

MAIN CASE

Proposal: Detached private dwelling and associated works

Location: 34 Newmarket Road Burwell Cambridge CB25 0AE

Applicant: Mr Paul Claydon

Agent: The Clarke Smith Partnership

Reference No: 14/00488/FUL

Case Officer: Sarah Ratcliffe

Parish: Burwell
Ward: Burwell
Ward Councillor/s: Councillor Hazel Williams
Councillor David Brown
Councillor Lavinia Edwards

Date Received: 9 April 2014 Expiry Date:

[P40]**1.0 EXECUTIVE SUMMARY**

- 1.1 The application seeks full planning permission for a detached two-storey dwelling to the rear of No. 34 Newmarket Road. The existing vehicular access off Newmarket Road would serve the proposed dwelling and host dwelling.
- 1.2 The site is located within the development envelope of Burwell. As such, the principle of development would be in accordance with the Core Strategy which forms the Development Plan for the District provided that all other material planning considerations are satisfied.
- 1.3 This application has been resubmitted in an attempt to address concerns that were raised during the consideration of 14/00155/FUL. In particular, the gabled roof facing Summerfield Close has been partially hipped to form a gablet roof in order to reduce the impact on the amenity of neighbouring dwellings.
- 1.4 The application has been called to Planning Committee by the Local Member, Councillor David Brown.
- 1.5 The main issues for consideration are:
- Scale and layout and the implications for residential amenity
 - Impact on visual amenity and the character of the area

1.6 The proposed development consists of a single dwelling to the rear which is considered to be at odds with the established character and appearance of the local area. In addition, despite amendments to the design which attempt to address the impact on neighbouring residential amenity, the scale and location of the development is considered to give rise to unacceptable residential amenity issues. The resulting gabled roof would also appear as a discordant feature that fails to protect and enhance the character of the area.

1.7 The application is therefore recommended for refusal.

1.8 **A Site visit has been arranged for 11:00am, prior to the Planning Committee meeting.**

2.0 THE APPLICATION

2.1 The application seeks permission for the erection of a detached dwelling to the rear of 34 Newmarket Road. The design of the proposed dwelling has been amended since it was submitted under 14/00155/FUL, although the scale and positioning are broadly the same. The proposed dwelling is two-storey with a pitched/gabled roof (comprising a gable at the top and hip lower down) and has a 'Z-shaped' footprint.

2.2 The new dwelling would share vehicular access from Newmarket Road with No. 34 Newmarket Road.

3.0 THE APPLICANT'S CASE

3.1 The Applicant's case is set out in the Design and Access Statement, which 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, on the application file.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located within the development envelope and forms part of the rear garden of No. 34, a two-storey semi-detached dwelling set back from the road.

4.2 Vehicular access to the existing dwelling is to the eastern side of the site, and there is an existing detached single storey garage, set back from the house. A close boarded fence runs across the front boundary, with a small pedestrian gate positioned centrally.

4.3 This part of Newmarket Road has a clearly defined character with pairs of semi-detached dwellings which are set back from the highway within spacious plots. There are also three small cul-de-sac developments nearby which infill some of the land to the rear of the dwellings but no examples of single dwellings developed to the rear.

5.0 **PLANNING HISTORY**

5.1
14/00155/FUL Detached private dwelling and associated works 26.03.2014

6.0 **REPLIES TO CONSULTATIONS**

6.1 **Parish Council**
No Comments.

6.2 **Highways**
No objection in principle

- Conditions suggested regarding surfacing of the access, no gates across the vehicular access, access constructed to highway specification, measures to prevent surface water from discharging onto the highway, turning area to remain free from obstruction, and first 10m of access from the highway to be minimum 5m wide and to remain free from obstruction.

6.3 **Environmental Health**
Appropriate contamination risk assessment conditions requested.

6.4 **ECDC Waste Services**
Waste and recycling will need to be presented at the public highway by the resident of the new property.

