

Application Number	18/0768/FUL	Agenda Item	
Date Received	14th May 2018	Officer	Tony Collins
Target Date	9th July 2018		
Ward	Trumpington		
Site	21-25 Fitzwilliam Road		
Proposal	Fourth storey extension to create 1 no 3bedroom flat, and 4no 1no bedroom flats and 1no 1bed mews style flat to incorporate bin and bike store.		
Applicant	Mr G Wieland Pynes House 8 Chapel Street Duxford Cambs		

<p>SUMMARY</p>	<p>The development accords with the Development Plan, and the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, for the following reasons:</p> <p style="padding-left: 40px;">The proposal provides additional residential accommodation within the existing urban area, making effective use of previously developed land, and enabling future residents to access services and facilities locally.</p> <p style="padding-left: 40px;">The proposal is compatible with surrounding residential, educational and religious uses, and avoids harm to the amenity of neighbouring occupiers.</p> <p style="padding-left: 40px;">The proposal would not cause harm to the conservation area.</p> <p>The development does not accord with the residential space standards expected by the</p>
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	Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, but the existing permission on the site, which will remain extant until 2020, is a material consideration of considerable weight which would make it unreasonable to refuse planning permission on these grounds
RECOMMENDATION	APPROVAL

0.0 INTRODUCTION

- 0.1 A substantial part of the development proposed in this application has also been included in two previous applications.
- 0.2 On 5th November 2014, Planning Committee resolved to approve an application under reference 14/1123/FUL subject to the completion of a Section 106 agreement, and approval was granted on 22nd January 2015. That approval encompassed four one-bedroom flats to the rear of the existing building and an additional three-bedroom flat above the existing building, all identical to the development in the same locations sought in the present application.
- 0.3 That permission was not implemented, and consequently lapsed on 21st January 2018. Before that date however, on 25th September 2017, an identical application (17/1365/FUL) was approved under delegated powers. That application remains extant, but as yet unimplemented, and will consequently expire on 24th September 2020. The extant status of 17/1365/FUL will be unaffected by any decision made on the present application.
- 0.4 The present application is submitted to secure permission for an additional element of development – a further one-bedroom dwelling to the rear of those already permitted, which is detailed below. If approved, it would also have the effect of extending the time available to implement the development previously permitted under 17/1365/FUL.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 21-25 Fitzwilliam Road is a three storey, flat-roofed block of flats situated on the northern side of Fitzwilliam Road. The surrounding area is predominantly residential, consisting of flats, and two- and three-storey houses, but there are also educational buildings.
- 1.2 The site is within City of Cambridge Conservation Area No.10 (Brooklands Avenue). The Lutheran Church at 4 Shaftesbury Road, whose curtilage has a common boundary with the rear of the application site, is a Building of Local Interest, as are the nearby houses at 3-9 Fitzwilliam Road, but there are no statutorily listed buildings nearby. A Tree Preservation Order (TPO), 05/1999, protects six trees on the adjacent Stephen Perse Sixth Form site at 5 Shaftesbury Road although some of these trees have been replaced since the order was confirmed. A further TPO (09/2007) protected a walnut on the application site, but this tree died some time before the 2017 growing season. It has now been felled and the stump cleared. There is a large and apparently robust walnut immediately outside the north-west corner of the site in the garden of the Lutheran Church at 4 Shaftesbury Road. The canopy of this tree overhangs the application site to a considerable extent, covering the whole footprint of the single-storey cycle store, and part of the footprint of the additional two-storey extension proposed in the present application.
- 1.3 The site is within the Controlled Parking Zone (CPZ). All of Fitzwilliam Road lies within the CPZ, together with the adjacent streets of Shaftesbury Road and Clarendon Road.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for a fourth-storey extension to the existing building, creating an additional three-bedroom flat, a four-storey rear extension which would contain four additional one-bedroom flats, and a further two-storey extension which would create a fifth one-bedroom flat above waste bin and cycle storage.
- 2.2 The roof extension and four-storey rear extension elements of the application are identical to those approved under 14/1123/FUL and 17/1365/FUL. The additional two-storey

extension proposed for the first time in this application would be 11.5m long and 5m wide. It would have a pitched roof clad in slate, with the eaves at 5.3m above ground and the ridge at 6.9m. The extension, faced in brick, would have no windows on either the west side facing the Stephen Perse buildings, or the north side facing the Lutheran Church. On the east side, there would be four first-floor windows serving the kitchen/living room, the bathroom and the bedroom of the flat. On the ground floor there would be double timber doors leading to the cycle and bin store, a small window serving the study, and a single front door.

