

Application Number	13/1331/FUL	Agenda Item	
Date Received	24th September 2013	Officer	Mr Sav Patel
Target Date	19th November 2013		
Ward	Queen Ediths		
Site	4 Strangeways Road Cambridge CB1 8PR		
Proposal	Erection of one two-storey four bed house on land adjacent to 4 Strangeways Road.		
Applicant	Mr Peter Marsh 4 Strangeways Road Cambridge CB1 8PR		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The principle of the development has been established in this location.</p> <p>The proposed dwelling would make effective and efficient use of ancillary garden land.</p> <p>The proposed dwelling would not have any significant adverse impact on the residential amenity of the adjoining neighbours in terms of overlooking or overshadowing.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located within a residential area. The main built form of the area is characterised by two storey detached and semi-detached properties set back from the highway.
- 1.2 The application site forms part of the side garden area of no.4 Strangeways Road. The southern boundary of the site is defined by a 2 metre high timber fence and dense/overgrown vegetation. The side boundary also forms the rear boundaries of the properties on Queen Edith's Way.

- 1.3 The application site is triangular in shape and is 0.04 hectares in size. It contains a mature Beech tree close to the front boundary. This Beech is protected by a Tree Preservation Order. There are two other trees which are protected but these are located on adjoining sites.
- 1.4 No.4 is a two storey, grey rendered, detached property set back from the road with a gated front access. The front boundary is defined by a high and dense hedgerow. The front drive, which stretches across the entire site frontage is laid to loose gravel and set back from this is the amenity area, which is laid to lawn.
- 1.5 There is a derelict detached outbuilding to the south of the existing dwelling which is covered in vegetation. A large section of the application site is overgrown and unkempt.

2.0 THE PROPOSAL

- 2.1 The proposal is to subdivide the existing curtilage of no.4 Strangeway Road to provide a separate residential unit for a two storey dwelling.
- 2.2 The proposal includes car parking provision and bin stores.
- 2.3 The proposal does not require the removal of the existing Beech tree at the front of the site. However, the overgrown shrubs on the southern boundary are proposed to be removed. The site is also separated from the application site by a line of shrubs which is to be reinforced with ever green planting.
- 2.4 The proposed dwellinghouse would be 7.5 metres to the ridge and 10 metres in depth and 10.1 metres wide (excluding the chimney). The property would be set back from the frontage and provide two car parking spaces with a turning area in front.
- 2.5 The application is accompanied by the following supporting information:
 1. Design and Access Statement
 2. Plans

2.6 Amended plans have been received which show the following revisions:

The car parking and turning area in front of the proposed dwelling has been revised so that there is no impact on the protected Beech tree.

2.7 The application is brought before Committee because of objections received from the neighbour consultation process.

3.0 SITE HISTORY

Reference	Description	Outcome
10/0731/EXP	Extension of time for implementation of 05/0868/S73 for erection of 1 four-bed house (outline permission C/97/1016/OP) including amendment to siting at land adjacent to 4 Strangeways Road.	APPROVED
05/0868/S73	Extension of time limit for commencement of work by 5 years	APPROVED
C/03/0071	Reserved Matters application for the erection of 1no 4 bedroom house (outline permission C/97/1016/OP) including minor amendment to siting.	APPROVED
C/97/1016	Outline application for the erection of a single dwelling.	APPROVED

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 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/3 3/4 3/7 3/8 3/10 3/12 4/4 5/1 8/1 8/2 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27

	<p>May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p> <p>National Planning Practice Consultation</p>
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5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 1: The presumption in favour of sustainable development
 Policy 52: Protecting garden land and the subdivision of existing dwelling plots
 Policy 55: Responding to context
 Policy 57: Designing new buildings
 Policy 68: Open space and recreation provision through new development

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objections subject to conditions.

Head of Refuse and Environment

6.2 No objections subject to conditions.

Head of Streets and Open Spaces (Tree Team)

6.3 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

- 129 Queen Ediths Way
- 1a Strangeways Road

7.2 The representations can be summarised as follows:

- Disruption to the area through increased traffic flow and encourage more car parking on a dangerous bend in the road
- Overlooking of neighbouring dwellings

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 principle of development of this site for a single residential dwelling was established by the grant of outline planning permission (C/97/1016) in February 1998. Reserved Matters was granted in 2003 and the time limit was extended in 2005 and 2010. Therefore, it is clear that the principle of residential development on this site is acceptable.
- 8.3 The 2010 application to extend the time limit for residential development lapsed on 2 November 2013.
- 8.4 Nevertheless, in my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

- 8.5 The built form of the area is characterised by two storey detached and semi-detached properties on generous plots. However, there are some examples of single storey and flatted developments in the area.
- 8.6 The proposed four bed dwellinghouse would be two storey and of traditional design with gable ends and exposed chimney stack. The fenestration in the front elevation is well articulated and includes a large glazed section to provide light for the staircase. This element also helps to break up the scale of the front elevation. The fenestration in the rear elevation is also well articulated and contains a two storey projecting gable element. No windows are proposed in the south-east elevation which would cause any overlooking issue over the rear gardens of the properties in Queen Ediths Way. A first floor window is proposed in the north-west elevation but this would serve a bathroom and be obscurely glazed.
- 8.7 The subdivision of the site would retain a generous amount of garden space for the host property and an acceptable amount for the proposed dwelling. The proposed dwelling would be set back and provide car parking for two vehicles with turning area in front and a bin storage area to the side (south). The boundary between the existing and proposed dwelling is to be reinforced,

the hedgerow along the frontage is to be thinned or replaced with an evergreen hedge and none of the protected trees within the site are to be removed.

- 8.8 I am therefore satisfied that the proposed dwelling would assimilate into the site without having a detrimental impact on the area.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The proposed dwelling would not result in any direct overlooking issue. No windows are proposed in the side elevation facing to the rear boundaries of the properties that back on to the site in Queen Ediths Way. The properties that are attached to the side boundary of the site have garden depths of between 45 and 38 metres. Whilst there would be some level of overlooking from the rear elevation, this would be obliquely over the very rear of the long gardens and I consider with the level of separation, in this urban context, that the impact on the private amenity area would not be significantly adverse to warrant refusal.
- 8.11 The proposed dwelling would be set over 10 metres from the host property and as there are no clear windows in the side elevation, I do not consider there would be any adverse impact on the residential amenity of the occupiers of the host property.
- 8.12 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 Cambridge Local Plan (2006) policies 3/4 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.13 The occupier of the proposed dwelling would benefit from a good amount of garden space albeit in a triangular shape and off street parking provision.
- 8.14 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 Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.15 The application includes an area for refuse storage to the side of the dwelling, which would provide convenient access to the road side. However, no specific details of the bins have been provided. Nevertheless, I am satisfied that suitable provision can be accommodated within the site as shown.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and advice provided by the Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide

Highway Safety

- 8.17 The proposal does not include any alterations that would affect highway safety and the additional level of traffic movement associated with a new dwelling is likely to have a significant adverse impact on highway safety in this area. Furthermore no concerns have been raised by County Highways on highway safety.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.19 The proposal includes two off street car parking spaces in front of the proposed dwelling, including a turning area, to allow vehicles to enter and leave in forward gear.

Cycle Parking

- 8.20 No cycle parking arrangements have been provided. However, there is sufficient space within the curtilage to accommodate some form of cycle parking provision. I have recommended cycle details to be conditioned so that details can be submitted and approved in writing prior to development.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.22 I have addressed the concerns raised by the representations received in the above section.

Planning Obligations

8.23 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements

The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.24 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.
- 8.25 The application proposes the erection of no.1 four-bedroom houses. 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 provision for children and teenagers 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		
3-bed	3	238	714		
4-bed	4	238	952	1	952
Total					952

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		
3-bed	3	269	807		
4-bed	4	269	1076	1	1076
Total					1076

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		
3-bed	3	242	726		
4-bed	4	242	968	1	968
Total					968

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		
3-bed	3	316	948		
4-bed	4	316	1264	1	1264
Total					1264

8.26 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridge Local Plan

(2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.27 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		
3-bed	1882		
4-bed	1882	1	1882
Total			1882

8.28 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.29 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

8.30 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.31 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.32 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

8.33 The applicant has entered into a S106 agreement and agreed to pay the above contributions prior to development.

9.0 CONCLUSION

9.1 The principle of the subdivision of the site has been established and therefore I have no issue with this. The design, scale and layout of the proposed dwelling is considered to be in keeping with the built form of the area and, on this basis, would not have a detrimental impact on the character of the area or on the residential amenity of the adjoining neighbours.

9.2 In these terms, the proposed dwelling is considered to comply with policies 3/4, 3/7, 3/10, 3/12 and 5/1 of the adopted Cambridge Local Plan (2006).

10.0 RECOMMENDATION

1. 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. 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 development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

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

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

5. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours 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 2006 policy 4/13)

6. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

7. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

8. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

9. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

10. The manoeuvring area as shown on the drawings shall be maintained so that it is free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so it may enter and leave the property in a forward gear.

Reason: In the interests of highway safety.

11. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety.

12. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

2. **Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not**

been completed by 16 January 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14,

Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

- 3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**