

Application Number	15/0287/FUL	Agenda Item	
Date Received	19th February 2015	Officer	Michael Hammond
Target Date	16th April 2015		
Ward	Queen Ediths		
Site	Cantabrigian Rugby Club Sedley Taylor Road Cambridge Cambridgeshire CB2 8PR		
Proposal	Erection of 1No. Dwelling, Formation of a New Access on to Long Road and Associated Operational Development.		
Applicant	C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The principle of residential development on the site is acceptable; • The proposed development does not harm the heritage asset of the nearby listed building. • The proposed development would not have a significant impact on neighbour amenity; • The Highway Authority is satisfied that the proposal does not pose a threat to highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is located to the west of Sedley Taylor Road and to the north of Long Road, and is comprised of the access to the car

park used in association users of the playing fields including the Hills Road Sixth Form College (HRSFC), Cantabrigian Rugby Club and the former rear garden of no.23 Sedley Taylor Road. The existing access to the area from the east is between nos.23 and 23a Sedley Taylor Road. Directly to the south of the site is the club house associated with the rugby club, and to the west are sports pitches upon which stands the new pavilion for HRSFC. The site of the proposed dwelling lies to the north of the car park and to the west of no.23 Sedley Taylor Road.

- 1.2 The surrounding area is predominantly residential in character and is formed of large detached residential properties with car parking at the front and large rear gardens.
- 1.3 In terms of site constraints, no.23 Sedley Taylor road to the east is a Grade II listed building. The rugby club house and car park are designated as a Protected Open Space under the 2009 Proposals Map. There are two protected trees on the site of the proposed dwelling. There is a TPO area on the south side of the site along Long Road. The site is not situated within a controlled parking zone or conservation area.

2.0 THE PROPOSAL

- 2.1 The proposal has been the subject of pre-application advice and seeks permission for the erection of a four-bedroom one and a half-storey detached dwelling and for the creation of a 5.5m wide vehicular access and 1.8m wide pedestrian access from Long Road to service the existing parking area.
- 2.2 The proposed dwelling has been designed with an eaves height of approximately 2.8m and overall ridge height of approximately 6.9m with an attached garage to provide one car parking space internally, as well as an external space along the east elevation of the dwelling. The dwelling has been designed to be lower closer to the east and north boundaries of residential properties with an extensive proportion of the proposed dwelling being 5.8-6.2m above ground level. A patio and landscaped garden area is provided to the west of the proposed dwelling and is shielded by extensive planting and trees from the pitches to the west.
- 2.3 Following consultation with the Local Planning Authority, the proposal has been amended to reflect the following changes to the original proposal:

- Omission of the extension to the car park.
- Addition of proposed landscaping treatment adjacent to Long Road
- Additional tree planting and landscaping around site of proposed dwelling.
- Addition of inward opening gate on access track off Sedley Taylor Road.
- Change of roof form adjacent to no.22 Sedley Taylor Road from pitched roof to hipped roof

2.4 Outline planning permission for the erection of a dwellinghouse on this site was previously refused (c/99/0562) due to the widening of the Sedley Taylor Road access and the safety of this access, the access would have a detrimental impact upon no.23 and 23a Sedley Taylor Road, the development would be out of character with the existing pattern of development and the loss of woodland would harm the character of the area. This application was then allowed at appeal.

2.5 An application (05/0028/S73) was later submitted to vary condition no.3 of planning permission (c/99/0562) to allow a further five years for development to commence. This was refused on the grounds of constituting an inappropriate form of backland development and for not making appropriate provision for public open space or community development facilities. This application was then dismissed at appeal on the grounds of the proposal not making adequate provision for access by vehicles and pedestrians, conflicting with policy 3/10 of the Local Plan (2006).

