

<b>Application Number</b>	17/1894/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th November 2017	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	11th January 2018		
<b>Ward</b>	Arbury		
<b>Site</b>	1 Mere Way Cambridge CB4 2JP		
<b>Proposal</b>	Demolition of existing garage. Erection of attached dwelling and extension to existing house.		
<b>Applicant</b>	Mr & Mrs Marchington 1 Mere Way Cambridge CB4 2JP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The development would have an acceptable impact on the character of the area</li><li><input type="checkbox"/> The development would not have a significant adverse impact on residential amenity.</li><li><input type="checkbox"/> The development would not have a significant adverse impact on highway and pedestrian safety</li></ul>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The subject site is the northern half of the side/rear garden of No. 1 Mere Way. No. 1 is a two storey end of terrace gable-fronted dwellinghouse finished in red brick. It is located on the eastern side of Mere Way near the junction with Arbury Road.
- 1.2 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

## 2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of existing garage and erection of attached dwelling and extension to existing house.
- 2.2 The proposed works would create a new attached two storey, 2 bedroom dwelling and add a two storey extension to No. 1 adding a further bedroom to make it a 3 bedroom property.
- 2.3 The proposal dwelling would have front and rear bays which do not protrude further than the existing gables of No. 1 Mere Way. This dwelling also has the same ridge height as No. 1 Mere Way and a hipped roof. The division of the plot enables each unit to have one off road parking space as well as bike parking and bin area to the front of each property. The rear garden of No. 1 Mere Way has also been split into two to provide amenity space for both dwellings.

### 3.0 SITE HISTORY

Reference number	Description	Decision
13/0163/EXP	Extension of time for the implementation of planning permission 09/1156/FUL for the erection of a two storey side extension with integral garage.	Approved*
09/1156/FUL	Erection of two storey side extension with integral garage (following demolition of detached garage).	Approved

\* This application was never implemented

## 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 3/10 3/11 3/12 3/14 4/13 5/1 8/2 8/4 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)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

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 The proposal reduces the number of dedicated off-street car parking spaces for the existing dwelling. The development may therefore impose additional parking demands upon the 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 when assessing this application. Standard conditions are recommended if approval is granted.

### **Environmental Health**

- 6.2 No objection. Standard piling and construction hours conditions recommended.

### **Landscape Design**

- 6.3 No objection, subject to recommended conditions requiring details of hard and soft landscaping and its implementation.

### **Sustainable Drainage Engineer**

- 6.4 No objection, subject to a recommended condition requiring standard details of surface water drainage.

- 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 address have made representations:

- ☐ 229 Arbury Road
- ☐ 233 Arbury Road
- ☐ 237 Arbury Road

- 7.2 The representations can be summarised as follows:

- ☐ Insufficient parking for the existing and proposed dwelling.
- ☐ The scheme will result in more parking on the surrounding streets, in some cases spoiling grass verges and obstructing the footpath.
- ☐ The house should be realigned parallel to the fence so that all windows face down the rear garden.
- ☐ No reason why this small piece of land should be used for financial gain.
- ☐ Buffer will be lost between properties on Arbury Road.
- ☐ Property will overshadow and enclose the rear garden of No. 237 Arbury Road.
- ☐ Property will overlook No. 237 Arbury Road.
- ☐ An additional dwelling on the plot will increase noise from additional tenants.
- ☐ Possibility of increased traffic in an already very busy Mere Way.
- ☐ There should be an assurance that all parking should be contained on site, during and after construction.

- 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) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is therefore my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 Policy 3/10 of the Cambridge Local Plan (2006) states residential development will not be permitted if it [the relevant extracts are listed below]:
- ☐ Has a significant impact on the amenities of neighbouring properties;
  - ☐ Provides an inadequate amount of amenity space/vehicular access and parking spaces for the proposed and existing properties;
  - ☐ Or detracts from the character of the area.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. The relevant criteria of policy 3/10 are considered in further detail below.

