

Application Number	15/0729/FUL	Agenda Item	
Date Received	13th May 2015	Officer	Mrs Angela Briggs
Target Date	8th July 2015		
Ward	Romsey		
Site	15 Coleridge Road Cambridge Cambridgeshire CB1 3PH		
Proposal Applicant	Construction of a two bedroom house. Mr Peter Davidson 15 Coleridge Road Cambridge Cambridgeshire CB1 3PH United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed dwelling would make a positive contribution to the character of the area and street scape; <input type="checkbox"/> The proposed dwelling would not have a significant impact on neighbour amenity; <input type="checkbox"/> The proposed dwelling would provide a high quality standard of living for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is to the rear of no.15 Coleridge Road, fronting onto the junction where Malta Road meets Mamora Road. No.15 Coleridge Road is a two storey semi-detached property, set back from the road. To the rear is a long rectangular shaped garden. There is a mature apple tree situated centrally, towards the back of the site. To the south of the site is a public footpath/cycle path linking Mamora Road/Malta Road with

Coleridge Road. Further south, beyond the public footpath, are a group of garage buildings which have access onto Mamora Road. This path is used regularly by pedestrians and mainly cyclists. The application site shows some remains of a building on this part of the site, possibly a garage.

- 1.2 No.30 Malta Road is to the north of the site and is a two storey semi-detached property with a single storey extension on the boundary with the application site.
- 1.3 The area is characterised mainly by terrace properties along both Mamora Road and Malta Road. Whereas, Coleridge Road is characterised by semi-detached dwellings. The site would front onto the Mamora Road and Malta Road junction. The site does not fall within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 The full application seeks planning consent for a two bedroom dwelling on the site.
- 2.2 The proposed dwelling would be contemporary in design and style, using modern materials. The proposed dwelling would be set back from the road and behind the building line of no.30 Malta Road. To the rear would be a private amenity space, which would be separated from the remaining rear garden area for 15 Coleridge Road.
- 2.3 The application has been amended (8th July 2015) and a new design approach has been submitted to address concerns relating to light (into the proposed dwelling) and façade treatment.
- 2.4 A daylight/sunlight assessment has also been received (4th and 5th August) showing the impact on 30 Malta Road during the March and June Equinox on an hourly basis from 9am until 8pm.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0073/FUL	New two bed coach house to rear of existing garden	Application withdrawn.

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 Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/13 5/1 8/2 8/6

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)
Material Considerations	<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 are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection to the original and amended scheme

Head of Refuse and Environment

6.2 No objection to the original and amended scheme, subject to conditions relating to construction hours and construction collection/delivery hours.

Urban Design and Conservation Team

6.3 No objections to the amended scheme.

6.4 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:

- 30 Malta Road

7.2 The representations can be summarised as follows:

- Loss of daylight and sunlight;
- The site is too small and narrow and not suitable for a dwelling;
- The proposal would have a negative impact on the street scape and townscape;
- Concerns about vehicles, construction, drainage and party wall.

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. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. The development of additional dwellings within the City is generally supported provided that:

“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.

- 8.3 This is a windfall site and situated within a residential area. Therefore I consider that the principle of a dwelling on this site is acceptable.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.5 Policy 3/10 of the Cambridge Local Plan (2006) is relevant which refers to sub-division of existing plots. This policy aims to ensure that proposals to sub-divide a residential plot are developed successfully whilst respecting the setting of the host dwelling in terms of amenity and character. The test criteria of the policy are discussed as follows. The proposed dwelling would sit on a narrow plot, adjacent to no.30 Malta Road. The site is small measuring 87m². The character of the area is mainly of terrace properties set back and set forward, from the road. No.26 Malta Road is, however, a detached single dwelling which visually breaks up the rhythm of the terrace form. The erection of a dwelling on this site would introduce another form of a detached dwelling which would be contrary to the prevailing character of the area. However, given that this form already exists in the locality, I consider that it would be difficult to warrant refusal on the basis that the development would be out of character with the area.
- 8.6 In terms of the design, the proposal has been amended from the original scheme which was similar but took a different form in terms of the façade and roof treatment. I raised concerns about the quality of the living accommodation and the lack of natural light into the building. I was also concerned about the upper part of the dwelling and felt that the building needed

better articulation, particularly to the front and the side (facing onto the footpath). The original scheme also came further forward towards Mamora Road/Malta Road which would have appeared more prominent within the street scene. The amended scheme is now pushed slightly further back into the site, as can be seen on the site layout plan (PA002). I consider that the amended scheme overcomes my concern about the quality of the living accommodation and light by introducing windows at high level within the roof scape which also helps to articulate this part of the dwelling.

