

Application Number	15/2044/FUL	Agenda Item	
Date Received	2nd November 2015	Officer	Mr Toby Williams
Target Date	28th December 2015		
Ward	Arbury		
Site	29-31 Harding Way Cambridge CB4 3RW		
Proposal	Erection of two semi-detached dwellings, and one detached dwelling, following demolition of two semi-detached bungalows and garages.		
Applicant	Mrs Sue Baggeley 9a Costa Road Long Benington Newark NG23 5DY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The proposed houses would adequately respect the character and context of the surrounding area. -The scheme adequately respects the residential amenity of nearby occupiers -Previous issues regarding the dismissal of the scheme on appeal have been overcome.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the northern side of Harding Way and is formed of two rectangular garden plots, currently occupied by two semi-detached bungalows 29 –31 Harding Way.
- 1.2 To the north of the site is a private parking court from which several residential properties along Harding Way gain rear access to the their gardens. Number 29 Harding Way has a single storey garage (to be demolished) fronting onto the court.

- 1.3 The surrounding area is mixed in character. To the north, Acton Way comprises mainly 2 storey semi-detached and terraced brick and render properties. To the east are mainly red brick semi-detached properties. To the south of the site the road comprises a mixture of red brick semi-detached properties extending eastwards along Harding Way and detached gable fronted bungalows extending westwards. To the immediate west of the site is a pair of semi-detached bungalows, 25-27 Harding Way, which sit at an angle to the site and to the corner of Harding Way itself.
- 1.4 To the front and west of the application site is a relatively wide grass verge which is planted with street trees and defined by a low rise hedge.
- 1.5 The site is not within a Conservation Area or in the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks the demolition of the existing pair of bungalows and the erection of two semi-detached dwellings and one detached dwelling in their place. All properties would have three beds.
- 2.2 The pair of semis (plots 1 and 2) would be on the western side of the site and the detached property (plot 3) on the eastern side of the site. All of the properties would have their front doors facing onto Harding Way and would be constructed from gault brick with red toothed brickwork forming corner and verge details.
- 2.3 The application has been amended since it was initially registered and re-consultation with neighbours has taken place as a result. As amended, the proposal has been brought forward on the site and car parking for all three properties relocated to the rear of the plots. 2 car parking spaces (one garage, one external space) are proposed for each property. The proposed fenestration has also been amended and regularised. Most of the landscaping to the front has now been retained, with pathways to the front of the properties cutting through a hedge. Garden depths would be 9-12m long.

3.0 SITE HISTORY

Reference	Description	Outcome
14/1477/FUL	A terrace of four town houses to replace existing semi-detached bungalows and garages.	Withdrawn
12/0856/FUL	Erection of a terrace of four town houses following demolition of existing semi-detached bungalows and garages.	Refused/Appeal dismissed
10/0336/FUL	Replacement of existing pair of bungalows at 29-31 Harding Way with five 3-bed flats.	Withdrawn

3.1 A copy of the Inspector's decision letter in relation to the appeal for 12/0856/FUL is attached to this report.

4.0 PUBLICITY

4.1 Advertisement: Yes
 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	3/4 3/7 310 3/12 5/1 8/2 8/4 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 Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Material Considerations	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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Ideally the eastern property should be accessed from the side passageway. Car parking spaces should be 2.5m x 5m. Recommends conditions relating to: no unbound material used for the driveways; no gates; details of the highway cross-overs;

surface water run-off; pedestrian visibility splays; manoeuvring areas; re-instatement of redundant cross-overs; and access widths.

Environmental Health

- 6.2 No objection: recommends conditions relating to construction hours, collection/delivery hours, piling and dust (see recommended conditions 4-7)

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:

27 Harding Way
33 Harding Way
38 Harding Way
40 Harding Way
44 Harding Way
48 Harding Way
50 Harding Way
52 Harding Way
58 Harding Way
60 Harding Way

- 7.2 The representations can be summarised as follows:

Principle of Development

- The bungalows form part of a harmonious street scene.
- Two storey houses unacceptable in principle

Design Issues

- Gross overdevelopment
- Massing excessive, cramped development, too dense
- Bringing the plots forward emphasises the massing issues
- 2 storey houses on this site would set a precedent
- Design precedence

- Three trees on the grass verge should be retained/replanted
- Destruction of grass verge with cross-overs
- Proposed houses too close together
- No objection to the design
- The proposed houses will not be in keeping with the area.

