

<b>Application Number</b>	15/0225/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th February 2015	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	3rd April 2015		
<b>Ward</b>	Trumpington		
<b>Site</b>	2 Barrow Road Cambridge CB2 8AS		
<b>Proposal</b>	Erection of new dwelling following demolition of existing dwelling on the site.		
<b>Applicant</b>	Ms C Speed		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed development is considered to be of high quality design and would preserve the character and appearance of the area and sympathetically assimilate into the site without appearing dominant or out of keeping.</li> <li><input type="checkbox"/> The proposed development has been designed to mitigate any significant adverse impact on the residential amenity of the adjoining neighbours.</li> <li><input type="checkbox"/> The proposal would not have a detrimental impact on the existing protected trees.</li> </ul>
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

**Annex:**

**Loss of light and Overshadowing:**

1.1a Concerns have been raised, which were not fully addressed in my original officer report regarding the impact of loss of light of and overshadowing on the neighbouring occupier at no.4 Barrow Road. I set out below my assessment of the proposed development in relation to these issues.

- 1.2b In order to assess any potential loss of light and overshadowing impact from the proposed replacement dwelling on the adjoining neighbour at no.4, it is important to understand the site context.
- 1.3c The rear gardens of the applicant site and neighbouring dwellings are south facing and therefore would generally benefit from optimum sunlight. The eastern boundary of the application site is partly defined by the side elevation of the existing flat roof brick built garage, which is approximately 2.7 metres in height and 5.1 metres in depth. The rest of the boundary is defined by a (approx.) 1.8 metre high timber fence and a variety of trees. The side elevation of the garage projects past the rear elevation of no.4 by approximately (approx.) 4.7 metres at (approx.) 2.7 metres in height. This combined with the mature protected tree belt, which defines the western boundary of the application site (adjacent to Trumpington Road), already causes a degree of shadowing over the neighbour's patio area and conservatory.
- 1.4d The proposed development would include the removal of the existing garage and replacement with a 1.8 metre high boundary fence. The side elevation of the replacement dwelling would be set off the side boundary by 1.5 metres. The roof slope of the eastern wing would contain an integral garage, a 'cool room' and separate plant room. The eaves line of the eastern wing nearest the boundary would start at 2.35 metres in height before sloping away from the boundary to a height of 9.35 metres. This would create a large expanse of tiled roof of which approximately 5.5 metres (of the overall 10.5 metres depth) would project beyond the rear elevation of no.4. In my view, the visual appearance of this section of roof compared to the existing situation and at the level of separation proposed would not be overbearing such that it would cause an adverse sense of enclosure on the neighbouring occupier. The occupier of the neighbour property also has an open outlook south.
- 1.5e The two storey part of the eastern wing would be set off the boundary by a further 4.6 metres and project into the rear garden by 10.5 metres beyond the rear elevation of no.4 at a height of approximately 9.35 metres. It is important to note that the two storey wing has a hipped roof and the 9.35 metre high ridge line would be set approximately 7 metres off the boundary with no.4. In this context, I do not consider the proposed development would result in the significant loss of light or cause significant overshadowing or appear overbearing.

- 1.6f In order to properly assess the potential impact from shadowing, the applicant has also carried out shadow studies for the existing and proposed dwellings to demonstrate what impact it would have on the adjoining neighbour. The studies have been carried out on the equinox and mid-summer for every hour between 1pm to 6pm. The studies have been broken down into two phases 1pm to 3pm and 4pm to 6pm. The applicant was advised to remove all trees from the studies in order to understand the impact from the proposed dwelling itself.
- 1.7g The equinox study between 1pm to 3pm demonstrates that there would be no material change to the shadowing currently experienced by no.4 from the existing dwelling. If anything, the study shows that the proposed dwelling would result in slight improvement in terms of overall area of overshadowing.
- 1.8h The equinox study between 4pm to 6pm demonstrates that the proposed dwelling would cause some additional overshadowing between 4pm and 6pm compared to the existing dwelling.
- 1.9i Having carefully assessed the equinox shadow study and whilst the proposed dwelling would cause some additional shadowing, I am of the view that the proposed dwelling would not result in significant loss of daylight or cause a significant levels of overshadowing such that it would have a significant adverse impact on the residential amenity of the adjoining occupier. The main impact from overshadowing from the proposed dwelling would occur during late afternoon/early evening when the sun is starting to set. Otherwise, the rear patio and garden of no.4 would receive a significant amount of day/sun light during the rest of the day. According to the Site Layout Planning For Daylight and Sunlight: A guide to good practice (2011 2<sup>nd</sup> edition), it recommends that at least half of the 'amenity areas' which includes back gardens, should receive at least two hours of sunlight on 21 March." The rear garden of no.4 would receive significantly more than two hours of sunlight during this time. Therefore, it would, in my view, be unreasonable to argue the proposed dwelling would have a significantly adverse impact on the residential amenity of the adjoining neighbour such that it would warrant the application for refusal.

