

Application Number	14/0453/S73	Agenda Item	
Date Received	3rd June 2014	Officer	Miss Catherine Linford
Target Date	29th July 2014		
Ward	Trumpington		
Site	2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU		
Proposal	S73 application to vary condition 2 of planning permission 10/0201/FUL (allowed on appeal) to permit the addition of pitched roof dormers in the front and rear roof slopes (retrospective).		
Applicant	Mr Pizza 93 Hills Road Cambridge CB2 1PG		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed houses with the addition of dormer windows would not adversely affect the character or appearance of the Conservation Area; and 2. The proposed addition of dormer windows would not have a significant detrimental impact on the occupiers of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 2A Scotsdowne Road is situated on the western side of Scotsdowne Road. The surrounding area is predominantly residential, consisting of bungalows and two-storey semi-detached and terrace houses. A single storey church hall stands directly opposite the site. The site is within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Permission is sought to vary condition 2 of planning permission 10/0201/FUL (allowed on appeal) to permit the addition of pitched roof dormers in the front and rear roof slopes. Works have begun and therefore this application is retrospective.

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/0707	Erection of single storey side extension to bungalows and new garage.	REF
C/04/1031	Erection of single storey side extension and new garage to bungalow.	A/C
09/0443/FUL	Erection of 3no 2bed terrace dwellings following demolition of existing bungalow.	REF
10/0201/FUL	Erection of 3no 2bed terrace dwellings following demolition of existing bungalow.	REF Appeal allowed
14/0043/FUL	Demolition of existing bungalow.	A/C
14/0204/S73	Section 73 application to vary condition 12 of approval 10/0201/FUL to erect 3no 2bed terrace dwellings following demolition of existing bungalow (allowed on appeal).	A/C

The Appeal Decision relating to 10/0201/FUL is attached as Appendix 1.

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 Plan 2006	Local	3/1 3/4 3/7 3/12 4/11

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	Planning Obligation Strategy (March 2010)
	<u>Area Guidelines</u> Trumpington Conservation Area Appraisal (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, there are no policies in the emerging Local Plan are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comment.

Head of Refuse and Environment

6.2 No objection.

Urban Design and Conservation team

6.3 There are no Conservation policy issues with this application.

6.4 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:

- 7 Alpha Terrace
- 3 Scotsdowne Road

7.2 The representations can be summarised as follows:

- Out of character – there are no dormer windows in the street
- Loss of privacy
- Additional floorspace is created
- Lack of parking

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. Context of site, design and external spaces
2. Residential amenity
3. Third party representations

Context of site, design and external spaces

8.2 The application proposes the addition of traditionally designed, pitched roofed dormer windows in the front and rear roof slopes. The two streets at the junction of which the site sits (Scotsdowne Road and Alpha Terrace) differ greatly in character. The dwellings on Scotsdowne Road are mainly detached bungalows and two-storey, semi-detached properties, with the property immediately adjacent to 2A being a detached bungalow. Alpha Terrace consists almost exclusively of two-storey, Victorian properties with the occasional semi-detached and detached property.

8.3 In the Appeal Decision for the previous application the Inspector took the view that 'the proposed dwellings would complement the Victorian housing in Alpha Terrace being of a similar height and a modern version of the traditional style' (paragraph 7). It was his opinion that the proposed houses would not detract from the immediate area or adversely affect the character and appearance of the area. It is accepted that no houses on Alpha Terrace or Scotsdowne Road have dormer windows in the front roof slope, and that the houses therefore are no longer strictly a modern interpretation of the Victorian houses on Alpha Terrace. However, as the houses stand alone, it is my opinion that the addition of dormer windows would not result in the houses appearing out of character with their surroundings. It is my view that the proposals would not have a detrimental impact on the character or appearance of the Conservation Area. The Urban Design and Conservation Team have raised no objection.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 The site backs onto commercial space, which has residential dwellings adjacent to it, but I believe these buildings are at too great a distance to be impacted on by the additional of the proposed dormer windows to the rear. The dormer windows at the front of the houses would allow views towards the dwellings on the opposite side of Scotsdowne Road, but given the separation distances it is my view that the proposed windows would not have a significant detrimental impact on the privacy of the occupiers of these properties. The dwellings diagonally opposite the site are bungalows and as the proposed dormer windows would allow views over the rooftop of these dwellings I do not believe it would be unreasonable to withhold planning permission due to loss of privacy.
- 8.6 The proposed introduction of dormer windows results in the houses increasing in size from two bedroom houses to four bedroom houses. I understand that there is often considerable demand for on-street parking spaces at this end of Scotsdowne Road, due to the church and church hall, and Fawcett Primary School, which is at the end of Alpha Terrace. In saying that, the City Council car parking standards are maximum standards, and stipulate that no more than two car parking spaces can be provided for a dwelling of four bedrooms. One parking space is proposed for each house. The Local Highway Authority has raised no objection, and I consider this provision to be acceptable.
- 8.7 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 and Cambridge Local Plan (2006) policies 3/7 and 8/10.

Third Party Representations

- 8.8 The issues raised in the representations received are addressed above.

Planning Obligation Strategy

Planning Obligations

8.9 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

- 8.10 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.
- 8.11 The contributions relating to the application for the originally proposed three two bedroom house have been paid, and therefore what is sought is the additional contributions relating

to the six additional bedrooms proposed. The totals required for the additional bedrooms are calculated as follows:

Outdoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
		6	6	238	1428

Indoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
		6	6	269	1614

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
		6	6	242	1452

Provision for children and teenagers					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units	Assumed net additional persons not in 1-bed units	£ per person	Total £
		6	6	316	1896

8.12 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) has been completed. I am satisfied that the proposal accords with 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

- 8.13 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. In relation to the previous application, a contribution for 2 additional 2 bedroom houses has been paid (£2512). As the proposed houses are 4 bedrooms an additional contribution of £1252 is required.
- 8.14 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. I am, therefore, satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.15 The Planning Obligation Strategy (2010) requires that all new developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March 2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy
- 8.16 For this application a monitoring fee of £382.10 is required to cover monitoring of Council obligations plus the County Council monitoring fee.

Planning Obligations Conclusion

- 8.17 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 In my opinion the proposals would not have a detrimental impact on the character or appearance of the Conservation Area or on the occupiers of neighbouring properties. I therefore recommend that the application is approved subject to conditions.

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.