Amenity Issues

- Bringing the buildings forward would increase overlooking
- The size of the units do not meet draft standards in the emerging LP
- They would not be built to lifetime home standards in the emerging LP
- Impact of demolition
- The internal layout of the proposed houses is cramped with very small rooms.
- Overlooking to the front (side) of number 52 Harding Way.
- There will be a significant increase in people (bedrooms increase from 4 to 9), noise and traffic levels. Noise will be concentrated in a smaller space.
- Invasion of privacy to number 27.

Car parking

- Car parking will become a hazard.
- Even though cars can be parked to the rear, occupiers of the properties will park to the front and obstruct the free flow of traffic and manoeuvring vehicles
- There is no dropped kerb to the front of the property.
- This is a narrow part of Harding Way

Other

- The proposed refuse arrangements would result in bins being left on the pavement.
- The scheme is for profit only
- 14 day re-consultation is not long enough
- Inconvenience of building works.
- Impact on atmosphere of the area.
- Houses would not be built for personal use but let out.
- The appeal decision indicates this proposal should be refused.
- No different to previous refused application.
- If built, nothing to stop loft conversions from occurring.
- Harm to wildlife habitat, even with the amendments

- The houses would be rented and tenancies change regularly
- Plans incorrectly show adjacent car parking arrangements
- False statements on the application form regarding removal of hedges/trees etc.
- Issues with scale bars and inconsistencies between plans

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. Affordable Housing
3. Context of site, design and external spaces (and impact on heritage assets)
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The provision of additional dwellings and higher density housing in sustainable locations is generally supported by central government advice contained within The National Planning Policy Framework 2012. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The broad proposal is therefore in compliance with these policy objectives.

8.3 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remains acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity

value gardens contribute to the City. The contribution that the existing garden land makes to the character of the area, the comparative density of the development and the visual impact of the new dwellings on the prevailing character of the area are all important considerations in assessing whether the proposed development is acceptable. These considerations are set out in my assessment but in principle, the development of this site is acceptable. In note that in relation to the Inspector's decision, that the principal was also considered appropriate.

- 8.4 In my opinion, the principle of the development is acceptable and the development would help meet housing need. The scheme is therefore in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.5 The key issue is the design and appearance of the new dwellings in respect of the character of the street. The first issue to consider is whether the removal of the bungalows and replacement with two storey houses is appropriate. Paragraph 5 of the appeal decision deals with this issue. Whilst stating that the existing bungalows are attractively set within the street, the Inspector accepts that the appeal site is located where two areas of different character meet and that the introduction of a new housing type would not, by itself, cause harm. My view is that this constitutes a strong reason to accept a two storey form of development on this site.
- 8.6 The footprint and detailed design of proposal has been amended since it was first submitted. Crucially, the layout has changed so that the car parking to the plots has moved from the front to the rear of the site. I agreed with the concerns of third parties that the verge and the hedge form positive features of the street scene. That is why the amendments were requested. This has improved the setting of the proposed houses and preserved the character of the area and deals with the residual concerns raised in paragraph 8 of the appeal decision. Accordingly, I recommend a combined protective fencing and landscaping condition 9 to ensure the hedge and the trees are protected during construction times and landscaping is secured.
- 8.7 The scale of the houses is relatively modest and I do not consider that they would appear in any way out of keeping with

other two storey houses within the area. The footprint that the houses would occupy is not dissimilar in scale to the footprint of the bungalows to be removed. Garden depths would be between 9-12m between the backs of the properties and the garages. A distance of 2.5m would be provided between plot 2 and plot 3. The houses would be set approximately 2.5m back from the front verge. Their position slightly further forward on the plot, would not in my view, result in any harm to the street scene given that the design of the western facing side of plot 1 is resolved.

