



OFFICER REPORT

Application Number: 16/01570/FUL

Proposal: Erection of a single storey dwelling with a detached double garage.

Location: Land Rear Of 19 Main Street Little Thetford Ely Cambridgeshire CB6 3HA

Applicant: Mr Andrew Simpkins

Agent: Binney And Sims Design

Case Officer: Tom O'Connor

The Application:

Full planning permission is sought for a 'backland' residential development consisting of 1 x single storey detached dwelling with detached garage located to the north west of the existing dwelling at 19 Main Street within its former substantial curtilage of 3,605sqm and to the immediate north west of this dwelling.

The proposal consists of the erection of a single storey dwelling occupying a square footprint of 324 sqm (18 x 18m) 'Eco' dwelling, 4m high with a flat roof covered in a waterproof membrane with a centrally located rectangular roof lantern serving the atrium and Koy-pond located directly below. External finishes would consist of rendered finish walls with aluminium windows and doors. Location of the dwelling and its window and door openings would be some 5m distant from the boundary fence with the dwelling at 21 Main Street which occupies an elevated position in relation to the application site.

The proposed dwelling would be located some 15m to the north of the rear curtilage of the existing dwelling at 19 Main Street and in excess of 30m to the north east of any of the rear elevation windows of this dwelling. A detached double garage with a 44sqm footprint and heights of 2.4m to the eaves and 6.2m respectively would be erected in a vehicle parking and turning area located between the curtilage of the existing dwelling at No.19 and the front elevation of the proposal.

Access would be affected by a 5m wide x 30m long driveway from Main Street past the existing house and onto the site. Details of construction of the access onto the highway would be subject to any planning permission that may be granted.

Details of boundary treatments would need to be established by condition except for the existing boundary between dwelling with No.21 Main Street which is already demarcated by an existing 2m high close boarded timber fence located on ground which is elevated by some 630mm above the floor level of the proposed dwelling

Including, the garaged provision, the application would provide for off street parking for up to six vehicles with open areas constructed of a hardstanding surfaced with SUDS compliant bound gravel.

Relevant Plans:

Plan Reference	Version No	Date Received
206/6 FENCE VIEW		23rd December 2016
206 GROUND LEVEL		23rd December 2016
206/6 SECTION		23rd December 2016
206/6 LEVELS		23rd December 2016
206/6 PP		14th November 2016
206/6 SPLP		14th November 2016
206/6 PE		14th November 2016
206/6 PG		14th November 2016

The Site and its Environment:

Though the proposed development is predominantly 'backland' in its character, the wider locality is already characterised by infill development to the east of the site particularly 23A Main Street nearby to the east and also 1 – 3 Chapel Close, some 50m further to the east. As indicated below, this site already benefits from a full planning permission (for the erection of a more conventionally designed two storey dwelling on land immediate to the (14/00158/FUL) south of the present plot. Located within the development envelope of the village, the site is set behind the building line of the street

Planning History:

14/00158/FUL	Construction of 1no. Four bedrooms, two storey detached dwelling, garage and associated works and extensions and modifications to existing dwelling.	Approved	11.09.2014
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Replies to consultations:

The Ely Group Of Internal Drainage Board - Object until further details on surface water discharge are provided;

Ward Councillors – Cllr Hunt wishes to be kept informed of developments on this application.

Chair of Planning Committee: Is content for this matter to be dealt with by Officers under delegated powers provided none of the district councilors call the matter in.

Parish – No objection

Local Highways Authority - no objection – access and visibility splays to be conditioned

CCC Growth & Development - No Comments Received

Senior Trees Officer - No Comments Received

Waste Strategy (ECDC) - Informative

Natural England - no comments

Senior Trees Officer - No Comments Received

The Planning Policy Context:

This application was advertised in the Cambridge Evening News of 8th December 2016 and later by a Site Notice posted on a street pole close to the site on 12th December 2016. Four neighbour letters were also sent and letters and emails objecting to the proposal were received from one neighbour. A synopsis of the reasons for objection can be summarised as follows.

