#### **PLANNING COMMITTEE**

**Application** 17/1533/FUL **Agenda Number** Item **Date Received** Officer Michael 13th September 2017 Hammond **Target Date** 8th November 2017 Ward Kings Hedges 4 Green End Road Cambridge CB4 1RX Site **Proposal** Sub-division of existing detached 5 Bedroom house to form 1 No. 3 Bedroom House and 1 No. 2 Bedroom House both with associated amenity space and parking and canopy to the front and side elevation. **Applicant** Mr B Giove 4, Green End Road Cambridge CB4 1RX

DATE: 28<sup>TH</sup> MARCH 2018

SUMMARY	The development accords with the Development Plan for the following reasons		
	The proposed development would provide an acceptable living environment for future occupiers.		
	<ul> <li>The proposed sub-division of the existing house would not have a detrimental impact on neighbour amenity.</li> </ul>		
	The proposed works would not pose a threat to highway safety.		
RECOMMENDATION	APPROVAL		

#### 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site comprises a large detached property situated close to the corner of Green End Road and Milton Road. The property has a large forecourt car parking area to the front, as well as a rear and side garden. There is a single-storey outbuilding to the side of the main dwelling which is currently used as ancillary accommodation to the main property although

- permission (17/1514/FUL) was recently granted for the change of use of this to a separate dwelling.
- 1.2 To the north of the site is the Golden Hind public house which is identified as a Building of Local Interest (BLI). The surrounding area is predominantly residential in character and is formed of a range of housing typologies, typically no higher than two-storeys in scale.
- 1.3 There are no site constraints.

#### 2.0 THE PROPOSAL

2.1 The proposal seeks planning permission to sub-divide the existing detached five-bedroom house to form one three-bedroom house and one two-bedroom house with associated amenity space and parking. A canopy is proposed on the side and front corner of the building which is the only proposed external addition to the building. The remainder of the changes consist of the replacement of the side (south-east) door with a window and alterations to internal walls. The internal floor areas and external amenity space sizes are set out in the table below:

House type	Number	of	Internal	External
	persons		Space	Space
Two-Bedroom	Three		57m <sup>2</sup>	20m <sup>2</sup>
House				
Three-Bedroom	Five		144m <sup>2</sup>	83m <sup>2</sup>
House				

2.2 The proposal has been amended to remove the proposed vehicle drive in front of the proposed two-bedroom dwelling. The forecourt in front of the proposed three-bedroom dwelling has also been amended and tracking information provided. These amendments were in response to concerns raised by the Highway Authority.

#### 3.0 SITE HISTORY

Reference	Description	Outcome
17/1534/FUL	Change of use from outbuilding	Permitted.
	to form new 1 Bed dwelling	
	including forming a first floor by	

raising the eaves and ridge height and a single storey front extension

#### 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	Local	3/1 3/4 3/7 3/11 3/14
Plan 2006		4/13
		5/1 5/2
		8/2 8/6 8/10
		10/1

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)
	Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material

	consideration)	
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)	
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)	
	,	
Material	City Wide Guidance	
Considerations	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)** 

## Original Comments (15/09/2017)

- 6.1 The proposal removes the facility for vehicles to turn within the site to enter and leave in forward gear, and proposes an additional access without such a facility. Green End Road is a busy route serving the City of Cambridge and, as such, carries high flows of traffic, including a high proportion of pedestrians and cyclists.
- 6.2 For this reason the Highway Authority recommends that this proposal be REFUSED planning permission.

## Comments on revised site plan (03/11/2017)

- 6.3 The additional information indicates a possible facility for vehicles to turn within the site to enter and leave in forward gear, however it is not a tracking diagram generated by any accredited computer programme developed to simulate vehicle manoeuvres. The access would need to be widened to allow two vehicles to pass in the entrance.
- 6.4 Therefore, until additional information demonstrating that access will be provided to a standard acceptable to the Highway Authority my objection to the proposed development remains.

