

<b>Application Number</b>	11/0242/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	23rd March 2011	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	18th May 2011		
<b>Ward</b>	Trumpington		
<b>Site</b>	37 Monkswell Cambridge Cambridgeshire CB2 9JU		
<b>Proposal</b>	Erection of a wooden log cab (movable) will be used as a study.		
<b>Applicant</b>	Dr Salah Al Bander 37 Monkswell Cambridge Cambridgeshire CB2 9JU		

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

1.1 Monkswell is a residential enclave on the north side of Paget Road in Trumpington. The western part of the development comprises two-storey flats, grouped around a pleasant courtyard with a central area of grass and trees. No. 37 Monkswell is a first-floor flat situated on the northwestern corner of this square; it has a detached garden about 13 metres square which is about 12 metres north of the flat, with access to it by a narrow passageway. The garden area is enclosed on all sides by fencing in different states of repair and there are trees both in and nearby the site. The area is predominantly residential and the garden of the property, the site of this application, is surrounded by other residential gardens, with the gardens of 42, and 44 Alpha Terrace to the north; the garden of No. 6 Sefton Close to the west; the garden of No. 35 Monkswell to the south; and the gardens of Nos. 39 and 41 Monkswell to the east.

1.2 This property does not lie in a Conservation Area.

## 2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for a cabin, within the garden of 37 Monkswell, measuring 5.8m x 5.4m x 2.7m in height to the ridge. At its closest point, the cabin would be situated 1.5m from the western boundary, and 1.5m from the northern boundary.
- 2.2 This application follows a previous application for a wooden cabin, which was of a similar size and design to that proposed in this application, though the previously proposed cabin was closer to some of the boundaries.
- 2.3 This application is put to Committee for determination as the applicant is a City Councillor for Trumpington Ward.

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/98/1128	Installation of satellite dish with 200cm diameter	A/C
08/1038/FUL	Erection of a portable wooden cabin within garden curtilage	A/C

## 4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	No

## 5.0 POLICY

### 5.1 Central Government Advice

- 5.2 **PPS1 Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development

objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

**5.3 Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

#### **5.4 East of England Plan 2008**

SS1 Achieving sustainable development  
ENV7 Quality in the built environment

#### **5.5 Cambridge Local Plan 2006**

3/1 Sustainable development  
3/4 Responding to context  
3/7 Creating successful places  
3/11 The design of external spaces  
3/12 The design of new buildings

### **6.0 CONSULTATIONS**

#### **Cambridgeshire County Council (Engineering)**

6.1 No Objection

6.2 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 No representations have been received to date.

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

## 2. Residential amenity

### Context of site, design and external spaces

- 8.2 No. 37 Monkswell is a first floor flat, with No. 35 on the ground floor. To the rear of these properties the garden is divided into two, with the front section belonging to No. 35 and the rear section belonging to No. 37.
- 8.3 The proposed wooden cabin would be situated in the northwestern corner of the rear section of garden, 1.5m from the northern boundary, and 1.5m from the western boundary (at its closest point). The garden is screened from the adjoining gardens to the north and west by fencing, trees and shrubs.
- 8.4 The wooden cabin is quite simple in design and I believe it would not be out of character with other sheds and gardens nearby. I consider it to be acceptable in terms of context, although the impact the proposal would have on residential amenity also needs to be assessed.
- 8.5 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### Residential Amenity

- 8.6 The wooden cabin would have windows on only the eastern elevation (the previous proposal included windows on both the eastern and southern elevations). The western, southern and northern elevations would all be blank. The cabin would therefore only overlook the garden of the applicant.
- 8.7 As the garden is well screened by trees and shrubs and enclosed by fencing, the wooden cabin is not of a height to have the potential to overshadow in any material way the rear gardens of the neighbouring properties of No. 42 and 44 Alpha Terrace and 6 Sefton Close. As the cabin would be approximately 7m from the garden of No. 35 Monkswell, I do not believe it would overshadow or have any material impact on that garden either.
- 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 East of England Plan (2008) policy ENV7, East of England Plan (2008) policy ENV7, Cambridge Local Plan (2006) policies 3/4 and 3/7.

## **9.0 CONCLUSION**

- 9.1 In my opinion, the proposed wooden cabin would not be very apparent from anywhere other than the first floor flats, 37 and 41 Monkswell and given the distances, would not do any harm to 41 and belongs to 37. In the context of surrounding gardens fences and outbuildings the proposal will not have any material adverse impact on either the surrounding area or the amenities of neighbouring residents. The application is therefore acceptable and is recommended for approval.

## **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 building hereby approved shall only be used for purposes incidental to the enjoyment of the dwellinghouse, 37 Monkswell, and for no other purpose.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 3/7)

### **3. Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV7;

Cambridge Local Plan (2006): 3/4, 3/7, 3/11, 3/12;

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:

[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)

or by visiting the Customer Service Centre at Mandela House.