

<b>Application Number</b>	15/0596/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd April 2015	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	28th May 2015		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	Land Rear Of 268 Queen Ediths Way Cambridge CB1 8NL		
<b>Proposal</b>	Erection of 3No. five bed houses, internal access road, car and cycle parking and hard and soft landscaping		
<b>Applicant</b>	Dudley Developments		

SUMMARY	<p>The development is contrary to the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would have an adverse urbanising impact on the rural qualities of the site and fundamentally change its character to the detriment of the wider landscape.</li> <li>- The modern design and bulky form of the proposed dwellings would contrast unsympathetically with this edge of city context and rural character.</li> <li>- The proposed development would have a detrimental impact on the residential amenity of adjoining residents and provide a poor level of amenity for future occupiers.</li> </ul>
RECOMMENDATION	REFUSAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site is located in the south-eastern corner of the City, on the southern side of Queen Edith’s Way, close to the junction with Lime Kiln Road, which inclines from Queen Edith’s

Way. The site was a former chalk pit, which has been partly back-filled at the southern end of the site from spoil and fill from the construction of Addenbrooke's Hospital.

- 1.2 Queen Edith's Way is characterised as a suburban residential area consisting mainly of two storey detached and semi-detached dwellings with deep rear gardens and a good level of spacing between. The application site is located to the side (north-east) and rear (south) of No.268, which is a two storey detached dwellinghouse set back from the road. The site also adjoins the rear gardens of nos.252 to 266 Queen Edith's Way, which are two storey semi-detached dwellings with deep gardens. The garden depths of the dwellings that adjoin the site range from 71 metres (no.252) to 16 metres (no.268).
- 1.3 To the east is Lime Kiln Road which is a narrow rural road with limited footpaths and dense green verges on either side. There is no development along Lime Kiln Road. It is very much an exit and entry route into and out of the City from the south. The application site plays an important role in people's perception of having left the city and entering the countryside beyond.
- 1.4 The application site boundaries are defined by established tree and dense shrub planting which limits views into the site from Lime Kiln Road and Queen Edith's Way, particularly during summer months. Within the site, it is generally unmaintained and left to nature. Recently some of the trees within the site have been removed. There is also a wide opening at the south end of the site from the top of Lime Kiln Road which allows uninterrupted views into the site. Access is restricted into the site from here by a metal fence.
- 1.5 The application site is not designated within any site constraint or formally allocated. However, part of the designated Green Belt runs along the southern boundary. To the south of the application site is a caravan park, which is located within the Green Belt and designated as an area of Protected Open Space (POS), and also within a 'Site of Special Scientific Interest' (SSSI). To the east is Lime Kiln Road and to the east of this is Cherry Hinton Pit, which is designated as a SSSI, Local Nature Reserve (LNR), POS and is also within the Green Belt. To the north of Cherry Hinton Pit (and north-west of the application site) is an area of land known as Lime Kiln Close (also known as East Pit) which is designated as an area of POS, LNR, and is

within the Green Belt.

- 1.6 The site contains several individually protected trees made up of two group tree protection areas. The group protection areas are located along the eastern boundary with Lime Kiln Road and at the southern end of the site. There are eight individually protected trees, which are located in the northern and southern sections of the site.

## **2.0 THE PROPOSAL**

- 2.1 The planning application as amended seeks planning permission for residential development on the site consisting of three, 3 storey, 5bed, detached dwellings including internal access road which would be created from Queen Edith's Way to the east of no.268 Queen Edith's Way.

- 2.2 Each dwelling has been designed with a two storey element connected to the main three storey element. The layout of the accommodation within the proposed dwellings provides the main living space at upper ground floor level with the bedrooms split between lower and ground floor. Plots 1 and 2 would have undercroft parking for one vehicle and two vehicles for plot 3. All three units would provide a study/bedroom, games/bedroom with en-suite and utility room.

- 2.3 Each property would have access to a private garden area to the rear, adjacent to the rear boundaries of the dwellings in Queen Edith's Way. The land to the south of plot 3 would, whilst in the applicant's ownership, be sectioned off from the site.

- 2.4 The proposal has been amended during the course of the application from its original iteration following concerns from officers on impact on residential amenity and landscaping. The amendments consist of the following:

- Rotating plots 1 and 2 anti-clockwise by 10 degrees;
- Set back first floor by 2 metres;
- Incorporate louvre panels to first floor windows;
- Narrowed access road;
- Bin collection point near site entrance;

- 2.5 The amended plans and additional information have been carefully considered and assessed by consultees and their

comments are set out in Section 6 of the report. Neighbours were also reconsulted.

2.6 This planning application follows a previous application (14/1382/FUL) for seven detached dwellings) which was refused at Planning Committee on 4 February 2015. The previous scheme proposed seven 3 storey dwellings on a larger site area. I set out below the refusal reasons:

2.7 Refusal reason 1:

*The introduction of development on this edge of city site, which has an important role in providing a buffer and transition between the urban environment and designated protected sites to the east and south, would, by virtue of its incongruous scale, intrusive and unsympathetic design and angled layout of the buildings, have a significantly detrimental impact on the character and appearance of the site, and setting of the city. The proposed design would also appear out of character with the existing built form along Queen Edith's Way and in doing so introduce an alien form of development adjacent to Lime Kiln Road. For these reasons the proposed development conflicts with policies 3/2, 3/4, and 3/12 of the Cambridge Local Plan (2006), and government guidance contained in the National Planning Policy Framework 2012.*

Refusal reason 2:

2.8 *The proposed development would result in the loss of five trees which are protected by Tree Preservation Orders and several others trees along the eastern and southern boundary which are group protected. As a group these trees make a significant contribution to the character of this edge of city site. Given the limited size of the amenity space associated with the houses it is likely that future residents will be pressured into having to remove/reduce the size of these and other trees. The removal of trees from the site would expose the development to both the surrounding area and the dwellings to the west in Queen Edith's Way. In so doing, the development would have a detrimental effect on the character of the site and the contribution it makes to the wider setting of the city and would adversely affect the residential amenity of occupiers in Queen Edith's Way. The development would be contrary to policies 3/4, 3/7 and 4/4 of the Cambridge Local Plan (2006) and Government Guidance in*

*section 11 of the National Planning Policy Framework 2012.*

Refusal reason 3

*2.9 The proposed development would due to the angled layout of dwellings and scale of development, create the effect of a walled barrier which would enclose the rear gardens of dwellings in Queen Edith's Way and have an adverse effect on outlook from these dwellings. The rear elevation of the proposed dwellings would also contain windows which would directly overlook the rear gardens of the existing dwellings such that it would have an adverse impact on the residential amenity of the existing residents in terms of overlooking and loss of privacy. The proposed development would create an adverse sense of enclosure on the existing residents and cause loss of privacy to gardens that are not currently overlooked. For these reasons, the proposed development conflicts with policies 3/4 and 3/7 of the Cambridge Local Plan (2006).*

Refusal reason 4:

*2.10 The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 8/3 and 10/1 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.*

2.11 The application is accompanied by the following supporting information:

1. Design and Access Statement;
2. Planning Statement;
3. Transport Statement;
4. Tree Survey and Arboricultural Impact Assessment;
5. Heritage Asset Assessment;
6. Environmental Desk Study;
7. Daylight and Sunlight Assessment;
8. Ecology Report;
9. Flood Risk and Surface Waste Drainage Assessment;
10. Landscape Masterplan and Planting Plan;
11. Site Waste Management Plan; and

## 12. Utilities Assessment.

2.12 Councillor Ashton has called in this application so that it can be heard by Planning Committee on the grounds that it raises amenity and character issues as highlighted in the previous reason for refusal.

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
14/1382/FUL	Erection of a residential development consisting of 1 x 5 Bedroom House and 6 x 4 Bedroom Houses, along with internal access road, car and cycle parking and hard and soft landscaping.	REFUSED

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

National Planning Policy Framework 2012  
National Planning Practice Guidance 2014  
Community Infrastructure Levy Regulations 2010  
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

Ministerial Statement (1 December 2014) by Brandon Lewis  
Minister of State for Housing and Planning (Department of Communities and Local Government)

## 5.2 Cambridge Local Plan 2006

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/2 3/3 3/4 3/7 3/8 3/11 3/12 4/1 4/2 4/3 4/4 4/6 5/1 8/4 8/6 8/10

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
	<p><u>City Wide Guidance</u></p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

## 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.

- 5.5 For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The junction access is the same as that applied for in the 2014 application and is therefore acceptable subject to the same conditions. The access road specification is not up to adoptable standard and nor serves enough dwellings to justify requirements and so will remain as a private access.

### **Environmental Health**

- 6.2 No objections in principle subject to the conditions on contaminated land, construction hours, construction collection/delivery hours and piling.

### **Urban Design and Conservation Team**

#### First comments:

- 6.3 The reduction in unit numbers (compared to the previous revised scheme 14/1382/FUL), stepped height and increased gaps between units is generally acceptable in design terms.

- 6.4 The retention of existing trees (group TPO G1) located adjacent to the southern boundary and the proposed infilling of gaps with new tree planting and lengths of 'Elveden' instant hedging is supported and has the potential to filter views of the proposed units from Limekiln Road.

#### Scale and Massing

- 6.5 All of the units have flat roofs and step down in scale from 3-storeys to 2-storeys. The units have been set into the sloping ground so that they appear as 2 and 3 storey houses from the front (east) elevation facing the access road and 1 and 2 storey houses from the rear (west) elevation.
- 6.6 Despite the more broken form and steeped angle of units (compared to the previous application), the arrangement and close proximity of Plots 1 and 2 creates a more continuous built edge when viewed obliquely from the rear gardens of Nos. 262-266 Queen Edith's Way.
- 6.7 The units are separated by a 2m gap at ground and 1<sup>st</sup> floor levels and a 7m gap at 2<sup>nd</sup> floor level. Plot 3 is located parallel to the access road further south of the site to the rear of 260-262 Queen Edith's Way and is separated from Plot 2 by a 7m gap (as measured from the closest points between units).

#### Impact on rear gardens in Queen Ediths Way

- 6.8 Whilst the separation distance between existing and proposed units (between 22m and 53m) is unlikely to result in the loss of privacy between units there is a concern that the large picture windows to the rear elevations at 2<sup>nd</sup> floor level have the potential to cause overlooking of amenity spaces associated with properties in Queen Edith's Way.
- 6.9 The SketchUp views are crude and do not give an accurate impression of the impact of the scheme. All of the trees shown in the views are generic and appear to be of the same species, scale and height. It is not clear if the trees shown are based on the tree locations plotted in the tree survey or site plan, the accuracy and reliability of these views is therefore questionable.
- 6.10 Accurate visual representations showing the potential visual

impact of the scheme from the rear gardens of properties in Queen Edith's Way are needed. The basic SketchUp views which show generic trees all of which are the same species, scale and height do not give an accurate impression of the impact of the scheme.

#### Impact on Lime Klin Road

- 6.11 The proposed site forms part of the rear garden associated with No. 268 Queen Edith's Way, it also plays a role in buffering the transition between the built up edge of Queen Edith's Way and the wider countryside due to the level of existing tree planting on the boundaries of the site.
- 6.12 The submitted scheme proposes to remove 7 trees from the eastern site boundary adjacent to Limekiln Road. The submitted Planting Plan proposes to infill the gaps with new tree planting (total 9) and lengths of 'Elveden' instant hedging. The 4 trees (contained within the group TPO G1) located adjacent to the southern boundary which were proposed to be removed as part of the previous application (14/1382/FUL) are now shown as retained. The proposal to locate development away from the southern site boundary and retain the tree group G1 reduces the prominence of the scheme from views looking north along Limekiln Road.

#### Materials

- 6.13 The proposed elevations and materials form a departure from the 1950s semi-detached houses on Queen Edith's Way. The proposed contrast is considered acceptable in design terms given that the site is somewhat detached from the Queen Edith's Way frontage. Materials should be conditioned should the application be approved and a sample of the proposed weathered off-white coloured facing brick provided on site.

#### Amenity space and gardens

- 6.14 The rear gardens of the proposed units are relatively shallow (Plot 1 is 6.5m increasing to 10m, Plot 2 is 6m increasing to 11m and Plot 3 is 9m increasing to 11m). However the width of the gardens are approximately 13m – 22m. The pressure to prune or fell the non TPO trees in the future is therefore reduced. The supporting Daylight and Sunlight assessment

(see comments below) also confirms that the proposed rear gardens will receive adequate daylight when the trees are factored into the calculations.

- 6.15 The submitted scheme limits proposed development to the north of the site and retains the area of open land to the south. It is not clear what function this space will have or how it will be accessed and maintained.

#### Shadow impacts

- 6.16 A Daylight and Sunlight assessment (by Twenty 16 Design dated March 2015) accompanies the application and gives predicted likely levels of daylight and sunlight to the dwellings and amenity spaces.

#### Sunlight within amenity spaces

- 6.17 The Annual Probable Sunlight Hours (APSH) test indicates that all three of the proposed gardens will receive 2 hours of sunlight over at least half of the garden on the 21<sup>st</sup> March and are therefore acceptable in design terms.

#### Internal daylight

- 6.18 Average Daylight Factor (ADF) tests have been provided for the habitable rooms within each of the dwellings both with and without the existing trees. The results indicate that all habitable rooms meet the recommend British Standard levels of ADF for particular room types (2% for kitchens, 1.5% for living rooms, 1% for bedrooms) both with and without the existing trees modelled. The level of daylight to the proposed dwellings is therefore acceptable in design terms.

#### Car parking, cycle and refuse storage

- 6.19 The proposed units each include an integral garage within the lower 2-storey elements. The single garages for Plots 1 and 2 both measure 4.85m wide x 6m deep whilst the tandem garage proposed for Plot 3 measures 6.7m wide x 7m deep. The proposed garages are generous and easily accommodate car parking, cycle and refuse storage. The garages exceed the minimum garage dimensions contained within Figure L.1 (page 392, appendix L: Car and Cycle Parking Standards) of the Draft

Cambridge Local Plan 2014: Proposed Submission and are therefore acceptable in design terms.

- 6.20 Amendments and further clarification of information is needed before we could support the submitted application:
- The proposed reflective glass will increase the prominence of the proposed units and should be replaced with standard glazing.
  - The function, access and maintenance of the area to the south of the site needs to be confirmed.
  - Clarify the visibility of the PV panels from street level and from the rear gardens of houses in Queen Edith's Way. Site sections need to show the proposed angle and height of the panels. It maybe that the height of the parapet could be increased to screen the PV panels.
- 6.21 Subject to the above, conditions on sample of materials and solar panels details are recommended.

#### Second comments on the proposed amendments

- 6.22 Amended drawings show that the rear elevations of Plots 1 & 2 have been setback 2m at first floor level.
- 6.23 Fixed zinc louvers (angled at 45 degrees) are generally supported in design terms; the setback at first floor level increase the distance of the visible elements of the building from the rear elevation of the houses on Queen Edith's Way. The louvered panels direct views towards the south and minimise potential overlooking into adjacent gardens.
- 6.24 Materials condition required to ascertain the design of the zinc louvered panels. It will be important that these panels be retained and not removed by future occupants. The application is supported in design terms.

#### **Head of Streets and Open Spaces (Tree Team)**

- 6.25 The size of the rear gardens are limited and in order to make them useable additional trees will need to be removed from the gardens. Crown reduction to facilitate the development is not appropriate. Replacement tree planting with more appropriate species would be better rather than pruning. Detail of the replacement planting should be included in the landscape

conditions. Whilst the loss of trees along western boundary is not ideal, the reduction in the developed area and retention of all trees to the south would mitigate the loss.

6.26 The trees that make up the group along Lime Klin Road are of mixed quality and would not be a reasonable constraint to development. The group as a whole is a significant feature of Lime Klin Road and complements the open space opposite. However with appropriate management plan this group can be enhanced.

6.27 Loss of trees at the front is not ideal but they are not a reasonable constraint to development.

6.28 Concerned regarding the extent of the tree loss to accommodate development. If there are no other reasons for objection the losses alone are not sufficient to justify refusal. This is subject to conditions relating to tree protection measures, implementation of arboricultural method statement with tree protection plan and long term management plan.

### **Head of Streets and Open Spaces (Landscape Team)**

6.29 Not supportive of the proposals due to the lack of coordination/clarity of the submitted drawings and concerns about the impact on existing character and trees. The principle of development is supported but parameters and details must be right in order to be successful.

6.30 Trees and layout

- Overall loss of 14 trees including 3 with Tree Preservation Orders.
- Proposal including 15 replacement trees – however concerned with some of the proposed placement.
- Private spaces for each unit is very different in character due to existing boundary trees and vegetation
  - Unit 3: amenity space is large but dominated by trees and there are concerns with the future retention of these trees as they increase in size and dominance.
  - Unit 2: reasonable size garden with most open and usable area compared to other units. However, concerns with the future retention of the boundary trees.
  - Unit 1: comparatively cramped amenity space dominated

by existing vegetation.