- 1.10j The mid-summer study between 1pm to 3pm demonstrates that the existing dwelling would cast more of a shadow over the neighbour's garden during this period than the proposed dwelling. The proposed dwelling would cast a very small shadow over the curtilage of no.4 as a result of the chimney stack at 3pm.
- 1.11k The mid-summer study between 4pm to 6pm demonstrates that the proposed dwelling would cast a shadow over the rear patio area of no.4 between 5pm and 6pm. The study shows that the proposed dwelling would cast the same shadow over the patio and conservatory as the existing at 6pm but the shadow from the proposed dwelling would also creep into the garden area. Therefore, in my view, the impact from the proposed dwelling on no.4 would only be felt during late afternoon onwards. The rest of the day, no.4 would not be materially affected by any additional overshadowing over and above that which they already experience by the existing dwelling.
- 1.12l Having assessed the shadow studies, I am satisfied that the proposed dwelling would not cause significant levels of overshadowing and loss of light on.4 such that it would have a detrimental impact on the residential amenity of the adjoining neighbour.

### **Height of the proposed dwelling**

- 2.1a Concerns have been received regarding the height of the proposed dwelling and the dimensions in paragraphs 2.3 and 8.10 below of the original report (below). For clarification and to clear any ambiguity I set out below the correct ridge heights of the existing and proposed dwelling.
- Existing ridge height – approx. 7.9 metres (east to west)
  - Proposed dwelling ridge height – approx. 8.85 metres (9.35 metres to ridge of main two storey wing, which runs north to south)
- 2.2b The proposed ridge height (east to west; facing Barrow Road) would project approx. 900mm above the existing ridge. The ridge of the main two storey wing which would run north to south would be an extra 500mm above this at 1.4 metres above the main ridge of the existing dwelling. The applicant has now provided a street scene showing the proposed replacement

dwelling in context with nos. 4, 6, 8 and 10 Barrow Road. This shows that the height of the proposed dwelling would sit comfortably within the street context and not appear unduly dominant.

- 2.3c I therefore maintain my original view that the increase in height of the proposed dwelling would not appear out of keeping or unduly dominant. Instead it would add to the variation of the heights and styles of the dwellings in Barrow Road.

### **Heritage significance**

- 3.1a Concerns have been raised that my report did not give enough consideration to the assessment of Barrow Road (Barrow Road; An Appreciation) carried out by local residents. I can advise that I did review this assessment but did not make explicit reference to it in my report, albeit I did refer to it in my oral introduction to the scheme. A copy of the assessment is appended to my report for the Committee's information. Concerns have also been raised that I did not consider whether 2 Barrow Road and Barrow Road as a whole has heritage significance.
- 3.2b Neither Barrow Road nor 2 Barrow Road are within a Conservation Area and none of the buildings in Barrow Road (including no. 2) are listed buildings. Therefore neither Barrow Road nor 2 Barrow Road are designated heritage assets. 2 Barrow Road is also not a Building of Local Interest (BLI) and it is not considered to be a non-designated heritage asset. Nonetheless, objectors to the application have raised the question whether Barrow Road could be considered as a non-designated heritage asset notwithstanding the above.
- 3.3c According to the NPPF, a heritage asset is a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes assets identified by the local planning authority.
- 3.4d The term "identified" is important. Whilst Barrow Road has heritage value, this does not, in my view, equate to it being "identified" and no formal identification process has been carried out other than an assessment by local residents, which has not been verified or endorsed by the Council. Historic

England advises on a structured approach being required to identify the heritage significance of an asset.

