

Application Number	17/1481/FUL	Agenda Item	
Date Received	7th September 2017	Officer	Mairead O'Sullivan
Target Date	2nd November 2017		
Ward	East Chesterton		
Site	178 Kendal Way Cambridge CB4 1LU		
Proposal	Two storey side, single storey front, and single storey side and rear extensions. Roof extension incorporating box dormer to the rear. Side extension to create 2 no. additional flats.		
Applicant	Ms Promosso 178 Kendal Way Cambridge CB4 1LU		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed design is acceptable and in keeping with the character of the area - The proposal would not harm the amenity of the adjoining occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey semi-detached dwelling on the southern end of the eastern leg of Kendal Way. Kendal Way is a residential street which lies between Green End Road to the south and Milton Road to the north. The area is characterised by semi-detached and terraced dwellings. Several of these dwellings have been extended extensively.

1.2 There are no site constraints.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a two storey side extension, single storey front and single storey side and rear extensions. A roof extension incorporating rear dormer is

also proposed. The extension is proposed to be used as 2 no. 1 bedroom flats. The host dwelling will increase in size from a 3 no bedroom property to a 4 no bedroom property with a study.

- 2.2 The application has been amended since submission to address officer concerns regarding design and impact on the neighbouring kitchen. The roof of the proposed extension has been amended to be hipped to match the existing arrangement. The rear dormer to the extension has been removed and now there is only a single dormer which is to the roof of the host dwelling. The width of the access passage has also been increased to 1.2m at its narrowest point.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1461/FUL	External wall insulation to front, side and rear elevations	Permitted

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 3/7 3/14
		4/13
		5/1 5/2
		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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection is made to the proposed extension, however, to access the parking arrangement it is necessary to widen the access and strengthen the footway to avoid damage to the highway from vehicular overrun. Unless and until the proposal to strengthen the footway is included in the proposal the Highway Authority recommends that the proposal be refused planning permission. If the council is minded to approve the application, then conditions are recommended.

Environmental Health

- 6.2 No objection. Two conditions regarding construction hours and piling are recommended.

Refuse and Recycling

- 6.3 No comments received.
- 6.4 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:
- 177 Kendal Way
 - Camcycle
- 7.2 The representations can be summarised as follows:
- The dormer windows will result in a loss of light to the patio at 177B
 - Insufficient specification of cycle parking design and potential difficulty of accessing rear cycle parking 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

- 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 states that applications for housing on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is currently in residential use and Catharine Street is a predominantly residential area. As a result, I consider the proposal to comply with policy 5/1.
- 8.3 Policy 5/2 relates to the conversion of larger properties. This states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110m²; b) there would be an unacceptable impact on parking c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin/bike storage e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.4 The extended property would have a floor space significantly above 110sqm and as a result satisfy criterion a). I have noted the compatibility of the site with residential use in paragraph 8.2. I will assess the proposal against criteria b), c) and d) in the below paragraphs.

