

Application Number	16/0504/S73	Agenda Item	
Date Received	21st March 2016	Officer	Sav Patel
Target Date	16th May 2016		
Ward	Romsey		
Site Proposal	Land R/O 8 Montreal Road Cambridge CB1 3NP S73 application to vary condition 2 (approved plans) of permission 14/1649/FUL to permit minor material amendment to the approved dwellings to include fenestration and rear dormer alterations increasing the eaves height to plots 3 & 4 by 450MM and changes to the single storey rear projections to introduce a parapet roof design.		
Applicant	Thornley Developments LLP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed amendments would improve the appearance of the development compared to the approved scheme. - The proposed amendments would not have any significant adverse impact on the residential amenity of the adjacent neighbours.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a backland plot situated on the west side of Montreal Road. The plot is served by an unmade access off Montreal Road, to the north of number 8. The site area has varied in size with recent planning history and is currently formed from the rear garden of number 8 Montreal Road and rear sections of numbers 6 and 7.
- 1.2 To the east of the site is number 8 Montreal Road, a detached two-storey residential property. Adjacent to the south east is

number 7 Montreal Road, which is an extended two-storey semi-detached property. It has a relatively deep single storey extension projecting approximately 10m to the west. To the north of the site are terraced residential properties fronting onto Mill Road, which occupy relatively narrow rectangular plots some 15m in depth.

- 1.3 The site is not within, but is adjacent to the Mill Road extended Central Conservation Area. The site is outside of the Controlled Parking Zone (CPZ). There are no protected trees on, or adjacent to the application site

2.0 THE PROPOSAL

- 2.1 The proposal is to vary the approved plans condition (2) of planning permission ref: 14/01649/FUL) to allow minor material amendments, consisting of the following:

- To alter fenestration of the front elevation including sash windows with stone cills and lintels, substitute hipped roof squared bays with traditional canted bays and relocation of rooflights to a central point within the roofslope;
- Increase in the eaves height of plots 3 and 4 by 450mm;
- Increase to eaves height of plot 2 by 200mm;
- Increase to the ridge height of plot 1 by 100mm;
- The pair of pitched dormers on the rear roofslope of plots 2, 3 and 4 replaced with flat roof dormer in an off centre location;
- Addition of a rooflight in the rear roofslope;
- Replace pitched roofs on single storey rear projections with flat roof and parapet walls;
- Separate bin storage areas for each plot;
- Windows (1 three pane and 1 one pane) at ground floor in plots 2, 3 and 4 replaced with single pane windows underneath the first floor window which has been reduced in size;
- Window in north elevation of plot 1 reduced from a two pane to a single pane window;
- Relocation of the chimneys to gable ends of plots 2, 3 and 4;

2.2 The application is accompanied by the following supporting information:

1. Cover letter
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
14/1649/FUL	Erection of 4 dwellings together with shared access driveway.	Approved
10/0028/FUL	Erection of chalet bungalow to the rear of 8 Montreal Road and demolition of outbuildings to side of 8 Montreal Road.	Refused
10/0510/FUL	Erection of chalet bungalow to the rear of 8 Montreal Road and demolition of outbuildings to side of 8 Montreal Road.	Refused
11/0116/FUL	Erection of eleven new apartments following demolition of existing house at 8 Montreal Road and land to the rear.	Withdrawn
11/0547/FUL	Erection of two bungalows (following demolition of outbuildings to rear).	Refused
12/0480/FUL	Erection of four dwellings following demolition of 8 Montreal Road.	Permitted.
13/0145/FUL	Amendments to planning permission 12/0480/FUL to allow for a two storey rear extension and a dormer window to the rear of house 1.	Withdrawn
13/0371/FUL	Amendments to 12/0480/FUL to allow for three velux windows to the rear of House 1.	Withdrawn
13/0977/FUL	Amendment to planning permission 12/0480/FUL to allow for raising ridge height by 600mm, incorporating a pitched rear dormer window, velux window to the front and relocation of front door to house 2.	Refused – Appeal dismissed

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1, 3/4, 3/7, 3/11, 3/12, 3/14, 4/11

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	<u>City Wide Guidance</u>

Considerations	Mill Road Area Conservation Area Appraisal (2011) Roof Extension Design Guide (2003)
----------------	---

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 Control)