- 3.5e Historic England has produced a document titled 'Managing Significance in Decision-Taking in the Historic Environment (March 2015). In paragraph 5, it states that heritage assets include designated and non-designated assets identified by the local planning authority as having a significance justifying consideration in a planning decision. Non-designated heritage assets include those that have been identified in a Historic Environment Record in a Local Plan through local listing or during the process of considering the application. Barrow Road and no.2 have not been identified in the current Local Plan or the emerging Local Plan through the plan process, and no application has been made which is currently being considered for this.
- 3.6f It is also important to note that the designation of Barrow Road as a Conservation Area was considered at the Council's Environmental Scrutiny Committee (ESC) in October 2014. The Committee resolved that the request for designation would not be prioritised over other ongoing work/projects. Therefore, whilst no.2 has heritage value within the sense of it being within a wider potential Conservation Area, it is my view that only limited weight can be given to the significance of this value without any informed assessment.
- 3.7g Therefore, whilst Barrow Road has some heritage significance and value which can be taken into account, in the absence of a comprehensive assessment and decision made on the designation of Barrow Road as a Conservation Area, only limited weight can be given to the preliminary proposal put forward to ESC, and the heritage value of Barrow Road in the consideration of this application. Members should also understand that the applicant could apply for prior approval (under Part 11b) to demolish the existing dwelling and the Council could not refuse such an application only control the method of demolition. Therefore, this is the fall-back position that Members need to bear in mind when considering how much weight they give to the heritage value of no.2 within Barrow Road.

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to a detached residential property situated within a large rectangular garden plot, on the southern side of Barrow Road. The site is located close to the corner of Barrow Road and Trumpington Road.
- 1.2 The existing dwelling is partly screened from the road side by a front boundary hedge. Views of the dwelling from Trumpington Road are screened by boundary trees which are protected. There is an existing gated access into the site directly from Trumpington Road.
- 1.3 The existing building on the site has elements of the 'Arts and Crafts' style, which is characteristic of this area. It has a rectangular footprint and projecting front gable. The front elevation has symmetrical fenestration, across eaves dormers and part external chimney breasts, which are design features associated with the Arts and Crafts style.
- 1.4 The building is not Listed or a Building of Local Interest. The site is not within a Conservation Area although a proposal has been made by Barrow Road residents to make the road a Conservation Area. This was considered by Environment Scrutiny Committee on 17 October 2014 but the work to undertake the process of evaluation and consultation was not considered to be a priority.
- 1.5 To the west of the dwellinghouse and along the western boundary of the site are mature trees which form part of a group of trees along Trumpington Road which are protected by a group Tree Preservation Order.
- 1.6 Barrow Road is referenced in the Trumpington Road Suburbs and Approaches Study (March 2012) and the application site is located within 'Character 3' area. The study states "*The overriding character of this section of Trumpington Road is of a wide, generous road flanked either side by mature deciduous trees, some of which overhang the road, that create a sense of enclosure and privacy....*" "*Views down Porson Road, Bentley Road and Barrow Road are of substantial private residential properties set in a maintained landscape of tree avenues that emphasise the linear nature of these side roads*".

## 2.0 THE PROPOSAL

- 2.1 The proposal is for the demolition of the existing two storey five bed detached dwellinghouse and replace it with a double gable fronted six bed detached dwellinghouse. The proposed dwellinghouse also includes an additional level within the roof space for two bedrooms, and a basement level which contains a swimming pool, cinema room, wine store, gym and sauna/steam room and storage and plant room.
- 2.2 The replacement dwelling has been designed in an 'arts and crafts' style. The main form of the proposed dwelling consists of two gable elements that are connected by a central link. The eastern gable would be the more dominant in terms of height.
- 2.3 The proposed replacement dwelling would be 8.85 metres to the main ridge (existing ridge 8.1 metres) and 5.05 metres to the eaves, 21.8 metres wide (existing width 19.4) and 18.4 metres in depth; at it deepest (existing deepest depth 11.7 metres). The eaves line of the proposed garage on the eastern boundary would be 2.4 metres rising to 5.25 metres.
- 2.4 The application is accompanied by the following supporting information:
1. Supporting Statement (including Structural Engineer's report)
  2. Tree Survey
  3. Plans
- 2.5 The planning application follows previously refused application (14/1615/FUL) and pre-application discussions with Officers.

