



NORTH AREA COMMITTEE



AGENDA

To: City Councillors: Pitt (Chair), Tunnacliffe (Vice-Chair), Abbott, Boyce, Bird, Brierley, Gawthrope, Kerr, O'Reilly, Price, Todd-Jones and Ward

County Councillors: Manning, Onasanya, Sales and Scutt

Dispatched: Wednesday, 13 November 2013

Date: Thursday, 21 November 2013

Time: 6.30 pm

Venue: Shirley Primary School, Nuffield Road, Cambridge CB4 1TF

Contact: Toni Birkin

Direct Dial: 01223 457013

PLANNING ITEMS

1 APOLOGIES FOR ABSENCE Committee Manager

2 DECLARATIONS OF INTEREST (PLANNING) Committee Manager

Members of the committee are asked to declare any interests in the items on the agenda. In the case of any doubt, the advice of the Head of Legal Services should be sought **before the meeting**.

3 MINUTES (*Pages 7 - 12*)

To agree the minutes of the meeting of the 3rd October 2013 as a correct record. (*Pages 7 - 12*)

4 PLANNING ITEMS City Development Manager

The applications for planning permission listed below require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting.

Planning Items

- 4a 13/1363/FUL - 49 Arbury Road Planning Officer (*Pages 23 - 72*)
- 4b 13/1478/FUL - 99 Green End Road (*Pages 73 - 86*)

Meeting Information

Public Speaking on Planning Items

Area Committees consider planning applications and related matters. On very occasions some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

Members of the public who want to speak about an application on the agenda for this meeting may do so, if they have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the working day before the meeting.**

Public speakers will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

For further information on speaking at committee please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Further information is also available online at

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

The Chair will adopt the principles of the public speaking scheme regarding planning applications for general planning items and planning enforcement items.

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings. If you have any feedback please contact Democratic Services on 01223 457013 or

democratic.services@cambridge.gov.uk.

Representations on Planning Applications

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

Submission of late information after the officer's report has been published is to be avoided. A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report.

Any public representation received by the Department after 12 noon two working days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision- making.

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A loop system is available on request.

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Queries reports

on If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

General Information

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NORTH AREA COMMITTEE3 October 2013
6.00pm - 7.07 pm

Present: Councillors Pitt (Chair), Tunnacliffe (Vice-Chair), Abbott, Boyce, Bird, Brierley, Gawthrop, Kerr, O'Reilly, Price and Ward

Officers:

City Development Manager: Sarah Dyer
Committee Manager: Glenn Burgess

FOR THE INFORMATION OF THE COUNCIL**13/63/NAC Apologies for Absence**

Apologies were received from Todd-Jones.

13/64/NAC Declarations of Interest (Planning)

Councillor	Item	Interest
Pitt	13/66c/NAC	Personal: Executive Councillor responsible for allocating the grant to fund the extension. Whilst not a prejudicial interest, Councillor Pitt decided to not take part in the discussion or the vote.

13/65/NAC Minutes

The minutes of the 1 August meeting were approved and signed as a correct record.

13/66/NAC Planning Items

13/66a/NAC 13/1050/FUL - 28 Elmfield Road

The Committee received an application for full planning permission.

The application sought approval for a two storey rear extension to existing house and conversion to 2 (2 bed) flats.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

13/66b/NAC 13/1081/FUL - T Harmer Garage, Corona Road

The Committee received an application for full planning permission.

The Case Officer highlighted the following minor correction to Condition 6 of the officer's report (deletion ~~struck through~~):

The rooflight above the sleeping platform on the western roof slope shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall be fixed shut, and shall be retained as such thereafter.

The application sought approval for the conversion of redundant vehicle workshop into 1 no single bed dwelling.

The Committee received a representation in objection to the application from Dr Wei Sun.

The representation covered the following issues:

- i. As the driveway was a right of way, occupants could not park a car along it as it would block the rear gardens of the houses on Victoria Road.
- ii. Concern over access for emergency vehicles.

Mr Sewell addressed the Committee in support of the application.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, subject to amendment of condition 6 to remove '(of the extension)' and completion of s106 Agreement by 31 January 2013, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

13/66c/NAC 13/1238/FUL - Community Hall at St Andrews Hall

In the absence of Councillor Pitt, Councillor Tunnacliffe Chaired this item.

The Committee received an application for full planning permission.

The application sought approval for a single storey front extension with covered walkway and first floor rear extension of existing community hall

Mr Tristan Rees-Roberts and Mr Michael Bond addressed the Committee in support of the application.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers, and subject to the following additional Informatives:

The applicant's attention is drawn to the comments of the City Council's Access Officer:

- There should be a hearing loop in the annexe
- The door should be 900 mm minimum width
- The toilet doors should slide or open outwards
- There should be a good colour contrast and signage for visually impaired users.

The Council requests that consideration be given to these issues as the scheme progresses to implementation.

13/66d/NAC 13/0667/FUL - Land to the rear of 10 De Freville Avenue

The Committee received an application for full planning permission.

The application sought approval for the erection of 1 no. 3 bed dwelling house (following the demolition of the existing out building)

The Committee received a representation in objection to the application from Dr David Brown.

The representation covered the following issues:

- i. Concerned that the Officer recommendation conflicts with previous Council Arboricultural Officer advice.
- ii. The tree makes an important contribution to the visual amenity of the area and should not be damaged or removed.
- iii. Removing 30% of the crown of the tree would be detrimental to its health.

The Committee received a representation in objection to the application from Mr Mike Muller.

The representation covered the following issues:

- i. Speaking as the owner of the tree.
- ii. Replacing a single storey garage with a 3 storey building was not acceptable.
- iii. Concerned over possible damage to the tree.
- iv. Concerned over access issues.

The Committee received a representation in objection to the application from Mrs Branning.

The representation covered the following issues:

- i. Speaking as the owner of 96 Sandy Lane.
- ii. The proposal would have a negative impact in a conservation area.
- iii. The tree would be put at sever risk.

The Committee received a representation in objection to the application from Mr Julian Harper.

The representation covered the following issues:

- i. Spoke as a representative of the adjoining site.
- ii. The tree was significant for the area.
- iii. Concerned that the Officer recommendation conflicts with previous Council Arboricultural Officer advice.

Mr Justin Bainton addressed the Committee in support of the application.

The Committee:

Resolved (by 8 votes to 2) to reject the officer recommendation to grant the application for planning permission.

The committee voted separately on the 2 proposed reasons for refusing planning permission:

Contrary to Local Plan policy 4/4 – proposal carried by 8 votes to 1

Contrary to Local Plan Policy 3/4 – proposal lost by 1 vote to 8.

Resolved (by 8 votes to 1) to refuse planning permission, against the officer recommendation, for the following reason:

The development would be likely to result in significant surgery to the sycamore tree adjacent to the site which would have an adverse effect on a tree that is of amenity value and which makes a positive contribution to the character of the area. The development is therefore contrary to Cambridge Local Plan policy 4/4.

13/66e/NAC 13/0753/FUL - The Mews, Mortlock Avenue

The Committee received an application for full planning permission.

The application sought approval for the erection of 3no 1 bedroom flats.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers, and subject to completion of s106 Agreement by 1 November 2013.

13/66f/NAC 13/0909/FUL - 167 Chesterton Road

The Committee received an application for full planning permission.

The application sought approval for a loft extension.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

The meeting ended at 7.07 pm

CHAIR

APPENDIX 1 – DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

1.0 Central Government Advice

1.1 National Planning Policy Framework (March 2012) – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 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.

1.3 Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

2.0 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

3.0 Cambridge Local Plan 2006

3/1 Sustainable development

3/3 Setting of the City

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/9 Watercourses and other bodies of water

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline

3/14 Extending buildings

3/15 Shopfronts and signage

- 4/1 Green Belt
- 4/2 Protection of open space
- 4/3 Safeguarding features of amenity or nature conservation value
- 4/4 Trees
- 4/6 Protection of sites of local nature conservation importance
- 4/8 Local Biodiversity Action Plans
- 4/9 Scheduled Ancient Monuments/Archaeological Areas
- 4/10 Listed Buildings
- 4/11 Conservation Areas
- 4/12 Buildings of Local Interest
- 4/13 Pollution and amenity
- 4/14 Air Quality Management Areas
- 4/15 Lighting

- 5/1 Housing provision
- 5/2 Conversion of large properties
- 5/3 Housing lost to other uses
- 5/4 Loss of housing
- 5/5 Meeting housing needs
- 5/7 Supported housing/Housing in multiple occupation
- 5/8 Travellers
- 5/9 Housing for people with disabilities
- 5/10 Dwelling mix
- 5/11 Protection of community facilities
- 5/12 New community facilities
- 5/15 Addenbrookes

- 6/1 Protection of leisure facilities
- 6/2 New leisure facilities
- 6/3 Tourist accommodation
- 6/4 Visitor attractions
- 6/6 Change of use in the City Centre
- 6/7 Shopping development and change of use in the District and Local Centres
- 6/8 Convenience shopping
- 6/9 Retail warehouses
- 6/10 Food and drink outlets.

- 7/1 Employment provision
- 7/2 Selective management of the Economy
- 7/3 Protection of Industrial and Storage Space
- 7/4 Promotion of cluster development
- 7/5 Faculty development in the Central Area, University of Cambridge
- 7/6 West Cambridge, South of Madingley Road
- 7/7 College and University of Cambridge Staff and Student Housing
- 7/8 Anglia Ruskin University East Road Campus
- 7/9 Student hostels for Anglia Ruskin University
- 7/10 Speculative Student Hostel Accommodation
- 7/11 Language Schools

8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/8 Land for Public Transport
8/9 Commercial vehicles and servicing
8/10 Off-street car parking
8/11 New roads
8/12 Cambridge Airport
8/13 Cambridge Airport Safety Zone
8/14 Telecommunications development
8/15 Mullard Radio Astronomy Observatory, Lords Bridge
8/16 Renewable energy in major new developments
8/17 Renewable energy
8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/7 Land between Madingley Road and Huntingdon Road
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
4/2 Protection of open space
5/13 Community facilities in Areas of Major Change
5/14 Provision of community facilities through new development
6/2 New leisure facilities
8/3 Mitigating measures (*transport*)
8/5 Pedestrian and cycle network
8/7 Public transport accessibility
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

4.0 **Supplementary Planning Documents**

- 4.1 **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.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

Eastern Gate Supplementary Planning Document (October 2011)

Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

- To articulate a clear vision about the future of the Eastern Gate area;
- To establish a development framework to co-ordinate redevelopment within the area and guide decisions (by the Council and others); and
- To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 Material Considerations

Central Government Guidance

5.1 Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

5.2 Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

5.3 City Wide Guidance

Arboricultural Strategy (2004) - City-wide arboricultural strategy.

