

Application Number	12/1203/FUL	Agenda Item	
Date Received	1st October 2012	Officer	Ms Lorna Gilbert
Target Date	26th November 2012		
Ward	Romsey		
Site	5 Montreal Road Cambridge Cambridgeshire CB1 3NP		
Proposal Applicant	Single dwelling house (1 bedroom). Mr Adam Cash 5 Montreal Road Cambridge Cambridgeshire CB1 3NP		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site contains a detached single storey timber shed and driveway. It is accessible from Natal Road. The site is bordered to the north by 5 Montreal Road, which is in the applicant's ownership. The site is bordered to the west by a single storey garage and carport and beyond these No.1 Natal Road. Directly to the east of the site is No.3 Natal Road, a two-storey semi-detached property.
- 1.2 The site is not within a conservation area and does not contain a listed building.

2.0 THE PROPOSAL

- 2.1 The proposal involves the construction of a part single and part two storey building of contemporary design with planted facades and roof. The building would form an annexe to No.3 Natal Road. The first floor front elevation would project 0.5m further than ground floor and the building line of No.3 Natal Road. The roof would be a combination of flat and sloped.
- 2.2 The front elevation would include bi-fold double glazed windows and translucent insulated panels. The first floor would have fixed timber louvres.

- 2.3 The proposal would provide additional accommodation to the main house of No.5 Montreal Road.
- 2.4 One on-site parking space would be provided. Water permeable paviers would be used in the driveway.
- 2.5 The front garden includes a covered bike and bin store. Storage for 3 wheelie bins and two bicycles.
- 2.6 The application is accompanied by the following supporting information:

- 1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/66/0199	<i>Land Adjoining 5 Montreal Road:</i> Erection of two houses-Land adjoining	Refused 20.5.1966
C/68/0538	<i>Land Adjoining 5 Montreal Road:</i> Residential development.	Granted 20.11.1968

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) 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

Circular 05/2005 - Planning Obligations:

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.

5.2 **East of England Plan 2008**

SS1: Achieving Sustainable Development
ENV7: Quality in the Built Environment

5.4 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/11 The design of external spaces
3/10 Subdivision of existing plots
3/12 The design of new buildings
4/2 Protection of open space
5/1 Housing provision
5/5 Meeting housing needs
5/14 Provision of community facilities through new development
8/2 Transport impact
8/6 Cycle parking
8/10 Off-street car parking
8/18 Water, sewerage and drainage infrastructure
10/1 Infrastructure improvements

5.5 **Supplementary Planning Documents**

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

Cambridge City Council (March 2010) – Planning Obligation Strategy

5.6 Material Considerations

Central Government Guidance 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.

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.

City Wide Guidance

Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The application removes the off-street parking for the existing residential property.
- 6.2 The demand for parking for the existing property is likely, therefore, to appear on-street in direct competition with nearby existing residential uses, increasing competition for available space.
- 6.3 Otherwise the proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions and informative requested.

Cambridge City Council (Environmental Services)

- 6.4 The application is for the construction of a single dwelling house. Due to the close proximity of surrounding properties, noise from construction has the potential to harm the local amenity if uncontrolled. I recommend the standard construction/delivery hours conditions.

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 No representations have been received.

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. Sustainability
4. Residential amenity
5. Refuse arrangements
6. Highway safety and Car and cycle parking
7. Planning Obligation Strategy

Principle of Development

8.2 The applicant sought pre-application advice from the Council prior to submitting this planning application. The planning application proposes a new building adopting a contemporary design approach to provide additional accommodation to the main house of No.5 Montreal Road

8.3 Local Plan policy 3/10 relates to the sub-division of existing residential plots. The policy highlights the importance of gardens within urban areas and the important part they play to the character and visual amenity. The site is currently partly occupied by a wooden shed and concrete slabs. The applicant has referred to a static caravan previously being located on the site. The application site would occupy land currently used by No.5 Montreal Road but the proposal would retain a reasonable sized garden for the existing property. I consider that the piece of land fronting Natal Road located between an existing garage and No.3 Natal Street proposed for the new house is not garden land because of its existing and past use.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 3/10.

Context of site, design and external spaces

- 8.5 The proposed part single, part two-storey building would infill a gap between No.3 Natal Road and a garage to the west. The proposed development would have a contemporary design and the ground floor front elevation would follow the building line of No.3 Natal Road. There would be a first floor projection. The building would adjoin No.3 Natal Road which is a semi-detached brick house with a gable ended pitched roof that has a more traditional design. The building would have a green wall and roof. The roof would be planted with a sedum and wildflower mix.
- 8.6 There is a mixture of house types along Natal Road and Montreal Road. The proposed development would have a unique design in comparison to the surrounding properties but it would be of modest size, it incorporates a green roof and wall and glazing to help soften its impact when viewed along the street. The proposal is a combination of single and two storey. It is considered that it would not appear excessive in size or bulky along the street.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Sustainability

- 8.8 The proposed house has been designed to incorporate sustainable measures. Planting on the facades and roof are proposed. There would be south facing double glazing. Timber louvers provide shade to prevent overheating and provide privacy to the first floor bedroom. The building would have a timber frame and sustainably resourced softwoods would be obtained. There would be a planted facade, roof and store. Rainwater could permeate through the driveway. Grey water holding tanks would be located beneath the driveway and can be used to flush toilets and for the washing machine and irrigate the planted facades and roof.

