

Application Number	13/1836/FUL	Agenda Item	
Date Received	16th January 2014	Officer	Ms Janine Richardson
Target Date	13th March 2014		
Ward	Trumpington		
Site	Land To Rear Of 1 - 8 Anstey Way		Anstey Way
	Cambridge		Cambridgeshire
Proposal	Erection of two 4- bed houses.		
Applicant	Ms Sabrina Walston, Customer and Community Services		Cambridge City Council PO Box 700
	Cambridge CB1 0JH		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Provide additional housing on a windfall site.</p> <p>No significant impact in terms of residential amenity to the neighbouring occupiers.</p> <p>Provide highly sustainable homes at Level 5 of the Code for Sustainable Homes.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site lies on the corner of Anstey Way to the back of the three storey curved parade of shops and flats. To the north are two storey semi-detached houses and a single storey house at 89 High Street. To the east lies a series of single storey bungalows and to the west six garages. There is an Indian bean tree adjacent to the site to the south and a number of trees along the north boundary in the garden of 42 Anstey Way. The site abuts the Trumpington Conservation Area on its north and west boundaries.
- 1.2 The existing site is a grass lawn with concrete strips providing access for drying laundry on washing lines and is enclosed by a

wooden fence. There is a small communal bin store associated with the flats on the southern boundary.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the erection of two semi-detached, four bedroom houses. It is proposed that one house will be for affordable rent and one for private sale.
- 2.2 The proposed houses are three storey and flat roofed. They would be set back 6m from the footpath to allow for two parking spaces for each house at the front accessed off Anstey Way. Side access for each house to a rear garden is proposed with bin storage to the side of the houses and a separate cycle shed within the rear gardens.
- 2.3 The design and treatment of the proposed dwellings reflect the approach that is likely to come forward as part of the QUAD scheme. A simple palette of materials is proposed consisting of cream brick for the ground floor and vertical timber cladding for upper floors. This cladding will be heat treated softwood (Kebony).
- 2.4 The existing communal bin store will be relocated to the west of the site adjacent to the proposed rear gardens.
- 2.5 The proposed houses are to be built to meet Code for Sustainable Homes Level 5 and their design and construction process will feed into the design of the 209 homes proposed at the City Council owned site within the Clay Farm site (known as the QUAD development). Once completed the houses will be monitored for environmental performance. Both proposed dwellings are designed to be Lifetime Home compliant.
- 2.6 The application is accompanied by the following supporting information:
 1. Design & Access Statement
 2. Ecological Appraisal
 3. Arboricultural Impact Assessment

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

- ☐ Dimensions of car parking and reversing space and pedestrian visibility splays
- ☐ Corrected elevations/plans to show window location

2.8 The application is brought before Committee as the applicant is Cambridge City Council. There are objections to the proposal.

3.0 SITE HISTORY

None

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

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 Plan 2006	Local	3/1 3/4 3/7 3/9 3/11 3/12 3/14
		4/13
		5/1
		7/3
		8/6 8/10
		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) Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011) National Planning Practice Consultation

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 51: Lifetime Homes and Lifetime Neighbourhoods

Policy 55: Responding to context

Policy 57: Designing new buildings

Policy 71: Trees

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Pedestrian visibility splays should be shown on the drawings. Dimensions for the proposed car parking spaces must be shown which should be 2.m x 5m with a 6m reversing space. Conditions regarding surfacing, permitted development restrictions, construction specifications, measures for surface water run-off and retention of visibility splays are recommended.

Head of Refuse and Environment

- 6.2 No objection in principle. Recommend conditions for standard construction/delivery hours and piling.

Urban Design and Conservation Team

- 6.3 The application is acceptable in design terms. Further details of the proposed materials needs to be provided including junctions between the timber cladding and facing brickwork and texture of the cladding. Recommend a robust brick wall boundary is needed surrounding the community recycling and refuse point.

Senior Sustainability Officer (Design and Construction)

- 6.4 The proposed houses are being developed in order to test and feed into the design of the 209 homes proposed at 'the Quad' development at Clay Farm. Bringing forward an exemplar of high quality design, sustainable construction and low carbon living. Requirement for the homes to meet Level 5 of the Code for Sustainable Homes. This equates to a 100% reduction in the carbon emissions associated with regulated energy use in the home (heating ventilation, lighting). Once built it proposed that the environmental performance will be monitored to ensure

ease of use for residents and to ensure that the technologies utilised to meet the required Code standard is performing as intended.

Head of Streets and Open Spaces (Landscape Team)

- 6.5 No objections. Recommend conditions on hard and soft landscaping details, boundary treatments, and replacement planting.

Head of Streets and Open Spaces (Tree Team)

- 6.6 Comments awaited. To be reported on amendment sheet or verbally at the meeting.

Nature Conservation Officer

- 6.7 The submitted Phase 1 and Protected Species assessment have flagged up no ecological concerns. Suggest integrated nest boxes as an ecological enhancement for the scheme are included.

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:

- ☐ 42 Anstey Way (objection)
- ☐ 30 Lingrey Court (objection)
- ☐ 40 Lingrey Court (support)

- 7.2 The representations can be summarised as follows:

- ☐ Overbearing, imposing, out of character and over development of site
- ☐ Height of building will overshadow 42 Anstey Way and windows in north elevation will overlook leading to some loss of privacy
- ☐ Increase in noise and disturbance
- ☐ Will exacerbate the traffic and parking problems in area
- ☐ Road safety concerns for elderly and disabled pedestrians

- ☐ Large area of cladding would be a dark mass in enclosed area
- ☐ Dangerous reversing out onto narrow road
- ☐ Rainwater into mains sewer is not sustainable
- ☐ Internal layout is not suitable for four bed house
- ☐ Erodes provision of green space in local area and loss of habitat
- ☐ Full support that neglected piece of council land will be developed

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 existing site is an unused fenced off area that was used for drying laundry. The site is not allocated or protected open space within the current or emerging local plan. Policy 5/1 of the Cambridge Local Plan allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in the amenity section below. This is a good site to maximise the use of the land for additional residential units in a predominately residential area. The proposal is therefore in compliance with these policy objectives.

8.3 The proposal will be an exemplar in sustainability, designed to Passivhaus principles, with a compact form, super insulated envelope, triple glazed windows, high air tightness and the use

of mechanical ventilation with heat recovery (MVHR). It will feature biodiverse green roofs with photovoltaic panels, responsible sourcing of ecologically friendly materials, locally sourced, use of prefabricated timber frame, smart metering of energy use, dual aspect living and high window head heights to achieve natural daylight and limited water use are all features that are supported and proposed in a modern, contemporary design.

- 8.4 There is no objection in principle to residential development, but the proposal has to be assessed against the criteria of the other relevant development plan policies. The principle of development is considered acceptable and in accordance with policy 5/1 of Cambridge Local Plan 2006 and the Sustainable Design and Construction SPD 2007.

Context of site, design and external spaces

- 8.5 The proposed dwellings are three storeys (9.2m) in height with a flat roof and rise approximately 0.5m above the ridge height of the adjacent semi-detached dwellings (No. 40-42 Anstey Way) to the north but sit well below the ridge height of the large footprint three storey flat blocks to the south. The proposed scale and massing is considered acceptable and creates a transition from the three storey flat block to the south. The setback of the units (6m) from the back of the footpath on Anstey Way together with the retained mature tree on the southern corner of the site helps soften the proposal from views looking north from the junction of Anstey Way. The proposed photovoltaic panels will be set behind a 0.4m high parapet wall and will be at an angle of 15%, so they will be concealed from view from street level.
- 8.6 The existing dwellings surrounding the site are predominately buff and cream facing brick. The houses on the north and western sides of Anstey Way and within Lingrey Court have a dark brown cladding at first floor. The proposed materials would therefore relate well to the existing materials in the area but given that both first and second floors are proposed in wood cladding I consider that the sample of this material needs to be agreed before construction to ensure that it is not too dark in appearance. The junction between the brickwork and timber cladding needs to be well detailed. Conditions are therefore

recommended to ensure that the details of the materials and finishes are acceptable.

- 8.7 The trees adjacent to the site are to be retained. The applicant has provided an arboricultural impact assessment which identifies works and protection that will be required during construction. A condition is therefore recommended to ensure that protection is carried out. An Ecological appraisal for the site has been provided by the applicant which has raised no ecological concerns. The applicant has confirmed they can include integrated nesting boxes as an ecological enhancement to the scheme as recommended by the Nature Conservation Officer. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/3 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The proposed houses would be 14 metres to the south of no. 42 Anstey Way, from the southern elevation of that property. There is a single storey pitched roof garage to the south of no. 42, which is set back to which the new houses would line up with. Although the proposed houses would be a height of 9.2 m, given this distance and the location of the garage, there would not be significant overshadowing of this property or its garden.
- 8.9 There is a proposed window in the north elevation, but this is at high level. There would be no direct overlooking therefore to the rear garden of no. 42. There would be some views afforded to the side garden of the infill bungalow 89 High street, from the window in the west elevation but this is already to some degree overlooked by the existing flats and surrounding properties.
- 8.10 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 3/12.

Amenity for future occupiers of the site

- 8.11 The proposed houses will have adequate amenity space and rear west facing gardens. The depth of gardens on this irregularly shaped site would range from 8.5 to 11.5 metres. In

my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.12 Suitable storage for waste receptacles is proposed for within the within side access of each dwelling. The existing communal waste/recycling storage for the flats to the south of the site will be repositioned to the west bounded by a new close boarded fence. This will still be suitably located for the users and is considered acceptable.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.14 Third party representations have raised concern regarding road safety in the area. The highway authority is satisfied with the updated plans that show the measurements of the car parking spaces and reversing space. Confirmation that the appropriate revised pedestrian visibility splays proposed is awaited. This will be reported on the amendment sheet or verbally at the meeting. Conditions are recommended to ensure retention of the visibility splays.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.16 The proposal includes two off street car parking spaces for each dwelling which is the maximum requirement under policy 8/10 of the Local Plan (2006). Third party concerns have been raised regarding parking in the area for residents, deliveries and shop users. There are no parking restrictions on street along Anstey Way to the north of the site. There are parking bays on Anstey Way to the south opposite the shops with a 2 hour waiting restriction. Given the proposal will accommodate off street car

parking for the new dwellings this should not lead to additional pressure on existing on-street spaces.

Cycle Parking

- 8.17 The proposal includes secure cycle parking within wooden sheds located within the rear gardens. This will accommodate four cycles for each dwelling which is in accordance with the cycle parking standards.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.19 The third party comments received relating to overbearing, overshadowing, loss of privacy, traffic and parking, road safety, green space and habitat and materials have been addressed in the sections above.
- 8.20 The applicant has confirmed that they will employ rainwater harvesting/attenuation tanks on site so there will be limited surface run-off entering into the main sewer. Inevitably additional residential units will create a degree of noise and disturbance but in the context of an existing residential environment this would be minimal.

Planning Obligations

- 8.21 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

- 8.22 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.
- 8.23 The application proposes the erection of two, four-bedroom houses. A house or flat is assumed to accommodate one person for each bedroom. 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 £
4-bed	4	238	952	2	1,904
Total					1,904

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
4-bed	4	269	1076	2	2,152
Total					2,152

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
4-bed	4	242	968	2	1,936
Total					1,936

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
4-bed	4	316	1264	2	2,528
Total					2,528

8.24 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

8.25 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 £
4-bed	1882	2	3,764
Total			3,764

- 8.26 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

- 8.27 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	2	150
Flat	150	0	
Total			150

- 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 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.29 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

- 8.30 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.

9.0 CONCLUSION

- 9.1 The proposal for two, four bedroom highly sustainable dwellings have been assessed to be acceptable and in accordance with Cambridge Local Plan 2006 and therefore approval is recommended.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 13 March 2014 and subject to the following conditions and informatives:

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. 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)

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 driveways within 6 metres of the highway boundary of the site.

Reason: To avoid the displacement of loose material onto the highway 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 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across either of the approved accesses 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. The accesses 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. The accesses shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006 policy 8/2)

10. 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be 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)

11. 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. 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 13 March 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, and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14,

8/3 and 10/1 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010.

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.