

Application Number	14/0675/FUL	Agenda Item	
Date Received	2nd May 2014	Officer	Mr Amit Patel
Target Date	27th June 2014		
Ward	Queen Ediths		
Site	102 Glebe Road Cambridge CB1 7TA		
Proposal	Proposed new dwelling to replace existing		
Applicant	Mr Graham Jeffery Plot 1 102 Glebe Road Cambridge CB1 7TA United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>A similar scheme has already received planning permission in the position of the proposal</p> <p>The removal of the balconies and replacement with smaller windows will have less of an overlooking impact to neighbours</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a roughly rectangular shaped plot situated on the southern side of Glebe Road, served by an unmade access track off Glebe Road, approximately 65m in length. This suburban area of the City is characterised by relatively large detached and semi-detached residential properties, set within generous, and typically rectangular shaped plots.
- 1.2 The plot is currently occupied by a two-storey detached dwelling which was approved under planning reference 10/0485/FUL. The existing building standing in the south-west corner of the site, which has its principal (front) elevation facing north west was being demolished on my site visit. To the west, north,

south and part of the east boundary are gardens of other houses; the southern part of the east boundary abuts the Pelican School.

- 1.3 The site is not within a Conservation Area. There are various mature trees and fruit trees within the site. There is 1 protected tree in relatively close proximity within the curtilage of number 100 Glebe Road.

2.0 THE PROPOSAL

- 2.1 The submitted application sought to amend the rear elevation ground floor windows to doors and make the building wider by 1 metre.

- 2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

- 2.3 The application was subsequently amended to be the same footprint as the previously approved scheme under planning reference 10/0485/FUL. The changes are as follows:

1. Change in the rear elevation from windows to doors at ground floor level.
2. Addition of two roof lights, one to the front roof slope and one to the rear roof slope.
3. Removal of the basement.
4. Change to first floor central window to now serve bathroom and frosted glazing.
5. Bedroom 2 bi-fold doors and balcony removed replaced with two smaller windows.

- 2.4 The application is brought before Committee due to this being a new dwelling and receiving third party objections.

3.0 SITE HISTORY

Reference	Description	Outcome
09/1129/FUL	Erection of two dwellings (following demolition of existing dwelling).	REF
10/0485/FUL	Erection of two dwellings (following demolition of existing dwelling).	A/C

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 3/11 3/12 4/4 4/13 5/1 8/2 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 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (2007)

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, there are no policies in the emerging Local Plan which are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First Response

6.1 No comment to make on this application.

Second Response

No comment to make on this application.

Head of Refuse and Environment

First Response

- 6.2 No objections were raised subject to conditions relating to construction hours, deliveries, piling, waste and dust suppression

Second Response

No objection to the amendments subject to the conditions recommended in the previous comments.

- 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:

- 271 Hills Road
- 269 Hills Road
- 81 Holbrook Road
- 83 Holbrook Road

- 7.2 The representations can be summarised as follows:

- Over development of the site
- The garage is too close to the common boundaries
- The garage, in particular the office above will cause overlooking and loss of privacy
- Footprint has increased and will lead to overbearing impact on neighbouring properties
- The changes in the roof from storage to games room effectively changes the property to a three-storey dwelling and impact upon the neighbours
- Adding more roof lights will increase noise to be emitted
- Access and car parking on site is a concern

- The removal of the balcony is an improvement
- No details of replacement trees and boundary treatment
- Suggested conditions relating to no new windows and addition of mature planting along boundaries. Treatment to roof lights for light and noise. Control business use on site.
- The changes proposed will lead to more traffic and therefore have a safety impact upon the road
- There is loss of trees on site and request that replacement planting be made a condition

After the amendments and re-consultation with the neighbours the following comments have been received from 83 Holbrook Road. Their comments are as follows:

- Change of use in the attic is still a concern
- The additional roof lights are a concern as the use of this area will not be on an occasional basis
- Change in the smaller back windows/doors will increase the light and noise impact from the building

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. Third party representations
6. Planning Obligation Strategy

Principle of Development

8.2 The principle of development has already been accepted under planning reference 10/0485/FUL.

- 8.3 In my opinion the principle of the development is acceptable and in accordance with policies 5/1, 3/4 and 3/10 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.4 Comments have been received regarding the overdevelopment of the site, the garage being too close to the boundary, the office above the garage causing overlooking and access and car parking issues. These factors have all been considered in the previously approved application. As the site context and design has not altered, it is my opinion that it would be unreasonable to refuse this application on these grounds. The issue regarding the trees and boundary treatment was conditioned previously and I recommend these conditions on this application.
- 8.5 The building is the same as the approved scheme in terms of its size and scale. The changes sought are, in my opinion, relatively minor and an improvement over the approved scheme. Regarding the addition of the roof lights (one to the front and one to the rear) I note that there were already roof lights in the approved scheme. I do not consider that the addition of two more will have a detrimental impact in terms of design or privacy.
- 8.6 The removal of the basement will result in no visible external changes and is therefore acceptable. The change to the window and door layout is also acceptable as this will reflect the other already approved windows in the rear elevation.
- 8.7 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Comments have been received that the proposal will have a harmful impact upon the neighbours. These issues were assessed in the previous application and were considered to be acceptable. I consider that the minor changes that are sought would lessen the impact on the neighbours as there would be no balconies at high level. There is a frosted window at first

floor and I recommend that a condition to implement this is reasonable and recommend a condition.

- 8.9 The additional two roof lights are at high level and therefore will not increase any overlooking to the neighbours. The neighbours have raised concerns about the use in the roof creating more noise. I do not consider that the activity within the roof space from the previous scheme to that proposed would be significantly different. There may be noise but there is nothing to suggest that this would be over and above what one may expect from a residential occupier.
- 8.10 The Environmental Health Team have commented that as this is a residential area the impact of construction activity has the potential for noise and disturbance and have recommended conditions relating to construction hours, deliveries, piling and waste. I agree with their advice and recommend these conditions.
- 8.11 Subject to conditions, 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, 3/7 and 3/12.

Highway Safety

- 8.12 Third party concerns have been raised regarding highway safety. This was addressed in the previous scheme and was considered acceptable. The access arrangement has not changed. The Highways Officer has not raised this as an issue.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.14 The majority of the third party objections were addressed in the previous application. The new concerns regarding the additional roof lights and increased noise have been addressed in the report above.

Planning Obligation Strategy

Planning Obligations

8.15 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:

This proposal is replacing a dwelling with the same number of bedrooms and therefore does not trigger a section 106 agreement.

9.0 CONCLUSION

The proposal is a minor amendment to a previously approved scheme under planning reference 10/0485/FUL. The changes would not be significantly different to the approved scheme. 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

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

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

5. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

7. 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)

8. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, the applicant shall provide the local authority with a report/method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 - Part 4: COP for noise and vibration control applicable to piling operations. The development shall be carried out in accordance with the approved details.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

9. Prior to occupation, 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 wheeled bins, will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside of the adopted highway/ refuse collection vehicle access point [or within 5m]. 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: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

INFORMATIVE: The demolition phase may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from:

Councils Supplementary Planning Document Sustainable Design and Construction 2007:

https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.pdf

Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:

http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp