

Application Number	15/1602/FUL	Agenda Item	
Date Received	1st September 2015	Officer	Michael Hammond
Target Date	27th October 2015		
Ward	East Chesterton		
Site	40B Green End Road Cambridge Cambridgeshire CB4 1RY		
Proposal	Proposed first floor above existing commercial property to create four studio dwellings.		
Applicant	Mr And Mrs Giove 4 Green End Road Cambridge CB4 1RX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development is in keeping with the character of the area - The proposed development would not harm the amenity of neighbouring properties - The proposal provides an acceptable standard of living for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, 40B Green End Road, is comprised of a single-storey retail unit (A1) situated on the east side of Green End Road. There is a service yard and garages for off-street car parking at the rear. The area is predominantly residential in character and is formed of two-storey semi-detached properties situated parallel to the road.

1.2 There are no site constraints.

2.0 THE PROPOSAL

2.1 The application seeks permission for a first-floor extension above the existing commercial premises to create 4no. studio dwellings.

2.2 The proposed first-floor extension would increase the eaves height of the building up to 5.7m and the overall ridge height up to 7.8m and would be designed with a hipped roof. The walls would be rendered externally and the roof clad in clay tiling.

2.3 The proposed dwellings would be accessed via a front door adjacent to the main entrance to the retail unit which would lead onto a staircase. An area of outdoor amenity space would be provided for future residents at the rear of the site and two parking spaces would be provided, as well as access to a bin and bike store.

2.4 The previous application (15/0963/FUL) for a similar proposal for 2no. two-bedroom flats was refused by the Local Planning Authority for the following reasons:

1. The proposed extension, by virtue of its two-storey scale, 7m depth beyond the building line of no.42 Green End Road and position hard up against the shared boundary, would visually dominate and enclose the neighbouring first floor rear window of no.42 Green End Road and would unacceptably harm the amenity of this neighbouring property. For this reason the proposal is in conflict with policies 3/7 and 3/14 of the Cambridge Local Plan (2006).

2. Due to the poor outlook for the living room/ kitchen area of flat no.2, the convoluted route from the flats and difficulty accessing the outdoor amenity space, and the poor quality of the outdoor amenity space, the proposal would fail to provide an attractive and high-quality living environment for future occupiers, contrary to policies 3/7, 3/11 and 3/14 of the Cambridge Local Plan (2006).

2.5 The application aims to overcome these previous reasons for refusal by implementing the following amendments:

- Correct plotting of the building outline of no.42 Green End Road and providing a 45° line from the nearest neighbouring window
- The creation of a direct access from the communal corridor to the rear outdoor amenity space
- Increase in size of outdoor amenity space
- Provision of window outlooks for all habitable rooms

3.0 SITE HISTORY

Reference	Description	Outcome
15/0963/FUL	First floor extension above existing commercial property to create two new dwellings.	Refused
11/0713/FUL	Change of use from A1 (Shops) to A5 (Hot Food Takeaways) and installation of external extraction system to the rear of the building.	Refused.
08/0371/FUL	Erection of single storey detached dwelling with garages.	Refused.
08/0147/FUL	Change of use from A1 (shops) to A5 (hot food takeaway), new shopfront and new extract ducting.	Refused.

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	3/1 3/4 3/7 3/11 3/14

Plan 2006	5/1 8/2 8/6 8/10
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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) 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)

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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection, subject to construction hours condition.

Urban Design and Conservation Team

6.3 No objection, subject to materials samples and cycle storage details conditions.

Head of Streets and Open Spaces (Landscape Team)

6.4 The proposal should provide one large outdoor amenity space and not be sub-divided. Subject to this, the proposal is supported. Conditions on hard and soft landscaping, and boundary treatment are recommended.

