
MAIN CASE

Reference No: 15/00082/OUT

Proposal: Proposed construction of a two storey, two bedroomed dwelling

Site Address: 2 High Street Littleport Cambridgeshire CB6 1HE

Applicant: Mr Lloyd Bamber

Case Officer: Richard West Planning Officer

Parish: Littleport

Ward: Littleport East

Ward Councillors: Councillor David Ambrose Smith
Councillor Andy Wright

Date Received: 3 February 2015 **Expiry Date:**

[P246]

1.0 **RECOMMENDATION**

1.1 Members are requested to REFUSE the application for the following reasons:

1. The proposed dwelling, by reason of its cramped layout and inconsistent with the form and massing of the surrounding development, will have a detrimental impact on the visual appearance and character of the conservation area. Additionally, the extent of the impact on the visual appearance of the conservation area cannot be fully assessed due to a lack of plans which is essential given the location within the conservation area. The proposed dwelling is considered contrary to policies CS2, EN2 and EN5 of the Core Strategy 2009 and GROWTH2, ENV2 and ENV11 of the Draft Local Plan Pre-submission version (as modified).

In accordance with paragraphs 133 and 134 of the NPPF, the development is considered to have a 'less than substantial' impact on the conservation area and therefore should be weighed against the public benefits. There are considered to be minimal public benefits resulting from the development which do not outweigh the harm to the designated heritage asset.

2. The proposed dwelling, by reason of its construction on the rear garden land currently serving no.2 High Street and insufficient separation from the rear elevation of no.2 High Street, will result in no.2 High Street being left with a significantly smaller rear amenity space which is disproportionate to the size

of the dwelling with the remaining rear amenity space enclosed leading to an overbearing impact on both the amenity space and existing dwelling. It is considered the proposed dwelling will have a significant detrimental impact on the amenity of the occupiers of no.2 High Street which is contrary to policies CS2 and EN2 of the Core Strategy 2009 and GROWTH2 and ENV2 of the Draft Local Plan Pre-submission version (as modified).

2.0 SUMMARY OF APPLICATION

- 2.1 This application seeks outline planning permission with all matters reserved for the erection of a two storey, two bedroom dwelling.
- 2.2 Amended plans were received during the course of the application reducing the dwelling from a 3 bedroom house with a footprint of 43 sq m to a 2 bedroom house with a footprint of 42 sq m, re-siting the dwelling within the plot and widening the access.
- 2.3 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.**

3.0 PLANNING HISTORY

- 3.1 None applicable.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is located within the development envelope and conservation area of Littleport. The High Street comprises long and narrow plots with the buildings abutting the front of the site. In the immediate vicinity on Church Lane the buildings and plots vary in style but the buildings are set forward on the plots.
- 4.2 The application site comprises the rear garden and car parking area of no.2 High Street. The topography of the site is uneven with the existing garden area higher than street level. Boundary treatments around the site include a 1.2m (approx) high brick wall to the north. A 1.8m close boarded fence and 2m high brick wall to eastern boundary and a brick wall and gates fronting the Church Lane.
- 4.3 To the north of the application site is the car parking, amenity space and rear pedestrian access serving no.8 High Street. To the east is The Limes, a nursing home accommodating those with mental health issues; directly adjacent to the north eastern corner of the site is a courtyard area.

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.

Waste Strategy (ECDC) – no objection subject to informatives

CCC Highways – objected to the scheme as originally submitted. Following the widening of the access and removal of the gates the objection was withdrawn.

Trees Officer – The only tree potentially to be impacted is of limited value and no objection is raised.

Environmental Health – No objection subject to conditions

Cambs Historic Environment Team – The development has potential to impact on archaeological remains. There is no in-principle objection however a site investigation should be required.

Conservation Officer – The application would appear cramped and against the grain of development. Full plans should be submitted in order to allow officers to adequately assess the impact of the proposal on the conservation area. Consent should not be granted from a conservation viewpoint.

