

<b>Application Number</b>	17/1626/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd September 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	17th November 2017		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	130 Queen Ediths Way Cambridge CB1 8NW		
<b>Proposal</b>	Demolition of existing 2 storey house and replacement with 2 one beds flats and 3 two bed flats in a one and two storey building.		
<b>Applicant</b>	Mr Colin Wills		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed design is acceptable and considered in keeping with the character of the area</li> <li>- The proposal would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The site would remain in residential use; there is no policy to resist the loss of the family home.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site lies on the southern side of Queen Edith's Way between the junction with Heron's Close and Beaumont Road. This is a predominantly residential area characterised by detached brick properties on large plots with houses set back from the street having car parking and landscaping to the frontages. The existing property is two storey red brick building. The property is accessed from Queen Ediths Way with two dropped kerbs at either end of the property and some trees and hedge to the frontage.

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

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for the demolition of the existing building and erection of a replacement property. The replacement building would be comprised of two 1x bedroom flats and three 2x bedroom flats.

2.2 The plans have been revised since submission to move the replacement building back 1m on the plot to facilitate the provision of an adequate car parking layout.

2.3 The replacement building would be broken into three elements; a single storey element to the east which rises into 2 x two storey blocks with pitched roofs which are linked by a flat roofed clad and glazed element. The building would be finished in buff bricks with timber cladding to the upper floors of the front elevation and brown roof tiles with a grey single ply membrane to the flat roof.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
08/0888/FUL	Erection of 4 two bedroom flats (following demolition of house).	Withdrawn

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

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

## 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)

## 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)**

#### *First comment*

- 6.1 Objection: The proposal removes the ability for motor vehicles to enter and leave the site in forward gear. Queen Edith's Way forms part of the busy outer ring road serving Cambridge carrying large volumes of traffic, a high proportion of which are vulnerable road users. The site accesses are in close proximity to a junction. It is essential that vehicles are able to enter and leave the site in forward gear, and that that movements around the junction are not hindered by additional movement conflicts and that those conflicts that do occur are as simple as possible.

#### *Second comment*

- 6.2 No objection: The proposal now retains the ability for cars to enter and leave in forward gear, albeit in a constrained layout, but overcoming my previous objection. The proposal seeks to justify a development with parking provision at less than one space per dwelling unit within the site for residents. This may cause an increase in demand for on-street parking. This is unlikely to have any significant adverse impact on highway safety but may impact on residential amenity.

### **Environmental Health**

- 6.3 No objection: The proposal is acceptable subject to conditions relating to hours of construction/demolition, hours of deliveries/collections, piling, dust and noise insulation. An informative relating to dust is also requested.

## **Urban Design and Conservation Team**

- 6.4 No objection: The proposal reads like two domestic scale buildings, connected by a link that is set back and treated with contrasting materials to the main elevations. This maintains a varied and suburban character to match the streetscape, which is mixed. The amenity space is south facing and all units are dual aspect. The mature boundary should be retained and enhanced. The bin, bike and parking arrangement need to be reassessed. Conditions are recommended relating to material samples, cladding details, window/door details and details of bin and bike stores.

### **Drainage**

- 6.5 No comments received.
- 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:

- 15 Almoners Avenue
- Camcycle
- 1 Herons Close
- 4 Herons Close x2
- 17 Herons Close
- 248 Hills Road
- 10 Kinnaird Way
- 23 Queen Ediths Way
- 68 Queen Ediths Way
- 90 Queen Ediths Way
- 107 Queen Ediths Way
- 110 Queen Ediths Way
- 118 Queen Ediths Way
- 124B Queen Ediths Way
- 127 Queen Ediths Way
- 128 Queen Ediths Way
- 132 Queen Edith Way
- 132A Queen Ediths Way x 2

- 133 Queen Ediths Way
- 137 Queen Edith Ways x2
- 138 Queen Ediths Way
- 200 Queen Ediths Way
- 222 Queen Ediths Way
- 234 Queen Ediths Way
- 1 Spalding Way
- 1A Strangeways Road
- 5 Strangeways Road
- 6 Strangeways Road
- 11 Strangeways Road

