
Application Number	12/1169/FUL	Agenda Item	
Date Received	12th September 2012	Officer	Mr Amit Patel
Target Date	7th November 2012		
Ward	Romsey		
Site	2 Montreal Road Cambridge Cambridgeshire CB1 3NP		
Proposal Applicant	The demolition and rebuild of two flats. Mr & Mrs Lindgren 2A Montreal Road Cambridge CB1 3NP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>It is similar in size and scale to the existing dwelling</p> <p>The room numbers are not increasing</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 2 Montreal Road is a two storey detached building located on the east side of the road occupied by two flats. The street is a mix of residential buildings. To the north is neighbouring 1b Montreal Road, a relatively new two storey detached dwelling, set back slightly from the building line of 2 Montreal Road. To the south is 3 Montreal Road, an older Victorian building, the northern dwelling of a two storey semi-detached pair, This is forward of 2 Montreal Road. East of the site, to the rear, are the ends of the rear gardens to dwellings fronting Natal Road to the south, and Brookfields to the north.
- 1.2 The site does not fall within a Conservation Area but the boundary of the Conservation Area runs along the rear boundary of the gardens of properties facing Brookfields. The

site is outside of the Controlled Parking Zone (CPZ). There are no Protected Trees on, or adjacent to the application site that would be affected by the proposed development.

2.0 THE PROPOSAL

2.1 This is a revised proposal for a previous refused scheme. The previous scheme was refused on the following grounds:

The proposal due to its increased height and depth on the common boundary with number 3 Montreal Road will create a development that is likely to have a detrimental impact upon the adjoining neighbours in terms of over bearing and sense of enclosure and in addition to this, coming closer to the boundary with number 1b Brookfields with the mass, height and bulk, sited north of the site will lead to loss of light, over bearing and sense of enclosure to that neighbour above what they expect to enjoy and therefore contrary to policy ENV7 of the East of England Plan (2008), 3/4 and 3/12 of the Cambridge Local Plan (2006) and guidance provided in the National Planning Policy Framework (2012).

2.2 The revised scheme is similar in size and scale to the existing property.

2.3 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
11/1540/FUL	The demolition and rebuild of two flats.	REF

3.1 The decision notice for the previously refused application 11/1540/FUL is attached to this report as Appendix 1.

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, 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
East of England Plan 2008	SS1 ENV7
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/13 8/6 8/10

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)
	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal will not have a significant impact upon the local highway subject to conditions relating to construction traffic management, encroachment onto the public highway and works within the highway.

Head of Environmental Services

- 6.2 The proposal is close to residential properties and therefore there is likely to be an impact on the residential amenities of adjoining occupiers. However, the Environmental Health officer considers that appropriate conditions relating to collection and deliveries, construction hours, waste and recycling and dust can mitigate the impact.
- 6.3 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:

3 Montreal Road

- 7.2 The representations can be summarised as follows:

- The new building will over shadow the gardens of neighbouring properties;
- Works will cause damage to the adjoining properties;
- Privacy to neighbouring occupiers will cause harm with new windows;
- Sewers will be damaged.

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity
3. Highway safety
4. Car and cycle parking
5. Waste
6. Third party representations
7. Planning Obligation

Context of site, design and external spaces

8.2 Montreal Road comprises a varied mix of residential dwellings. There is no established building line, design or character in the street scene. The existing dwelling which is to be demolished has been extended to the rear by a long catslide extension. This is not particularly sympathetic to the original form of the dwelling as it is visible when standing in certain parts of the street, most obviously through the gaps between the application site and 3 Montreal Road to the south. In respect of visual amenity I do not consider the extended form of the existing particularly successful, attractive or respectful of the building it extends. However, the street displays a real mix of styles, designs and age of buildings. While adjacent to, it is not within the Central Conservation Area. The proposed replacement building will have a different height and mass to the existing building, but the change will be limited, and subject to the use of appropriate materials I consider that this will not have any

significant harmful visual impact. Therefore the proposal would be acceptable in design and context terms.

