical.

5.2 Neighbours

The Old Forge, 36 High Street - (20 June 2015) Support the development. They understand that some form of development will occur either now or in the future. However, they have concerns that the proposal will overlook their garden and habitable rooms. It appears that the proposal will have high level windows and are seeking control to prevent the enlargement of these windows.

Requests that the boundary treatment is erected before construction work to maintain privacy and security.

Seeks to ensure that the proposal does not drain onto their property.

There should be no access or parking of works traffic should be allowed on my 'right of way' between Carpond Lane and the rear of their property. This entrance also serves the listed cottage of 38 High Street.

(24 September 2015) Supports the amended plan, considering that it will be a much tidier layout. The requirement of Arboricultural Impact Assessment Section 6.5 page 11 stating that access must be from The Firs overcomes previous concern.

38 High Street - Does not object to the proposed development but requests that a fence is erected at the start of building works to ensure that no construction works use their shared entrance.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV7	Biodiversity and geology
ENV 8	Flood risk
ENV 11	Conservation Areas
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide

6.3 National Planning Policy Framework 2012

Paragraph 14

7 Requiring good design

12 Conserving and enhancing the historic environment

10 Meeting the challenge of climate change, flooding and coastal change

7.0 PLANNING COMMENTS

7.1 The main considerations in the determination of this application are the principle, highway safety, impacts of the proposal on residential amenity, visual appearance and on the character of this historic environment

7.2 **Principle of Development**

7.3 The Council cannot at this time prove that there is a continuous 5 year supply of housing and therefore the application must be determined on the basis of 'presumption in favour of sustainable development' as defined by paragraph 14 of the National Planning Policy Framework.

7.4 The site is located within the village framework and is well connected to the services that the village provides. The creation of two dwellings would also improve the housing stock of the village.

7.5 The layout of the proposal demonstrates that there is space for two small dwellings to be located on this site.

7.6 It is considered that there is no concern over the principle of the development.

7.7 **Highway Safety**

7.8 The Local Highways Authority advises that there would be no detrimental harm to the users of the public highway.

7.9 The amended drawings received on the 16 September 2015 show the parking spaces now off the public highway. The developer is proposing two vehicular parking spaces and two cycle spaces per dwelling.

7.10 If the application is to be approved a conditions should be added to ensure that the visibility splays, surface water drainage and parking allocation shown on the submitted drawing are maintained in perpetuity. In addition a condition should be added to ensure that the cycle storage is both secure and covered. It is not considered reasonable to add a condition regarding a 0.5m maintenance strip, as this is already shown on the plans and should be covered under the Local Highways Authority's own legislation.

7.11 **Residential Amenity**

7.12 The property of 36 High Street is located approximately 15m away from the rear boundary of the proposed development and 38 High Street is approximately 20m from this boundary line. The proposed dwellings are sited approximately 4m away from the shared boundary. It is considered that this distance will prevent the proposed dwellings having an unduly overbearing impact upon the properties of 36 and 38 High Street.

7.13 The proposed rear windows are high level (over 1.7m) and this could be conditioned to ensure that they remain at this level and that no future windows can be added without specific planning permission. If these windows were not conditioned it is

likely that future changes could lead to a detrimental loss of privacy to the occupants of 36 and 38 High Street.

- 7.14 The property of 4 Carpond Lane is located opposite the site and the proposed dwellings will overlook a driveway area at the rear of this property. It is considered that the proposal will not cause a detrimental loss of privacy to this dwelling.
- 7.15 It is considered the electrical substation is very unlikely to have any impact upon the residential amenity of the proposed dwellings, as noted by Environmental Health, by virtue of the layout of the site (car parking separating substation from dwelling). The Electrical substations and health 6 December 2011 (Library House of Commons) makes the suggestion that substations should be 5m away from a dwelling. The proposed nearest dwelling is located 10m away, with approximately a third of the garden for this dwelling within 5m. With any risk to potential harm being minimal it is not considered necessary to consult Public Health England as suggested by Environmental Health if more information was required.
- 7.16 Visual Appearance and Impact on the Historic Environment**
- 7.17 The Firs is a recent development with a fairly traditional style of mainly detached dwellings but with a couple of semi-detached properties. To the rear of the site is a Grade II Listed thatched cottage. The area is, therefore, considered to be traditional in appearance.
- 7.18 With the proposed dwellings partially blocking the rear elevation of the Grade II Listed Building from a public view point it is considered that the level of harm is less than substantial. The public benefits would need to outweigh the harm in order to be able to grant planning permission. The public benefits in this case are considered to be the provision of two new dwellings.
- 7.19 The proposed side and rear of the dwellings will be visible from Carpond Lane, though views are currently obscured by existing planting.
- 7.20 The amended plans received on the 16 September 2015 have not changed the elevations of the proposed dwellings. The design of the dwellings mixes different styles/periods with the fenestration being contemporary in appearance, the roof being typical of inter-war housing and the rear two projecting element being 1960/70s. The proposed roof is also an alien feature within the area that is dominated by dual pitched roofs. If a contemporary approach is sought a much stronger architectural design would be required and if a traditional approach was to be taken it would need to take on the design elements of The Firs.
- 7.21 Discussions were held with the agent on the 31 July 2015 and email correspondence on the 3 August 2015 regarding concerns over the design. It was the case officer's view that either traditional or contemporary could work on this site. Traditional design should be able to blend into the existing The Firs development, though the two storey flat roof extensions would need to be relooked at. A strong contemporary approach could also work and it was recommended that the roof specifically was relooked at; possibly a couple of low mono pitched green roofs meeting in a glass atrium. The green roof being suggested, as it is a

contemporary approach to thatched roofs. The developer did not want to explore either making the buildings more traditional or contemporary in appearance.

7.22 The plans show a mix of brickwork and weatherboarding on the walls but the forms suggest only brickwork to match existing dwelling. With no dwelling located on site and conflict between the forms and the plans a materials condition would be required.

7.23 The two dwellings are located in a traditional streetscene within the Conservation Area and located at the rear of a Grade II Listed Building. The proposal by virtue of its design does not take into account the traditional setting in order to preserve the streetscene nor does it seek a strong high quality contemporary design that would enhance the character of the local area. Instead its mixture of styles makes the proposal look incoherent. The harm to the setting of the Grade II Listed Building (38 High Street) is not outweighed by the public benefit by virtue of the poor design of the proposed two dwellings. The proposal, therefore, does not comply with policies ENV2, ENV11 and ENV 12 of the East Cambridgeshire Local Plan Adopted April 2015.

7.24 **Other matters**

7.25 If approved a condition(s) should be added so that water drains (or is held) within the site to prevent water draining onto other land at rates faster than greenfield run off. The developer is providing air source heat pumps to both properties and while not renewable energy in the strictest sense are highly efficient methods of heating/cooling a dwelling, this could be conditioned to ensure they are installed before occupation.

7.26 **Summary**

7.27 The proposed development is considered to detrimentally harm the streetscene, conservation area and the setting of a listed building by virtue of an inappropriate design that neither preserves nor enhances the character of the local area as detailed in paragraph 7.23.

8.0 APPENDICES

8.1 None added

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
15/00550/FUL	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Senior Planning Officer 01353 616359 andrew.phillips@eastcamb.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.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>