- 8.8 Unlike the dismissed scheme, this proposal is for 3 properties not a terrace of four. There are key design differences between this scheme and the previous dismissed scheme. Issues raised by the Inspector with regard to the design of the dismissed scheme related to the two-storey forward projections with small openings and the design of the roof of the western elevation appearing contrived, unbalanced and clumsy (see paragraphs 5 and 6).
- 8.9 The proposed scheme does not exhibit these elements. The front windows are much more generous. Two storey front projections do not form part of this proposal. The western elevation is much more traditional, with a straight gable form. I have also sought the introduction of a toothed red brick corner detail to the otherwise gault brick finish of the properties and a red brick soldier course detailing for the verges of the houses to reflect some of the attractive detailing on the existing bungalows. Subject to the approval of the materials via proposed condition 3, I am satisfied that the detailed design of the scheme would be of good quality.
- 8.10 Overall I do consider the proposal is either cramped or an overdevelopment of the site. The development would not detract from the verdant character of this section of Harding Way but add to its variety and be of a scale and form that would be acceptable. It would not set a precedent as each application is treated on its own merits.
- 8.11 In my opinion the proposal is an acceptable plot subdivision to redevelop the existing bungalows, which is compliant with Cambridge Local Plan (2006) policies 3/4, 3/10 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The closest neighbour to the site is the occupant of no. 27 Harding Way, whose bungalow is to the west of the site and positioned at an angle to the road with a tapered rear garden. The development would have some visual impact upon no. 27 Harding Way because of its proximity (approx. 6m from the centre of plot 1's gable to the centre of no. 27's side wall. I initially had some concerns that the two storey element of plot 1 projected too far back into the site beyond the rear of no.27. On this basis, I sought amendments to the scheme which have pulled the footprint forward. This has lessened the visual impact of the two storey part of the scheme on the rear garden area and outlook from rear facing windows of no. 27. I appreciate that no.27 also has a side facing ground floor window but the development, because it is angled away from it, would not significantly enclose its outlook or in my view diminish light entering into it and I have approached the amendments on the basis that the rear of no.27 affords more amenity value to its occupants than its side. On this basis and given the amendments, I am satisfied that there would be minimal impact in terms of visual enclosure on the occupants of this property.
- 8.13 Given the orientation of the site, additional overshadowing is only likely to occur during the early morning and, given that the footprint has been brought forward, this will have lessened any loss of morning sunlight further.
- 8.14 No. 27 has also raised an issue of overlooking. Plot 1 has two rear facing bedroom windows at first floor level that would provide an oblique view into the rear garden of this property. This is to a certain extent inevitable, given the angled slant of no. 27's rear garden and a two storey form being proposed. From my site visit, I noted that the rear garden of no. 27 is already relatively open to the application site. I do not consider the presence of two bedroom windows, which are more than likely to be used at times when the garden is not in use, would result in significant harm to the pre-existing situation.
- 8.15 The proposed houses face towards number 52 Harding Way and to other dwellings to the south, which I understand in relation to no. 52's representation, is side onto the street. I note

the concern with regard overlooking and privacy from the proposed houses, but these sides or fronts to the existing and proposed houses are to the street and this is a conventional relationship of dwellings that would not diminish the privacy of these properties to any significant degree. I do not consider that the re-siting of the houses further forward on the site to have significantly altered the impact.

- 8.16 Concerns have been raised that the overall density of development would result in noise and disturbance from comings and goings, particularly because the dwellings would be let and because of the increase in number of bedrooms. This was not an issue raised by the Inspector in the consideration of the appeal for 4 houses. I do not consider that noise which could be typically expected from three family homes to be harmful to residential amenity or out of character with the site context. Whether the houses are let or bought is not within the control of the Council and I attach little weight to the concern that rented property would necessarily result in short tenancies that would disrupt the enjoyment of nearby properties.
- 8.17 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.18 The proposed new houses would provide desirable accommodation with useable rear garden areas. The ground floor living areas would have south facing lounge/dining room spaces with kitchens facing onto the gardens. 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 and 3/12.

Refuse Arrangements

- 8.19 Refuse storage would be provided alongside the rear outbuildings with a drag distance to the front of approximately 20m via the side passageways of the houses to the front verge. I consider this arrangement to be acceptable. Whilst I

understand the concerns that bins could be left on the roadside, this is outside of the control of the Council.