- 8.9 In my opinion the applicant has suitably addressed the issue of sustainability and the proposal is in accordance with the Sustainable Design and Construction SPD 2007.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The proposal includes a first floor flank window in the bedroom area. The proposed house would be located between 10m and 13m from the property of No.1 Natal Road. This neighbouring property has first floor windows that would face the proposed window. It is recommended that if the application were to be approved a condition is attached to ensure the window is obscure glazed to avoid a loss of privacy to this neighbouring property.
- 8.11 The proposed building would not lead to a loss of light to No.3 Natal Road as there are no flank windows on this proposal. The distance and orientation of No.1 Natal Road to the west of the proposed house would avoid this property from experiencing an unreasonable loss of light as a result of the proposal.
- 8.12 The first floor of the proposal projects beyond the building line of the neighbouring property of No.3 Natal Road by 0.5m. This glazed projection is located 1.3m from this neighbouring address. It is recommended that the glazing proposed on the flank wall facing this neighbouring property is obscure glazed to avoid overlooking this neighbouring address. This can be dealt with by condition.
- 8.13 I consider that the planted flank wall and the reduced height of the property at the rear would minimise the impact of the proposal and would avoid it causing harm to the outlook from neighbouring addresses. The glazing at the front of the property also reduces the bulk of the proposed property.
- 8.14 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.

Amenity for future occupiers of the site

- 8.15 The two-storey building provides additional accommodation, including a bedroom. The size of the accommodation is considered acceptable. The building would provide additional accommodation for No.5 Montreal Road according to the Design and Access Statement. There is a ground floor door that has access to the shared garden with the existing house at No.5 Montreal Road. The proposal would not have a separate garden. It is considered acceptable for the garden area to be shared between the existing house and its annexe. As the application has been assessed as supplementary accommodation for No.5 Montreal Road it is necessary that a condition be attached to ensure the unit is not used as an independent house.
- 8.16 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

- 8.17 Cambridge City Council's Refuse and Environment Service commented on the proposal. They raised no objection with the refuse and recycling arrangements. A covered bin store is located in the front garden. It would include planting on the facade and roof to help lessen its impact in the street scene.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety and Car and Cycle Parking

- 8.19 Cambridgeshire County Council Highways commented on the proposal. They recognised that the proposal removes the off street parking for the existing residential property and therefore it will add to on street demand. However, they have not objected to the proposal. They requested a number of conditions be included if the proposal were to be approved.
- 8.20 One parking space would be provided for the site of 5 Montreal Road. It could be argued that as the proposal is to provide

additional accommodation linked to the existing property of No.5 Montreal Road, the on street parking demands may be less than if it were a separate unit in its entirety. Although, it is accepted that an on-site provision for both the existing and proposed house would be more ideal, I consider the provision of one on-site parking space would not be so detrimental to warrant a refusal on this grounds.

- 8.21 The proposal shows a covered store in the front garden for two bicycles. This would satisfy the provision required for a one bedroom house in the Local Plan.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Planning Obligation Strategy

- 8.23 Since the application does not propose to create an independent dwelling or a new planning unit, planning obligation contributions are not required.

9.0 CONCLUSION

- 9.1 It is considered that the proposed annexe would not cause detrimental harm to neighbours' amenity and it would complement the appearance of the street scene and would not add significant pressures to the street to warrant the refusal of planning permission.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. The building hereby approved shall be occupied only in connection with, and ancillary to, the house at 5 Montreal Road. It shall not be separately occupied or let.

Reason: Because an independent dwelling to this design would not provide an appropriate standard of residential amenity, and would not provide open space, community facilities, or waste storage provision for future occupiers. (Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12 and 5/14)

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

Reason: To protect the residential amenity of neighbours. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

5. 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 residential amenity of neighbours. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

6. 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).

7. 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: To safeguard highway safety. (Cambridge Local Plan 2006 policy 8/2)

8. The forecourt 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. (Cambridge Local Plan 2006 policy 8/2)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

11. All windows in the side elevations of the building hereby approved shall be obscure glazed, and shall be maintained in that state.

Reason: To protect the residential amenity of neighbouring occupiers. (Cambridge Local Plan policy 3/4)

12. 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.

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.

13. 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: policy ENV7

Cambridge Local Plan (2006): policies 3/4, 3/7 and 3/12

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.