- Recommend a review of the design/shape of the buildings to increase depth of amenity space to increase usability and overall quality of space for these large family homes.
- Clarification how the retained piece of land within the ownership boundary to the south of the development site is to be treated
- Clarification on who will be responsibility for maintenance and management of the access road and planting along Lime Kiln Road

### 6.31 Landscaping Planting

- Concerned with proposal to use Instant Hedging along Lime Kiln Road. While the instant impact is a desirable trait, the requirement for a continuous planting trench is problematic for areas containing existing trees, vegetation and roots. A notch planted approach with individual hedge plants may be a more suitable alternative as it will allow flexibility in location of new plants which can avoid roots and other vegetation.
- Recommend smaller growing alternative to *Acer campestre* near the access road entrance.
- Remove *Ilex* from the planting mixes as this native will self-seed within the buffer strip over time.
- Reduce percentages of *Lonicera pileata* within retaining wall buffer mix and diversify mix with additional species. The buffer planting should be predominantly native species with any non-natives included for their ecological value and used adjacent to the gabion edge and not upslope.
- Avoid large growing and thorny plants adjacent to pedestrian paths to doors etc. (*Cornus alba* 'Sibirica', *Rubus tricolor*)
- *Matteuccia struthiopteris* is a very vigorous and will create a large patch in a short time. It also loses its attractiveness through the summer and is very water hungry. Recommend not using it in private front gardens.
- Avoid the use of large growing shrubs in front of windows.
- Unclear how the *Parthenocissus* vines will be grown and where. There is a discrepancy between the planting plans and the architectural elevations. *Parthenocissus* is not a twining vine and will not succeed particularly well when placed against a screen. It would be better suited to climb

directly up a wall. If the screen is what is required, then an alternative, twining species should be utilised.

#### 6.32 Access Road:

- There is a concern about access and servicing and how this will be conducted.
- Details are needed of the built up construction areas and sections through the road which illustrate edging and treatment to the built-up edge.
- Do not support the meandering path through the woodland.

#### 6.33 Gabions

- Concerned about the design of the gabion walls. Generally gabions require both digging down and behind the wall in order to batter and backfill the structure. More detail is needed of construction method, extents of excavations and whether this will impact on the retained landscape features of the embankment. Levels at top of bottom the wall at relevant points along the wall will also be needed.

Second comments on amendments:

6.34 The concerns have been adequately dealt with through the revisions and can be supported the amended landscape proposals. However, the overall landscape design concept has been diminished by the need for post-design amendments. It would have been preferable to see an earlier and more fundamental change which addressed the concerns without compromising the design and quality of the structures.

#### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

6.35 The proposal to discharge the surface water via infiltration is supported, however for this to be a viable solution infiltration test will be required. Recommend surface water drainage condition.

## **Head of Street and Open Space (Nature Conservation)**

6.36 No comments received to date. I will update members on the amendments sheet or orally at the committee.

## **Natural England**

6.37 No objection. The advice provided in the previous response applies to this application. The proposed amendments to the original application are unlikely to have a significant impact on the natural environment that the original proposal.

6.38 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:

Object:

- 232 Queen Ediths Way
- 234 Queen Ediths Way
- 242 Queen Ediths Way
- 244 Queen Ediths Way
- 252 Queen Ediths Way
- 254 Queen Ediths Way
- 256 Queen Ediths Way
- 258 Queen Ediths Way
- 260 Queen Ediths Way
- 262 Queen Ediths Way
- 266 Queen Ediths Way
- 273 Queen Ediths Way
- 12 Birds Close, Ickleton
- 23 Kelsey Crescent
- 119 Coleridge Road
- 6 Finches Close
- 13 Royston Road
- Letter from Barton Willmore on behalf of 256 to 266, 232 to 252, 239 and 273 Queen Edith's Way.

Support:

- 268 Queen Ediths Way
- 60 High Street, Stetchworth
- Flat 24, Chamberlin Court, Westfield Lane
- 21 The Meadows, Romsey
- 5 Pen-y-Graig Road, Ystradowen, Swansea
- 13 King Street, Rampton
- 23 Laceys Lane, Exning
- 28 Missleton Court, Cambridge

7.2 Julian Huppert (former MP) has also made representations, which are reflected in the third party comments.

7.3 The representations can be summarised as follows:

**Objections:**

7.4 Principle:

- The interpretation of 'white land' does not promote development
- The proposal is contrary to policy 3/2 (Setting of the City) – degradation of the urban edge
- Sites such as this should be preserved
- There is no need for additional housing in Cambridge
- Development on garden land is resisted by the NPPF
- The proposal is contrary to policies 3/4 and 3/7 of the Local Plan

7.5 Residential amenity:

- Reliant on trees to block views into existing gardens;
- Noise and light pollution;
- Pressure on future residents to remodel/remove with the zinc baffles across the windows;
- Any future alterations to the properties are likely to increase viewing opportunities;
- The proposal would cause overshadowing over private garden;
- The proposal would benefit three households but would have a detrimental impact on a lot more;
- Impact on outlook from rear of existing properties;
- Introduction of street lighting and very large windows will impact neighbours and wildlife in this area;

- Small and shaded gardens for new houses will put pressure on tree removal;
- Residents make full use of the length of the garden;
- The proposal would still appear as a wall barrier;

#### 7.6 Character and loss of trees;

- Adverse urbanising impact on the rural qualities and character of the site to the detriment of the wider landscape;
- The proposal is out of place and out of character;
- Loss of a valuable green space and habitat;
- Need to preserve important connecting green spaces which provide a buffer between the urban and rural setting;
- The proposal will change the nature of the local environments in terms of views from local gardens and from Lime Kiln Road;
- The site is unsuitable for development;
- Concerns with the loss of trees and pressure on future residents to remove replacement trees due to constrained outdoor space;

#### 7.7 Design, scale, layout

- Intrusive form of development;
- Detached, flat roof housing is out of keeping;
- Unattractive housing would be visible from Lime Kiln Road;
- Design not in keeping with surrounding properties and at 3 storey high;
- Proposed homes are out of scale;
- Small gardens not in keeping with surrounding properties;
- Zinc cladding would appear out of keeping;
- Development would be cramped and overbearing due to density and massing;
- Proposed dwellings are inappropriately oversized a dominant shape and plots 1 and 2 appear as a massed entity;
- Constraints of the site do not fit the nature of the proposed development;
- Gabion wall make the site unsafe for the trees;
- No details of the solar panels;
- Inaccurate and misleading CGIs;

#### 7.8 Impact on wildlife;

- The rural edge will be eroded to the detriment of the rural

- landscape and local nature reserve;
- The proposed development would detract from this attractive green corridor;
- Will not address housing shortage in Cambridge;
- Future development of the paddock to the south;
- Concerned about the increasing trend to develop every available green space in the city;
- No safeguards for future housing development in this location;
- Unattractive boundary fence;
- Site is unsuitable for development due to its narrowness and the darkness caused by trees on and off site;
- The roots of off site trees will be damaged beyond repair;
- Detrimental impact on the biodiversity;
- Replacement trees are inferior and out of keeping;
- Sapling trees grown in last 18 months not taken into account;
- Development of this site would result in the loss of this distinctive edge to the city;
- This unique edge of city gateway to the countryside must be preserved;
- Discrepancies over the amount of tree loss in planning documents;

#### 7.9 Ecology, Landscape and Trees:

- Unacceptable impact on the wildlife and environment of this site
- The site's trees and hedges provides habitat for a number of animals even though some of the trees have been removed by the applicant;
- Proposed boundary fence would prevent movement of wildlife;
- The development would have an adverse impact on nature conservation locally and not mitigation measures have been proposed to contribute to enhancement of biodiversity;
- Significant loss of trees within the site and impact on trees and root system close to the site boundaries from excavation;
- The ecology report does not address the effects from light spillage on the nature reserve;

## 7.10 Highway safety

- Introduction of an additional junction in a hazardous location;
- Access road will have a negative impact on congested junction between Lime Kiln Road and Queen Ediths Way;
- At peak traffic times there is considerable congestion;
- Increase traffic congestion - pedestrian and cyclist safety concerns;
- No footpath within the site will put pedestrians at risk from vehicles manoeuvring within the site;

## 7.11 Public consultation:

- Lack of public consultation from the developer with affected neighbours;
- No public consultation carried out on amended scheme;

### Support:

- The proposal is attractive, thought through and enhances the locality;
- Loss of trees would be mitigated by replacement planting;
- Less houses, set well back from neighbouring properties and aligned to minimise overlooking and shielded by generous planting;
- Traffic movement from three houses would be negligible;
- Entire site is within the development envelope;
- The was previous a well maintained garden;
- Boundary vegetation adjacent to Lime Kiln Road has been neglected. This would be addressed by the proposed development;
- Only trees in poor health and straggly are to be felled;
- The proposal would be an improvement of this area;
- No overshadowing or overlooking neighbours' houses;
- The proposed houses appear tasteful and thoughtfully designed with a sense of space and regard for the setting;
- Provide much needed suitable and large family housing;
- The site is within a central location and close to school, shops and public transport
- The design sensitively preserves the wooded character of the site;

7.12 The representations to the amendments can be summarised as follows:

- Rotating the plots would make vehicles exit from properties more difficult;
- Amendments do not materially change the concerns raised regarding scale, massing and design of the building leaving to overlooking and loss amenity;
- Setting back of the upper floor could create a balcony space result in even more overlooking;
- Adjustments have not addressed overlooking issue;
- Adjustments would result in poor living environment for future residents;
- Proposed increase in garden by 1 or 2 metres is not enough to improve amenity of current residents or future residents;
- Alterations make no difference to problems of dominance, enclosure and overlooking;
- The proposal would provide family housing in a mature, sympathetic setting
- Shortage of family housing within the City and large number of new developments being built are for smaller apartments with limited amenity space
- Proposed amendments address the concerns with overlooking;

7.13 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

## **Principle of Development**

- 8.2 The site is located on the edge of the city boundary with the Green Belt to the east and south, and Site of Special Scientific Interest and Local Nature Reserve to the east on the other side of Lime Kiln Road. The site itself is undesignated and has been left to nature as it has become overgrown and unmaintained. The site is located in an important location between the urban and rural edge. It is an important buffer between the two environments and allows the gradual transition from rural to urban and urban to rural. It is therefore important that any development maintains this sense of place, openness and rural character. Therefore, as the site is located within the city boundary and bound on the western side by housing, officers are of the view that, as it has not been designated for any particular use, the principle of some form of high quality, sensitive and sympathetic residential development would be acceptable.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006)

## **Context of site, design and external spaces**

### Response to context

- 8.4 The application site is an undeveloped parcel of semi-rural land that, in this context, forms an important visual green buffer between the residential development along Queen Edith's Way, edge of the city and protected countryside beyond. To the south and east of the site is the Green Belt, the Cherry Hinton Pits is designated as a SSSI and a Local Nature Reserve. Whilst the application site is not designated, it plays an important role in buffering development from these sensitive designations and help to transition the urban environment into the rural landscape. The character of the site is therefore a significant factor of the site's special qualities.
- 8.5 The site has many trees; several of which are protected, dense shrub planting along the boundaries and a unique topography which provides an important corridor and habitat for a variety of wildlife. The trees that bound the site are important. Whilst many of them may not be of high quality in term of health, as a

group they are greater than the sum of its parts. The trees and shrub on the eastern boundary help to create the feel of a rural corridor along Lime Kiln Road which is important particularly when entering and leaving the site.