6.5 **Neighbours**
Five nearby addresses notified and site notice posted. Three written responses received – two objections and one neutral response. The following relevant points were raised in the consultation responses (full copies of the responses can be found on the application file or through public access using the following link:
<http://pa.eastcambs.gov.uk/online-applications/>

Residential amenity

- Overbearing impact
- Loss of amenity to neighbours
- Will create overlooking
- Loss of privacy
- Noise and disruption from vehicles accessing the property
- Loss of natural light to garden and living room of 7 Summerfield Close
- Loss of screening to 7 Summerfield Close from removal/thinning of hedge

Other matters

- Landscape impact
- Inconsistencies on plans

7.0 THE PLANNING POLICY CONTEXT

7.1 East Cambridgeshire Core Strategy 2009

- CS1 Spatial Strategy
- CS2 Housing
- EN1 Landscape and settlement character
- EN2 Design
- S7 Parking provision

7.2 East Cambridgeshire Local Plan Persubmission version (February 2013)

- GROWTH 2 Locational strategy
- GROWTH 5 Presumption in favour of sustainable development
- ENV 1 Landscape and settlement character
- ENV 2 Design
- COM 8 Parking provision

7.3 Supplementary Planning Documents

- Developer Contributions and Planning Obligations
- Design Guide

8.0 CENTRAL GOVERNMENT POLICY

8.1 National Planning Policy Framework 2012

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

9.0 PLANNING COMMENTS

9.1 The site is located within the development envelope of Burwell, which is designated as a 'Key Service Centre' in policy CS1 of the Core Strategy. On non-allocated housing sites within such settlements, policy CS2 states that development of any scale could be acceptable, provided that there would be no adverse effect on the scale and character of the area, and that all other material considerations are satisfied.

9.2 This application has been resubmitted in an attempt to address some concerns that were raised during the consideration of 14/00155/FUL. In particular, the gabled roof facing Summerfield Close has been hipped (forming a gablet roof) in order to reduce the amenity impact on neighbouring dwellings. This has resulted in the removal of accommodation in the roofspace.

Form and character

9.3 Newmarket Road is residential in nature, predominantly characterised by pairs of semi-detached properties set back from the public highway within spacious plots. The exceptions to this pattern of development are Summerfield Close, St Mary's

View and 58a-58d Newmarket Road – unlike the current proposal, these are small groups of dwellings which were comprehensively planned and developed and of sufficient scale to create their own character within the street scene. The insertion of a single dwelling to the rear of No. 34 would be out of keeping with the character of the area and given that it would be visible from the public highway, it would have an adverse effect on the existing street scene.

- 9.4 There is no indication that the applicant has explored the possibility of a more comprehensive development with adjacent landowners as required in the Design Guide SPD. The proposal is therefore considered to be a piecemeal development which does not preserve or enhance the character of the area.
- 9.5 The footprint of the proposed dwelling is considerably larger than both the host dwelling and neighbouring properties. Whilst there is sufficient space on the plot to accommodate a dwelling of this size, its location approximately 1.5m from the boundary with properties on Summerfield Close creates potential residential amenity issues which are discussed in the following section. The amount of rear private amenity space for both the host dwelling and the proposed dwelling would meet the minimum requirements within the Design Guide SPD.
- 9.6 Under the original application 14/00155/FUL the main roof of the dwelling was gabled with a lean to roof extending to form a porch and garage and a protruding gable. In an attempt to reduce the impact on neighbouring dwellings, the eastern part of the main roofline has been amended to create a gablet feature (where the roof has a gable at the top and is hipped lower down). The unusual gablet element would be visible from the street scene and is considered to be out of keeping with the character of the area, contrary to policy EN2 of the Core Strategy 2009 and paragraph 64 of the National Planning Policy Framework.

