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**MAIN CASE**

**Reference No:** 15/01041/FUL

**Proposal:** Erection of 2 No. dwellings following demolition of existing outbuildings

**Site Address:** Land To Rear Of No.69 High Street Bottisham Cambridge CB25 9BA

**Applicant:** Timeline London Ltd

**Case Officer:** Julie Barrow Planning Officer

**Parish:** Bottisham

**Ward:** Bottisham  
**Ward Councillor/s:** Councillor Vince Campbell  
 Councillor David Chaplin

**Date Received:** 4 September 2015      **Expiry Date:**

**[Q99]**

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1.0 **RECOMMENDATION**

1.1 Members are requested to APPROVE this 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. Materials
4. Contamination
5. Unexpected contamination
6. Vehicular visibility splays
7. Pedestrian visibility splays
8. Access drainage
9. Access construction
10. Tree removal
11. Replacement tree planting
12. Tree survey
13. Construction environmental management plan
14. Construction times
15. Ecology
16. Avoidance of bird breeding season
17. Surface water drainage
18. Obscure-glazed windows
19. Boundary hedge

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks consent for the erection of two dwellings on land to the rear of 69 High Street, Bottisham, following the demolition of existing outbuildings. The application has been submitted following the grant of planning permission for one dwelling on a similar footprint to that now proposed.
- 2.2 The dwellings are to be formed from an existing outbuilding that will be utilised as a car port with the main dwellings being constructed alongside the car port. The dwellings will have the appearance of a converted barn/outbuildings and will be arranged in a 'U-shape'. Where the dwellings adjoin the northern boundary of the site it will have a length of 33 metres and a width of 6 metres. Two 'wings' project to the south, each occupying a footprint of 10.9 metres by 5.4 metres. A ridge height of 5.8 metres is proposed on the main dwelling, sloping to an eaves height of 2.8 metres.
- 2.3 The only change made to the built-form from that previously approved is the addition of a flat-roofed, single storey element on the northern boundary. The applicant is proposing to divide the enlarged building into two dwellings with two parking spaces per dwelling being provided within the car port. A pathway is proposed leading from the vehicular access to plot 2, which will be located to the rear of the site and a 1.8 metre high hedge is proposed in the area between the two dwellings for privacy.
- 2.4 During the course of the application amended plans have been received, which show the single story addition to be stepped in from the main dwelling and for the north-facing elevation to be fully glazed.
- 2.5 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.eastcamb.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.6 The application has been called to Planning Committee by Cllr Vince Campbell.

## 3.0 PLANNING HISTORY

3.1

14/00664/FUL	Extension and alteration of existing property, following demolition of rear conservatory, to allow subdivision of single dwelling into two separate dwellings.	Approved	10.09.2014
15/00354/FUL	Erection of single dwellinghouse following demolition of existing outbuildings	Approved	13.08.2015

### 3.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located within the development framework of Bottisham and comprises the rear garden of 69 High Street. Planning permission has recently been granted for the subdivision of 69 High Street into two dwellings. The site is via a driveway to the west of No. 69, which will also serve the two dwellings to be created from the host dwelling. At present there are a range of outbuildings along the northern boundary with the facing brickwork marking the boundary with the adjacent public footpath, which connects High Street with Downing Close. The remainder of the site is unkempt and overgrown and features a number of trees and mature shrubs. The access and a section of existing outbuilding are located within the conservation area, with the eastern half of the site situated outside. There is a 'U-shaped' terrace of Almshouses to the south of the site with the Grade I listed Holy Trinity Church to the south-east of the site.

### 5.0 RESPONSES FROM CONSULTEES

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

**Bottisham Parish Council** – Raises the following points:

- Serious concerns over the variety and number of applications on the site as a whole.
- The site is in a prominent area and the conservation area. Justification for the demolition now proposed is not apparent.
- The proposals do not maintain the scale and footprint of the existing layout.
- Barns in a worse state have been converted.
- This is a speeding and safety hotspot.
- A high percentage of homes in this vicinity do not have garages or parking on site. Results in cars all along this area plus restaurant patrons parking.
- Future traffic calming measures are being considered in collaboration with the police.
- The splays and egress and ingress needs further addressing.
- Would not support this further application. It has already resulted in the conversion of one home into two and now further houses which could be classed as garden grabbing.
- Deem this to be over development of the site.
- Concerns that scaffolding is having an adverse effect and obstructing the footpath.