- 2.3 Beyond the extension would be a timber-framed additional cycle store, also with a pitched, slate roof, extending a further 4.8m northwards to the common boundary with the Lutheran Church curtilage.
- 2.4 The application is accompanied by a Design and Access Statement.

3.0 SITE HISTORY

Reference	Description	Outcome
13/1542/FUL	Demolition of a flat roofed garage block in order to improve car parking	Approved with conditions
13/1541/FUL	Third floor extension to existing building and three storey rear extension to create a further 1x 3 bed flats and 4x 1 bed flats	Refused
14/1123/FUL	Fourth floor extension to the existing building and a four storey rear extension to create one three bedroom flat and four one bedroom flats.	Approved with conditions
17/1365/FUL	Fourth floor extension to the existing building and a four storey rear extension to create one three bedroom flat and four one bedroom flats.	Approved with conditions

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

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 3/11, 3/12, 3/14 4/4,4/10, 4/11, 4/12, 4/13 5/1 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework July 2018 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	Sustainable Design and Construction (May

Planning Guidance	2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010) Roof Extensions Design Guide (2003) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Brooklands Avenue Conservation Area Appraisal (2013)

Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications

- 5.4 On 3 September 2018, South Cambridgeshire District Council and Cambridge City Council published the Inspectors Reports on the South Cambridgeshire Local Plan and Cambridge Local Plan. The Inspectors have concluded that both Local Plans are 'sound' subject to a number of modifications being made. The

South Cambridgeshire Local Plan, taking account of the Inspectors conclusions, will be recommended for adoption at a meeting of full Council on 27 September 2018. The Cambridge Local Plan, taking account of the Inspectors conclusions, will be recommended for adoption at a meeting of full Council on 18 October 2018.

- 5.5 Consistent with NPPF paragraph 48, the publication of the Inspectors' Reports increases substantially weight that can be attributed to the Local Plans in decision making. The examination process has now concluded. The Inspectors' have concluded that the Local Plans are sound (subject to the modifications which they have recommended) and, as such, there are no longer unresolved objections to the Local Plans. As such, substantial weight may now be attached to the policies of the Local Plans when making planning decisions.
- 5.6 The adopted development plan, in technical terms, remains the starting point for planning decision making. The Local Plans are however a material consideration to which substantial weight may now be attached.
- 5.7 Given the state of advancement of the Local Plans in the process toward adoption, it is considered that, generally, in the context of a planning decision, where there is a conflict between the outcome which arises from the application of policies of the adopted development plan and those of the Local Plans, the Local Plans will generally outweigh the adopted plan and will prevail. Where there is consistency, then the policies of the Local Plan add substantial weight in favour of the outcome which accords with the application of policies of the adopted development plans and those of the Local Plans.
- 5.8 For the application considered in this report, the following policies in the emerging Local Plan are of relevance:
- Policy 1: The presumption in favour of sustainable development
 - Policy 3: Spatial strategy for the location of residential development
 - Policy 31: Integrated water management and the water cycle
 - Policy 32: Flood risk
 - Policy 50: Residential space standards

- Policy 52: Protecting garden land and the subdivision of existing plots
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 58: Altering and extending existing buildings
- Policy 61: Conservation and enhancement of Cambridge's historic environment
- Policy 71: Trees
- Policy 80: Supporting sustainable access to development
- Policy 82: Parking management

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site (either existing or new) will not qualify for Residents' Permits (other than visitor permits) within the existing Residents Parking Schemes operating on surrounding streets.

Environmental Health

- 6.2 No objection, subject to conditions relating to construction hours, construction delivery hours, and piling.

Urban Design

- 6.3 Refuse storage and cycle parking should be stored separately to create better quality cycle storage for the occupants. As shown only part of the cycle parking is secured - cycle parking should be provided in a secure lockable structure to comply with Policy 3/12 The Design of New Buildings(c) and to meet the standards in the Council's Cycle Parking Guide for New Residential Developments.

Conservation team

Advice with respect to the earlier application 17/1365/FUL

- 6.4 The previous identical application, 14/1123/FUL was supported by the Conservation Team subject to conditions. The principle of the additions is supported. The concern is the materials that will be used to update and extend the building.

- 6.5 The existing colour palette for the building contrasts negatively with other buildings within the conservation area. In order to enable this building to fit within the local context, the materials for the cladding and the new extension need to be determined before the works commence. In this way, all the materials and the colour palette will be established and there should be a general improvement to the building as a whole. For example the use of white UPVC doors on the fourth floor to access the proposed terrace may not work well with the proposed zinc cladding to the roof. It will also be important to get a brick that works well with the existing orange/yellow building for the extensions.
- 6.6 Provided that an appropriate palette of materials can be agreed for the extensions to this property and its refurbishment, the proposals will not be detrimental to the character or appearance of the conservation area. The application conforms to policy 4/11 of the Cambridge Local Plan 2006.

