

<b>Application Number</b>	14/1136/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th July 2014	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	8th September 2014		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	23 Mowbray Road Cambridge CB1 7SR		
<b>Proposal</b>	Extension and conversion of existing semi detached house into 5 flats		
<b>Applicant</b>	Mr Darren Mould Southlawns Bangs Close Shudy Camps Cambridge CB21 4RJ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposed extensions would not have a detrimental impact on the streetscene, or the character or appearance of the area;</li> <li>2. The proposal would not have a significant detrimental impact on neighbouring occupiers; and</li> <li>3. Cycle and bin storage can be adequately accommodated on the site.</li> </ol>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 23 Mowbray Road is a two-storey semi-detached house situated on the eastern side of Mowbray Road. The property sits at an oblique 45 degree angle to Mowbray Road, mirroring the properties to the south 11 and 13 Mowbray Road and properties across the other side of the road at 18-24 and 26-32 Mowbray Road.
- 1.2 The surrounding area is predominantly residential and the site is not within a Conservation Area.

## 2.0 THE PROPOSAL

2.1 Full planning permission is sought for a side and rear extension to the house, and the conversion of the resulting buildings into five flats.

2.2 The following amendments were made to the application:

- Removal of the roof terrace adjacent to 25 Mowbray Road
- Introduction of a bay window on the rear elevation

## 3.0 SITE HISTORY

None.

## 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 3/14
		5/1 5/2
		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  Ministerial statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Planning Obligation Strategy (March 2010)
	<u>City Wide Guidance</u>  Cambridge City Council (2011) - Open Space and Recreation Strategy  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, there are no policies in the emerging Local Plan of relevance.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

#### Original application

- 6.1 The car parking spaces, as proposed are smaller than the recommended minimum of 5m x 2.5m. Space no. 5 is very constrained by vertical walls that make it difficult to access the vehicle.

#### Amended application

- 6.2 No additional comment.

### Head of Refuse and Environment

#### Original application

- 6.3 No objection, subject to conditions related to construction hours, and bin storage.

#### Amended application

- 6.4 No additional comment

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

#### Original application

- 7.1 The owners/occupiers of the following addresses have made representations objecting to the application:
- 11 Mowbray Road
  - 25 Mowbray Road
  - 26 Mowbray Road

- 7.2 The representations can be summarised as follows:
- Overlooking
  - Impact on guttering and drainage
  - Increase in noise and disturbance due to the layout of the flats. Washing machines or similar goods could be positioned against the party wall with No. 25
  - Vents could be positioned so that they are directed towards the neighbouring garden
  - The 5<sup>th</sup> parking bay prevents bins from being brought out of the store to the road and it is likely that they would be left out
  - Overdevelopment
  - It is not clear whether the existing hedge and small tree at the front of the property would remain. Their removal would be detrimental to the character of the area
  - Lack of parking
- 7.3 The owner/occupier of the following address has made a representation neither objecting to or supporting the application:
- 30 Mowbray Road
- 7.4 The representations can be summarised as follows:
- There will not be enough roadside parking to accommodate the cars belonging to the residents of the new flats. The roads are already extensively used for hospital parking

#### Amended application

- 7.5 No further representations have been received.
- 7.6 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. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

### **Principle of Development**

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the residential property has a floorspace of less than 110sqm; b) the likely impact upon on-street parking would be unacceptable; c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity. The floorspace of the house is more than 110sqm, and the proposal, therefore, complies with part a) of policy 5/2. Parts b), c), d) and e) of policy 5/2 will be addressed later on in this report.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 and part a) of policy 5/2 of the Cambridge Local Plan (2006).

### **Context of site, design and external spaces**

- 8.5 The proposed extension is not dissimilar in scale or style to the completed extension to 9 Mowbray Road, which stands on the opposite side of the accessway, and it is therefore my view that the proposed extension would not be out of character. I consider it to be visually acceptable.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14.

## **Residential Amenity**

- 8.7 The site is surrounded by a number of residential properties. The attached neighbour, 25 Mowbray Road stands to the northwest; 21 Mowbray Road stands to the southeast, and 56-60 Hulatt Road back on to the site to the east.

