
Application Number	14/0477/FUL	Agenda Item	
Date Received	31st March 2014	Officer	Mr Tony Collins
Target Date	26th May 2014		
Ward	East Chesterton		
Site	1 The Grove Cambridge CB4 1TJ		
Proposal	Erection of dwelling (following demolition of existing single storey extension) and associated minor external works to the existing dwelling		
Applicant	Mr Stephen Conrad c/o Agent United Kingdom		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 1 The Grove is a semi-detached house, built for the local authority in the first half of the twentieth century. It is finished in buff brick, with a concrete tile roof. The site is a corner plot, where The Grove meets Cam Causeway, and in common with the pair of houses on the opposite corner, N^{OS}. 1 and 2 (the street is numbered consecutively round the close) are oriented diagonally to face both streets. Both No.1 and its neighbour also have a rear access from Nuffield Road. Most of the south-western and north-western boundaries of the site are enclosed by a dense, but poorly-maintained conifer hedge about 2.5m high. There is a wide section on the Cam Causeway frontage where the boundary is formed by a low picket fence, however, and in addition to the rear vehicle access at the north end of the site, there is an additional section of the Nuffield Road frontage where there is a significant 'gap' in the hedge.
- 1.2 The site is not within any conservation area, and the building is not listed, statutorily or locally. There are no tree preservation orders on the site, which lies outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application proposes an extension to the western side of the semi-detached pair of houses at 1 and 2 The Grove, taking up part of the side garden of N^O.1. The extension would follow

the profile of N^o.1, retaining the front and rear building lines of the house, and extending the massing at both ground and first floors, and the hipped roof, by 5.5m westward (the previous application extended 6.7m westward). Unlike the previous application, this proposal would not extend beyond the existing building lines of the house at front or rear.

- 2.2 Unlike the previous application on this site, which proposed two flats, this extension would be configured as a single house, with a front door alongside the existing front door of N^o.1, and a rear door facing Nuffield Road. The extension would also incorporate a new shower room on the ground floor at N^o.1. The extension to the building would have a single ground-floor window and two first-floor windows in the front (south) elevation, exactly replicating the fenestration of No.1, a single first-floor window and a single ground-floor window on the side (west) elevation, and one ground-floor and two first-floor windows in the rear (north) elevation.
- 2.3 The remaining part of the existing garden of N^o.1 would be subdivided. The north-eastern strip at the rear would retain the existing two car parking spaces for N^o.1, and provide bin storage space for that house, while all of the space in front of No.1 would be retained as a garden, with a new store incorporating cycle storage space.
- 2.4 An existing store to the rear of the house would be re-used to provide cycle storage space for the new house, which would also take over all the garden space to the side of the building and in front of the extension, where there would also be a car parking space at the point of the existing vehicle entry.
- 2.5 The application is accompanied by a planning / design and access statement.
- 2.6 The application is brought before North Area Committee at the request of Councillor Bird on the basis that if the application were refused, an opportunity for an additional dwelling would be lost, and that the need for additional housing is such that this decision should be subject to Committee scrutiny.

3.0 SITE HISTORY

Reference	Description	Outcome
11/0080/FUL	Erection of two one-bedroom flats	Withdrawn
11/0395/FUL	Erection of two one-bedroom flats	Refused; appeal dismissed

3.1 The Appeal decision for 11/0395/FUL is attached as Appendix 1.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/10 3/11 3/12 3/14 5/1 5/14 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014
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	Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Cambridge City Council (2011) - Open Space and Recreation Strategy Cambridgeshire Design Guide For Streets and Public Realm (2007) Cycle Parking Guide for New Residential Developments (2010)

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.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

- 3 Spatial strategy for the location of residential development
- 45 Affordable housing and dwelling mix
- 52 Protecting garden land and the subdivision of existing dwelling plots
- 55 Responding to context
- 56 Creating successful places
- 57 Designing new buildings
- 58 Altering and extending existing buildings
- 59 Designing landscape and the public realm

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Additional information requested on the dimensions of car parking spaces. Conditions recommended with respect to unbound material, gates, crossing design, drainage, overhanging structures, and layout of the manoeuvring area.

Head of Environmental Services

- 6.2 No objection. Conditions sought on construction hours and dust.
- 6.3 The above is a summary of the consultations responses received. Full details are available on the case file.

7.0 REPRESENTATIONS

- 7.1 Representations have been received from the occupiers of No.2 The Grove, objecting to the proposal on grounds of loss of privacy, visually overbearing impact, harm to the character of the area, increased pressure on on-street car parking and inadequate waste storage provision.
- 7.2 Representations have been received from the occupiers of No.1 The Grove, supporting the proposal on the basis that it addresses the previous reasons for refusal, avoids harm to neighbour amenity, is in character with the area, would improve natural surveillance, and provides much-needed housing.

7.3 The above is a summary of the representations. Full details are on the case 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 Paragraph 53 of the Framework states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens. The Cambridge Local Plan 2006 foreshadowed this by including such a policy (3/10). The principles of this policy are carried through to the emerging plan in the form of policy 52, whose wording closely follows that of policy 3/10 in the 2006 Plan.

8.3 Policy 3/10 indicates that proposals for new residential development within existing residential curtilages will be permitted only if they meet six tests of appropriateness. Three of those tests are not relevant here (impact on listed or locally listed buildings, impact on trees and wildlife, and safeguarding comprehensive development). The remaining three tests are:

- (a) Proposals must not have an adverse impact on the amenities of neighbours
- (b) Proposals must provide adequate amenity space, vehicular access and parking, for both existing and proposed properties
- (c) Proposals must not have a harmful impact on the character of the area.

- 8.4 The two flats proposed under 11/0395/FUL were refused permission because they failed both (b) and (c) above. I explain below that while I feel the present proposal has addressed the precious concerns about test (b) above, it fails test (c) in exactly the same manner as the earlier application.
- 8.5 In my view, while the principle of new residential development within existing residential curtilages is acceptable in general terms, the nature of this site is such that the addition of an extension of this size to No.1 The Grove would be contrary to policy 3/10 of the Cambridge Local Plan 2006, because it would be harmful to the character of the area.

Context of site, design and external spaces

- 8.6 In my view, if taken in isolation from the context, the form of the proposed extension to No.1 would respond well to the character of the original house, respecting the profile and massing, replicating the fenestration closely to achieve well- balanced elevations, and avoiding the bulky ground floor projections shown in the earlier refused application.
- 8.7 However, the context of this site is a small cul-de-sac, planned as a whole, with semi-detached dwellings, in medium-sized plots, set symmetrically around the short street. The symmetry of the street is partially masked by the planting of trees and hedges, especially the substantial trees in the front garden of No.2. It is only a partial masking, however, and the imbalance between the form of the extended building proposed at No.1 and the original building on the opposite side of the close would be apparent. These are not houses of great architectural distinction, but the precise visual balance of the close is a noticeable element of the local character, and is very characteristic of this era in Cambridge. The Council did not consider this factor on its own to be significant enough to be a reason for refusal of the previous application, but in dismissing the appeal on that refusal, the Inspector stated:

The development would reduce the symmetry of the existing semi-detached building. Whilst on its own this is not considered by the Council to be a sufficient reason for refusal, it would further disrupt the planned and symmetrical appearance of the cul-de-sac in the street scene.

8.8 The openness of the space around the houses, especially Nos. 1/2 and Nos. 11/12 is even more evident than the close's symmetry, notwithstanding the trees in front of No. 2. While the garden area on the west side of the application site is given some sense of enclosure by its substantial hedge, the absence of built form from this space is evident from both Cam Causeway and Nuffield Road, and the openness of the site is evident from the front, the rear, and the side. Although the new house proposed here is 1.2m less wide than the two flats previously proposed, this would not in my view reduce the loss of openness to any significant degree. In his decision on 11/0395, the Inspector stated:

Although the appeal property is partly enclosed by tall evergreen hedging, there are clear views through the garden from one road to another and the appeal property relates strongly to the open character and appearance of the locality. The appeal property is in a prominent location in the street scene, the house standing out in the street scene in part because of its positioning at an oblique angle to the adjoining roads. The proposed two-storey development would project out into the garden at a similarly oblique angle, greatly reducing the views through the garden and leaving the appeal property with a relatively small area of garden. The proposed development would reduce significantly the open appearance of the locality. It would also make the appeal property appear out of balance with the other open gardens of the other cul-de-sac properties. Overall, I conclude that the proposed development would fail to integrate well with the character and appearance of the locality and would be harmful to it.

- 8.9 In my view, the present proposal, though marginally reduced in size, does nothing to address the concerns about openness previously expressed by the Council and endorsed above by the Inspector. In the context of The Grove and the immediate vicinity, I consider that the proposed house, like the two flats previously proposed on the site under 11/0395, would harm the local character, eroding the symmetry of the close, shutting off views, diminishing the sense of openness, and creating a more crowded quality on this corner. This would be contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan (2006), and to government advice in paragraphs 53, 58, 60, 61, 64 and 65 of the Framework and paragraph 024 of the Practice Guidance.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 Upper windows in the proposed dwelling would overlook the rear gardens of Nos.1 and 2 The Grove to some extent, but there is already mutual overlooking between these two houses. I do not consider that any loss of privacy would result. No privacy issues arise in any other direction; the nearest house to the west, 74 Green End Road, would be 25m distant, and the existing conifer hedge creates a complete visual barrier in this direction. For similar reasons, I do not consider that the proposal raises any issues of overshadowing, outlook, or noise for neighbouring occupiers. The orientation of the proposed building is such that I do not consider it would give rise to undue visual domination or sense of enclosure for any other occupiers.
- 8.11 In my opinion, the proposal adequately respects the residential amenity of its neighbours, 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