2.6 I include both of these appeal decisions within appendices 1 and 2 of this report.

2.7 The intention of this application is to realise the potential for a new dwelling on the site whilst also overcoming previous highway issues by providing a new access to the playing fields and closing of the existing access from Sedley Taylor Road to be only used for people using the new property.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0956/CLUED	Application for a certificate of	Certificate

	lawfulness under Section 191 for use of land (excluding the footprint of the Cantabrigian's clubhouse) ancillary to the playing fields as a car park	Granted
12/0585/CLUED	Application for a certificate of lawfulness under Section 191 for use of land as a car park (land to the west of 51 Long Road).	Withdrawn
11/0900/FUL	Demolition of existing Sports Pavillion and replacement and relocation of new replacement Sports Pavillion, with associated secure open air store.	Permitted.
05/0028/S73	Variation of Condition 3 of planning permission C/99/0562/OP (allowed on appeal) to allow a further five years for development to commence.	Refused – appeal dismissed
C/99/0562	Erection of single dwellinghouse and improvement to existing access road (Class C3) (outline planning).	Refused – appeal allowed
C/85/0854	OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED BUNGALOW (AMENDED BY LETTER DATED 1/11/85 AND ACCOMPANYING DRAWING)	Refused

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 Local Plan 2006	3/1 3/4 3/6 3/7 3/8 3/10 3/11 3/12 4/2 4/4 4/10 5/1 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

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, there are no policies in the emerging Local Plan of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 Following extensive pre-application discussions with the applicant the application as presented is acceptable to the Highway Authority.

Whereas the access to the proposed property is below the width that the Highway Authority would normally seek to serve such a development, the significant reduction in motor vehicle movements that will be a consequence of the proposal is welcomed. The following conditions are recommended:

Traffic management plan, bound material, turning area.

Head of Refuse and Environment

6.2 No objection subject to comments, and the following conditions:

Construction hours, waste and recycling, piling.

Urban Design and Conservation Team

6.3 The significance of the listed building as “a remarkably unaltered house of the period” would not be harmed. The proposal is consistent with Policy 4/10 of the 2006 Local Plan.

6.4 The “one and a half storey” form of the proposed dwelling means its eaves heights are lower than those of a two storey house. The bulk of the one and a half storey form is thus less than that of a two storey house of the same ridge height. The overall floorspace comparison between the two buildings would be difficult to perceive “on the ground”.

Landscape Team

6.5 No objection, subject to the following conditions:

Hard and soft landscaping, hard and soft landscaping implementation

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 in objection to the application:

- 23 Sedley Taylor Road (on behalf of Luard Road and Sedley Taylor Road residents group)

7.2 The representation can be summarised as follows:

- The proposed dwelling would be harmful to the special nature of the listed house (no.23 Sedley Taylor Road).

- The sub-divided plot forms part of the listed setting and curtilage of the listed house.
- The former woodland was a visual amenity and enhanced the setting of the listed house.
- With reference to the first appeal decision (c/99/0562), the inspector had expressed the need to retain the visual amenity of onlookers by retention of the extensive woodland setting existing on the plot which was reiterated in the second planning appeal (05/0028/S73). What happened to this wooded display and when did its loss take place?
- The reference in the design statement to the site as a 'rough wasteland' is misleading and conceals the fact that all the trees have been cut against the advice that they should be retained in future applications as most clearly stated by two appeal inspectors.
- The felling of the trees is contrary to paragraphs 126, 128, 130 and 132 of the NPPF.
- The ridge height of 6.9m near existing boundaries is intrusive and will affect neighbouring amenity.
- Overshadowing
- Noise and disturbance from users of vehicular turning point and car park.
- Overlooking.
- A Grampian condition should be imposed and agreed for use of the access, to protect neighbourhood amenity, privacy and safety.
- Residents require further clarification over the land ownership of the site as two names appear on the land registry and it is understood that Trinity College still own part of the land.
- Residents require further clarification regarding the location of the builder's compound and the route of construction vehicles.
- There should not be any work or deliveries on weekends to avoid harm to amenity and to prevent any highway safety issues between users of the adjacent sport facilities and the construction of the dwelling.
- A two-way mirror should be installed at the entrance of the Sedley Taylor Road access.
- The inclusion of the gate could encourage illegal parking.
- The access from Sedley Taylor Road is unsuitable for emergency or large vehicles.

7.3 The owners/occupiers of the following addresses have made representations in support of the application:

- 23A Sedley Taylor Road
- 24A Sedley Taylor Road

7.4 The representations can be summarised as follows:

- The reduction in traffic between 23 and 23A Sedley Taylor Road will improve quality of life.
- Request that a condition for a gate between 23 and 23A Sedley Taylor Road be applied.
- A stipulation made that the hedge forming the boundary between 23A Sedley Taylor Road and the access must in no way be reduced in width to ensure privacy.