- Overlooking of their dining room bay window; kitchen windows and rear garden amenity area from the side elevation windows of the proposed development facing onto their property.
- Concern that the finished floor levels would allow for overlooking of their property from both its main and secondary windows;
- Size of the windows proposed;
- Maintains that the ground levels along their boundary drops away by some half a metre and concern that side windows and doorway would sit some 900mm above the top of their existing fence level
- Suggest a redesign of the development to reduce overlooking of their property;
- Landscape details required.

One letter of support has been received from a local resident

East Cambridgeshire Local Plan 2015

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

Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide
Cambridgeshire Flood and Water

National Planning Policy Framework 2012

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

Planning Comments:

A smaller village settlement some 3 miles to the south of Ely, Little Thetford has no specific land allocation for dwellings and, it is considered to be a village that would continue to grow at a slow rate by ad hoc development of sustainable infill sites that can be identified within this built-up part of the village. Compliance with Local Plan Policy GROWTH 2 is set as a requirement for any development located outside of this envelope.

As an overview, this Council is currently no longer 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 therefore 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.

In respect of this application however, the site is located both within the settlement envelope of the village and also benefits, in part, from a full planning permission for a dwelling located to the rear of the existing dwelling (14/00158/FUL) granted on 12th September 2014. As such, the principle of residential development on this site is established by the still extant full permission for a dwelling, similar in scale though somewhat different in design, as well as being supported by and in full compliance with Council policy.

Geographically, the site is located at the eastern end of the village, within its settlement limits but would not be readily visible from the Main Street being set back from the street behind existing buildings.

Located further into the rear curtilage than the previously approved dwelling the proposal would be parallel with the side and rear additions of the dwelling at 21 Main Street, the boundary fence of which is located some 5m distant from the closest elevation of the proposed dwelling.

The occupants of No.21 had previously raised concerns with regards to overlooking of their rear bay window and other private areas to the rear from the living room window, other windows and glazed door located on the eastern elevation of the building. The neighbour has been in direct discussion with both the planning officers and, on this basis, the applicant has produced additional drawings to better inform the spatial relationship between the two buildings. These indicate a substantial difference in levels between the sites demonstrating that the ground level of No.21 is some 630mm above the application site and this; together with the intervening 2m high close boarded boundary fence, are sufficient to prevent any material loss of residential amenities of either site by mutual overlooking. With the proviso that the upper glazing to the east elevation side door be obscured, this additional information was sufficient to allay the neighbours fears and for him to not to process his concerns any further.

Distances between the dwellings to the south and south west are in excess of some 25m distant across curtilages with mature rear garden landscapes sufficient to prevent any loss of amenity through overlooking

Though the development is substantially different in terms its design and scale to that previously approved (14/00158/FUL) the flat roof design with central opening to serve an atrium and large window are indicative of the design techniques employed to reduce energy usage and heat loss. The house would use a solar powered hot water system and battery backed solar PV system which together with the use of triple glazing throughout and high levels of internal insulation of walls and roof, would require no central heating to be installed but instead rely only on a single sustainably sourced wood burner as its sole source of heating during the coldest of weather. Overall the scale and design of the dwelling within its orchard curtilage would have no discernible additional impact upon the local character of the built landscape.

Off Street Parking for up to 6 vehicles would be provided in both the proposed double garage and hardstanding area to be located to the south of the house and sufficient to satisfy the Council's Design Guide in this respect. The design of the brick built garage would be conventional with a double pitched tiled roof providing the dwelling with additional storage space.

Vehicular access would be provided, as before, by a 5m wide driveway along the site of the existing property at No.19 and leading to Main Street, Though provided in respect of the previous approval, in this instance and therefore proven to be possible, details of the formation of the junction of this access onto the highway together with pedestrian and vehicular splays have been omitted and would therefore need to be conditioned.

As already indicated the site is both within the development envelope and well positioned in respect of the remainder of the village; is sited close to other residential dwellings some of which are backland in their location and; is therefore considered to be acceptable location for development. The benefits of this application are considered to be the provision of an additional dwelling which would be built to modern 'Eco' sustainable building standards; provide a positive contribution to the local and wider economy in the short term through construction work and; make a contribution, albeit small, towards this Councils five year housing land supply.