### **Context of site, design and external spaces**

#### Response to context

- 8.5 No. 1 Mere Way and No. 74 Fortescue Road with their gable-ended frontages bookend this terrace. The addition of the proposed extensions to No. 1 Mere Way and the attached two storey dwellinghouse are considered in keeping with the proportion of this terrace. The proposed dwelling has a subservient front façade when viewed against No.1's gable end. The front façade is indented and in line with terrace houses 3

and 5 Mere Way and the front protrusion would be 0.6 metres less in depth than No. 1.

- 8.6 It is therefore considered that this subservient design would be an acceptable addition to the streetscene and this loss of symmetry to the terrace, which is not in a Conservation Area, is not a detrimental enough impact to warrant refusing this scheme.
- 8.7 Matching materials are stated to be used for this proposal. I recommend a condition is attached to ensure this.
- 8.8 As properties on Arbury Road have such long gardens it is not considered the insertion of a dwelling in this location would remove the buffer between the properties on Mere Way and Arbury Road.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/14.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

#### Overlooking

- 8.10 Some neighbouring properties have objected on the grounds the proposed dwellinghouse would overlook their rear gardens. The proposed dwelling has no first floor windows in the side elevation, but does have a first floor stairwell window and bedroom window proposed to the rear. Because of the way the northern boundary with the rear gardens of properties on Arbury Road is angled these windows would face the bottom corner of these gardens. A condition is recommended to obscurely glaze the stairwell window removing any overlooking impacts. I am of the opinion the bedroom window would only have a very acute view of the southern corner of No. 233 Arbury Road and No. 231 and that other neighbouring properties are located a sufficient distance away to dispel any potentially detrimental overlooking impacts. It is also noted all these properties have a rear garden that is over 25 metres in depth.

## Overshadowing / Enclosure

### *No. 237 Arbury Road*

- 8.11 The proposed dwelling would be located close to the rear boundary of No. 237 Arbury Road to the north-east. However, this house and its main habitable room windows are sited in excess of 25 metres away from the proposed dwelling. I do not therefore consider the occupiers of this neighbouring property would be detrimentally enclosed or overshadowed by the proposal.

### *No. 235 Arbury Road*

- 8.12 This property is located closest to the proposal. The corner of the proposed two storey dwellinghouse is just 0.4 metres away from the boundary with the rear garden of this property. No. 235 Arbury Road has two outbuildings at the very end of its garden one of which is a greenhouse. The neighbour is concerned this greenhouse will lose its southern light. Whilst I concur that this would be a likely consequence of the proposal, as the loss of light would not affect the habitable rooms of the house and the garden would still have a level of light compliant with BRE guidelines, I am of the opinion that the impact would not be sufficiently detrimental to warrant refusing this application. It is also noted these buildings were constructed and could be moved using permitted development rights.

### *No. 233 Arbury Road*

- 8.13 This and all other neighbouring properties are considered to be located a sufficient distance away to dispel any potential detrimental overshadowing and enclosure impacts.

## Noise

- 8.14 I do not consider that the proposed dwelling will have a detrimental impact on the neighbours using their amenity space given that this land is already used as a garden. It is not considered the movements of one vehicle will detrimentally impact the amenity space of the adjacent properties. With regard to potential noise disturbance during construction, I have recommended a condition as suggested by the Environmental Health Officer.



- 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

##### Proposed amenity space of No. 1 Mere Way

- 8.16 No. 1 Mere Way would lose more than half of its existing amenity space with this proposal. It is noted this proposal would extend this 2 bed property into a three bed; therefore more occupants could be using this space. However I am of the opinion that the new boundary is well located and still leaves this property with an acceptable amount of quality useable amenity space (circa 70 sqm). To ensure this, conditions requiring the curtilage to be provided in accordance with the plan and removing permitted development rights for extensions and outbuildings are recommended.

##### Proposed amenity space of the new dwelling

- 8.17 It is considered the amenity space is sufficient in quantity and quality for the future occupants of this 2 bedroom dwelling (circa 77 sqm). As noted above, conditions are recommended in order to secure and maintain this amount of amenity space.

#### Outlook

- 8.18 All rooms in the proposed dwelling have a good outlook. The indoor amenity spaces of the lounge and the kitchen are of an appropriate size for a two bedroom dwelling and both are naturally well lit.
- 8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/14.