**Local Highway Authority** – No objections in principle subject to relevant conditions. There is sufficient parking and turning provisions within the curtilage of the properties. It is the opinion of the LHA that the intensification of this access will be negligible. No significant adverse effect upon the public highway should result from this proposal.

**Cambridgeshire Archaeology** – Records indicate that the site lies in an area of high archaeological potential. There is no objection to development proceeding but consider that the site should be subject to a programme of archaeological investigation secured by condition.

**Conservation Officer** (on original plans) – Consent was granted previously for replacement outbuildings to be used as one residential dwelling on this site. The proposal seeks consent for two dwellings on the same site. The footprint is similar to the previously approved scheme however the applicant has added a small single storey extension to the rear of the site.

The addition of a single storey extension to the scheme is not acceptable; its design does little to enhance the appearance of the overall scheme, appearing as an afterthought stuck on the end. The flue is completely detached from the rest of the building and would be an odd visual feature when viewed from the public footpath.

The introduction of the extension also takes the building beyond the footprint of the existing outbuildings that are currently on site. Projecting further back into the site would begin to impact on the setting of the nearby listed church. Officers advised the applicant previously that they would not support a scheme that projected further back into the site in order to limit the visual impact on the surrounding heritage assets.

Consent should not be granted unless the extension is removed from the proposal.

(On amended plans) The Conservation Officer does not think a single storey extension is appropriate as it is not in keeping with the character of the building; the extension will not be visible from the public footpath or roads and will be entirely hidden behind the existing wall. Therefore any impact will be limited. The removal of the flue is a welcome amendment.

**Environmental Health** - Any residential property is classed as vulnerable to the presence of contamination. As a contaminated land assessment has not been supplied it is recommended that a condition requiring an appropriate contamination assessment to be undertaken is imposed. The use of a planning condition to limit construction times is also advised.

**ECDC Waste Strategy** – East Cambs will not enter private property to collect waste or recycling. It will be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day. ECDC, as a Waste Collection Authority, is permitted to make a change for the provision of waste collection receptacles. This contribution is currently set at £43 per property.

5.2 Neighbours – Site notice posted and 11 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

One response received from the occupier of 65 High Street raising the following points:

- The application increases the current approved application from 1 to 2 along with the conversion of the existing single property into two. Therefore there will be 4 properties compared to the previous 1.
- With the size of the 4 properties there could be expected to be 3 cars each.

- Request that access on to High Street is considered particularly with the public footpath exiting into High Street alongside the access.
- High Street is busy, particularly with school buses, as is the footpath with village children going to and from school.

## 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 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations  
Design Guide

### 6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design

## 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 visual amenity; cultural heritage; biodiversity and ecology; and highway safety.

### 7.2 **Principle of Development**

7.2.1 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.

7.2.2 The benefits of this application are considered to be: the provision of two residential dwellings built to modern, sustainable building standards and the positive

contribution to the local and wider economy in the short term through construction work.

7.2.3 The site is located within the established development framework of Bottisham, 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.

7.2.4 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.

### 7.3 **Planning history**

7.3.1 The application has been made following approval earlier this year for the construction of one residential dwelling on the site. As set out above, the only change made to the built-form from that previously approved is the addition of a flat-roofed, single storey element on the northern boundary. The applicant is proposing to divide the enlarged building into two dwellings with two parking spaces per dwelling being provided within the car port. A pathway is proposed leading from the vehicular access to plot 2, which will be located to the rear of the site and a 1.8 metre high hedge is proposed in the area between the two dwellings for privacy.

7.3.2 The principle of residential development has been established on the site and the assessment of this application is therefore limited to the increase in the number of residential units from one to two and the addition of the single storey element.

### 7.4 **Visual amenity and cultural heritage**

7.4.1 At present there are a number of outbuildings to the rear of No. 69, which sit on the back edge of the public footpath that runs from east to west, connecting Downing Close and High Street. The majority of the outbuildings are in a poor state of repair and the applicant has submitted evidence that they are not structurally sound and capable of conversion. Following discussions at pre-application stage, the applicant has agreed to construct the main section of the approved dwelling on a similar footprint to the existing outbuildings and, where it adjoins the public footpath, it is a similar height. The applicant was advised not to extend the length of the main section of the building in order to preserve views of Holy Trinity Church from the public footpath where it comes off Downing Close.

7.4.2 Amendments were made to the design of the two 'wings' during the previous application and their ridge height was reduced to match the main dwelling. The amendments were considered acceptable, with the result that the approved dwelling replicated the style and form of the existing outbuildings.