- 8.12 The previous application was considered to be deficient in amenity for future occupiers for three reasons:

- (i) It would have left No.1 (a three-bedroom family house) with outdoor amenity space limited to a 3.8m wide strip in front of the living room window.
- (ii) The first-floor flat then proposed would have had a very limited outdoor amenity space: a small triangle, effectively 5m x 4.5m at its greatest, sandwiched between the living room windows of the other flat and the two car parking spaces.
- (iii) The occupiers of the ground-floor flat then proposed would have looked out on to the upper flat's amenity space, and then, at distances varying from 1.4m to 4.5m, to the car parking spaces.

8.13 In dismissing the appeal, the Inspector stated:

Notwithstanding that there is public open space nearby, I conclude that the proposed development would not provide the occupiers of the proposed flats with adequate living conditions with regard to outdoor private amenity space.

8.14 In the present application the configuration of outdoor space is completely altered. The extension to the building now proposed would contain a single dwelling, which would have a significant (approximately 8m x 8m) garden area to the side, and further space at the front. Although No.1 would have an external amenity space much reduced from its present size, it would still measure approximately 6m x 20m. The location, in front of the house (the rear space would be used for car parking) is not ideal, but it would be enclosed, and would have a private quality due to the hedging. In my opinion the outdoor amenity space proposed for the future occupiers of the two houses on the application site would provide an attractive, high-quality, or stimulating living environment and an appropriate standard of residential amenity for future occupiers. The present application fully addresses the deficiencies in this respect which contributed to the refusal of 11/0395/FUL, and I consider that in this respect it complies with Cambridge Local Plan (2006) policies 3/7 3/10 and 3/12.

Refuse Arrangements

- 8.15 Appropriate bin storage space for both proposed dwellings is shown. In my opinion, subject to completion of a unilateral undertaking for planning obligations, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.16 The proposal retains the existing vehicular access points. In my opinion the proposal will have no significant highway impact, and is compliant with Cambridge Local Plan (2006) policy 8/2. The highway authority have requested additional information about car parking space dimensions, and recommended a series of conditions. Since the vehicle accesses and car parking arrangements reflect the existing situation, and involve no additions, I do not consider that any of these requests can be justified.

Car and Cycle Parking

- 8.17 The application provides two on-site car parking spaces for No.1, and one for the proposed new house. The full details of cycle parking are not shown, but the enclosures suggested on the drawings would appear to provide more than sufficient space to meet the Council's Cycle Parking Standards. This could be ensured by condition. In my opinion the proposal makes provision which is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.18 I have addressed all of the issues raised in representations of objection in the relevant sections of my assessment above. I have also covered above, and in my conclusion, all of the issues raised in representations of support, except the issue of natural surveillance. I do not consider that the proposal would result in any significant improvement in natural surveillance of the area.

Planning Obligations

- 8.19 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

- 8.20 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.
- 8.21 The application proposes the erection of two one-bedroom flats. No residential units would be removed, so the net total of additional residential units is two. 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		
1 bed	1.5	0	0		
2-bed	2	316	632	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
Total					632

8.22 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

8.23 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

8.24 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

8.25 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	1	75
Flat	150		
Total			75

8.26 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

8.27 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 on the basis of 5% of the contributions required.

Planning Obligations Conclusion

8.28 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 application proposes residential development within the garden area of an existing property. In my view the proposal, which has been reduced slightly in footprint since the earlier refused application 11/0395/FUL, and reconfigured to a single dwelling, has addressed earlier concerns about the amenity of future occupiers, but still fails to meet the requirements of policy 3/10, because it would harm the character of the area. In these circumstances, I do not consider that the loss of the residential garden and the openness it provides is acceptable.
- 9.2 Taking careful note of the appeal decision, which is a material consideration in the determination of this application, I acknowledge both the presumption in favour of sustainable development set out in the Framework, and the need for new housing in the city underlying policy 5/1 of the Cambridge Local Plan 2006. In my view, however, neither of these factors outweighs the harm to the character of the area which would be caused by the proposal.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed new dwelling at 1 The Grove would result in the loss of garden land, which would close down views, diminish the openness of the area, increase the sense of crowdedness, and erode the designed symmetry of The Grove. In so doing, the development fails to respond positively to the site context. It would not create an attractive built frontage which would positively enhance the public realm adjacent to the site, nor have a positive impact on its setting in terms of its relationship with other buildings and open areas. The development is therefore contrary to Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12, and government guidance in Sections 6 and 7 of the National Planning Policy Framework 2012.

2. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/8, 3/12, or 5/14 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.