

Application Number	15/1673/FUL	Agenda Item	
Date Received	14th September 2015	Officer	Mr Sav Patel
Target Date	9th November 2015		
Ward	Abbey		
Site	15 Whitehill Road Cambridge CB5 8LT		
Proposal	Erection of new 2 Bedroom dwelling adjoining 15 Whitehill Road, following demolition of existing side extension.		
Applicant	Mr Tim Dean		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -It would adequately respect the character of the surrounding area -It would not have a harmful impact on residential amenity
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of no.15 Whitehill Road which is a two storey, hipped roof semi-detached dwelling located on the corner of Elfleda Road which is to the south and Whitehill Road to the west. The property has a single storey flat roof extension on the side (south) and a single storey flat roof double garage adjacent to the eastern boundary. The site is located within a residential area characterised mainly by two storey hipped roof semi-detached dwellings with deep rear gardens.
- 1.2 To the north is the rear garden of no.13 and to east is no.60 Elfleda Road which is a two storey semidetached dwelling.
- 1.3 The site not located within a Conservation Area and there are no listed buildings or buildings of local interest within close proximity to the site.

2.0 THE PROPOSAL

- 2.1 The proposal is for two storey attached dwelling which would be located on the side elevation of host property. The proposed dwelling would be set back from the front of the host property and set below the main ridge.
- 2.2 The proposed dwelling would benefit from a rear garden which also provides bin and cycle storage.
- 2.3 The proposal has been altered to increase the rear garden of the host property by incorporating the area of land north of parking space 1.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0513/FUL	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, and creation of new access off Elfleda Road.	WITHDRAWN
15/1021/FUL	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, Cambridge and creation of new access off Elfleda Road.	APPROVED

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Cambridge Local Plan 2006

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 Responding to context 3/10 Subdivision of existing plots 3/11 The design of external spaces 3/12 The design of new buildings 5/1 Housing provision 8/6 Cycle parking

5.3 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

5.4 Emerging 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.

5.5 Material Considerations

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Whilst the proposal is unlikely to result in any significant adverse impact on highway, the additional car parking demand upon on street parking may impact the residential amenity.

Environmental Health

- 6.2 The proposal is acceptable subject to condition on construction hours. The consultation memo does refer to a standard construction noise condition but after seeking clarification, this condition is not necessary.

Refuse and Recycling

- 6.3 There is adequate storage space for 3 x wheelie bins and that access to the kerbside is in line with the requirements of RECAP (Recycling for Cambridgeshire and Peterborough) Design Guide.

Landscaping

- 6.4 The proposal is acceptable subject to condition of hard and soft landscaping and boundary treatment.
- 6.5 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:
- 13 Whitehill Road
 - 34 Elfleda Road
- 7.2 The representations can be summarised as follows:

- The proposal would be overdevelopment of the site, appear out of keeping with other properties and does not provide enough car parking;
- The proposed house would be an overbearing building, which is not in keeping with the neat row of semi-detached dwellings. No off road parking which is required for permission of a 3 bedroom dwelling on land rear of no.15.
- The proposal would also result in too many occupants living in a confined space.

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

Principle of Development

- 8.1 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There is an existing dwelling standing on the site, and the site is within a predominantly residential area. Therefore, the principle of a replacement dwelling is acceptable.
- 8.2 Paragraph 14 of the NPPF is also important. It states that there should be a presumption in favour of sustainable development running through the decision making process. This means approving development proposals that accord with the development plan without delay unless any adverse impact would significantly and demonstrably outweigh the benefits.
- 8.3 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.
- 8.4 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remain acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity value gardens contribute to the City.

- 8.5 The principle of residential development in this location is considered to be acceptable as it would be a use that is compatible with surrounding uses. However, to assess the proposed subdivision of the existing garden to create the additional residential plot, policy 3/10 is relevant. I set out below my assessment of the proposal in relation to policy 3/10.
- 8.6 Section d, e and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance (e), and would not prejudice the comprehensive development of the wider area (f).
- 8.7 Residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
 - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
 - c) detract from the prevailing character and appearance of the area.
- 8.8 I set out in the sections below my assessment of the proposal in relation to the above.
- 8.9 Subject to compliance with the criteria of Policy 3/10, which are assessed below, the principle of the new residential development is compliant with Cambridge Local Plan policies 5/1 and 3/10 and objective of the National Planning Policy Framework.

Context of site, design and external spaces

- 8.10 The area of the proposed dwelling is currently occupied by a single storey flat roof extension and detached outbuilding. The proposal dwelling has the appearance of a two storey side extension to the host property due to it being set back from the front elevation and with a lower ridge line. The proposed

dwelling would maintain the hipped roof feature of the host dwelling which is also common in this location. Therefore, whilst the proposed extension would close down the space between the dwelling and highway, I do not consider the scale of the development would have a significantly detrimental impact on the character of the area. Also, many of the dwellings in Elfleda Road have been extended in a similar way.