7.4.3 Although the rear portion of the site is located outside of the conservation area, it is considered that the dwelling as a whole will feature within the conservation area with views afforded from High Street, the adjoining public footpath and Downing Close. The introduction of a single storey element under the current proposal is at odds with the advice previously given to the applicant by officers. The applicant has

however agreed to amend the design of this element by stepping it in from the north facing elevation of the main dwelling and fully glazing the north facing elevation of the single storey element. On this basis this element of the proposal appears quite distinct from replica outbuildings, adding a contemporary feature to the design that would not be uncommon on other forms of development.

- 7.4.4 The single storey element will not be visible above the boundary wall when viewed from the public footpath and the Conservation Officer is satisfied that the addition of the single storey element, as amended, would not have a harmful effect on the conservation area or the setting of Holy Trinity Church, a Grade I listed building.
- 7.4.5 The introduction of a pathway and hedgerow in between the two dwellings would not have an adverse effect on the character and appearance of the area and there are no other factors connected to the use of the site as two units of accommodation as opposed to one that would impact upon the visual amenity of the area.
- 7.4.6 On balance it is considered that, subject to the use of appropriate materials, the revised proposal would not harm the character and appearance of the area or the nearby listed building and it preserves the character of the conservation area. The proposal is therefore considered to comply with Local Plan policy ENV2, which seeks to ensure that the location, layout, scale, form and massing of a development relates sympathetically to the surrounding area. It is also in accordance with policy ENV11, which seeks to ensure that proposals preserve or enhance the conservation area, and policy ENV12, which seeks to ensure that proposals do not harm the setting of listed buildings.

## 7.5 **Residential amenity**

- 7.5.1 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.
- 7.5.2 The proposal now offers limited private amenity space for the occupiers of Plot 1 with an area between the two 'wings' being enclosed by a 1.8 metre high hedge. The occupiers of Plot 2 have a larger private amenity area to the rear of the site. Whilst the amount of space is being split between the two dwellings, there is still sufficient amenity space on offer for the size of the two units.
- 7.5.3 The use of the two 'wings' as part of two separate properties requires the bedroom windows facing one another to be fitted with obscure-glazing and to be fixed shut. This can be secured by condition and does not comprise the light available to bedrooms as there are windows on the opposite elevations that can be fitted with clear glazing.
- 7.5.4 The west facing side elevation of the front wing is approximately 27 metres from the rear of No. 69, as it will be if the approved scheme for the conversion of that dwelling takes place. This wing is also located approximately 15 metres from the rear boundary of one of the rear gardens serving the converted dwelling and 9 metres from the rear boundary of the other rear garden. At these separation distances, the west facing windows serving two bedrooms within the roofspace of the wing would not be considered to lead to any loss of privacy or sense of

overlooking. The site layout as proposed is therefore considered to protect the amenity of the future occupiers of No. 69, whether the conversion of this dwelling takes place or not.

- 7.5.5 The east facing side elevation of the rear wing (Plot 2) faces towards the rear of a number of single storey dwellings on Downing Close. Of the three window openings in the roofspace of this wing, one serves a stairwell and the other two serve bedrooms. The rear wing is located approximately 5 metres from the eastern boundary of the site and the applicant proposes to construct a 1.8 metre close boarded fence along this boundary. The modest height of the proposed dwelling, the construction of a 1.8 metre close boarded fence on the boundary, are considered sufficient to protect the amenity of the occupiers on Downing Close. In addition, a number of existing trees on the eastern boundary are to be retained, which will further screen the proposed dwelling from occupiers on Downing Close.
- 7.5.6 Triangular sections of glazing are proposed in the roofspace of the south facing gable ends of the two wings. These areas of glazing are to serve bedrooms in the roofspace. The glazing in the rear wing will face towards the churchyard and not towards any neighbouring occupiers' private amenity space. The glazing in the front wing (Plot 1) faces towards the gable end of the Almshouses to the south of the site. The positioning of this wing is such that views towards a courtyard style garden area serving the Almshouses may be afforded. However, any views will be partially screened by the Almshouses themselves, the boundary treatment. In addition, the garden area concerned sits in between two rows of Almshouses and would not be considered to be completely private. The proximity of the front wing to the boundary would not be considered such that it would be overbearing on the occupiers of the Almshouses and on balance the proposal is not considered to have a significantly detrimental impact on the occupiers of those dwellings.
- 7.5.7 As stated above, the main section of the building will be reconstructed on the edge of the public footpath to the north of the site. This is the situation currently with the existing outbuildings and the presence of the north facing side wall in the same position would not prevent the full use of the footpath. Two window openings are proposed on the north facing elevation to break up the expanse of brickwork but these do not face any private amenity areas.
- 7.5.8 The occupiers of No. 65 High Street, have commented on the previous application and this application. Comments on the approved scheme related to the fact that it was considered that the proposal represented an improvement on the current appearance of the outbuildings. A query was made asking whether construction/delivery times can be limited to prevent noise and disturbance and to ensure the safety of nearby residents and road users. Conditions were subsequently imposed relating to construction times and the management of traffic movements. Such conditions can be repeated for this proposal.
- 7.5.9 It was considered by officers that the use of the driveway to serve one additional dwelling would not lead to any adverse effect to the amenity of the occupiers of No. 65 and the same applies to the use of the site for two dwellings due to the distance between the access and parking area within the site and No. 65.



