

Application Number	17/0642/FUL	Agenda Item	
Date Received	7th April 2017	Officer	Lorna Gilbert
Target Date	2nd June 2017		
Ward	Romsey		
Site Proposal	150 Coldhams Lane Cambridge CB1 3HH Erection of 1.5 Storey dwelling with frontage onto Cromwell Road and the retention of two parking spaces for 150 and 150a Coldhams Lane		
Applicant	Mr A de Simone C/O Carter Jonas		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The location, scale and design of the building would dominate and appear at odds with the streetscene. <input type="checkbox"/> The building would enclose the rear gardens of Nos 150 and 150a Coldham’s Lane. <input type="checkbox"/> Poor quality private amenity space would be provided for future occupants.
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site is located on the southern side of Cromwell Road and faces the junction with the entrance to Nuffield Gym. The site is located to the west of the rear gardens of Nos. 150a and 150 Coldham’s Lane and is currently used for parking for these properties. The site is entirely made up of hardstanding and is accessed off a rear lane linking to Cromwell Road.

1.2 The properties and rear gardens of No.150 and 150a Coldham's Lane are located to the east of the application site. The rear garden of No.152 Coldham's Lane is located to the south. The access road the application site is adjacent to, serves the rear garages of properties along Coldham's Lane and Cromwell Road. No.222 Cromwell Road is located to the south-west.

2.0 THE PROPOSAL

2.1 The application seeks planning permission for a one and half storey, one bedroom dwelling fronting Cromwell Road with car parking provision for No.150 and 150a Coldham's Lane in an undercroft below.

2.2 The dwelling stands at between 2.5m and 6.6m high, with the eaves 4.5m high. The dwelling extends 9.45m in length and 5m wide.

2.3 The proposed dwelling would be constructed from masonry brickwork at ground floor level with projecting masonry brick detailing. The upper floor and roof would be constructed from anthracite zinc standing seam cladding. The gutters and downpipes would be constructed from galvanised steel. Windows would be composite aluminium/timber windows.

3.0 SITE HISTORY

3.1 Recent history:

Reference	Description	Outcome
16/1905/FUL	Erection of 1.5 storey dwelling with frontage onto Cromwell Road and the retention of two parking spaces for 150 and 150a Coldham Lane.	Refused at Committee

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 Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 3/10 5/1 8/2 8/4 8/6 8/10 8/18

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 (Annex A)
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> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005)

	<p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
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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 The car parking spaces are too narrow to be practical.
- 6.2 The adjacent walls will prevent car doors opening to allow access and egress from the parked vehicles. Parking spaces

adjacent to vertical obstructions to the doors should be a minimum 3 metres width.

- 6.3 No additional off-street car parking provision is made for the new dwelling.
- 6.4 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.5 The development proposed is acceptable subject to the imposition of the conditions outlined below:
- Construction hours
 - Piling

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.6 The development proposed is unacceptable and should be refused for the reasons set out below:
- The proposed development is identified at high risk of surface water flooding. A flood risk assessment should be undertaken in accordance with the National Planning Policy Framework and submitted to the local planning authority.
 - Sufficient surface water drainage details proving the principle of draining the site have not been submitted to the local planning authority. 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.

Head of Streets and Open Spaces (Tree Team)

- 6.7 There are no arboricultural objections to the proposal.

Head of Streets and Open Spaces (Landscape Team)

6.8 The development proposed is unacceptable and should be refused for the reasons set out below:

- The amenity space provided to the dwelling is of poor quality. The low wall surrounding it provides no privacy and this is a very exposed and busy part of Cromwell Road/Coldham's Lane. It is also unclear how the amenity space is accessed. There is no direct access from the dwelling so it is assumed that a resident would have to exit the front door and access it via some sort of opening.
- The bedroom, at ground level, overlooks a very busy road. Shrubs have been shown against the footway edge, but the area still feels very exposed. This is exacerbated by the size of the window, extending floor to ceiling. Headlights from cars exiting Nuffield Health, a busy facility, will cause disruption.
- The arrangement of the dwelling and two car parking spaces is awkward and separates the car parking spaces from their respective dwellings, requiring the users to exit to Cromwell Road and go around the new dwelling to access the rear gates for all the dwellings.