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
14/1615/FUL	Replacement dwelling.	REFUSED
14/1616/FUL	New dwelling	WITHDRAWN
15/0804/FUL	New dwelling to rear of site with access from Trumpington Road.	PENDING

3.1 The previous planning application was refused for the following reasons:

1. *The proposed replacement dwelling would by virtue of its two storey depth, location of first floor windows in the side elevation and close proximity to the boundary with no.4 Barrow Road result in a form of development that would appear overbearing, visually intrusive and result in an unacceptable invasion of privacy currently enjoyed by adjacent occupiers. The proposed dwelling would therefore have a significantly detrimental impact on the residential amenity of the adjoining neighbour such that it would be contrary to Policies 3/4, 3/7 and 3/12 of the Local Plan.*
2. *The proposed replacement dwelling would by virtue of its two storey front projecting gable and layout have a detrimental impact on the pattern of development along Barrow Road. As a result the development would appear out of character and upset the consistent pattern of development along Barrow Road. The proposal development is therefore contrary to policy 3/4 and 3/12 Cambridge Local Plan (2006) which states that development will be permitted which demonstrate that it responds to its context and draws inspiration from the key characteristics of its surroundings. The proposed development has failed to respond to the site context and is out of character in terms of its scale and layout.*
3. *The proposed development would by virtue of its width within the plot and proximity to the western boundary result in the loss of a protected tree, which screens development of the dwelling from Trumpington Road. The loss of the tree would therefore increase views into Barrow Road from this location which would not only have a detrimental impact on the character of the area but result in the loss of tree from the belt of trees which plays an important amenity role within the site and area. Therefore contrary to Cambridge Local Plan (2006) policy 4/4 and guidance in the National Planning Policy Framework (2012).*

3.2 In response to the refusal reasons, the applicant held pre-application discussions with Officers to try and resolve the concerns in the above refusal reasons.

3.3 To address the first refusal reason, the applicant 'flipped' the dwelling, so that the garage accommodation moved to the

eastern side with a sloping roof that connected to the main two storey gable. This also resulted in the main two storey element being push back approx. 4.8 metres from the eastern boundary; instead of 1.5 metres as with the refused scheme. However, the number of windows (including dormer windows) was increased from two to five.

- 3.4 The proposed double garage with first floor accommodation above has been removed and replaced with a single garage with sloping roof which connects to the roof of the two storey element. The width of the proposed dwelling has also been reduced from 24.5 metres to 21.8 metres.
- 3.5 With regards to the other refusal reasons, the applicant has pulled the proposed dwelling back to behind the 'building line' for the street. The reduced width of the dwelling has enabled the footprint of the proposed dwelling to fall outside the Root Protection Zone of the main trees along the eastern boundary.
- 3.6 Following a meeting with officers, the applicant subsequently amended the revised scheme. Amendments were made to the eastern elevation. The rear roof two storey eastern wing has now been hipped to reduce its bulk and visual dominance from no.4. The eastern elevation was also moved forward to nearer the front elevation but still set back from it and stepped in at the rear to reduce the expanse of the roofslope.

#### **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 Plan 2006	Local	3/1 3/2 3/4 3/7 3/11 3/12 4/4 5/1 8/2 8/6

## 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
	<p><u>Area Guidelines</u></p> <p>Trumpington Road Suburbs and Approaches Study (March 2012)</p>

## 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 (Engineering)**

- 6.1 As Barrow Road is not an adopted public highway and the proposed access to the site is onto Barrow Road, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

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

- 6.2 No objections in principle subject to conditions on construction collection and delivery hours, construction hours, dust (including dust informative) and piling.

### **Urban Design and Conservation team**

- 6.3 Object to the proposal for the same reasons made on the previous application (14/1615/FUL); see below, and acknowledge the changes made to the plans as now proposed. Clearly the projecting two storey front gable element has been reduced in response to the previous reason for refusal. However, if approved, the following condition recommended:

*No works for the demolition of the building or any part thereof shall commence on site until an unconditional contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of the site for which Planning Permission has been granted under application reference(s) XX/XXXX/FUL and evidence of the said contract*

*has first been submitted to and approved in writing by the Local Planning Authority.*

*Reason: To avoid harm to the appearance of the area and to be consistent with NPPF para 136.*

Comments on previous application – 14/1615/FUL:

- 6.4 The new development is not considered to make a positive contribution to local character and distinctiveness because it requires the demolition of the original house; would lose the connection with No.1 and is not of a form characteristic of Barrow Road.

### **Street and Open Space (Tree Officer)**

- 6.5 Satisfied with the tree retention and proposed protection of the trees. Therefore no objection subject to conditions requiring Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) and implementation of the approved AMS and TPP.

### **Drainage Officer**

- 6.6 No comments to make.

### **Historic England**

- 6.7 The history and architecture of Barrow Road, a development of the 1930s by Trinity College, contribute to the interest of Cambridge. The street and its original buildings have a coherent character, and we understand that consideration is being given to the possibility of designating the street as a conservation area. In this context, the demolition of one of the original buildings – one which forms one of a pair flanking the entrance to the road – would erode the character of this potential conservation area.

### **Twentieth Century Society**

- 6.8 Makes the following comments:
- The proposal will have a negative impact on a non-designated heritage asset;

- Loss of house to a modern structure is out of keeping with the area and loss of the original and unaltered feature of the estate will detrimentally harm this non-designated heritage asset
- The house remains fit for purpose and sensitive refurbishment should be encouraged

## **Cambridge Past, Present and Future**

6.9 Makes the following comments:

- The principle of demolition should be re-evaluated in view of its connection with the replacement dwelling;
- The loss of these buildings would impact the context and original design;
- The buildings should be considered as non-designated heritage assets
- In areas such as this where the design of the street has been intentionally designed greater protection should be afforded to proposal that would permanently alter the character and appearance;
- Scale of replacement dwelling is considerably at odds with the existing dwellings;

6.10 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:

- 1 Barrow Road
- 3 Barrow Road
- 4 Barrow Road
- 6 Barrow Road
- 8 Barrow Road
- 9 Barrow Road
- 11 Barrow Road
- 12 Barrow Road
- 18 Barrow Road
- 20 Barrow Road
- 21 Barrow Road

- 24 Barrow Road
- 25 Barrow Road
- 27 Barrow Road
- 29 Barrow Road
- 30 Barrow Road
- 31 Barrow Road
- 32 Barrow Road
- 39 Barrow Road
- 45 Barrow Road
- 13 Porson Road
- 29 Porson Road
- 34 Porson Road
- 38 Porson Road
- Ardglass, Inverlounin Road, Lochgoilhead
- Salix House, Top Road, Wimbish
- Twentieth Century Society
- Cambridge Past, Present and Future
- English Heritage

## 7.2 Context, scale, design, character:

- Proposed dwelling would be very close to the boundary and extend a long way into the garden;
- The character of Barrow Road will be spoiled;
- Dislike the tall chimney and sloping roof;
- Demolition of no.2 destroys the original architectural design of the entrance to Barrow Road;
- No.2 is one of the more elegant houses of the road and is proportionally appropriate for its role as a gateway to the street
- Design of replacement house fails to recognise both architectural character and nature of original layout of the road;
- Proposed dwelling out of character and would destroy the architectural integrity of the road;
- Revised design still very large and bulky;
- Modern structure is out of keeping with other area and loss of original and unaltered feature will detrimentally harm this non-designated heritage asset;
- East elevation presents an extensive and imposing area of tiled roof;
- Height of proposed dwelling would be 1 metre taller than existing which is out of context with Barrow Road;

- Proposed dwelling would be significantly bigger than other properties in Barrow Road and encroach deeper into the garden adversely affecting the balance between built area and surrounding land;
- No positive impact on the area as required by policy 3/12
- The proposal would destroy the architectural symmetry of no.1 and 2 forming entrance to Barrow Road;
- The existing façade should be retained to preserve the gatehouse concept;
- Demolition of no.2 would be a tragedy and wholly wrong;
- To permit a pastiche replacement robs the road and city of its architectural heritage;
- Concerns regarding the demolition and proposed replacement dwelling supported by Cambridge Past, Present and Future and, 20<sup>th</sup> Century Society and English Heritage;
- The proposed dwelling is unnecessarily large and similar to the scheme that was refused;
- Concerns that the swimming pool along with the applicant occupation may result in business use at this site would change the nature of the neighbourhood;
- The proposal replacement dwelling would set a poor precedent;
- The proposal to demolish an original building would erode the character of this potential conservation area.

### 7.3 Residential amenity

- Concerned by noise and disturbance
- Outflanking and overbearing no.4 Barrow Road
- Overlooking and loss of privacy on no.4 Barrow Road

### 7.4 Comments following amendments:

- Revisions do not address objection and remains out of keeping;
- The proposed house is still very large and overbearing, out of character with the design of the original Barrow Road houses and will still be intrusive on its neighbouring properties.
- The large roof slope would appear dominant from no.4
- Remains out of character with other houses in Barrow Road in height and floor area
- Applicant should be encouraged to do a tasteful extension behind the existing façade;

- Reduction in mass, number of windows and cutting back the dwelling from the boundary is welcome;
- Scale of new building still oppressive from the garden no.4;
- Three storey house in the context of two storey houses;
- End the “*Blitzkrieg*” approach to home improvements;
- Barrow Road is a “*smiling road*” which a “*second ugly tooth*” would spoil;
- Commercial building which is inappropriate;
- Concerns with contractor parking on the corner of Barrow Road

7.5 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**

### **Principle of Development**

8.1 The provision of a replacement dwelling accords with Local Plan Policy 5/1, housing provision.

8.2 The house and its garden are not within a Conservation Area. I acknowledge the desirability of retaining the existing house but its loss cannot be protected under current planning legislation because the applicant could submit a notification under Part 11B of the General Permitted Development Order 2015 to demolish the dwelling and the Council could not refuse such an application. The Council could only control the method of demolition current. Therefore, whilst there are aspirations for the street to be included within a Conservation Area in the future, there is no policy protection against the demolition of the existing dwelling.

8.3 Requests have been made for Barrow Road to be included within a new Conservation Area. This has been formerly considered by Environmental Scrutiny Committee and would also require the production of a Conservation Area Appraisal and include public consultation. In my view, the aspiration for Barrow Road to be included within a Conservation Area adds very little weight in favour of retaining the existing building. If Barrow Road was a Conservation Area, it would become a Designated Heritage Asset. This would not negate all demolition but would place a higher test of consideration for the demolition

and replacement because issues of demolition would come with the control of the Council. I recognise the issues raised by both Historic England and The 20<sup>th</sup> Century Society but they have limited weight and do not enable the Council to resist demolition in this instance due to the building falling within an emerging Conservation Area. That does not mean that the Council cannot consider the context and character of the road and whether the replacement dwelling adequately reflects this. The existing property is not a Building of Local Interest (BLI = a non-designated heritage asset) and does not appear on the current list of BLI's and there are no such designations within Barrow Road.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. There are no planning grounds on which to resist the principle of demolition.

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

- 8.5 Barrow Road consists of large two storey detached dwellings, which are set back from the road with well landscaped frontages and on generous plots. The character of the street has a spacious suburban feel with wide grass verges, tree lined avenue and a general consistency in terms of building line and two storey scale on both sides. In terms of architecture, many of the dwellings are in an 'Arts and Crafts' style, typically in brick and render with tiled hipped, gabled roofs and dormer windows. However, many of the dwellings have also been extended and altered to increase their size with modern interventions which have diluted the arts and craft style.
- 8.6 No's.1 and 2 Barrow Road are set behind landscaped/green boundaries, which are between 2 and 2.5 metres in height, and are screened from Trumpington Road by a dense band of mature trees, which are group protected. Neither dwelling has been designed to mark them out as being important 'gateway' buildings into Barrow Road but careful consideration needs to be given to the replacement building to ensure it can sympathetically assimilate into the site and context of Barrow Road.
- 8.7 Local Plan policy 3/12 (New buildings) is relevant for consideration of this proposal. Policy 3/12 requires new buildings to have a positive impact on their setting in terms of

location on the site, height, scale and form, materials, detailing and wider townscape and landscape impacts and available views. The footprint of the proposed new dwelling can be comfortably accommodated within the large rectangular plot. The proposed dwelling has a deeper footprint as compared with the existing house and its neighbour no.4, but this does not result in any harm to the character and appearance of the suburban street scene or from the rear gardens.

- 8.8 The increased depth of the proposed dwelling (compared to the existing) would only be apparent from oblique angles from along Barrow Road. However, the rear projecting gables (particular the eastern gable) would project beyond the rear of no.4 and be visible from neighbours gardens. In my view, the additional depth of the proposed dwelling beyond the rear of no.4 and the hipped roof form would have limited impact. As such the rear aspect of the proposed dwelling would not significantly alter the character of the rear garden landscape. Views of the proposed dwelling and its depth would be limited and largely screened from Trumpington Road by the existing band of trees and boundary treatment.
- 8.9 Several of the properties along Barrow Road have been extended and altered from their existing form. A range of extensions, predominantly to the rear and side, have resulted in a more varied street scene from its original appearance. This has also changed the rear view of the dwellings from rear garden-scape. Therefore the location within the plot is considered to be acceptable in this context.
- 8.10 In terms of height, the proposed dwelling would be approx. 750mm above the existing ridgeline (excluding the main gable which would project 600mm above the main ridge, which runs north-south). The increase in height over the existing would not be harmful because of the spacing between properties. In my view, the variation in heights in the front elevation of the proposed dwelling gives architectural interest and articulation. The height of the proposed dwelling is considered to be acceptable in this context and would not appear significantly out of keeping such that it would have an adverse impact on the character of this area.
- 8.11 The proposed dwelling would occupy most of the footprint of the existing dwelling and stretch beyond it at the rear and sides

whilst maintaining a two storey form and appearance. The scale of the proposed dwelling has been broken up by a combination of gables projecting off a central element, varied roof slopes and roofscape and features such as bay windows and dormers. I am of the view that the scale of the proposed dwelling would fit comfortably within the plot without appearing unduly dominant or out of scale with other existing dwellings. The proposed dwelling would in my view complement the existing built form along Barrow Road.

8.12 The applicant states that the proposed dwelling has been designed to maintain and respect the 'art and craft' theme of Barrow Road. The projecting gables, steep roof slope, dormer windows, prominent chimneys and tiled roof are features that are found in existing dwellings in this locality. However, because of its depth and form, I am not convinced that it could be said to be a faithful replication. In my view, the proposed design and form are considered to be of high quality and would preserve the character and appearance of the area. Whilst I understand the existing dwelling is part of the original development along Barrow Road at a time when the 'arts and craft' movement was in fashion, I do not consider this reason alone is worthy of its protection. The proposed dwelling has a more prominent appearance with strong articulation and bold features visible from the road such as the gable but I do not consider its presence would be harmful. It would not, in my view, be appropriate or reasonable to insist the applicant retains the front façade of the existing dwelling, as some third parties have suggested, as this would result in a contrived form of development. The proposed dwelling has incorporated sympathetic architectural references which would complement the character of the area.

8.13 Materials and detailing are important elements to ensure the appearance of the proposed dwelling is appropriate. I have therefore recommended a materials condition (condition 3) so that such details can be agreed before development is commenced.

8.14 The proposed dwelling has been designed to respond to the context of the site whilst respecting the architectural form of Barrow Road. The proposed dwelling would adequately respect the character and appearance of the area.