7.5.10 On balance the current proposal is considered to comply with Local Plan policy ENV2 and would not have a significantly detrimental effect on the residential amenity of nearby occupiers or the future occupiers of the dwellings.

## 7.6 **Highway Safety**

7.6.1 The Local Highways Authority has been consulted on this amended proposal and has no objections in principle subject to conditions being imposed relating to the provision of visibility splays, the provision of measures to prevent surface water draining to the public highway and in relation to the material to be used in the construction of the driveway.

7.6.2 Concerns have been raised by the occupiers of No. 65 and the Parish Council as to the suitability of the access and the fact that cars may be parked on High Street. These concerns are not shared by the Local Highway Authority and it is considered that appropriate visibility splays can be secured by condition. On this basis it is considered that the proposal complies with Local Plan policy COM7, which seeks to ensure that safe and convenient access to the public highway is provided.

7.6.3 The proposed car port will provide sufficient space for four vehicles to park and the proposal is considered to meet the Council's current adopted parking standard of two parking spaces per dwelling as set out in Local Plan policy COM8. The applicant has submitted an amended plan demonstrating that four parking spaces can be achieved in the car port and detailing the spaces allocated for the two dwellings to be created through the conversion of No. 69. On this basis the local planning authority could not sustain an objection to the proposal on highway or parking grounds.

## 7.7 **Biodiversity and Ecology**

7.7.1 There are a number of mature trees and shrubs located on the site and the land on which planning permission has been granted for the conversion of No. 69 into two dwellings. Many of these trees are to be removed, consent having been given for this under the previous application for the conversion works.

7.7.2 The Council's Trees Officer has not commented on this application, however, given that permission for the removal of a number of trees has already been given, a different approach cannot be taken in respect of this application. The applicant has indicated that replacement planting will be carried out and that a number of trees will be retained. These are to be the subject of protection measures, details of which have also been supplied. It is considered that the loss of trees can be mitigated against by the planting of replacements and that this can be secured by condition. A condition is also proposed to prevent the removal of trees, hedges and shrubs within the bird breeding season unless appropriate precautionary measures have been taken.

7.7.3 The ecology report submitted with the previous application has been resubmitted and this concluded that the site consisted of neglected garden land and a barn that possessed low relative biodiversity value. There was however evidence to suggest that the outbuilding is used occasionally by a night/feeding roosting brown long-eared bat and a follow up bat activity survey was recommended.

7.7.4 A follow up bat survey has also been carried out, which verifies the assumption that the outbuilding is used occasionally by a night/feeding roosting brown long-eared bat with no evidence of day roosting bats inside the building. The survey recommends that works should be completed with caution with a watching brief for the presence of bats and that consideration should be given to the provision of an enclosed bat box or boxes into the external facade of the new building as a biodiversity enhancement measure. It is proposed to secure this by planning condition.

7.7.5 On the basis of the information submitted it is considered that the applicant has taken appropriate measures to protect the biodiversity and ecological value of the site in accordance with Local Plan policy ENV7.

## 7.8 **Other matters**

7.8.1 Cambridgeshire Archaeology was not directly consulted on the application. Comments have however been received as a result of details of the application being published on the local planning authority's weekly list. No such comments were received on the previous application and on this basis it would be unreasonable to impose a condition required a programme of archaeological work to be undertaken.

7.8.2 The erection of scaffolding on the site, close o the public highway, is not directly related to the planning process and if its presence were to cause an obstruction to the public highway, the local highway authority would need to take the appropriate action.

## 8.0 APPENDICES

8.1 Appendix 1

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
Application files 15/01041/FUL 15/00354/FUL	Julie Barrow Room No. 011 The Grange Ely	Julie Barrow Planning Officer 01353 665555 julie.barrow@eastcambs.gov.uk