

MAIN CASE

Reference No: 16/01022/FUL

Proposal: Proposed Front, Side and Rear Extension

Site Address: 67 Orchard Row Soham Ely Cambridgeshire CB7 5AY

Applicant: Mr & Mrs D Judd

Case Officer: Catherine Looper Planning Officer

Parish: Soham

Ward: Soham South
Ward Councillor/s: Councillor Hamish Ross
Councillor Ian Bovingdon
Councillor Dan Schumann

Date Received: 9 August 2016 **Expiry Date:** 09.12.2016

[R158]

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.
- 1.2
- 1 Approved Plan
 - 2 Time Limit
 - 3 Materials
 - 4 Commercial operations
 - 5 Prior agreement for external fixed plant machinery

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 Permission is being sought for a part two-storey, part single-storey side extension measuring 13.2m in length, along the north elevation of the dwelling. The proposed extension would measure 4m in width. The extension would provide an integrated

garage with inspection pit, a utility area, WC and study to the ground floor. To the first floor, the extension would provide an additional bedroom with en-suite. The first floor element of the proposed extension would measure 4m in width, and 8.65m in length along the north elevation. The ridge height of the two-storey element would be 7.5m tall, and 3.2m on the single-storey element. The applicant proposes to render the extension to match the existing dwelling.

2.3 Following neighbour comments, a site visit by the planning officer, and discussion with the Senior Planning Officers, amended plans were sought and received to remove concerns regarding the visual impact of a front extension, proposed timber cladding, and the scale of the proposal.

2.4 This application has been called to Planning Committee by Cllr Daniel Schumann.

3.0 PLANNING HISTORY

3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises a two-storey semi-detached dwelling with detached garage. The ground floor is constructed from red brickwork and the first floor is finished with a light coloured render. There is a small front porch at the front of the property. The dwelling features white UPVC windows and wooden front door. There is a large garden to the rear of the dwelling with outbuildings and a wire fence to the boundary of the neighbouring property. There is a tall hedge to the boundary of the adjoining neighbour.

4.2 The site is within the designated development envelope of Soham. Orchard Row predominantly features semi-detached and terraced dwellings to one side of the road, and bungalows to the other. There is a mixture of rendering and brickwork within the street scene, however the style of the dwellings is very uniform.

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.

Parish – 1st September 2016- No objections raised

Parish – 27th October 2016- The Committee considered, in light of representation received under public comment time (PL 71/16) that there was insufficient information provided to reasonably consider the matters raised in concern and in light of this recorded that the Chairman make a request to the District Clls (Cllrs Dan Schumann, Ian Bovington, Carol Sennitt, James Palmer, Hamish Ross) to request that this Planning Application be 'called in' for determination by the Planning Committee (ECDC).

Ward Councillors – Comment received from Cllr D Schumann- On the basis that I have been contacted by several neighbours regarding their concerns about this

application I am happy to call this in to committee.

I did email my fellow councillors yesterday in case any of them had already done this or had any view...however I have had no reply, and I am mindful of your deadline of 2nd Nov.

Environmental Health - The proposed plan suggests that a pit will be located in the garage. It is assumed that this will be a vehicle inspection pit and I would therefore request that details of any ventilation method to be used be supplied (including the direction of any extraction vent) as well as details of any water pump for the pit and where this will be located. This is in order for me to assess the potential for noise. I am aware from several neighbour responses that there is some concern for the health and safety implications of such a pit but it is not within my remit to advise on these issues and would be more likely to fall to the Health and Safety Executive.

Health and Safety Executive Land Use Planning Team- As far as I can tell from the details of the East Cambs web site, since the development is not for commercial use the householder's access pit in a garage does not fall in our remit, and we have no comment to make on it.

Building Control - East Cambridgeshire District Council - Further to your request I have looked at the proposals to include an inspection pit within the new garage. Generally we would receive or if not request a structural engineers design for the pit. We would expect the pit to be designed to ensure the construction will not have any detrimental effect on the existing or new foundations.

5.2 Neighbours – Three neighbouring properties were notified and a site notice was posted on 22nd August 2016. 20 responses were received from 19 neighbours and the responses are summarised below. A full copy of the responses are available on the Council's website.

- Concerns raised regarding the waste and drainage arrangements.
- Possible lack of parking and do not want driveway to be blocked.
- Concerns whether the pit will be used for business.
- Safety of children using the footpaths if the pit in the garage is used for business purposes, due to the increase in vehicles entering and exiting the property.
- The cladding to the front and side extension is not in-keeping.
- The front extension would be out of character.
- Working hours should be restricted to 8:30am to 4:30pm Monday to Friday, with no work taking place at weekends and evenings.
- Environmental issues with the pit, such as oil spillage, car fumes, noise and fire hazards.
- Over-development of the property.
- The pit is lower than the house footings and could cause subsidence.
- Out of character with the rest of the houses and will cause overshadowing.
- Noise and dust associated with the works.
- Two study areas shown on the plans, and if one is an office for commercial use.

- Levels of noise generated by working on vehicles within a confined space.
- More than doubling the size of the property.
- The size of the annotations on the plans is misleading.
- There are no dimensions on the plans and no way of working these out without a scale rule.
- Foul drainage and the ability of the existing system to cope with the increased inputs from the additional rooms.
- Structural changes at the rear of the property and exposure of the party wall. The steel beams being installed into the solid party wall will create vibrations in the adjoining property.
- Increased levels of noise resulting from the proposed replacement of the bathroom with a kitchen/diner. Would be likely to give rise to levels of interference with comfort and enjoyment that do not arise under the existing arrangements.
- Create overlooking issues to neighbouring occupiers.

5.3 Following amendments to the proposed plans, 18 responses were received from 16 neighbours, raising additional concerns to those previously stated:

- Removal of load bearing walls and party wall works and effect on adjoining property.
- Storage and handling of hazardous materials and potential for contaminated land.
- In addition to creating a risk of explosion a spillage could cause contamination to land and the shared drainage system.
- Commercial car repair business in a domestic dwelling is unacceptable and incompatible.
- Would be built over the main public sewer run, and could cause the sewer to collapse.
- No information as to which existing walls are to be removed.
- Structural integrity of neighbouring property and noise levels after removal of walls.
- The rear load bearing wall is shown as being taken out with no pillars or supports.
- The plans show part of a wall missing, no kitchen window and a valley on the bathroom roof.
- Applicant intends to do conduct work themselves in the evenings and at the weekends.
- Information submitted from the Health and Safety Executive's website regarding safety concerns in the motor vehicle repair and associated industries.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 2 Design
COM 8 Parking provision

6.2 Supplementary Planning Documents

Design Guide

6.3 National Planning Policy Framework 2012

7 Requiring good design

7.0 PLANNING COMMENTS

The main issues to consider in the determination of this application are whether the proposals will have a significantly detrimental effect on the residential amenity of nearby occupiers and on the visual amenity and character of the area.

8.0 Residential Amenity

- 8.1 The proposed extension will be two-storey to the side of the original dwelling and measure 6.9m to the ridgeline. The section of the extension that protrudes past the rear elevation of the original dwelling will be single storey and measure 3.7m to the ridgeline. The heights of the proposed extensions are not considered sufficient to block light entering the neighbouring properties, and therefore do not pose a significant threat to the residential amenity of the occupiers of these dwellings.
- 8.2 There is a significant distance between the host dwelling and the neighbouring property to the north, and therefore the proposed side extension is not considered to be overbearing on this dwelling. There is one existing window to the side of the neighbouring dwelling at first floor level. The applicant has proposed a small window to the side elevation at first floor level, and has confirmed by email that this will be obscurely glazed and fixed shut and therefore will not impact the neighbouring property.
- 8.3 The applicant proposes two windows in the side elevation at ground floor level of the extension. One of these will be a high level horizontal window to the garage area, and the other serves a bathroom. These do not serve habitable rooms and are not considered to create an impact on the neighbouring occupier's enjoyment of their property. It should be noted that ground floor side elevation windows can be inserted under Permitted Development.
- 8.4 The proposed extension will be to the side of the dwelling, with the section that extends past the rear elevation of the original dwelling to be single storey. It is considered that the proposed extension will not block light from entering the neighbouring dwellings and will not appear overbearing. There will be no windows to the side elevation of the extension facing the adjoining neighbour.
- 8.5 The applicant proposes windows to the rear elevation of the extension, however there is a significant distance between the dwelling and the nearest property to the rear of the garden. The windows to the first floor elevation at the rear of the dwelling will not create an increased threat of overlooking to the neighbouring occupiers and sufficient distance in accordance with the Design Guide is provided.

- 8.6 During the course of the application comments have been received stating that the proposal would be an over-development of the property and would be out of character. Concerns were raised that the proposal would overshadow the neighbouring properties and create issues with overlooking. Following these comments the proposed extensions have been revised. The amendments include reducing the ridge height of the proposed extension, setting the front elevation of the extension back by 1m and removing the single storey front extension. The timber cladding has been removed and the applicant proposes to construct a new porch within Permitted Development Rights. Following the submission of the amended plans it is considered that the proposal will not be overbearing or create overshadowing to the neighbouring occupiers. No inter-visible windows are proposed to the north elevation of the extension, and therefore the proposal does not present increased issues with overlooking.
- 8.7 It is concluded that the proposal will not create significantly detrimental effects on the residential amenity of nearby occupiers and complies with Policy ENV2 of the East Cambridgeshire Local Plan 2015.

