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| Application Number | 15/2040/FUL | Agenda Item | |
| Date Received | 6th November 2015 | Officer | Mr Toby Williams |
| Target Date | 1st January 2016 | | |
| Ward | Abbey | | |
| Site | 559 Newmarket Road Cambridge Cambridgeshire CB5 8PA | | |
| Proposal | Demolition of the existing single storey garage and erection of new dwelling to the land r/o 559 Newmarket Road | | |
| Applicant | Mr De Simone C/o Agent United Kingdom | | |

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| SUMMARY | <p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of residential development on the site is acceptable; <input type="checkbox"/> The proposed development would not have a significantly harmful impact on neighbour amenity; <input type="checkbox"/> The proposed development would represent a modern and modest scale design within an established residential area, which would not appear oppressive in its context. <input type="checkbox"/> The Highway Authority is satisfied that the proposal does not pose a threat to highway safety |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located to the north side of Newmarket Road between the junctions of Ditton Walk and Ditton Fields, within a predominantly residential area in the east side of the City. This part of Newmarket Road is characterised mainly by semi-detached two-storey dwellings, some of which have off-road parking to the front and sizable rear gardens. The application site currently forms part of the rear garden of 559 Newmarket Road. The garden is 40m deep. The boundaries of the site consist of close boarded fencing, trees and shrubs.
- 1.2 In the locality, there has been some back-land development. This includes Webster Terrace, land to the rear of 551-555 Newmarket Road and nos.30 & 30a Ditton Walk to the west of the application site. The latter date from the 1980s and were originally arranged in an 'L' shaped plan before being extended. These dwellings are single storey, although due to their mono-pitch roof design, they would appear close to two-storey in scale.
- 1.3 The site is not situated within a Conservation Area and is not within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks planning consent for the erection of a single dwelling to the rear of no.559 Newmarket Road. The footprint would be 'L' shaped and towards the rear of the plot. All of the accommodation would be single storey. The length of the building would be 21.5m, approximately the length of 1-4 Webster Terrace to the east and in line with the footprint of these properties. It would be 4.9m wide. A mono-pitched roof is proposed sloping up from an eaves height of 2.7m close to the boundary with Webster Terrace to a ridge height of 4.5m towards the centre of the plot. The building would be constructed from red brick walls and a slate roof.
- 2.2 The access point would remain as existing with the host dwelling's garage being demolished to open up the rear of the site with a 3m wide driveway. Parking for the host dwelling would be to the front. For the proposed dwelling, the scheme includes a garage space, external car parking and turning and cycle and bin storage. The access would be constructed from

permeable paving. Soft landscaping would be provided on the western side of the new dwelling. A curved new brick boundary wall is proposed to separate existing and proposed plots.

3.0 SITE HISTORY

| Reference | Description | Outcome |
|-------------|--|------------------------|
| 07/0063/FUL | Erection of a single storey one bedroom flat to the rear of existing property. | Application withdrawn. |
| C/04/0771 | Change of use from single dwelling house to 1 two bedroom flat and 1 one bedroom flat. | A/C |
| C/70/0766 | Extensions and improvements | A/C |

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 3/4 3/6 3/7 3/10 3/11 3/12 |
| | | 4/4 4/13 4/16 |
| | | 5/1 |
| | | 8/2 8/6 8/10 |

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

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|---------------------------------|---|
| 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> |
| 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>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</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.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Head of Refuse and Environment

- 6.2 No objection subject to conditions relating to construction hours and piling.
- 6.3 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, 2 Webster Terrace;

- 7.2 The representations can be summarised as follows:

- ☐ Loss of light;
- ☐ Overlooking and loss of privacy will be created;
- ☐ Increased flooding;
- ☐ Increase in noise and disturbance from the additional dwellings;
- ☐ How will the dust cart gain access;
- ☐ The proposed development would threaten the existing wildlife;
- ☐ Highway safety concern;
- ☐ Boundary fence ownership

- 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 of the Cambridge Local Plan (2006) is relevant. The policy generally supports additional residential development within the City:

“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.

