

<b>Application Number</b>	18/0127/S73	<b>Agenda Item</b>	
<b>Date Received</b>	25th January 2018	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	22nd March 2018		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	23 Baldock Way Cambridge CB1 7UX		
<b>Proposal</b>	Section 73 application to vary condition 2 (Approved drawings) of planning permission 17/0792/FUL (Demolition of the existing bungalow and the erection of a detached three bedroom residential unit) to allow infill of approved carport, relocation of the main entrance and a roof light to the flat roof.		
<b>Applicant</b>	DR N Cheung C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li>- The proposed amendments to the approved scheme are acceptable in terms of the impact on the character and appearance of the area;</li><li>- The proposed amendments would not harm the residential amenity of the neighbouring properties and would provide an acceptable level of amenity for the future occupants.</li><li>- The loss of one approved car parking space and the remaining one on-plot parking space would be acceptable in line with the Council's maximum standards and the previous consents issued on the site.</li></ul>
RECOMMENDATION	APPROVAL

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

- 1.1 No.23 Baldock Way is a detached bungalow with an attached single flat roof garage and drive way to the north, situated on the eastern side of Baldock Way. The application site has been formed from the subdivision of no.73.
- 1.2 The surrounding area is predominantly residential mainly consisting of two-storey detached, semi-detached and terrace houses. To the north of the site is an allotment site and to the south the site adjoins the rear boundary of no.73 Glebe Road.
- 1.3 The site is not within a Conservation Area or within the setting of any Listed Buildings or Buildings of Local Interest. The site is outside the controlled parking zone. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The current application to vary the consent 17/0792/FUL for the demolition of the existing bungalow and construction of a two storey 3-bed dwellinghouse with off street car parking and private amenity space.
- 2.2 The variation sought is to condition 2 (Approved drawings) to allow infill of the approved carport, relocation of the main entrance and a roof light to the flat roof.
- 2.3 These amendments are material changes as the consent 17/0792/FUL included the removal of permitted development rights for external alterations in order to protect the residential amenity of neighbouring occupiers.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/78/0035	Erection of detached bungalow	PERMITTED
14/0129/FUL	Demolition of bungalow and erection of detached house	REFUSED – dismissed at appeal
14/1652/FUL	Demolition of the bungalow and replacing it with a chalet bungalow	REFUSED

15/1589/FUL	Demolition of the existing bungalow and the erection of a pair of two-bedroom residential units.	APPROVED
17/0792/FUL	Demolition of the existing bungalow and the erection of a detached three bedroom residential unit.	APPROVED

#### 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 Plan 2006		3/1 3/4 3/7 3/8 3/11 3/12
		5/1 5/14
		8/2 8/6 8/10

#### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p>
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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.

### **Environmental Health**

6.2 The proposed development is acceptable subject to conditions on construction hours and piling and an informative on dust.

### **Head of Streets and Open Spaces (Landscape Team)**

6.3 No objection or additional conditions other than those used on the original consent.

## **Head of Streets and Open Spaces (Trees Team)**

6.4 No comments received.

### **Drainage**

6.5 No comments received.

6.6 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations objecting to the proposal:

- 24 Baldock Way
- 16 Ditton Lane
- 69 Glebe Road
- 71 Glebe Road
- 73 Glebe Road

7.2 The representations can be summarised as follows:

- Over-development of a small site
- Increase the occupancy of the site
- Potential use as a house in multiple occupancy (HMO)
- Inadequate internal habitable space
- Inadequate outside amenity space
- Increased pressure on drainage system
- Inadequate off-street parking leading to increase on-street parking problems

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 The principle of the demolition of the existing bungalow and erection of a detached dwelling has been established through the extant consent (17/0792/FUL), which was considered

acceptable for the reasons set out in the officer's report on this application.

8.2 The assessment for this application concentrates on the material changes that are being sought, namely the infilling of the approved carport, relocation of the main entrance and a roof light to the flat roof.

8.3 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. Context of site, design and external spaces
2. Residential amenity
3. Car parking
4. Highway safety
5. Third party representations

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

8.4 The proposal would infill the existing car port with a rendered wall and window, which would remain indented on the same building line as the approved garage. The elevational treatment would be the same as the approved elevation. The proposal would retain the hard landscaping in front. The front door would be relocated from the side elevation to the front elevation in place of an approved bathroom window. In my opinion, this enhances the appearance of the bungalow by activating the frontage onto Baldock Way. The inclusion of a roof light would not have a material impact on the character and appearance of the property.