# Comments on revised site plan and tracking diagram (09/02/2018)

6.5 Tracking and widening of the access are sufficient to demonstrate that the access is acceptable to the Highway Authority. The following conditions are recommended:

No unbound material;
No gates erected;
First use of vehicular access;
Highways drainage;
Visibility splays;
Manoeuvring area as shown;
Access as shown;
Traffic management plan;
Traffic management plan informative; and
Highways informative

#### **Environmental Health**

6.6 No objection subject to construction hours condition.

# **Urban Design Team**

- 6.7 No objection.
- 6.8 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:
	6 Green End Road Camcycle - The Bike Depot, 140 Cowley Road
7.2	The representations can be summarised as follows:
	Highway safety concerns regarding original layout proposed; The hand drawn plans are not accurate; It is not clear what is happening along the eastern boundary and the effect on residential amenity is consequently unclear; Insufficient space along south side of building for emergency and residential services to access rear of site; There is no reference to cycle parking; The lack of car parking for the proposed two-bedroom house will exacerbate parking problems in the area.

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. Highway safety
- 5. Car and cycle parking
- 6. Third party representations
- 7. Planning Obligations (s106 Agreement)

# **Principle of Development**

- 8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.
- 8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.
- 8.4 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of existing single residential properties into self-contained dwellings will be permitted except where:
  - a) The residential property has a floorspace of less than 110m2
  - b) The likely impact upon on-street parking would be unacceptable;
  - c) The living accommodation provided would be unsatisfactory;
  - d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
  - e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
  - A) The residential property has a floorspace of less than 110 m<sup>2</sup>
- 8.5 The footprint of the residential property is approximately 201m<sup>2</sup> and this exceeds this criterion.

- B) The likely impact upon on-street parking would be unacceptable
- 8.6 The existing five-bedroom dwelling on the site has three car parking spaces in the forecourt.
- 8.7 The proposed three-bedroom dwelling would have two car parking spaces and I am confident that there would not be a significant increase in car parking pressure resulting from this aspect of the proposed scheme.
- 8.8 No car parking is proposed for the two-bedroom dwelling. It is acknowledged that a concern has been raised regarding the pressure on on-street parking in the surrounding streets that this two-bedroom dwelling may cause.
- 8.9 The proposed development would be two-bedroom in size and I consider the level of parking demand for this proposed unit would be relatively low. Furthermore, the site adjoins onto a cycle path and route which connects to the City Centre and wider area and there appears adequate room to accommodate appropriate cycle storage on the site. There are also good public transport links along Milton Road and Green End Road which provide further alternative means of accessing shops, services and facilities in the wider area. The site is also immediately adjacent to the King Hedges Road Local Centre providing basic shops and facilities within walking distance.
- 8.10 Overall, I consider the pressure on the surrounding streets would be minimal, the proposed development is well-served by public transport and cycle links and is not dependent on the private car as the main means of transport.
  - C) The living accommodation provided would be unsatisfactory
- 8.11 It is acknowledged that an appeal at No. 34 Mill Road (APP/Q0505/W/17/3183954) has been dismissed. The appeal decision is a material consideration and is relevant to the assessment of the internal environment.
- 8.12 The appeal scheme (16/0163/FUL) was originally refused due to the cramped living environment and subsequent unsatisfactory level of amenity provided for future occupants of the development. The Inspector refers to the government's

- 'Technical housing standards Nationally described space standards (THS)'. These standards, the Inspector states, are an indication of the amount of internal space required within dwellings to avoid harmful living conditions for the occupants.
- 8.13 The Inspector on this appeal concludes that the all five of the units that are proposed in the converted building and the two units proposed within a standalone building fell 'significantly short' of the minimum space standards set out in the THS. Since no substantive evidence was been presented to provide justification to not comply with these standards, the Inspector concluded that the units would not provide acceptable living conditions for future occupants, with particular regard to the provision of space.
- 8.14 The proposed three-bedroom dwelling would have an internal floor area of approximately 144m². This is significantly above the 93m² of internal floor area recommended by the THS and I therefore consider the internal living environment to be acceptable.
- 8.15 The proposed two-bedroom dwelling would have an internal floor area of approximately 57m². This is 13m² below the minimum space standard of 70m² for this type of development as set out in the THS. Whilst I acknowledge the proposed two-bedroom falls below this standard, I do not consider the shortfall in floor area to be significantly short and that it is materially larger than that of the smallest unit in the dismissed appeal scheme (16/0163/FUL). The table below demonstrates that the proposed 57m² fulfills approximately 81% of the 70m² standard for two-bedroom units whereas the smallest 24.1m² studio units in the appeal scheme only accounted for approximately 65% of the 37m² standard for studio units.

Application	Size	THS standard	% of standard
	proposed		met
16/0163/FUL	24.1m <sup>2</sup>	37m <sup>2</sup>	65.1%
(Dismissed			
Appeal)			
17/1533/FUL	57m <sup>2</sup>	70m <sup>2</sup>	81.4%
(Proposed Two-			
Bedroom			
Dwelling)			

- 8.16 In my opinion, the proposed two-bedroom dwelling would be materially closer to meeting the THS compared to that of the appeal scheme (16/0163/FUL). Although it does not meet the THS, I do not consider the shortfall to be significant and am of the view that the proposed living environment would not be cramped.
- 8.17 The proposal includes a large 83m<sup>2</sup> private external amenity space for the three-bedroom dwelling and 20m<sup>2</sup> of private amenity space for the two-bedroom dwelling. In my opinion, the provision of this private amenity space would ensure future occupiers have a high quality living environment.
- 8.18 There is ample space in the front forecourt of the proposed three-bedroom dwelling to accommodate refuse storage and cycle parking without preventing vehicles being able to leave in forward gear. Similarly, the pedestrian entrance area to the proposed two-bedroom dwelling would provide room for refuse storage and cycle parking. The proposed site plan shows refuse being stored at the rear of the site but due to the approximately 1m wide side access being too narrow it would be more appropriate to store bins at the front in a small enclosure. I am confident that the cycle parking and refuse storage can be accommodated comfortably on the site and have recommended conditions accordingly for these details to be agreed.
- 8.19 The site is located in a sustainable location with good cycle, pedestrian and public transport links outside the site and also situated within close proximity to the King Hedges Road Local Centre providing basic shops and facilities within walking distance.
- 8.20 I have recommended conditions to restrict permitted development rights for extensions (class A) and outbuildings (class E) for the proposed dwellings. This is because extensions or additions close to the other dwellings garden boundary could deteriorate the quality of the external amenity space and impact on the amenity for the occupiers of the adjoining dwelling. A condition requiring the proposed private amenity spaces to be provided and retained has also been recommended.

- D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking
- 8.21 This has been addressed in paragraph 8.18 of this report.
  - E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.22 The site is situated in a residential area and so I do not consider the nearby land uses or site itself would result in an unsatisfactory level of residential amenity for future occupiers of the proposed dwelling.
- 8.23 In my opinion, subject to conditions, the principle of residential development in this location is acceptable and in accordance with policies 5/1 and 5/2 of the Local Plan (2006).

## Context of site, design and external spaces

- 8.24 The proposed canopy would be a lightweight structure that adjoins onto the south-west corner of the building to provide cover for the main entrance to the proposed two-bedroom dwelling. It would be of a modest height and form and would not in my view appear overly prominent or out of character with the area.
- 8.25 The refuse and cycle storage conditions would ensure that any small structures in the front external areas do not appear dominant in the street scene and would be subtle in their appearances.
- 8.26 I have recommended a boundary treatment condition to ensure that the external amenity spaces for future occupants are private.
- 8.27 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 5/2.

# **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.28 The proposed canopy would be a lightweight structure that would not result in any loss of light or visual enclosure being experienced at neighbouring properties.
- 8.29 The movement of two vehicles within the forecourt area would not be significantly worse in terms of noise and disturbance than that of the three vehicles that already use the forecourt area.
- 8.30 The comings and goings to and from the proposed dwellings would not have a significant impact on the amenity of adjoining occupiers in my view. The site is already used as a five bedroom dwelling and the number of people proposed on-site would be similar to that of the existing situation. The boundary treatment condition would ensure that the movement of people in the external spaces does not compromise the privacy of neighbours.
- 8.31 The proposed first-floor bedroom windows would be in identical positions to that of present and I am confident that therefore no harmful overlooking would occur from this development.
- 8.32 In my opinion, subject to condition, 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 5/2.

# **Highway Safety**

- 8.33 The Highway Authority had originally objected to the proposal on the grounds that cars reversing out onto Green End Road would pose a threat to highway safety. In consideration of the proximity of the vehicle entrances to the busy junction with Milton Road and the adjacent cycle and pedestrian footpath, I shared this view.
- 8.34 In response to this objection, the site plan has been amended to demonstrate that two cars would be capable of leaving the forecourt in forward gear, similar to that of the existing vehicle arrangements on the site. In addition, the car parking space for the proposed two-bedroom dwelling was removed.
- 8.35 In light of these amendments and additional information, the Highway Authority has removed their objection and considers

- the proposal to be acceptable from a highway safety perspective subject to conditions.
- 8.36 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

# **Car and Cycle Parking**

- 8.37 Car parking has been addressed in paragraphs 8.6 8.10 of this report.
- 8.38 There would be adequate spaces in the front external spaces of each of the proposed dwellings to provide the total of five cycle parking spaces in the form of small secure shelters with stands. A condition has been recommended to control this.
- 8.39 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

# **Third Party Representations**

8.40 The third party representations that have not been addressed in the main body of this report have been addressed below:

Comment	Response
The hand drawn plans are not	The plans are considered
accurate	sufficient to make an informed
	assessment of the proposed
	development.
It is not clear what is	A boundary treatment
happening along the eastern	condition has been
boundary and the effect on	recommended for these details
residential amenity is	to be provided.
consequently unclear;	
Insufficient space along south	There would be sufficient
side of building for emergency	space to access the front of
and residential services to	the two-bedroom dwelling. The
access rear of site;	need to access the rear of the
	site by emergency services is
	a building regulation matter.

## **Planning Obligations (s106 Agreement)**

- 8.41 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.42 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

#### 9.0 CONCLUSION

9.1 The proposed development would not adversely impact on the amenity of neighbours and would provide an acceptable living environment for future occupants. The proposal would not result in a significant increase in on-street car parking and would respect the character and appearance of the area.

#### 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.

 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 commence until details of facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The facilities shall be provided in accordance with the approved details before use of the development commences, and shall be retained in accordance with these details thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 5/2 and 8/6).

5. No development shall commence until details of facilities for the storage of bins for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The facilities shall be provided in accordance with the approved details before use of the development commences, and shall be retained in accordance with these details thereafter.

Reason: To ensure appropriate provision for the storage of bins and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 4/13 and 5/2).

6. 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 is 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)

7. The proposed private amenity spaces for the dwellings hereby permitted shall be laid out in accordance with drawing no.A202-C prior to the occupation of the dwellings and shall thereafter be retained in the configuration as approved for the benfit of future occupants of the scheme unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure an appropriate standard of residential amenity for future occupants (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11, 5/1 and 5/2).

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 reenacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses; and the provision within the curtilage of the dwellinghouses 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 dwellings, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2006 policies 3/4, 3/14 and 5/2)

9. 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).

10. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (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 (Cambridge Local Plan 2006 Policy 8/2)

11. 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).

12. 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).

13. 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).

14. 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).

15. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided and retained free of obstruction.

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

16. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority. Development shall be carried out in accordance with the approved details.

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

**INFORMATIVE:** Traffic Management Plan informative: The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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. 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.