- 8.6 It is this context that any development on this site would need to be assessed against.
- 8.7 The proposed development has maintained the three-storey rectangular and flat roof form with large glazed windows, not unlike the refused scheme. The main three storey element now has a two storey flat roof annex attached to it. The floor area of the three dwellings has increased by between 74sqm and 96sqm. The increase in the floor area has resulted in proposed dwellings taking up circa 75% of the site that was previously proposed for seven units.
- 8.8 Whilst the proposed development has reduced in the amount of dwellings on the site, I do not believe this has addressed my original concern with the impact the development would have on the character and setting of this site. The increase in mass and footprint of the proposed dwellings would appear dominant and overly urbanise the rural landscape setting when viewed from the rear of the properties in Queen Edith's Way and from Lime Kiln Road.
- 8.9 The site is located on the south-eastern edge of the city. Therefore policy 3/2 (Setting of the City) is an important consideration. The policy states that development will only be permitted on the urban edge if it conserves or enhances the setting and special character of Cambridge and the biodiversity, connectivity and amenity of the urban edge is improved.
- 8.10 Whilst officers are of the view that some form of development is acceptable on this site, the proposed development, in my view, fails to comply with 3/2, as it would not conserve or enhance the setting and special character of the city edge. The development would introduce a form of development that would appear incongruous and significantly alter the setting and character of this edge of city location. Whilst the applicant has reduced the number of dwellings, the design and form of the proposed development would appear incongruous. Also, whilst the applicant is proposing to carry out replacement planting, this would not only take time to mature but would also not effectively

screen the development. The loss of trees and vegetation along the south, east and western boundaries would further open up views into the site, emphasising its change from semi-rural land to a hard and uncompromising form of development.

- 8.11 Whilst officers are of the view that the principle of some form of residential development on this site would be acceptable, the proposed form is not considered to be appropriate and would not successfully or sensitively assimilate into the site. The proposed development fails to respond to the existing landscape and context such that it would appear alien and intrusive. The proposal would therefore conflict with policies 3/2 and 3/4 (Responding to Context) which requires development to demonstrate that has responded to context and taken key characteristics of the surroundings.

### Design

- 8.12 Whilst the Urban Design Team is supportive of the proposal in terms of design, having visited the site and neighbours gardens, I do not consider the design or scale to be appropriate or respectful of the site's qualities or its contextual relationship with the surrounding landscape. Whilst a modern approach can sometimes successfully contrast, the approach taken here does not, because the bulkiness of the dwellings and their appearance would not, in my view, mean that they would assimilate successfully. The proposed blocky design, use of zinc cladding, introduction of zinc louvered screens and large glazed windows is more akin to an urban city centre environment than this semi-rural context. The design also fails to draw any inspiration to its green, woodland setting. As a result it would appear alien, out of place and contrived from surrounding vantage points, particularly at night but also in winter months. The proposal therefore has failed, to overcome the concerns with the previously refused scheme. The site, in my view, is being made to fit the proposed development rather than the other way around.
- 8.13 The proposed amendment to set back the 'first floor' by 2 metres and introduces zinc louvered screens on the rear elevation which would appear contrived and undermine the original design concept, particular as this aspect would be visible from the properties in Queen Edith's Way. In my view,

the character and setting of the site would be significantly and adversely eroded as a result of the development proposed.

- 8.14 In terms of layout, the applicant has amended the layout of plots 1 and 2 following concerns from officers regarding overlooking impact on existing residents in Queen Edith's Way. Plots 1 and 2 have been rotated 10-15 degrees anti-clockwise and louvered screened introduced. Plots 1 and 2 have also been moved 2 metres away from the western boundary giving additional amenity space. The layout of plot 3 has been unaltered.
- 8.15 The rotation of plots 1 and 2 has minimal impact on the proposal overall.

### Open Space and Landscape

- 8.16 The proposed dwellings and roadway would dominate the surface area of the site which would diminish the site's rural qualities. The only area of open space would be located in the rear gardens of the plots and an area to the west of the access. Other than this the site would be dominated by hard-standing and the footprint of the proposed dwellings, which has increased compared to the previous scheme that was refused. The site's green and rural character would be eroded by the proposed development. The general character of the area is of modest semi-detached dwellings on generous plots. The proposed development contradicts this entirely with large detached dwellings on modest plots. Each plot has the potential to be used as a five bed dwelling. Whilst the city council does not have space standard for private gardens, the proposal in my view would provide very modest gardens for the type of housing proposed.
- 8.17 The Landscape and Tree Officer had raised concerns with the limited size of outside space and the removal of trees in order to make these spaces usable. However, amendments to the layout of plots 1 & 2, has increased the area of usable garden space. The increase of between 2.5 and 1.2 metres is not considered significant enough to address my concerns with the proposal.
- 8.18 The proposal also includes the removal of 15 trees, 3 of which have tree preservation orders (TPO) from the site. The Tree Officer has expressed concerns with the extent of tree loss in

