
MAIN CASE

Reference No: 18/00934/OUT

Proposal: Outline planning permission for the erection of 1No private detached dwelling

Site Address: 8 Malting Lane Isleham Ely Cambridgeshire CB7 5RZ

Applicant: Mr & Mrs Dixon

Case Officer: Toni Hylton, Planning Officer

Parish: Isleham

Ward: Isleham
Ward Councillor/s: Councillor Derrick Beckett

Date Received: 16 July 2018 **Expiry Date:** 14th November 2018

[T124]

1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for reasons stated below:

- 1 The proposal would have an overly cramped appearance and a contrived layout due to its scale and proximity to the boundaries of the site. The proposal would be out of keeping with the appearance of the wider street scene, and does not respect the density of the dwellings in the vicinity. The application is contrary to Policy ENV2 of the Local Plan 2015, the Design Guide and Policy LP22 of the Submitted Local Plan 2017.
- 2 The proposal, by virtue of its scale and proximity to the site boundaries would create significantly detrimental impacts on the residential amenity of the host dwelling in terms of being overbearing. In addition, future occupiers of the proposed dwelling would experience poor levels of residential amenity due to overbearing from the adjacent dwellings. This is contrary to Policy ENV2 of the Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017.

2.0 SUMMARY OF APPLICATION

- 2.1 The application is made in outline for the erection of a dwelling to include access, layout and scale. The dwelling is situated in the rear garden of the host dwelling with access shown from Croft Road.
- 2.2 The dwelling would be approximately 6.6 metres in height, with an approximate floor area of approximately 44 square metres.
- 2.3 Access would be from Croft Road and would provide 2 off road parking spaces, placed in a tandem immediately adjacent to the proposed dwelling and rear garden of the host dwelling.
- 2.4 The proposed dwelling would be sited in the middle of the overall plot of the host dwelling, however set to the northern end of the site with the garden concentrated to the south.
- 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 is brought to Planning Committee at the request of Councillor Beckett, which is copied below:

"I would like to call in the above application to committee, it is central to the village, in the development area, provides a small house affordable to a first time buyer. However I am not sure this outweighs the harm and feel it would best be discussed in a public forum."

3.0 PLANNING HISTORY

- 3.1
- | | | | |
|--------------|--|----------|------------|
| 17/00227/FUL | Proposed rear extension & internal alterations at 8 Malting Lane, Isleham. | Approved | 27.03.2017 |
|--------------|--|----------|------------|

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is within the development envelope for Isleham and it is not within the Conservation Area for the village. The site is within an established residential area which is predominantly semi – detached or terraced two storey dwellings. Each dwelling has a front and rear garden with parking limited to the front or side of each plot.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultee and these are summarised below. The full responses are available on the Council's web site.

National Grid – No objection subject to being aware of apparatus in the area.

Parish - No Comments Received

Ward Councillors – Councillor Beckett has requested the application is presented to the Planning Committee, for the reason given below:

“I would like to call in the above application to Committee, it is central to the village, in the development area, provides a small house affordable to a first time buyer. However I am not sure this outweighs the harm and feel it would best be discussed in a public forum.”

Local Highways Authority – No objections subject to a condition providing visibility splays.

CCC Growth & Development - No Comments Received

Waste Strategy (ECDC) – no objections subject to the payment towards the provision of bins.

Neighbours – 5 neighbours were notified and no responses have been received.

Site notice was displayed on a lamppost opposite the site in Croft Road.

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 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

6.3 National Planning Policy Framework 2018

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed places
- 11 Making effective use of land
- 15 Conserving and enhancing the natural environment

6.4 Submitted Local Plan 2018

- LP1 A presumption in Favour of Sustainable Development
- LP17 Creating a Sustainable, Efficient and Resilient Transport Network
- LP3 The Settlement Hierarchy and the Countryside
- LP22 Achieving Design Excellence
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP25 Managing Water Resources and Flood Risk
- LP26 Pollution and Land Contamination
- LP27 Conserving and Enhancing Heritage Assets
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views

7.0 PLANNING COMMENTS

7.1.1 **Principle of Development**

The Council 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.

7.1.2 The site is within the development envelope for the settlement of Isleham. Isleham is a large village with a number services and has a bus service to Newmarket and Cambridge daily during the week. The Vision for Isleham requires that development is located within the settlement boundary, although there is an allocated site for residential development identified. Development should meet the criteria within policy GROWTH2 of the East Cambridgeshire Local Plan 2015.

7.1.3 Policy GROWTH2 requires that any new development is contained within the development envelope assuming there is no significant impact on the character and appearance of the area and any meets any other planning considerations. On this basis in principle a dwelling in this location is considered acceptable as it is within

the development envelope for Isleham. The site is located within the defined settlement boundary of Isleham and therefore complies with Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015, and Policy LP3 of the Submitted Local Plan 2017 which seek to focus new development within the defined settlement boundaries.

7.2.1 Residential Amenity

The main neighbours to be affected by the proposal are the; host dwelling; number 6 Malting Lane and 1 Croft Road.