7.5 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. Impact on Listed Building
4. Trees
5. Residential amenity
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligation Strategy

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports the provision of extra housing within the City and states that windfalls are an essential component of future housing provision in the City.

8.3 Furthermore, any proposal to sub-divide an existing plot needs to comply with policy 3/10 of the Cambridge Local Plan (2006), which sets out criteria a) to f).

8.4 The inspector in the appeal for the previously refused application (05/0028/S73) for this site stated that:

“However, the dwelling would be single storey and its prominence could be further reduced by a careful approach to design and siting and by landscaping, including retention of some of the existing trees and vegetation on the site.

Having regard to the above, I conclude that, while the dwelling would not be consistent with the predominant local character, it would not cause unacceptable harm to the character and appearance of the surrounding area. I consider that the proposal would not fully meet the aspiration of LP policy 3/4 but would not conflict with policy 3/10 in this respect.”

8.5 I consider that the proposed dwelling, in conjunction with the associated landscaping, to be in accordance with the aforementioned planning inspector’s previous assessment of the principle of development. The proposal complies with all of the criteria of policy 3/10 as described in the relevant sections of this report.

8.6 The principle of creating a new access on Long Road is considered to be acceptable to the Highway Authority and in accordance with Cambridge Local Plan (2006) policy 8/2. With regard to the use of the existing car park its lawful use has been granted in association with the use of the adjacent playing fields through the recent application for a Certificate of Lawful Use (12/0956/CLUED).

8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 3/10 and 8/2 of the Local Plan (2006).

Context of site, design and external spaces

8.8 The predominant form of development along Sedley Taylor Road is linear development of large residential detached houses fronting onto the road. In the previous inspectors report (05/0028/S73), it was stated that:

“Whereas the predominant linear frontage character is primarily seen from Sedley Taylor Road, there would be very limited views of the proposed dwelling from that vantage point. It would be seen from other viewpoints, including the rugby club, the sports field and Long Road, from where views would be filtered through trees.”

- 8.9 In light of the above assessment made by the planning inspector, the main consideration in terms of the impact on the character of the area, are the views from the aforementioned vantage points and that the proposal would have little impact on the character of the area when viewed along Sedley Taylor Road.
- 8.10 Firstly, extensive planting and landscaping is proposed along the western boundary of the site and so I consider that the proposed dwelling would be well shielded and not noticeably visible from the sports fields to the west. Secondly, there is a 1.8m high fence that separates the dwelling and access road along Sedley Taylor Road from the rugby club and car park immediately to the south. This boundary treatment and separation clearly distinguishes the backland plot as a residential area and not associated or linked to the rugby club. Finally, the creation of the vehicular access onto the car park from Long Road would inevitably lead to the loss of some trees that filter the view to the site from this public viewpoint. However, as the larger trees to the west and east of the proposed access will remain, and additional buffering landscaping in the form of a large hedge has been proposed behind the established tree line, I consider that the proposed dwelling would still be well shielded from this vantage point along Long Road and that the proposed dwelling will not detrimentally harm the character of the area in this respect.
- 8.11 Although it has been established that the site is not highly visible from public vantage points, consideration needs to be made as to whether the design and scale of the proposed dwelling is in keeping with the character of the area. The inspector stated in his previous assessment that a single storey dwelling would be acceptable and so deliberation needs to be made as to whether the proposed scale of a one-and-a-half storey dwelling is acceptable from a design perspective.

8.12 The proposed dwelling has been designed as a single storey property with a steep roof to allow for the roof space to be used for habitable rooms with roof dormers. The ridge height has been varied so that the ridge height closest to the eastern boundary would be 5.8, whilst the ridge height along the west, south and north elevations are higher at up to 6.9m. The roof form on the north elevation has been altered from a pitched roof to a hipped roof following concerns raised relating to the residential amenity of no.22 Sedley Taylor Road. In my opinion, whilst the proposed dwelling is larger in scale than the previous bungalow style dwellings, I consider that with the extensive planting and limited visibility from public viewpoints, a one-and-a-half storey dwelling in this location is acceptable and would not detrimentally harm the character of the area. The staggered roof height, use of dormers and velux windows, and the variation in the layout of the built form helps break up and reduces the emphasis on the steepness and height of the roof and therefore makes the proposed dwelling less visually dominant and obtrusive in its context. I consider that the design is acceptable and blends in successfully within a backland context and does not compete with the neighbouring dwellings to the east.

