

Application Number	08/1491/FUL	Agenda Item	10.2
Date Received	3rd November 2008	Officer	Mrs Angela Briggs
Target Date	29th December 2008		
Ward	Queen Ediths		
Site	5 Magnolia Close Cambridge Cambridgeshire CB1 9TU		
Proposal	Erection of one dwelling (following demolition of existing).		
Applicant	Mr & Mrs French 5 Magnolia Close Cambridge Cambridgeshire CB1 9TU		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 5 Magnolia Close is situated in a short cul-de-sac that is south of and takes access from Blinco Grove. The cul-de-sac takes a sharp turn to the east just behind houses on the Blinco Grove frontage. There are six bungalows in the cul-de-sac: two (1&2), at the head of the cul-de-sac, beyond the end of the road and with their ridges at 90degrees to the street; two (3&4), on the southern side of the street, with their ridges parallel with the street; one (6), set back in what were the back gardens of the two houses immediately west of the junction of the Close with Blinco Grove and quite well screened from the street by planting; and the application dwelling (5), which stands in the biggest plot, at an angle to the street, with its ridge creating a link between the ridges of 4 and 6.
- 1.2 The site is clearly visible through the gap in the Blinco Grove frontage created by the Magnolia Close access. The angle at which the application bungalow is set provides a front garden space, with shrub planting on the front boundary. There is a single, flat-roof garage that is detached from the house, but square on to the road and attached to the neighbouring garage (4). An existing access from the Close serves the property and is shared by the occupiers of 4. The boundaries of the site include both close-boarded fencing and some small trees and

shrubs, although part of the boundary with 6 is formed by the gable end wall of 5, which has been extended out to the boundary. The bungalows appear to have been constructed in the late 1950's/early 1960s and are all of similar design and materials.

- 1.3 Each dwelling in the Close has been adapted. Most of the properties have either extended the original accommodation by adding roof extensions (dormers, rooms in the roof) or by expanding the original dwelling within the curtilage of each plot. 6 Magnolia Close, to the west of the site, has two dormer windows which face south over their own rear garden area, away from the site. The road is relatively narrow and as such the character of the Close, in my opinion, is quite intimate and low-level.
- 1.4 The surrounding area is predominantly residential, and dominated by 2-storey buildings, though there is the nearby Morley Memorial Primary School on Blinco Grove and a little to the north, a mix of residential, retail and commercial on Cherry Hinton Road.
- 1.5 The site is not situated within a Conservation Area and falls outside of the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The full application proposes to totally demolish the existing bungalow, including the detached garage, and construct a new, modern 'eco-friendly' dwelling and garage.
- 2.2 The proposed building will have a T-shaped footprint at ground floor level and will comprise:
 - i) the broader (8.2 m wide) 'head' of the T is aligned to be parallel with but slightly off the driveway to no. 6. The front elevation will be rendered at either end with vertical timber cladding between – the side wall facing no.6 will be rendered;
 - ii) to the front of the 'head' of the T is a freestanding wall 2.2 metres tall and 3.3 metres wide which is to be rendered with a metal screen section in the middle.
 - iii) above the 'head' of the T, but at a slight angle to the ground floor footprint, is a shallow roof which widens from 4.8

metres at the front to 5.5 metres at the rear, and rises from about 3.2 metres at the front to just less than 6 metres above ground level 16 metres back into the site, from where it falls very slightly towards the rear between parapet walls. The roof slope will be patinated zinc of a dark grey colour and the side walls will be a vertical rain screen timber cladding of variable width.

- iv) at 90 degrees to the 'head' of the T, extending across the site to the boundary with and towards the flank of no. 4, is a narrower (about 5.3 metres wide – but slightly deeper at the back of the garage) single-storey wing with a kitchen, utility room, access to the garden and garage (the plans of which have been slightly amended to meet the requirements of the highway authority). The front of the kitchen/utility room wing is a 5 metre high rendered wall, behind which is a lean-to roof where rooflights and solar thermal panels will be mounted. The accesses to the rear garden and garage and their immediate surrounds are horizontal timber cladding, and the remainder of the front of the garage is to be rendered. The rear of this wing is to be rendered.

2.3 The curve of the road means that the house would stand about 8 metres back from the highway at the closest point to the driveway to no.6, 1.8 metres back at the north-eastern corner of the main block, and 5.2 metres back from the highway at the north-east corner of the garage.

2.4 The application is accompanied by the following supporting information:

- 1. Design and Access Statement

3.0 SITE HISTORY

3.1 None relevant to this site.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	No

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 Delivering Sustainable Development (2005):

Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 Planning Policy Statement 3 (PPS 3) Housing:

Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

5.4 PPG13 Transport (2001): This guidance seeks three main objectives: to promote more sustainable transport choices, to

promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.5 PPS22 Renewable Energy (2004): Provides policy advice to promote and encourage the development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.

5.6 Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.7 Circular 05/2005 - Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

5.8 East of England Plan 2008

SS1 Achieving sustainable development
T14 Parking
ENV7 Quality in the built environment
WM8 Waste management in development

5.9 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

5.10 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context

3/7 Creating successful places
3/11 The design of external spaces
3/12 The design of new buildings
5/1 Housing provision
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

5/14 Provision of community facilities through new development
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.12 Material Considerations

Cambridge City Council (2004) – Planning Obligation Strategy: Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No Objection: Dimensions of the proposed garage should be a minimum of 3m x 6m excluding any storage areas, and shown on the plans.

Head of Environmental Services

- 6.2 No objection subject to a condition to control the hours of demolition and construction.

Principal Arboricultural Officer

- 6.3 The existing trees should not constrain the development.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

Object:

3 Magnolia Close
130 Blinco Grove
6 Magnolia Close
4 Magnolia Close (via telephone, resident unable to submit written objection)
45 Cavendish Avenue

Support:

22 Hills Avenue
3 Langham Road
34 Blinco Grove

- 7.2 The representations can be summarised as follows:

Oppose:

Proposed dwelling is out of character with the rest of the dwellings along Magnolia Close;

Loss of privacy and light to the rear garden of 130 Blinco Grove due to the proposed dwelling coming closer to the boundary;

The proposed dwelling would be too dominating within the street scene

A larger dwelling would result in more traffic movements and further congest the Close and Blinco Grove especially during school times.

The proposed dwelling would severely overlook the property at 45 Cavendish Avenue.

Support:

The proposed dwelling would make a positive contribution to the protection of the environment;

The proposed dwelling would be a considerable improvement on the existing property. The inclusion of sustainable features will make it a 'Green' house and a fine example of future housing standards.

The proposed dwelling seems to tick all the ecological boxes and should please the government targets on green house gas emissions.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Car and cycle parking
5. Third party representations
6. Planning Obligation Strategy

Principle of Development

8.2 The principle of housing development is generally supported by the aims and objectives of PPS1, PPS3 and policies contained

within the Cambridge Local Plan. The development of environmentally friendly residential development is also encouraged and supported through the principles of the Local Plan to help minimise CO₂ emissions.

- 8.3 Policy 1/3 of the Local Plan is particularly relevant as this seeks all development to be sustainable and to respect the surrounding environment through careful design and layout.
- 8.4 The application would not result in the loss of a residential property; it seeks to retain the housing stock. The site is not situated within the Conservation Area, nor is the existing property a Listed Building. Therefore, given that there is no statutory protection on either the building itself or its immediate environment, that would otherwise warrant further consideration of its impact upon the area.
- 8.5 I am of the view that the loss of the existing bungalow and its replacement with a new dwelling is, in principle, acceptable and in accordance with policy 1/3 of the Local Plan.

Context of site, design and external spaces

- 8.6 In terms of context, the proposed dwelling will unquestionably differ from the existing architectural style of Magnolia Close, which is pretty much 'of a piece' in terms of the original design approach. While in character with itself, it was not, when built, in context with what is around it and that has not changed. However, given the location of the site within the Close, with no. 6 rather set away from the other houses, and behind houses in Blinco Grove, and no.5 rather anomalous already (because of its angle to the street and front garden area and it having a clearer relationship with Blinco Grove than any of the other houses), I think a new building form could be introduced which would still leave the four most similar houses (1-4), as an entity. In principle, therefore, I have no objection to the replacement of the existing house with a new dwelling and I think that a contemporary design could help to lift the residential quality of the locality by creating something distinctive from the other dwellings in the Close, and adding interest when seen through the gap from Blinco Grove.
- 8.7 The existing dwelling is visible as one passes the opening to Magnolia Close and the new dwelling would be more visible

because it is to be set further forward in the plot and includes lighter materials. The proposed building in its rather more prominent position with the broader 'head' of the T set parallel to but slightly off the driveway of No.6, would in my view be acceptable. Policy 3/4 of the Local Plan expects development to respond to its context and draw inspiration from the key characteristics of their surroundings to create distinctive places. While the existing development can be considered to reflect some of what is around it, it is, as I have outlined above, atypical in certain ways and I see what is now proposed, by being set forward in the site, as doing more to respond to the street and to lift the gap into Magnolia Close and achieve other objectives of the Plan and central government guidance by creating a dwelling that will be positive and distinctive and of good design. In my view, the loss of the garden space to the front of the existing property, as a result of bringing the proposed dwelling forward, would not be detrimental to the character of the area, particularly as the space is not part of a larger landscape that would otherwise benefit the public.

- 8.8 In terms of the design, there are three distinctive elements: the main block and its slightly out-of-alignment, long, shallow sloping roof, close to the western boundary of the site, which rises to a maximum 5.95m at its highest point, towards the rear of the building; the kitchen 'front wall'; and the use of a mix of materials to help add interest and to identify roles. The mass of the building is very different from what exists because of the shape of the proposal, but is only 125mm taller than the existing dwelling and has a 'ridge' which, at 5.5 metres long, is much narrower than the existing 14.2 metre long ridge and only a little closer to the road than the existing ridge. The front of the building has been brought forward by approx 13m (when measured along the boundary with No.6), but much less than that toward the garages and no.4 because of the existing positions of house and road. The proposed dwelling would be constructed 1m off the boundary with No.6 which aligns the proposal very much with the entrance into the Close from Blinco Grove. A new boundary treatment is proposed with 6 Magnolia Close, consisting of a 1.8m high close-boarded fence. A condition can be part of the planning permission to ensure that the details of the boundary treatment are submitted, prior to the commencement of development, should the application be approved. This will also help to alleviate security concerns about the potential gap between No.5 and No.6 that would be

created as a result of the demolition of the existing dwelling. Undoubtedly, the design of the proposed dwelling will be significantly different to the others along the Close, however in terms of scale, it would not be dissimilar to the dwellings adjacent and I think can add something positive at the entrance to the Close, while leaving the other houses beyond this point with a retained identity.

- 8.9 The Design and Access Statement clearly confirms the applicant's commitment to the environmental objectives of the Council. The building is being designed to have an improved performance of at least 50% (with an aspiration to achieve equivalent Code for Sustainable Homes Level 5 DER) over the Target Emission Rate as defined by the current edition of the Building Regulations. High levels of insulation, together with an airtight construction, prefabrication, controllable whole house ventilation with heat recovery, good levels of natural lighting together with other features should allow this aspiration to be realised.
- 8.10 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

- 8.11 Whilst the contemporary design approach may give the impression that it is higher than the existing, the actual increase in height, in my opinion, is minimal and would not warrant refusal of the scheme on this basis alone. There are small round port hole windows on either side elevations of the proposed dwelling that are intended to provide light into the Master bedroom at first floor level and the landing area. Seven of these port hole windows would face east and approx 14m away from the nearest neighbouring property being No.4 which has two ground floor windows along the gable end, both of which are obscurely glazed. Given that the proposed port hole windows along are intended to provide some additional light only, in my opinion, it would be reasonable to include a condition that requires these windows to be fixed and obscure, to minimise any perceived over-looking into No.4's private amenity space, though I think that would be limited in any case. Three further porthole windows face west and towards No.6's driveway and the rear garden of 130 Blinco Grove. Although

these serve a stair I again think that there is benefit in imposing a condition requiring obscure glazing to avoid perceptions of overlooking of the garden.

8.12 By bringing the proposed dwelling forward towards the Close, a larger amenity area will be created to the rear. It would also mean the dwelling would be further away from the rear boundary, beyond which are the rear gardens of 45 and 47 Cavendish Avenue. The rear gardens to these Cavendish Avenue properties are approx 38m long to their rear boundary and with the rear of the proposed house itself more than 12 metres from the common boundary, I do not consider that the proposed dwelling would have a detrimental impact on the reasonable residential amenities of these properties. The distance between them, is well in excess of the 20m rule of thumb that is generally accepted between windows. The existing boundary treatment along the rear boundary of the site is somewhat sporadic and the plans indicate that a small tree is decaying which means that eventually this will probably have to be removed. There are other trees of similar age, but of better quality, and they would be able to sufficiently help to screen along here. As they are deciduous, though, it can result in interrupted views towards the gardens of 45 and 47 Cavendish Avenue. However, if approved, a condition can be appended to require that this boundary be re-inforced with more appropriate planting that will be more effective. The front garden area is proposed to be landscaped to soften the entrance to the development.

8.13 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7, East of England Plan (2008) policy ENV7, Cambridge Local Plan (2006) policies 3/4 and 3/7.

Car and Cycle Parking

8.14 The scheme proposes a single garage against the side boundary with No.4 providing 1 car parking space, in accordance with the Council's car parking standards of 1 space for dwellings up to two bedrooms, outside of the Car Parking Zone. The Local Highway Authority were concerned with the internal dimension of the garage and asked the agent to demonstrate that the internal dimension achieved their standard

of 3m x 6m. Amended plans have been received demonstrating that this can be achieved and at the time of writing a copy of the plans are with the Local Highway Authority for further comment. Any further comment from the LHA will be either reported on the amendment sheet or reported orally at Committee. The garage is also proposing to accommodate two cycle spaces, which accords with the Council's cycle parking standards of 1 space per bedroom (up to 3 bedroom dwellings).

- 8.15 In my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.16 Letters of both objection and support have been received. I have taken their comments into consideration and have sought to address their concerns in the above sections.

Planning Obligation Strategy

- 8.17 There are no S016 requirements in relation to this application as the application proposes to replace an existing dwelling with no additional bedrooms.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed development, in my view, accords with the aims and objectives of the policies of the Local Plan and would help to lift the quality of the locality and therefore the application is recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

4. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. The port hole windows at first floor level on both of the side elevations shall be fixed and obscure glazed, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the reasonable residential amenity of the neighbouring property, No.4 Magnolia Close (Cambridge Local Plan Policies 3/7 and 3/12, East of England Plan 2008 Policy ENV7)

INFORMATIVE: The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 8/6, 8/10

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

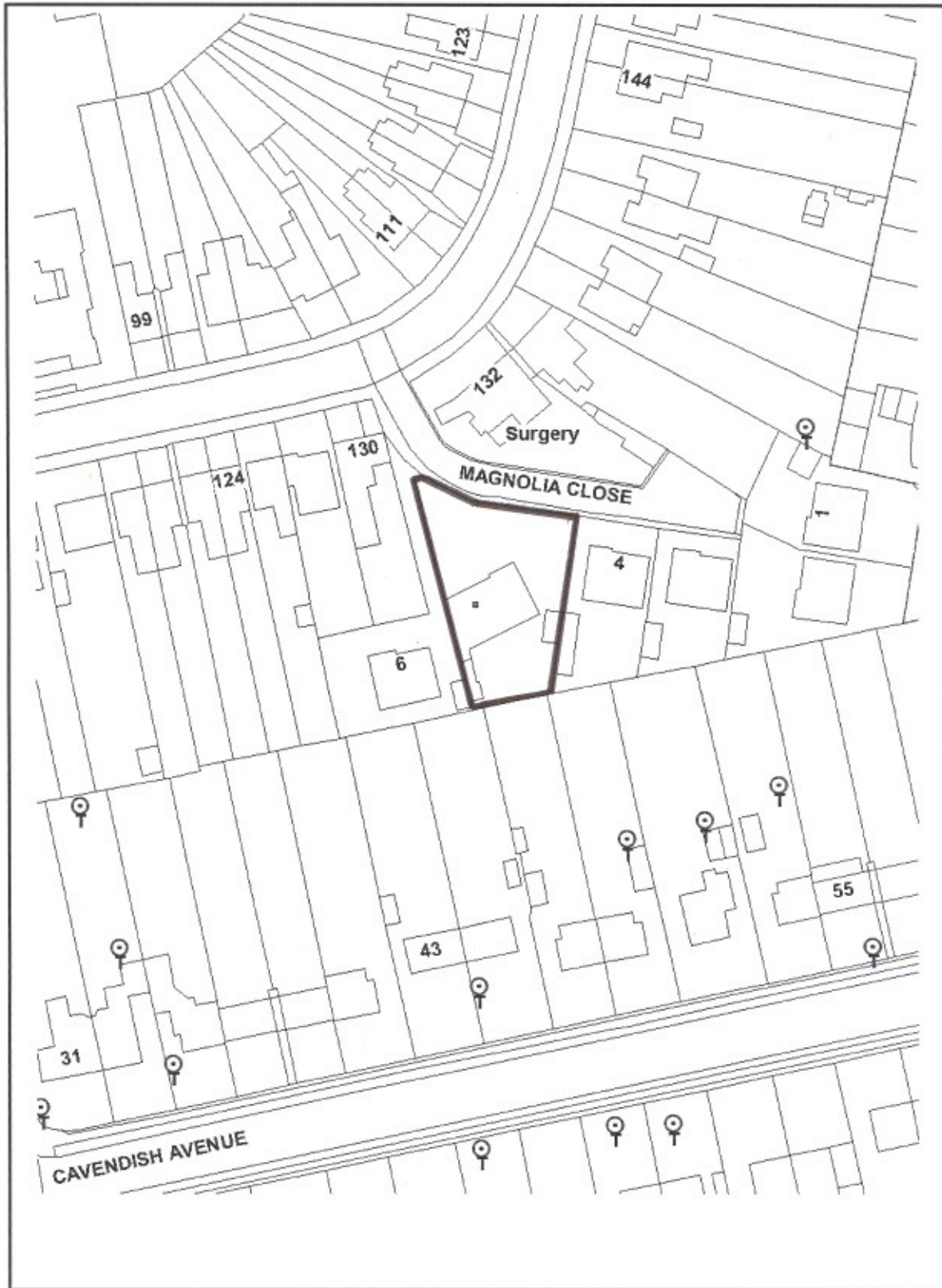
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.

10.2



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