8.5 For these reasons, in my opinion the proposed amendments are compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

### **Residential amenity**

#### Impact on residential amenity of neighbouring properties

8.6 The proposed works would not impact on the residential amenity of the neighbouring properties in term of overlooking, overshadowing, loss of light, overbearing or enclosure.

- 8.7 Concerns have been raised by third parties in terms of the intensification of use of the site through the additional bedroom, however I do not consider this to be significant. I have addressed the comments regarding car parking in the section below, and I consider there are no reasonable planning grounds on which to recommend refusal on the basis of loss of car parking.
- 8.8 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 of future occupiers

- 8.9 Concerns have been raised about the quality of the internal accommodation for the future occupants as a result of the additional bedroom. The floor space of the 4-bed (8-person) unit would be 154.2m<sup>2</sup> (as stated by the applicant). In my opinion, this would provide an acceptable amount of space, and is well above the Technical Housing Standards (March 2015) which recommends 124 sqm.
- 8.10 With regard to external amenity space, the Council has no adopted standards and therefore there is no reasonable planning reason why the approved amenity space would be acceptable for a 3-bed property and not for a 4-bed property as proposed, as both are capable of being occupied by families or other households that have similar needs for external amenity space. I therefore consider this to be acceptable.
- 8.11 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 3/12.

#### **Car Parking**

- 8.12 The approved scheme provides space for two cars to park off-street. The current proposal would reduce this to one space. This is in accordance with the Council's adopted maximum car parking standards which seek to reduce private car usage and promote the use of sustainable transport modes. The

previously approved scheme for two dwellings on the site (15/1589/FUL) provided no off-street parking spaces. For these reasons, there are no reasonable planning grounds on which to resist the loss of the car parking space. I consider this to be acceptable and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

### **Highway safety**

- 8.13 The proposal would not affect the approved access from Baldock Road which would remain the same. The Highways Authority has not raised concerns on highway safety grounds, including the impact from any potential additional demand for on-street car parking as a result of the loss of the car parking space. I accept this advice and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

- 8.14 I set out my response to the concerns raised in the third party representation in the below table.

<b>Representation</b>	<b>Response</b>
Over-development of a small site	I have set out my reasons in the assessment above why I consider the proposal to be acceptable in terms of the context, impact on neighbouring properties and amenity of future occupiers. For these reasons, I do not consider the proposed amendments would constitute over-development of the site.
Increase the occupancy of the site	The additional bedroom is acceptable in terms of the amenity of the future occupiers and would not harm the residential amenity of immediate neighbours or the wider area for the reasons I have given.



Potential use as a house in multiple occupancy (HMO)	The property – like other dwellings – could be occupied as small HMO for up to 6 occupants without the need for planning permission. Should the number of occupants exceed 6 people, then planning permission would be needed for a change of use to a large HMO. Use as an HMO would also be subject to separate licensing.
Inadequate internal habitable space	Please see paragraph 8.7.
Inadequate outside amenity space	Please see paragraph 8.8.
Increased pressure on drainage system	The potential increased pressure on the drainage system is not a planning matter that I can take into consideration. Notwithstanding this, I do not consider that the additional bedroom would have a significant impact. The site is not within a flood zone and the Council's Drainage Officer did not consider the proposal would cause any additional surface water drainage issues over and above that which already exists during the original application.
Inadequate off-street parking leading to increase on-street parking problems	Please see paragraphs 8.10 and 8.11.

## 9.0 CONCLUSION

- 9.1 In conclusion, the proposed amendments to the approved scheme are acceptable in terms of the impact on the character and appearance of the area, would not harm the residential amenity of the neighbouring properties and would provide an acceptable level of amenity for the future occupants. The loss of one approved car parking space and the remaining one on-plot parking space would be acceptable in line with the

Council's maximum standards and the previous consents issued on the site, and would not have a significant harmful impact on residential amenity through additional demand for on-street parking. In my opinion, the proposed dwelling as amended by this application complies with the policies of the Cambridge Local Plan (2006) and other material considerations.

## **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 permission reference 17/0792/FUL, namely by 3 November 2020.

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 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

6. 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.

7. 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.

8. 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)

9. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage.  
(Cambridge Local Plan 2006 policy 4/16)

10. 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)

11. 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 treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced 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)

12. 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)

13. 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)

14. 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)

**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:** Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)