- 8.3 Subject to condition, In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.4 The proposal seeks to demolish the existing building and replace it with a similar building, the difference being that there will be an additional mass, coming closer to the common boundary with number 1b Montreal Road. This additional mass, which is sited south of 1b, will have a visual presence, and some impact on sunlight, but in my view, the impacts will be limited and are not unacceptable.
- 8.5 The first floor mass would extend beyond the existing rear elevation of 1b by 4m but it would still be set off the common boundary by 1.2m, and because of this distance, and the roof design, which is similar to the existing house, I do not consider that the revised design will have a detrimental impact upon the neighbouring occupier.
- 8.6 The previous (refused) application (11/1540) would have introduced significant new mass and height, close to number 3 Montreal Road. I consider that this revised design, which is similar to the existing form (with the exception of the introduction of a dormer in the catslide roof) is not likely to have a detrimental impact. Although there will still be a large expanse of blank brickwork on the common boundary with No.3, this would be very similar to the existing situation. In my opinion the revised design has sufficiently addressed the previous concern of enclosing and overbearing impact to the occupier and I now consider it acceptable.
- 8.7 There are no new windows being introduced in the elevation facing number 3 and therefore there will be no impact in terms of privacy and over looking to this neighbour. There are windows at first floor and ground floor level facing 1b but the proposed first floor side window in the new building will be close to the gable of 1b Montreal Road and therefore will have limited

out look. The proposed ground floor windows will be screened by the boundary fence. I do not consider that the proposed flats would have a significant impact on 1b Montreal Road in terms of over looking and privacy.

- 8.8 The rear elevation introduces a dormer but there are already first floor level windows in adjacent properties that afford views across the rear gardens here. The proposed situation would not be significantly different.
- 8.9 Comments have been received from Environmental Health regarding hours of construction and collection and deliveries. I agree with their advice and recommend conditions as well as informatives relating to dust.
- 8.10 Subject to conditions, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

- 8.11 The local highway authority have commented that the proposal will not have a significant impact upon the highway, subject to informatives relating to works to the highway which will need prior approval from the County Highway Department.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.13 No on-site car parking spaces are proposed. As the application proposes two flats to replace two flats, the car parking situation will be unaltered.
- 8.14 The plans show cycle storage for the flats. According to the Cycle Parking Standards there needs to be 1 space for every bedroom. The proposal is for two 2bed room flats and in accordance with the standards totals 4 spaces. The plans submitted do not provide clear details as to layout of the cycle storage but I consider that there is room on site to provide the

required numbers and in my view satisfactory provision can be ensured by the condition which I recommend.

- 8.15 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Waste

- 8.16 The plans show a bin and bike storage area for the two individual flats proposed and show three bins per flat. This is in accordance with the waste strategy. I do not consider that any condition is necessary as there is room within the store area to accommodate the required bins.

- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 4/13

Third Party Representations

- 8.18 The third party comments have been addressed in the report above. The issue of damage to properties and sewers is not a planning consideration as this would be considered under Building Regulations and Party Wall Act.

Planning Obligation Strategy

- 8.19 The proposal is to replace 2 one bed flats with similar accommodation. No planning obligations arise.

9.0 CONCLUSION

The revised proposal to replace the existing house with a slightly larger house has addressed the previous reason for refusal and subject to conditions I recommend APPROVAL.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

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

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

3. Prior to the commencement of development 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 in writing.

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)

4. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

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

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

6. Except with the prior agreement of the local planning authority in writing, 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: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

7. No development shall commence until full details of facilities for the parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

INFORMATIVE: The demolition of the flats may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from the section on dust pollution in the Council's Sustainable Design and Construction supplementary planning document <http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf> and the "Control of dust and emissions from construction and demolition", Best Practice Guidance produced by the London Councils http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

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: 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 and ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/13, 8/6 and 8/10

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

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

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.