

Application Number	21/04576/S73	Agenda Item	
Date Received	18th October 2021	Officer	Laurence Moore
Target Date	13th December 2021		
Ward	Arbury		
Site	1 Redfern Close Cambridge		
Proposal	Variation of condition 2 (approved plans) and removal of condition 5 (surface water drainage) of planning 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.)		
Applicant	Ms Sophie Chunjing Gu 88 Perne Road Cambridge		

SUMMARY	<ul style="list-style-type: none"><input type="checkbox"/> The proposal is acceptable in light of the extant implemented consent and the revisions sought.<input type="checkbox"/> The variations to the plans condition 2 are very minor and of no significant consequence.<input type="checkbox"/> The removal of condition 5 drainage is acceptable
RECOMMENDATION	APPROVAL (subject to conditions)

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 an attached single garage to the side and 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. There are no other relevant site constraints.

2.0 THE PROPOSAL

2.1 This section 73 application is for the Variation of condition 2 (approved plans) and removal of condition 5 (surface water drainage) of planning 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.)

2.2 The application proposes several minor material changes, as well as the removal of a drainage condition. The minor changes are related to exterior design, such as removal of windows, perforated brickwork, rooflights and chimney stacks. The application includes plans showing the reorientation of the internal layout, including a new arrangement of bedrooms/communal areas and the removal of an upstairs bathroom.

2.3 The application is accompanied by the following:

- ☐ Proposed Floorplans and Elevations
- ☐ Hard Landscaping Plan
- ☐ Drainage Plan

3.0 SITE HISTORY

Reference	Description	Outcome
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	PERM
17/1850/FUL	Two storey side and front extension and change of use to a 7 person HMO (House in Multiple Occupation).	WDN

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 Local Plan 2018	28 (Carbon Reduction) 31 (Drainage) 50, 51, 52, 55, 56, 57, 59

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

Central Government Guidance	National Planning Policy Framework July 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Supplementary Planning Documents	Sustainable Design and Construction (2020)
Material Considerations	<u>City Wide Guidance</u> Air Quality in Cambridge – Developers Guide (2008) Arboricultural Strategy (2004) Cambridge City Council Draft Air Quality Action Plan 2018-2023 Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No Objection: “The proposed alterations do not change the Highway Authority’s original comments and it is requested the conditions 6, 7 and 8 (plus the informative) sought by the Highway Authority and required by the Planning Authority under application 18/0560/FUL be reapplied.”

Environmental Health

- 6.2 No Objection: The development proposed is **acceptable** subject to the imposition of the condition(s)/informative(s)

Anglian Water

- 6.3 No Comment: “The applicant’s proposed surface water disposal is not related to Anglian Water network therefore condition 5 for surface water is outside of our jurisdiction to comment.”

Drainage

- 6.4 No comments received.

UK Power Networks

- 6.5 No objection.

7.0 REPRESENTATIONS

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

14 Redfern Close

The representations can be summarised as follows:

- Parking
- Street was not designed for another house

- 7.2 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 **ASSESSMENT**

8.1 From the consultation responses and representations received the main issues are as follows:

1. Principle
2. Character
3. Parking

Principle of Development

8.2 The application proposes the variation of condition 2 (approved plans) and removal of condition 5 (surface water drainage) of planning permission 18/0560/FUL.

8.3 As such, the principle of development has already been established through the granting of the original application (3 August 2018, 18/0560/FUL). Officers are of the view that there are significant changes in policy since the grant of planning permission because the previous permission was granted under the 2006 Local Plan. In particular, newly adopted policies pertinent to the S73 scheme under the Cambridge Local Plan 2018 which did not apply before include those in respect of carbon reduction, water efficiency, technical housing standards and sustainable drainage.

8.4 However, the applicants have confirmed that planning permission 18/0560/FUL has been implemented and the house could be constructed in accordance with the originally approved plans. In this case, whilst there has been a material change in policy, given that an extant permission exists as a strong fall-back, whilst the effect of any S73 permission arising would be to grant planning permission afresh subject to any varied conditions as appropriate, this assessment focuses on the changes that are being sought and their merits, as per National Planning Policy Guidance.

Context of site, design and external spaces

8.5 The application proposes several minor material changes to the plans approved under application reference: 18/0560/FUL. The proposed changes include: the removal of the first-floor window along the side (west) elevation, removal of no. 3 roof lights from

the rear roof slope, removal of no. 2 chimney stacks, the removal of perforated brickwork from the principal elevation of the front porch, and internal layout changes including the reorientation of bedrooms/communal areas, and the removal of an upstairs bathroom.

- 8.6 The proposed removal of the first-floor window along the side (west) elevation of the development, will not have any adverse impacts on the visual significance of the approved building, and so raises no concerns with regards to character. The removal of the first-floor window along the side (west) elevation is considered acceptable.
- 8.7 The proposed removal of the 3 roof lights from the rear roof slope of the approved dwelling will not have any adverse impacts on the visual significance of the approved building, and so raises no concerns with regards to character. The removal of the no. 3 roof lights from the rear elevation is considered acceptable.
- 8.8 The dwellings in close proximity to the proposal site are equipped with chimney stacks. This has created a prevailing character which consists of semi-detached/terraced dwellings with chimney stacks. In light of this, 2 dwellings opposite the site, 2 Redfern Close & 39 Durnford Way, do not have chimneys, and so give support to the proposed removal of chimney stacks from approved plans. The proposed removal of no. 2 chimney stacks from the approved plans will not have any adverse impacts on the visual significance of the approved building, and so raises no concerns with regards to character. In addition to this, the proposed chimney stacks seem to offer no intended function other than for design purposes. The removal of the no. 2 chimney stacks is considered acceptable
- 8.9 The application proposes the removal of perforated brickwork from the principal elevation of the front porch. The approved perforated brickwork adds no significant visual benefit to the approved plans, and removing the decorative brickwork will not have any adverse impact on the visual significance of the building or surrounding area. The removal of the perforated brickwork will not have any significant impact on the character

of the approved dwelling or surrounding context, and so is considered acceptable.

8.10 The application proposes internal layout changes including the removal of an upstairs bathroom and the reorientation of bedrooms and communal areas. The proposed internal layout changes raise no concerns with regards to the development's impacts on the character of the area and are considered acceptable.

8.11 The minor material changes proposed raise no concerns with regards to impacts on the character of the approved dwelling or surrounding context, and so are compliant with policies 52, 55, 56, 57, and 59 of the Cambridge Local Plan 2018.

Residential Amenity

8.12 The proposed changes raise no concerns of overbearing, overlooking or potential loss of light for neighbouring dwellings or the current dwelling on site. This means there will be no significant impacts on residential amenity from permitting the revised proposed development. The proposal is compliant with Local Plan policies 52, 55 and 57 (subject to condition(s) as appropriate).

Highway Safety

8.13 No objections have been received from the Local Highway Authority (LHA) on the grounds of highway safety, subject to the addition of conditions and informatives.

8.14 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

8.15 Concerns have been raised with regards to parking. As the parking arrangements have previously been approved under application reference: 18/0560/FUL and determined in line with the Council's maximum car parking standards outlined in Appendix L of the Cambridge Local Plan (2018), the concerns are not material to this application, which proposes minor material changes only.

- 8.16 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Drainage

- 8.17 The proposed removal of condition 5 (Drainage) ordinarily requires a response from the technical experts in the Drainage department. The scheme submitted with the S73 includes a drainage plan which shows areas of permeable paving and a linked cellular storage soak-away tank which would allow for infiltration of surface water. In the absence of a response from the Council's Drainage Team, officers recommend the removal of condition 5. Any subsequent response from the drainage team will be reported to Planning Committee on the amendment sheet.

9.0 CONCLUSION

- 9.1 The variations to the approved plans are acceptable. The removal of condition 5 is acceptable.

10.1 RECOMMENDATION

APPROVE subject to the varied conditions as set out below.

1. The development hereby permitted shall be begun within a period of three years beginning with the date of the parent permission reference 18/0560/FUL, namely 3 August 2018.

(Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.)

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800

hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

5. The proposed drainage scheme shall be carried out in accordance with drawing reference 2664-99 and 2664-02

Reason: In the interests of surface water management (National Planning Policy Framework 2012).

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. Thereafter, the access and parking areas shall be retained in accordance with the approved plans and free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2).

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 2006 policy 8/2).

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 2006 policy 8/2).

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 character of the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

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 character of the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

11. The materials used in the construction of the external elevations of the dwelling hereby permitted shall match those used on the original dwelling at No. 1 Redfern Close in terms of the type, colour and texture.

Reason: To ensure the proposal responds to the context (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

12. Prior to the first occupation of the dwelling hereby permitted, the curtilage (garden) of the dwelling shall be fully laid out in accordance with the approved plans. This shall include the erection of curtilage boundaries in accordance with the approved plans. Thereafter the curtilage shall remain for the benefit of the occupants of the proposed property and the boundaries shall be retained.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/10).

INFORMATIVES

1. 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.

2. 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