Drainage

6.5 No objection.

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:

- 38 Green End Road
- 42 Green End Road

7.2 The representations can be summarised as follows:

- Garages too small to house a car
- Loss of parking/ increased pressure on parking
- Request for disabled parking space outside no.38
- Visual enclosure/ dominance
- Overshadowing
- Poor amenity for future occupiers
- No difference between this and previously refused application.

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. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

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.

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

Context of site, design and external spaces

- 8.4 The proposed extension would be visible from the street scene of Green End Road.
- 8.5 The height, scale and form of the proposed extension are all similar to that of the residential properties along Green End Road. In respect of this comparable design, I am of the opinion that the proposed extension will not look out of context or detract from the character of the area. The proposed first-floor and roof form will be a positive contribution to the character of the area as the current single-storey flat roof building appears out of character with the street scene.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

The main consideration is the impact on the two neighbouring properties at nos. 40 and 42 Green End Road.

Overshadowing/ loss of light

- 8.7 It is noted that objections have been received from the neighbouring occupier at no.42 regarding the overshadowing that the proposal would cause.
- 8.8 Firstly, in response to the concern regarding the overshadowing of the front garden of no.42, I do not consider that the proposed extension would cause any harm to this neighbour's amenity in this respect. The front garden is used for car parking and is not the main private outdoor amenity space for this neighbour, as their main garden is situated to the rear of the site. In any case, although I can appreciate that no.40b is positioned forward of the building line of no.42, the orientation of the site means that any overshadowing will be limited to the very late afternoon hours and so the level of overshadowing will be minimal.
- 8.9 Secondly, in response to the concern regarding the overshadowing of the side windows and door of no.42, again, I do not believe that the proposal would be harmful in consideration of this. The windows and doors on this side

elevation are not considered to be key outlooks for this neighbouring property and they serve secondary rooms such as the bathroom, storage area and stairwell, and not the main habitable rooms of this property (i.e. bedrooms, kitchen and living areas. I do not consider there to be a dependency on these windows as sources of direct sunlight, and the orientation of the site means that any loss of light will be limited to the late afternoon hours.

8.10 Finally, concerns were raised regarding the overshadowing of the rear garden. However, given the size of this rear garden and the depth of the proposed extension, again, I am satisfied that any loss of light will be restricted to the late afternoon hours and so the amenity of this neighbour will not be harmed in terms of access to light.

8.11 While no.40 is situated to the north of the application site, I am of the opinion that the relatively modest eaves and ridge height, and form of the hipped roof, means that any loss of light will be fairly minimal. There are no key outlooks on the east side elevation of no.40 and so any loss of light will be restricted to the garden for a short period of the day.

Overlooking/ Loss of privacy

8.12 Concerns were initially raised with the loss of privacy that the proposal would cause on no.42 due to the use of the first floor balcony. However, as this element of the proposal has since been omitted, this is no longer a concern.

8.13 The proposed first-floor rear windows would have a limited view out to the rear most part of the neighbouring garden of no.42. However, given the obliqueness of this outlook, I do not believe that the levels of overlooking will be any worse than those shared between nos.42 and 44 in respect of their first floor windows.

8.14 Similar to the above, the views out towards no.40 would be very limited and I am confident that there would be no harm to this neighbour's privacy.

Visual Enclosure/ Dominance

- 8.15 As there are no habitable windows or outlooks on no.40 that face south towards the proposed extension, I do not believe that the proposal will be perceived as visually dominant from this neighbouring property.
- 8.16 As discussed in paragraph 8.9, the proposed extension would be visible from the front garden and side windows of no.42. However, as these are all secondary windows and spaces and only serve the bathroom, storage area and stairwell, I am content that the proposed extension and presence of the additional built form will not adversely harm the amenity in this case.
- 8.17 The main consideration is the impact on the first floor rear window of no.42 which serves a bedroom. The previously refused application did not correctly identify the building outline of no.42 as the first-floor extension of this neighbour was not drawn on the plan. Based on the information supplied to the Local Planning Authority, it was perceived that the proposed first-floor extension would project 7m beyond this first-floor rear bedroom window of no.42 and so was assessed on this basis. However, this was a discrepancy on the part of the applicant and under this new application the building outline has been drawn on to include this neighbouring first-floor extension and a 45° line plotted from the approximate position of the centre of this neighbouring window. Having been on site at this neighbouring property, I am of the opinion that this building outline and 45° line is accurately represented and that the depth of the proposed extension hard up against this neighbouring boundary would be 3m and not the 7m originally perceived.
- 8.18 In light of this correction, I am of the opinion that the proposed extension will not visually dominate this neighbouring outlook as this window will still have relatively wide vistas out to the north-east and south-east without being interrupted by the proposed development.