8.11 In terms of design, the proposed dwelling has incorporated some of the existing features of the host dwelling and would appear ancillary to it. The lower ridge, set back and hipped roof are considered to be features which gives the proposed dwelling its ancillary appearance. I therefore consider the design of the proposed dwelling acceptable in this context and it would not appear unduly overbearing from the street scene.

8.12 The proposed dwelling would benefit from a rear garden which would be created through the subdivision of the rear of the host dwelling. The main entrance to the proposed dwelling would be located in the southern elevation and include a gate in the southern boundary to allow access to the rear garden. The proposal also includes bin and cycle storage within the rear garden. The boundary with the host property would be defined by a 1.8 metre boundary close boarded fence. The amenity space is considered to be of an acceptable size to support the proposed two bed dwelling (5.5 wide and 8.5 metres in depth). Whilst the rear garden space for the host property would be reduced, it would result in a garden which is between 8.6 and 5.2 metres in depth and 5.3 metres wide. The host property would also maintain access to the front garden area and a car parking space which can be access via the rear garden.

Garden area for host dwelling (excluding front garden area and car parking space)	50sqm
Garden area for proposed dwelling	46.75sqm

8.13 In my view the subdivision of the curtilage to accommodate an additional dwelling would provide both host and proposed dwellings with adequate garden space without appearing as a cramped form of development.

- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 The proposed dwelling would not have any adverse impact on the residential amenity of the adjoining or adjacent occupiers in terms of overlooking or cause any adverse sense of enclosure issues. There are no habitable room windows at first floor that would face south, other than a landing window, which would affect the residential amenity of the occupiers of no.17 Whitehill Road and 34 Elfleda Road. Planning permission (15/1021/FUL) has been granted for a detached dwelling within the rear garden of no.15. However, this has not been built. Nevertheless, if it is constructed, the proposed dwelling would be no closer to it than the host dwelling. The distance between the two would be 23.7 metres. I am satisfied that the relationship between the surrounding existing dwellings and approved dwelling would be acceptable.
- 8.16 The proposed dwelling has been designed to appear as an ancillary two storey side extension to the host dwelling. Therefore, the lower ridge and hipped roof would not appear overbearing from the dwellings to the south, particularly as they would be between 14.4 and 15.5 metres from the proposed dwelling. The applicant has also produced CGIs showing how the proposed dwelling would appear from within street scene.
- 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

Amenity for future occupiers of the site

- 8.18 The proposed dwelling would provide adequate amenity space for future occupiers within a modest 2 bed dwelling in a location that is within reasonable walking and cycling distance of local shops/services and bus stops.
- 8.19 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 and 3/12

Refuse Arrangements

- 8.20 Suitable and convenient provision for refuse storage has been proposed for both the existing and proposed dwellings.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.22 The proposal would not have any adverse impact on highway safety.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.24 The proposed dwelling does not include any off street car parking. However, there is provision for on street parking within Elfleda Road and on Whitehill Road. The proposed two bed dwelling is unlikely to create significant levels of car parking such that it would have a detrimental impact on the area or residential amenity of existing residents.

Cycle parking

- 8.25 There is enough space within the curtilage of the existing dwelling to accommodate cycle parking. Three cycle spaces are proposed for the proposed dwelling within an enclosed structure.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.27 I set out below my response to the issues raised in the neighbouring consultation process.

Representation	Response
The proposal would be overdevelopment of the site,	The proposed subdivision of the curtilage of no.15 would provide adequate levels of amenity space for each dwelling without appearing a cramped form of development.
Appears out of keeping with other properties;	The proposed dwelling would appear as a two storey side extension and would be similar in appearance to the two storey side extension on the properties nearby. I therefore do not consider the proposal would appear out of keeping in this location.
Does not provide enough car parking;	No car parking is proposed. However, there is unrestricted on street parking nearby. The level of car parking associated with the proposed dwelling is unlikely to have a materially adverse impact on the residential amenity of the local area.
The proposed house would be an overbearing building, which is not in keeping with the neat row of semi-detached dwellings.	The proposed dwelling would not appear overbearing as it would read as a two storey side extension to the host dwelling. Whilst the proposed dwelling would close down the space at the side of the dwelling. This area is already occupied by an extension and so the additional infilling of this space would not in my view result in an overbearing form that would appear adversely out of keeping.

The proposal would also result in too many occupants living in a confined space.	The proposed development would make effective and efficient use of space.
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9.0 RECOMMENDATION

9.1 The proposed subdivision of the curtilage of no.15 Whitehill Road to create a new residential curtilage consisting of a two storey 2bed dwelling is considered to be acceptable and would make efficient use of the curtilage. The proposed dwelling has been designed and laid so that it would not have an adverse impact on the residential amenity of local residents and would provide future residents with a high quality living accommodation and environment.

APPROVE subject 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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 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. 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)

6. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

9. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

10. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

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.