order to achieve the proposed development on the site. However, she does not consider the tree loss could sustain a refusal on its own, particularly as the trees to the south of the application are now being retained. In my view the loss of established trees that define the northern, western and eastern boundaries of the site would result in opening up of the site thus increasing views of the proposed development. I therefore do not consider the loss of the trees to be acceptable as the proposed scheme is not of sufficient quality to justify such loss. The proposed level of tree removal would conflict with policy 4/4 (Trees), which does not permit development which would involve the felling, significant surgery or potential root damage to trees of amenity or other value unless the public benefits outweighs the current and future amenity value of the trees. I do not consider the public benefits from the proposed development would outweigh the significant damage and detrimental impact to the site that would arise from the loss of the existing trees and the potential impact on the root system of those that are being retained.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.20 Currently the residents in the dwellings in Queen Edith's Way which back onto the site have a pleasant outlook from their rear gardens which is reasonable to expect in such a location. The proposed development would result in large detached bulky buildings very close to the rear boundaries which would materially change the context and outlook for existing residents. The proposal would also introduce windows in the rear elevation of each proposed dwelling that would allow views over the existing rear gardens. The existing rear gardens are currently not overlooked from this location and whilst they are long, many of them are well used, particularly at the rear ends. It is clear that the development will be very apparent from the existing rear gardens of the Queen Edith's Way dwellings. The impact from overlooking (actual and perceived) would have a detrimental impact on the residential amenity of the existing residents. Whilst boundary planting can help to mitigate overlooking in built up areas this is not a full proof solution

especially for this site where no overlooking from buildings exists. I am of the view that the potential harm caused from overlooking and sense of enclosure from the proximity and bulkiness of the buildings would be significant and adversely affect the residential amenity of the adjoining neighbours. In order to address such concerns, the applicant was advised to face windows in a north-south direction to avoid any overlooking of the rear gardens.

8.21 However, the applicant instead amended the scheme by rotated plots 1 and 2 anti-clockwise by 10-15 degrees and move the dwellings between 2.5 and 1.2 metres away from the western boundary, step the first floor back by two metres from the rear elevation and introduced zinc louvre screens to narrow the viewing angle over the rear gardens. Plot 3 has not been altered in any way.

8.22 These amendments have been assessed by officers. Whilst the Urban Design team has raised no concerns from a design perspective, I still have concerns as the proposal would still enable overlooking and create a sense of being overlooked from the rear gardens albeit through a narrow viewing angle. The proposal would also result in a form of development that would appear intrusive from the rear gardens, particularly no.266 which is the nearest. The third storey of plot 1 would be 9.4 metres from the rear boundary of no.266 and 8.5 metres wide. The 'ground floor' element would be 7.4 metres from the rear boundary at 13.6 metres in width. The overall height of the ground and first floor would be 6 metres. The applicant argues that the 'ground floor' element would not be entirely visible behind the 1.8 metres boundary fence. However, the combination of the width and height of the proposed dwellings would result in a poor and dominant relationship with the existing houses and their gardens, particularly no.266.

8.23 Plot 3 has not been altered in the same manner as plots 1 and 2 and so has large glazed windows which would face the rear boundary and overlook the rear gardens of no.256 to 262 Queen Edith's Way. The garden depths at the location are between 45 and 64 metres and there is a mature tree in the rear of no.260 which would screen views. I nevertheless have concerns with the overlooking of the rear gardens, particularly as the proposal would introduce a form of development that would face back towards the properties in Queen Edith's Way.

- 8.24 The applicant has produced some CGIs in order to demonstrate the visual perspective of the proposal from the rear gardens. However, the CGIs produced are not taken from the most sensitive parts of the gardens. I have visited many of the neighbours' gardens in order to appreciate what impact the proposed development would have on neighbours.
- 8.25 The rear gardens of the properties in Queen Edith's Way have a shallow incline to the rear boundary. The incline varies in places but is approximately 2 metres. Therefore the proposed development would be located on higher ground than the existing dwellings. This would increase the appearance and scale of the proposed dwellings on existing residents.
- 8.26 The proposed development would therefore have a significantly detrimental impact on the residential amenity of the existing residents. The proposed development would still cause overlooking of private gardens from a location that currently does not and create a barrier of development close to the rear boundaries of the properties in Queen Edith's Way.
- 8.27 In my opinion the proposal fails to adequately respect the residential amenity of its neighbours and would not provide a high quality living environment for future residents. The proposal is therefore contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

#### Amenity for future occupiers of the site

- 8.28 The applicant has provided a daylight and sunlight assessment which demonstrates that the gardens would receive a minimum of 2 hours of daylight during the 21<sup>st</sup> March. This complies with BRE guidance.
- 8.29 I nevertheless have concerns with the residential amenity of future residents. The shadow assessment which has been undertaken at noon on 21<sup>st</sup> March, 21<sup>st</sup> June, 21<sup>st</sup> Sept and 21<sup>st</sup> Dec shows that in March, September and December the rear patio area of plots 1 and 2 would be in the shade. Plot 1 would be completely in the shade on 21 December at noon. Whilst the proposal complies with BRE guidance, the quality of living environment for future residents of large detached 5bed dwelling is likely to be below that which would be expected.

Furthermore, there are concerns that with replacement planting of trees and existing trees, there will be pressure on future residents to cut back or even remove the trees which would open up the rear boundary. Overall due to the existing land form and existing and proposed boundary planting, the proposed development would not provide a high quality environment for future occupiers. The scheme would retain none of the spacious qualities of the site or its surroundings.

- 8.30 The introduction of louvre screens to plots 1 and 2 would result in inter-overlooking between plots. The louvre screen on Plot 2 would direct views over the rear garden of Plot 3 at a distance of between 7 and 12 metres, which would have a detrimental impact on the residential amenity of any future occupier. Also, the louvre panels on Plot 1 would direct views onto the side wall of Plot 2 and over the rear garden at a distance of 12 metres. The introduction of contrived louvre screens has resulted in a new overlooking issue being created.
- 8.31 In my opinion the proposal fails to adequately respect the residential amenity of future occupiers and would not provide a high quality living environment for future residents. The proposal is therefore contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

### **Refuse Arrangements**

- 8.32 Each proposed dwelling would have a dedicated bin store which accommodates the requisite numbers of waste receptacles. However, due to the reduction in the width of the internal road as a result of shifting plots 1 and 2 by 2.5 metres and 1.2 metres (respectively) from the western boundary, has resulted in refuse lorries not being able to enter site along the internal access road. This has resulted in the introduction of a bin collection point close to the main site entrance. The applicant proposes to use a management company who will be in charge of managing the communal areas to transfer the bins to the collection point. Whilst this is not an ideal solution to support three dwellings, I am satisfied with the proposed refused arrangements.
- 8.33 However, if there was no management company, it would result in future residents having to take their bins to the collection point for collection. The drag distance for plot 1 would be

approximately 37 metres, the drag distance for plot 2 would be approximately 56 metres, and for plot 3 would be approximately 88 metres. The entrance into the site is also slope down into the site from Queen Ediths Way. According to the Cambridgeshire County Council's Waste Design Guide 2012, states that collection points should be convenient for users to access and residents should not have to move waste more than 30 metres to any designated storage area within the site.

- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.35 The Highway Authority has raised no concerns with the highway safety.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

#### Car Parking

- 8.37 Each proposed dwelling would be provided with at least two car parking spaces. The Council's Car Parking Standards seeks 2 spaces for a dwelling with 3 or more beds. Therefore the proposal is compliant with the standards.

#### Cycle Parking

- 8.38 The Council's Cycle Parking Standards seek 3 spaces for 4bed dwellings and 4 spaces for 5bed dwellings. Provision has been made for cycle parking for each dwelling. In view of all three units would provide 4 cycle parking spaces within the garages. I am therefore satisfied with the cycle parking arrangements.
- 8.39 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.40 Significant local concerns have been received from the neighbour consultation process. Most of these have been

addressed in my report. Those outstanding are addressed below:

<b>Objections</b>	<b>Response</b>
No need for additional housing	There is a need for housing but, the Council has 5year housing land supply. The need does not outweigh the harm to the setting of the City.
Development on garden land is resisted by the NPPF	Para 53 of the NPPF states LPAs should consider policies to resist inappropriate development of residential gardens, but this is not 'garden' land.
Lack of public consultation	No formal public consultation was carried out but I understand some neighbours have been notified by the applicant.
'White land' does not promote development	This is an outdated term. Any development on non-allocated sites still needs to adhere to the relevant policies in the adopted Local Plan.
Could set precedent for development on adjoining land	Each planning application is considered on its own merits.
Damage to public highway	Any damage to a public highway is a County Highway matter.
Site not within easy walk of the city centre	The site is not within easy walking distance of the city centre. However, the site is close enough to the local centre in Cherry Hinton. There are also cycle lanes and bus stops close to the site to enable access into the city centre.
Impact on site from artificial light	Without this information it is difficult to determine what impact the lighting from the proposed development would have on the nocturnal wildlife. However, Natural England has not raised any objections to the proposal.
Impact on surface water drainage as a result of excavation of trees	The proposal would be to discharge surface water via infiltration which is supported by our drainage officer who has also recommended a detailed

	surface water condition.
Concerns from contaminates from land fill being washed into surrounding drains	As above.
Increase in pets could harm bird and small mammals on the site	This is not a material planning consideration.

## 9.0 CONCLUSION

- 9.1 The proposed development is for three 3 storey detached dwellings with vehicular and pedestrian access on an area of land rear of 268 Queen Edith's Way. The application site is naturalised green space that forms part of the rural setting of the City and which is bound by established and mature trees and vegetation. The site provides an important transition from the adjacent SSSI, Local Nature Reserve and Green Belt to the residential development on Queen Edith's Way. Therefore, whilst officers have agreed that the principle of residential development would be acceptable on this site, the proposed development is unacceptable as it would significantly change and harm the character of this edge of city land and how it relates to the wider landscape because it is an unsympathetic form of development.
- 9.2 The proposed development would also result in the significant loss of trees including trees with TPOs that play an important role in the appearance and character of this site. The trees have significant amenity value which should be protected.
- 9.3 The proposed development would also introduce a form of development that would create overlooking of the existing and future private gardens. Furthermore, the proposal would result in a poor outlook and sense of enclosure on the existing residents. There are also significant concerns with the impact on the residential amenity of future occupiers in terms of inter-overlooking and due to the size of the gardens for the proposed dwellings, which is likely to be pressure on pruning and felling of boundary trees, which would further open views over the existing rear gardens.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. The proposed development would, by virtue of its unsympathetic scale, bulky design and loss of trees, have a significantly detrimental impact on the character and setting of this edge of city site and surrounding rural context. The proposed development would result in an alien form of development that would appear incongruous from the rear gardens of the properties in Queen Edith's Way and unduly diminish the rural character of this green edge from Lime Kiln Road. The proposal fails to sympathetically respond to the site context. For these reasons the proposed development conflicts with policies 3/2, 3/4, 3/12 and 4/4 of the Cambridge Local Plan (2006) and government guidance contained in the National Planning Policy Framework 2012.
2. The proposed development would, due to its angled layout, three storey scale and proximity to the western boundary, introduce a form of development that would cause overlooking, the perception of being overlooked and introduce an dominant and bulky form of development close to the rear gardens of the existing dwellings in Queen Edith's Way. As such, the proposal would have a significantly detrimental impact on the residential amenity of adjacent residents in terms of loss of privacy and enclosure. The proposal would also, by virtue of the louvered screens on plots 1 and 2, angle views over the rear gardens of plots 2 and 3 which would result in inter-overlooking. In conjunction with the proposed modest rear gardens, this would also result in a poor quality living environment for future residents. For these reasons, the proposed development conflicts with policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).