

Application Number	13/1050/FUL	Agenda Item	
Date Received	17th July 2013	Officer	Mr Amit Patel
Target Date	11th September 2013		
Ward	East Chesterton		
Site	28 Elmfield Road Cambridge Cambridgeshire CB4 1SF		
Proposal	Two storey rear extension to existing house and conversion to 2 (2 bed) flats.		
Applicant	Zhan-Jie- 207 Green End Road Cambridge CB5 8HS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed flats will contribute to the mix of accommodation in the locality;</p> <p>The proposal respects residential amenity of neighbours;</p> <p>The Unilateral Undertaking is completed, which secures necessary mitigation measures.</p>
RECOMMENDATION	APPROVAL

- 1.1 No. 28 is situated on the north east side of Elmfield Road and is one of a pair of semi-detached houses. The surrounding area is predominantly residential in nature comprising mainly two storey, semi-detached houses. No. 28 and No. 26 both have a single storey element which projects from the rear of the houses, but only half of the width, closest to the boundary with each other. No. 28 also has a covered area adjacent to this.
- 1.2 To the north east of the site is a small parking area containing garages which is accessed from Dundee Close. No. 28 currently has a pair of gates at the end of the garden which enable access into this parking area.

1.3 The site falls outside the controlled parking zone and it is not in a conservation area.

2.0 THE PROPOSAL

2.1 This application seeks consent for the erection of a two storey and first floor extension along with the change of use of the premises from a house to two flats.

2.2 There is an existing single storey extension on the boundary with no. 26 Elmfield Road which is approximately 3.1 metres in width. The proposed two storey extension will be set adjacent to this with a projection of approximately 4.2 metres, which is the same as the existing single storey extension. The proposed extension will have a width of approximately 2.45 metres, which would bring it in line with the side of the existing house, and will have a height of 4.95 metres to the eaves, and 6.2 metres to the ridge.

2.3 The proposed first floor extension is set above the existing single storey element. The roof of the ground floor element is to be changed from a flat roof to a lean to roof, with the first floor extension above, set off the boundary with no. 26 by approximately 1.75 metres, with a projection of 1.05 metres.

2.4 The change of use of the dwelling would result in the ground floor being one unit accessed from the side, and the other unit on the first floor accessed from the front. A cycle and bin store is provided in the garden area, within an enclosure. The application also shows two car parking spaces being introduced on the front of the site.

2.5 This application is a re-submission of a previously refused application on the grounds of section 106 not being completed. The application is the same in other regards.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
05/1279/FUL	Erection of two storey rear extension and conversion of house to 2 flats.	WDN
13/0423/FUL	Two storey rear extension to existing house and conversion to 2x two bed flats.	REF

Planning reference 13/0423/FUL was refused on the section 106 reason only.

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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/14 5/2 5/14 8/3 8/5 8/6 8/7 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 Documents	Sustainable Design and Construction 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> Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comments.

Environmental Health

6.2 No objection subject to conditions relating to construction hours and Housing Standard informative.

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:

- 100 Eastfield

7.2 The representations can be summarised as follows:

- The window in the side elevation at first floor should not be approved.

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. Principle of Development
2. Context of site, design and external spaces
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Refuse Arrangement
7. Third party representations
8. Planning Obligation

Principle of Development

8.2 Housing proposals are to be considered on their merits against policies and in light of the need for more housing in Cambridge. Policy 5/1 states that residential developments of an appropriate scale and character will be permitted and encourages the re-use of existing buildings. This proposal incorporates the existing building and further increases the number of units through the addition of an extension.

8.3 Policy 5/2 restricts the sub-division of residential properties of less than 110 square metres into smaller self-contained units. The existing dwelling is under 110 square metres, however, the

proposed extension will create a building of approximately 111 square metres and will therefore be in accordance with the size restriction of policy 5/2. Policy 5/5 does not prevent the permanent extension of a house to satisfy the size requirement provided the extension itself is acceptable. Policy 5/2 also sets out the criteria regarding sub-division and the need for car and cycle parking in accordance with the Council's standards (criterion a), provide refuse storage space (criteria b) and avoid noise nuisance through careful planning of room layout and use of sound insulation (criteria c). This criteria will be assessed below.

- 8.4 I am therefore of the view that there is no objection in principle to residential development on this site but there is a need to assess the proposed development against other issues and policies within the development plan.

Context of site, design and external spaces

- 8.5 The proposed extensions are situated to the rear of the existing dwellinghouse. Oblique views of the northwest elevation of the two storey extension would be possible from Elmfield Road, but views of the first floor extension and the proposed lean-to roof would not be visible within the streetscene. There would be views of the extensions from the small parking area to the rear of the application site, and possibly some views from the rear upstairs windows of no. 5 Dundee Close. The extensions have a lower ridge height than the existing building and would therefore appear as subsidiary additions. Matching materials (Condition 3) are proposed and, I am therefore of the view that the proposed extensions are in keeping with the existing dwelling and will not have an adverse impact on the streetscene. There is new boundary treatment (Condition 4) and trees (Condition 5) in the rear garden which are visible from the street and consider that these will need to be carefully considered and recommend conditions.
- 8.6 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 5/1.