Facilities within the village are limited. However the site is part of an established village community close to easily accessible to the main service centre at Ely by road and is where schools transport links as well other services such as shops and surgeries to meet everyday needs are all available and already supported by the villagers. This small proposed development would not alter this balance and, as such, would constitute a sustainable form of development in terms of Policy GROWTH 5 of the Local Plan (para.14 of the NPPF) as well as complying in large part with the requirements of Section 8 of the NPPF in contributing to the promotion of healthy communities.

With adequate hard boundary finishes conditioned as well a landscaping scheme that can effectively augment screening of the site; there would be no significant adverse material impacts upon the residential amenity of any nearby property in accordance with the requirements of Policy ENV2 of the Local Plan in respect of residential amenity.

As the site will be reliant on utilizing an existing access onto the highway the Highways Officer has raised no objections to the proposal subject to conditions in respect of providing both pedestrian and vehicular visibility splays. It is therefore considered that the proposed development accords with Policies COM7 and COM8 of the East Cambridgeshire Local Plan.

The site is located wholly within an area identified by the Environment Agency Flood Map as being of low risk of flooding (Flood Zone 1) and therefore there is no requirement for sequential testing (para 102 of the NPPF) for the development of this site.

As this application is for a particularly sensitive end use (residential), it is recommended that conditions are appended to any grant of planning permission requiring a contamination assessment to be submitted to and agreed by the Local Planning Authority prior to commencement of any development and also to address any unexpected contamination which may be found when carrying out the development.

On balance, it is considered that the development would comply fully with the requirements of Council Policy. Also, the benefits of the proposal would outweigh any adverse effects. The proposal is therefore recommended for approval in accord with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.

RECOMMENDATION:

Approve

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

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206/6 FENCE VIEW		23rd December 2016
206 GROUND LEVEL		23rd December 2016
206/6 SECTION		23rd December 2016
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- 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 No above ground construction shall take place on site until details of the walls; roof, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development 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 Cambridge shire Local Plan 2015.

- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;

(iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimized, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-

commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimized, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 6 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 6 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015
- 7 A Landscaping scheme that includes details of boundary treatment; trees to be retained, removed or planted on site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Landscaping of the site shall be undertaken wholly in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees or shrubs that are removed die or become, in the opinion of the LPA, seriously damaged or defective within a period of 5 years of planting shall be replaced with specimens of a similar size and species as originally required.
- 7 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 No development shall take place until there has been submitted to and approved in writing by the local planning authority a detailed plan indicating the existing and proposed site levels. The development shall be carried out in accordance with the approved details
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 The development hereby permitted shall not be commenced until such time as a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- 9 Reason: To ensure a satisfactory method of surface water drainage and to prevent pollution of the water environment in accordance with the requirements of policies ENV8 and ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted

- 10 No site preparation or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

- 10 Reason: In the interests of highway safety and the avoidance of on-street pollution in accordance with Policies COM7 and ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 11 During the construction phase of the development construction work and deliveries to the site shall be restricted to the following times:

08:00 - 18:00 each day Monday - Friday
08:00 - 13:00 on Saturdays and
None on Sundays, Bank Holidays or Public Holidays

- 11 Reason in the interests of protecting the amenities of nearby residents in accordance with the requirements of policy ENV2 of the East Cambridgeshire Local Plan

- 12 Prior to the commencement of the development, details of the layout of the vehicular access to the site together with both pedestrian and vehicular visibility splays shall be submitted to the Local Planning Authority for its approval and agreed in writing by this Authority. The vehicular access shall then be constructed in accordance with the approved details and be ready for use prior to the first occupation of the dwelling. The vehicular and pedestrian visibility splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

- 12 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This condition is prior to commencement as these details need to be agreed before construction begins.

- 13 No unbound material shall be used in the surface finish of the driveway within 6m of the highway boundary of the site.

- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 14 Notwithstanding the provision of Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending or re-enacting that order), no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority

- 14 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 15 The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
- 15 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 16 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 16 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 17 The vehicular access, where it crosses the public highway, shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- 17 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
18. The upper glazed panel to the door to be installed in the east elevation shall be obscure glazed and shall remain so in perpetuity.
18. Reason: In the interests of protecting the amenities of nearby residents in accordance with the requirements of policy ENV2 of the East Cambridgeshire Local Plan

Signed and dated:

TOC 10/9/17
Case Officer

Bh
Planning Manager
10-1-17