6.9 The landscape team considers that the scheme contravenes Local Plan policies 3/7 Creating Successful Places; 3/11 The Design of External Spaces and 3/12 The Design of New Buildings

6.10 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:

Support:

- 152 Coldham's Lane

Object:

- 222 Cromwell Road

7.2 The representations can be summarised as follows:

- I have no objections to this plan.
- We feel there is not adequate parking provision. The existing parking space at the rear of 150 Coldham's Lane regularly holds 3 or 4 cars - parking provision will only be made for 2 vehicles, thereby reducing the available space, and there is no provision for additional parking for the inhabitants of the new property. Parking is already under pressure at this end of Cromwell Road due to recent development and we are concerned this will add to the problem. We regularly have cars parked across our driveway, that makes it impossible for us get our car in or out.
- The height of the proposed development is higher than any other garage or outbuilding in that row of buildings that are situated along the rear access road. We are concerned that the additional height will negatively impact our main garden area which is adjacent to the proposed building. Because the proposed building is significantly closer than the existing houses, we are concerned that we would be more directly overlooked than is currently the case. We would also not want this development to set a precedent for further increased development in the height of other buildings/garages along the access road.
- If the development was to go ahead we would seek working times limited to weekdays only, (not before 8am and no later than 5pm) and we would not want work to be under taken on weekends when we make most use of our garden.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking

7. Drainage

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is therefore my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 Policy 3/10 is also of relevance as the proposal sub-divides an existing plot. The policy in full lists points a. to f. Only Points a. to c. are relevant in this instance and explain that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) Detract from the prevailing character and appearance of the area.
- 8.4 The criteria in policy 3/10 will be considered in the following sections of the report.
- 8.5 Previous planning application reference 16/1905/FUL was refused at Planning Committee on the following grounds:
1. *By reason of its siting, scale and depth, the proposal would result in a overly dominant built form that would appear too prominent against the rear gardens of Coldham's Lane properties, the front gardens of Cromwell Road properties and adjoining single storey outbuildings. For these reasons, the proposal would be harmful to the character of the area and contrary to policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan 2006.*

2. *The height, length and siting of the proposed building would lead to an unacceptable level of enclosure to the outlook from the rear gardens of Nos. 150 and 150a Coldham's Lane to the detriment of the amenities of their occupiers. The development is therefore contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.*

3. *No private amenity space has been provided which is unacceptable and poor design for this suburban location. The size and positioning of the ground floor window is located too close to Cromwell Road and would lead to a lack of privacy for future occupiers. The scheme therefore does not provide an appropriate standard of residential amenity for future occupiers and is not compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/11 and 3/12 and NPPF (2012) paragraphs 56 and 57.*

8.6 The current proposal is similar to the previous scheme. The covering letter accompanying the application explains revisions made to try and overcome the reasons for refusal. These are: The revised scheme is set back between 0.8m and 2m from the footpath along Cromwell Road in contrast to the previous scheme reference 16/1905/FUL which was set back between 0.4m and 1.1m. In response to the second reason for refusal the agent refers to the previous committee report paragraph 8.8 which states "*Although not of sufficient harm to warrant as a singular reason for refusal*" The agent explained that for the third reason for refusal in relation to amenity space, the application has sought to provide a usable side garden and notes the site is in close proximity to public areas of amenity space. I will consider these revisions when assessing the report in the following sections.

8.7 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

8.8 The proposed dwelling is the same size as what was proposed under 16/1905/FUL. The proposed dwelling has been shifted back from Cromwell Road and is now set back between 0.85m and 2m. The scale and appearance of the building remains the same as what was refused under 16/1905/FUL. As the building has been shifted back further on to the site it is now

located against the side boundary with No.152 Coldham's Lane, in contrast to the previous scheme. The proposed building is now flush with the rear boundary with 150 Coldham's Lane, whereas previously there was a pathway separating the two sites.