7.2.2 The application demonstrates that a dwelling could be built on the site with no windows facing the neighbouring garden of number 6 Malting Lane. It is considered that whilst there may be some impact of dwelling being built in this location it is unlikely to cause significant harm by overlooking, loss of light or by way of being overbearing.

7.2.3 Number 1 Croft Road boundary is approximately 8 metres from the proposed dwelling and is separated by a footpath which serves the rear of dwellings 2, 4, 6 and 8 Malting Lane and a line of established leylandii trees. It is considered that the distance between the dwellings is unlikely to cause harm to the amenities of this neighbour.

7.2.4 The host dwelling currently has a rear garden of approximately 9.8 metres (width) by 25 metres (length). The host dwelling's rear garden would be reduced to 7 metres. This would still give it a garden in excess of the standard of 50 square metres, in accordance with the provisions of the Design Guide.

7.2.5 However it is important to consider that in 2017 planning permission was granted for a two storey rear extension at 8 Malting Lane, which has not been implemented and would extend 4.8 metres off the rear elevation. Whilst this has not been implemented if this extension was erected it would reduce the garden space to under the 50 square metres stated within the Design Guide. If implemented this extension and the proposed dwelling would be approximately 6 metres apart and this in itself would be an overbearing form of development. Even without the extension the proposal is overbearing on the adjoining host property. The rear elevation of the host dwelling would be approximately 9 metres from the side elevation of the proposed dwelling. This elevation is approximately 6.6 metres in height and would be overbearing on the private amenity area of the host dwelling. It is considered that this is contrary to policies ENV2 of the Local Plan 2015 and Submitted Local Plan 2017.

7.3.1 Visual Amenity

Whilst the proposal is in outline and the details of its appearance and landscaping have not been submitted as part of the application, it does demonstrate scale and layout. The plan clearly shows that there would be limited space between the dwellings, particularly if the extension was implemented and this in itself provides a cramped form of development which is out of keeping with the character of the area.

7.3.2 Whilst a dwelling opposite has been erected at 2a Croft Road, this was on a plot which was significantly larger and followed an established pattern of development.

Number 2a has a reasonable front garden for parking and landscaping and a large rear garden for amenity purposes. 2a Croft Road is a detached 2 storey dwelling which has access from Croft Road. The plot is approximately 315 square metres and the original dwelling now has a plot size of 354 square metres. Clearly the site area of both plots are in excess of the 300 square metres as recommended in the Council's Design Guide. It also shares characteristics with the adjoining dwellings.

7.3.3 This proposal would be in line with the dwellings on Malting Lane and out of keeping with those on Croft Lane, for which would be its address and access point. The site would have parking to the side of the dwelling, shown to be in a tandem arrangement with minimal front garden. All of the private amenity space would be to the side of the proposed dwelling, which is not characteristic of the locality. The plot area of the site is approximately 180 square metres, which is well below the recommended size of 300 square metres within the Design Guide. Having such a small site it goes to demonstrate its cramped nature of the proposal.

7.3.4 It is considered that in siting a dwelling in this location it would be tantamount to a cramped form of development which would be visually out of character with its surroundings. A dwelling in this location is clearly contrived and out of keeping with the development pattern of the area. On this basis the proposal is considered to be contrary to policies ENV2 of the Local Plan 2015 and LP22 of the Submitted Local Plan 2015.

7.4.1 **Highways**

The application includes 2 parking spaces to the side of the proposed dwelling. It is considered that there is sufficient room on the site for the parking of two vehicles for the proposed dwelling, without detriment to the host dwellings existing parking arrangements. This complies with Policy COM8 of the Local Plan 2015 and LP17 of the Submitted Local Plan 2017. The Local Highways Authority has been consulted as part of the application and has raised no objections.

7.5.1 **Ecology**

The site on the Case Officer's first visit had a number of trees to the boundary with Croft Road and did request details of these trees to be identified and plotted on a plan. On a second visit to the site, these trees had all been removed. Whilst the trees in the opinion of the Case Officer were not worthy of a Tree Preservation Order, they were of some quality which may have in turn required some alterations to the proposal had it been considered acceptable. On this basis it is considered the site has little ecological value, due to the loss of trees to the site. Any planning permission granted should include a condition which required biodiversity features to be included in the final construction of the dwelling.

7.6.1 **Planning Balance**

In conclusion, it is considered that the proposal would cause significant harm to the character of the street scene and the visual appearance of the area by introducing a cramped and contrived form of development, out of keeping with the character of the area. In addition, the proposal would create significantly detrimental impacts on the residential amenity of neighbouring occupiers by virtue of its scale and position in close proximity to the boundaries of the site. The proposal would create overbearing impacts to neighbouring occupiers. Future occupiers of the dwelling

itself would also experience overbearing impacts from the neighbouring dwellings due to the cramped relationship. The application does not comply with Policy ENV2 of the Local Plan 2015, Policy LP22 of the Submitted Local Plan 2018, or the Design Guide, and is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00934/OUT	Toni Hylton Room No. 011	Toni Hylton Planning Officer 01353 665555
17/00227/FUL	The Grange Ely	toni.hylton@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>