Residential Amenity

26 Elmfield Road

8.7 The alterations to the roof of the single storey element will result in there being no increase in height at eaves level. The roof will be raised by 1 metre above the existing roof at its highest point. No. 26 is set to the south of no. 28, and I am therefore of the view that any loss of light would be minimal and should not warrant a reason for refusal. The first floor extension is set off the boundary with no.26 by approximately 1.75 metres with the two storey extension set off the boundary by approximately 3.1 metres. The projection of the extensions, the first floor being 1.05 metres and the two storey at 4.2 metres, are such that I am satisfied that the occupiers of no. 26 will not experience an overshadowing or overpowering effect from the proposal.

100 Eastfield

8.8 With regard to no. 100 Eastfield, the two storey extension would be set off the boundary by approximately 3.8 metres, with no. 100 being a further 7.5 metres beyond. There are windows at ground and first floor level in the south elevation of no. 100 which faces south, however, I am satisfied that the distances involved would preclude loss of light or overshadowing of to the property.

8.9 In terms of the potential for overlooking or loss of privacy, the proposal introduces additional windows in the northeastern elevation at ground and first floor facing 100 Eastfield in the envelope of the existing house.

8.10 Comments have been received that there is a introduction of a first floor window facing the neighbour at 100 Eastfields. I have looked at the plans and note that the proposed window is to the existing house and therefore would afford views to 100 Eastfields but I consider that given the distance involved and that there is similar arrangement along the road this is acceptable.

8.11 The Environmental Health Team have commented that the proposal in a residential area has the potential to affect the residential amenity of the neighbours through construction activity. It is stated that this can be mitigated by a condition to

control construction hours and I agree with this advice and recommend a condition.

- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policy 3/14.

Amenity for future occupiers of the site

- 8.13 The proposal creates two flats. Each flat has its own amenity space in the form of rear gardens. Although these will be overlooked from the adjoining neighbours and interlooked by both flats, however this arrangement already exists and therefore will not be detrimental to the future occupiers.
- 8.14 By making separate area for bins and bikes will give the garden space high quality feel as the garden space will not feel too cluttered. In addition the arrangement will allow natural surveillance to these spaces which in my opinion could be easily breached, if there was no surveillance to these parts.
- 8.15 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 3/14.

Highway Safety

- 8.16 The Highway Authority has made a no comment on this application and therefore raises no highway safety concerns.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.18 The Car Parking Standards state that there should be a maximum of one car parking space for each one or two bedroom unit, outside of the controlled parking zone. The proposal shows two car parking spaces at the front of the site, and I am therefore of the view that the proposal complies with the Standards. Car parking in the front gardens of properties

already takes place in the surrounding area and is therefore acceptable arrangement and is appropriate in visual terms.

- 8.19 The applicant proposes stores in the rear garden of the site, one for each unit, with provision for bicycle and bin storage. The Cycle Parking Standards require a cycle parking space for each bedroom, and therefore I am of the view that the proposed bicycle storage is sufficient.
- 8.20 In my opinion the proposal is compliant with this Cambridge Local Plan (2006) policies 8/6 and 8/10.

Refuse Arrangements

- 8.21 The applicant proposes the bins to be kept in the same store as the bicycles. This is acceptable in principal subject to the area being sufficiently large enough to allow for the bins and bikes to be manoeuvred within the space. I consider that the proposed area is not large enough to accommodate the recycling and refuse provision with cycle parking. I am of the view that the rear garden is large enough to accommodate the storage provision required subject to the imposition of a condition requiring full details to be submitted. (Condition 7).
- 8.22 In my opinion, subject to the imposition of a condition requiring details of waste, the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

Third Party Representations

- 8.23 Third party objections have been addressed above in the section titled 'Residential amenity' regarding the impact upon privacy to the neighbours.

Planning Obligation Strategy

Planning Obligations

- 8.24 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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). 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

- 8.25 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.
- 8.26 The application proposes the creation of 1 two-bedroom flat, so the net total of additional residential units is 1. 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		
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
Total					476

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		
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
Total					538

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		
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
Total					484

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
Total					632

8.27 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. 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

8.28 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		
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
Total			1256

8.29 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. 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

8.30 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	2	300
Total			300

8.31 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. 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

8.32 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, £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.33 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 This is a same proposal as previously refused as the section 106 was not completed. The proposal is acceptable and the section 106 has been completed. The proposal is acceptable subject to conditions and 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. 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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

6. 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)

7. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policy 4/13 of the Cambridge Local Plan (2006))

8. **INFORMATIVE:** The Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS

9. **INFORMATIVE:**

The council's domestic requirements for refuse and recycling per person are as follows:

- Dry recycling = 45L per person
- Organic waste = 20-30L per person, depending on garden size
- Residual waste = 40-50L per person

Cambridge city council would always recommend individual containers per flat where possible. However, if space is an issue then shared facilities are accepted.

Waste collection is a kerbside service, therefore bins must be accessible directly from the kerbside, without pulling distances except for large-scale flat developments, where a 10-metre pulling distance is acceptable.

Adequate off-street storage must be provided for bins, and storage areas need to have sufficient space for all necessary waste and recycling containers.

Consideration should be given as to whether there is a requirement to lock communal bin stores. If this is intended, the type should be discussed in advance where our staff require access. Ease of access to a store is very important for residents and collection staff. Door locking needs to be simple and appropriate for the level of security. Keys and fobs should be avoided where possible and key pad entry used. Alternatively, standard 'Fire Brigade' locks should be used.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste more than 25 metres to a collection point, in accordance with Approved Document H Guidance.

For communal bins, storage areas must be within 10 metres of an access point for collection vehicles. The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

Determined under delegated powers by:

Designation - Development Control Manager

Date: