

Application Number	10/0280/FUL	Agenda Item	
Date Received	30th March 2010	Officer	Miss Catherine Linford
Target Date	25th May 2010		
Ward	East Chesterton		
Site	1 Scotland Close Cambridge Cambridgeshire CB4 1QH		
Proposal	Erection of 1 two-bed dwelling.		
Applicant	Mr Edmund Sturdy C/O Webster Associates 3 Spaldwick Road Stow Longa Huntingdon PE28 0TL		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Scotland Close is a short cul-de-sac with access from Scotland Road of only a single vehicle width. There are currently only three pairs of houses served off the cul-de-sac. No. 1 Scotland Close is the northern part of a pair of semi-detached properties, built in the 1950s, and situated overlooking a recreation ground to the north-east, which is designated as Protected Open Space in the Cambridge Local Plan (2006). No.2, the other half of the pair has been extended to the side by a two-storey addition with a garage at ground floor; this garage fronts onto the beginning of the turning head at the head of the cul-de-sac.
- 1.2 The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for a 2-bedroom dwelling house, to be attached to the northeast of No. 1 Scotland Close, forming a terrace of 3 dwellings. The house would be approximately 4m wide and 7.9m deep, and would be

built 0.6m from the boundary with the rear gardens of Nos 98-102 Scotland Road.

2.2 Six car parking spaces would be provided to the front of No. 1, No. 2 and the proposed dwelling; two spaces for each dwelling. Cycle and bin storage for the proposed property would be situated at the front of the proposed dwelling.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.4 This application is one that Officers consider should be determined by Committee because of the previous Committee decision.

3.0 SITE HISTORY

Reference	Description	Outcome
08/1252/FUL	New dwelling	REF
09/0665/FUL	Erection of new dwelling	REF

3.1 The decision notice for the previously refused applications (08/1252/FUL and 09/0665/FUL) are attached to this report as Appendix 1.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **PPS1 Delivering Sustainable Development (2005):**
Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be

managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

- 5.3 **Planning Policy Statement 3 (PPS 3) Housing** : Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.
- 5.4 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.5 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

5.6 East of England Plan 2008

SS1 Achieving sustainable development
ENV7 Quality in the built environment
T9 Walking, cycling and other non-motorised transport
T14 Parking

5.7 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision
P9/9 Cambridge Sub-Region Transport Strategy

5.8 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/10 Sub-division of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
4/4 Trees
5/1 Housing provision
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development
5/14 Provision of community facilities through new development
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.9 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated

in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

Cambridge City Council (March 2010) – Planning Obligation Strategy: provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposed parking spaces must be hard paved at the boundary with the highway, to prevent the spread of debris onto the highway. A condition is also recommended requesting a drawing showing visibility splays.

Aboricultural Officer

- 6.2 No objection.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
- 3 Scotland Close
 - 98 Scotland Road
 - 100 Scotland Road
 - 104 Scotland Road

7.2 The representations can be summarised as follows:

Context

- At the bottom of the garden of 100 Scotland Road there are established trees. The roots of these would be damaged by the foundations;
- The application doesn't contain any information about the proposed boundary treatment;
- The house would be out of character;
- The access to the rear garden of the proposed dwelling is not satisfactory.

Residential amenity

- The proposed dwelling would overshadow the rear gardens of 98 and 100 Scotland Road;
- The rear gardens of 96, 102 and 104 Scotland Road will be overlooked.

Car and cycle parking

- The proposal would lead to additional traffic in an already congested Close, and would restrict the turning area.

Other

- Access would be required through the gardens of 98-102 Scotland Road in order to maintain the new house;
- To build the house, the applicant would require access through the rear gardens of 98-102 Scotland Road;
- The value of the properties on Scotland Road would reduce;

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

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. Principle of development

2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

- 8.2 The provision of extra housing in the City is supported in the Cambridge Local Plan (2006). Policy 5/1 of the Local Plan maintains that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. This area is predominantly residential and, therefore, this proposal for an additional dwelling is compatible with adjoining land uses.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.4 Policy 3/10 of the Cambridge Local Plan (2006), relating to the subdivision of existing plots, states that 'residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) Detract from the prevailing character and appearance of the area;
 - d) Adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;

- e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
- f) Prejudice the comprehensive development of the wider area of which the site forms part.

