

Application Number	17/1646/FUL	Agenda Item	
Date Received	21st September 2017	Officer	Sophia Dudding
Target Date	16th November 2017		
Ward	Abbey		
Site	30 Dudley Road Cambridge CB5 8PJ		
Proposal	Construction of a single storey dwelling within the rear garden of 30 Dudley Road.		
Applicant	Mr Nedialkov 74 Standen Road London SW18 5TG		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed development is considered to be of high quality design and would not give rise to harm to the appearance of the site or local area.- The proposed dwelling has been designed to mitigate the impact on the occupiers of adjacent properties.- The proposed dwelling would provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located within the east suburban area of the city to the west of Ditton Lane. The rectangular shaped Dudley Road forms an inner residential square with spacious open space in the centre. Residential buildings located on the road sit back-to-back with properties on the outer roads of Keynes Road and Howard Road. The surrounding area is predominantly residential and characterised by pairs of hipped-

roofed semi-detached buildings and gable-end terrace units in red tile and white render finish.

- 1.2 30 Dudley Road is a semi-detached property located on the south part of Dudley Road with a 1.8m wide public passageway to the east connecting with Keynes Road.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the construction of a single storey dwelling within the rear garden of 30 Dudley Road. The existing single storey side extension of the host dwelling would be demolished and the space created would be used for access. The new dwelling would be an 'L' shaped single storey building consisting of two mono-pitched roofed elements modelled with an eaves lines of approximately 2.5m high close to the host dwelling and sloping up to 3.7m high for the ridge lines. The interior habitable space would be approximately 74.6m².

- 2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
17/1105/FUL	Construction of a 1.5 storey dwelling within the rear garden of 30 Dudley Road.	Withdrawn

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

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)
	<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: No additional off-street car parking provision is made for the new residential unit. The development may impose additional parking demands upon on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider.

The following conditions are recommended if the Planning Authority is minded to grant permission: surface finish for driveway; permitted development removal for gates; access construction detail; drainage detail; footway and kerb replacement for redundant cross-over; and access provision free of obstruction.

Environmental Health

- 6.2 No Objection: The development proposed is acceptable subject to the imposition of the following condition(s)/informatives: Construction hours; piling; and an informative in relation to substations.

Urban Design

Original Comments

- 6.3 No Objection: The sloped roof will be visible from the rear of properties along Dudley Road. It would be preferable to have a metal standing seam roof for the proposed dwelling rather than the specified 'single ply roof membrane'. There are no other material urban design issues with this proposal.

Final comments

- 6.4 The use of décor strips on a single ply membrane instead of metal standing seam for the roof would be acceptable.
- 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:

- ☐ 57A Wadloes Road (support)
- ☐ 34 Dudley Road (objection)

- 7.2 The representations can be summarised as follows:

57A Wadloes Road

- ☐ Developments like small single storey houses are needed in this area.
- ☐ This kind of development would result in the rear garden looking better than an unmaintained rear garden.

34 Dudley Road

- ☐ There is limited off-site parking capacity in the area, especially on match days
- ☐ Issues with existing adaptations to the host property and outbuildings.
- ☐ 14 people living in both the host dwelling and the new dwelling would give rise to parking issues.
- ☐ The host property is used as a HMO and it will require planning permission/licence.
- ☐ Raises a query as to why the owners/occupiers of 57A Wadloes Road would want to comment on the 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 my assessment of the site and from the representations made, I consider the application raises the following main issues:

- ☐ Principle of Development
- ☐ Context of site, design and external spaces
- ☐ Residential Amenity
- ☐ Refuse Arrangements and car and cycle parking
- ☐ Highway safety

Principle of Development

8.2 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 uses. In my view, the residential development of this site is acceptable in principle and accords with policy 5/1.

Context of site, design and external spaces

8.3 The proposed new dwelling would be located at the end of the rear garden of the host dwelling. It would be a single storey 'L' shaped building and finished in render. It would not appear prominent from either Dudley Road or Keynes Road or from the footpath. Some properties located within the square around Dudley Road have subdivided their gardens. My view is that the subdivision of this garden would not adversely impact the prevailing character given the substantial depth (20m) of the pre-existing garden and the low scale of the proposed house, being only 3.7m to the ridge, 2.5m to the eaves and with a low pitched roof.

8.4 The access for the new dwelling is proposed from Dudley Road to the side of the host dwelling. The new access would be approximately 21m long and 2.5m wide. It would incorporate space for bikes, bins and landscaping. I consider the access would be convenient, legible and safe.

8.5 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

Impact on the host dwelling

- 8.6 The new dwelling would have a distance of approximately 10m to the host dwelling. Due to the low scale and the modelling of the building form, I do not consider the new dwelling would give rise to either enclosure or light/overshadowing issues. The retained 10m garden for the host dwelling would be sufficient. There would be no substantial noise disturbance generated by the access point and the orientation of openings is such that no privacy issues arise.

Impact on 28 Dudley Road

- 8.7 Due to the low scale of the new dwelling, I do not consider it would give rise to significant enclosure no. 28. A 5.3m part of the 'L' shaped footprint would be located adjacent to no.28's rear garden but the overall impact, because of the overall depth of this garden and the low scale of the proposed side would be minimal. There would be some morning overshadowing caused, but no more so than what one might expect from a subservient outbuilding. I am satisfied that there are no significant issues of overshadowing, enclosure or noise disturbance arising because of the orientation and positioning of the new unit. Furthermore, because the openings in the proposed dwelling are mainly to the south, no privacy issues arise.

Impact on 39 Keynes Road

- 8.8 The proposed ridge height would be 3.7m facing this property. A rectangular south facing courtyard (5m x 7.5m) is proposed between these two properties and the plans show it to be partially landscaped. The building-to-building distance from no. 39 to the new dwelling would be 24.5m. As such, the proposed new dwelling would not appear imposing from this property and I have no privacy concerns.

Overall

- 8.9 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, 3/12 and 3/10.

Amenity for future occupiers of the site

- 8.10 The 2-bed new building would provide interior habitable space of approximately 75sqm for future occupiers. The private amenity space would be south facing and of a good size (5m x 7.5m) for a 2-bed unit.
- 8.11 In my opinion the proposal would provide 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, 3/12 and 3/10.

Refuse Arrangements and cycle parking

- 8.12 The bin store and cycle parking would be located within the new access along the new boundary fence with the host dwelling. Both sides of the arrangement would have planting to enclose them from the public view. The cycle parking would be covered and secured and the distance from the bin store to the front waste collection point would be 12.3m. The proposed bin storage and cycle parking, in my view, are of a satisfactory arrangement.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 3/12.

Highway Safety and car parking

- 8.14 The Highway Authority does not consider the proposal is likely to result in any significant adverse impact upon highway safety. I share the same view.
- 8.15 No parking is proposed for the new dwelling. The Local Plan parking standards are maximum rather than minimum standards and therefore the scheme accords with this.
- 8.16 The Highway Authority suggests the new development may impose additional parking demands upon on-street parking. Some limited impact may arise but I note that many properties within this area benefit from off-street car parking. The site is

also in a sustainable location with easy access to public transport. As such, I consider the proposal would not give rise to significant additional parking pressure on surrounding streets.

- 8.17 The proposal is compliant with Cambridge Local Plan (2006) policies 8/2 and 8/10.

Third Party Representations

- 8.18 I deal with these in the table below:

<u>Representations</u>	<u>Comments</u>
No off-street car parking provided and in total 14 people living on site would give rise additional pressure on on-street parking;	The proposal does not seek any form of permission for a change of use to the host dwelling, which could operate a 6-bed HMO without the need for planning permission. As addressed in paragraphs 8.13-8.16, the impact of the proposed scheme on parking demand would be minimal.
The host building used for HMOs would require licence;	This is not material to my assessment of this planning application.
Comments received from 57A Wadloe's Road	I note the representation made but this does not influence my recommendation. Planning applications are open for comments to the whole public with no restriction as to the address of contributors.

9.0 CONCLUSION

- 9.1 The proposed dwelling would be subservient to the appearance of surrounding buildings and would not give rise to a significant adverse harm to the prevailing character of the area. It would not give rise to any significant amenity harm to neighbouring properties. The new dwelling provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

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

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

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. 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).

7. 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).

8. 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).

9. 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)

10. 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)

INFORMATIVE: Electricity substations are known to emit electromagnetic fields. The Public Health England (PHE) Radiation Protection Service has set standards for the release of such fields in relation to the nearest premises. The applicant should contact The National Grid EMF unit on 0845 702 3270 for advice regarding the electric/magnetic fields that are associated with electric substations.