

<b>Application Number</b>	15/0793/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	8th May 2015	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	3rd July 2015		
<b>Ward</b>	Newnham		
<b>Site</b>	2 Bulstrode Gardens Cambridge Cambridgeshire CB3 0EN		
<b>Proposal</b>	Demolition of single storey brick built garage. The division of the site to create a new site and build a new two-storey dwelling including the removal of 3 silver birch trees..		
<b>Applicant</b>	Mr & Mrs Simm 2 Bulstrode Gardens Cambridge Cambridgeshire CB3 0EN United Kingdom		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would appear out of character with the street and would harm the character and appearance of the Conservation Area.</li> </ul>
RECOMMENDATION	REFUSAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site, no.2 Bulstrode Gardens, is comprised of a large two-storey detached dwelling designed in traditional red brick with a tiled roof situated on the east side of the road. There is a small detached garage adjacent to the boundary of no.3, a large gravel drive at the front and a large garden to the rear which is well landscaped.
- 1.2 There are a series of large trees and hedging at the front of the site which is a characteristic shared along the fronts of properties along Bulstrode Gardens. The surrounding area is

residential in character and is formed of large detached houses set within generous plots with deep gardens. Houses are typically wide and shallow in terms of their orientation to the road.

1.3 The site falls within the West Cambridge Conservation Area.

## 2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for a two-bedroom, two-storey, detached dwelling situated to the south of no.2 Bulstrode Gardens and directly against the boundary of no.3. It would have a narrow frontage depth but extend deeply into the plot and would measure 4.6m to the eaves and 6.8m to the ridge. The first-floor would overhang the building line of the ground floor, by way of a timber clad projection to the north which would accommodate the landing area of the proposed dwelling.

2.2 The proposed dwelling is designed in traditional red brick with a brown tiled roof in a pitched roof style. The proposed dwelling would be sub-divided from no.2 in the form of a 2m high wall, which changes to a 1.7m for the duration of the garden. Bin storage is provided at the front of the site and is shielded behind a timber screen, while cycle parking is allocated at the rear of the site in a garden shed. One parking space is allocated on the front drive.

2.3 The application has been called in for determination at planning committee by Councillor Cantrill on the basis that the application would not be out of keeping with the character of the area and should be recommended for approval.

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/93/0507	RESIDENTIAL TWO STOREY EXTENSION PLUS DETACHED GARAGE (AMENDED BY LETTER & DRAWINGS DATED 29.7.93).	Permitted

**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 3/10 3/11 3/12 4/4 4/11 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  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)  Cambridgeshire and Peterborough Waste

	Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> West Cambridge Conservation Area Appraisal (2011)

#### 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)**

6.1 No objection.

### **Head of Refuse and Environment**

6.2 No objection, subject to conditions on construction hours and piling.

## **Urban Design and Conservation Team**

- 6.3 The proposed dwelling is to be arranged perpendicular to the road, in the gap currently filled by the single width garage at the southern end of the site. It is noticeably smaller than the buildings which surround it and, whilst it is located relatively close to its neighbour to the south, the site plan submitted as part of the application does illustrate properties in a closer proximity within the same road. Nevertheless, the rhythm and status of properties in the road is quite clear, and this is a prominent feature of the cul de sac.
- 6.4 By virtue of the rhythm of the dwellings in their plots, the proposed infill cannot be argued simply to drop into the existing grain of the place. It can only upset the character of the road, which consists overwhelmingly of large, confident structures facing the highway, albeit some properties do hide behind hedges. Because the plot is restricted in its width, the house naturally appears rather apologetic. It is small with a low eaves line and whilst its building line does relate to its neighbours, it appears to recede, because it is visually squeezed between broader, taller structures on either side. Its narrow gable creates a small, vertical structure, quite in contradiction to the remainder of the houses, and as such will always appear as an uncomfortable infill, rather than as a sensitive and appropriate new development on a suitably plot.
- 6.5 The scheme does not accord with section 72 of the Listed Buildings Act, the spirit of the NPPF, or Local Plan policies 3/4, (responding to context) or 4/11 (which states that developments within conservation areas will only be permitted if they preserve or enhance the character or appearance of the area). In conclusion therefore, the conservation team does not support the proposal.

## **Head of Streets and Open Spaces (Landscape Team)**

- 6.6 The proposals are not supported. The proposals do not conform with planning policies 3/4 and 3/10 of the Local Plan 2006.
- 6.7 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 address has made a representation:

- 14 Bulstrode Gardens

7.2 The representation can be summarised as follows:

- The proposal is not in keeping with the character of the area.
- The proposal will set a precedent for future sub-division and development which would irrevocably change the character of the area.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representation 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 Conservation Area
3. Residential amenity
4. Trees
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

### **Principle of Development**

8.2 Policy 5/1 supports residential development on windfall sites subject to the existing land use and compatibility with existing land uses. There is no conflict with this policy. Policy 3/10 supports the use of sub-divided residential curtilages for new development only if the proposal causes no harm to neighbour amenity or the character of the area, and provides acceptable amenity space, car and cycle parking and waste storage. I

explain below that in my view the proposal does cause harm to the character of the area.

- 8.3 In my opinion, whilst the principle of residential development on this site is acceptable, I believe it is in conflict with policy 3/10 of the Cambridge Local Plan 2006 for the reasons as set out below.

### **Context of site, design and external spaces and Impact on Conservation Area**

- 8.4 The West Cambridge Conservation Area Appraisal identifies Bulstrode Gardens as being characterized by large family houses, orientated parallel and set back from the road, and situated within deep garden plots.
- 8.5 The existing properties along Bulstrode Gardens appear very wide in their respective plots and the fenestration of windows and doors are generally orientated towards the road and this rhythm is consistent throughout this road.
- 8.6 The proposed dwelling would be arranged perpendicular to the road, would be considerably smaller in size, and the plot would be noticeably narrower and constrained than other properties in the area. The Conservation Team has stated that by virtue of the rhythm of the dwellings in their plots, the proposed infill cannot be argued simply to drop into the existing grain of the place. The character of the road is that of large, confident structures facing the highway and the addition of this dwelling would contrast unsuccessfully with this character.
- 8.7 The Conservation Team has also explained that because the plot is restricted in its width, the house naturally appears out of context with the neighbouring properties. Furthermore, the low eaves line makes the dwelling appear to recede due to it being visually squeezed between broader, taller structures which flank the dwelling. The narrow gable end creates a small, vertical structure, which contradicts the remainder of the houses, and as such, would not sit comfortably within the plot and the context of the site.
- 8.8 I agree with the advice of the Conservation Team, and consider that by way of its narrow width and extended length, coupled with the disruption to the rhythm of the fenestration and

contrasting orientation to the existing pattern of development, the proposal would be out of keeping with the street scene and would consequently harm the character of the area and wider Conservation Area.

- 8.9 I consider that the proposed development would detract from the character of the area and is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 The main consideration is the impact on nos.2 and 3 Bulstrode Gardens.

#### Overlooking

- 8.11 The windows are all positioned on the east and west elevations of the proposed dwelling. There are roof lights on the south and north elevations but these are positioned high in the roof slope and are for natural lighting purposes as oppose to outlooks.
- 8.12 The windows on the east elevation would have views across the rear gardens of nos.2 and 3 and there is already a mutual sense of overlooking across the rear gardens of properties in this area from first floor windows. These neighbouring properties both benefit from large spacious gardens and the views from the first-floor windows of the proposed dwelling across these gardens will be relatively oblique. As a result, while there will be a slight increase in overlooking over the rear gardens of neighbouring properties, I do not consider these outlooks to be so compromising to the privacy of these neighbours as to significantly harm their respective amenities.

