

Application Number	19/1430/FUL	Agenda Item	
Date Received	17th October 2019	Officer	Mary Collins
Target Date	12th December 2019		
Ward	West Chesterton		
Site	Garage Adjacent To Sayle House 38 Chesterton Hall Crescent Cambridge Cambridgeshire CB4 1AP		
Proposal	One bedroom two storey house replacing an existing garage.		
Applicant	Mr & Mrs Corbett Sayle House Chesterton Hall Crescent Chesterton Cambridge CB4 1AP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed development would respect the character and appearance of the surrounding area.- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.- The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

The application site is situated at the northern end of the street and on the north eastern side.

Chesterton Hall Crescent consists mostly of Edwardian and late Victorian properties, however the three properties at this end of

the road (opposite and adjacent to the garage) are all mid to late 20th century additions. The development of no. 40 separated the garage from the property it was built to serve on Milton Road. Since Number 40 was developed (in the late 50's) and an upper storey added with dormer windows, the garage has been in a separate ownership to the Milton Road House and been in the applicants ownership since 2014.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a one bedroom, two storey house replacing an existing garage.
- 2.2 The application is accompanied by the following supporting information:
 1. Design Statement
 2. Drawings
- 2.3 The proposed dwelling would be 6.4 metres to the apex of the gable, eaves level is approximately 4.2 metres and the proposed dwelling is set down into the application site. A small area to the rear of the dwelling would provide a private outdoor amenity area.
- 2.4 During the course of the application, revised drawings were received showing the front elevation set back by approximately 0.21 metres, so it aligns with the part of the elevation of number 40 which is closest to the road. Amendments were also made to lower the height of the rear boundary wall.

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/0170	Change of use from domestic garage to 1No. dwelling on land between No's 38 and 40 Chesterton Hall Crescent.	REF dated 27.04.2004

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 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3 28
		31 32 35 36
		50 51 52 55 56 57 59
		81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration) Greater Cambridge Planning (2020) – Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge and South Cambridgeshire Strategic Flood Risk Assessment
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	(November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010)
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The proposed new dwelling has no off street car parking and the streets in the vicinity provide uncontrolled parking, and as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, such demand is likely to appear on-street in competition with existing residential uses.

The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the proposed ramp to the front door be constructed so that that no private water from the site drains across or onto the adopted public highway.

Environmental Health

- 6.2 The development proposed is acceptable subject to the imposition of the following condition.
- construction hours
 - collection during construction
 - piling
 - dust

Drainage

- 6.3 The proposals have not indicated a surface water drainage strategy however, as this is a minor development and there are no surface water flood risk issues, it would be acceptable to obtain this information by way of a condition.
- 6.4 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 Councillor Dalzell has commented on this application and requested that it be referred to Planning Committee for determination.

- 7.2 The owners/occupiers of the following addresses have made representations objecting to the application:

- 1 Chesterton Hall Crescent
- 7 Chesterton Hall Crescent
- 13 Chesterton Hall Crescent
- 14 Chesterton Hall Crescent
- 15 Chesterton Hall Crescent
- 22 Chesterton Hall Crescent
- 30 Chesterton Hall Crescent
- 31 Chesterton Hall Crescent
- 34 Chesterton Hall Crescent
- 40 Chesterton Hall Crescent,
- Ascham Road
- 134 Milton Road
- 46 Newton Court, Kingsley Walk

- 7.3 The representations can be summarised as follows:

- Overdevelopment
- Design out of keeping with character of street
- Would exacerbate existing on-street parking problems
- Construction lorries and dust
- Loss of a characterful building
- Loss of light to 40 Chesterton Hall Crescent

- 7.4 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

Context of site, design and external spaces

- 8.1 The demolition of the existing building would be permitted development under Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to prior approval from the local planning authority as to the method of demolition and any proposed restoration of the site. Thus, the principle of demolition cannot be resisted and therefore is acceptable in principle.
- 8.2 There is no consistent building line at the western end of Chesterton Hall Crescent, the proposed house sits further from the pavement than No's 32 and 34 and has been amended so that it does not project beyond the front elevation of the adjacent bungalow at no. 40.
- 8.3 The proposed house would be 1.5m taller than the existing garage, and no taller than the adjacent chalet bungalow (no. 40) and remains subservient to Sayle House. The ground floor of the existing garage and the proposed house are both lower than the street and adjacent buildings which allows the house to appear smaller in scale than a two storey dwelling might otherwise.
- 8.4 Given the variety of house types at this end of Chesterton Hall Crescent, and to either side of the application site, it is considered that the proposed house presenting a gable to the street would not be out of keeping with the street scene.
- 8.5 The proposed dwelling is considered to respect its context and in the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

Residential Amenity

Amenity of future occupiers

- 8.6 In 2004, an application to change the use of the garage on the site to a dwelling was refused on the grounds that it would provide a poor level of amenity for future occupiers due to its poor outlook and inadequate amount of amenity space. In this scheme, the only outdoor space was to the front of the garage and proposed to be used for car parking and cycle/refuse storage, and the only windows to the dwelling, other than in the roof, were to the front directly looking over the parking and storage area.
- 8.7 In the current proposal, the application seeks to demolish the garage and replace it with a two-storey building with a small garden space to the rear (in addition to space to the front to accommodate cycle parking and refuse storage), as well as windows to both the front and rear of the building.
- 8.8 With regard to the internal space, Policy 50 relates to residential space standards and states that new residential units will be permitted where their gross internal floor areas meet or exceed the residential space standards set out in the Government's Technical housing standards – nationally described space standard (2015) or successor document.
- 8.9 The gross internal floor space measurements for the dwelling are shown in the table below and the proposal meets the internal space standards, providing an acceptable internal living environment for the future occupants.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	2	2	58	58	+

Size of external amenity space

- 8.10 Policy 50 states that all residential units will be expected to have direct access to an area of private amenity space.

