

Application Number	13/0753/FUL	Agenda Item	
Date Received	30th May 2013	Officer	Mr Sav Patel
Target Date	25th July 2013		
Ward	East Chesterton		
Site	The Mews Mortlock Avenue Cambridge Cambridgeshire CB4 1LY		
Proposal Applicant	Erection of 3no 1 bedroom flats. Mr J Price The Mews Mortlock Avenue Cambridge Cambridgeshire CB4 1LY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed development would make effective and efficient use of ancillary land to provide additional housing stock in a sustainable location within close proximity to local services and public transport links.</p> <p>The proposed development would integrate into the site without have a detrimental impact on the surrounding built form and residential amenity of the adjoining neighbours</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The built form of the area is characterised by residential two storey detached and semi-detached properties with deep rear gardens.
- 1.2 The application site is located behind no.56 and 60 Green End Road and within a recently constructed housing development known as The Mews, which comprises five one-and-a-half storey dwellings. Access to the site is via Mortlock Avenue which is located to the east of the site. The entrance into the site is gated for private access.

- 1.3 To the west of the site are the rear amenity areas of no's 56 and 60 Green End Road, which have been converted into flats.
- 1.4 The rear boundary of the site (south-east) is adjoined to the side (north-west) boundary of no.64 Green End Road.
- 1.5 To the north-east is the access into The Mews development and beyond this is a row of single storey garages in an 'L' shape arrangement, which appear to be related to the properties within Mortlock Avenue.
- 1.6 The site is not located within any designated area of constraint.

2.0 THE PROPOSAL

- 2.1 The proposal is for the construction of a one-and-a-half storey building to accommodate three 1-bedroom flats (two on the ground and one in the roof space). The proposed building includes two pitched roof dormer windows similar to those found in the existing dwellings with The Mews. The building would also be set back from the frontage of the adjacent property by approximately five metres with car parking in front.
- 2.2 In terms of its dimensions, the building would be six metres to the ridgeline, 2.5 metres to the eaves, 9.5 metres deep and 12.35 metres wide. The building would sit lower than the existing properties by approximately 400mm.
- 2.3 The location for the proposed building is currently used as an informal car parking and cycle storage area. According to the approved plans for The Mews development this area appears to be retained as a turning head.
- 2.4 The car parking area would be formalised as part of the proposed development by providing five spaces. A new cycle storage area would be located along the rear boundary. The existing cycle store would be maintained in its current location.
- 2.5 The application is accompanied by a design and access statement.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0520/FUL	Erection of 3 1bedroom flats	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, 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 5/7 8/6

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
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Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : 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 Walking and Cycling Strategy Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments Roof Extensions Design Guide

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 The proposal has the potential to increase parking demand from the site.

Head of Environmental Services

- 6.2 Request conditions restricting construction hours and details on refuse and recycling provision for the use.
- 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 owner/occupier of the following address has made a representation:

Flat 3, 60 Green End Road

7.2 The representation can be summarised as follows:

-Insufficient car parking and noise disturbance during construction work

7.3 The above representation is a summary of the comment that has been received. Full details of the representation 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. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

8.2 The application site is located within and surrounded by residential development and located within reasonable walking distance of a District and Local Centre which is located to the north; on the corner of Milton Road and Green End Road. The site is also within close proximity to public transport links into the city centre and wider area.

8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

- 8.5 The rear gardens of no.56, 60 and 62 Green End Road were subdivided to accommodate The Mews development within which the application site is located. The development is accessed via Mortlock Avenue, which runs parallel with Green End Road.
- 8.6 The built form of the area is characterised by two storey properties that are set back from the highway and with deep rear gardens.
- 8.7 The properties within The Mews development are smaller in terms of scale and height compared to the surrounding built form. The proposed development would be similar in scale to its back-land neighbours, albeit slightly lower, and set back from the adjacent pair of semi-detached properties. This would reduce its appearance from the site entrance and on the adjacent buildings either side. I am of the view that the proposed building would integrate into the site context successfully.
- 8.8 The design of the proposed building is relatively simple but well articulated and proportionate in scale to the adjoining building (no.4 The Mews). The pitched roof dormer windows in the roof-scape reflect similar features in the dwellings in The Mews development. The proposed building has been designed with traditional straight side gables with a pitched roof whereas the adjacent dwellings have hipped roofs. I do not find this objectionable and am of the view that due to the lower ridge height and set back location, the design of the proposed building would be acceptable in this back-land location context.
- 8.9 In terms of the external space, the proposal includes provision for cycle and bin storage provision to serve the units. A threshold space would be created between the front of the building and reorganised car parking area to mitigate the harm on future occupants. The future occupants would also have access to the communal amenity area to the rear no.56 and 60 Green End Road. I am of the view the external space has been

designed to ensure the proposed building provides suitable provision to future occupants without adversely affecting the provision for the existing dwellings.

- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The proposed building has been carefully laid out to mitigate the impact on the adjoining occupiers. There are no windows that would directly overlook the private amenity area of the surrounding properties. The velux windows in the rear roofscape would provide light into a bathroom, landing and kitchen of the first floor flat and would be set high into the roof-slope avoiding any overlooking. All the main habitable rooms within the flats would be located at the front of the building facing into The Mews site. Therefore, I do not consider there would be any overlooking onto the private amenity area of no.64 Green End Road.
- 8.12 The proposed building would sit directly between the rear elevation of the building of flats at no.60 Green End Road to the south-west and the pair of semi-detached properties in The Mews to the north-east. The building would be located approx. 3.7 metres from the rear of the single storey element (which serves a kitchen) at the rear of no.60. Currently there is a two metre high close boarded fence between the rear of no.60 and the application site. In this context, given also that the application site is located north of no.60, whilst the proposed building is likely to have some degree of impact by virtue of its scale, I do not consider the level of harm would be significant enough on the residential amenity of the occupier of the flat to warrant a refusal in terms of loss of light or dominance.
- 8.13 In terms of no.4 The Mews, which is direct adjacent to the application site, whilst the proposed building would be located one metre from the side elevation, there are no windows in the side elevation that would be affected and the main living area is located at the front of the property. Furthermore, the roof pitch of the proposed building would slope down towards the rear

boundary thus mitigating the bulk of the side elevation from the outlook of no.4.

- 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 proposal would provide future occupiers a reasonable level of amenity provision such as use of the existing communal area and a threshold area at the front of the building between the car parking area. The proposal also includes dedicated bin and cycle storage provision.
- 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 The proposal includes a dedicated area for refuse storage which would be located adjacent to no.5 The Mews. The Waste Officer has recommended a waste informative to be attached to any decision notice.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.19 The proposal does not include any alterations that would affect highway safety.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.21 The application site is located within a gated housing development comprising five existing units. The proposal includes provision for five car parking spaces giving a total of seven dedicated spaces within the site. There is provision for cars to be parked on the road, which is 5.2 metres wide.

Cycle Parking

- 8.22 The proposal includes three additional cycle spaces, which would be located adjacent to the existing cycle store along the north-east boundary.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.24 Concerns have been raised by a local residents regarding lack of car parking and noise disturbance during building works.

Lack of car parking

- 8.25 The proposal is for three 1-bedroom flats. Within The Mews, the redesigned parking arrangements would result in 5 car parking spaces for the existing approved units and the three proposed units. There is no requirement to provide car parking for the proposed units. The Local Plan sets maximum level of car parking permitted under the City Council's Standards therefore there is no minimum number of spaces which need to be provided. I am satisfied that due to the proximity of the site to public transport links and distance from the city centre in terms of walking and cycling, additional car parking would not be necessary especially as these are 1 bedroom studios.

Noise during building work

- 8.26 Whilst I appreciate the reasons for the concerns, construction noise is an inevitable part of development. Noise disturbance is temporary until the main element of the building has been completed. Nevertheless, I have recommended a condition

regarding construction noise to prevent any disturbance during unsociable hours.

Planning Obligations

8.27 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

8.28 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 and informal open space. The total contribution sought has been calculated as follows.

8.29 The application proposes the erection of three one-bedroom flats. 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					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357	3	1071
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					1071

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	3	1210.5
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					1210.5

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	3	1089
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					1089

8.30 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

8.31 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	3	3768
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			3768

8.32 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

8.33 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		
Flat	150	3	450
Total			450

8.34 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.

Monitoring

8.35 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

8.36 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 The proposed development of a building containing three 1-bedroom flats in this residential location is considered to be acceptable. The scale and proportions of the building are in keeping and its set back location would reduce its visual impact.

9.2 I am of the view that due to the scale, layout and orientation of the proposed building, there are unlikely to be any significantly

adverse impacts on the residential amenity of the surrounding neighbours.

- 9.3 In these terms, therefore, the proposal complies with policies 3/4, 3/7, 3/11, 3/12 and 5/1 of the adopted Local Plan.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 1 November 2013 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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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)

4. 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)

INFORMATIVE:

The Council has produced a guidance to provide information to developers on waste and recycling provision which can be accessed from the City Council website via the following link:- <https://www.cambridge.gov.uk/waste-and-recycling-provision-information-developers>

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:

Cambridge Local Plan (2006): 3/4, 3/7, 3/11, 3/12, 5/1 and 5/7

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 Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.