- 8.9 The first reason for refusal of 16/1905/FUL was concerned with the siting, scale and depth of the proposal being overly dominant and too prominent against the rear gardens of Coldham's Lane properties, the front gardens of Cromwell Road properties and adjoining single storey outbuildings. I do not consider the revised scheme has overcome this reason for refusal. The house has been set back between 0.45m and 0.9m further from Coldham's Lane than the previous scheme but overall this is a minor adjustment and does not robustly address the previous reason for refusal. The knock-on effect is that it is now located adjacent to the rear gardens of No.150 and No.152 Coldham's Lane, which has exacerbated the impact on these properties and gardens. The neighbouring property of No.222 Cromwell Road is located 10m from the highway and therefore the proposed set back of 0.85m to 2m does not overcome concerns with the set back from the street. The proposal has a gable front which accentuates its bulk when viewed along the street. The scale and depth of the proposal remains unchanged and therefore I consider it would appear overly prominent. I consider the first reason for refusal under 16/1905/FUL still stands.
- 8.10 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Light

- 8.11 The proposed dwelling is located a similar distance from the properties of No.150 and 150a Coldham's Lane as the previous scheme. However, the side elevation of the proposed dwelling is now located adjacent to the boundary with the rear garden of No.150 Coldham's Lane as the footpath originally proposed under the previous application has been removed from the current application. The proposal is also located closer to the

side boundary with No.152 Coldham's Lane as the building has been shifted back into the site. The new dwelling is located west and north of No.150, 150a and 152 Coldham's Lane and to the north-east of No.222 Cromwell Road. I consider the proposal would lead to some additional overshadowing of the garden of No.150 Coldham's Lane in comparison to the previous application, however I do not consider the overshadowing would be detrimental to this neighbour to warrant refusal. The rear garden of No.152 Coldham's Lane is located to the south of the application site and therefore it would not experience an unreasonable loss of light. I therefore do not consider the proposal would lead to an unreasonable loss of light to these closest neighbours' properties or gardens due to the orientation, scale and position of the proposed house.

Enclosure

- 8.12 In my view the current scheme has created a greater sense of enclosure to No.150 and 152 Coldham's Lane. This is due to the house being set back further into the site and the removal of the path by No.150 Coldham's Lane. The wall proposed adjacent to the car parking abuts the boundary with No.152 Coldham's Lane and the two storey rear element is located adjacent and between 0.2m from the shared boundary. The proposed two storey dwelling abuts the rear garden of No.150 Coldham's Lane. The proposed dwelling is set back 2.1m from the rear garden of No.150a Coldham's Lane. The new dwelling extends up to 4.5m at the eaves for a length of 9.5m. I consider this reason for refusal still stands as the impact on No.150a Coldham's Lane is similar to the previous scheme but the impact on No.150 Coldham's Lane has increased as the new dwelling now lies along the full width of their garden and the wall of the new dwelling has been set closer to this neighbour's garden as it becomes the rear boundary at 4.5m high. The scheme has also increased the impact on No.152 Coldham's Lane, however I do not consider it so detrimental to this neighbour as to warrant refusal as the two storey element is partially screened by an existing outbuilding at this neighbouring property which helps to lessen its impact.
- 8.13 As explained in the previous Committee Report (16/1905/FUL), the gardens and main outlook of No.150 and 150a Coldham's Lane would face onto the proposed blank side elevation at 4.5m tall to the eaves with the entire 9.5m length visible. There

would be a marked change in visual enclosure to both of these gardens. The new dwelling is not what you would expect to see in a garden environment and is a considerably greater scale than that of an outbuilding. I do not consider this reason for refusal has been overcome in the current scheme.

- 8.14 The property of No.222 Cromwell Road is located 8.4m away from the application site and 12.3m away from the proposed two storey part of the new dwelling. This nearby property has no upper floor flank windows and there is a wooden boundary fence by this property adjacent to the access road. I do not consider the position and scale of the proposed dwelling would lead to a harmful sense of enclosure or loss of outlook to this neighbour.

Privacy

- 8.15 The position of windows on the building remains unchanged from the previous scheme (16/1905/FUL). The building has been shifted back on the site but I do not consider this is detrimental to neighbours' privacy as the windows and rooflights could be conditioned to be obscure glazed, non-opening or to have louvers if the scheme was otherwise considered acceptable.
- 8.16 In my opinion the proposal does not respect the residential amenity of its neighbours and the constraints of the site and I consider that it is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.17 No private amenity space was provided for future occupiers in the previous scheme. The current scheme provides a small side garden of 14sq.m. However, the amenity space is of poor quality as there is no gate shown into the space and the wall surrounding it would be only 450mm high. It is located by the junction of Cromwell Road and the access road. I do not consider this provides quality or private amenity space. I acknowledge the proposed dwelling is a one bedroom unit, however the site is within a predominantly suburban location where it is reasonable to expect a provision of private amenity space. I agree with the justification of private amenity space as contained in paragraph 8.12 of the previous Committee Report

for 16/1905/FUL. The provision is linked to good design (NPPF paragraphs 56 and 57). Nearby Coldham's Common does not offer private garden space where you can privately use or hang washing etc. I do not consider the provision of amenity space is acceptable as it is not private or good quality. The boundary wall needs to be low to achieve appropriate vehicular visibility splays and therefore I do not consider a condition could overcome this.

8.18 Large front windows are proposed at ground and first floor as on the previous scheme. The building has been set back further from the street compared to the previous scheme. However, I still consider the size of the bedroom window affords little privacy to future occupiers as the window is only set back between 0.85m to 2m from the footpath. Some low level vegetation is proposed which helps provide some defensible space but does not sufficiently address the privacy of future occupiers. This is another indication of overdevelopment of the site and does not provide a satisfactory arrangement of internal and external spaces and points towards poor design.

8.19 In my opinion the proposal does not provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that this is not compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/11 and 3/12.

Refuse Arrangements

8.20 The bin store for the proposed dwelling and No.150 and 150a Coldham's Lane is considered satisfactory for the number of units proposed and complies with the RECAP Waste Management and Design Guide 2012.

8.21 In my opinion the proposal is compliant with Local Plan 2006 policy 3/12.

Highway Safety

8.22 The Highways Authority notes the car parking spaces are too narrow to be practical as the adjacent walls will prevent car doors opening. It also notes that no car parking provision is made for the new dwelling.

- 8.23 The car parking provision is similar as for the previous scheme. The car parking arrangement was not given as a reason for refusal by Planning Committee for the previous scheme. Although, the size of the spaces and manoeuvring is not ideal, the scheme does show a 6m gap behind the spaces to help with manoeuvring. For these reasons I do not recommend a highway safety reason for refusal of the scheme.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.25 The Local Plan (2006) includes maximum car parking standards. The site is located off Coldham's Lane, which is well served by public transport and contains shops and services. The proposed cycle store provides two spaces which is compliant with the Local Plan (2006).
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Drainage

- 8.27 The Sustainable Drainage Officer has asked for the application to be refused as the proposed development is identified at high risk of surface water flooding. Insufficient information has been supplied to address this. It is considered the proposal fails to comply with the National Planning Policy Framework (2012). If I was minded to approve the application, I would recommend that the requirement for this information be conditioned.

9.0 CONCLUSION

- 9.1 The proposed development would be too prominent and not in keeping with the surrounding streetscene. The proposal would create a detrimental level of visual enclosure to the rear gardens of No.150 and 150a Coldham's Lane. Poor quality private amenity space has been provided and the size and positioning of the bedroom ground floor window close to the street would lead to a lack of privacy for future occupiers.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. By reason of its siting, scale and depth, the proposal would result in an overly dominant built form that would appear too prominent against the rear gardens of Coldham's Lane properties, the front gardens of Cromwell Road properties and adjoining single storey outbuildings. For these reasons, the proposal would be harmful to the character of the area and contrary to policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan 2006.
2. The height, length and siting of the proposed building would lead to an unacceptable level of enclosure to the outlook from the rear gardens of Nos. 150 and 150a Coldham's Lane to the detriment of the amenities of their occupiers. The development is therefore contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.
3. The private amenity space provided is unacceptable and poor design and quality for this suburban location. The size and positioning of the ground floor window is located too close to Cromwell Road and would lead to a lack of privacy for future occupiers. The scheme therefore does not provide an appropriate standard of residential amenity for future occupiers and is not compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/11 and 3/12 and NPPF (2012) paragraphs 56 and 57.