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|---------------------------|--|--------------------|---------------|
| Application Number | 14/0854/FUL | Agenda Item | |
| Date Received | 23rd May 2014 | Officer | Mr Amit Patel |
| Target Date | 18th July 2014 | | |
| Ward | Arbury | | |
| Site | 86 Searle Street Cambridge Cambridgeshire CB4 3DD | | |
| Proposal Applicant | First floor extension to create a two bedroomed flat. Mr And Mrs Brown C/o Neale Associates The Tram Shed East Road Cambridge CB1 1BG | | |

| | |
|----------------|---|
| SUMMARY | <p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal complies with development plan policies (2006). 2. The proposal is acceptable within the Conservation Area. 3. The proposal is harmful to the amenity of the occupiers of the neighbouring. |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is 86 Searle Street. The site is a single-storey house with amenity space to the side and rear of the property. There is a path to the west that connects to Hilda Street and access to the rear of the properties. To the south is Searle Street running east to west and to the north Hilda Street running east to west.

- 1.2 The area is characterised by two-storey Victorian dwellings with a mix of modern developments. The properties have small front gardens but also benefit from rear gardens. This immediate terrace does have a rear access from Hilda Street, which allows access to properties on Victoria Road as well. The application building is modern and makes up a pair of semi-detached properties adjacent to the Victorian terrace along this street.
- 1.3 The application site is located within the Conservation Area and falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is for a first-floor extension above the existing building to create a two-bedroom unit. The proposed extension will be lower than the existing ridge line of the adjacent property and will be wider than the footprint of the existing ground-floor.
- 2.2 The proposal is to be finished in matching materials. There will be an independent bike and bin store associated with the new dwelling and existing.
- 2.3 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans
 3. Photos
- 2.4 Amended plans have been received showing the ground floor flat to have its own defensible space in front of the bedroom.

3.0 SITE HISTORY

| Reference | Description | Outcome |
|------------------|--|--------------------------------|
| C/82/0199 | Erection of one pair semi-detached Residential units | Refused – Allowed on Appeal |

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 Sustainable development 3/4 Responding to context 3/7 Creating successful places 3/14 Extending Buildings 4/11 Conservation Areas 4/13 Pollution and Amenity 5/1 Housing provision 5/2 Conversion of large properties 8/2 Transport impact 8/4 Walking and Cycling accessibility 8/6 Cycle parking |

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 |
|-----------------------------|---|

| | |
|---------------------------------|---|
| | CIL |
| Supplementary Planning Guidance | Cambridge City Council (May 2007) – Sustainable Design and Construction Cambridge City Council (March 2010) – Planning Obligation Strategy |
| Material Considerations | <u>City Wide Guidance</u> Cambridge Walking and Cycling Strategy (2002) Cycle Parking Guide for New Residential Developments (2010) |
| | <u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012) |

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 (Transport)

- 6.1 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site (whether in existing units or those proposed) will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. It is also recommended that a Construction Management Plan is required.

Head of Refuse and Environment

- 6.2 Refuse and Environment have no objection to the proposal in principle. A condition relating to working hours is recommended.

Urban Design and Conservation team

- 6.3 Provided that the suggested conditions are adequately discharged, the proposed works will not be detrimental to the character or appearance of the conservation area.
- 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:

- 72 Hertford Street

- 7.2 The representations can be summarised as follows;

- Acceptable in principle, however the dormer to the front is an eyesore and not in keeping.

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 and impact on the Conservation Area
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 The principle of the proposed development at this location is considered to be acceptable. The provision of additional dwellings to meet the housing needs of the City is encouraged especially where the future residents will be closer to jobs and would have access alternative modes of transport.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces and impact on the Conservation Area

8.4 The application site is located north of the City Centre. The area is residential in character with predominately two-storey Victorian dwellings with either brick or render and slate roofs. There are modern buildings in the area and there are some that have front dormers. Comments have been received regarding the dormer proposed here to be out of keeping. The Conservation Officer also has concerns regarding this element but considers that appropriate conditions are sufficient to safeguard the character of the Conservation Area. I accept this view and recommend the conditions (3 and 4).

- 8.5 The design of the extension is considered to be acceptable with the ridged roof design. The roof design follows on from the existing building but set slightly lower. The fenestration appears to be acceptable but details of the front dormer and matching materials will be required as the site is in a conservation area.
- 8.6 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 There are residential properties to the north, east, south and west of the application site. However, on the north and south is a public highway between properties and considering the distances between these properties, the proposal will not have any harmful residential amenity impact. The Environmental Health officer has commented that the proposal is acceptable subject to condition relating to construction hours. I agree with their advice and recommend condition 5.

84 Searle Street

- 8.9 The proposed extension sits to the west of the existing building at no. 84. Except for the front bay, the proposed extensions do not project forward of the existing building line. I do not consider that there will be any dominating or overshadowing impact on this property.
- 8.10 The proposal will introduce first floor windows which will give some opportunity to overlook the neighbouring garden at number 84. However, there is already some mutual overlooking between properties in this area and I do not consider that the situation will be significantly different to the existing.

88 and 88a Searle Street

- 8.11 Number 88 Searle Street sits to the west of the application site. The proposal comes closer to this boundary. However there is an access path between these properties that links Searle Street to Hilda Street to the rear. The access path is 3m wide. Number 88 is split into two flats and sits on the junction with

Searle Street and Hilda Street. The element closest to number 88 is lower than the main first-floor element. The first-floor element will have some impact on light regarding number 88 and 88a but this will be limited and will not cause significant harm.

- 8.12 There are windows in the rear elevations of number 88 and 88a Searle Street. These will look at the proposed extension. However, there is a distance of 4m between the rear elevation and the boundary with the application site. I consider that given its lower height and the distance between the properties the proposal will not have a significant visual impact upon the residents at 88 and 88a Searle Street.
- 8.13 There are new first-floor windows being introduced, which are angled away from 88 and 88a Searle Street. There are no windows in the side elevation at first-floor level. Therefore there will not be any overlooking to this neighbour.
- 8.14 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 3/14.

Amenity for future occupiers of the site

- 8.15 The proposal is considered to be acceptable and provides a communal amenity space for the future and existing residents of the development. Within flatted developments this is considered acceptable. The agent has introduced a defensible space to increase the privacy to the bedroom at ground floor and this is welcomed. I consider that further details are required for this and recommend condition (7). The proposal also allows for waste storage and space for cycles in the communal garden area and this is acceptable in principle.
- 8.16 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.

Refuse Arrangements

- 8.17 The refuse arrangements at the ground floor are considered to be acceptable. There will be a communal waste storage area which is considered acceptable.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

Highway Safety

- 8.19 No objections have been raised by the local highway authority. No extra car parking is proposed for the site. The local highway engineer has recommended that a construction management plan is required. I accept this advice and recommend condition (6).
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.21 There are no new car parking spaces proposed for the site. The existing car parking at the rear of the site remains the same. The revised ground-floor plans shows an area for bin and bike storage. 4 bicycle spaces are proposed on the ground floor of the proposed development. The local authority cycle parking standards under the adopted standards, requires 1 space per bedroom up to 3 bedroom dwellings. There are 2 two bed dwellings. A total of 4 spaces are required for the total site. The bicycle spaces will be located at the rear of the bin stores and will be in a secure area.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.23 A representation has been received regarding the front dormer which has been addressed in the report above.

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 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 to extend the existing house to accommodate a new 2 bedroom unit. 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 | | |
| 1bed | 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 The Unilateral Undertaking has been completed on 11th September 2014 and secures 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 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 The Unilateral Undertaking has been completed on 11th September 2014 and secures the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with 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 | 1 | 150 |
| Total | | | 150 |

8.31 The Unilateral Undertaking has been completed on 11th September 2014 and secures the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with 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 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

8.33 For this application a monitoring fee of £176.80 is required to cover monitoring of Council obligations plus the County Council monitoring fee.

Planning Obligations Conclusion

- 8.34 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 Approve subject to conditions. The provision of additional dwellings to meet the housing needs of the City is encouraged especially where the future residents will be closer to jobs and would have access alternative modes of transport.

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. Notwithstanding the approved plans no development shall take place until full details of a revised dormer design, eliminating the V shaped form originally shown have been submitted to, and approved in writing by the local planning authority. The proposal shall then be implemented in accordance with the approved details.

Reason: To protect the character of the Conservation Area. (Cambridge Local Plan (2006) policy 4/11).

5. 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)

6. Prior to any demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: in the interests of highway safety. (Cambridge Local Plan (2006) policy 8/2).

7. Prior to occupation full details of all the boundary treatment needs to be submitted and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/14)

INFORMATIVE: Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site (both the new and the existing dwelling units) will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, particularly as the applicants' agent seems under the impression that the existing residential unit will retain rights to Residents' Permits, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.