External amenity space should be sufficient to accommodate:

- a table and chairs suitable for the size of dwelling;
- where relevant, provision of a garden shed for general storage (including bicycles where no garage provision or cycle storage to the frontage of the dwelling is possible);
- space for refuse and recycling bins;
- an area to dry washing;
- circulation space; and
- an area for children to play in.

- 8.11 The proposed two person dwelling has a small garden which would be situated to the north-east of the proposed dwelling. The level of outdoor amenity space is 6.6m² and is only 1.8 metres deep. Officers were originally concerned about the size and quality of this space given that the dwelling includes a ground floor kitchen window looking towards the rear boundary. In response to these concerns, the rear boundary enclosure was reduced in height to ensure it would not intrude into a 25 degree angle taken from the centre of the kitchen window.

- 8.12 There is no scope to acquire additional land, or to add a balcony at first floor level, so an amendment has been made to reduce the height of the rear boundary enclosure, to minimise the enclosing impact of the rear wall on the ground floor rear window. The enclosure would be 1.7 metres on the neighbours side and this height is considered adequate to prevent a loss of privacy through overlooking into the private amenity space of the proposed dwelling.

- 8.13 Although the garden is still likely to be in shade most of the time, this amendment is considered to reduce the overbearing impact of the boundary treatment. The amenity space would not necessarily be unusable or create an unpleasant and inadequate amenity space. BRE guidance on sunlighting for amenity spaces recommends that for the amenity area to appear adequately sunlit throughout the year, at least half of the garden/amenity area should receive at least two hours of sunlight on 21 March but this is only guidance.

- 8.14 In addition to the rear space, the proposal also includes outdoor space to the front of the proposed dwelling; this would be used for cycle/refuse storage and some amenity space but, unlike the previously refused scheme, would not be used for car parking. The cycle and bin stores would be set down into the application site and these are considered to be acceptable in terms of their siting.
- 8.15 In the opinion of Officers, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers and consider that in this respect it is compliant with Cambridge Local Plan (2018) policies 50.

Accessible homes

- 8.16 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations.
- 8.17 In the opinion of Officers, the proposal provides an adequate internal space for future occupiers. The level of external amenity space on balance provides an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

Impact on amenity of neighbouring occupiers

40 Chesterton Hall Crescent

- 8.18 This property lies to the north west of the application site and is a chalet bungalow. The proposed development is no closer than the existing garage and due to the extended eaves overhang on the north elevation of the existing garage, the proposed house will be slightly further from no. 40.
- 8.19 With regards to loss of light, the south east facing elevation facing the application site has three windows on the ground floor and one very small window on the first floor. On the ground floor, the central window is frosted and serves a bathroom, as does the small window directly above. The window to the rear is to a kitchen and this would benefit from the relocation of the building further forward by 1.5m, enjoying a view without a view of a pitched roof directly in view. The proposed garden wall will be slightly lower than the existing wall.

- 8.20 The window towards the front of no. 40 is a secondary window to a living room. The main bay window projects to the front of the house. Whilst this small window would face towards the proposed building, given this is a secondary window to this room, the main light source into this room will be maintained as the south west facing bay window. The adjacent Sayle House is significantly taller and casts a significant shadow far greater than that of the proposed.
- 8.21 In the opinion of Officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and it is compliant with Cambridge Local Plan (2018) policies 56 (58) and 35.

Highway Safety

- 8.22 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

- 8.23 Cycle parking would be provided in the front garden.
- 8.24 The site is occupied by a garage but both adjacent dwellings have on-site parking and the development would not therefore result in the loss of existing parking for the adjacent properties. The property lies outside the Controlled Parking Zone, and a number of residents have raised concerns regarding the potential exacerbation of existing on-street parking problems. The definition of parking stress is contained within the supporting text of Policy 53 (Flat conversions) of the Cambridge Local Plan (2018). It states that parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity. The Cambridge On-Street Residential Parking Study November 2016 shows that Chesterton Hall Crescent is at 46% car parking at 5.30am. This means that there is not less than 10 per cent free parking capacity within these streets and subsequently no overnight car parking stress on these streets. As a result the development is not considered to give rise to an unacceptable increase in on-street parking pressures.

8.25 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policy 82.

9.0 CONCLUSION

9.1 In the opinion of Officers, the proposed development would be in keeping with the surrounding area and would not have an adverse impact upon the area, the neighbouring properties or the future occupants of the development.

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 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. 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)

4. 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))

5. 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)

6. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 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)

7. 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)

8. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2018 policy 36.

9. 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)

10. The proposed ramp to the front door hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the ramp shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

11. The dwelling, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

12. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

13. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no addition or alteration to the roof of the dwellinghouse 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).

14. Notwithstanding the provisions of Schedule 2, Part 1, Class D 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 erection or construction of a porch outside the external door of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the visual amenity of the neighbourhood (Cambridge Local Plan 2018 policies 52, 55, and 57).

15. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of the occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

16. 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), no further windows or openings shall be inserted in the dwelling 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).

Cambridge City Council recommends the use of low NO_x boilers i.e. appliances that meet a dry NO_x emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives in accordance with the National Planning Policy Framework (NPPF), Policy 36 of the Cambridge Local Plan 2018 and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)