Pressure on parking

- 8.19 It is noted that concerns have been raised regarding the increased pressure on parking the proposal will cause. However, as the proposal provides two parking spaces, is well

served by public transport links and includes sufficient cycle storage, I am of the opinion that the proposal will not increase parking pressure to such an extent as to adversely harm neighbour amenity

- 8.20 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 and 3/7.

Amenity for future occupiers of the site

- 8.21 The proposal would provide 4no. studio dwellings in a suburban location. Unit nos.2, 3 and 4 would have an internal floor area of roughly 26m² and unit no.1 would be slightly larger at approximately 30m². The floor areas are lower than national guidance and that of policy 50 of the emerging Local Plan (2014), but as neither this policy nor guidance have been formally adopted this has very little weight in the determination of this application and is not, in my opinion, a reason for refusal. All of the rooms would have a reasonable outlook. The outdoor amenity space has been increased considerably in size from 33m² to 58m² and it is considered that the quantity of this communal space would be acceptable for this level of development. The access to this communal space has been improved significantly as residents would have a clear direct access from their rooms to the outdoor space without having to go back through the front door and round the side of the property.
- 8.22 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Refuse Arrangements

- 8.23 The proposal would provide a bin store at the rear of the site externally. The Environmental Health team has raised no objection to the proposed refuse arrangements.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.25 The Highway Authority has raised no objection to the proposal. I agree with this advice and consider that as this access is already in use by cars accessing the garages, the proposal will have no detrimental impact on highway safety.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.27 The proposal provides two car parking spaces which are in accordance with the parking standards of the Local Plan (2006).
- 8.28 A car club informative has been added to encourage the applicant to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.
- 8.29 The proposal allocates a cycle store on the drawing but does not provide any details as to how many cycle spaces would be accommodated in this store. A condition has been attached that requires the applicants to provide full details of the cycle storage.
- 8.30 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.31 The majority of the third party representations have been addressed in the main body of this report.
- 8.32 The request for a disabled access space outside no.38 is not a planning consideration as this land is outside the land ownership of the applicant and not included in the red-line location plan.

9.0 CONCLUSION

- 9.1 The amended proposals have adequately addressed the previous reasons for refusal and I am of the opinion that they would not detract from the character of the area, would not harm the amenity of neighbouring properties and would provide an acceptable living environment for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. 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.

2. 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.

3. 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)

4. No development should 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 and 3/14).

5. No development shall commence until details of the covered, secured parking of bicycles of use in connection with the development hereby permitted shall be submitted to and approved in accordance with the approved details before use of development commences.

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

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. Prior to occupation of the proposed development, the proposed outdoor amenity space shall be implemented in accordance with the approved plans. The outdoor amenity space shall be retained thereafter and not altered unless agreed in writing by the Local Planning Authority.

Reason: To ensure future occupiers have sufficient outdoor amenity space (Cambridge Local Plan 2006 policies 3/7 and 3/14.)

9. The two parking spaces identified on drawing no.WPCL0262 PL02 REV E shall be solely used for the future occupiers of the proposed studio flats and retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: To ensure sufficient parking provision is provided for future occupiers (Cambridge Local Plan 2006 Policy 8/10)

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.