8.5 The criteria that are relevant to this application are sections a), b), c) and e). The criterion that is relevant in this section of the report is part a) and the other relevant criteria will be discussed later on.

8.6 Scotland Close is a short cul-de-sac consisting of three pairs of semi-detached houses. The proposed dwelling would be attached to the side of No. 1 Scotland Close, making what is a pair of semi-detached houses into a group of 3 terraced houses, which because of the existing extension to No.2 will look like a row of four. The street has always looked tight-knit; however, given the generous spacing to the side of 2, between the original houses 2 and 3, and the siting of the properties at an angle to each other to accommodate the head of the cul-de-sac, it has been possible to absorb an extension to the side of No.2, as an addition to the existing house, and still provide access to the side of the existing single residential unit and retain an acceptable area of garden, without damaging unacceptably the character of the cul-de-sac.

8.7 The first application submitted for a dwelling here (08/1252/FUL) was refused for the following reason:

The proposal is unacceptable in that it seeks the introduction to this site of a dwelling which: occupies the full width of the site; projects forward and rear of the existing dwelling to which it is attached; precludes rear access thereby necessitating cycle and bin storage forward of the building; and does not provide adequate off street car parking. The consequence is built forms (the house and the bike and bin stores) that would not be in context, but would be unduly intrusive in the cul-de-sac, and far from having a positive impact upon the street, would detract from the local townscape and would fail to provide adequate amenity space and car parking space and would provide inappropriate cycle and refuse storage provision. For these reasons the proposal constitutes poor design and is contrary to policy ENV7 of the East of England Plan 2008, policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan (2006) and advice

on design on Planning Policy Statement 1 - Delivering Sustainable Development and Planning Policy Guidance Note 13: Transport.

- 8.8 The subsequent application (09/0665/FUL) adequately addressed most sections of this reason for refusal, but this application was refused due to the cycle and refuse storage. The reason for refusal was as follows:

The proposed development by virtue of the narrowness of the space between the proposed house and the site boundary precludes direct access to the rear garden for cycle parking and refuse bin storage. Therefore the development only provides a circuitous and inconvenient access to these facilities and does not provide for the easy manoeuvring of cycles and wheelie bins. In so doing the proposed development has failed to respond positively to the site constraints and would be unlikely to encourage the use of sustainable means of transport and fails to provide a satisfactory level of residential amenity. The development is therefore contrary to policies 3/4, 3/7, 3/10 and 8/6 of the Cambridge Local Plan 2006.

- 8.9 In all three applications, the applicant has argued that the proposed development would help balance the appearance of the original pair of semi-detached dwellings. The proposed dwelling does pick up on the design of the extension to No. 2, and is more successful than the first proposal, as the proposed dwelling now steps back, in line with the extension, resulting in the proposed dwelling appearing subordinate to No. 1, as the extension appears as subordinate to No. 2. However, the proposed dwelling would still project further out to the rear than the existing dwellings, which means that the proposed dwelling would have a very cramped rear garden.
- 8.10 Although a small rear garden is not ideal, I do not believe that this makes the application worthy of refusal. Other dwellings, situated on neighbouring streets (Wilding Walk and Midhurst Close) have small rear gardens, and because of this I am of the view that it would be unreasonable to refuse this application simply on the basis of amenity space.
- 8.11 In part, both of the previous applications were refused because of the lack of access to the rear gardens of the proposed property and No. 1. The second application (09/0665/FUL)

attempted to rectify this by proposing that access to the rear garden of the proposed property be via the side of No.2 and then along the back of the gardens. The Committee was concerned that in practice this rear access may not be used because it would mean that the occupiers would have to walk a long way around the building, and therefore the application was refused.

- 8.12 In this application, it is proposed that bin storage and cycle storage is provided at the front of the property, adjacent to the boundary with the rear garden of 101 Scotland Road. The first application was refused, in part, because the proposed dwelling would have projected forward of the existing dwelling to which it would have been attached. The proposed bin store and cycle store would project forward of the dwellings, and in my view would have a similar detrimental impact on the streetscene. The bin and cycle stores should be situated in the rear garden, accessed from the side of the new dwelling, and as this cannot be achieved with a dwelling of this size, I would conclude that the footprint of the proposed dwelling is too large for the site.
- 8.13 In my opinion the proposal does not comply with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Trees

- 8.14 Concern has been raised in relation to the impact the proposal would have on the health and survival of the trees in the rear gardens of the properties on Scotland Road. The City Council's Arboricultural Officers have been consulted on this application and have commented that the trees should not constrain the development. Concern has also been raised that this application does not contain information about boundary treatments. I am satisfied that this detail can be dealt with by condition.
- 8.15 In my opinion, the proposal is compliant with policy 4/4 of the Cambridge Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The proposed dwelling would be situated close (0.6m) to the boundary with the rear gardens of 96-104 Scotland Road. The occupiers of these properties are concerned that the dwelling would have an overbearing impact on their gardens. The house would be 7.8m deep, projecting 1.2m further back than the existing house, and 2.1m further back than the extension to No. 2; having looked at this closely, I am of the view that, on balance, the length of the rear gardens on Scotland Road (approximately 20m) and the planting in the immediate area would mean that the proposed house would not have such an overbearing impact or create a sense of enclosure such as to justify refusal of the application. It will not, in my view, have an impact on light entering the houses, though it will at times overshadow the gardens.
- 8.17 The proposed house has a blank northwestern elevation, and therefore there is no potential for the properties along Scotland Road to be overlooked. To the rear lies the turning circle for Wilding Walk, alongside the fronts of properties and therefore there the proposed dwelling would not have any detrimental impact on the privacy of the occupiers of these properties.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.19 The proposed dwelling would have a small rear garden, and therefore only limited amenity space would be provided. This is not ideal, but I do not believe that this makes the application worthy of refusal. Other dwellings, situated on neighbouring streets (Wilding Walk and Midhurst Close) have small rear gardens, and because of this I am of the view that it would be unreasonable to refuse this application simply on the basis of amenity space, especially as there is recreational space on the opposite side of Scotland Close.

8.20 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12 (or 3/14).

Refuse Arrangements

8.21 It is proposed that bin storage is provided to the front of the proposed property. Whilst, as previously explained, this is not considered to be an acceptable location, the bin store itself is of an acceptable size.

8.22 In my opinion, in terms of its size, the proposed bin store is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

8.23 According to Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006), a two-bed dwelling, outside the Controlled Parking Zone, should have a maximum of one car parking space. Two car parking spaces are proposed for the new dwelling, with two car parking spaces provided for each of the existing dwellings (Nos. 1 and 2). As the land to be built on is currently used as off-street parking spaces and Scotland Close is tight, I am of the opinion that the over-provision of off-street parking spaces is acceptable.

8.24 Cycle storage is to be provided to the front of the property. The proposed cycle store is of an acceptable size, but as previously discussed, the location is not considered to be acceptable.

8.25 In my opinion the proposal is compliant with East of England Plan (2008) policy T14, and Cambridge Local Plan (2006) policies 8/10; and the size of the proposed cycle store is compliant with East of England Plan (2008) policy T9, and Cambridge Local Plan (2006) policy 8/6

Third Party Representations

8.26 In the representations received, concerns have been raised regarding access through the rear gardens of the 96-104 Scotland Road in order to build and maintain the new dwelling.

This is a civil matter between the owners of the properties and is not a planning consideration. The impact on the value of properties is not a material planning consideration.

Planning Obligation Strategy

8.27 The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.28 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.29 The application proposes the erection of one two-bedroom house. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards children's play space are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
Total					476

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
Total					538

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
Total					484

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
Total					632

8.30 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed, and therefore I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

Community Development

- 8.31 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
Total			1256

- 8.32 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed, and therefore I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Waste

- 8.33 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150		
Total			75

8.34 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed, and therefore I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

10.0 RECOMMENDATION

REFUSE for the following reason/s:

1. The proposed development by virtue of the narrowness of the space between the proposed house and the site boundary precludes direct access to the rear garden for cycle parking and refuse bin storage. The proposal to provide cycle parking and refuse bin storage at the front of the property would introduce a built form forward of the building line, which would be detrimental to the appearance of the street and the character of the area. For these reasons, the proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development (2005); policy ENV7 of the East of England Plan (2008) and policies 3/4, 3/7 and 3/10 of the Cambridge Local Plan (2006).

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

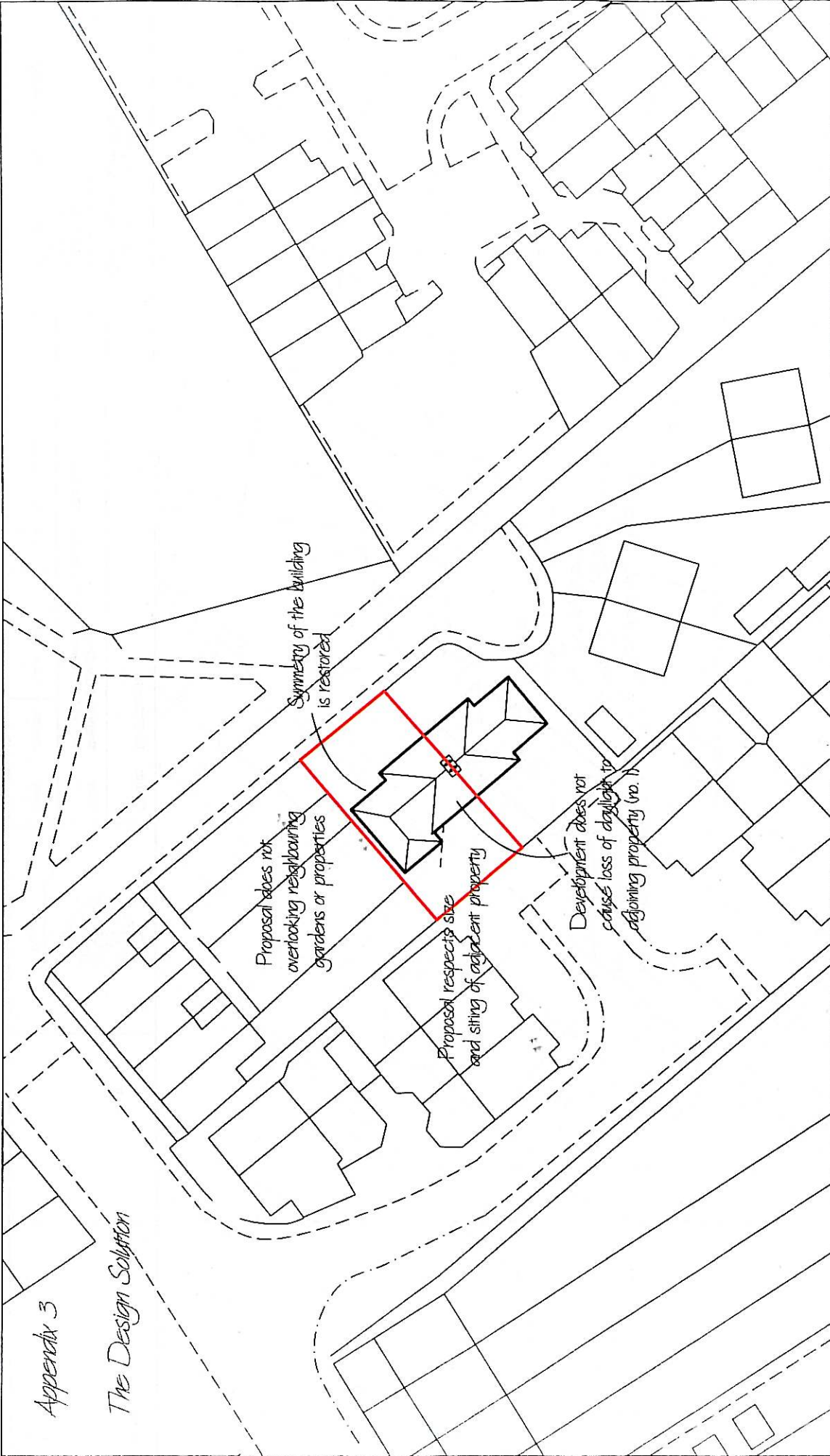
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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.

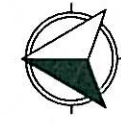
These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.

Appendix 3

The Design Solution



Notes:



Client: Mr E Sturdy

Title: Proposed dwelling
Adj.no.1 Scotland Close, Cambridge, CB4 1QH

Date: 25.6.09 Scale: 1:500 Drawing ref. C - SC -1.1

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