#### Overshadowing

- 8.13 The proposed dwelling will not have a bearing on sunlight to no.3 as it is positioned directly to the north of this neighbouring property.
- 8.14 The proposed dwelling would be immediately to the south of no.2 and so consideration needs to be made as to the impact of overshadowing on this neighbour. The main areas of no.2

affected by overshadowing would be the south elevation and the small courtyard area of this neighbour. It is identified that the majority of the key outlooks for no.2 are positioned on the east and west elevations and that the windows on the south elevation are secondary windows which are not solely dependent on lighting their respective rooms. The courtyard area is only a small portion of the external amenity space available to no.2 as the considerable garden space further to the east will be largely unaffected by the proposed development in terms of overshadowing. Therefore, I am content that while there will inevitably be overshadowing over the south courtyard and windows of no.2, these are not dependent on sunlight, and that the amenity of this neighbour will not be adversely impacted by the proposed development.

### Visual Enclosure

- 8.15 Similar to the preceding paragraph, there is not a dependency on the south courtyard and south facing windows of no.2 as the only visual outlook as these are secondary windows and spaces. The main outlooks are to the east and west, and there is a substantial garden further to the east. As a result, the proposed dwelling will not be perceived as visually dominant from the main windows and amenity spaces of this neighbouring property.
- 8.16 There are only a few small windows on the north side elevation of no.3 which do not serve habitable rooms. Again, the main windows and amenity areas for this neighbour, similar to no.2, are all positioned on the east and west side of the property and so I am content that the proposal will not visually dominate any of the key outlooks of no.3.
- 8.17 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 3/10 (criteria a).

### Amenity for future occupiers of the site

- 8.18 The application provides a two-bedroom home with outdoor amenity space with a depth of 13.2m and adequate cycle parking provision and bin storage. The site is located in a sustainable location, within walking distance to nearby bus

stops. 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, 3/10 (criteria b) and 3/12.

### **Trees**

- 8.19 The proposal involves the removal of a mature birch tree along the front of the site and the subsequent replanting of a silver birch tree further to the north of this frontage. The Landscape Team have not raised any concerns with this removal and replanting and are supportive of this element of the proposed works. I agree with this advice and consider the removal of the tree to be acceptable.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

### **Refuse Arrangements**

- 8.21 Adequate refuse arrangements have been provided at the front of the site situated behind a timber screen. The Environmental Health team has not raised any objection to the refuse arrangements.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.23 The highway authority has not raised any objection to the proposal and I agree with this advice.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.25 One parking space is provided at the front of the site which is in accordance with the Car Parking Standards.

8.26 Two cycle parking spaces are provided in a secure covered shed at the rear of the garden in accordance with the Cycle Parking Standards.

8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.28 The concern regarding the proposal being out of character has been addressed in the main body of this report.

8.29 A concern was also raised regarding the precedent that this type of development could set on the rest of Bulstrode Gardens. In response, each application will be judged on its own merits and in the event that permission is granted for this development, this does not necessarily set a precedent for residential development on other plots.

### **Planning Obligation Strategy**

#### **Planning Obligations**

8.30 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 conclusion, it is considered that the proposed dwelling would detract from the character of the area and wider Conservation Area, and is contrary to policies 3/4, 3/7, 3/10, 3/12 and 4/11 of the Cambridge Local Plan 2006.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. The proposed dwelling, by virtue of the size of the plot, the narrow width and length of the dwelling and its orientation perpendicular to the road, would appear cramped and out of character with its setting. The area is characterized by large dwellings set parallel to the road with spacious gardens and the proposal would contradict this character and consequently harm the character of the Conservation Area by disrupting the rhythm of the dwellings in the street scene. The narrowness of the dwelling adjacent to two large buildings, when considered with the low eaves lines and elongated gable end facing the street, means that the proposal appears as an alien and incongruous feature.

For these reasons, the proposals fail to respond to their immediate context and would neither, preserve or enhance the character and appearance of the Conservation Area. As such the proposals are contrary to the provisions of Policies 3/4, 3/7, 3/10, 3/12 and 4/11 of the Cambridge Local Plan 2006.