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| Application Number | 08/1141/FUL | Agenda Item | 9.3 |
| Date Received | 18th August 2008 | Officer | Mr Tony Collins |
| Target Date | 13th October 2008 | | |
| Ward | Trumpington | | |
| Site | Land Between 5 Latham Road And 7 Latham Road Cambridge Cambridgeshire CB2 8AJ | | |
| Proposal | Resurfacing of existing access and parking area with associated landscaping. | | |
| Applicant | January's Justin Bainton, York House, Duke's Ct, Newmarket Road Cambridge CB5 8BZ | | |

1.0 SITE DESCRIPTION AND AREA CONTEXT

- 1.1 The application site is a narrow rectangle of land lying between the curtilages of 5 Latham Road and 7 Latham Road. It forms an access point to the playing field which lies behind the houses along the south side of Latham Road and the east side of Trumpington Road.
- 1.2 The site is bounded on both sides by the large rear gardens of the two neighbouring houses. A hedge separates it from the curtilage of No. 7 and a brick wall, currently in a dangerous condition, marks the boundary with No.5. At its northern end, the site is bounded by Latham Road itself, and at its southern end, beyond a short hedge, the access opens out into the main playing field. A substantial group of trees stands along the northern part of the eastern boundary of the site. The stems of these trees are all within the curtilage of 5 Latham Road.
- 1.3 Until recently, a hedge closed off the majority of the northern edge of the site, leaving a narrow entrance on the eastern side. From this point a narrow compacted stone drive ran along the eastern edge of the site. The remainder of the site was grassed. Development commenced on the site earlier this year, as I explain below.
- 1.4 The site lies wholly within the City of Cambridge Conservation

Area No.9 (Southacre). The southern end of the site is 9m from the boundary of the Green Belt.

2.0 THE PROPOSAL

- 2.1 The application proposes the laying of a gravel surface over a major part of the application site, creating a 4m wide access road down the east side of the site, and space for parking 19 cars on the west side, in an area subdivided into four sections by three bands of tree and hedge planting extending eastwards from the western boundary hedge. New planting is also proposed adjacent to Latham Road.
- 2.2 Implementation of an earlier proposal (08/0285/FUL, for which permission was refused) has commenced on site. The decision notice for this application is attached to the agenda. Part of the hedge at the northern end of the site has been removed. Turf and topsoil (and possibly also the previous compacted stone surface) have been stripped and removed from the site, and chipped stone has been laid across the whole site. Work has been suspended without the stone being firmed or any gravel laid. The brick wall forming the common boundary between the application site and 5 Latham Road has recently become unstable, possibly from a combination of the excavation work on the application site and the impact of existing tree roots. It is now propped up in places, and Heras fencing has been erected in case of collapse.

3.0 SITE HISTORY

3.1

| Reference | Description | Outcome |
|------------------|---|--------------------------------|
| 07/0050/FUL | Synthetic grass pitch and fencing | Withdrawn |
| 07/0442/FUL | Synthetic grass pitch and fencing | Approved with conditions |
| 08/0285/FUL | Gravel access road with provision for 22 parking spaces | Refused under delegated powers |

4.0 PUBLICITY

Advertisement: Yes

Site notice: Yes

Adjoining occupiers: Yes

5.0 POLICY

5.1 Central Government Guidance

PPS1 Delivering Sustainable Development (2005)
PPG2 Green Belts (1999)
PPG15 Planning and the Historic Environment (1994)
PPG17 Planning for Open Space, Sport and Recreation (2002)

Development Plan Policy

5.2 East of England Plan 2008

SS1 Achieving sustainable development
T1 Regional transport strategy objectives and outcomes
T2 Changing travel behaviour
T4 Urban transport
T9 Walking, cycling and other non-motorised transport
T14 Parking
ENV6 The historic environment
ENV7 Quality in the built environment
CSR3 Cambridge sub-region: Green Belt

5.3 Cambridge Local Plan 2006

3/1 Sustainable development
3/2 Setting of the city
3/4 Responding to context
3/11 The design of external spaces
4/2 Protection of open space
4/4 Trees
4/11 Conservation Areas
6/2 New leisure facilities
8/2 Transport impact
8/10 Off-street car parking

5.4 **Supplementary Planning Documents**

Sustainable Design and Construction (2007)

5.5 **Material Considerations**

Southacre Conservation Area Appraisal (2000)

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering):

- 6.1 Parking spaces should be shown on plan. Condition recommended to keep gravel off the highway. Informative recommended.

Planning Policy Manager:

- 6.2 Number of car parking spaces too high; contrary to policy 8/10. Insufficient cycle parking. Site is not protected open space, but contributes to the character of the adjoining open space. First 10m parking bay should be removed and replaced by planting to improve view from Latham Road.

Sport England:

- 6.3 No objection.

Principal Arboricultural Officer:

- 6.4 Broadly acceptable
- 6.5 Reservations expressed about density of tree planting, and appropriateness of wildflower planting. Strong preference for grasscrete over gravel for car park surface expressed. Tree protection conditions recommended

Historic Environment Manager

- 6.6 The current proposals are an improvement upon the previous application.
- 6.7 The type of dressed gravel that is now being proposed is used throughout the conservation area so use in this location will aid

consistency. The visual impact of the use of gravel along the access road will be minimized by the creation of 4 beech tree and hedge 'bays'. This will also have the desirable effect of screening the cars that park in the field from view from the road. This will have a positive impact upon the vista down to the playing field and conform to paragraph 3.31 of the Southacre Conservation Area Appraisal.

- 6.8 The retention of the view through to the fields respects the character and appearance of the conservation area and the new planting will result in a significant visual enhancement. The addition of new trees to the rear side boundary to No.7 Latham Road is also welcomed and will preserve and enhance the rural feel of the area.
- 6.9 The rectilinear appearance and visually strident nature of the surface were considered problematic in the previous application. These issues have both been sufficiently addressed by these revised proposals. Recommend approval.
- 6.10 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 County Councillor Anne Kent has written objecting to the proposal.
- 7.2 The principal points of her objection relate to the following matters:
- no existing regular use as car parking
 - no need for additional parking
 - generation of additional traffic
 - encouragement of modal shift towards car use
 - highway safety
 - negative impact on the character of the conservation area
 - harm to residential amenity of occupants of 7 Latham Road
- 7.3 Councillor Kent's letter is attached to this report.
- 7.4 The owners/occupiers of the following addresses have made representations:

7 Latham Road

11 Latham Road

7.5 Representations have also been received from the Southacre, Latham Road and Chaucer Road Residents Association.

7.6 The representations can be summarised as follows:

harmful impact on the character of the conservation area
gravelling over the lane removes a key pathway for wildlife
harm to openness of the green belt and protected open space
creation of extra parking spaces will lead to generation of traffic
not in keeping with local environment
change of use detrimental to surroundings
harm to neighbour amenity
danger to highway safety

7.7 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 and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Impact on the Green Belt and protected open space
2. Impact on the conservation area
3. Impact on the urban edge
4. Residential amenity
5. Car parking
6. Highway safety
7. Trees
8. Third party representations

Impact on the Green Belt and protected open space

8.2 Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development [...] conspicuous from the Green Belt which [...] might be visually detrimental by reason of their siting, materials or design. Although the partial covering of this site with a gravel surface would not, in my view, enhance the predominantly green appearance of the adjoining Green Belt, it would be largely screened from the Green

Belt itself by existing trees, hedges and sheds. To suggest that the proposal will have an impact on the entrance to the Green Belt is in my view to stretch the meaning of paragraph 3.15 of PPG2 further than is reasonable. I do not consider the proposal would have any discernable impact on the Green Belt, and I consider that it would be in accordance with government guidance in PPG2.

- 8.3 For similar reasons, I do not consider that the proposal would harm the character of the land to the south as protected open space. In my view, the proposal would not cause conflict with policy 4/2 of the Cambridge Local Plan (2006).

Impact on the conservation area

- 8.4 Paragraph 3.02 of the Southacre Conservation Area Appraisal states that 'the trees and shrubs and the lack of formal fences and walls delineating properties give a rural character to the area'. Paragraph 3.31, in the section of the appraisal dealing with Latham Road itself, states that the overall effect in the road is rural rather than suburban. This paragraph also stresses the importance of attractive lateral views down well-planted drives, and paragraph 3.32 emphasises the part played by varied hedges in the overall rural impression. Policy 5.08 of the appraisal states that the Council will identify opportunities for environmental improvements including the preservation and enhancement of existing open spaces and characteristics such as hedges.
- 8.5 In my view, the open gravel surface with marked car parking spaces, unsoftened by any planting, which was proposed in the previous application, would have had a negative impact on the character and appearance of the conservation area, lending this site a firmly urban appearance and detracting from an attractive lateral view. This application has made very significant changes, pulling back the gravel surface from the boundary with 7 Latham Road, eliminating marked parking spaces, reducing the capacity from 22 vehicles to 19, restoring a more substantial planting buffer at the street end of the site, and most importantly, introducing three landscaped dividers into the space, including additional trees and substantial transverse hedges. In my opinion, the changes are sufficient to avoid harm to the character of the conservation area. Gravel surfacing is characteristic of the conservation area, and the improved landscaping, especially the transverse hedges and additional trees, will avoid the creation of

an urban character, and retain the attractiveness of the view from Latham Road. In fact, in my view, the proposal will enhance the character of the conservation area at times when cars are parked, as the hedges will maintain the semi-rural character and conceal vehicles much more fully from Latham Road than did the former layout of the site.

- 8.6 In my view, the revised proposal responds satisfactorily to the existing natural and local character, its design is informed by the characteristics of the locality, and it is in accordance with policies ENV6 and ENV7 of the East of England Plan (2008), policies 3/4 and 4/11 of the Cambridge Local Plan (2006), policy 5.08 of the Southacre Conservation Area Appraisal (2000), and government guidance in paragraphs 4.18 to 4.20 of PPG15.

Impact on the urban edge

- 8.7 For the reasons given above with reference to the character of the conservation area, I also consider that the proposal, unlike its predecessor, 08/0285/FUL, would preserve the visual amenity of the urban edge, and would be in accordance with policy 3/2 of the Cambridge Local Plan (2006).

Residential amenity

- 8.8 The application suggests that the gravel surfaced area would provide space for 19 cars, although individual spaces would not be marked. These would be immediately adjacent to the rear garden of 7 Latham Road, and within 4m of the rear garden of 5 Latham Road. The application is not precise about when these spaces would be used, but suggests that it would be at relatively limited times
- 8.9 This area has been used for car parking in the past, although the frequency and intensity of this use is not clear. It appears to have been limited, and both the number of occasions on which it could be used and the number of vehicles it could accommodate will certainly have been constrained by the fact that the majority of the site area has been until now surfaced only with grass, and readily became muddy. However, It is my view that the Council would have difficulty in sustaining a view that current use of the site for car parking is not lawful, and if this is the case, use of the site for car parking more frequently or more intensively than in the past would be changes not subject to planning control.

8.10 In my opinion, it is possible that noise levels from vehicle movements might increase slightly as a result of the gravel surface. However, I consider that the surface noise element would be relatively minor compared to engine and door noise and that generated by the people getting into and out of the cars and socialising in the car park. Noise from all these sources could increase regardless of whether the site was resurfaced. In addition, I note that the 1.6m buffer strip between the gravel and the beech boundary hedge, and the transverse hedges might have some minor mitigating impact on noise levels, and that the insertion of the transverse hedges would also reduce the overall car parking capacity of the site by 3-6 vehicles, hence limiting the overall noise level compared to the existing situation. I do not consider that potential increase in noise is an issue justifying refusal of the application, and in my view, the proposal adequately respects the residential amenity of its neighbours, and is in accordance in this respect with Cambridge Local Plan (2006) policies 3/4, and 4/11.

Car parking

8.11 Paragraph 8.23 of the Cambridge Local Plan (2006) states that the Council promotes lower levels of private car parking in order to encourage modal shift, particularly at non-residential developments and where good public transport accessibility exists. In my view, the car parking already available on the field as a whole, is at or above the maximum level permitted by the Standards.

8.12 It is important to note, however, that this application does not bring into use for car parking any area not already so used. Indeed, by introducing transverse sections of hedging, it reduces by a small amount, the total area available for parking. I have noted above that an increase in the frequency or intensity of parking in itself is not a change subject to planning control. Since this application reduces the overall area available for car parking, I do not consider that the proposal contravenes Cambridge Local Plan (2006) policy 8/10.

Highway safety

8.13 Although I consider the proposal may lead to an increase in vehicle movements on and off the site, and although I accept

that visibility at the junction of the access drive with Latham Road is not ideal, it is my view that vehicles entering and leaving the site are likely to do so at very low speed because of the nature of the street and pedestrian movements within it. I do not consider that there is likely to be an unacceptable threat to highway safety as a result of the proposal.

Trees

- 8.14 In the opinion of the Principal Arboricultural Officer, the proposal is broadly acceptable. She indicates reservations about details of the proposed planting, and recommends that the car park surface should be grasscrete. She also recommends tree protection conditions. I concur with her reservations about tree planting, and I propose this matter be addressed by conditions, which I recommend. I also concur with her view that grasscrete would be a preferable surface. However, it is clearly the case that gravel surfacing for drives and parking areas is characteristic of the area, and I do not consider that there is any policy basis for insisting on grasscrete. I am satisfied that this proposal is not harmful to trees of amenity value and is in accordance with the Southacre Conservation Area Appraisal (2000) and with policy 4/4 of the Cambridge Local Plan (2006).

Third party representations

- 8.15 I have addressed the issues raised under the headings of impact on the conservation area, residential amenity and highway safety.

9.0 CONCLUSION

- 9.1 The previous application on this site (08/0285/FUL) was refused permission for four reasons. I indicate below in paragraphs 9.2-9.5 the manner in which I consider this application addresses the shortcomings of its predecessor.
- 9.2 I consider that by introducing transverse areas of planting, increasing the number of trees, and drawing the surface of the gravelled area away from the boundary with 7 Latham Road, this application avoids the harm to the character of the conservation area which would have been produced by the wider and uninterrupted gravel area previously proposed.

- 9.3 By introducing the additional planted areas, and thus reducing the area available for car parking to an area smaller than existed on the site prior to the current works, the application avoids conflict with policy 8/10 of the Cambridge Local Plan (2006) and the Councils maximum car parking standards.
- 9.4 The Principal Arboricultural Officer is satisfied that the new proposal together with its attached conditions will avoid harm to the welfare of trees of amenity value.
- 9.5 By reducing the total space available for car parking, increasing planting, and drawing the gravelled surface back from the common boundary with 7 Latham Road, the present proposal eliminates any significant harmful impact on the residential amenity of the occupiers of that property.
- 9.6 I can understand the wish of local residents to see this site restored to its former grassed state, but, unlike the nearby application at the Perse Girls' playing field, this site is not within the Green Belt or protected open space, and it is my view that the change of surface to gravel cannot be resisted on conservation grounds, because the proposed planting is sufficient to prevent any harmful effect on the conservation area. The advice of the Historic Environment Manager supports this view.
- 9.7 I note the view strongly expressed in representations, and to some extent supported by the advice of the Planning Policy Manager, that the area should not be used for car parking on a regular basis at all. I agree that local plan policy seeks to reduce the amount of car parking provided by non-residential uses, but that policy background does not provide a basis for refusing permission for car parking on a site already used for that purpose. Although previous use of the site for car parking may have been limited, any possible increase in intensity or frequency of that use is not a matter subject to planning control.
- 9.8 In my view, this application satisfactorily addresses the issues which led to the refusal of the previous application on the site. I do not consider that there is a basis in policy on car parking or on conservation areas for the refusal of this application or a requirement to restore the site to its former state. I therefore recommend 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. No further work shall take place on the application site (including scraping or excavating of stone already laid, delivery of further equipment or materials, or erection or removal of site fencing) until a Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction - Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:

- Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;
- Arboricultural method statements for any special engineering operations within Root Protection Areas;
- Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;
- Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;
- Arboricultural method statement for any development facilitation pruning.

Development shall take place thereafter only in accordance with the approved Tree Protection Plan.

Reason: To protect the health and welfare of trees of amenity interest. (East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 4/4.)

3. No further work shall take place on the application site (including scraping or excavating of stone already laid, delivery of further equipment or materials, or erection or removal of site fencing) until all the following have taken place:

- The appointment, by the developer, of a competent arboriculturalist for the development, who shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

- A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

- All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

- All tree protection barriers and ground protection measures, which must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection", have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

Reason: To protect the health and welfare of trees of amenity interest. (East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 4/4.)

4. Within 56 days of the date of this permission, a revised landscape plan showing tree planting in a less dense form shall be submitted to, and approved in writing by, the local planning authority. Notwithstanding the drawings hereby approved, implementation of landscaping (including tree planting) in accordance with the revised details so approved shall take place within three months of their approval.

Reason: To ensure appropriate landscaping in accordance with the character of the conservation area. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 4/11)

5. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

6. The shrub or hedge planting in the transverse bands, implemented in accordance with the approved revised landscaping plan, shall be permitted to grow to 2m in height, and shall thereafter be maintained at that height.

Reason: To preserve the character of the conservation area. (Cambridge Local Plan 2006 policy 4/11)

7. Within 56 days of the date of this permission, details at 1:20 of the proposed gate at the north end of the site shall be submitted to and approved in writing by the local planning authority. The gate shall be installed in accordance with the approved details within three months of its approval.

Reason: To preserve the character of the conservation area. (Cambridge Local Plan 2006)

8. Notwithstanding the approved drawings, the first 6m of the driveway from the highway edge shall be surfaced with a hard paving, which shall have been approved in advance by the local planning authority.

Reason: To keep gravel off the highway. (Cambridge Local Plan 2006 policy 8/2)

Reasons for Approval

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

East of England plan 2008: policies SS1, T2, T9, T14, ENV6 and ENV7

Cambridge Local Plan (2006): policies 3/4, 3/11, 4/4, 4/11 and 8/10

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 detail on the decision please see the officer report by visiting the Council Planning Department.

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 by contacting John Summers (Ext.7103) in the Planning Department.

9.3



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