6.1 No highway implications that merit comments.

Urban Design and Conservation team

6.2 As with the approved application, 14/1649/FUL, the proposal does not conform to the traditional grain of the immediate area

Environmental Services

6.3 The proposed development is acceptable.

Landscape Officer

6.4 The proposed development is acceptable.

Cambridge International Airport (Airside Assurance Manager)

- 6.5 No objections.
- 6.6 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:

- 8 Montreal Square;
- 8 Priory Street;
- 1 Hobart Road;
- 378 Mill Road;
- 380 Mill Road;
- 190 Cambridge Road, Gt Shelford;

- 7.2 The representations can be summarised as follows:

- Object to the proposal increasing in height or having roof top access intruding on privacy;
- Object to increase in height as houses already very dominant and overpowering from rear gardens of Hobart Road;
- Overlooking of rear garden;
- No comparative plans showing the approved rear and proposed rear elevation;
- Misleading information relating to increases proposed;
- Revision to rear extension to house 1 would have a greater visual impact;
- The increased profile of the house next to my garden is ugly and incongruous and will have a significant and unacceptable shading, domineering and enclosing effect on my home and garden;
- The proposal is contrary to policies 3/4 and 3/14 of the Cambridge Local Plan;
- The proposed additional bulk at the rear of house 1 was rejected by the inspector at appeal;
- The proposed multi-storey terrace block bordering the Conservation Area, surrounded by gardens is not supported

- by the Conservation Team as it would spoil views into and out of Conservation Area conflict with policy 4/11;
- The scale of the terrace block in the middle of garden land conflicts the development pattern of the neighbourhood;
 - Concerned with proposed increased eaves height as it increases the physical dominance of the proposed houses;
 - Issues of sunlight shading in the rear garden area especially during winter months;
 - Error in section 8 certificate B;
 - The proposal would result in a 3 metre high wall at the end of my garden which will result in loss of light and enjoyment.

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

Context of site, design and external spaces

8.1 The proposed amendments to the approved scheme would represent an improvement to the overall development. I set out below my assessment of each elevation and amendments.

Front elevation

8.2 The front elevation of the approved scheme was characterised by square bay windows with hipped roofs. The proposal is to change this to traditional canted bay window with sash windows instead of casement, which is considered to enhance the appearance of the front elevation and more reflective of the bay window in the area, particularly on the original Victorian properties. The detailing above the main entrance has also been amended from an arched lintel with fanlight to a traditional lintel with fanlight. This amendment is also considered to be acceptable as it is a traditional feature of this area.

8.3 The window arrangement at first floor has also been amended from a main double four pane casement window and a single two pane window to two matching sash windows. The proposed amendment also includes centralising the rooflight. The amendments to the window arrangement in the front elevation have better symmetry and improve the appearance of the scheme.

- 8.4 The proposed amendments to the front elevation are considered to be acceptable as they would enhance the appearance of the approved scheme.

Rear elevation

- 8.5 The rear elevation in the approved scheme is characterised by a single storey pitched roof extension, double pitched roof dormers with a sarnfil link in the centre of the roofscape and chimney stacks between Houses 3 and 4, and a stack close to the side of House 2. House 1 does not benefit from a dormer or chimney but does have a rooflight. The proposed amendments include replacing the pitched roof dormers with flat roof dormers which are off centre and a single rooflight in each property. The chimney stacks would be located to form part of the side elevations of Plot 2, 3 and 4. Plot 1 (House 1) would maintain a rooflight in the centre of the roofscape. The pitched roof single storey rear extensions would be replaced with flat roof extension with parapet roof detailing.
- 8.6 The proposed amendment to the style of rooflight is acceptable as it would reduce the vertical emphasis of the two storey dwellings and the flat roof dormer would reduce the dominance and bulk of the pitched roof dormers. The amendment to the pitched roof single storey rear extensions is also acceptable in terms of visual appearance and how it relates to the dwellings. The flat roof form gives the rear elevation a clean finish and as it is not visible from the public realm would not cause any harm to the street scene.

