

<b>Application Number</b>	13/1120/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	31st July 2013	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	25th September 2013		
<b>Ward</b>	Abbey		
<b>Site</b>	156 Stanley Road Cambridge CB5 8LB		
<b>Proposal</b>	First floor and single storey rear extensions and sub division of single dwelling to form two new dwellings.		
<b>Applicant</b>	Mr Peter Duffy c/o agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1) The principle of the flat conversion accords with Local Plan policy 5/2.</li> <li>2) The proposed extension will not be harmful to the character and appearance of the Conservation Area.</li> <li>3) The extension will not cause significant harm to 158 Stanley Road.</li> </ol>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a rectangular shaped plot situated on the northern side of Stanley Road.
- 1.2 The site is currently occupied by a relatively narrow two storey terraced property. To the west is a modern flat roof building accommodating 158 and 160 Stanley Road. To the east is 154 Stanley Road a two storey property set back from the street by 11m.

1.3 The site falls within the Riverside and Stourbridge Common extension of the Central Conservation Area.

## 2.0 THE PROPOSAL

2.1 Permission is sought for the erection of a part two storey part single storey rear extension and the conversion of the property to provide two new dwellings.

2.2 The two storey extension projects 4.3m from the existing rear elevation of the building.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

## 3.0 SITE HISTORY

No history.

## 4.0 PUBLICITY

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

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/11 3/12 3/14 4/4 4/11 5/1 5/2 8/2 8/6

	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	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)  National Planning Practice Consultation
	<u>Citywide:</u>  Open Space and Recreation Strategy
	Conservation Area Appraisal:  Riverside and Stourbridge Conservation Area Appraisal

### 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and

the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 The Design and Access Statement states that parking is available for residents, yet none is shown on the plan and, other than competing on-street for parking within the public realm I cannot see where parking is available within the site, or elsewhere within the applicant's control.
- 6.2 Please request that the applicant clarifies what their statement means.
- 6.3 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

### **Head of Refuse and Environment**

- 6.4 No objections subject to construction hours related conditions.

### **Urban Design and Conservation team**

- 6.5 The proposed works will preserve the character and appearance of the Conservation Area, thus adhere to Cambridge Local Plan Policy 4/11 and the NPPF, and this application is therefore supported, providing the condition below is applied to the Decision Notice.

6.6 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:

158 Stanley Road

7.2 The representations can be summarised as follows:

- The proposed two storey rear extension will block out morning sun from the kitchen and rear bedroom.
- The proposed new bedroom window is shown on the present boundary wall line.
- 1.2m away from the brick gable wall of 158 Stanley Road.
- It is poorly located to suit a habitable room.
- The window is in breach of fire regulations by being oversized with opening lights (non fire rated).
- Any opening lights will encroach onto 158 Stanley Road.
- The plans are poorly labelled.
- There is an existing mature tree which is not identified on the plans or application form.
- The requirement for additional car parking will compound present on street car parking issues.

7.3 The above representation is 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 response 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. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

### **Principle of Development**

8.2 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained within the National Planning Policy Framework 2012. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

8.3 Local Plan policy 5/2 allows for the conversion of large properties into self-contained accommodation, except where, the residential property has a floorspace of less than 110 square metres; the likely impact upon off street car parking would be unacceptable; the proposal would fail to provide for satisfactory refuse storage or car parking; and the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.4 The property as extended would provide a floorspace of 116 sq m metres, therefore the principle of conversion is acceptable. An analysis of the amenity and servicing issues is set out below.

8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 5/2.

## **Context of site, design and external spaces**

- 8.6 The key design issue is the design and appearance of the extension in relation to the existing building and setting within the Conservation Area.
- 8.7 The proposed two storey flat roof extension is acceptable in this context. While a pitched roof design solution would generally be preferred to reflect the form of the main building, 156 Stanley Road is itself an anomaly. The proposed extension will only be partially visible from the public domain and in the view of the Conservation Officer will have minimal impact on the character and appearance of the Conservation Area.
- 8.8 The presence of the flat roofed houses to the north west contributes to my overall view that the design of the extension is acceptable in this context.
- 8.9 The proposed new render and windows will make a positive improvement to the appearance of the front elevation in the street scene. Final details of render can be agreed through the imposition of planning condition 2.

### Trees

- 8.10 The existing tree on the north west boundary is a self seeded bush and has minimal amenity value. It should not constrain development of the site.
- 8.11 In my opinion the proposal will preserve the character and appearance of the Conservation Area and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 5/2, 3/14 and 4/4.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.12 The scale of the proposed two storey extension will have some impact on 158 Stanley Road to the north west. This property may experience some overshadowing during the early part of the day around its immediate rear threshold area. However, given the staggered arrangement of 154 and 156 Stanley Road, 158 Stanley Road already has an obscured outlook to the south

east. I do not consider the scale and form of the extension to create a significant adverse impact as to justify refusal of the application. There is a tarmacked car parking area to the rear of 158 Stanley Road, rather than a private garden area, which contributes to my view that the form of the extension will not have an unneighbourly impact.

- 8.13 To the east, because of the staggered footprint of buildings, the extension will affect predominantly the flank elevation of 154 Stanley Road. In my view the proposed relationship of the extension will not significantly erode the amenities currently enjoyed by 154 Stanley Road.
- 8.14 I note comments received regarding the position of the main bedroom first floor window facing 158 Stanley Road. The proposed window will not overlook 158 Stanley Road because it faces a blank elevation containing one small obscured bathroom window.
- 8.15 The proposed fenestration facing 154 Stanley Road will not result in any harmful overlooking to this neighbouring residential property.
- 8.16 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, 3/14 and 5/2.

#### Amenity for future occupiers of the site

- 8.17 The proposed two apartments would offer a satisfactory level of overall amenity in accordance with Local Plan policy 5/2. The new units are of a reasonable overall size and benefit from the generous communal rear garden area.
- 8.18 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 3/4 and 5/2.



## **Refuse Arrangements**

8.19 Secure refuse storage is provided within the rear garden. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and 5/2.

## **Car and Cycle Parking**

8.20 The development will result in an additional residential unit which has potential to increase demand for car parking on street. In my view, given the size and nature of the accommodation provided and given proximity to bus and cycle links, the absence of off street car parking is acceptable. The additional demand for on street car parking to be generated from one small residential unit is in my view negligible.

8.21 Secure, cycle parking is provided within a rear store which accords with the Council's adopted standards. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

8.22 The representation received has been discussed in the above report and is summarised below:

<b>Issue</b>	<b>Report section</b>
The proposed two storey rear extension will block out morning sun from the kitchen and rear bedroom.	Paragraph 8.12
The window is in breach of fire regulations by being oversized with opening lights (non fire rated).	The applicant is content that the window will comply with the Building Regulations.
The plans are poorly labelled.	The submitted plans are accurate.
There is an existing mature tree is not identified on the plans or	Paragraph 8.10

application form.	
-------------------	--

## Planning Obligation Strategy

8.23 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.

The proposed development triggers the requirement for the following community infrastructure:

### Community Development

8.24 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	1	1256
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>1256</b>

8.25 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

8.26 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:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	1	150
<b>Total</b>			<b>150</b>

8.27 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

8.28 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

8.29 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 flat conversion is acceptable in principle and will not detract from the character and appearance of the Conservation Area. There will not be significant adverse impact on 158 Stanley Road. APPROVAL is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to completion of the s106 Agreement by 1 January 2014 and 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

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)

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers-by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).