### *Overshadowing, enclosure and dominance*

- 8.8 The proposed two storey side/rear extension would stand to the northwest of the frontage of 21 Mowbray Road. Due to the orientation of the buildings it is my view that it is unlikely that the proposed extension would have a significant detrimental impact on this neighbouring property in terms of overshadowing. At its closest point, the proposed extension would stand 4.2m from the common boundary with No. 21 and, due to this separation distance it is my view that the proposed extension would not dominate or enclose this neighbour to an unacceptable degree.
- 8.9 The proposed single storey rear extension would stand to the southeast of 25 Mowbray Road and would abut the common boundary with this neighbour. The proposed extension would be 3.2m in height, with a flat roof. It is my opinion that this extension would not overshadow, dominate or enclose this neighbour to an unacceptable degree. The proposed two storey rear/side extension would stand 2.8m from the common boundary with this neighbour and it would not breach a 45 degree line of sight. It would not have a significant detrimental impact on No. 25 in terms of overshadowing, dominance, or enclosure.
- 8.10 The proposed extensions would stand to the west of 56-60 Hulatt Road, and as 23 Mowbray Road stands at an angle to Hulatt Road the proposed extension would stand 4.8m from the common boundary with these neighbouring properties at its closest point, and 12.8m from the rear elevations. As the extension would stand at an angle to the boundary and because of the separation distance between the buildings it is my view that the proposed extensions would not overshadow, dominate or enclose the neighbouring properties on Hulatt Road to an unacceptable degree.

### *Overlooking*

- 8.11 The proposed extensions would include windows on the front, rear and side elevations. The windows at the front would look out onto the road and would have no detrimental impact.
- 8.12 The windows on the side elevation of the two storey extension would serve a bedroom and living room at ground floor level, and a kitchen at first floor level. These windows would overlook the front garden of 21 Mowbray Road. This is not a private area, and it is therefore my view that it would be unreasonable to refuse planning permission due to this.
- 8.13 The windows on the rear elevation would allow views into the rear garden of 25 Mowbray Road. These views would be oblique and it is my opinion that the impact of this would be no worse than the current situation. Due to the angle that 23 Mowbray Road stands at, there would be no direct overlooking of the houses on Hulatt Road. The only window of potential concern is the northeast facing first floor bedroom window. A bay window has been introduced here, with a partially obscured window which directs views away from Hulatt Road.

### *Noise and disturbance*

- 8.14 Building works are disruptive and in order to minimise this I recommend that construction hours are restricted by condition (3), along with the hours of collections and deliveries (4).
- 8.15 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.

### **Refuse Arrangements**

- 8.16 A bin store is proposed in the rear, communal garden, situated against the common boundary with 60 Hullat Road. Due to the positioning of car parking space 5 and the proposed cycle store it would not be possible to bring the bins from the store to the kerbside for collection. There is ample space on the site to accommodate adequate bin storage on the site and I therefore have taken the view that it would be unreasonable to refuse planning permission for this reason. I recommend a condition

requiring details of bin storage, in a different location to that proposed (5).

- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Car and Cycle Parking**

- 8.18 Five car parking spaces are proposed on the frontage, one for each flat. In my opinion, in order to adequately accommodate cycle and bin storage it is not feasible to provide five car parking spaces. The Car Parking Standards in Appendix C of the Cambridge Local Plan (2006) are maximums and considering the site's proximity to public transport routes and local shops it is my view that it would not be justifiable to refuse planning permission due to a lack of car parking spaces. I recommend a condition requiring details of a revised parking layout (5).
- 8.19 A cycle store is proposed to the side of the building. Due to the positioning of car parking space no. 5 it would be difficult to use this store. There is ample space on the site to accommodate adequate cycle storage on the site and I therefore have taken the view that it would be unreasonable to refuse planning permission for this reason. I recommend a condition requiring details of cycle storage in a different position to that proposed (5).
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

#### Impact on guttering and drainage

- 8.21 This is not a planning consideration.

#### Increase in noise and disturbance due to the layout of the flats. Washing machines or similar goods could be positioned against the party wall with No. 25

- 8.22 The internal layout of the flats cannot be controlled through the planning process.

Vents could be positioned so that they are directed towards the neighbouring garden

- 8.23 It is my view that it is unlikely that the positioning of vents would have a significant detrimental impact on neighbouring occupiers.

## **Planning Obligation Strategy**

### **Planning Obligations**

- 8.24 As a result of the Ministerial statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This also applies to all residential annexes and extensions. The proposed development falls below this threshold therefore it is not possible to seek planning obligations to secure community infrastructure in this case.

## **9.0 CONCLUSION**

- 9.1 In my opinion, the proposal would not have a significant detrimental impact on the character of the surrounding area or neighbouring properties and, subject to conditions, I consider it to be acceptable. I recommend that the application is approved.

## **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. 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. 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)

5. Prior to the commencement of development full details of a revised parking layout, storage facilities for waste, and facilities for the covered, secured parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision. (Cambridge Local Plan 2006, policies 3/4, 8/6 and 8/10)

6. 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)

7. The windows identified as having obscured glass on drawing number 1619/02 or shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

8. The flat roof leading out from flat 3 on the first floor shall not be used as a roof terrace without the express permission of the Local Planning Authority.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan 2006, policy 3/7)