Highways issues

- 9.7 It is proposed to demolish the existing garage serving the host dwelling to enable vehicular access to the proposed dwelling and new garage for the host dwelling to be created. There would be a total of three car parking spaces for the host dwelling and three car parking spaces for the proposed dwelling. These arrangements are considered to be acceptable in policy terms and the County Highways Officer has no objection to the proposals.

Residential amenity

- 9.8 Policy EN2 of the Core Strategy seeks to ensure that there is no detrimental impact on the residential amenity of nearby occupiers. The proposed dwelling would share a close relationship with two existing properties which lie approximately 8.5m to the east (Nos. 7 and 8 Summerfield Close). Concerns were raised by these neighbours in relation to a number of residential amenity issues including overlooking, loss of privacy, loss of light, overbearing and noise disturbance.
- 9.9 Overlooking is commonly taken to relate to loss of privacy in the living areas of a house, but may also include loss of privacy in external living areas such as gardens. Concerns were raised by the residents of both No. 7 and No. 8 Summerfield Close

in relation to loss of privacy and overlooking in relation to windows from the front of the proposed dwelling. However, the layout and orientation of the proposed dwelling would mean that windows on the front elevation would have a north facing outlook whilst the properties in question are located due west. The proposal would therefore not give rise to direct overlooking from windows/doors on the front elevation.

- 9.10 The Design Guide SPD requires a minimum distance between rear inter-visible windows of 20 metres. The first floor window proposed on the side elevation is to be fixed shut and obscure glazed and would therefore not give rise to any overlooking issues or loss of privacy. Two windows are also proposed at ground floor level to serve a kitchen and family room which would be approximately 10m from the properties on Summerfield Close. The kitchen window would appear to be screened from the properties on Summerfield Close by the existing garage and the family room window by existing hedging. Should Members be minded to approve the application at Committee, it would be possible to include a condition to require appropriate boundary treatment to be implemented / retained in order prevent any potential amenity issues relating to overlooking from the family room window to the properties on Summerfield Close. Taking the above into account it is not considered that there would be any loss of residential amenity due to overlooking issues or loss of privacy.
- 9.11 The proposed development would result in a two storey building being within 10m of a main elevation of another dwelling with windows (Nos. 7 and 8 Summerfield Close). Such a scenario would normally cause a significant loss of light or overbearing impact on the existing dwellings. The residents of No. 7 Summerfield Close raised such concerns in relation to overshadowing and loss of light to the rear of their dwelling (including a living room) and garden.
- 9.12 Further information was therefore sought from the applicant in order to enable a proper assessment of daylight/sunlight issues. A Sunlight Analysis was submitted by the applicant which provides shadow plans which indicate that the proposed dwelling is unlikely to affect adjoining gardens in relation to sunlight. However, it does not include an assessment of the potential impacts on the quantity and quality of daylight - which can be impaired if an obstructing building is large in relation to its distance away. Despite attempts to reduce the amenity impacts of the proposal since 14/00155/FUL by amending the design of the roof, it is considered that the scale and proximity of the proposed dwelling would create an overbearing presence and lead to an unacceptable loss of daylight to the nearby properties on Summerfield Close.
- 9.13 The proposals would include the provision of a new driveway to serve the proposed dwelling. This will introduce the movement of vehicles to the rear of the site. Given the proximity of this driveway to the host property (No.34) it is considered that the proposal would result in loss of residential amenity to 34 Newmarket Road through noise and general disruption, resulting from vehicles accessing the site at the rear. Noise disturbance was also raised as an issue by Nos. 7 and 8 Summerfield Close, however, the proposed driveway would be separated by the rear gardens and it is therefore considered that there would not be an unacceptable noise impact to these dwellings.

Other matters

- 9.14 Minor inconsistencies between the floor plans and elevations were noted. Amended plans were submitted which corrected these anomalies.
- 9.15 Concerns were raised over the potential loss of hedges which currently provide screening between the host property and the properties at Summerfield Close. The Design and Access Statement states that all existing foliage will be retained if possible - this could be secured by condition.
- 9.16 Loss of current outlook/view was also raised in the neighbour consultation. However, the loss of a private view is not a material planning consideration and has not been considered in the determination of this application.