7.2 The representations can be summarised as follows:

- Overdevelopment
- Loss of a family home
- Many flats on Queen Ediths Way are empty as not in demand; family housing is more desirable
- Inappropriate density
- Would potential alter green leafy character of the street
- Would set a precedent for flats in an area characterised by family homes
- Would have an overbearing impact on 128 and 132A
- Too close to the boundary with 132A Queen Ediths Way
- Increased in number of people using the site would cause noise disturbance to surrounding occupiers
- Odour from bins will impact adjoining properties
- Would overshadow 132A Queen Ediths Way
- Would result in loss of privacy to surrounding occupiers
- Would have a negative impact on the character of the area
- Inadequate car parking for number of potential occupiers
- Inadequate outdoor amenity space
- Proposed units are too small
- Unclear as to whether cycle parking would be covered and secured
- No provision for larger cycles
- Cycle parking layout is unclear
- Inadequate bin provision
- Concerned about highway safety due to increased use of the access, increased traffic generation and the proximity of the site to junctions and a school.
- Will add to existing congestion issues on Queen Ediths Way and would create a pinch point for traffic
- PD rights for loft extensions must be removed

- Would have a negative impact on the community of families living in the area

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. Third party representations
8. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 The Cambridge Local Plan (2006) states that proposals for housing development of windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses (policy 5/1). Therefore, the development of housing is acceptable, however, considerations should be taken into account e.g. impact on neighbour amenity and visual aesthetics.

8.3 The representations raise concerns about the loss of the family home. Many people have suggested that the rise in the number of flats in the area is harmful to its character. People also suggest that there is a greater demand for family homes than flats in the area. The proposal does not result in the loss of a residential unit but increases the number of units on site. I accept that the nature of these properties is different to the dwelling which they are to replace. However, there is no policy reason to resist the loss of the existing dwelling or which favours family houses over flats. As a result the principle of the development is acceptable.

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

- 8.4 The proposed replacement building is broken down into different elements which help to reduce the overall scale and massing of the development. The clad and glazed linking element provides a visual break between the solid brick elements. This reduces the overall scale and massing as the materials have a more lightweight feel.
- 8.5 The amended plans have the replacement building sitting further back on the plot than the existing building, however the proposal is still broadly in line with the surrounding building line. At the moment there is a large amount of greenery and two trees to the frontage. The two trees are to remain and some planting is shown to be retained. This will help soften the boundary and be in keeping with the character of the area. A boundary condition is recommended to ensure that the altered planting to the frontage is of an adequate quality.
- 8.6 One of the representations raises concerns that the proposal would harm the leafy character of the street. The proposal retains the two existing trees to the frontage as well as some of the planting. The existing mature hedge to the rear is also to be retained, along with three of the four trees in the rear garden.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.8 The building drops down to single storey near the boundary with 132A Queen Ediths Way. The building would also be set away from the boundary. Whilst it would extend further into the garden than 132A Queen Ediths Way, it would be of a relatively modest size with a low eaves height of 2.5m and set away from the boundary. As a result I am satisfied that it would not have any significant impact on this occupier in terms of enclosure or overshadowing.
- 8.9 The proposal would be two storeys near the boundary with the other neighbor at 128 Queen Ediths Way and would extend beyond the rear building line of this neighbouring property by



approx. 3.6m. However, the building is set off of this boundary with 6.35m from building to building and 3.2m between the extension and the boundary. Whilst the proposal would result in some additional enclosure to the neighbouring garden in comparison to the existing building, given the set away from the boundary, I am satisfied that this would not be significantly harmful; to warrant refusal. The proposal may result in some additional overshadowing of the garden of number 128, however I am satisfied that this would be very limited and not sufficiently harmful to warrant refusal of permission.

8.10 Some of the representations raise concerns regarding noise and disturbance from additional users of the site. The proposal is for 5 flats on a plot which is considered to be adequately large to accommodate the number and type of units. In my view the additional residential uses would not give rise to a significant increase to noise and disturbance to the surrounding occupiers.

8.11 The building would have windows closer to the neighbouring gardens however given the presence of existing first floor rear windows I am satisfied that there would be no significant impact on overlooking of neighbouring properties.

8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

8.13 The ground floor flats have access to private gardens. The two upper floor flats have access to a communal garden. The communal garden is quite large and easily accessed with a communal hall leading occupiers of these flats directly out the garden. All five flats are dual aspect and considered to be of an adequate internal size albeit being below the space standards set out in the emerging plan.