Context of site, design and external spaces

- 8.5 The original proposed side extension included a change from hip to gable. This was considered to make the building appear prominent in the streetscene and did not reflect the predominant character of the area. The applicant has revised the plans showing this element with a hipped roof with a pitch to match existing. This amendment has also resulted in the loss of the dormer to the extension. This second dormer on the rear roof was considered to appear bulky with extensions to the roof spanning the whole rear roofscape. The loss of this dormer is considered to make a positive change to the rear elevation. The remaining dormer is to the host dwelling and of a scale that could be constructed under permitted development. As a result this dormer is considered acceptable in terms of design.
- 8.6 Bike and bin storage for the new flats is proposed in the rear garden. The bike and bin storage provision for the existing house is proposed to the frontage. No elevations have been provided showing bike and bin stores. Many of the other properties on the street appear to store their bins to the front of the property but none have formalized this with a store. As a result the stores could potentially appear quite prominent. However, I am satisfied that lightweight structures with a low height could be accommodated which would not appear dominant in the streetscene. I have recommended a condition requiring details of both bike and bins stores to be approved prior to constructions. I have also recommended a boundary treatment condition.
- 8.7 There are other examples of front porches on the street. What is proposed is longer than the other examples as it spans the host dwelling and extension. However it has a shallow depth and is set back from the street. As a result I am satisfied that the porch would not harm the streetscene.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposal does not extend any further beyond the existing rear building line at first floor. The ground floor extension protrudes 4m past the rear wall. It has a lean-to roof with a height of 3.4m sloping down to 2.45m at the eaves. This element of the proposal is relatively modest and I am satisfied that it would have no significant harmful impact in terms of enclosure or overshadowing of number 180 Kendal Way. The front porch extension is also modest in size; having a depth of 1m. This element is also set off the boundary with number 180 and as a result I am satisfied that this would not harm the amenity of the adjoining occupier.
- 8.10 There were concerns that the original proposal submitted would have had a harmful impact on the amenity of the unattached neighbour at 176 Kendal Way. This occupier has a single aspect kitchen in a single storey protruding element to the side of the property. The original proposal was closer to the boundary with a gable roof and a box dormer to the extension. The amendments to address the streetscene impacts and access to the rear for bikes and bins have also reduced the pressure on this kitchen window. Whilst the proposal will result in some additional enclosure to this window, I am satisfied that the impact of the revised proposal would not be unduly harmful to warrant refusal of permission.
- 8.11 The only neighbour objection comes from the occupier of 177B Kendal Way. They are concerned that their patio will be overshadowed by the extension. No.177b is at the opposite side of the road, approx. 40m from the site and as a result will not be impacted by the proposed extension.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.13 The garden to the host dwelling would be reduced but would still be substantial. In my view, the remaining garden proposed to serve the extended dwelling is adequately large.
- 8.14 Both proposed flats are one bedroom units. Both flats would be dual aspect. The ground floor flat would have a private patio area and access to the shared garden. The upper floor flat is small (approx. 27sqm). However, it would be dual aspect and have access to a communal garden to the rear. As a result I am satisfied that it would provide an adequate level of residential amenity to future occupiers.
- 8.15 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Refuse Arrangements

- 8.16 I have noted in paragraph 8.6 that no elevations have been provided for the bins stores and these are recommended to be required via condition. I am satisfied that the proposed bin store locations would be acceptable subject to details of appropriate stores.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.18 The Highway Engineer has recommended refusal on the grounds that the applicant has not confirmed their intention to strengthen the footway. This does not form part of the planning application and as long as permeable materials are used, the extension of the area of dropped kerb would not require planning permission. As a result I do not consider this would be grounds for refusal. I have recommended an informative to make the applicant aware that works to the highway require consent from the Highway Authority (County Council).

- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.20 Camcyle has raised an objection to the proposal. The access passage has been widened and is now 1.2m at its narrowest point and most of the passageway is much wider. I am satisfied that there is adequate space to accommodate cycle parking for the three units in the stores shown and have recommended a condition requiring details of the stores via condition.
- 8.21 The original proposed car parking layout was considered to have an unacceptable impact on the occupier of the ground floor flat. The revised layout reduces the number of off-street parking space to one space. However, given the sustainable location of the site, this is considered to be acceptable.
- 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 the third party representations within the body of my report.

9.0 CONCLUSION

- 9.1 The revised proposed design is considered in keeping with the character of Kendal Way. The proposed extension would not have any significant adverse impact on the residential amenity of surrounding occupiers. The proposed additional units are considered to provide an adequate level of amenity to 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. 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. 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)

6. Prior to occupation of the development, hereby permitted, full details of all cycle stores and refuse stores, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to occupation of the development and shall be maintained in perpetuity thereafter.

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

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

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

8. 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)

9. The parking layout and landscaping to the front of the property as shown on the approved plans shall be constructed prior to occupation of the new units and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupier of the ground floor flat (Cambridge Local Plan 2006 policies 3/4 and 3/14)

10. 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 in accordance with policy 8/2 of the Cambridge Local Plan (2006)

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

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

12. 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 in accordance with policy 8/2 of the Cambridge Local Plan (2006)

13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

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

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

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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