Cllr D Ambrose Smith – ‘called-in’ the application for determination at Planning Committee in the wider public interest and due to the location within the conservation area

Littleport Parish Council – no concerns

5.2 Neighbours – 4 neighbouring properties were notified and a site notice was posted on 17.02.2015. No responses were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Core Strategy 2009

| | |
|-----|------------------------|
| CS1 | Spatial Strategy |
| CS2 | Housing |
| CS4 | Employment |
| CS7 | Infrastructure |
| EN2 | Design |
| EN5 | Historic conservation |
| EN8 | Pollution |
| S4 | Developer contribution |
| S6 | Transport impact |
| S7 | Parking provision |

6.2 East Cambridgeshire Draft Local Plan Pre-submission version (as amended June 2014)

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|----------|--|
| GROWTH 2 | Locational strategy |
| GROWTH 3 | Infrastructure requirements |
| GROWTH 5 | Presumption in favour of sustainable development |
| HOU 2 | Housing density |
| ENV 2 | Design |

ENV 9 Pollution
 ENV 11 Conservation Areas
 ENV 14 Sites of archaeological interest
 COM 7 Transport impact
 COM 8 Parking provision

6.3 Supplementary Planning Documents

Design Guide
 Developer Contributions and Planning Obligations

6.4 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes
 7 Requiring good design
 12 Conserving and enhancing the historic environment

6.5 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 This application is for an outline planning permission with all matters reserved. The main issues in assessing this application are the principle of development and the impacts on the visual appearance and character of the conservation area, layout, amenity, highway safety

Principle of development

7.2 The application site is located within the development envelope of Littleport where residential development is supported through policies CS1 of the Core Strategy and GROWTH2 of the Draft Local Plan. Policies CS2 of the Core Strategy and GROWTH2 of the Draft Local Plan support the development of new dwellings provided there are no adverse effects on the scale and character of the area and all other material planning considerations are acceptable.

Visual appearance and character of the conservation area

7.3 The conservation area, in which the application site is located, is characterised by buildings set forward on their plots with long and narrow gardens to the rear, especially along High Street.

7.4 The proposed dwelling will be located in approximately the centre of the site with a shared turning space in front of the dwelling, tandem parking to the side and an amenity space to the rear. The plot (excluding the shared turning area) measures approximately 150 sq m which is well below the indicative plot size of 300 sq m as set out in the Council's Design Guide SPD. The rear amenity space measures approximately 50 sq m which is consistent with the Design Guide. Although the indicative plans show that the dwelling can provide sufficient amenity space and car parking provision other necessary space such as where bins will be stored has not been taken into account. It is considered that the dwelling will have a cramped appearance and goes against the grain and massing of development in the area.

- 7.5 The development involves the partial removal of the wall and the gates fronting onto Church Lane which will result in the new dwelling being clearly visible. The site has an uneven topography which rises to the rear of the site. It has not been specified as to whether the land will be lowered to accommodate the dwelling or if the access will be raised. Due to the visibility of the dwelling within the conservation area and uneven topography of the site, full plans should be submitted with the application to ensure the dwelling is suitably designed. However, full plans were not requested within one month of the date of the receipt of the application, in accordance with Part 3 paragraph 5.(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, as the applicant was informed that the application was being recommended for refusal on several grounds, some of which have been overcome through the submission of amended plans. However, the dwelling has the potential to have a detrimental impact on the conservation area which should be addressed at this stage and therefore the application should be refused.
- 7.6 The Tree Officer was consulted on the application and commented that the only tree to be impacted by the development is of limited landscape value. It is likely that the tree may require pruning to improve access of materials during the development however this is not stated on the plans. Any pruning of the tree will require permission given its protected status due to its location within the conservation area.
- 7.7 It is considered that the proposed dwelling, by reason of its cramped layout and contrary form in relation to the surrounding development will have a detrimental impact on the character of the conservation area. Additionally, the impact on the visual appearance of the conservation area cannot be assessed due to a lack of plans which is essential given the location within the conservation area. The proposed dwelling is considered contrary to policies EN2 and EN5 of the Core Strategy and ENV2 and ENV11 of the Draft Local Plan. In accordance with paragraphs 133 and 134 of the NPPF, the development is considered to have a 'less than substantial' impact on the conservation area and therefore should be weighed against the public benefits. There are considered to be minimal public benefits resulting from the development which do not outweigh the harm to the designated heritage asset.

Amenity

- 7.8 The dwelling is to be constructed on the rear garden land currently serving no.2 High Street. As a result of the development, no.2 will be left with a significantly smaller rear amenity space which, although exceeding 50 sq m, is not considered to be proportionate to the size of the dwelling. Additionally, the remaining rear amenity space will be enclosed by the new dwelling which will have an overbearing impact. The rear windows of no.2 will look onto the rear elevation of the proposed dwelling with a separation distance of 10m. Due to the limited separation distance it is considered that the proposed dwelling will have a detrimental impact on the amenity of the occupiers of no.2.
- 7.9 It is envisaged by looking at the indicative plans that the rear elevation of the proposed dwelling will have windows at first floor level. The windows will partially

overlook the rear amenity space of no.10 High Street and have direct visibility into the first floor window on the side elevation of no.10 which serves a landing. The impact of the overlooking is not considered to have a significant detrimental impact that would justify a refusal of planning permission as the window does not serve a habitable room.