#### **Refuse Arrangements**

- 8.20 Bin stores for both No. 1 Mere Way and the proposed dwelling are located to the front. Their size and location complies with

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). It is noted many terrace properties on this road have a similar arrangement so this is considered acceptable.

- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 3/12.

### **Highway Safety**

- 8.22 County Highways has no objection to the location of the new proposed access and to the highway safety implications of the development. With regard to the safety of pedestrians using the footpath, there is an open grass verge between the site and footpath and cars exiting the site would therefore have adequate visibility of pedestrians. I have recommended conditions requiring the provision of the additional access prior to occupation of the new dwelling as well as the use of unbound material and adequate drainage measures. However, I do not consider the other conditions recommended by Highways are necessary to make the development acceptable for the reasons outlined above.

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

### **Car and Cycle Parking**

- 8.24 The one vehicle parking space and bike store to the front are considered sufficient for the needs of future occupiers of the proposed dwelling and complies with policy 8/10.
- 8.25 No. 1 Mere Way will become a three bedroom dwelling as part of this proposal and have one off-street parking space. Whilst I accept that the driveway will remove the ability for people to park on-street in this location, and may cause some inconvenience for local residents, this would not give rise to an adverse highway safety issue, nor would it have a significant adverse impact upon the amenities of nearby residents. The parking standards outlined in Appendix C of the Cambridge Local Plan (2006) are maximum standards and the provision of one off-street space per dwelling would not therefore conflict with policy. The City Council promotes lower levels of private

car parking particularly where good transport accessibility exists. There are bus stops on Arbury Road/Mere Way and the site is within walking distance or cycling distance of shops along Arbury Road and the City Centre. It is noted this is not an area of parking control and on-street parking is available in this area. It is, therefore, my view that it would be unreasonable to refuse the application for this reason.

8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### 8.27 Third Party Representations

Concern	Response
Parking	See paragraphs 8.24 – 8.26
Overlooking	See paragraph 8.10
Land use for financial gain	Not a planning matter
Buffer will be lost	See paragraph 8.8
Overshadowing and enclosure	See paragraphs 8.11 to 8.13
Noise	See paragraph 8.14
Highway Safety	See paragraph 8.22
Construction parking not on site	Not a planning matter

## 9.0 CONCLUSION

9.1 In conclusion this is a traditionally designed dwellinghouse that appears subservient in scale and has an acceptable impact on the streetscene and the amenity of adjoining neighbours. It is also considered the sub-division of the plot would leave an acceptable level of amenity space for both the occupiers of the proposal and No. 1 Mere Way. The development would also not result in harmful highway or pedestrian safety impacts.

## 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. 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)

5. 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)

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B 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 hereby approved attached dwellinghouse; the construction of dormer windows/roof extensions; 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 ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenities of adjacent residents (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

7. 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 No. 1 Mere Way, 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 ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

8. Before occupation of the dwelling, the access to the existing dwelling shall be provided in accordance with the approved drawings and shall be retained in accordance with these details and free of obstruction thereafter.

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

9. The new access and driveway shall be constructed from an unbound material and with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

10. 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)

11. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles and following the drainage hierarchy has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:
  - a. identify the proposed method of surface water disposal;
  - b. include infiltration testing results and calculations in accordance with BRE Digest 365
  - c. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve greenfield equivalent runoff rates;

- d. provide information on the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- e. provide a management and maintenance plan for the proposed SuDS features.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)

- 12. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)

- 13. The scheme 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)

14. No development shall take place until full details of both hard and soft landscape works to the frontage of the development 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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. 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)

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

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



16. The first floor stair way window on the rear elevation of the hereby approved dwellinghouse shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/14).

17. Prior to the occupation of the new dwelling, hereby permitted, details of facilities for the covered, secured parking of bicycles and storage of bins for use in connection with both the existing and proposed dwellings shall be submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details before occupation of the dwelling and maintained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and bins. (Cambridge Local Plan 2006 policies 3/10, 3/12 and 8/6)