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001) - This document aims to aid strategic and development control planners when considering biodiversity in both policy development and dealing with planning proposals.

Cambridge Landscape and Character Assessment (2003) – An analysis of the landscape and character of Cambridge.

Cambridge City Nature Conservation Strategy (2006) – Guidance on habitats should be conserved and enhanced, how this should be carried out and how this relates to Biodiversity Action Plans.

Criteria for the Designation of Wildlife Sites (2005) – Sets out the criteria for the designation of Wildlife Sites.

Cambridge City Wildlife Sites Register (2005) – Details of the City and County Wildlife Sites.

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) - a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

Strategic Flood Risk Assessment (2005) – Study assessing the risk of flooding in Cambridge.

Cambridge and Milton Surface Water Management Plan (2011) – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

Cambridge City Council (2011) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

- sets out the protection of existing open spaces;
- promotes the improvement of and creation of new facilities on existing open spaces;
- sets out the standards for open space and sports provision in and through new development;
- supports the implementation of Section 106 monies and future Community Infrastructure Levy monies

As this strategy suggests new standards, the Cambridge Local Plan 2006 standards will stand as the adopted standards for the time-being. However, the strategy's new standards will form part of the evidence base for the review of the Local Plan

Balanced and Mixed Communities – A Good Practice Guide (2006) – Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change and as a material consideration in the determination of planning applications and appeals.

A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridge Sub-Region Culture and Arts Strategy (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridgeshire Quality Charter for Growth (2008) – Sets out the core principles of the level of quality to be expected in new developments in the Cambridge Sub-Region

Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) - sets out in more detail how existing council policy can be applied to proposals for tall buildings or those of significant massing in the city.

Cambridge Walking and Cycling Strategy (2002) – A walking and cycling strategy for Cambridge.

Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004) – Guidance on how development can help achieve the implementation of the cycle network.

Cambridgeshire Design Guide For Streets and Public Realm (2007): The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

Air Quality in Cambridge – Developers Guide (2008) - Provides information on the way in which air quality and air pollution issues will be dealt with through the development control system in Cambridge City. It compliments the Sustainable Design and Construction Supplementary Planning Document.

The Cambridge Shopfront Design Guide (1997) – Guidance on new shopfronts.

Roof Extensions Design Guide (2003) – Guidance on roof extensions.

Modelling the Costs of Affordable Housing (2006) – Toolkit to enable negotiations on affordable housing provision through planning proposals.

5.6 Area Guidelines

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
Cambridge City Council (2003)–Western Corridor Area Transport Plan:**
The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

Buildings of Local Interest (2005) – A schedule of buildings of local interest and associated guidance.

**Brooklands Avenue Conservation Area Appraisal (2002)
Cambridge Historic Core Conservation Area Appraisal (2006)
Storeys Way Conservation Area Appraisal (2008)
Chesterton and Ferry Lane Conservation Area Appraisal (2009)
Conduit Head Road Conservation Area Appraisal (2009)
De Freville Conservation Area Appraisal (2009)
Kite Area Conservation Area Appraisal (1996)
Newnham Croft Conservation Area Appraisal (1999)
Southacre Conservation Area Appraisal (2000)
Trumpington Conservation Area Appraisal (2010)
Mill Road Area Conservation Area Appraisal (2011)**

West Cambridge Conservation Area Appraisal (2011)

Guidance relating to development and the Conservation Area including a review of the boundaries.

Jesus Green Conservation Plan (1998)

Parkers Piece Conservation Plan (2001)

Sheeps Green/Coe Fen Conservation Plan (2001)

Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)

Long Road Suburbs and Approaches Study (March 2012)

Barton Road Suburbs and Approaches Study (March 2009)

Huntingdon Road Suburbs and Approaches Study (March 2009)

Madingley Road Suburbs and Approaches Study (March 2009)

Newmarket Road Suburbs and Approaches Study (October 2011)

Provide assessments of local distinctiveness which can be used as a basis when considering planning proposals

Station Area Development Framework (2004) – Sets out a vision and Planning Framework for the development of a high density mixed use area including new transport interchange and includes the **Station Area Conservation Appraisal**.

Southern Fringe Area Development Framework (2006) – Guidance which will help to direct the future planning of development in the Southern Fringe.

West Cambridge Masterplan Design Guidelines and Legal Agreement (1999) – Sets out how the West Cambridge site should be developed.

Mitcham's Corner Area Strategic Planning and Development Brief (2003) – Guidance on the development and improvement of Mitcham's Corner.

Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) (2007) – Development Brief for Proposals Site 7.12 in the Cambridge Local Plan (2006)

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Application Number	13/1363/FUL	Agenda Item	
Date Received	16th September 2013	Officer	Miss Catherine Linford
Target Date	11th November 2013		
Ward	West Chesterton		
Site	49 Arbury Road Cambridge CB4 2JB		
Proposal	Erection of five 3x bed terrace dwellings and a FOG, along with the conversion and vertical sub-division of No.49 Arbury Road into two houses (1 bed unit and 1 x 2 bed unit), together with six car parking spaces, cycle parking and associated hard and soft landscaping (following the demolition of the existing garage buildings on site).		
Applicant	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal is considered to be in character with the surrounding area 2. On balance, the proposal is not considered to have a significant detrimental impact on the occupiers of neighbouring properties
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is situated on the southwestern side of Arbury Road and includes 49 Arbury Road on the street frontage (in residential use) along with the land behind this property and 51 Arbury Road, the house attached to No. 49. The site was most recently in use as a garage, but this use has now ceased. The site includes two buildings, and a row of garages abutting the common boundary with Leys Road. The

two-storey building closet to No. 49 was used as an office and store, and the second building was used as a workshop.

- 1.2 The surrounding area is predominantly residential. To the northwest, is the attached neighbour 51 Arbury Road, which is a dwelling. To the southeast on the opposite side of the access road to the site there is a row of terraced houses. To the northwest and west are the houses on Leys Road, with the rear gardens of these houses backing onto the site.
- 1.3 The site is not within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to redevelop the site for residential use following the demolition of all the buildings on the site, with the exception of 49 Arbury Road. Permission is sought for the erection of five three-bed terrace dwellings and a Flat over Garage unit (FOG), along with the conversion and vertical subdivision of 49 Arbury Road into 2 houses (one one-bed and one two-beds), together with six car parking spaces, cycle parking and associated landscaping.
- 2.2 The proposed terrace houses would stand along the southwestern boundary of the site, at a right angle to the houses on Leys Road. The row would stand directly behind 22-26 Leys Road. Plot 1, at this end, would be two storeys in height, with a flat roof, sloping down to a single storey where the building abuts the common boundary. Plots 2-5 would be 2.5 storeys in height with rooms set within the pitched roof.
- 2.3 The Flat over Garage unit (FOG) would be situated on the opposite side of the site, adjacent to the common boundaries with 49 and 51 Arbury Road, and directly behind 28 Leys Road. This building would be two storeys in height, stepping down as it gets closer to the common boundary with 28 Leys Road. 2.5 Where the building abuts the common boundary with 51 Arbury Road, the building would be stepped in at first floor level by 2.4m. Five car parking spaces would be provided below the flat; one for the flat, and one each for plots 2-5. A car parking space would be provided at the front of plot 1 for the use of this dwelling. Bin and cycle stores would be provided in each of the garages and to the front of plot 1.

- 2.4 49 Arbury Road would be vertically subdivided into two houses. No car parking spaces would be provided for the use of these dwellings. Bin and bicycle storage would be provided at the rear of the building.
- 2.5 It should be noted that the neighbouring houses have not been depicted entirely accurately on the submitted plans, as the plans do not include the existing extensions to these properties. 51 Arbury Road is wider than shown on the plans, and many of the houses directly adjacent to the site on Leys Road have rear extensions making their rear gardens shorter than shown. For example, the rear garden of 26 Leys Road is 17.3m long and not 20.2m as shown.
- 2.6 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Planning Statement
 3. Drainage Design Statement
 4. Preliminary Ecological Appraisal
 5. Foul and Utilities Assessment
 6. Tree Survey and Arboricultural Impact Assessment
 7. Transport Statement
 8. Ground Investigation Report

3.0 SITE HISTORY

Reference	Description	Outcome
13/0210/FUL	Erection of seven 3 x bed terrace dwellings, along with the conversion and vertical subdivision of No.49 Arbury Road into two houses (1 bed unit and 1 x 2 bed unit), together with eight car parking spaces, cycle parking and associated landscaping (following the demolition of the existing garage buildings on site.	Refused Appeal dismissed

- 3.1 The Appeal decision is attached to the report as Appendix 1.

PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/12 5/1 5/14 8/6 8/10 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning	Sustainable Design and Construction

Documents	Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies/there are no policies (delete as appropriate) in the emerging Local Plan are of relevance:

Cambridgeshire County Council (Engineering)

- 6.1 It is likely, therefore that this proposal will generate residential parking demand on-street in competition with existing residential uses, but this is not anticipated to result in any significant adverse impact upon highway safety.
- 6.2 For the number of dwellings proposed the Highway Authority would normally seek adoption of the highway serving the site, however, the layout of the access and internal accessway is not adequate to serve as a public highway.

Urban Design and Conservation Team

- 6.3 The revised approach to orientate the terrace houses northwest-southeast at the rear of the site is generally supported. Conditions are recommended relating to materials, and the detailing of the FOG.

Environmental Health

- 6.4 No objection. Conditions are recommended relating to construction hours, delivery hours, dust, noise insulation, and contaminated land.

County Archaeologist

- 6.5 The site lies in an area of high archaeological potential and therefore a programme of investigation should be required by condition.

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 objecting to the application:
- 29 Arbury Road
 - 33 Arbury Road
 - 51 Arbury Road
 - 20 Leys Road
 - 22 Leys Road

- 24 Leys Road
- 28 Leys Road
- 20 Mulberry Close
- Mulberry Close Residents Society Ltd

7.2 The owners/occupiers of the following addresses have made representations supporting the application:

- 376 Milton Road
- 36 Havenfield, Arbury Road

7.3 The representations can be summarised as follows:

Objections

- Overdevelopment – too high a density.
- The houses will be rented out as Houses in Multiple Occupation.
- Dominance
- Overbearing
- Loss of light and overshadowing.
- There is no manoeuvring space within the site.
- Out of character
- Overlooking and loss of privacy
- Insufficient parking spaces
- On collection day the bins would block the pavement and look unsightly
- The FOG would be cramped.
- The shadow diagrams are inaccurate.
- The cycle and bin stores will be difficult to access and residents will leave these elsewhere on the site.
- The garages will be difficult to get in to or out of.
- The development is now closer to the Leys Road houses.

Support

- Local housing is needed
- Residential use will enhance the area's attractiveness

7.4 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. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

8.2 Policy 5/2 of the Cambridge Local Plan states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility of adjoining uses. The surrounding area is predominantly residential and therefore the principle of residential development here is accepted. However, the acceptability of the design of the development and the potential impact on the occupiers of neighbouring properties will be assessed later in this report.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

8.4 The previous application was refused for the following reason:

The proposed roof form, which includes pitched roofs and flat roofs is very unorthodox and the development will be a very alien form in the area. The alterations to the design to reduce its impact on neighbouring properties results in a scheme that would be poorly related to its context and out of character with the area and for these reasons the proposal does not comply with policies 3/4 or 3/12 of the Cambridge Local Plan (2006).

8.5 The previous application sought planning permission for a row of terraced houses standing along the common boundary with Leys Road, backing onto these houses. It was proposed that

the row would be split into three sections; with the first three houses having pitched roofs with accommodation in the roof; the building would have then stepped down to the fourth house, which would have had a flat roof; and would have then stepped up again to the last two houses which would have had pitched roofs with accommodation in the roof.

- 8.6 A flat roof was introduced to the centre of the terrace in order to reduce the mass and bulk of the bulk. However, this roof form would have been an unorthodox, alien form in the area and in my opinion this resulted in a scheme that would have had a negative impact on the setting.
- 8.7 In the Appeal decision, the Inspector took the view that ‘the overall design would introduce a large, prominent, and incongruous block of development into an area largely notable for green and open attributes. The design and alternating heights of the proposed roofs would fail to reflect other residential development in the area and they would thus appear out of keeping with their surroundings. The flat roofs would appear particularly alien given the predominantly pitched roofs of existing dwellings in the area’.
- 8.8 This area of the City is suburban in character and is predominantly residential. This section of Arbury Road mainly consists of terrace houses with long rear gardens, with the exception of 51 Arbury Road (the attached neighbour to No. 49), which has a very small rear garden. Leys Road, which backs onto the site, mainly consists of semi-detached houses, with those houses directly behind the site having relatively short rear gardens.
- 8.9 The proposed terrace has been relocated on the site so that it now stands in a northwest-southeast orientation at the rear of the site backing onto the existing site boundary with No. 20 Leys Road. The end of the terrace would stand directly behind 22-26 Leys Road with the ‘bulk’ of the building directly behind 24 Leys Road. The number of dwellings on this terrace has been reduced to 5. Plots 2-5 would have pitched roofs with accommodation in the roofspace; while plot 1, the dwelling closest to 24 Leys Road would drop down in height with a mono-pitch roof sloping down to the common boundary with Leys Road.

- 8.10 In my opinion, given the scale of the existing properties surrounding the site the proposed scale of the terrace is in character with the surrounding area. The roof design is traditional and in keeping with the neighbouring houses, with the exception of plot 1. Unlike the previous proposal where the drop in height was in the centre of the terrace, which was quite unorthodox, here the drop in height is at the end of the terrace, which is a far more logical and typical design. The scheme takes a contemporary approach to the proposed materials and elevational treatment with materials used to break up the bulk of the building and this, in my opinion is a visually acceptable approach.
- 8.11 The FOG building has been designed as a traditional outbuilding, which I consider to be acceptable. However, from a design perspective, the step between the tallest element and that next to it should be 'grounded' with a more substantial masonry element. As proposed the timber supports do not read as substantial enough to 'support' the structure above and I therefore recommend that details of materials, the junctions between the pillars and eaves, and any doors are secured by conditions (4, 5 and 6). I also recommend a condition requiring details of the materials to be used for the terrace (4).
- 8.12 The orientation of the terrace and the introduction of the FOG building means that a more attractive, communal area can be created at the front of the houses. I recommend a condition requiring details of the hard and soft landscaping (7).
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.14 The neighbouring properties which may be potentially affected by the proposals are 20-28 Leys Road, to the northwest; 51 Arbury Road to the northeast; and 47 Arbury Road to the southeast.

8.15 The previous application was refused for the following reason:

Currently, 20-28 Leys Road and 51 Arbury Road enjoy a relatively open outlook to the the rear of their properties. Due to the proximity of the proposed terrace of houses to the common boundaries and their design, scale and bulk, it is my opinion that the proposed houses would be oppressive and overbearing. Due to the orientation of the buildings they would also overshadow the gardens of these neighbours. For these reasons it is my opinion that the proposed development is unacceptable as it would have a significant detrimental impact on the residential amenity of the occupiers of these dwellings, and their ability to enjoy their gardens. The proposals are therefore in conflict with policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).

8.16 The Inspector concluded that 'I find that the close proximity of the proposed development to the rear boundary of the houses on Leys Road, combined with its significant height and massing, would lead it to appear unduly prominent and overbearing when seen from the gardens of Nos. 20-28.

Impact on 20-26 Leys Road

8.17 The proposed houses would stand to the southeast of 20-26 Leys Road, 5m from the common boundary with these houses, at the end of their rear gardens. These gardens are relatively short, but currently feel more spacious due to the open outlook to the rear. The submitted plans show these gardens to be in excess of 20m in length, but the plans do not show the rear extensions to these houses, and these gardens are in fact closer to 17m in length

8.18 The proposed terrace of five houses would stand directly to the rear of 22-26 Leys Road, with the main 'bulk' of the house to the rear of 24 Leys Road. Plots 2-5 would be 2.5 storeys in height with accommodation in the roof. Plot 1, the plot closest to the common boundary with Leys Road, would be two storeys, where it adjoins the terrace. The roof of this house would then slope down towards the common boundary with Leys Road, effectively making the building single storey where it abuts the common boundary with Leys Road.

8.19 As the terrace has been reoriented on the site, the neighbouring properties on Leys Road will no longer be subjected to a long, unbroken mass of building, across the widths of their gardens. The most affected neighbouring property is 24 Leys Road, as the 'bulk' of the building would be situated adjacent to the boundary with this neighbour. However, as the built form is narrow than that previously proposed allowing views past it, and is effectively single storey in height where it meets the common boundary it is my view, on balance that the impact on this neighbour in terms of enclosure and dominance would not be so significant as to warrant refusal of the application. A section of the 'bulk' of the building would stand adjacent to the common boundary with 22 Leys Road, and for the same reasons, it is my opinion that the impact on this neighbour would also not so significant as to warrant refusal of the application. Adjacent to the common boundary with 26 Leys Road they would be a single storey element and it is my view that this would not have a significantly greater impact on this neighbour than the existing building in terms of enclosure or dominance.

8.20 Shadow studies have been submitted to demonstrate the impact of overshadowing, although since the studies relate only to 21st June and 21st September but not any other months I am unable to rely on them to fully assess the impact of overshadowing. The proposal terrace would stand to the southeast of the neighbouring properties and would cast some shadow over the gardens of these houses in the morning. Given the narrow profile of the proposed terrace, and the distance of the two storey section from the Leys Road gardens I do not think the overshadowing experienced would be so significant as to warrant refusal.

8.21 No windows are proposed on the side elevation of the terrace, and there is therefore no potential for direct overlooking. Oblique views would be possible from the front and rear windows of the houses and the FOG but these views would be at a distance and are acceptable in a suburban environment.

28 Leys Road

8.22 The FOG building would be situated directly behind 28 Leys Road. The FOG building would be split into three sections, dropping down in height towards the common boundary with 28 Leys Road. This final section would be 1.5 storeys in height. In

my opinion, due to the height of the proposed building the impact of it in terms of dominance and enclosure would not be significantly greater than the impact of the existing building. Due to the orientation of the buildings, the FOG building would cast shadow over the garden of this neighbour in the morning, but I do not consider the impact of this to be so great as to warrant refusal of the application.

- 8.23 No windows are proposed on the side elevation of the FOG, and there is therefore no potential for direct overlooking.

51 Arbury Road

- 8.24 The proposed FOG building would stand to the southwest of this neighbour at the end of a small garden. Where it abuts the common boundary with 51 Arbury Road, at first floor level, the building would step in from the boundary by 2.4m. In my opinion, this would greatly reduce the impact of the proposal on this neighbour in terms of dominance and enclosure and, on balance, I consider it to be acceptable. Due to the orientation of the buildings, the FOG would cast shadow over this neighbouring garden in the afternoon, but due to the distance between the first floor and the boundary it is my opinion that the overshadowing experience would not be significant enough to justify refusal.

47 Arbury Road

- 8.25 The proposed terrace of houses would stand to the northwest of this neighbour, abutting the common boundary. The terrace would be situated 22.8m from the rear of 47 Arbury Road, and due to this separation distance it is my opinion that these dwelling would not overlook, overshadow, dominate or enclose this neighbour.
- 8.26 The proposed FOG would also stand to the northwest of 47 Arbury Road, 5m from the common boundary and 2.8m to the rear. Due to the orientation of the buildings it is probable that the proposed FOG would cast shadow over this neighbour in the late afternoon at some times in the year. However, due to the separation distance between building it is my view that this is unlikely to be significantly detrimental. One window is proposed on the southeast elevation, which appears to serve a bathroom. In order to prevent any direct overlooking of 49

Arbury Road I recommend a condition to ensure that this window is obscure glazed and fixed shut (8).

- 8.27 Concern has been raised that the houses could be rented as Houses in Multiple Occupation (HMOs). If the houses were occupied by six or more people planning permission would be required for change of use.
- 8.28 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 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.29 Units 8 and 9, would be within the existing building face onto Arbury Road, and it is highly likely that future occupants will be subjected to a high level of road traffic noise. Due to high traffic levels along Arbury Road it would not be possible to maintain good or reasonable internal noise levels with the windows open, and therefore mechanical ventilation would be required. I recommend that details of this are required by condition (9).
- 8.30 Historically, the site has been used as a car workshop, for coal storage, and as a brick and tile works, and there is the possibility of infilled ground (after the brick and tile operations ceased). Anecdotal evidence indicates that an underground fuel tank is still on the property, and there is also an above ground waste oil tank and possibly asbestos and oils and lubricants on site. Environmental Health are of the opinion that further investigation is required, and I recommend a condition requiring this (10).
- 8.31 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.32 Individual bin stores are proposed for each dwelling, with a collection point at the entrance to the site. On bin collection day, the applicant proposes that the refuse lorry will reverse

into the site to collect and empty the bins from the individual stores along the common boundary with 47 Arbury Road. It is unclear whether the access road will be of sufficient weight-bearing construction to allow the refuse vehicle to reverse in, and I recommend that confirmation of the construction of the access road is required by condition (11). I also recommend a condition requiring details of the bin collection point (12).

- 8.33 In my opinion the proposal would be compliant with Cambridge Local Plan (2006) policy 3/12, subject to a condition requiring further details.

Car and Cycle Parking

Car Parking

- 8.34 One car parking space would be provided for each of the terrace houses and the FOG, with no car parking spaces proposed for the subdivided existing building. Appendix C (Car Parking Standards) explains that outside the Controlled Parking Zone (CPZ) a maximum of two car parking spaces should be provided for each dwelling. The explanatory text to policy 8/10 explains that the City Council promotes lower levels of private car parking in order to encourage modal shift, particularly at non-residential developments and where good public transport accessibility exists. This proposal is for residential development but the site is close to amenities and public transport routes. Therefore, it is my view that it would be unreasonable to refuse the application due to a lack of car parking spaces. A tracking diagram has been submitted to demonstrate that the garages are usable.

Cycle Parking

- 8.35 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that at least one secure, covered cycle parking space must be provided for each bedroom. Individual cycle stores are proposed for each of the dwelling and this is considered to be acceptable
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Planning Obligations

8.37 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.38 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.39 The application proposes the erection of seven three-bedroom houses, and the subdivision of one three-bedroom house into one one-bedroom house and one two-bedroom house. The net total of additional residential units is eight. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people.

Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
3	20	17	17.5	238	4165

Indoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
3	20	17	17.5	269	4707.50

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
3	20	17	17.5	242	4235

Provision for children and teenagers					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units	Assumed net additional persons not in 1-bed units	£ per person	Total £
3	20	17	17.5	316	5530

8.40 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and

Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

- 8.41 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	1	1256
2-bed	1256	2	2512
3-bed	1882	4 additional	7528
4-bed	1882		
Total			11296

- 8.42 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.43 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	6 additional	450
Flat	150	1	150
Total			600

8.44 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Household Recycling Centres

A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and will be based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

The contributions are calculated as follows:

Notes for Milton		Source
4 sites x £5.5 million	= £22 million infrastructure costs	Cost per site sourced from Mouchel Parkman indicative costs 2009.
total catchment households	= 115,793 households	WMT Recycling Centre Catchment Tables

		CCC Mid 2009 Dwelling Figures
new households	= 24,273 new households within catchment	Cambridgeshire County Council Housing trajectory to 2025 as of Dec 2010
Total developer contribution towards Recycling Centre Infrastructure =		
Infrastructure costs in catchment	X	New households in catchment
Total No. households in catchment		
<u>£22m</u> 115,793	X	24,273 = £4,611,730
Total developer contribution per household		= £190

The net gain is 7 dwellings and therefore the contribution required is £1330.

- 8.45 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the RECAP Waste Strategy 2012.

Education

- 8.46 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.47 Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		810	7	5670
Total					5670

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1350	7	9450
Total					9450

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1520	7	10640
Total					10640

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+- beds	2		160	7	1120
Total					1120

8.48 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with

Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.49 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.50 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 In my opinion, the proposed development is of a high quality design and would be in keeping with the character of the area. It is my view, on balance, that the proposed development would not have significant detrimental impact on the occupiers of neighbouring properties. Given the narrow profile of the proposed terrace, and the distance of the two storey section from the Leys Road gardens, the impact on these neighbours would be acceptable. As the FOG steps in from the common boundary with 51 Arbury Road at first floor level and is only 1.5 storeys height close to 28 Leys Road, the impact on these neighbours would be acceptable. I, therefore, recommend the application for approval.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 31 January 2014 and subject to the following conditions and reasons for approval:

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. Except with the prior written agreement of the local planning authority 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)

3. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

5. Prior to the commencement of development full details of the junction between the pillars and the eaves on the FOG building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason: To ensure it is visually acceptable. (Cambridge Local Plan 2006, policies 3/4, 3/7 and 3/12)

6. Prior to installation, full details of any garage doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason: To ensure they are visually acceptable. (Cambridge Local Plan 2006, policies 3/4, 3/7 and 3/12)

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. The window proposed on the southeast elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

9. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To ensure that the living accommodation provided is adequate (Cambridge Local Plan 2006, policy 4/13)

10. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.
 - (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that the living standards are satisfactory (Cambridge Local Plan 2006, policy 4/13)

11. No development shall commence until further details of the circulation route for refuse collection vehicles have been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No dwelling forming part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

Reason: To ensure that refuse can be collected. (Cambridge Local Plan 2006, policy 3/12)

12. Prior to the occupation, full details of the bin collection point, including materials and fencing shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the bin collection point is of an adequate size and visually acceptable. (Cambridge Local Plan 2006, policies 3/4 and 3/7)

13. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition/construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

14. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway 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, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: in the interests of highway safety (Cambridge Local Plan 2006, policy 8/2)

16. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006, policy 8/2)

17. Notwithstanding the provision of Class A of Schedule 2, Part 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.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

18. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

19. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

20. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 31 January 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14, and 10/1 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, and Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

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Scale: 1:1250
Site Location Plan

Houses on Leys Road not surveyed. Drawing based on OS map and satellite imagery

Site Section C
See Drawing P07

Site Section C
See Drawing P07

Site Section A
See Drawing P08

Site Section A
See Drawing P08

Site Section B
See Drawing P07



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HaysomWardMiller Architects		Site Plans P 01 D	
7 Downing Place Cambridge CB2 3EL		Project	Arbury Road Garages
T: 01223 578545 F: 01223 351955		For	Mr P Jude & Arbury Road (Cambridge) Ltd
email: info@haysomwardmiller.co.uk		Scale	1:200 Paper Size A2

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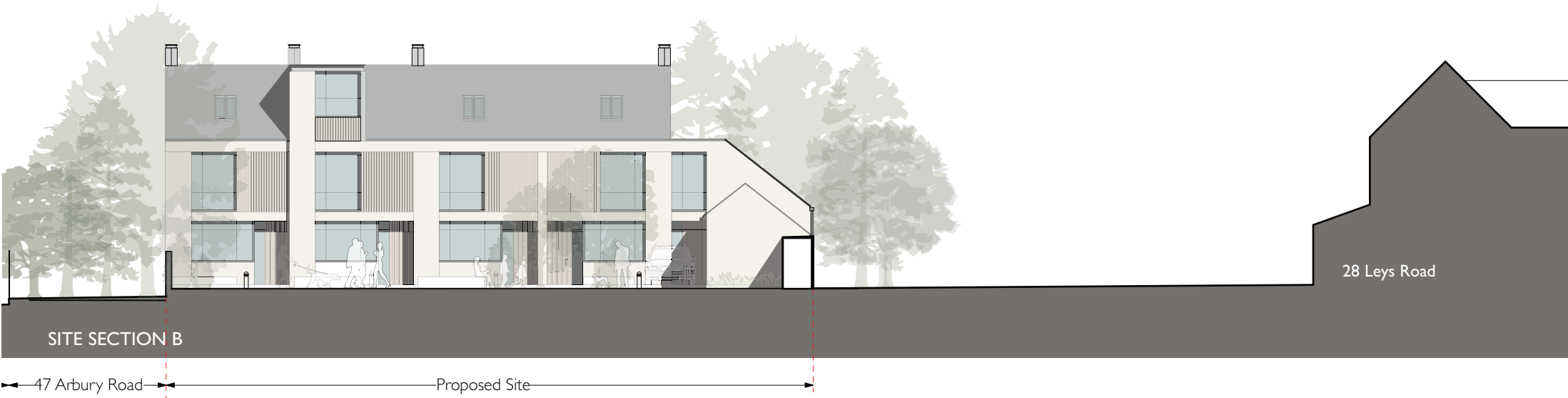
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7 Downing Place Cambridge CB2 3EL		Project	Arbury Road Garages	
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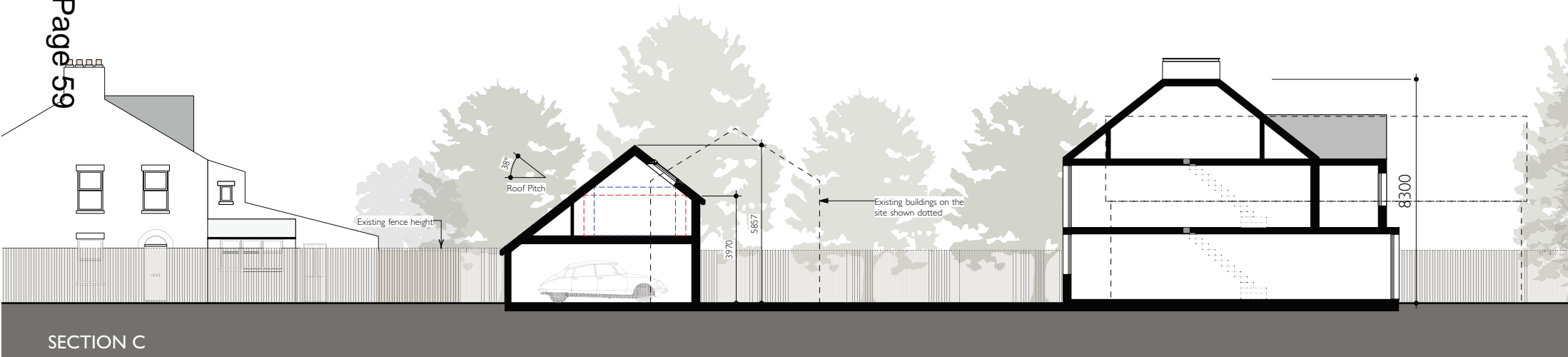
SITE SECTION B

47 Arbury Road

Proposed Site

28 Leys Road

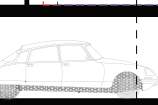
Page 59



SECTION C

Roof Pitch
38°

Existing fence height



3970

5657

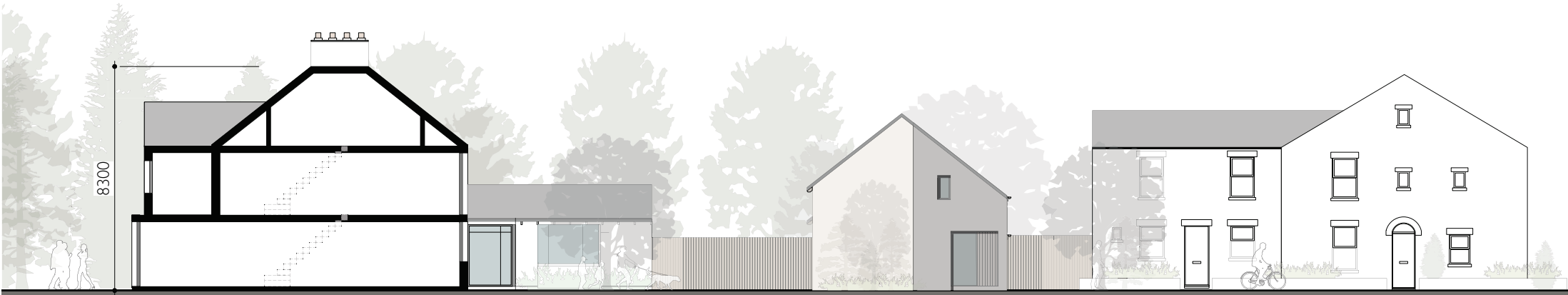
Existing buildings on the site shown dotted

8300

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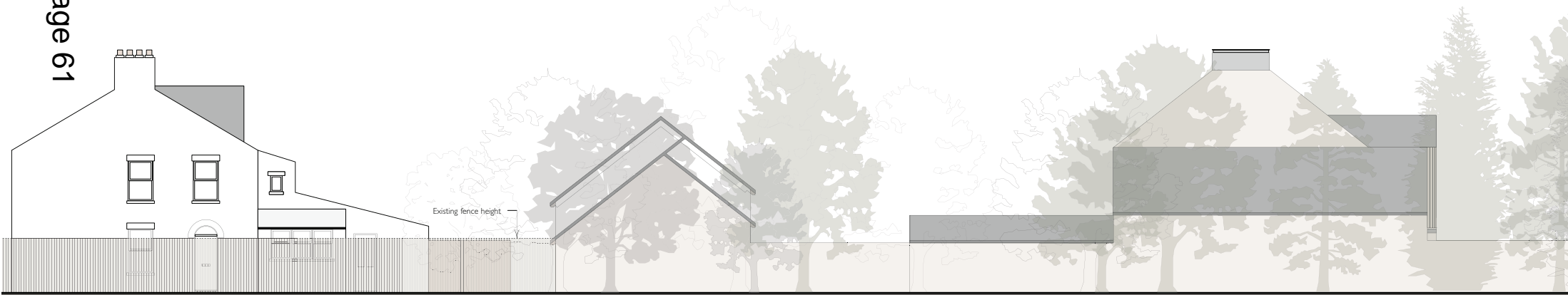
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7 Downing Place Cambridge CB2 3EL		Project	Arbury Road Garages	
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SITE SECTION A

Page 61



NORTH WEST ELEVATION

Notes

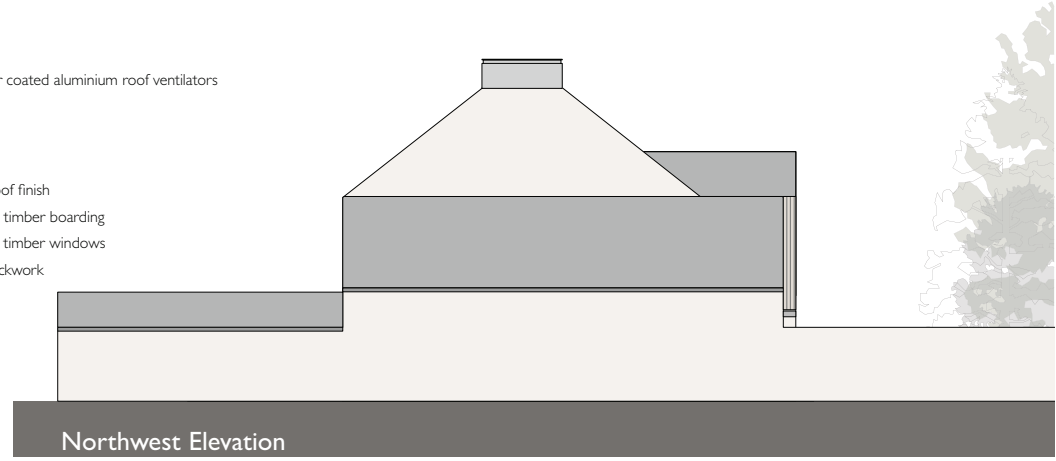
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Southwest Elevation



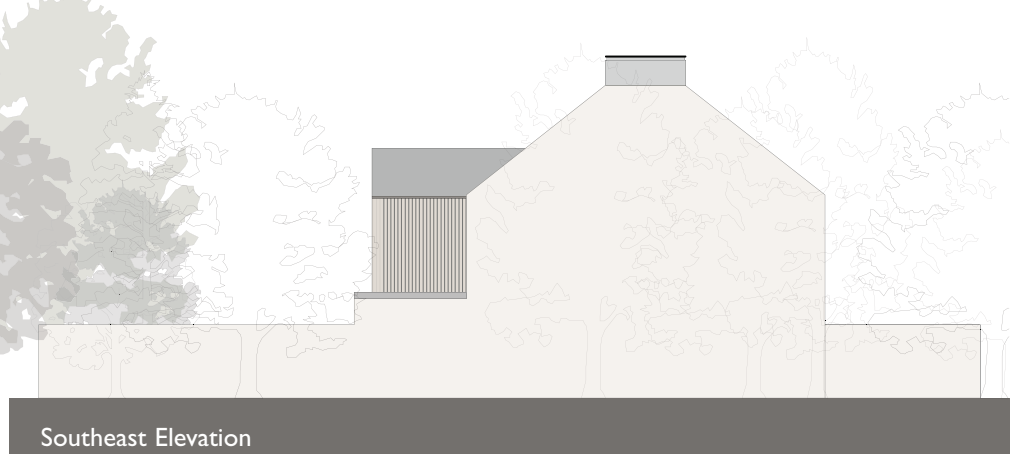
Northwest Elevation

- Powder coated aluminium roof ventilators
- Slate roof finish
- Vertical timber boarding
- Painted timber windows
- Buff Brickwork

Page 63



Northeast Elevation

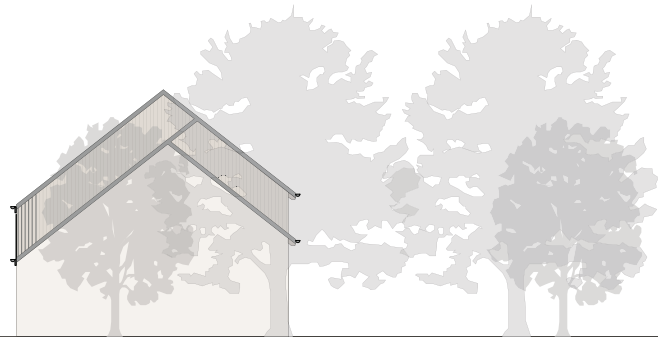
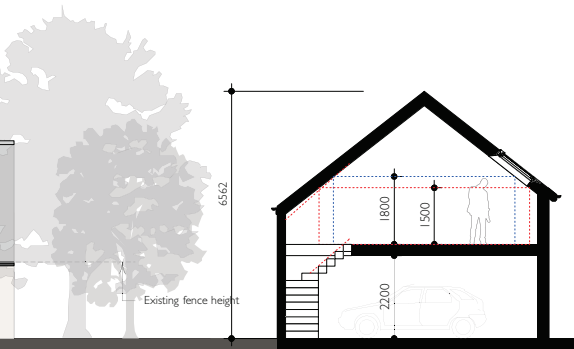
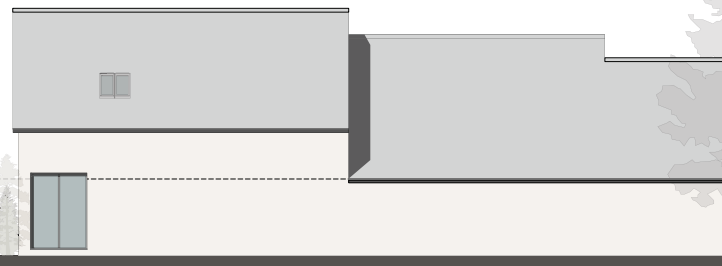
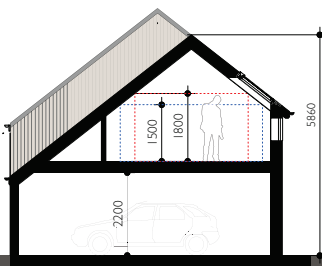
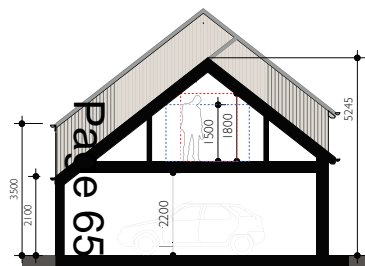
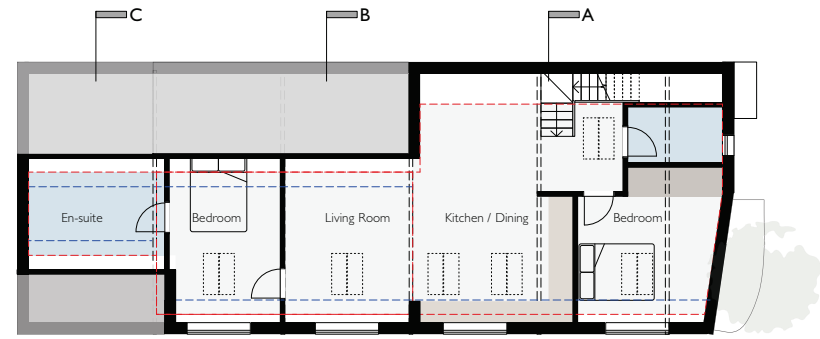
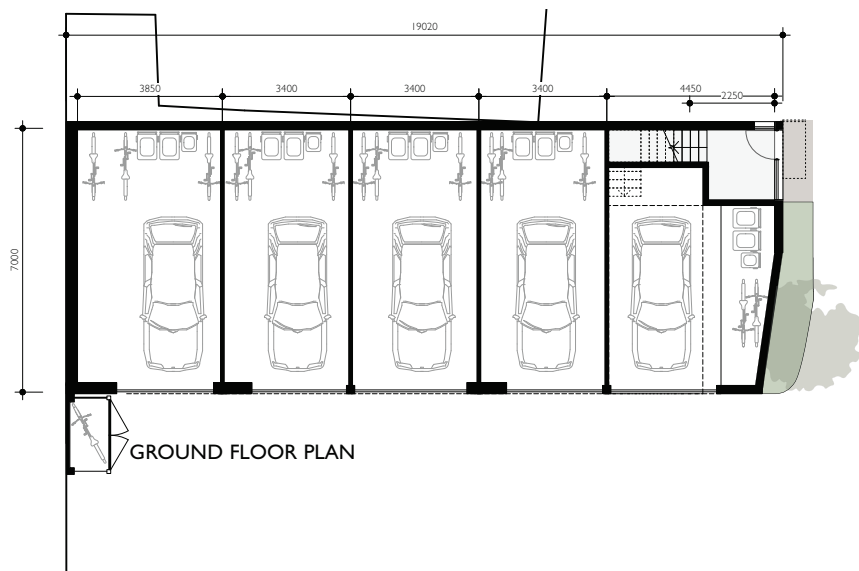


Southeast Elevation

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7 Downing Place Cambridge CB2 3EL	Project	Arbury Road Garages	
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email: info@haysomwardmiller.co.uk	Scale	1:100	Paper Size A2

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HaysomWardMiller Architects

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email: info@haysomwardmiller.co.uk

Garage & FOG

Project Arbury Road Garages

For Mr P Jude & Arbury Road (Cambridge) Ltd

Scale

1:100

Paper Size

A2

PI0 - C

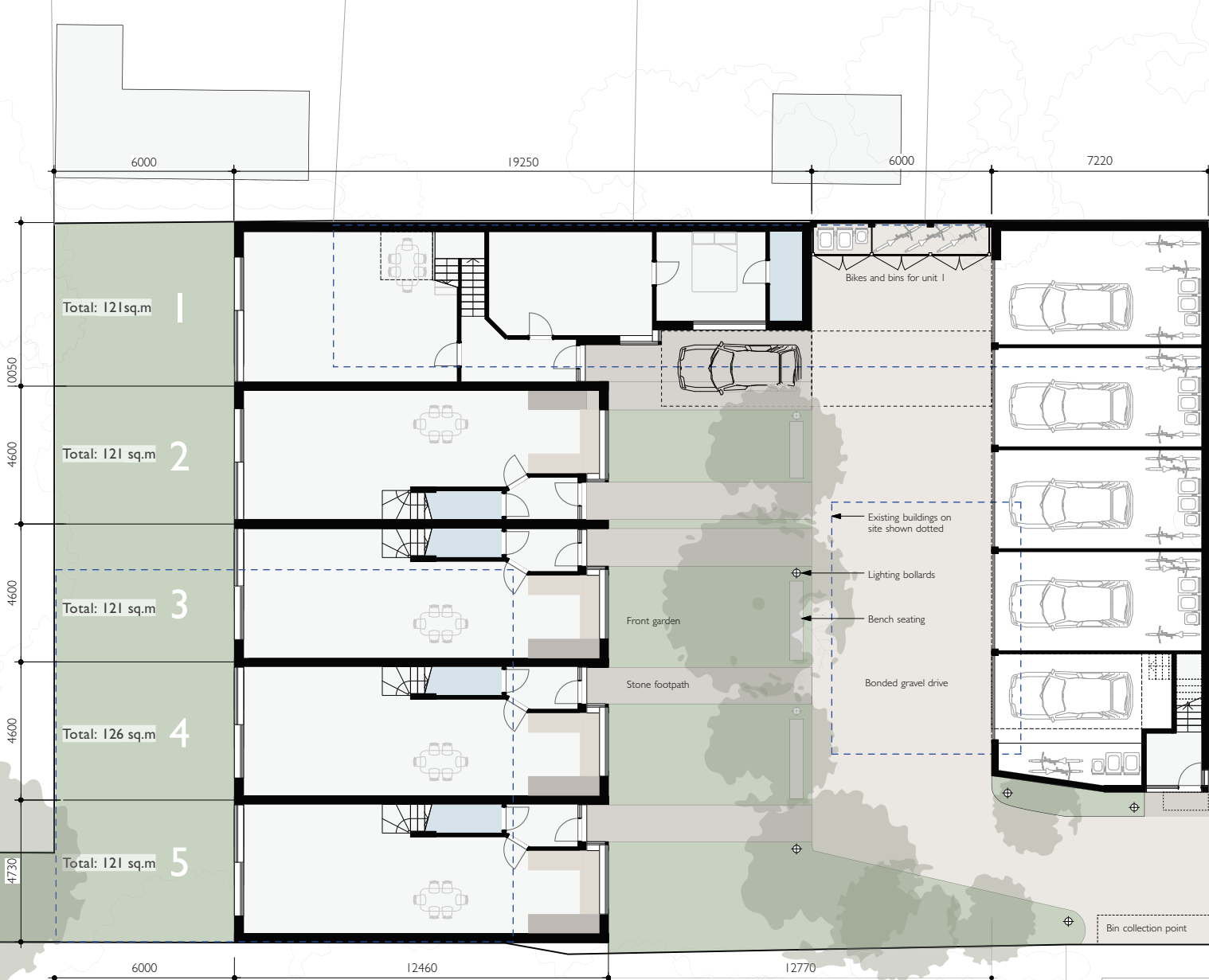
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Site Section C
See Drawing P07

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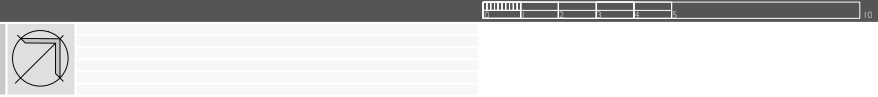
Site Section A
See Drawing P06

Site Section B
See Drawing P07



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7 Downing Place Cambridge CB2 3EL		Project	Arbury Road Garages	
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email: info@haysomwardmiller.co.uk		Scale	1:100 Paper Size A2	

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Appeal Decision

Site visit made on 20 September 2013

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 October 2013

Appeal Ref: APP/Q0505/A/13/2200248

49 Arbury Road, Cambridge, CB4 2JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Arbury Road Cambridge LLP & Mr & Mrs PA & PM Jude against the decision of Cambridge City Council.
 - The application Ref 13/0210/FUL, dated 14 February 2013, was refused by notice dated 16 May 2013.
 - The development proposed is the erection of seven 3 x bed terrace dwellings, along with the conversion and vertical sub-division of No 49 Arbury Road into two houses (1 bed unit and 1 x 2 bed unit), together with eight car parking spaces, cycle parking and associated landscaping (following the demolition of the existing garage buildings on site).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. One of the Council's reasons for refusal referred to the proposal failing to make appropriate provision for public open space, community development facilities, education and life-long learning facilities, waste management and monitoring. However, the appellants stated that they would be prepared to enter into a Section 106 Agreement in order to make appropriate provision for all such relevant matters, in accord with planning policies and I note that a completed Section 106 Agreement has since been provided. Consequently, I am satisfied that this is a matter which can be resolved and which does not, therefore, form an issue to be considered any further as part of this decision.
3. The appellant considers that the Council "has taken a rather extraordinary attitude to development" on the appeal site. That is a matter between the Council and the appellant. I confirm that I have considered this appeal on the basis of all the information set out before me.

Main Issues

4. The main issue in this case is the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers, with regards to outlook and daylight.
-

Reasons

Character and appearance

5. The appeal site comprises No. 49 Arbury Road, a two storey semi detached dwelling and an area of land to the rear of this property and the attached house, No. 51 Arbury Road. This area of land was most recently in use as a garage, which the appellant and Council note, ceased to operate in 2012. The land to the rear includes two buildings, together with a row of garages which abut the site's boundary with gardens to the rear of properties on Leys Road. Leys Road sits at right angles to Arbury Road and the rear gardens of two pairs of two storey semi detached dwellings – Nos. 20-28 Leys Road - abut the appeal site. I viewed the site from the gardens of properties adjacent to the site.
6. The area surrounding the appeal site is residential in character. During my site visit I noted that many houses in the area were two storey and set back from the main road, with parking areas to the front and long gardens to the rear. I noted that these long back gardens combined to provide a green and spacious character and afford the area an attractive, open appearance, with distant views from rear windows across adjoining gardens. Houses are built relatively close to one another but with little or no harm to outlook.
7. The proposed development seeks the demolition of existing buildings on the site and the development of seven three bed terraced houses, together with the conversion of No. 49 into two apartments. The proposal would also include eight car parking spaces and cycle parking. The proposed development would be largely two storey. However, the roofscape would include rooms in a pitched roof - effectively at third storey level – in Units 1-3 and 5-6. The terrace would step down to Units 4 and 7, which would have flat roofs. Whilst there would be slight setbacks within the terrace, creating a staggered effect, the houses would generally stand 5 metres away from the common boundary with Leys Road.
8. Whilst the design of the terrace introduces some visual interest and to a lesser degree, provides an impression of a break in the terrace, I find that the overall design would introduce a large, prominent and incongruous block of development into an area largely notable for its green and open attributes. The design and alternating heights of the proposed roofs would fail to reflect other residential development in the area and they would thus appear out of keeping with their surroundings. The flat roofs would appear particularly alien given the predominantly pitched roofs of existing dwellings in the area.
9. Despite the staggering effect and the change in heights, I consider that the proposed terrace would still appear as a large mass of built development. This would lead to it appearing prominent in its surroundings. The harmful impact of this would be exacerbated due to the small size of the gardens proposed, relative to the long gardens of existing dwellings. In this way, the proposed development would detract from the green and spacious attributes of the area and would serve to emphasise the proposal's incongruous appearance.
10. Taking all of the above into account, I find that the proposal would harm the character and appearance of the area, contrary to the Framework and to Local

Plan¹ policies 3/4 and 3/12, which together amongst other things, seek to protect local character.

Living Conditions

11. The rear gardens of Nos. 20-28 Leys Road are shorter than other rear gardens in the area, but enjoy a relatively open outlook to the rear. Whilst there are existing buildings on the appeal site, there is space around them and they do not detract significantly from the outlook from Leys Road.
12. By way of contrast to the above, I find that the close proximity of the proposed development to the rear boundary of the houses on Leys Road, combined with its significant height and massing, would lead it to appear unduly prominent and overbearing when seen from the gardens of Nos. 20-28. This is not a factor which is mitigated by the presence of trees and planting in the area.
13. In support of their case, the appellants provide information relating to shadowing. This comprises plans showing that the gardens of Nos. 20-28 would not be overshadowed. In the absence of any evidence to the contrary, I find that the proposal would not lead to the harmful loss of daylight to Nos. 20-28. However, this is not a factor which overcomes the considerable harm resulting from the overbearing appearance of the proposal when seen from the gardens of these properties.
14. During my site visit, I noted that, the proposed development would result in two storey development in very close proximity to the rear garden of No 51 Arbury Road. I find that the proposal would lead to buildings "looming" over this garden, and would lead to an oppressive and overbearing impact. I find that this would be to the significant harm of the occupiers of No. 51 Arbury Road.
15. Taking the above into account, I find that the proposed development would harm the living conditions of neighbouring occupiers with regards to outlook. This would be contrary to Local Plan policies 3/4, 3/7 and 3/12, which together amongst other things, seek to protect the amenity of neighbours. It would also be contrary to the Framework, which seeks to achieve good standards of amenity.

Other Matters

16. The proposed development would make use of a brownfield site and provide for new housing. These factors are in its favour but do not outweigh the harm identified above.

Conclusion

17. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Cambridge City Local Plan (2006).

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Application Number	13/1478/FUL	Agenda Item	
Date Received	9th October 2013	Officer	Mr Amit Patel
Target Date	4th December 2013		
Ward	East Chesterton		
Site	99 Green End Road Cambridge CB4 1RS		
Proposal	Two storey rear extension to existing semi-detached house		
Applicant	Mr Leon Waldock 24a Sedley Taylor Rd Cambridge CB2 8PN		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>The size and position of the extension, hard up against the common boundary with 97 Green End Road will have an adverse impact on the light, outlook and sense of enclosure of the neighbouring occupiers.</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application premises comprise a two storey, semi-detached house located on the west side of Green End Road. Green End Road is a residential street of mixed character and is neither within nor near to a conservation area.

- 1.2 The application property itself is finished in grey pebble dashed render and concrete tiles set beneath a hipped roof.

2.0 THE PROPOSAL

- 2.1 The application seeks approval for a rear extension to the property, partly of a single storey, and partly two storeys.

2.2 There is already a single-storey conservatory/sun room extension to the rear.

2.3 The application is accompanied by the following supporting information:

1. Plans

2.4 This is a re-submission of an application which was withdrawn following concerns raised by officers. The application has not changed in size or scale.

2.5 The application is brought before Committee at the request of Councillor Bird

3.0 SITE HISTORY

Reference	Description	Outcome
13/1166/FUL	Two storey rear extension to existing semi-detached house.	Withdrawn

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER				
Cambridge Plan 2006	Local	3/1	3/4	3/7	3/11	3/14

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011) National Planning Practice Consultation

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 55, Policy 56, Policy 58 (section b and e)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No comment on behalf of the highway authority.
- 6.2 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 Councillor Bird has commented on this application. Her comments are as follows:

“The reason is that this family have set up a family home in East Chesterton, where their near Schools, shops and GP are very much part of the community. They brought this home to bring the family up but now they would like to have this extension done as the family is growing and also so they carry on living as part of this community.”

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

- 91 Green End Road;
- 93 Green End Road;
- 97 Green End Road;
- 101 Green End Road
- 103 Green End Road;

- 7.3 The representations support the application because of the following reasons:

- 91: plans allow for a decent family home;
- 93: would improve the living standards of the occupiers;
- 97: proposal will not be a concern as they are considering doing something similar;
- 101: understands the issue of precedent but will not have a negative impact;
- 103: no impact in terms of outlook and light to 103 due to the large trees;

7.4 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. Context of site, design and external spaces
2. Residential amenity

Context of site, design and external spaces

8.2 The proposal is to the rear of the property and will not be visible in the street. There are other extensions in the area and therefore, subject to the use of matching materials the proposal is acceptable.

8.3 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Residential Amenity

8.4 The house currently has a single-storey conservatory / sun room extension, 4.2m wide, which extends 6m from the rear elevation of the original house, 3m further than the single-storey flat roofed extension to No.97, which forms the other half of the semi-detached pair. The conservatory is hard up against the boundary with No. 97, and between 1.4m and 1.8m from the common boundary with the unattached neighbor, No.101. The proposal would replace the 6m deep conservatory with a two-storey pitched-roof extension covering the same footprint, and add an additional single-storey pitched-roof element extending a further 3m to the rear. The total depth of the resulting rear extension would be 9m. The two-storey section would extend 6m back from the upper storey of No. 97, and 3m beyond the single storey extension at that house. The new single-storey element would have eaves at 2.5m above ground, but rise to a ridge at 3.9m, compared to the 3.3m ridge height of the current conservatory.

Impact on No. 97

- 8.5 The proposed extension would be south of No.97. In my view the depth, height, and position of the proposal would have a detrimental impact on sunlight and outlook for occupiers of No.97, and lead to an unacceptable sense of enclosure. the proposal will have a impact upon the windows in the rear elevation of number 97 in terms of loss of light and outlook and adding to this the raising of the height of the proposal from 3.3m to 3.9m will add to the impact.
- 8.6 I note that the occupiers of No.97 have expressed their support for the proposal, and indicated their intention to carry out similar work. However, I cannot be certain that this view or these intentions will be sustained into the future; I must assess the proposal on its merits, and on the basis of the existing configuration of the neighbouring house, and notwithstanding the neighbours' expressed views, it is my opinion that the impact on neighbour amenity is unacceptable.

Impact on No. 101

- 8.7 The proposal is located north of this neighbour. No. 101 already has a large single-storey extension. Given the distance between the two houses, and the intervening fence, I do not consider the ground floor element will have any significant impact upon this neighbour.
- 8.8 The two-storey element will be of similar depth to the single-storey extension at 101. Only high-level windows are proposed in the elevation facing No.101. The proposed elevation would be visible from 101, but I do not consider that it would have any impact in this direction which would warrant refusal of permission.
- 8.9 In my opinion the proposal does not respect the residential amenity of the occupiers of No.97 and is contrary with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

9.0 CONCLUSION

- 9.1 The height, depth and position of the proposed extension will have a detrimental impact on neighbour amenity at No. 97

through overshadowing, loss of outlook and increased sense of enclosure. I recommend REFUSAL.

10.0 RECOMMENDATION

REFUSE, for the following reason:

1. Because of its height, its depth, its proximity to the common boundary and its position south of the attached neighbouring property, 97 Green End Road, the proposed extension would cause a loss of sunlight to that house and its garden area, restrict the outlook and create an undue sense of enclosure, contrary to policies 3/4 and 3/14 of the Cambridge Local Plan 2006 and to guidance provided by the National Planning Policy Framework.

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Planning Issue

NOTES:

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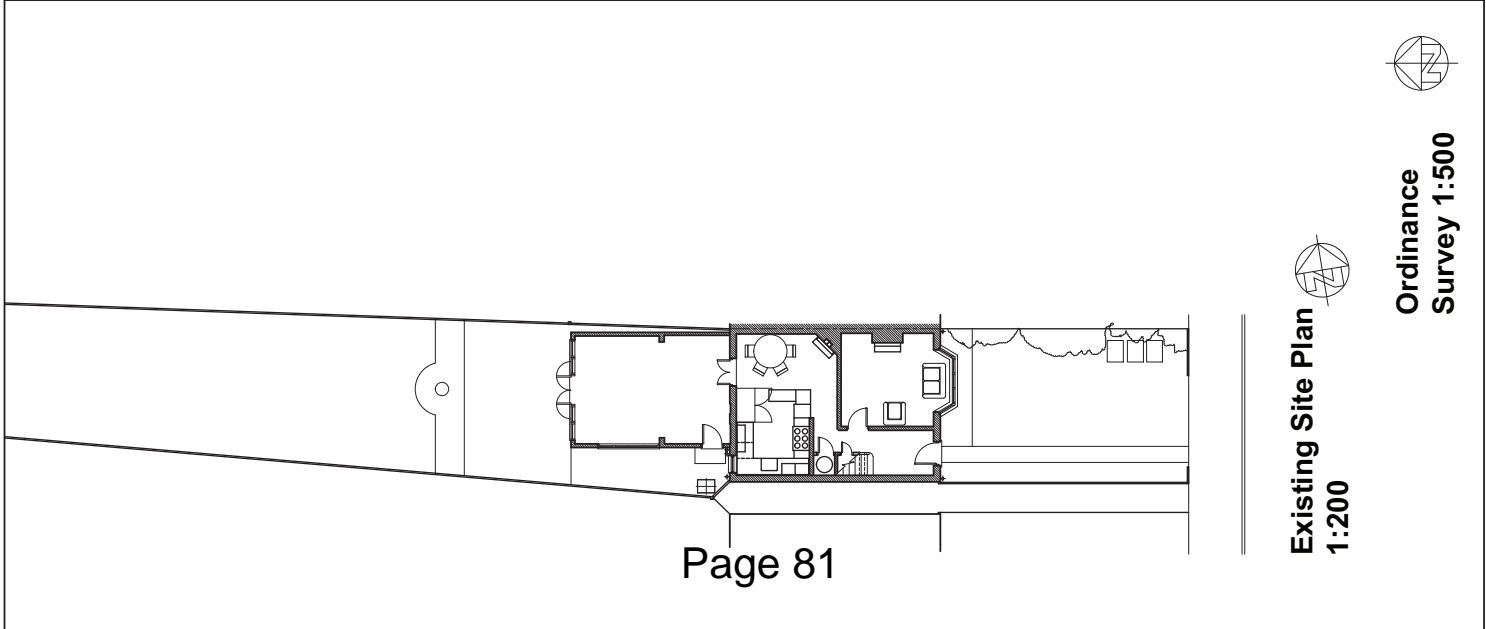
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Checked By:

Date: July 2013
Scale: 1:200 @ A3
1:100 @ A1

Dwg Title: Location & Site Plan of Existing

Project: Proposed Alterations to 99 Green End Road, CAMBRIDGE. CB4

Drawing No: 811-EX-01
Rev: 0



Existing Site Plan
1:200



Ordinance
Survey 1:500



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Planning Issue

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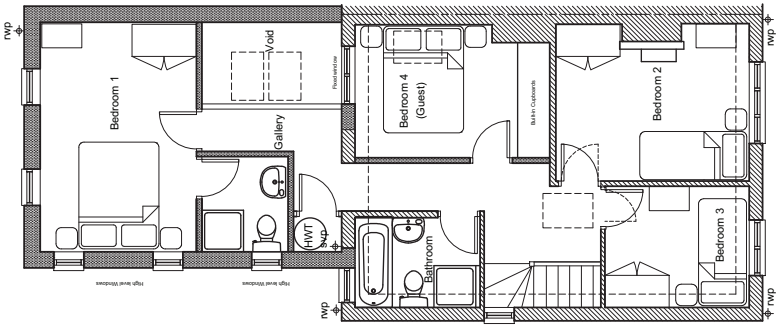
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Date	July 2013	Scale	1:100 @ A3 1:50 @ A1
Dwg Title	Ground, First and Roof Plans as Proposed		

Project
Proposed Alterations to
99 Green End Road
CAMBRIDGE, CB4

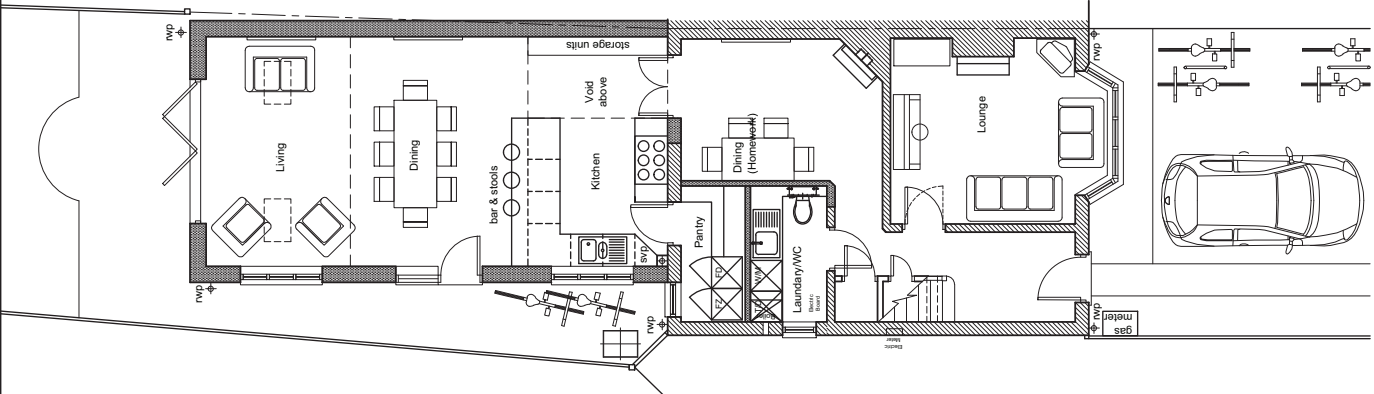
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**Roof Plan
as Proposed**



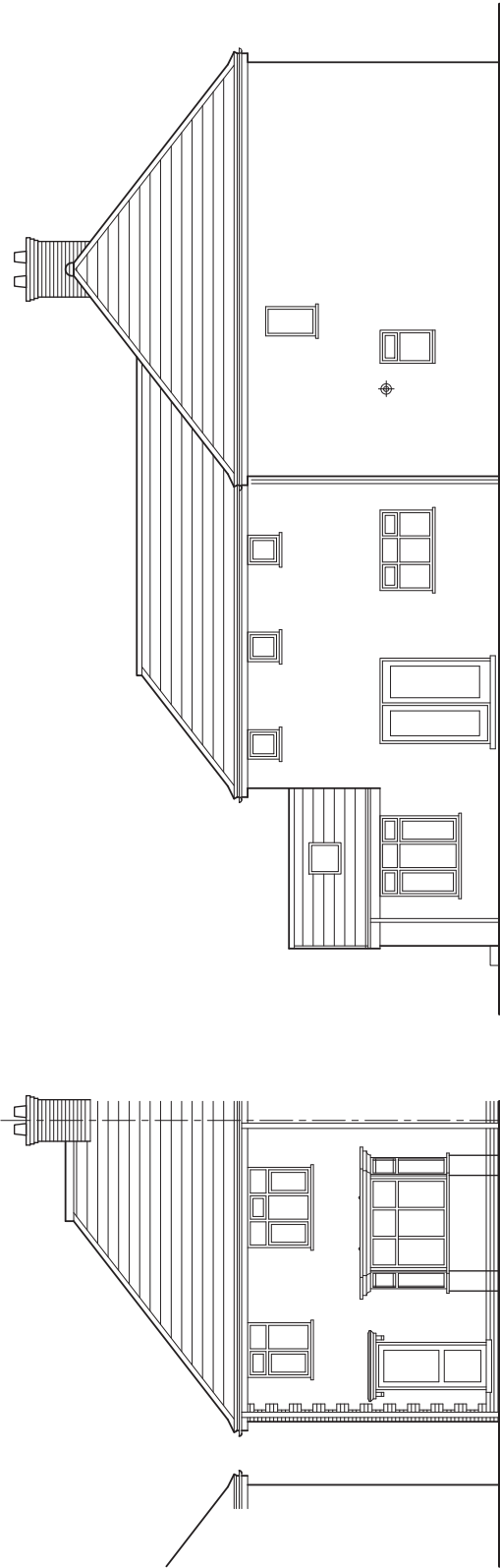
**First Floor Plan
as Proposed**



**Ground Floor Plan
as Proposed**

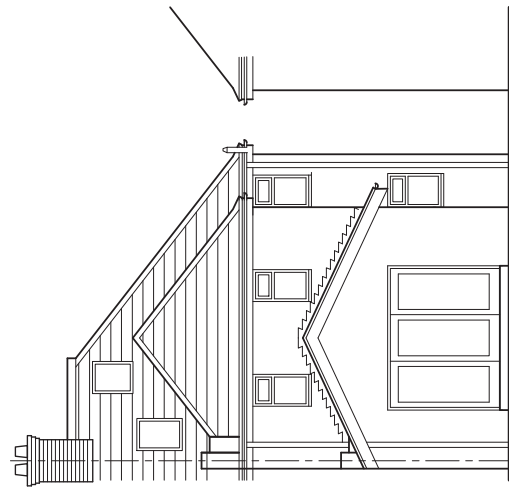
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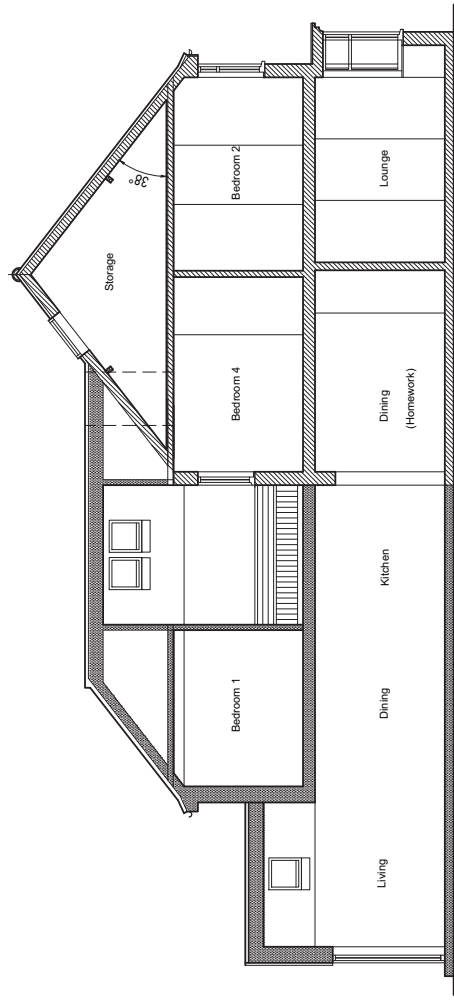


**East Elevation
as Proposed**

**South Elevation
as Proposed**



**West Elevation
as Proposed**



**Section
as Proposed**

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Draw Title	Elevations and Sections as Proposed		
Project	Proposed Alterations to 99 Green End Road CAMBRIDGE, CB4		
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