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

Car and Cycle Parking

- 8.21 The application provides 2 car parking spaces to serve each house; one external space and one garage space. This level of provision is the maximum allowed through the Council's parking standards and is appropriate for the size of housing and the location of the site. I appreciate that representations suggest that future occupiers would still park on the road-side to the front of the properties, but the Council has no control over the highway and if occupiers or residents choose to park here they would be within their rights to do so. From my site visit, I did not observe a particular problem with on-street parking levels. I assume this is because many of the properties in the area are able to accommodate frontage car parking of one or two spaces. I have no concerns with the parking arrangement and consider the amenity benefits of locating this to the rear is outweighed by the possibility that parking on the highway to the front might occasionally inconvenience other users of the road.

- 8.22 I note the Highway Officers comments regarding the dimensions of the spaces and confirm that these would measure 5 x 3.2m

- 8.23 No dedicated space is set aside for cycles to park albeit that there is plenty of room within the gardens for this to occur. I have proposed condition 8 to deal with this.

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

Highway Safety

- 8.25 I am not in receipt of a highway objection from the County Highways Engineer. At the time of writing this report no further advice has been received regarding the amended layout which has reduced the impact on the adopted highway itself. As a result, I consider that the conditions proposed are no longer necessary. I note the third party representations that the

amended proposal would result in on-street parking to the front which would obstruct the free flow of traffic on this part of Harding Way which is narrow. However, on-street parking to the front of the existing properties can and does already occur and I do not consider that this proposal would make the existing situation necessarily any worse or that the applicants could be reasonably expected to control where future residents of these houses parked their vehicles. From my site visit, it appeared possible for moving cars to pass cars parked on the highway.

Third Party Representations

8.26 I have dealt with the substantive third party issues in the main body of the report. I set out in the table below those remaining issues and my response to them.

Amenity Issues	Officer Response
The size of the units do not meet draft standards in the emerging LP	This is not adopted policy. The draft policies have been superseded by national guidance which does not come into effect unless and until LPA's adopt space standard policies.
They would not be built to lifetime home standards in the emerging LP	This is not adopted policy. Local Plan policy 5/9 is not applicable as this is not a major development. The development would have to meet part M of the Building Regulations for disabled access.
Impact of demolition	I recommend conditions 4 - 7 to mitigate the impact of this.
The internal layout of the proposed houses is cramped with very small rooms.	The kitchens are small but the lounge/dining rooms appear fairly generous and the bedroom sizes range from double rooms to single rooms. I do not consider the layout to be cramped and outlook from rooms is either onto the gardens or to the front. The Council does not have any

	adopted internal space standards.
Other	
The scheme is for profit only	Not a material planning consideration.
14 day re-consultation is not long enough	This is standard practice but I would have received late comments on request.
Inconvenience of building works.	I recommend conditions 4 - 7 to mitigate the impact of this.
Houses would not be built for personal use but let out.	Not a material planning consideration.
If built, nothing to stop loft conversions from occurring.	That is correct to the rear. I have not suggested the removal of pd rights for lofts because a conversion to the rear to my mind would not necessarily be unacceptable.
Harm to wildlife habitat, even with the amendments	The site is not formally designated. I have recommended condition 9.
Plans incorrectly show adjacent car parking arrangements	Noted, but not a significant factor in my recommendation
False statements on the application form regarding removal of hedges/trees etc.	These issues have been addressed through the amendments
Issues with scale bars and inconsistencies between plans	These issues have been addressed through the amendments

Planning Obligations (s106 Agreement)

8.27 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and

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

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

8.28 Given the scale of the development, which would result in a net increase of one dwelling, I do not consider that it would be reasonable or necessary to pursue planning obligations towards open space.

9.0 CONCLUSION

9.1 As amended, the proposed scheme has addressed the issues raised by the Inspector in dismissing the previous appeal and has improved on other matters, such as with the relocation of the car parking and the improvement to the frontage of the site. The development would help meet housing need and would adequately respect the residential amenity of adjacent occupiers.

10.0 RECOMMENDATION

APPROVE subject to following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4. No 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)

5. 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)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from 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.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

7. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

8. No occupation shall occur until facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been provided for each house within the rear garden area of the properties on the basis of 1 space per bedroom.

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

9. 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 means of enclosure; car parking layouts, hard surfacing materials; 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; measures to protect existing trees and hedging on the front of the site 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 (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12).

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.