

Application Number	19/1154/S73	Agenda Item	
Date Received	13th September 2019	Officer	Andy White
Target Date	8th November 2019		
Ward	Arbury		
Site	1 Redfern Close		
Proposal	Section 73 application to vary condition 2 (Approved Drawings) and 11 (Materials) of permission 18/0560/FUL (Erection of 1 x 3bed detached dwelling, with associated access and landscaping, following the demolition of the existing garage of No.1 Redfern Close) to increase to a 1 x 4-bed dwelling incorporating a rear dormer.		
Applicant	GU & SUN c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal would respect character of the area;</p> <p>The proposal would respect the amenity of neighbouring properties;</p> <p>The proposal complies with the Council's car parking standards and is not considered to compromise highway safety</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the north-west corner of a crossroads at the junction of Brimley Road with Redfern Close, Wynborne Close and Durnford Way. The existing dwelling is semi-detached with a conservatory to the rear.

- 1.2 Redfern Close is a cul-de-sac and comprises a mixture of pairs of semi-detached and detached dwellings. The site is not within a conservation area and the site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application is made under section 73 of the Town and Country Planning Act and seeks to alter the planning permission granted by 18/0560/FUL for the erection of a detached 3-bed dwelling (111sqm gross internal floor area), with associated access and landscaping, following the demolition of the existing garage of No.1 Redfern Close [garage has been demolished since that planning permission was granted]. The change to the approved scheme is a dormer in the roof space which will accommodate an additional bedroom with en-suite bathroom.
- 2.2 The dwelling would have a pitched roof and would be similar in appearance to the existing neighbouring dwelling. The materials proposed are brick and tiles. The existing vehicular access from Redfern Close would be widened to provide a car parking space for the new unit and the existing dwelling. Bin storage would be provided at the rear accessed via a gap of 1m between the dwelling and the site boundary.
- 2.3 The proposed dormer would project from the roof plane by a maximum of 2.7m, would be 1.7m in height, with maximum width of 5.6m. The design of the dormer has been amended in the course of the consideration of the application to reduce the volume of the proposed dormer with a consequent reduction in the number of additional bedrooms proposed within the roof space.

3.0 SITE HISTORY

Reference	Description	Outcome
18/0560/FUL	3-bed detached dwelling with associated access and landscaping following demolition of existing garage	Conditional Permission 3.8.18
17/1850/FUL	Two storey side and front extension and change of use to a 7 person HMO (House in Multiple Occupation).	Withdrawn

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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Cambridge Local Plan 2018

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3 28, 31, 32, 35, 36 50, 51, 52 55, 56, 57 71 80, 81, 82

Central Government Guidance	National Planning Policy Framework March 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<p><u>City Wide Guidance</u> Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001).</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)</p> <p>Cambridge City Council (May 2007) – Sustainable Design and Construction:</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

6.0 CONSULTATIONS

County Highways Authority

- 6.1 The Highways Authority raised no objection to the proposal and suggested that planning conditions be attached relating to preventing surface water draining onto the highway and the provision of visibility splays for the driveways.

Environmental Health

- 6.2 Development is acceptable subject to standard conditions relating to the control construction/demolition hours, piling and a dust informative, and electric vehicle charge points

Streets and Open Spaces (Landscape Team)

- 6.3 Development is acceptable subject to a condition relating to cycle storage

Drainage

- 6.4 No comments.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- o 2 Redfern Close
- o 4 Redfern Close
- o 11 Redfern Close
- o 18 Montgomery Road

- 7.2 The objections are summarised as follows:

- o The property (No.1) was sold, renovated and has no parking space so neighbours are parking on the street.
- o Risk of collision with oncoming cycle or cars
- o A 5-bedroom property will increase the number of vehicles wanting to park on the street. There is no on-street parking in front of the proposed house as it is a corner plot and has double yellow lines. Parking on Brimley Road will exacerbate an already difficult and dangerous highways situation. There WILL be accidents and likely a fatality at some point.
- o 5-bedroom house with only the small remaining garden will not be restricted to a family home. This will almost certainly bring a further deterioration in friendly family neighbourhood nature of the street. Short term renters and HMO occupiers do not tend to mix with their neighbours. This has already been seen with some of the properties already permitted to do this. One house in particular often has parking blocking the pavement and transient residents.
- o A more transient population makes neighbour support much more difficult and leads to a less peaceful and safe

environment. The rental of 1 Redfern Close has led to renters bringing considerable distress with inconsiderate parking which on multiple occasions completely blocked the pavement forcing pedestrians into the street or blocked neighbour's driveways.

- o A 5-bedroom property on such a small plot will not be a family house or have adequate parking provision.
- o This plot [No.1 plus proposal] will have 8 bedrooms. This is 1 bedroom more than the application 17/1850/FUL which was rejected by the Highway Agency.

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

Principle of Development

8.1 Policy 3 of the Cambridge Local Plan (2018) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. The site is within an existing residential area and therefore the proposal for an additional unit is compatible with the surrounding land uses and planning permission 18/0560/FUL is extant. As such the principle of residential development has been established

8.2 The site forms part of the curtilage of No. 1 Redfern Close and therefore policy 52 for the sub-division of existing plots applies. The assessment of 18/0560/FUL considered the proposal having regard to the then adopted plan policy relating to sub-division. As there is no significant change to the wording of the current Policy it is not proposed to repeat the exercise. As such the following assessment will consider the impact of the proposed dormer

Context of site, design and external spaces

8.3 The only part of the proposal to be assessed is the dormer, which has been amended in the course of the proposal. The dormer has the appearance of a modern dormer with roof space about the cheeks and set up from the eaves. The windows are smaller in size than those on the first floor of the building

meaning that the dormer does not have the appearance of a full second storey when viewed from Brimley Road.

- 8.4 It is considered that the proposal has an acceptable impact upon the street scene and is compliant with Cambridge Local Plan (2018) policies 52, 55, 56 and 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 The proposed dormer window would not provide significant harm to any occupier of a neighbouring dwelling as the windows would be set back from the rear wall of the proposed dwelling.

Amenity for future occupiers of the site

- 8.6 The proposed floor areas of all four bedrooms is over the minimum sized areas set out in Policy 50. The property has sufficient garden area for family accommodation as per the assessment for 18/05606/FUL.

Car and Cycle Parking

o Car parking

- 8.7 The garage to the existing dwelling has been demolished, however the host dwelling would retain one car parking space on the driveway in front of the property which would be able to be provided once the development commences. The new dwelling would also have one car parking space. This is in accordance with the Council's adopted car parking standards and complies with Cambridge Local Plan (2018) policy 81. The third party comments relating to the lack of provision of a parking space when the neighbouring dwelling was sold needs to be considered in light of the fact that planning permission 18/0560/FUL has yet to be commenced, it is that planning permission or this one if granted that will trigger the need to provide the widened drop kerb which will enable a parking space to be provided at the neighbouring dwelling in accordance with the site plans of either permission.
- 8.8 Third parties have raised concerns about the proposed car parking levels and the impact of additional demand for on-street

parking. As with the previous proposal there would be no policy basis on which to recommend refusal of the application on parking grounds. The proposal provides off-street parking for both units. The Highways Authority has raised no concerns about additional demand for on-street car parking spaces or any highway safety issues resulting from the parking provision.

- o Cycle parking

- 8.9 The proposed site plan shows a cycle store within the rear garden which would provide space to park two cycles in accordance with the Cycle Parking Guide for New Residential Developments (2010). The store would be accessible from the street via a side gate onto Brimley Road. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

- 8.10 The only other issues raised in third party representations that have not been addressed in the previous paragraphs relate to the potential occupiers of the dwelling and potential security issues arising and the potential for the dwelling to become an HMO. The occupiers of a proposed new house is of no concern to the planning authority as any issues arising from the behaviour of any resident of any area would be a matter for the appropriate authorities. Having regard to comments about an HMO, the application is for a dwelling not an HMO. A change to an HMO accommodating more than six people would require planning permission.

9.0 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 planning permission 18/0560/FUL which was issued 3rd August 2018.

Reason: In accordance with the requirements of Sections 73 and 91 of the Town and Country Planning Act 1990 (as amended by 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 2018 policy 35)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35)

5. Prior to the commencement of development, other than demolition, 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 2018 policies 31 and 32)

6. Prior to the commencement of use of the widened access hereby approved, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. The access and parking areas shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. The parking area shall be laid out prior to first occupation of the dwelling hereby approved and the access and parking areas shall be retained in accordance with the approved plans and free of obstruction thereafter.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policy 81).

7. Prior to the commencement of use of the widened vehicle access hereby approved, two 2.0 x 2.0 metre visibility splays shall be provided as shown on the approved drawings. Thereafter this area shall be retained and kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policy 81).

8. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policy 81).

9. 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 occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

10. 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 occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

11. No development shall take place above ground level, other than demolition, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

12. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

13. No development above ground level, other than demolition, shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018; Policy 82)

HIGHWAYS INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

DUST INFORMATIVE: As the proposal involves demolition of a garage, 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

- 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

-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