- 7.10 The proposed dwelling will be constructed close to the boundary adjoining The Limes. The Limes has a small courtyard area in close proximity to the dwelling and is on substantially lower land due to the topography of the area. The proposed dwelling is likely to have an overbearing impact on the courtyard area. However, it is not considered that this will justify a refusal of planning permission as The Limes has substantial amenity space to the rear of the building. The indicative plans show that the proposed dwelling will have one window at first floor level fronting The Limes but this is identified as to be obscured glazed.
- 7.11 The proposed dwelling will provide an adequate level of amenity space to the rear for the occupiers. Environmental Health was consulted on the application and commented that a residential property is classed as vulnerable to the presence of contamination and therefore although there is no objection in-principle, contamination conditions should be attached to any permission.

Highway safety

- 7.12 The existing gates and part of the wall are to be removed resulting in the widening of the access. A shared turning space will be provided within the site. Car parking for no.2 will remain as existing and two car parking spaces for the new dwelling will be provided along the side of the dwelling. CCC Highways were consulted on the original plans and raised objection however this objection was withdrawn following the submission of amended plans which partially remove the wall and gates. CCC Highways have recommended conditions to be attached to any approval of planning permission. It is considered that the proposed development will not have a detrimental impact on highway safety and is in accordance with policies S6 of the Core Strategy and COM7 of the Draft Local Plan.

Archaeology

- 7.13 The site lies in an area of high archaeological potential, located approximately 100m south east of 14th century Saint George's and Saint John's Church (Historic Environment Record reference MCB14890). Located to the south and east of the proposed development area is evidence of Prehistoric to Post Medieval occupation (MCB16792, MCB16277). During 2007, approximately 90m south east of the application area an archaeological evaluation unearthed important remains pertaining to the development of early Post Medieval Littleport (ECB2699).
- 7.14 Cambs Historic Environment Team were consulted on the application and commented that they have no in-principle objection to the proposed development however a programme of archaeological investigation prior to development should be ensured through the use of a planning condition. It is considered that, subject to a programme of archaeological investigation, the proposed development will not have a detrimental on archaeological remains in accordance with EN5 of the Core Strategy and ENV14 of the Draft Local Plan.

Conclusion

- 7.15 The application site is located within the development envelope where residential development is acceptable in accordance with policies CS1 and CS2 of the Core Strategy and GROWTH2 of the Draft Local Plan provided there are no adverse effects on the scale and character of the area and that other material planning considerations are satisfied.
- 7.16 The impact of the proposed development on the visual appearance and character of the conservation area has been assessed and it is considered there will be a detrimental impact that would justify a refusal of planning permission due to a cramped layout and contrary form and massing in relation to the surrounding development and lack of full plans to assess the extent of the impact. The development is considered contrary to policies EN2 and EN5 of the Core Strategy and ENV2 and ENV11 of the Draft Local Plan.
- 7.17 The impact of the proposed development on the residential amenity of the occupiers of no.2 High Street has been assessed and it is considered that the proposed dwelling will have an overbearing impact on the properties residential amenity. Additionally, the size of the remaining rear amenity space will be disproportionate to the size of the dwelling. It is considered that the proposed dwelling is contrary to policies EN2 of the Core Strategy and ENV2 of the Draft Local Plan.
- 7.18 The impact of the proposed development on the amenity of other neighbouring properties (excluding no.2), highway safety and archaeology has been assessed and it is considered there will not be a detrimental impact.
- 7.19 However, due to the detrimental impacts on the visual appearance and character of the area and neighbouring amenity at no.2 it is considered that the proposed dwelling is contrary to policies CS2, EN2 and EN5 of the Core Strategy and GROWTH2, ENV2 and ENV11 of the Draft Local Plan and there is an in-principle objection.

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|------------------------------------|---|---|
| 15/00082/OUT case file | Richard West Room No. 011 The Grange Ely | Richard West Planning Officer 01353 665555 richard.west@eastcambs.gov.uk |