

Application Number	16/1341/OUT	Agenda Item	
Date Received	19th July 2016	Officer	Mairead O'Sullivan
Target Date	13th September 2016		
Ward	Kings Hedges		
Site	396 Milton Road Cambridge CB4 1SU		
Proposal	Erection of a detached dwelling and formation of new access		
Applicant	Mr S Hagard 396, Milton Road CAMBRIDGE CB4 1SU		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of residential development in this location is considered to be acceptable as it would be compatible with the surrounding environment. <input type="checkbox"/> Although the Highway Authority has raised an objection to the proposed access it is considered acceptable given the low traffic volume and speed. <input type="checkbox"/> The layout of the plot is considered acceptable subject to more detail regarding scale, design and landscaping.
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is land to the rear of 396 Milton Road. This is currently in use as garden land. The site is to be accessed from Cook Close; a residential cul-de-sac to the south of Milton Road close to the junction with Kings Hedges Road and Green

End Road. The immediate area is predominantly residential in character.

- 1.2 The site does not fall within a Conservation Area nor is it within the Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 The application seeks outline permission for the erection of a detached dwelling with the formation of a new access from Cook Close.

2.2 The elements which are requested to be assessed as part of the application are layout and access.

2.3 The application is accompanied by the following supporting information:

1. Plans
2. Visibility splays

3.0 SITE HISTORY

Reference	Description	Outcome
C/02/0447	Erection of a 1.9m high fence (along Cook Close).	Permitted
C/03/0242	Erection of conservatory to rear of dwelling.	Permitted
C/80/0657	Erection of two-storey extension to existing dwelling house	Permitted
C/96/0687	Outline application for the erection of two no bungalows.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 There is no footway provision on the northern side of Cook Close. Visibility splays have not been provided to show access for motor vehicles egressing the site to see oncoming vehicles when emerging. As a result recommend that the proposal is refused.

Environmental Health

- 6.2 The proposal is acceptable subject to two conditions relating to construction hours and piling.

Refuse and Recycling

- 6.3 There doesn't seem to be a pavement. Questions where bins will be placed as these cannot be left on the road. The applicants will need to make provision for a hard standing area, to accommodate bins on their boundary.

Urban Design and Conservation Team

6.4 No material conservation issues

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.5 The proposal is acceptable subject to a condition relating to surface water drainage.

6.6 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:

- 11 Cook Close
- 12 Cook Close

7.2 The representations can be summarised as follows:

- Concerned about overlooking
- Concerned about impact on road during construction
- Access will be dangerous
- Will set a precedent for other houses to build two storey properties

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development

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

Principle of Development

- 8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is located within garden land of 396 Milton Road which is in residential use and surrounded by other residential properties on Cook Close. As a result I consider the principle of development to be acceptable.
- 8.3 Policy 3/10 relates to the sub-division of plots. This policy requires consideration to be given to the impact on amenities of neighbours (part a), amenity space/car parking (b), impact on the character of the area (c), effect on listed buildings/BLI (d), impact on trees (e) and whether the proposal would compromise comprehensive redevelopment (f). Criteria d and f are not relevant to the current application. I will address the other criteria of policy 3/10 below.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces (and impact on heritage assets)

- 8.5 Only the principle of the erection of one dwelling and the details of the access and layout are for consideration as part of this outline application. Matters of landscaping, appearance and scale are reserved. Having assessed the proposal in relation to policy 3/10 above, I am satisfied that a new dwelling could sit comfortably within the site having regard to its context and subject to the future consideration of the scale and detailed design and landscaping of the site.
- 8.6 The application had originally proposed a two storey dwelling. This was considered unacceptable and the assessment of scale

was removed from the proposal. The surrounding properties within Cook Close are all single storey in scale. As a result a two storey dwelling would appear out of character. A condition is recommended to ensure that any future application for the approval for reserved matters be single storey in scale to ensure the proposed development would be in keeping with the other properties within Cook Close.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The consideration of scale has been removed from the current application. The layout of the site is considered to adequately respect the amenity of the surrounding properties. The detailed impact of the new dwelling will be the subject of future consideration. However, in my opinion the proposal could adequately respect the residential amenity of its neighbours and the constraints of the site. I consider the proposal to be compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.9 The proposed layout provides two car parking spaces for the new dwelling. Parking for the host dwelling at 396 Milton Road is to the front of the host dwelling and as a result is not affected by the proposal. Both the existing dwelling and new dwelling are proposed to have relatively large gardens. Detailed design and scale will be the subject of future considerations. However, in my view the proposal could provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers of the site and the host dwelling at 396 Milton Road. As a result I consider the proposal to comply with policy 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.10 The Recycling officer notes that there is not hard standing to accommodate bins for collection. I recommend a condition to ensure the provision of a collection area for bins.

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

Highway Safety

8.12 The Highway Engineers has recommended the application is refused on the grounds that there is no footpath on the northern side of the road. Cook Close is a quiet residential cul-de-sac which accommodates 5 relatively small houses. Any future occupiers of the site would need to cross the road from the dwelling to access a footway but given the quiet nature of this road with very low levels of vehicular traffic I consider this to be an acceptable arrangement. The applicant notes that to provide adequate visibility splays for the access a number of trees and hedge would need to be removed. Given the low volume and speed of traffic to the cul-de-sac I do not consider this to be required.

8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.14 The proposed site plan shows two car parking spaces but the final number of spaces would be determined as part of a future reserved matters application. The level of parking proposed would not result in an increase in on-street parking on Cook Close and is considered acceptable

Cycle parking

8.15 No cycle parking details have been provided and this would be dealt with under a future reserved matters application.

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

Third Party Representations

8.17 Approval of details regarding scale of the proposal has been removed. As a result issues relating to overlooking and setting a

precedent for two storey properties cannot be assessed. These details will be agreed in a future application.

- 8.18 Whilst I note the Highway Engineers objection regarding access to the site, in my view Cook Close is a quiet cul-de-sac. The additional access is to serve one dwelling. As a result I do not consider the proposal will have a significant impact upon highway safety.
- 8.19 A construction hours condition is recommended to protect amenity of surrounding occupiers during the construction process.

Planning Obligations (s106 Agreement)

- 8.20 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.

- 8.21 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 8.22 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development and confirm that in this case no contributions are being sought.

9.0 CONCLUSION

- 9.1 The principle of residential development on this site is considered to be acceptable. Given the quiet nature of the cul-de-sac, and as the application proposes a single dwelling, the access arrangements are considered to be adequate. The layout of the plot is considered acceptable and in my view would provide an adequate level of amenity for future occupiers of the site while still allowing an adequate level of garden space for the host dwelling at 396 Milton Road. . The matters of landscaping, appearance and scale have been reserved by the applicant and would be assessed as part of any future reserved matters applications.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority 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 begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

3. 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.

4. No development shall commence until approval of the details of the appearance, landscaping and scale (hereinafter called the reserved matters) has been obtained from the Local Planning Authority in writing.

Reason: To ensure that all necessary details are acceptable (Cambridge Local Plan 2006 policies 3/2, 3/4, 3/7, 3/11, 3/12).

5. Any future reserved matters application shall be mainly single storey only and any accommodation at first floor level shall be contained within the roofing structure.

Reason: To ensure the development is in keeping with the surrounding properties within Cook Close (Cambridge Local Plan (2006) policy 3/4, 3/7 and 3/12)

6. 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)

7. 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)

8. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with policy 4/16 of the Cambridge Local Plan (2006)

9. Before the occupation of the development hereby permitted details of a hard standing area for the collection of bins and bin storage facilities within the site will be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for bin collection and storage (in accordance with Cambridge Local Plan policies 3/4, 3/7 and 3/10)

10. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

11. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

12. The vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with policy 8/2 of the Cambridge Local Plan (2006),

13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

14. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

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

15. The access shall be provided as shown on the approved drawings and retained free of obstruction.

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

INFORMATIVE: Before the details of the surface water drainage are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- ii. provide a management and maintenance plan for the lifetime of the development.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.