9.0 Visual Amenity

- 9.1 The ridge height of the proposed extension will be 0.4m lower than that of the original dwelling, and will be set back from the front elevation by 1m. This gives the proposed extension a subservient appearance and ensures that the original dwelling is clearly legible in line with the Supplementary Planning Document, Design Guide. Amendments have been received to remove the timber cladding from the proposal, making the application more in keeping. The applicant proposes to render the ground and first floors of the new extension to match the first floor of the existing dwelling. This is sympathetic to the appearance of the existing dwellings within the street scene and will reinforce the appearance of the new section of the dwelling as an extension to the original. The applicant has proposed matching roof tiles, windows and doors which ensures that the extended part of the dwelling does not appear uncoordinated and would be in keeping.
- 9.2 With regard to the symmetry of the semi-detached pair, it is considered that once extended, the symmetry of the original dwellings will be retained as the proposed extension will be set back and have a lower ridge height than the original. While the extension will be two storey, the design ensures that it does not dominate the original semi-detached pair.
- 9.3 It is considered that the proposed extension complies with Policy ENV2 of the East Cambridgeshire Local Plan 2015, the Supplementary Planning Document, Design Guide, and Policy 7 of the NPPF 2012.

10.0 Highway Safety

Concerns have been raised regarding the lack of parking resulting from the proposed extension. Policy COM8 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are adequate levels of parking for 2 vehicles

for dwellings falling under Use Class C3. The applicant has satisfied this criteria by providing one parking space within the garage and one on the driveway.

11.0 Other Material Matters

- 11.1 During the course of the application, neighbours have questioned whether the proposed pit in the garage will be used for business purposes, and have raised concerns about the safety of children using the footpaths with increased numbers of vehicles entering and exiting the property. It has also been raised that the proposed pit will create environmental issues such as oil spillages, car fumes, noise and fire hazards, and the associated impacts of these on neighbouring occupiers. Neighbours are also concerned about the levels of noise generated by working on vehicles within a confined garage space. Comments have been received regarding the two study areas proposed, and whether one of these will be used as an office for commercial use. Issues have also been raised about the pit creating subsidence as it is lower than the footings of the dwelling.
- 11.2 The agent has confirmed by email that the pit will be used as a safe means of access to the underside of the applicant's private vehicles. The agent has confirmed that the depth of the pit would be agreed at Building Control stage as it would depend on the structural requirements of the proposed extension. Building Control have been consulted regarding the application and have confirmed that a structural engineers design for the pit would be requested to ensure that the construction would not have detrimental effects on the existing or new foundations of the dwelling. The structural integrity of the proposed pit would not be assessed at planning application stage and would not affect the determination of the application.
- 11.3 During the course of the application it was considered whether the noise generated by the use of the pit could be conditioned. This was considered unreasonable and unenforceable as the maintenance of vehicles can be conducted within a garage without a pit. Environmental Health have also been consulted and have not objected to the proposed pit. They have requested that if any of the following are included within the development, the details of any ventilation method, the direction of any extraction vent, and the details of any water pump for the pit and where this is located, are supplied so that the noise implications of these can be assessed. They have confirmed that any health and safety implications resulting from the pit would fall under the remit of the Health and Safety Executive. The Health and Safety Executive Land Use Planning Team have confirmed that as the development is not for commercial use, the householder's access pit in the garage does not fall under their remit and they have no comments to make.
- 11.4 A condition is recommended to ensure that no external fixed plant machinery shall be installed without the written agreement of the Local Planning Authority.
- 11.5 It is considered that the proposed pit, while unusual in a residential dwelling, is not considered to warrant a reason for refusal. Conditions can be imposed to ensure that the pit is not to be used for commercial purposes, and the structural integrity would be assessed at Building Control stage.

12.0 Planning Balance

In conclusion, it is considered that the proposal complies with planning policy and the Supplementary Planning Document, Design Guide. Following the amendments, the proposal does not create any significantly detrimental effects on the residential amenity of neighbouring occupiers and is not considered to harm the character and appearance of the street scene. The application is therefore recommended for approval.

13.0 APPENDICES

13.1 Appendix 1- Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01022/FUL	Catherine Looper Room No. 011 The Grange Ely	Catherine Looper Planning Officer 01353 665555 catherine.looper@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 - 16/01022/FUL Conditions

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

Plan Reference	Version No	Date Received
15:012-02		9th August 2016
15:012-01	D	5th October 2016

- 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, doors, windows and the roof shall be as specified on the application, drawing 15:012-01 REV D and email of 22/09/2016. 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 ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 The vehicle inspection pit proposed in the new garage area shall be used solely for the private maintenance of the occupiers personal vehicles. The vehicle inspection pit shall be used as ancillary to the main dwelling and shall not be used for business or commercially related use.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 No external fixed plant machinery shall be installed without prior written formal agreement with the Local Planning Authority by way of planning application.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.