

Application Number	14/1492/FUL	Agenda Item	
Date Received	24th September 2014	Officer	Mr Amit Patel
Target Date	19th November 2014		
Ward	East Chesterton		
Site	61 Green End Road Cambridge Cambridgeshire		
Proposal	Proposed single storey extension to form ancillary dwelling to existing detached dwelling (four apartments) and new front porch to existing dwelling.		
Applicant	Mr A Cullup Orwell House 1 Cowley Road Cambridge CB4 0WY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>There will be no significant harm to the neighbours</p> <p>There will be no significant impact upon the highways</p> <p>The applicants have indicated they are willing to make appropriate contributions to infrastructure</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The main building on the application site is a detached two storey house set back 9.5m from 61 Green End Road. The area is characterised by a mixture of semi-detached, detached and terraced houses. The existing building is used as four flats for independent living and has an area for car parking to the front of the dwelling and to the rear (where there is a garage). The building is not within a conservation area or controlled parking zone.

2.0 THE PROPOSAL

- 2.1 This application seeks approval for a single-storey extension to accommodate a two bedroom annexe to the main building, which contains 4 flats. To accommodate the extension the existing garage will be demolished, which sits hard up on the boundary with the neighbour to the north number 63 Green End Road.
- 2.2 The application also seeks to add a front porch.

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/0921	Erection of 4 no two bedroom flats, including parking, refuse and access arrangements following demolition of existing bungalow (56 Green End Road)	Approved with conditions
04/1064/FP	Erection of 1 st floor rear extension, erection of 2 nd floor with new elevated roof, including the insertion of a dormer window in front elevation and conversion of house to 5 no. 1 bed flats.	Refused
05/1146/FUL	Roof extension with dormer to front and conversion to 4 one-bedroom flats	Refused
07/1128/FUL	Residential conversion to 4no 1 bedroom flats.	Approved with Conditions

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 3/14 8/2 8/6 8/10 10/1

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 (May 2007) Planning Obligation Strategy (March 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 The local highways have commented that the gates shown will infringe on the safe ingress and egress of motor vehicles onto Green End Road and unless these are removed the application is recommended for refusal.

Once these gates are removed the highway authority recommend that the proposal is acceptable subject to the following conditions, driveway materials, no gates, construction specification, drainage, visibility splay, manoeuvring, redundant vehicle cross over, access to be retained free of obstruction, Construction management plan and informatives relating works in the highway, overhang onto the public highway and public utilities.

Head of Refuse and Environment

- 6.2 The proposal is acceptable subject to conditions relating to construction hours and piling.

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:

- 59 Green End Road

- 7.2 The representations can be summarised as follows:

- Potential loss of overshadowing, loss of privacy and overlooking;
- Creation of a new unit;
- Increase in utility bills relating to overshadowing;
- Overlooking from windows facing number 59;
- Maintenance of number 59 will be compromised;

- Unclear from the plans regarding the height of the proposed development and roof design.

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. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

8.2 The proposal is to extend the existing facility by adding an additional two bed space with one room for a carer. The existing site functions in the same manner with the other four units allowing for independent living. Policy 5/7 of the Local Plan generally supports these developments subject to the impact on neighbours, site context and local amenities. I consider that the general principle for development is acceptable and in accordance with policy 5/7. The specific impacts are discussed in the report below.

Context of site, design and external spaces

8.3 The proposal seeks to create an independent flat which will add to the existing four units. Comments have been received suggesting that this creation of a new unit would not be in keeping with the surrounding area. I acknowledge that the proposal is laid out as an independent unit but this site is used by a charity that supports independent living and this unit will add to the amount of accommodation rather than be separated from the main building and I consider this acceptable.

- 8.4 The area is characterised by two-storey dwelling houses. The proposal seeks to add further residential space. Although the proposal would result in an increased floor space, this property benefits from a deep and wide garden and the proposal would still leave sufficient amenity space and would not be harmful to the character of the area.
- 8.5 The plans show car parking and bin storage for the property, the Environmental Health team have not raised any concern regarding the amount of bin storage and I consider this acceptable. The car parking is discussed below. The property is close to local amenities on Milton Road and Green End Road. Being on a main transport route the proposal site is well connected to pedestrian, cycle and public transport routes and therefore I do not consider that the proposal will have a harmful impact upon the character of the area.
- 8.6 The main part is to the rear with some element to the side, which will be visible in the street. There are other properties that have extended to the rear and side.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 5/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The Environmental Health officer has commented that as this is a residential area, construction activity could potentially impact upon the neighbours and therefore recommends conditions to control working hours (3) and piling (4). I agree with their advice and recommend conditions.
- 8.9 Comments have been received regarding the potential impact of the proposal on number 59 through loss of light and privacy. The proposal will be over 12m deep but is set off the common boundary by 1m. The current boundary treatment is a mixture of fencing, planting and side wall of the existing garage. The garage sits hard up on the boundary but is set further down the garden. 59 Green End Road is located north of the application site. There will be some overshadowing in the later parts of the afternoon. However, the existing garage is being removed; the proposal is set in 1m from the common boundary; it is single-

storey and only 3.1m high overall. Given that a 2m high fence could be erected on this boundary without permission I do not consider that there will be significant overshadowing as to warrant refusal.

- 8.10 With respect to overlooking and loss of privacy, there are windows that face number 59. These windows are at ground floor level and there will be an intervening fence, which these windows face. Considering that a boundary treatment will be in place I do not consider that there will be any loss of privacy or overlooking to the detriment of number 59.
- 8.11 With respect to the neighbour at 63 Green End Road, I do not consider there will be any significant impact. The proposal is set off the boundary; is single-storey in height and the windows looking directly towards this neighbour do not give unrestricted views into this garden due to the intervening boundary treatment.
- 8.12 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 5/7.

Highway Safety

- 8.13 The local highway authority have commented that the installation of gates will not allow a car parked in the drive to leave in a forward gear. Having been on site the current parking would also not allow cars to leave in a forward gear. However, I recommend condition 8 to address the issue of gates.
- 8.14 The highway authority requests conditions. I have recommended conditions 5 to 11 and informatives 13 to 15.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.16 The plans show car parking to the front of the house. This is the existing situation and below the maximum car parking level as stipulated by the Car Parking Standards in the Cambridge Local

Plan (2006). I consider that due to the cycling, pedestrian and transport routes this is acceptable.

- 8.17 No cycle parking is shown on the plans. There is ample room on site to accommodate 1 space for every 6 residents and 1 space for every 2 members of staff. There are no details as to how many residents there will be on site but I consider a condition can control this (condition 12).
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.19 The main planning issues of overlooking, loss of privacy and context have been addressed in the main body of the report above.
- 8.20 The issue of increased utility bills is not a planning matter and would be unreasonable to refuse the application on these grounds. The maintenance issue is a civil matter and height of the development can be scaled off the plans. I do not consider this would be a reasonable grounds for refusal.

Planning Obligation Strategy

Planning Obligations

- 8.21 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

I 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

8.22 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.

8.23 The application proposes the erection of 1 two-bedroom flat so the net total of additional residential units is 1. 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		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

8.24 The applicants have shown willingness to enter a unilateral undertaking and 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 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

- 8.25 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

- 8.26 The applicants have shown willingness to enter a unilateral undertaking and 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 Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.27 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
Flat	150		
Total			75

8.28 The applicants have shown willingness to enter a unilateral undertaking and 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 Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.29 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

8.30 For this application a monitoring fee of £173.05 is required to cover monitoring of Council obligations plus the County Council monitoring fee and the monitoring fee associated with the provision of public art.

Planning Obligations Conclusion

8.31 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 proposal is for a rear and side extension to accommodate a two bedroom independent unit. Being single-storey and set in from the common boundaries it is considered that the proposal is acceptable subject to conditions and section 106.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 31st January 2015 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. 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. 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)

4. 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 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

5. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan (2006) policy 8/2).

6. Notwithstanding the approved plans and the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order), the gates shown on the drawing number 311/14/2 serving the car parking and bin store area are not approved. Full details of the revised site layout shall be submitted to 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 highway safety. (Cambridge Local Plan (2006) policy 8/2).

7. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan (2006) policy 8/2).

8. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan (2006) policy 8/2).

9. Prior to the commencement of development two 2.0 x 2.0 metres visibility splays shall be provided. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high. The details shall be submitted and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

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

10. The manoeuvring area and access as shown on the drawings shall be provided and retained free of obstruction.

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

11. No 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 principal 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.

Development shall take place only in accordance with the approved plans.

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

12. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 31st January 2015, or if Committee determine that the application be refused against officer

recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development