8.3 The site is situated within an existing and established residential area, where a degree of backland development already exists. I therefore consider that residential development on this site can be supported.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

8.5 This part of Newmarket Road is characterised mainly by semi-detached properties, set back from the road. There are two local examples where development has occurred in a backland form. One is immediately to the west of the site (30 & 30A Ditton Walk) and more recently, the Abbey Gardens development situated off Ditton Walk, which is a cul-de-sac development of 15 dwellings. Nos. 30 & 30A Ditton Walk are a pair of detached single storey dwellings with a mono pitch roof design element, which rises above the main part of the dwelling.

Both of these dwellings are mirror images of each other and introduce a design which is quite different to the traditional architecture of Ditton Walk. Abbey Gardens appears to follow the traditional architectural cues of Ditton Walk and are two and a half storeys in height.

- 8.6 In terms of the design, the proposal seeks to reflect the angular edges of 30 and 30A Ditton Walk and the recently approved scheme to the rear of 551-555 Newmarket Road. The proposed dwelling would be single-storey with a mono-pitched roof, rising up to 4.5m, slanting away from the boundary with Webster Terrace. I find the proposed scale within this back-land context to be acceptable. Whilst the design of the proposed dwelling would be in contrast to the prevailing architecture of Newmarket Road, I do not consider its presence would be unduly harmful to the character of the area. The dwelling is simply designed, would be relatively low in height and unobtrusive. Overall, the design is acceptable and blends successfully within this backland context as a subservient form.
- 8.7 In terms of the design of the external spaces, the proposal includes a shared-surface private drive from Newmarket Road which would run in-between nos. 557 and 559. This would continue up the site and terminate at a brick boundary wall which would define the southern edge of a private garden set behind.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/10, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 Several neighbours have objected to the proposal, which is summarised in paragraph 7.2 of my report.
- 8.10 Some of the concerns relate to the proposal causing a loss of light, particularly to Webster Terrace. I appreciate that the larger element of the “L” shaped wing will run north to south, close to the common boundary with 1-4 Webster Terrace. However, the roof form slopes away from these properties at a relatively low pitch (22 degrees) and the eaves height is only 2.7m, set in from the boundary by 0.6m, with a ridge height of 4.5m. I

appreciate that the rear gardens of the Webster Terrace properties face in a westerly direction and are small at approximately 6.5m and that the occupiers are somewhat reliant on the application site for outlook. The scheme will undoubtedly be visible from the rear gardens and rear facing windows of these properties and there will be a limited loss of late summer afternoon sunlight experienced as a result. This is demonstrated in the shadow study submitted within the Design and Access Statement at 5pm for the June solstice. However, considering the impact of overshadowing as a whole, particularly during the March equinox, I do not consider the impact to be harmful. This is mainly due to the low height of the proposal. For the same reason and especially given the low pitch of the roof, I do not consider that there would be undue enclosure. My view is that the impact on the amenity of the occupants of Webster Terrace in terms of sunlight and enclosure is acceptable.

- 8.11 No.1 Ditton Fields is directly to the north of the site. It has a more substantial garden than the Webster Terrace properties. The proposed dwelling nearly fills the width of the application site plot at 9.8m at this point and would be partly set adjacent to an existing shed within no.1's garden. The proposed roof form adjacent to this boundary is broken up by two low pitched roofs running partly parallel and away from the boundary. Given the juxtaposition of proposed roof mass and the orientation of no.1 to the west with its larger garden, I do not consider the impact in terms of either loss of light or enclosure to this property to be significantly harmful.
- 8.12 No.557 Newmarket Road is to the west of the application site. Like no. 559, it has a substantial rear garden. The proposed dwelling would be visible from the garden of no. 557 but for the main part, its long form would only extend to between 4 and 4.5m from the boundary. I appreciate that at this point the roof height, being mono-pitched would be 4.5m high but I do not consider that any significant issue of enclosure or loss of light to this property would arise.
- 8.13 The host property no.559 would retain a rear garden depth of between 12m and 16.5m at a width of 6m. The distance between the proposed new dwelling and main rear of the existing property is 23m. The distance is acceptable in terms of enclosure and the retained garden depth is sufficient.