8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

Impact on Listed Building

8.14 Consideration needs to be made as to the impact of the proposed dwelling on the listed building of no.23 Sedley Taylor Road to the east.

8.15 In the inspector's previous assessment, the inspector dismissed the previous reason for refusal that the proposed dwelling would be harmful to the setting of no.23 Sedley Taylor Road. This was justified due to the application site having an appearance as a distinct plot and the separation from no.23 by way of a timber fence. The inspector stated that subject to careful consideration of siting, design and landscaping, a single storey dwelling on the site would not have an unacceptable effect on the setting of no.23. As a result, consideration needs to be made as to whether the siting, design and landscaping of the proposed dwelling is acceptable in this instance so as to avoid harm to the nearby listed building.

- 8.16 As noted in the previous section of this report, the house has been designed so that the height of the roof form is set lower closest to the boundary of no.23 Sedley Taylor Road. In addition to this, the external garage proposed under the previously refused scheme has been removed and relocated to the south-west corner of the proposed dwelling in this current scheme. While I appreciate that the majority of the vegetation on site has already been cleared, there are still two trees within and outside the north-east boundary of the site that do partially shield the site when viewed from no.23. Two additional trees have also been proposed to the east and north-east of the proposed dwelling which would increase the level of shielding on site.
- 8.17 It is identified that concerns have been raised from the Sedley Taylor and Luard Road Residents Group regarding the incorrect comparative ridge height measurements made by the applicant and that this may have misled the Conservation Team in making their previous comments. In addition, a point has been raised stating that the actual ridge height of the two-storey property at no.23 Sedley Taylor Road is 7.1m and that therefore the impact of the proposal on the listed building should be treated as though it is effectively a two-storey dwelling. In the validation of planning applications, the applicant is only required to accurately measure the dimensions of the proposed development and features that are on-site. While it is appreciated that the measurements stated in the design and access statement relating to the other properties in the surrounding area may be incorrect, this does not undermine the validity of the planning application itself. The Conservation Team has been made aware of this discrepancy in the design and access statement and to the comments made by the Residents' Group. While the heights of the proposed dwelling and no.23 are comparable, the form of the proposed dwelling is that of a one-and-a-half storey dwelling. The Conservation Team has made additional comments and remains of the opinion that the overall scale and form of the proposed development would not harm the setting of the listed building.
- 8.18 In my opinion, in consideration of the distinctiveness of the plot from no.23, the variation in ridge height, the separation distance from this listed building to the proposed dwelling and the partial shielding present on and off-site, I consider that the proposed

dwelling would not cause any significant detrimental harm to the setting of the listed building and is compliant with Cambridge Local Plan (2006) policy 4/10.

Trees

- 8.19 The protected trees that are on the plot of the proposed dwelling will not be impacted by the proposed works. I note that the majority of the existing vegetation has been cleared prior to this application. However, as these trees did not have any protected status, their removal was entirely lawful. The application must be assessed on the merits of the site in its current form and the impacts on those trees that are protected. In light of this, I do not consider that the proposal would pose any harm to the protected trees that are on or off-site.
- 8.20 It is also identified that the creation of the vehicular access along Long Road and extension to the car park would involve the removal of several category B and C trees that form part of the TPO area. However, the arboricultural survey identifies that these trees are of lower value than the category A trees which will not be impacted by the proposed works. I consider that the loss of these trees to be acceptable in balancing the benefits of an improved access to the car park and that the void left by the creation of the access will not detrimentally harm the character of the area.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 In terms of the impact on neighbours, the proposal seeks to minimize this through the design elements. The main consideration is the impact of the proposed dwelling on nos. 22, 23 and 23a Sedley Taylor Road, and nos. 51 and 49 Long Road.

Overlooking/ Loss of Privacy

- 8.23 The proposed groundfloor windows on the east and north elevations will not significantly infringe on the privacy of any neighbouring properties due to the 1.8m high timber fence that

runs around the perimeter of the site boundary of the proposed dwelling. A potential cause of overlooking to neighbouring properties is the roof dormer on the east elevation.

- 8.24 The proposed roof dormer would not affect nos. 21 and 22 due to the fact that the view towards these properties is blocked by the projection of the roof out to the east.
- 8.25 I note that objections have been raised regarding the velux window and dormer window overlooking no.23. There would be a view out towards no.23 that would offer a limited view of this neighbouring properties garden. However, given that the separation distance between the proposed dormer and velux window, and the rear of no.23 would be over 40m, I do not consider that the proposed dwelling would lead to a significant loss of privacy at no.23.
- 8.26 There is a large protected tree in the north-west corner of the rear garden of no.51 Long Road which shields no.23a Sedley Taylor Road from the view of the rear dormer. Furthermore, the separation distance between no.23a and the proposed dormer would also be so extensive, at approximately 50m, as to prevent any significant loss of privacy at this neighbouring property.
- 8.27 The view out to properties along Long Road from the proposed dormer would be acute, and when considered alongside the substantial length of these properties rear gardens, there would be limited overlooking issues regarding this dormer.

Visual dominance/ Enclosure

- 8.28 There were originally concerns regarding the impact of the gable end of the pitched roof of the north elevation on the garden of no.22 Sedley Taylor Road. However, the roof form of this element of the proposed dwelling has been altered from a pitched roof to a hipped roof in an attempt to reduce the visual dominance of this gable end on the garden of this neighbouring property. I am satisfied that in light of this amendment, the proposed dwelling would not be perceived as visually dominant from this neighbouring property.
- 8.29 The eastern elevation of the proposed dwelling would be 5.8m in height and situated 5.3m away from the boundary between

the site and no.23's boundary. While it is acknowledged that the bulk of the proposed dwelling behind this lowered element would be higher at 6.9m in height, I consider that the separation distance from this neighbouring property, coupled with the existing and proposed tree planting, would prevent the proposed dwelling from visually enclosing this neighbouring property.

- 8.30 The remaining properties along Sedley Taylor road and Long Road are set a considerable distance away from the proposed dwelling and would therefore not be visually enclosed.

Overshadowing/ Loss of light

- 8.31 In studying the orientation of the site, it is evident that consideration needs to be made as to the potential overshadowing that could be caused to nos. 22 and 23 Sedley Taylor Road.
- 8.32 The proposed dwelling would inevitably overshadow the rear garden of no.22 due to the additional scale and mass of the proposed dwelling. However, as no.22 benefits from a long rear garden, the actual impact of overshadowing on the rear of the house and the majority of the garden would be insignificant and the access to light in the main amenity areas would be unaffected by the proposed dwelling.
- 8.33 I note that concerns have been raised from no.23 regarding the loss of light that the proposed dwelling could cause on this neighbouring property. However, it is felt that the orientation of the proposed dwelling in relation to no.23, coupled with the significant separation distance will mean that there will only be a minimal loss of light over the latter half of the rear garden in the late afternoon hours of the day. In addition to this, there are already high trees on and off-site that partially shade the garden of this neighbouring property during afternoon hours. As a result, I do not consider this loss of light to be significantly harmful to the amenity of this neighbouring property. I have carefully considered no.23's representation regarding this in coming to my conclusion.

Noise and disturbance

- 8.34 In terms of noise and disturbance, I consider that the impact of people and vehicle movements arising from this additional dwelling would not significantly harm the amenity of nearby residential dwellings.
- 8.35 In response to the concern raised from no.23, the creation of the vehicular access from Long Road will reduce the number of users of the Sedley Taylor Road access road and so the scheme as a whole would be an improvement, in my view, in terms of noise and disturbance from private car users.
- 8.36 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, 3/10 (criteria a) and 3/12.

Amenity for future occupiers of the site

- 8.37 The site is located within a highly sustainable area of the City, close to public transport routes and local amenities. The design of the building and the site layout represents a high quality development, in my view, and I therefore consider that future occupiers would feel comfortable and safe in this environment. The garden is approximately 15m in depth.
- 8.38 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, 3/10 (criteria b) and 3/12.

Refuse Arrangements

- 8.39 Details of the refuse arrangements have not been provided within this application. I consider that there is scope for refuse arrangements on this site and have attached a condition requiring full details of this storage prior to occupation.
- 8.40 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.41 The highway authority has raised no objections to the proposed scheme. It is explained in their comments that whilst the access to the proposed property along Sedley Taylor Road is below the width that the highway authority would normally seek to serve such a development, the significant reduction in motor vehicle movements that will be a consequence of the proposal is welcomed. I agree with this advice and consider that the proposal does not pose a threat to highway safety.
- 8.42 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.43 Two parking spaces are provided to the east and south of the dwelling. I consider that the level and provision of car parking to serve this dwelling is acceptable.
- 8.44 No details of cycle storage for the proposed dwelling have been included in this application. I consider that there is scope to accommodate three cycle spaces on this site and so have attached a condition requiring full details of this cycle storage prior to occupation
- 8.45 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.46 The majority of third party representations have been addressed in the main body of this report.
- 8.47 Concern has been raised regarding the loss of the woodland area on the site of the proposed dwelling and how this should be retained in future applications as most clearly stated by two appeal inspectors. I acknowledge that the two previous appeal inspectors made reference to the fact that landscaping, including retention of some of the existing trees and vegetation would reduce the visual prominence. However, as this vegetation has now been cleared, the application site needs to be judged on its present form. I note that the protected tree in the north-west corner of the site has been retained, and that as

suggested by the previous planning inspector (05/0028/S73), the dwelling has been carefully designed and sited to shift the main bulk of the proposed dwelling furthest away from no.23. Additional landscaping has been provided to the south-west of the proposed dwelling and two new trees to the east and north-east of the proposed dwelling. I consider that this proposed dwelling has been carefully designed and sited as to minimize its visual prominence and that even without the extent of planting formerly on the site, the proposed dwelling would not detrimentally harm the character of the area and is reflective of the context of the site, which now also includes the new HRSFC pavilion building.

8.48 Reference has been made to the wording of the recommended landscaping condition suggested by the Landscape Team, specifically “these details shall include retained historic landscape features and proposals for restoration.” The retained historic landscape features refer to those features that are currently on site which in this case are the protected trees. This does not include those landscape features that were on or off-site previously and only refers to current features.

8.49 Reference has been made to the email sent to the applicant from the planning officer dated 22nd April 2015 and how this has not been fully addressed, particularly point 5 of this email stating that

“Fifthly, the recent removal of much of the wooded vegetation from the site has exposed the plot more readily to the proximity of the listed building and reduced the ability of a dwelling on this plot to nestle more comfortably within its environment and relate successfully to its surroundings as set out in the reasoning for the related appeal decision. In order to reduce the visual prominence of the scheme to the east and from the new access point from Long Road, additional space needs to be given over within the site for landscaping.”

8.50 Since this email, amendments have been made by the applicant to demonstrate additional landscaping (as described in paragraph 2.3 of this report). The residents’ group does not consider that this request, specifically the request for landscaping along the eastern boundary adjacent to no.23, has been addressed. Two additional trees have been provided

along the eastern boundary of the proposed dwelling and I consider that these additional trees are sufficient as to reduce the exposure of the plot from the curtilage of the listed building and enables the proposed dwelling to relate to the context of the site. In addition to this, hedge planting has also been proposed to reinforce the tree line along Long Road to reduce the visual prominence of the dwelling when viewed from Long Road.

- 8.51 The Residents Group has also suggested that the footprint of the proposed dwelling could be moved up to 7m further back towards the western field end of the plot to restore the historic setting on the plot and restore lost amenity/ privacy. This suggestion was brought to the attention of the applicant but the applicant does not wish to amend the scheme in this way and so the application must be determined based on the most recent set of amendments which does not include this suggestion. I do not consider that the proposed dwelling in its proposed position on the site would significantly harm the amenity of neighbours or the historic setting of the listed building for the reasons set out in the main body of this report. As a result, I do not consider it necessary to move the footprint of the proposed dwelling in order for the proposal to be acceptable.
- 8.52 The Residents Group has conducted an analysis of the internal dimensions and height of the listed building at no.23 compared to the proposed dwelling which demonstrates that the floor area of the proposed dwelling is approximately double that of the listed building and that this would consequently overwhelm the listed house and its setting. While the overall floor area of the proposed dwelling may be double that of the listed building, I consider that the separation distance from this listed building and the one-and-a-half storey form means that the proposal does not overwhelm the historic setting of the listed building. These measurements have been brought to the attention of the Conservation Team and they remain of the opinion that the proposed dwelling would not harm the setting of the listed building.
- 8.53 In response to the concern raised regarding the proposal not being compliant with paragraphs 126, 128, 130 and 132 of the NPPF, I consider that the proposal is compliant with these paragraphs. Firstly, paragraph 126 refers to plan making and

not decision making and so this is not relevant for the determination of this application. Secondly, Paragraph 128 has been complied with as sufficient detail is included in the design and access statement. Thirdly, I do not consider that the clearance of the vegetation on site has neglected or damaged the nearby heritage asset of the listed building, in accordance with paragraph 130. Finally, I consider the principles of paragraph 132 to have been covered in the 'Impact on the Listed Building' section of this report.

- 8.54 The request for a gate across the Sedley Taylor Road access has been included in the amendments to this proposal.
- 8.55 Grampian conditions relate to the need for works to take place on land that is not under the control of the applicant prior to the commencement of the development. A condition has been included to ensure that the access off Long Road is completed prior to the commencement of development of the dwelling. This is to ensure that the benefits of the new access are realized, to overcome previous refusal reasons as otherwise there would be little incentive for the works.
- 8.56 The concerns regarding the ability of the access off Sedley Taylor Road to accommodate emergency vehicles is a building control matter and not a planning consideration.
- 8.57 The concerns regarding the position of the gate and illegal parking in front of this is a matter for the police and is not a planning consideration.
- 8.58 The highway authority has not requested a two-way mirror on the Sedley Taylor Road access and I do not consider the implementation of this necessary.
- 8.59 The Residents' Group has requested clarification regarding the land ownership and interests of the site. The applicant has provided a Certificate B land ownership form and demonstrated which parties with an interest on the land have been notified of the development. I believe the correct notices have been served and the applicants have been specifically made aware of these issues.
- 8.60 A construction method statement condition has been included to ensure that access to the car park and adjacent sports fields

is retained and safe for users of these facilities. Parking of contractor vehicles and deliveries to and from the site will be covered by the traffic management plan condition.

8.61 I do not consider it reasonable to prevent construction and deliveries on Saturdays as these standards allow for limited activity until 1pm on Saturdays. I do not consider that the proposed construction and delivery times on this day of the week would significantly harm the amenity of neighbouring properties. The construction method statement and traffic management plan conditions will take account of the safety of the users of the sports field during times of construction and delivery.

Planning Obligation Strategy

Planning Obligations

8.62 As a result of the Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This also applies to all residential annexes and extensions. The proposed development falls below this threshold therefore it is not possible to seek planning obligations to secure community infrastructure in this case.

9.0 CONCLUSION

9.1 In conclusion, I consider that the proposed development will not harm the setting of the listed building, will not appear out of character with the area, and will not harm the amenity of nearby residential properties. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. 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.

2. 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.

3. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

5. Prior to occupation of the development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2 and BE4)

6. 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)

7. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris.

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

8. The proposed drive shall be constructed using a bound material, for the first five metres into the proposed car park to prevent debris spreading onto the adopted public highway.

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

9. The area shown as a manoeuvring space to the proposed private house shall be kept free from any obstruction.

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

10. "Prior to the commencement of development, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning authority. The CMS shall provide a specific construction programme and a plan identifying: the contractor site storage area/compound; screening and hoarding locations; access arrangements for vehicles, plant and personnel; building material, plant and equipment storage areas; the parking of vehicles of site operatives and visitors; and the location of contractor offices. Thereafter the development shall be undertaken in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers (Cambridge Local Plan 2006 policy 4/13).

11. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

12. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

13. Prior to commencement of the proposed dwelling, the access off Long Road to the car park must be completed.

Reason: To ensure that access to the car park and sports facilities is retained for these users during the construction phase and closure of the existing access from Sedley Taylor Road, in the interests of highway safety (Cambridge Local Plan Policies 3/10 and 8/2).