Advice with respect to the present application

- 6.7 The works to the existing block approved under 17/1365/FUL were supported by the conservation team. Advice with respect to these elements remains the same. The proposed additional two-storey extension has been the subject of pre-application discussions, and the design has been amended in response to conservation team advice to the applicant. The revised design is appropriate to this location within the conservation area.
- 6.8 It will be important to get the right materials for the whole development. The brick on the existing flats is not of any great interest and does not preserve or enhance the character or appearance of the conservation area. Therefore the materials for the new developments will need to ensure that they make a more positive contribution.
- 6.9 Conditions required on materials, roof details, window reveals and non-timber joinery.

Sustainable Drainage

- 6.10 Acceptable subject to a condition requiring a surface water drainage scheme.

Gas Supply Provider (Cadent)

6.11 Informative requested.

Streets and Open Spaces (Trees)

6.12 Without a tree survey it is not possible to assess the potential impact on the walnut tree on the adjacent site. While the construction of the bin/cycle store seems acceptable, I have concerns about the requirement to prune the walnut to allow the development. The tree should be given suitable space to ensure that it does not conflict with the development in the future and suitable space to grow. Not only is pruning required to fit the building in, it will also be required to accommodate scaffolding.

6.13 If the application is to be approved, a tree protection condition would be necessary.

Shared Waste Service

6.14 50 litres per person for each stream (refuse and recycling) are required. On the basis that there could be 6 people in a 3-bed flat (= 24 people max), and 2 people in a one-bed flat (= 10 people max), a total of 34 people x 50 litres per person = 1700 litres for refuse, and 1700 for recycling.

6.15 This would require 1x 1100 litre bin + 1 x 660 litre bin for refuse, and the same for recycling blue bin. The application doesn't mention green waste bins at all, so it is a bit under capacity, especially if they are not having green bins.

6.16 The 30m pull distance to the kerbside is much too far; 10m is the maximum acceptable.

6.17 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 Representations objecting to the proposal have been received from the occupiers of 3 Fitzwilliam Road.

7.2 The issues raised in the representation are:

Design in context

- Too large
- Extends beyond the rear building line of the adjacent terrace
- Harm to the conservation area – no development in back gardens should be permitted
- Any permission to develop in this back garden should have conditions requiring landscaping

Neighbour amenity

- Overlooking of rear gardens and rear windows
- Overbearing and dominant, creating a sense of enclosure

Car parking

- Additional pressure on on-street car parking

Procedural issues

- Insufficiently wide notification
- Previous permission should not have been granted

7.3 Representations were also received from Camcycle stating that the cycle parking area was of insufficient width according to Appendix D of the Cambridge Local Plan 2006 and the Cycle Parking Guide for New Residential Developments.

7.4 This representation was withdrawn after a revised plan of cycle storage was submitted.

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. Changes in planning circumstances
2. Principle of development
3. Context of site, design and external spaces
4. Residential amenity

5. Refuse arrangements
6. Car and cycle parking
7. Trees
8. Third party representations

Changes in planning circumstances

Changes in the site context

- 8.2 There are no significant changes to the site context since the grant of the previous permission, but the TPO walnut on the site, which had already died at the time of the application under 17/1365/FUL, has now been felled.

Changes in the planning policy background

- 8.3 There are two very significant changes in planning policy which have occurred since the approval of the previous permission 17/1365/FUL. An updated National Planning Policy Framework has been issued, in July 2018, and the Inspector's report on the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, has been published, which means that substantial weight may now be attached to the policies of that document when making planning decisions.

Principle of Development

- 8.4 Policy 3 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, states that the majority of new development should be focussed in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. Additional residential units on this site are entirely consistent with this strategy; the site is already developed (it is not garden land), and the site is close to services and facilities around Cambridge Station.
- 8.5 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. This is a predominantly residential area and it is therefore my opinion that additional dwellings here

would be compatible with the existing land use and adjoining land uses.

- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policy 3 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, and policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.7 The existing block of flats dates from the fifth or sixth decade of the last century and is constructed in a yellow/brown brick and has a flat, felt roof. The windows are casement and there are some large fixed panes in the building. To the rear of the building there is a graveled open space. This is a car parking area for the residents of 21-25 Fitzwilliam Road and the residents of 15 Fitzwilliam Road. This application, like the two previously-approved schemes (14/1123/FUL and 17/1365/FUL) proposes that the building is increased in height by one storey; that a four storey extension is added to the rear; and that the front elevation is altered by replacement windows and aluminum cladding. Additionally, this application proposes a further extension at the rear, incorporating an additional residential unit and cycle and waste bin storage.
- 8.8 The principle of an additional floor is acceptable as there are a number of taller buildings close to the application site. However, the acceptability of an additional floor is wholly dependent on the design of the additional floor. The existing building is something of an anomaly in the street scene and is surrounded by Victorian villas on Shaftesbury Road, Victorian townhouses on Fitzwilliam Road and the contemporary flat roofed development, Kaleidoscope, opposite the site on Fitzwilliam Road. The surrounding area is mixed in terms of design, and it is my view that the straight-sided roof extension now proposed would improve the appearance of the building and would enhance the conservation area. The conservation officer shares this view.
- 8.9 The conservation officer has stated that she adheres to her view at the time of the previous application that, subject to detailed conditions, the aluminium cladding to the front elevation would

enhance the character of the Conservation Area. I also remain of that view.

- 8.10 The principle of a rear extension is acceptable. The extension previously approved is substantial, but in my view, although it will be clearly visible from more than one viewpoint, it will not have an adverse impact on the character of the conservation area. The conservation officer shares this view.
- 8.11 The additional two-storey extension proposed in this application emulates a small-scale nineteenth-century storage building in its scale, massing, fenestration, materials and detailing. It would contrast with the existing frontage building and the previously-approved extension, but it would have the appearance of a 'retained' garden outbuilding, and in my view, it would enhance, and not erode, the character of the conservation area. This element is supported by the conservation team.
- 8.12 The graveled area to the rear of 21-25 Fitzwilliam Road is not used for amenity or recreation purposes, and has no plants in it. It cannot be described as a garden. The conservation area appraisal identifies this space as a key negative element of the Fitzwilliam Street part of the conservation area, and I concur with this view. In this context, and given the qualities of the proposed additional extension I have described above, the diminution of the open area resulting from the construction of the additional extension now proposed would not cause any harm to the conservation area. I note the view expressed in representations that the present buildings at 1-15 Fitzwilliam Street have a broadly common rear building line, and that to break this pattern would be harmful to the character of the conservation area. I do not agree with this view; the position of the proposed additional extension, hard up against the bulky building on the Stephen Perse site at 5 Shaftesbury Road, puts it in a different context, and in my view a building here would not diminish the rhythm of the rear elevations in Fitzwilliam Road, or interrupt the sense of openness created by their gardens.
- 8.13 In my opinion the proposal is compliant in design terms with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14, 4/11 and 4/12, and with policies 1, 52, 55, 56, 58 and 61 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main

Modifications. I have recommended the conditions suggested by the conservation officer.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.14 The impact of the proposed development on the amenity of neighbouring properties needs to be examined with respect to No. 5 Shaftesbury Road to the west, No.15 Fitzwilliam Road to the east, and also Nos.1-11 Fitzwilliam Road, which lie further east beyond No.15.

Impact on 5 Shaftesbury Road

- 8.15 5 Shaftesbury Road is a large detached villa, which is in education use (Stephen Perse Sixth Form). This building has a substantial modern extension on its southern side, the southern part of which is adjacent to 21-25 Fitzwilliam Road, 5m from the common boundary. This extension has windows in the rear (eastern) elevation, facing the application site. Those in the main southern section of the extension, which is classroom or study space, are obscure glazed. Those in the smaller northern section, which connects the extension to the original villa, and serve landings and stairwells, are clear-glazed.
- 8.16 The common boundary between 5 Shaftesbury Avenue and the application site is angled, and the previously-approved section of the rear extension to the building would stand between 0.7m and 2m from the common boundary adjacent to the extension to 5 Shaftesbury Road. The additional two-storey extension proposed in this application would be closely adjacent (300mm) from the common boundary with 5 Shaftesbury Road throughout its length.
- 8.17 The previously-approved four-storey rear extension and additional storey on the existing building would cast shadow towards 5 Shaftesbury Road in the morning. However, since this building is in educational use, the main windows are heavily obscure-glazed, and the study space is also lit by windows in the western and southern elevations, it is my opinion that any overshadowing from the previously-approved sections would have little if any significant impact on the amenity of staff or students within 5 Shaftesbury Road. Because of its scale and

position, and the position of the large existing walnut tree, I do not consider that the additional two-storey extension now proposed would have any significant overshadowing impact. For the same reasons, I do not consider that either the previously-approved, or the newly-proposed extensions would create any significant sense of enclosure in this direction.

- 8.18 The previously-approved additional storey above the existing building would have a single window facing west towards the Stephen Perse Sixth Form building. Also previously-approved is a new window below this in each floor of the existing building. These windows, which would serve bedrooms, would have an outlook towards the south-west corner of the Stephen Perse building and the landscaped area to the south of that building on the Fitzwilliam Road frontage. The windows of the educational building which face towards these proposed new windows are obscure glazed. I do not consider that any issue of overlooking would be created.
- 8.19 The previously-approved four-storey rear extension to the application building would have two west-facing windows on each floor. The first, at the southern edge of the extension, would light the stairwell; the second, approximately at the mid-point of the west elevation of the extension, would serve a bathroom. The stairwell windows, like the new bedroom windows proposed in the existing building, would face towards the modern south extension of 5 Shaftesbury Road, where all the east elevation windows are obscure glazed. I do not consider that any overlooking issue would arise with respect to these windows.
- 8.20 The proposed bathroom windows in the extension would also face towards the Stephen Perse south extension, but they would also have an oblique outlook towards the link section of the Stephen Perse site, where the landings and stairwells have clear-glazed east-facing windows. I concur with the case officer for 14/1123/FUL that in order to protect the privacy of both future occupiers of the proposed extension, and staff and students using the Stephen Perse building, a condition should be imposed to ensure these bathroom windows are obscure-glazed and have restricted opening.

8.21 The additional rear extension now proposed would have no windows on the west side, and so no issues of privacy in this direction arise.

Impact on 15 Fitzwilliam Road

8.22 21-25 Fitzwilliam Road and 15 Fitzwilliam Road stand 4.6m apart, on either side of a driveway which leads to what is currently a shared parking area between the two buildings. It was accepted at the time of the two previous applications that the limited overshadowing the extensions then proposed would cause in this direction was not unacceptable. The additional extension proposed in this application would cast shadow over the car park area to the rear of 15 Shaftesbury Road in the afternoon, but I do not consider that this would cause any significant harm.

8.23 There are existing windows on the eastern elevation of 21-25 Fitzwilliam Road. The windows in the eastern elevation of the proposed rear extension, serving bedrooms, kitchens and living rooms would have views into the communal parking area. It was accepted at the time of the previous applications that these windows would not have any negative impacts in terms of privacy. The windows proposed in the additional extension would overlook the car parking area at 15 Fitzwilliam Road. They would not impact privacy at that address.

8.24 The previous approval 17/1365/FUL has established that the extensions permitted at that time would not create any unacceptable sense of enclosure. The additional extension now proposed is of a modest scale; it would create only a very limited sense of enclosure in the rear car park area. I do not consider that this would cause harm.

1-11 Fitzwilliam Road

8.25 The proposed additional extension is too modest in scale and too distant to have any significant impact on sunlight reaching any of these gardens. (The garden of No.11, the nearest, is 17m from the building now proposed). For the same reason, I do not consider that any sense of enclosure would be created in these gardens.

8.26 Because the windows proposed in the additional rear extension are further north than those in the previously approved extension, and angled slightly more towards the rear elevations of 1-11 Fitzwilliam Road, they offer a slightly different opportunity for overlooking than those in the extensions previously approved. However, the nearest windows which face towards the additional extension now proposed are at No.9, which are 38m distant. The first-floor windows now proposed in the additional extension would offer some opportunities for overlooking the gardens of 1-11 Fitzwilliam Road, but there is already mutual overlooking between these houses from closer distances and higher angles than the new extension windows would offer, and with more limited screening by plants. I do not consider that the windows of the proposed additional extension would lead to any significant loss of privacy for the occupiers of 1-11 Fitzwilliam Road.

8.27 In my opinion the proposal adequately respects the residential amenity of its neighbours and I consider that it is compliant in this respect with Cambridge Local Plan (2006) policies 3/4 and 3/7, and with policies 55 and 58 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. I have recommended the conditions suggested by the Environmental Health Officer relating to the construction phase of the development.

Amenity for future occupiers of the site

8.28 Table A below sets out the key dimensions of the five previously-approved units in this scheme, and in the final column, those for the 'mews flat' proposed in the additional rear extension also included in the current application.

Table A

	Rear extension, ground floor	Rear extension, first floor	Rear extension, second floor	Rear extension, third floor	Third floor flat above existing building	Mews flat
	1 bedroom 2 bedspaces 1 storey	1 bedroom 2 bedspaces 1 storey	1 bedroom 2 bedspaces 1 storey	1 bedroom 2 bedspaces 1 storey	3 bedrooms 6 bedspaces 1 storey	1 bedroom 2 bedspaces 2 storeys

Area of principal bedroom (m ²)	12.8	12.8	12.8	12	12.9	11.5
policy requirement	11.5	11.5	11.5	11.5	11.5	11.5
Gross internal floor area(m ²)	54	54	54	49.3	74	68.1
policy requirement	50	50	50	50	95	58
Built-in storage (m ²)	0.28	0.28	0.28	0.18	1.18	2
policy requirement	1.0	1.0	1.0	1.0	2.5	1.5
Width of principal bedroom (m)	2.8	2.8	2.8	2.7	3.7	3.4
policy requirement	2.75	2.75	2.75	2.75	2.75	2.75
Width of other bedrooms (m)	n/a	n/a	n/a	n/a	2.5, 2.4	n/a
policy requirement	n/a	n/a	n/a	n/a	2.55	n/a

8.29 The flat now proposed at the rear of the site meets all the criteria of residential space standards set out in the government's *Technical housing standards – nationally described space standard (2015)*, as required by the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. The flats proposed (and previously approved), on the ground, first and second floors of the main rear extension in the scheme fall short of the requirement for built-in storage space in that national standard, but meet all the other criteria.

8.30 The flat proposed (and previously approved) on the third floor of the main rear extension to the building, which is marginally smaller than the three flats below it, also fails the built-in storage requirement, but, additionally, it falls marginally short of the requirements for gross internal floor area (49.3m², against a

requirement of 50m²), and width of the bedroom (2.7m against 2.75m). The flat proposed (and previously approved) within a new storey above the existing building also fails the built-in storage requirement, but, additionally, it falls significantly short of the requirements for gross internal floor area (74m², against a requirement of 86m²), and marginally short of the requirement for width of the second and third bedrooms (2.4m and 2.5m against the standard of 2.55m). The marginal shortfalls in these two units are so small they may be partially or wholly accounted for by the difficulty of measuring at this level of accuracy from electronically-stored plans, but the shortfall of gross internal floor area in the proposed three-bedroom flat, and of built-in storage in all five previously-proposed flats is well beyond this margin of error.

8.31 The five flats in this proposal which were previously approved, in rear and upward extensions to the existing building do not meet the criteria set out in the government's *Technical housing standards – nationally described space standard (2015)*, and their design is consequently in conflict with policy 50 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. In the case of the rear flats, the shortfall is relatively minor, but in the case of the three-bedroom flat above the existing building, it is significant. However, the extant permission which these five units enjoy under 17/1365/FUL is a material consideration of very considerable weight in this case. That permission will remain extant for almost two years from the date of this Committee meeting, and while such opportunity exists for the five units to be constructed as approved, it would be unreasonable, in my view, to refuse permission for the present scheme on the grounds of residential space standards in the previously-approved flats.

8.32 The five previously-approved flats do not have any external amenity space. Although Policy 50 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications expects direct access to external private amenity space for all new units, the extant permission is a material consideration of very considerable weight, and in my view it would be unreasonable to refuse permission on the basis that the previously-approved units do not have external amenity space.

- 8.33 In response to concerns raised by officers, the applicant has submitted revised drawings showing a small area of external amenity space outside the front door of the additional flat now proposed, in what is currently the gravelled area. It is unclear from these drawings how this area would be surfaced, demarcated or planted. In principle, this amenity area meets the expectations of the second part of Policy 50 in the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, that all new dwellings should have direct access to external amenity space. However, a condition is necessary to clarify the details of this space.
- 8.34 In my view, the proposed 'mews flat' included in the present scheme will provide good quality, and sufficiently spacious, accommodation in an accessible location and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14, and policy 50 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. The remaining five flats in the proposal are compliant with policies 3/7 and 3/14 of the Cambridge Local Plan 2006, but fall short, to varying degrees, of the internal and external residential space standards expected by policy 50 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. However, given the extant permission 17/1365/FUL, which would allow commencement of these units up to September 2020, it would not be reasonable to refuse permission on the grounds of residential space standards.

Refuse Arrangements

- 8.35 The submitted plans indicate that two 1100 litre bins and two 240 litre bins would be provided in the integral bin store on the ground floor of the additional rear extension giving a total volume of 2680 litres for recyclable and residual waste. The application asserts that this is an acceptable total, as it provides more than the total volume provided by two 125 litre bins for each one-bedroom flat and two 175 litre bins for each three-bedroom flat.
- 8.36 The fact that the present proposal provides covered waste bin space, out of public view is a clear benefit over the present

situation. However, advice from the Shared Waste Service states that the proposed provision is not adequate. The drawings make no provision for compostable waste, and the Shared Waste team suggest that one 1100 litre bin and one 660 litre bin for each of recyclables and residual waste would be necessary, as opposed to the 1 x1100 litre and 1 x 240 litre bins proposed. In addition, the 30m pull distance to the kerbside from the bin store exceeds the maximum acceptable distance by a factor of three. I do not consider these shortcomings to be a reason to refuse the application, because the proposal includes above-minimum cycle storage provision, and larger bins could be accommodated on the site, either partly or wholly by reducing cycle storage spaces. A condition is necessary, however, in order to ensure both that a larger volume of waste storage is provided, and that a management plan is in place to ensure bins are moved to and from the kerbside at the appropriate times.

- 8.37 In my opinion, subject to such a condition, the proposal is compliant in terms of waste storage with Cambridge Local Plan (2006) policy 3/12, and policy 58 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications.

Car and Cycle Parking

Car Parking

- 8.38 As a result of the proposed rear extension, all of the eight car parking spaces currently available within the car park at the rear would be lost. No on-site car parking spaces would be available for the occupants of the building, which would contain nine flats in total. The site is within the Controlled Parking Zone (CPZ), and as a result of the development, residents' parking permits would cease to be available for residents of both the existing and the proposed new units.
- 8.39 Policy 82 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications states that car-free development is acceptable where there is:

- good, easily walkable and cyclable access to a district centre or the City Centre;

- high public transport accessibility, and
- the car-free status of the development can realistically be enforced by on-street parking controls.

8.40 This site has good, easily cyclable routes to the City Centre and the Mill Road district centre (1350m). It also has a good easily walkable route to the Hills Road/ Cherry Hinton local centre (780m) and Cambridge Leisure. The nearest convenience store is 430m distant, the station area bus interchange 630m and the railway station itself 820m. On-street parking space is regulated by the CPZ in Fitzwilliam Road, Shaftesbury Road and Clarendon Road. Considering the site's proximity to the City Centre, public transport routes and the railway station it is my opinion that the proposed number of car parking spaces is justified and would not put pressure on the demand for on-street parking spaces. I have recommended the informative requested by the highway engineer.

Cycle Parking

8.41 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) and Appendix L (Car and cycle parking requirements) of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, state that at least one secure covered cycle parking space must be provided for each bedroom. This equates to seventeen spaces for the building. Twenty-one spaces are proposed, which is acceptable. I acknowledge that some of the cycle parking is not in a lockable store, but in my view the visual harm caused by changing this storage area into an enclosed store (either with mesh or solid walls) would outweigh the benefits of greater security. The store is covered and would contain hoops for storage.

8.42 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10, and with policy 82 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications.

Trees

8.43 The proposed development would extend within the root protection area of a large walnut tree on the neighbouring site to

the north. No tree survey or arboricultural impact has been submitted, and the arboricultural officer is consequently not able to make a full assessment of the proposal. In my view, given that the proposed cycle store section at the north end of the proposal would be constructed on the existing concrete floor slab of the garages, it seems unlikely to have an impact on the tree roots. However, I share the view of the arboricultural officer that the pruning necessary to carry out the development is a significant issue. My judgement is that, subject to conditions, the required pruning is not likely to have a seriously damaging impact on the welfare of the tree, but that a detailed tree protection condition is necessary to ensure the proposal accord with policy 4/4 of the Cambridge Local Plan 2006, and policy 71 of the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. I also note the comments of the arboricultural officer that interventions below the surface of the ground within the tree's root protection area will be unacceptable. I have recommended an informative to highlight this point to the applicant.

Third party representations

8.44 I have addressed the principal issues raised in representations in the paragraphs indicated in the table below.

Too large	8.8
Extends beyond the rear building line of the adjacent terrace	8.11, 8.12
No development in back gardens should be permitted	8.11
Any permission to develop in this back garden should have conditions requiring landscaping	8.11, 8.33
Overlooking of rear gardens and rear windows	8.18-8.21, 8.23, 8.26
Overbearing and dominant, creating a sense of enclosure	8.17, 8.24, 8.25
Additional pressure on on-street car parking	8.38-8.40

8.45 The remaining issues raised in representations are the assertions that there was insufficiently wide notification, and

that the previous permission should not have been granted. These are matters of opinion (the statutory requirements for notification were met, and the previous grants of permission on the site have not been subject to legal challenge). Neither issue affects the question of whether the application is in accordance with planning policy.

9.0 CONCLUSION

- 9.1 The previous grant of permission for a scheme on this site (17/1365/FUL), which will remain extant for the next two years, is a significant material consideration in the determination of this application.
- 9.2 The additional unit sought for the first time in this application is in my view fully in accordance with both the adopted local plan and the Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications. The five units previously approved under 17/1365/FUL fall short of the requirements of policy 50 of the emerging plan, in terms of external amenity space, storage space and internal gross floor space, although only one of those five units falls significantly short on this last criterion. Were there no existing approval for these five units, I would recommend refusal of this scheme on the basis of residential space standards, but all five of these units could be lawfully constructed under the existing permission, provided the development is commenced on or before 24th September 2020. In this situation, refusal of permission for the units previously approved would in my view be unreasonable, and accordingly I recommend approval of the scheme now sought.
- 9.3 However, the situation would be different in the future if this scheme were to be approved now, but not implemented, leading to a further application for the same proposal. Were such an application to be made, for example, in the autumn of 2020, it is my view that the then-extant status of an approval for the present application would be very much reduced compared to the weight of an adopted local plan then likely to be of two years standing.

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: 0800hours 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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 35)

4. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 35)

5. In the event of the foundations for the proposed development requiring piling, no such piling shall take place until a report / method statement detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration has been submitted to, and approved in writing by, the local planning authority. 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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 35)

6. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure appropriate waste storage, and to protect the amenity of the residents of the development. (Cambridge Local Plan 2006 policies 3/14 and 4/13 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 58)

7. Before any finished surfaces are constructed, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing of the bricks and the cladding for the walls. These shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/14 and 4/11 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55, 58 and 61)

8. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: In the interests of the visual amenity of the conservation area (Cambridge Local Plan 2006 policies 3/14 and 4/11 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55, 58 and 61)

9. All new joinery shall be recessed at least 75mm back from the face of the wall. The means of finishing of the reveal shall be submitted to and approved in writing by the local planning authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the conservation area (Cambridge Local Plan 2006 policies 3/14 and 4/11 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55, 58 and 61)

10. Prior to the installation of any non-timber windows and doors, full details including samples of materials showing profiles, cross-sections, surface finishes, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the conservation area (Cambridge Local Plan 2006 policies 3/14 and 4/11 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55, 58 and 61)

11. Prior to occupation of the extension hereby approved, the windows midway along the west elevation of the extension, which serve bathrooms at ground, first, second and third floor levels, shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, shall be hinged only at the top or on the north side, and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The windows shall be retained in this configuration thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/14 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55 and 58)

12. 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 existing and proposed method of surface water disposal;

- b. provide information about the design storm period and intensity, the existing and proposed drained areas, the method employed to delay and control the surface water discharged from the site to ensure no increase in surface water runoff from the site and achieve an overall reduction where possible;
- c. provide information on the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- d. provide a management and maintenance plan for the proposed SuDS features.

Reason: To ensure appropriate drainage of surface water and avoid the risk of flooding. (Cambridge Local Plan 2006 policy 4/16 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 31 and 32)

13. 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 drainage of surface water and avoid the risk of flooding. (Cambridge Local Plan 2006 policy 4/16 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 31 and 32)

14. Prior to commencement and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and local planning authority Tree Officer to discuss details of the approved AMS.

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with the TPP, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out. If any tree shown to be retained is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: In the interests of visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2006 policies 4/3 and 4/4, and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 71)

15. Before the commencement of the additional 'mews' residential unit, a detailed landscape plan for the outdoor amenity space, showing hard surfaces, boundary demarcation and planting, shall be submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented prior to occupation, and maintained in that condition thereafter.

Reason: To ensure appropriate outdoor amenity space for this unit. (Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications policy 55)

INFORMATIVE: The residents of the site, whether in existing or the proposed residential units will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers-by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: The applicant is advised of the following considerations in relation to gas pipeline/s identified on site.

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588

INFORMATIVE: The applicant is advised, in connection with the arboricultural works which will be necessary, that within the root protection area of the walnut tree to the north of the site, the location of services, the lowering of levels, strip footings or excavation to accommodate a ground beam or similar will not be accepted. An acceptable foundation design may result in a raise in internal floor levels and ridge heights, which could require a further planning application.

INFORMATIVE: The applicant is advised that surface water runoff rates from the site must be reduced by at least 20% of the current runoff rate in line with existing policy, and that all new or altered external surfaces within the site boundary should be of permeable construction.