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

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.16 The proposed dwelling has been amended, particularly the eastern elevation, to mitigate its impact on the adjoining neighbour (no.4) in terms of enclosure.
- 8.17 The ridge of the eastern gable would be higher than the existing property, but would be located over 4.6 metres away from the boundary and the roofscape would slope down towards the boundary. This would allow for an improved outlook from the rear of no.4 than existing. The roof of the rear facing projecting gable end has also been hipped and a section of the single storey element removed to create a step, which removes a large area of roofscape. The combination of these amendments has reduced the visual mass of the roofscape and bulk of the eastern elevation.
- 8.18 The existing dwelling has four windows at first floor, two serving bathrooms and two serving bedrooms. The bedroom at the rear of the property has a slot window which faces over the garden of no.4. The other bedroom window is located nearer the front of the property but is a larger window that overlooks the side elevation of no.4 and the boundary. The proposal includes four windows in the eastern elevation at first and second floor levels. All these windows are to be obscure glazed and I have recommended a condition as such (condition 10). The first floor windows are proposed to be recessed dormers that would serve a bathroom and ensuite. The window in the second floor would serve a landing and ensuite. None of the windows would serve habitable rooms. Therefore, I believe the proposed scheme would not result in overlooking from the eastern elevation such that it would have a detrimental impact on the privacy of the adjacent neighbour.
- 8.19 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 3/12.

Amenity for future occupiers of the site

- 8.20 The proposed new house provides a high-quality living environment, appropriate in this setting, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12. I recognise that there is a current application for a new dwelling in the rear garden, but even in the event that that proposal were to be acceptable, it would not alter my conclusion.

### **Refuse Arrangements**

- 8.21 There is enough space within the curtilage to accommodate the required level of waste receptacles.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.23 The applicant has demonstrated on plan that adequate visibility splays and car parking dimensions can be accommodated.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

Car parking

- 8.25 The proposed dwelling would not have any impact on the existing parking provision.

Cycle parking

- 8.26 The proposed dwelling makes provision for four cycles to be stored within the garage. There is also enough space within and around the dwelling to accommodate additional spaces.
- 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 I have addressed most of the comments received by third party representation in the above section. However, I set out below the comments that I have not addressed.

<b>Issue</b>	<b>Officer response and report section</b>
Noise, disturbance and contractor parking during construction	This can be mitigated through appropriate planning conditions. See construction hours condition 4.
Commercial use of the proposed dwelling	This is not what has been applied. Nevertheless, this would require separate planning permission subject to the degree of commercial activity from the site.
The applicants should pay for the surface of the road to be re-laid.	The maintenance of the Barrow Road is a civil matter and is not a material planning consideration.
Damage to trees from construction traffic.	This can be ensured through the imposition of a suitable planning condition.
Existing dwelling is elegant and original to the street	I do not agree that its appearance could be considered as elegant, but as an original house to the street, its loss cannot be resisted
Precedent for demolition and replacement	Any future proposed development would be assessed on its own individual merits.
Application to subdivide garden would adversely affect the neighbour at no.4	The application for the subdivision has not been determined and cannot be assessed as part of this application.

<p>Unnecessary increase in carbon footprint.</p>	<p>I recognise that the existing building could feasibly be retained and extended but the fact that this may be unnecessary does not make it unacceptable. A new dwelling is likely to be built to higher energy efficiency standards than at present and as stated above the demolition of the building could not be resisted.</p>
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## 9.0 CONCLUSION

- 9.1 Whilst it is acknowledged that Barrow Road has heritage significance it is not currently designated as a Conservation Area and limited weight can be given to this under national and local policy provision. The proposal to demolish the existing dwelling at no.2 Barrow Road is therefore acceptable in principle. The proposed replacement dwelling is of a design and scale that would sympathetically assimilate into the site and would preserve the character and appearance of the area, despite its depth of form.
- 9.2 The proposed dwelling has been designed and laid out to mitigate the impact on the residential amenity of the adjoining occupier. The scale and mass of roofslope on the eastern elevation has been reduced from the original scheme and all windows in the eastern elevation are proposed to be obscure glazed to prevent overlooking.
- 9.3 The proposed dwelling would not have any adverse impact on the existing trees along the western boundary as it would be located outside the root protection zone.

## 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

5. 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 from 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.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

6. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

7. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). In addition the method statement should include details to be adopted to minimise the impact of retained trees on the building in the future.

The development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

8. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

9. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

10. The windows on the east elevation at first and second floor level 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).

11. No windows or openings of any kind shall be introduced in the first floor or second floor level of the east elevation.

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

**INFORMATIVE:** Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)