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**MAIN CASE**

**Reference No:** 17/00314/FUL

**Proposal:** Demolition of single storey extension and construction of new two storey extension

**Site Address:** 26 Lynton Close Ely Cambridgeshire CB6 1DJ

**Applicant:** Mr & Mrs M. Davies

**Case Officer:** Toni Hylton, Planning Officer

**Parish:** Ely

**Ward:** Ely North  
Ward Councillor/s: Councillor Mike Rouse  
Councillor Elaine Griffin-Singh  
Councillor Andy Pearson

**Date Received:** 28 February 2017      **Expiry Date:** 9<sup>th</sup> June 2017

[S17]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE this application subject to the recommended conditions below:

1. Approved Plans
2. Time Limit – FUL/FUM/LBC
3. Matching Materials
4. Obscure Glazed Windows
5. High Level window to be fitted with Obscure Glazed Windows
6. Permitted Development Windows and Openings
7. Boundary Treatments
8. Parking

2.0 **SUMMARY OF APPLICATION**

2.1 Full planning permission is sought for the demolition of an existing single storey extension and construction of a two storey rear extension.

- 2.2 Amended plans have been received during the course of this application to address issues relating to the overall scale of the extension and its impact on adjoining neighbours.
- 2.3 The single storey extension to be demolished extends from the rear elevation of the main dwelling and 14 metres into the rear garden. It is approximately 3 metres in height and is constructed of materials matching the main dwelling. The extension consists of a kitchen, garage, workshop, W.C and bedroom.
- 2.4 The proposed extension is approximately 7.5 metres projecting to the rear with a two storey side measuring 5.6m, creating one extension measuring 13.1 metres in length. The proposed extension consists of a garage, kitchen, utility room at ground floor with 2 bedrooms, bathroom and en suite at first floor. The extension is proposed to be constructed of materials to match the existing dwelling.
- 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.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.6 The application has been called into planning committee by Councillor Elaine Griffin – Singh on the basis that the application has raised a number of objections from local residents. In the interests of openness and transparency it would be best for the determination to be carried out in an open forum.
- 3.0 **PLANNING HISTORY**
- 3.1 There are no relevant planning applications relevant to this planning application.
- 4.0 **THE SITE AND ITS ENVIRONMENT**
- 4.1 26 Lynton Close is a two storey detached dwelling, with a single storey side and rear extension. It is constructed of brick and sits at the end of the cul – de – sac which is Lynton Close. To the front of the dwelling is a garden, with parking to the side of the dwelling. To the rear is a large garden, which is enclosed with fencing and some planting.
- 4.2 Lynton Close is a small cul – de – sac of 27 dwellings, which are predominantly detached, although there are some semi detached dwellings. Each is set in a large plot with a small garden and parking to the front with a large garden to the rear. The dwellings are of a mix of style, design and character.
- 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.

The City of Ely Council – The Council are concerned with regard to the overall size of the extension and how it will impact on neighbouring properties.

Ward Councillors – Councillor Elaine Griffin – Singh as requested the application is presented to the Planning Committee and is detailed in paragraph 2.6.

5.2 Neighbours –10 neighbouring properties were notified of the proposal. Nine of those notified submitted at least one letter of objection and the responses received are summarised below. A full copy of the responses are available on the Council’s website. A site notice was displayed on a telegraph pole outside of 19 Lynton Close.

- Loss of privacy;
- Building across the rear boundary of the neighbours garden;
- Trees have been removed and caused damage to the boundary fence;
- Would overshadow the surrounding properties;
- Would be out of keeping with the character of the area;
- Out of proportion with the original dwelling;
- Would set a precedent for similar extensions;
- Insufficient parking provision;
- The extension should be seen to subservient;
- Will dominate the end of the cul –de- sac;
- It’s a dominating extension;
- Out of character with the surrounding area;
- Will overlook the private gardens of other neighbours;
- Will overshadow the gardens of other neighbours;
- Decrease in the value of properties;
- Overlooking from the high level window;
- Loss of light to adjoining neighbouring properties;
- Loss of trees;
- Scale of the extension is out of keeping with the main dwelling;

Many of the reasons outlined above were duplicated in the neighbour’s objection letters.

## 6.0 The Planning Policy Context

6.1	East Cambridgeshire Local Plan 2015
	GROWTH 2      Locational Strategy
	GROWTH 5      Presumption in favour of sustainable development
	ENV1            Landscape and settlement character
	ENV2            Design
	ENV7            Biodiversity and geology
	ENV8            Flood risk
	COM7            Transport impact
	COM8            Parking provision

6.2 Supplementary Planning Documents  
Design Guide

- 6.3 National Planning Policy Framework 2012  
7 Requiring good design  
8 Promoting healthy communities  
11 Conserving and enhancing the natural environment

## 7.0 PLANNING COMMENTS

7.1 The application seeks planning permission for the demolition of an existing single storey extension and to be replaced with a two storey side and rear extension. It is proposed to be constructed of materials to match existing. The key issues relating to this application are –

- The principle of development
- Impact on the character and appearance of the area
- Residential amenity
- Impact on the highway and parking provision

### 7.2 Principle of Development

7.2.1 The application site is within the development envelope for Ely as defined in policy GROWTH2 of the East Cambridgeshire Local Plan 2015. On this basis the principle of extending a residential dwelling in this location is considered acceptable subject to an assessment on whether the proposal is in keeping with the character of the area, will not be detrimental to the amenities of adjoining neighbours and that any proposal has adequate parking facilities and does not harm the highway network.

### 7.3 Impact on the character and appearance of the area

7.3.1 The extension is to the side and rear of the dwelling at the end of the Lynton Close. The existing dwelling is a two storey dwelling and like its neighbour set in large plot, which is approximately 17.5 metres (frontage) and 49 metres in depth. With the side extension and the existing dwelling, the proposed frontage of the dwelling would be 15.5metres. This retains a 2 metre boundary to the side of the dwelling, which would enable pedestrian access to the rear. This is not out of character with other properties in Lynton Close. On this basis it is considered that such an extension, reducing the frontage space would not be out of keeping with the character of Lynton Close.

7.3.2 The design of the dwelling is that it is formed of two sections, a main section which has a frontage of 7.3m and projects forward of a second section which is approximately 3.8 metres. The proposed extension would have a width of 3.8metres which replicates the existing set back section. On this basis, the design would balance the front elevation. It does introduce a single storey element, which enables the garage to be large enough to house a car. It is considered that this is not to the detriment of the overall design of the building and would not be out of keeping with the character of the area.

7.3.3 The extension is set back from the main dwelling and set back in line with the existing second section. Whilst the roof line of the proposed extension is not set

lower, it still appears as an extension and subservient. The design of the proposed extension and its impact on the street scene is in keeping with the character of the area and on this basis would comply with policy ENV1 of the East Cambridgeshire Local Plan 2015.

#### 7.4 Residential Amenity

- 7.4.1 A number of residents have raised a number of objections to the proposal and how it may impact upon their amenities. The two storey extension extends 12.4 metres into the rear garden, with a height of 7.5 metres. The existing single storey flat roof extension extends 20 metres into the rear garden with a height of 2.7 metres. In assessing the application it is considered the neighbours mainly affected by the proposal would be 24 Lynton Close, 32 Lynton Close, 217 and 171c High Barns.
- 7.4.2 171c High Barns is a two storey dwelling, it sits end on to the boundary with the application site and its garden sweeps around the dwelling. Currently the occupier of 171c High Barns has a view of its fence and then the single storey extension, which is close up to the neighbouring fence. The proposed extension as amended would no longer be along their boundary. Whilst they would have a view of the proposed extension, it is considered, the amended proposal would not be detrimental to the amenities enjoyed by the occupier.
- 7.4.3 217 High Barns is a single storey dwelling which has a garden sharing a boundary with the application site. The distance between the dwelling and the proposed extension is approximately 22 metres. There are some windows proposed in the side elevation of the proposed extension, which provide light to a bathroom and en suite. It is considered that the distance between the proposed extension and existing dwelling would not be detrimental to the amenities enjoyed by the neighbour. To ensure there is no direct overlooking the proposed windows are shown to be fitted with obscure glazing. In addition to this a condition can be applied to any planning permission issued restricting any new windows being inserted into this elevation. This would ensure the privacy of the neighbours is protected in the future.
- 7.4.4 24 Lynton Close is a two storey detached dwelling, which has a single storey side extension along the boundary with the application site. There are windows which exist in the side elevation facing the application site. The proposed extension would be 10 metres from the boundary with the neighbour and would have a first floor window on the side elevation, providing light to a landing. This is proposed to be a high level window set 1.6 metres from the floor level. Whilst there would be a potential for overlooking, the height of the window and a condition restricting it to be fitted with obscure glazing, will reduce the impact of the extension on the amenities currently enjoyed by the neighbours. It is considered that given the distance and conditions restricting the glazing in the elevation will ensure the neighbour's amenities are maintained.
- 7.4.5 32 Lynton Drive is a two storey semi detached dwelling. Due to the dwelling occupying a corner plot it has a long garden which shares a boundary with the application site. The proposed extension would be 27 metres from the end of the garden. There is a window in the end of the proposed extension, providing light to a bedroom that looks down the rear garden of application site. However, it is 27

metres from the boundary with the neighbour and using the design guide, the standard is 20 metres back to back. Therefore on this basis it is considered that proposal is in keeping with the spirit of the design guide and will maintain the amenities currently enjoyed by the neighbours.

7.4.6 Whilst many of the neighbours will have a view of the extension and there is perception because of the size of the extension that it will be over bearing and affect their amenities. However when the distances and standards are applied it is considered that the amenities of the neighbours will be maintained and not be detrimental to the enjoyment of their properties. On this basis the proposal complies with design guide and policy ENV2 of the East Cambridgeshire Local Plan 2015.

#### 7.5 Impact on Highway and Parking Provision

7.5.1 The application was informally discussed with the County Highways Officer, who considered that in highway safety terms the application was acceptable. However, East Cambridgeshire District Council is the parking authority. The garage is capable of providing one parking space and there is adequate space for an additional car outside of the garage, on this basis the dwelling has a minimum of 2 parking spaces. A condition can be applied to any planning permission requiring that the garage is always available for parking of vehicles. The number of parking spaces is in line with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

#### 7.6 Flooding

7.6.1 The site is within Flood Zone 1 and is therefore considered to be an area of low probability of flooding. On this basis the proposal is in keeping with policy ENV8 of the East Cambridgeshire Local Plan 2015.

#### 7.7 Ecology

7.7.1 Whilst the site is not known for protected species, it is a site that has some established planting to the boundaries and the plans submitted show that these trees will remain. It is however suggested that a condition is applied to any planning permission, requiring details of any works to the boundaries to be submitted and agreed in writing prior to the commencement of development. This would include the trees existing on the site and any existing fences.

#### 7.8 Non Material Matters

7.8.1 A number of residents raised issues relating to non material matters, which do need to be addressed. Firstly, some were concerned that the extension would have such an impact on their property it would affect the overall monetary value of their property. This is not considered to be a planning concern and could not be used as a reason to refuse a planning application.

7.8.2 A number residents raised an issue relating to the occupants of 26 Lynton Close, removing trees and causing damage to boundary fences. The trees that were removed were not subject to a Tree Preservation Order and I understand at the time this was checked with the Trees Officer. On this basis consent was not required for these works. Understandably, those who had their fences damaged are concerned

about such a proposal and what it may mean for their amenities during the construction and whether any other damage may occur, as it is understood these fences have not been repaired. As part of the application the applicant has indicated that the existing boundary treatment will remain and a condition is suggested to be attached to any planning permission which will require details of boundary treatments. With regard to disturbance, there are Environmental Health controls which are there to ensure construction and delivery times are carried out during what is considered sociable hours. It is considered that this issue cannot be used as a reason to refuse the application.

## 7.9 Planning Balance

7.9.1 Whilst there have been a number of objections to the proposal, it is considered that the proposed development is in line with policies within the East Cambridgeshire Local Plan 2015. The proposal is large, but it is in keeping with the character and appearance of the area. It maintains the amenities of the neighbours, by installing obscure glazing where necessary to ensure privacy of the neighbours is maintained. The parking standards of the Local Authority are met. On this basis it is considered that the proposal is an acceptable form of development in compliance with the policies within East Cambridgeshire Local Plan 2015.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00314/FUL	Toni Hylton Room No. 011 The Grange Ely	Toni Hylton Planning Officer 01353 665555 toni.hylton@eastca mbs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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>

APPENDIX 1 - 17/00314/FUL Conditions

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

Plan Reference	Version No	Date Received
212 – PL03	D	16 <sup>th</sup> May 2017
212 – PL04		16 <sup>th</sup> May 2017

- 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 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 at the time of this application. All works shall be carried out in accordance with the approved details
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy EN2 of the East Cambridgeshire Local Plan 2015
- 4 The windows proposed in the east elevation to the bathroom, ensuite and the high level window on the west elevation shall be fitted with obscure glazing and permanently maintained in this form.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above in the south, east or west; elevations.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the extension hereby approved.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to the first occupation of the extension the garage space shall be made available for the parking of one car. This space shall remain available for parking and not used for any other purpose in perpetuity.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.