8.14 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Refuse Arrangements**

- 8.15 I am satisfied that the locations shown for the bins stores would be adequate and would not harm the amenity of surrounding occupiers subject to the stores being covered. Details of the stores, including elevations and materials proposed are recommended to be required via condition.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.17 The original car parking layout to the front of the property removed the ability for cars to enter and exit the site in forward gear. Queen Ediths, although a residential street, is a classified road and busy thoroughfare for traffic. The majority of the representations received raise concerns about the impact of the proposal on highway safety given the busy nature of the road, proximity of the site to junctions and its proximity to schools.
- 8.18 The applicant has revised the plans to overcome the objection from the Highway Authority. The building has been moved back on the site by 1m. This allows a revised car parking layout which retains the ability for cars to enter and leave the site in forward gear.
- 8.19 I note the concerns of residents regarding highway safety. The proposal would result in an intensification of the use of the accesses to the site. The Highway Authority has not raised concerns regarding highway safety and have removed their objection following the revision to the car parking layout. As a result I am satisfied that the proposal would not have an adverse impact on highway safety.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.21 I am satisfied that there is adequate space to accommodate cycle parking on site. Footprints for the cycle store are shown on the plans. Details of these stores, including elevations and materials, are requested via condition.

- 8.22 I accept that residents are skeptical about the proposed car parking provision. The Highway Authority notes that the proposal may impose additional parking demands upon the on-street parking on the surrounding streets. However, the site is in a sustainable location near cycle and public transport links. As a result I am satisfied that the 4 car parking spaces proposed would be adequate.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.24 I have addressed the majority of the issues raised by third party representations within the body of my report. I will respond to any outstanding matters in the below table.

<b>Representation</b>	<b>Response</b>
Overdevelopment	The proposed building is considered in keeping with the character of the area and is not considered to be overdevelopment of the site.
Loss of a family home	See paragraph 8.3
Many flats on Queen Ediths Way are empty as not in demand; family housing is more desirable	See paragraph 8.3
Inappropriate density	See paragraph 8.3
Would potential alter green leafy character of the street	See paragraph 8.6
Would set a precedent for flats in an area characterised by family homes	See paragraph 8.3
Would have an overbearing impact on 128 and 132A	See paragraphs 8.8 - 8.9
Too close to the boundary with 132A Queen Ediths Way	See paragraph 8.8
Increased in number of people using the site would cause noise disturbance to surrounding occupiers	See paragraph 8.10

Odour from bins will impact adjoining properties	See paragraph 8.15
Would overshadow 132A Queen Ediths Way	See paragraph 8.8
Would result in loss of privacy to surrounding occupiers	See paragraph 8.11
Would have a negative impact on the character of the area	See paragraphs 8.4 - 8.7
Inadequate car parking for number of potential occupiers	See paragraph 8.22
Inadequate outdoor amenity space	The outdoor amenity spaces provided are considered adequately large for the type of units proposed
Proposed units are too small	Please see paragraph 8.13
Unclear as to whether cycle parking would be covered and secured	Cycle parking would be covered and secure; details are required via condition
No provision for larger cycles	There is no policy requirement to provide spaces for larger cycles
Cycle parking layout is unclear	Details are requested via condition
Inadequate bin provision	I am satisfied that adequate bin storage can be provided on site; details are required via condition. See paragraph 8.15
Concerned about highway safety due to increased use of the access, increased traffic generation and the proximity of the site to junctions and a school.	See paragraphs 8.17 – 8.19
Will add to existing congestion issues on Queen Ediths Way and would create a pinch point for traffic	I do not consider that the additional units would have any significant adverse impact on congestion. See paragraphs 8.17 – 8.19
PD rights for loft extensions must be removed	The building is proposed to be used as flats so would not have any PD rights for loft extensions.
Would have a negative impact on the community of families living in the area	I do not accept that the addition of flats would harm the local community.

## **Planning Obligations (s106 Agreement)**

- 8.25 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.26 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

## **9.0 CONCLUSION**

- 9.1 The proposed replacement building is considered in keeping with the character of the area. The building is not considered to have any significant adverse impact on surrounding occupiers in terms of overshadowing, enclosure or overlooking. The proposed car and cycle parking arrangement is considered acceptable. The proposal is not considered to have any significant adverse impact on highway safety. The proposed new units are considered to provide an adequate level of amenity for future occupiers.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

5. 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 proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include 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 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)

6. Full details of all cycle stores and refuse stores, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

7. 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)

8. There should be no collections from 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)

9. 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)

10. 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



11. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2006 policy 4/13)

12. 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 (policy 8/2 of the Cambridge Local Plan 2006)

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

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

16. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

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

**INFORMATIVE:** Dust condition 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)