- 8.7 When compared with the traditional terrace form of Malta Road and Mamora Road, the proposal takes a contemporary approach that would contrast against the traditional form. The proposed dwelling would essentially be rectangular in shape, reflecting the rectangular shape of the site, with an asymmetrical roof form that is raised away from no.30 Malta Road. The proposed dwelling measures 4.2m to the eaves, and rising up to 5.3m at its highest point, 9.4m in length and 4m in width. The building would be lower in height than the dwellings on Malta Road. The building would be set off the boundaries on both sides. The private amenity space to the rear would measure 6.6m by 4.4m (the site is slightly wider at this point). In my view, I consider that the contemporary design approach contrasts positively and introduces a form that is high quality, unique, distinctive and eye catching, particularly as people using the public footpath would notice it and the site is highly exposed. The proposed materials mentioned in the application suggests timber cladding, traditional Cambridge stock brick, locally sourced stone, appropriate energy efficient glazing, and a zinc roof. I consider that these material suggestions would be suitable within the locality. However, a condition (condition 3) requiring material samples, is recommended to ensure a high quality finish.
- 8.8 In terms of external spaces, the proposed dwelling would not fill the width of the site and would be set off the boundary with no.30 Malta Road. The dwelling would be set back from the road, which in my view reflects the character of this side of Malta Road, with dwellings set back from the road. The building line of the proposed dwelling is behind that of no.30 Malta Road which in my view, helps to break up the street view and helps to make the dwelling appear less prominent. The existing apple tree that currently dominates the site would be removed. I do

not consider that this tree adds positively to the visual amenity of the area and it is not a tree that is protected by a preservation order and thus I consider its removal to be acceptable in this case. The sub-division aspect of the proposal would mean that the host dwelling would still have a reasonable amount of private amenity space to the rear of the property. The distance between the host property and the proposed dwelling would be over 21m (taken from the rear of the extension of no.15 Coleridge Road to the rear wall of the proposed dwelling). The garden area remaining for the host dwelling would be in excess of 18m, which I consider is acceptable.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The neighbour at no.30 Malta Road has objected on a number of grounds. The first issue is loss of light which is a material consideration. I have requested a shadow diagram which shows the impact at both the March and June Equinox from 9am until 6pm on an hourly basis. The submitted shadow diagram illustrates the impact from 9am until 8pm. During the March equinox, during the morning hours, there is quite a lot of shadow from the host dwelling itself, and some from the proposed development. This does improve over time and into the afternoon and would continue to improve as the months progress towards the Summer season. My view is that, on balance, whilst I accept some additional over-shadowing would occur during the morning hours during the Spring equinox (and probably also during the Autumn equinox), I consider that this over-shadowing would not be significant to warrant refusal of the application on this basis.
- 8.11 In terms of over-looking, there are no windows in the north elevation which faces no.30 Malta Road. There is a large window on the rear elevation at first floor level which is an asymmetrical window and follows the roof form. This window continues around the corner edge and across the south elevation overlooking the public footpath. I do not consider that there would be significant over-looking from this window that

would be over and beyond the current situation of overlooking from other neighbouring properties and as such I consider that this is acceptable.

- 8.12 The way in which the proposed dwelling has been designed, means that the roof form would slope away from no.30 Malta Road, which, in my view, reduces the bulk of the building and its relationship with no.30 Malta Road. The height of the building up to the eaves level is 4.2m, which would be about the same as the eaves height of no.30 Malta Road. There is a small extension to the side of no.30 Malta Road which comes up against the boundary with the flank wall making part of the boundary treatment. The proposal would be set away from this boundary by approximately 0.4m. In my view, the scale and mass of the building would not significantly impact on no.30 Malta Road and I do not consider that it would be unduly dominant. I consider that the design responds positively to the site constraints and surroundings without impacting significantly on neighbouring properties.
- 8.13 In terms of the impact of the proposed dwelling on the host dwelling, I consider that it is far enough away not to have a detrimental impact on privacy or dominance, and is acceptable.
- 8.14 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 and 3/7.

Amenity for future occupiers of the site

- 8.15 The proposed dwelling would provide a compact, high quality, dwelling that is sustainably located, has an adequate private amenity space and would integrate well within the established residential area.
- 8.16 The adjacent footpath/cycle way is situated adjacent to the site. I consider that the relationship with this path would not compromise the amenity of future occupants in terms of noise and disturbance, and is therefore acceptable.
- 8.17 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

- 8.18 The refuse arrangements for the host dwelling would not be affected by the proposal. In terms of the proposed refuse arrangements, the plans indicate that adequate provision can be made on site to serve the proposed dwelling and that the bins can be easily brought out on collection days.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.20 There is no car parking provision for the proposed dwelling. The site is located close to public transport routes and local amenities and as such I do not consider that car parking provision is necessary. In terms of cycle parking, there is an area indicated on the site layout plan for cycles. However, for all new developments, a secure cycle parking area is required, which I am confident can be achieved on the site. As such I am recommending a condition requiring cycle parking details to be submitted and agreed (condition 4).
- 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 The neighbour has raised a number of concerns, which I will address in the table below:

Loss of light	See paragraph 8.10
The site is too small and narrow and not suitable for a dwelling	See paragraphs 8.5, 8.6, 8.7 and 8.8
The proposal would have a negative impact on the street scape and townscape	See paragraphs 8.5, 8.6, 8.7 and 8.8

Concern about construction and related vehicles	I have recommended conditions relating to construction hours and construction collection and delivery hours (conditions 3 & 4).
Concern about drainage (pressure on existing drainage system)	Not a material planning consideration
Concern about Party Wall issues	Not a material planning consideration

Planning Obligation Strategy

- 8.23 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.
- 8.24 Given the council's previous approach to S106 contributions (based on broad infrastructure types within the city of Cambridge), the pooling constraints mean that:
- S106 contributions have to be for projects at specific places/facilities.
 - The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
 - Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.
- 8.25 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. **In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects.** Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be

recommended in future. More details on the council's approach to developer contributions can be found at.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that the proposed development is acceptable and approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

5. 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)

6. 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)

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4 and 3/14)