- 8.14 In terms of noise and disturbance, the provision of one dwelling in this location is not going to give rise to any significant level of harm either from car movements or from everyday residential use of the property. As the proposed property is single storey and west facing, issues of privacy are not of any substantial concern. A series of three roof-lights are proposed in the eastern facing main roof-slope. These would be 2.7m above the finished floor level and would serve to bring light into the dwelling. They are shown as obscure glazed on the plans and I have conditioned them as such. I have no concerns with their presence despite neighbour representations to the contrary. Given the close proximity of this roof to Webster Terrace, I recommend permitted development rights are removed for roof alterations.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.16 This would be a 2-bedroom property. A long but thin private amenity space of 4.5m x 11m is provided. I consider this space to be sufficient for future occupiers. The outlook from proposed rooms would be somewhat restricted by the narrowness of the garden at 4.5m, but window heights are generous and combined with the rooflights within the generous internal head height of the open plan property, I have no issue in concluding that the amenity for future occupiers would be of a good quality.

Refuse Arrangements

- 8.17 The proposal shows bin storage and collection points for both the host and the proposed dwelling some 21m from Newmarket Road. For occupiers of both properties the bins will have to be dragged to Newmarket Road for collection. This appears to be practically achievable and is within the 25m guideline.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.19 The local highway authority has not raised an objection in terms of highway safety. I note that the design and access statement states that 2m x 2m pedestrian visibility splays are to be provided at the site entrance and vehicular visibility splays of 2.4m x 90m are easily achievable. For a single dwelling, I do not anticipate that any significant level of increased vehicular movements will arise. A parking and turning space for the host dwelling is retained to the front. A third party representation has raised an issue with the proximity of the access point to a pedestrian crossing, noting that the distance from the centre of the red studded area to the point where the kerb stone drops would be 4.8m. I note that this is an existing access point already for the host property which would be unaltered and I consider it unlikely that the representation would change the view of the highways officer, but I have reported it to him and will report any further comments on the amendment sheet. Given the advice received, in my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.20 The proposed scheme includes space for car parking within a garage and turning area to the front of the new dwelling. The level of provision is acceptable.
- 8.21 In terms of cycle parking, the proposed scheme shows space within a wide garage for two cycles to be stored comfortably.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.23 I have covered most of the concerns raised by neighbours in my report.
- 8.24 One representation states that they will not give permission for the rebuilding of an existing 1.8m high fence as shown on the plans facing Webster Terrace. This is a civil matter. I do not consider the application stands to fail if the fence was not renewed in this location.

8.25 Another representation relates to impact on existing wildlife. I am not aware of any protected species on site that may be harmed and in any event they would be protected through other legislation. I accept that back gardens attract wildlife and are a benefit to our environment but this of itself is not sufficient in my view to refuse the proposal.

8.26 Another issue concerns that of drainage and guttering adjacent to Webster Terrace. The site is not within an area of flood risk and I note that the building and its guttering would be set off from the boundary from Webster Terrace. The specific surface water drainage arrangement will be settled through Building Regulations.

9.0 CONCLUSION

9.1 In conclusion, I consider that the proposed development is acceptable and approval is recommended.

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. Notwithstanding the provisions of Schedule 2, Part 1, Class 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).

4. The rooflights as shown on the east facing side elevation of the property shall be obscure glazed to at least Pilkington Level 3 and remain as such.

In the interests of residential amenity (Cambridge Local Plan policy 3/10)

5. 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)

6. 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)