Summary

- 9.17 The Council disagrees with the applicant's assertion that the proposal follows the grain of existing developments in depth from Newmarket Road. As discussed earlier in this report, the existing small cul-de-sac developments off Newmarket Road do not provide a precedent for backland development as they were comprehensively developed and of a greater scale than the current proposal for an individual dwelling thus creating their own character.
- 9.18 It is considered that the proposed development would give rise to unacceptable impacts on the amenity of nearby residents. The scale of the proposal and its siting approximately 1.5m from the boundary with properties on Summerfield Close would create an overbearing presence and due to a lack of information, the local planning authority cannot be satisfied that there would not be an unacceptable loss of daylight to these dwellings. The proposal would also be detrimental to the residential amenity of No. 34 Newmarket Road due to the proximity of the proposed access and associated increase in noise and disturbance from vehicular movements and general disturbance associated with residential development in this backland location.
- 9.19 In addition, the unusual gabled roof (of which no similar examples exist within the street scene) would appear as a discordant feature that fails to protect and enhance the character of the area.

10.0 RECOMMENDATION

That the application be refused for the following reasons:

10.1 Reason 1

The form and character of the immediate street scene largely consists of semi-detached properties set back from the highway within spacious plots. Development in depth from Newmarket Road has been achieved through comprehensive development of a sufficient scale to create a new character within the street scene. The proposed development by virtue of the access arrangements and positioning on the site does not reflect this pattern, resulting in a contrived form of backland

development at odds with the character and appearance of the area. The proposal therefore fails to comply with policy EN2 of the Core Strategy 2009, policy ENV2 of the East Cambridgeshire Draft Local Plan (pre-submission version) 2013 and the Design Guide SPD 2012 which seek to ensure that development respects the character of the area and is of a scale and form which relates sympathetically to the surrounding area.

10.2 Reason 2

The proposed development would be detrimental to the residential amenity of Nos. 7 and 8 Summerfield Close due to its scale and siting approximately 1.5m from the boundary of the plot which would create an overbearing presence and unacceptable loss of daylight. The proposal would also be detrimental to the residential amenity of No. 34 Newmarket Road due to the proximity of the proposed access and associated increase in noise and disturbance from vehicular movements and general disturbance associated with residential development in this backland location. The proposal therefore fails to comply with policy EN2 of the Core Strategy 2009 and policy ENV2 of the East Cambridgeshire Draft Local Plan (pre-submission version) 2013 which seek to ensure that there are no significant detrimental impacts on the residential amenity of nearby occupiers.

10.3 Reason 3

The introduction of the unusual gabled roof of which no similar examples exist within the street scene would appear as a discordant feature that fails to protect and enhance the character of the area, contrary to policy EN2 of the Core Strategy 2009, policy ENV2 of the East Cambridgeshire Draft Local Plan (pre-submission version) 2013 and the Design Guide SPD 2012 which seek to ensure that development respects the character of the area.

11.0 **APPENDICES**

11.1 Appendix 1 – Sunlight Assessment

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Case File and history file 14/00488/FUL and 14/00155/FUL	Sarah Ratcliffe Room No. 011 The Grange Ely	Sarah Ratcliffe Planning Officer 01353 665555 sarah.ratcliffe@eastcambs.gov.uk

<http://pa.eastcambs.gov.uk/online-applications/>

East Cambridgeshire Local Plan – post-hearing work and proposed modifications

<http://www.eastcambs.gov.uk/sites/default/files/d%26t%20cttee%20report%20on%20post%20hearing%20work%2014apr14.pdf>

Core Strategy

<http://www.eastcambs.gov.uk/local-development-framework/adoption-core-strategy>

Draft Local Plan

<http://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan>