

Application Number	12/0020/FUL	Agenda Item	
Date Received	26th January 2012	Officer	Mr Amit Patel
Target Date	22nd March 2012		
Ward	Petersfield		
Site	19A Lyndewode Road Cambridge CB1 2HL		
Proposal	The purpose of the work is to widen vehicular access onto applicants property and for enclosure of the area in front of the garage to prevent the accumulation of litter from passers-by.		
Applicant	Mr John Hewett 25 Covent Garden Cambridge Cambs CB1 2HS UK		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located on the corner of Lyndewode Road and Mawson Road. The dwelling is a two storey building and has a brick wall demarking the boundary with the site and public highway and is residential in character.
- 1.2 The site is within the newly adopted New Town and Glisson Road Conservation Area. There are trees within the grounds; these are not subject to Tree Protection Orders, but enjoy the protection of the site's Conservation Area status.

2.0 THE PROPOSAL

- 2.1 The proposal is to widen the existing vehicular access and add gates to the boundary serving the garage and the garden and alterations to the existing wall to accommodate the gates.
- 2.2 The application is accompanied by the following supporting information:
1. Design Statement
 2. Plans

3.0 SITE HISTORY

No planning history for the site.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework

The National Planning Policy Framework 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.

Circular 11/95 – The Use of Conditions in Planning Permissions

5.2 East of England Plan 2008

SS1: Achieving Sustainable Development

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

5.3 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

4/3 Safeguarding Features of Amenity or Nature Conservation Value

4/4 Trees

4/11 Conservation Areas

8/2 Transport Impact

5.4 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

5.5 **Material Considerations**

Area Guidelines

New Town and Glisson Road Conservation Area Appraisal (2012)

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

- 6.1 The proposal involves the loss of a Residents Parking Bay and this will need consent from the local highway authority. The proposal is acceptable subject to conditions regarding surface finish of the driveway, construction specification of the cross over, encroachment onto the highway, adequate drainage for surface water, retention of the access free of obstruction. An informative is recommended regarding carrying works out on a highway and public utilities within the highway.

Urban Design and Conservation

- 6.2 The proposal is supported subject to conditions relating to joinery details and materials for the walling.

Trees

- 6.3 Walnut tree is important and its retention is needed, but can be done through a tree protection condition and Tree Protection Method Statement.

Nature Conservation

- 6.4 The retention of the Walnut tree is essential but the loss of the shrubs and additional trees is acceptable subject to replacement planting.

6.5 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 Marchant-Daisley has commented on this application. Her comments relate to the impact the development will have on the Walnut Tree. This is attached as an appendix.

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

- 15 Lyndewode Road
- 17 Lyndewode Road
- 19 Lyndewode Road
- 30 Lyndewode Road
- 108 Mawson Road
- 90 Mawson Road
- 91 Mawson Road
- 100 Mawson Road
- 102 Mawson Road
- 103 Mawson Road
- 107 Mawson Road
- 109 Mawson Road
- 110 Mawson Road
- 112 Mawson Road (2 representations)
- 119 Mawson Road
- 123 Mawson Road
- 127 Mawson Road

7.3 The representations can be summarised as follows:

- Loss of on street parking;
- Out of character with Conservation Area;
- Loss of wildlife habitat and visual amenity;
- Site notice not visible;
- Highway safety;
- Rubbish accumulation insufficient to justify proposal;
- Increased noise and pollution of additional cars;
- The house is being turned into a house in multiple occupancy;
- Loss of light;
- Loss of privacy.

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 and impact on the Conservation Area
2. Residential amenity
3. Highway safety
4. Trees
5. Third party representations

Context of site, design and external spaces and impact on the Conservation Area

8.2 This is a residential area. The proposal seeks to add automated bi-folding gates to fully enclose the rear garden and garage within the site and extend the existing dropped kerb. Demolishing part of the existing wall and adding piers and gates to close the gap between the piers will do this. This has been done on the opposite side of the road, so it would be difficult to justify the argument that it is out of context.

8.3 Demolition of part of the wall has been raised as a concern by third parties, but I do not consider that this is a justifiable reason for refusal as the resulting opening will be similar to the one opposite and the use of materials (wood) is appropriate. The Urban Design and Conservation team have raised no objection to the proposal but advise conditions on joinery, with which I agree.

8.4 Subject to conditions, in my opinion the proposal is compliant with East of England Plan (2008) policies ENV6 and ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 The proposal seeks to add a gate to enclose the area in front of the garage and demolish part of the existing boundary wall and extend the existing dropped kerb. Comments have been received that this has the potential to cause harm to the adjoining neighbours through noise and pollution. The application states that an additional car space is being created. I do not consider that an additional car parking space will create a level of noise sufficient to have a detrimental impact on the neighbouring occupiers.
- 8.6 In terms of pollution I do not consider that an additional car will lead to a significantly increased level of pollution.
- 8.7 Comments received suggest that the proposal will lead to the loss of privacy to the adjoining occupiers. I do not consider that this to be the case. A boundary wall and mature planting will stop any direct glare of headlights into the neighbouring gardens.
- 8.8 Comments have also been received that the wall/gates will have a impact on light to neighbouring occupiers. The only element that is increasing in height is the brick pier adjacent to the common boundary with 112 Mawson Road. I do not consider that the 50cm increase in height of this pier, which measures 40cm by 40cm, will have a significant impact on the adjoining occupiers.
- 8.9 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 Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

- 8.10 The local highway authority have commented that the proposal will lead to the loss of a single on-street car parking space, but this will need separate permission from the County Council highway department. I do not consider that the loss of this space provides a reason to refuse the application.
- 8.11 Representations raise concerns about increase in vehicle traffic and conflicts with other users. The highway authority have not raised these concerns and I am satisfied, in light of the advice given, that the proposal is acceptable in highway safety terms.

8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Trees and Nature Conservation

8.13 Comments have been received that the proposed new car parking area will lead to the loss of trees. The Arboriculture Officer has commented that the walnut tree is the most notable one. She notes that the tree is to be retained, but advises a condition requiring a tree protection method statement should be submitted to protect the tree. I accept this advice.

8.14 The Nature Conservation Officer has commented that the walnut tree will need to be protected but the loss of the other trees and shrubs is acceptable subject to their replacement with native species, I concur with this view. In addition it is recommended that bird boxes be added to the site to encourage wildlife habitat.

8.15 Subject to condition, in my opinion the proposal is acceptable and complies with the Cambridge Local Plan (2006) policies 4/3 and 4/4.

Third Party Representations

8.16 I have addressed the issues regarding the character of the area, residential amenity, highway safety, car parking, and trees and nature conservation under the relevant headings above. Three main issues remain.

8.17 Comments received assert that rubbish accumulating in front of the existing garage is not a reason to install the gates. The application does not require a justification of this sort.

8.18 I can confirm that a site notice was displayed in conjunction with this application.

8.19 The application does not propose conversion of the property to an HMO. Such a change would not require planning permission if it accommodated six or fewer residents. Use of the property as an HMO for seven or more residents would require a separate planning application.

9.0 CONCLUSION

The likely impact of this proposal is not significant enough to provide any reason for refusal. I recommend APPROVAL.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. No new joinery is to be installed, until details of the joinery have been submitted to and approved in writing by the local planning authority. Joinery shall thereafter be installed only in accordance with the approved details.

Reason: To protect the character and appearance of the Conservation Area. (East of England Plan (2008) policies ENV6 and ENV7 and Cambridge Local Plan (2006) policies 3/4 and 4/11).

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

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

4. Details of the specification and position of fencing, or any other measures to be taken for the protection of the Walnut tree from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

5. The replacement planting shall be submitted to and approved in writing by the local planning authority. The planting shall then be implemented in accordance with the approved details, within six months of its approval.

Reason: In the interest of wildlife habitat. (Cambridge Local Plan (2006) policy 4/3)

6. The installation of bird boxes shall be submitted to the local planning authority within six months of this permission. The bird boxes shall then be installed in accordance with the approved details, within six months of their approval.

Reason: In the interest of Nature Conservation. (Cambridge Local Plan (2006) policy 4/3).

7. 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).

8. 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 and to ensure satisfactory access into the site.

9. No part of any structure shall overhang or encroach under or upon the public highway and no gate / door / ground floor window shall open outwards over the public highway.

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

10. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

11. The access shall be provided as shown on the approved drawings and retained free of obstruction.

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

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: For further advice on condition 5 and 6 it is recommended that the applicant/agent contact Guy Belcher on 01223 458532.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Reasons for Approval

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

East of England plan 2008: SS1, ENV6 and ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 4/3, 4/4, 4/11 and 8/2

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

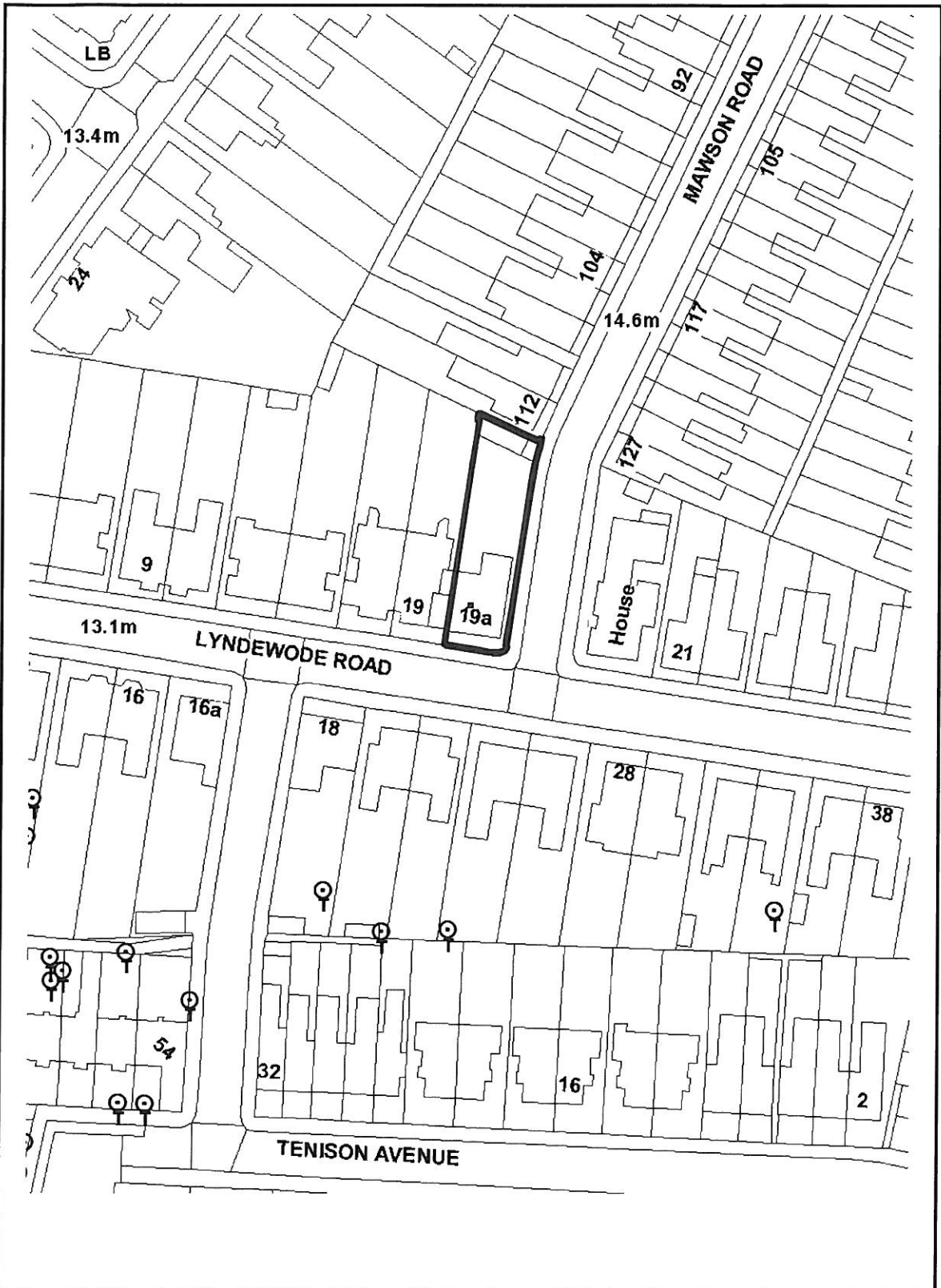
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

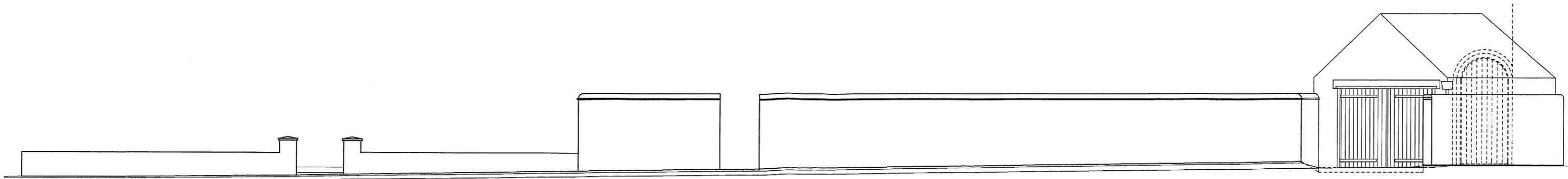
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

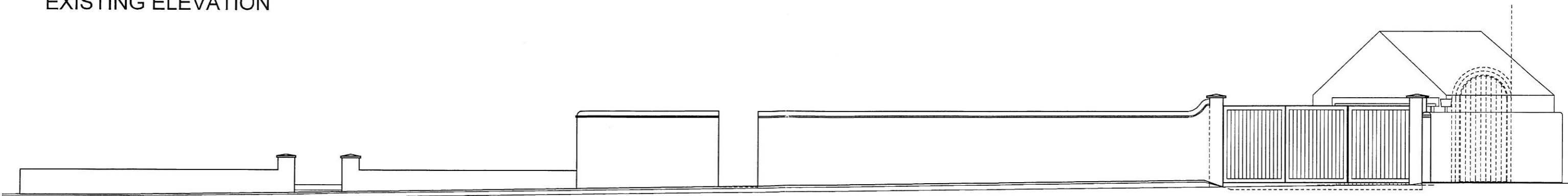
These papers may be inspected on the City Council website at:
www.cambridge.gov.uk/planningpublicaccess
or by visiting the Customer Service Centre at Mandela House.



12/0020/FUL
19A Lyndewode Road Cambridge

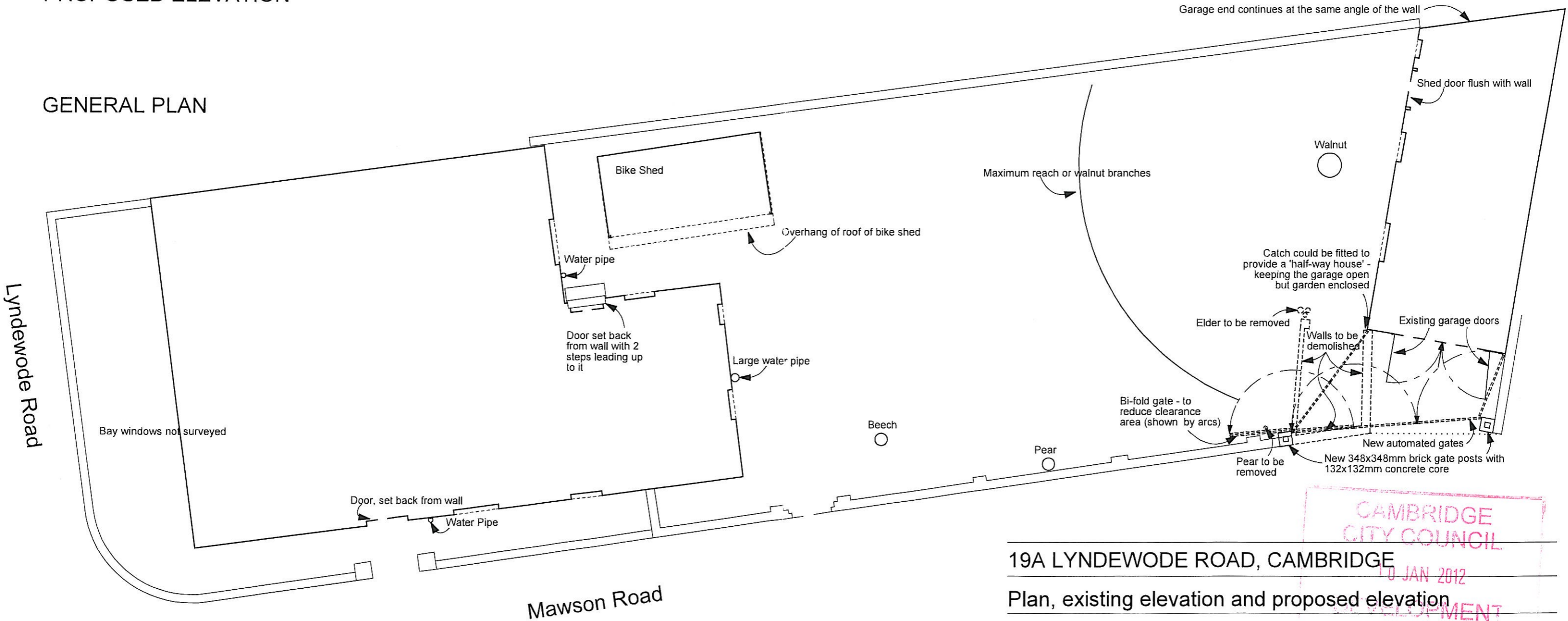


EXISTING ELEVATION



PROPOSED ELEVATION

GENERAL PLAN



CAMBRIDGE CITY COUNCIL
 10 JAN 2012
 DEVELOPMENT CONTROL
 11505.001A

19A LYNDEWODE ROAD, CAMBRIDGE

Plan, existing elevation and proposed elevation

alm 1:100@A3

16/12/11

11505.001A

© J G P ARCHITECTS
 NOTES
 1. Do not scale
 2. If in doubt ask

J G P ARCHITECTS
 2 Felton Street Cambridge CB1 2EE

Telephone 01223 353471
 Facsimile 01223 313296