Side elevations

- 8.7 The side elevation of Plot 1 (House 1) in the approved scheme contains a hipped roof canopy overhanging the main entrance and a casement to side window. The proposed amendments include the removal of the canopy and replacement of the casement window with a small sash window. These amendments are acceptable as they are minor alterations which would not have any visual harm to the appearance of the dwelling.
- 8.8 The side elevation of Plot 4 (House 4) in the approved scheme contains three windows; two on the ground floor and one at first

floor. The proposal would replace the windows with two small windows aligned in the centre of the gable at ground and first floor. This amendment is acceptable as no visual harm would occur to the dwelling or surrounding area.

Other amendments

- 8.9 The eaves height of Plots 3 and 4 is proposed to be increased by 450mm above the existing. However the ridge height would remain the same as the approved scheme. This amendment is acceptable as it gives the front and rear elevations better proportionality.
- 8.10 Plot 2 is proposed to be very slightly reduced in width compared to the approved. This amendment would be negligible in terms of its visual impact.
- 8.11 The eaves height of Plot 1 is proposed to increase by 400mm above the existing and the entire building would be set very slightly forward. These amendments would not cause any visual harm to the character of the area.
- 8.12 In my view, the overall proposed amendments would improve the appearance of the approved development and would not have a detrimental impact on the appearance of the area.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Impact on the Conservation Area

- 8.14 None of the proposed amendments would have a detrimental impact on the character or appearance of the Conservation Area. The Conservation Officer has raised no concerns with the proposed elevational amendments and has stated the detailing of the proposed buildings gives better proportions to the houses. The rear dormers are not of traditional style, but they are set into the roof slope and do not dominate it.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 None of the proposed amendments would in my view have a significant detrimental impact on the residential amenity of the surrounding neighbours over and above the approved scheme.
- 8.17 Concerns have been raised regarding the potential impact of the single storey flat roof element to the rear of Plot 1 on the occupiers of 378 and 380 Mill Road. The side elevation of Plot 1 and the single storey rear element would be approximately 17.6 metres from the rear elevation of 378 and 380 Mill Road. Plot 1 would also be set 1 metre off the rear boundary with the rear boundary of the properties in Mill Road. The rear flat roof element would be less than 3 metres in height. In the approved scheme, the rear element would be approximately 3.4 metres to the ridge. Therefore, in view of the level of separation and height of the flat roof element, I do not consider it would have any material impact on the residential amenity of the occupiers of 378 and 380 Mill Road or other neighbouring occupiers in terms of loss of light, overshadowing or appearing overbearing.
- 8.18 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 3/14.

Refuse and cycle provision

Refuse storage provision

- 8.19 The approved communal refuse storage area which serves all four dwellings, adjacent to the access road is proposed to be removed. The amendment to the refuse provision consists of consolidation of the bin storages area for plots 1 and 2 next to the cycle store along the northern boundary of the site. This would result in a reduction in the size of a small landscaped area including loss of a tree (not existing). The bin stores for plots 3 and 4 would be separated and located next to each cycle store. The proposed amendments to the refuse provision are acceptable as it would give each resident their own store adjacent to their property and would not have a detrimental

impact on the residential amenity of future occupiers or the visual appearance of the site.

8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Cycle storage provision

8.21 The cycle stores for plots 1 and 2 would not be altered and would remain adjacent to the northern boundary. However the visitor space would be located adjacent to the screen for the bin store. The approved cycle stores for plots 3 and 4 are located next to each other along the southern boundary in front of plot 4. The proposed amendment is to separate the stores. Plot 4 would maintain a cycle store in front of the property along the southern boundary. The cycle store for plot 3 would be located adjacent to the rear boundary of no.7 Montreal Road; in a similar location as the approved communal refuse store. The proposed amendment to the cycle storage provision is acceptable as it would not have a detrimental impact on the residential amenity of future occupiers or on the visual appearance of the site.

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 addressed some of the issues raised in the third party representations in the above sections of my report. I set out below my response to the remaining issues.

Representation	Response
Object to the proposal increasing in height or having roof top access intruding on privacy;	The proposed increase in height relates to the eave line. There would be no increase in the height of the main ridge. The proposal does not include any access to the roof top.
Object to increase in height as houses already very dominant and overpowering from rear gardens of Hobart Road;	The proposed amendment would not result in any overall increase in the height of the approved scheme.

Overlooking of rear garden;	The proposed amendment would not increase the level of overlooking over and above the approved scheme.
No comparative plans showing the approved rear and proposed rear elevation;	The amendments to the rear elevation would in my view enhance the appearance of the rear elevation and reduce the bulk of the dormers.
Misleading information relating to increases proposed;	I have assessed the proposal based upon the plans submitted. The alterations proposed minor alterations to the approved scheme.
Revision to rear extension to house 1 would have a greater visually impact;	The rear element on plot 1 would be lower than the pitched roof ridge of the rear element in the approved scheme. Whilst the amendments would result in a flat roof with parapet, I do not consider it would have a significantly greater impact, particularly due to the level of separation between plot 1 and dwellings in Mill Road.
The increased profile of the house next to my garden is ugly and incongruous and will have a significant and unacceptable shading, domineering and enclosing effect on my home and garden;	The change in roof form would continue to appear as an ancillary single storey element. It would cause very little shading, would not appear dominant and could not be reasonably argued that it would create an overbearing sense of enclosure due to its height and being detached from the boundary by 1 metre.
The proposal is contrary to policies 3/4 and 3/14 of the Cambridge Local Plan;	The proposed amendments would enhance the appearance of the approved scheme. Therefore the proposal is compliant with policies 3/4 and 3/7.
The proposed additional bulk at the rear of house 1 was rejected by the inspector at appeal;	The additional bulk is not considered to be significant or at the same level as the appeal

	scheme. The parapet wall would be less than 3 metres in height which would be below the ridge of the approved scheme which was 3.4 metres.
The proposed multi-storey terrace block bordering the Conservation Area, surrounded by gardens is not supported by the Conservation Team as it would spoil views into and out of Conservation Area conflict with policy 4/11;	The principle of development for four dwellings in this location has been established.
The scale of the terrace block in the middle of garden land conflicts the development pattern of the neighbourhood;	As above.
Concerned with proposed increased eaves height as it increases the physical dominance of the proposed houses;	The increase in the eaves of plots 3 and 4 would improve the proportionality of the dwellings and would not appear visually noticeable from neighbouring gardens.
Issues of sunlight shading in the rear garden area especially during winter months;	The proposed amendments would not create any additional levels of shadowing over and above the approved scheme.
Error in section 8 certificate B;	This has now been rectified by the applicant serving notice to the correct owners.
The proposal would result in a 3 metre high wall at the end of my garden which will result in loss of light and enjoyment.	The single storey element to the rear of plot 1 would be lower than the approved by 400mm and set 1 metre away from the boundary. There would not be loss of light on the garden over and above the existing.

9.0 CONCLUSION

9.1 The principle of the proposed development of four dwellings with shared access on this site has been established under planning permission ref: 14/1649/FUL. The planning application was approved at Planning Committee on 4 February 2015. The

proposal is to vary condition 2 (approved plans) of the extant permission to make minor material amendments to the front, side and rear elevations.

- 9.2 The proposed amendments would maintain the general form and scale of the approved development whilst altering detailed aspects of the design. The amendments to the fenestration would give the front elevation of the development better articulation and improve its appearance from within the street scene.
- 9.3 The proposed amendments would not have any material impact on the residential amenity of the surrounding residents over and above the approved scheme. The rear extension to plot 1 would go from pitched roof as approved to a flat roof with parapet detail. However, the overall height of the proposed amendment would be below the ridge height of the approved scheme. Coupled with the degree of separation, I do not consider that the change in roof form would have any adverse impact on the residential amenity of the adjacent occupiers in Mill Road.

10.0 RECOMMENDATION

1. The development hereby permitted shall be begun before 17 February 2018 (the expiration of three years from the date of planning permission reference 14/1649/FUL).

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. Conditions 3-16 of planning permission 14/1649/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to 14/1649/FUL have been discharged, the development of 16/0504/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

4. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 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)

7. 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 windows or dormer windows shall be constructed other than those shown in the approved drawings or with the prior formal permission of the local planning authority.

Reason: To protect the amenity of occupiers of adjoining dwellings (Cambridge Local Plan 2006 policies 3/4 and 3/14)

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and 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 enlargement, improvement or other alteration of the dwellinghouse; and the provision within the curtilage of the dwellinghouse 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 residents and to protect the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

9. 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)

10. 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 policy 4/13

11. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

12. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

13. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2006 policy 8/2).

14. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.
(Cambridge Local Plan 2006 policy 8/2)

15. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

16. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

17. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006 8/2)

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).