

Application Number	17/1848/FUL	Agenda Item	
Date Received	1st November 2017	Officer	Mairead O'Sullivan
Target Date	27th December 2017		
Ward	Arbury		
Site	87 Histon Road Cambridge		
Proposal	Erection of a 1.5 storey 2 bed dwelling to the rear of 87 Histon Road with access from North Street, with integrated store for bins and bikes.		
Applicant	Mr & Mrs Lentin c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is in keeping with the character of the area - The proposal would not have any significant adverse impact on the amenity of surrounding occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is land to the rear of 87 Histon Road. The site is accessed from private land to the rear of Canterbury Close and north of North Street. The area is predominantly residential in character. There are a mix of different dwellings and outbuildings in this area sited on land to the rear of the properties on Histon Road and fronting onto North Street. Over recent years there have been many applications on the land to the rear of the properties on this part of Histon Road. As a result, the character of North Street has changed and has now begun to resemble a residential street rather than a back track.
- 1.2 The site falls within the Central Conservation Area and falls within the remit of the Castle and Victoria Road Conservation Area Appraisal.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the construction of a 1.5 storey 2 bedroom dwelling on the land to the rear of Histon Road. The building would be accessed from a strip of unadopted land to the north of North Street. The ownership of this land is unknown so the applicants have signed certificate D and taken out an advert in the Cambridge News.
- 2.2 The proposed building would be 1.5 storey with a pitched roof. The ground floor would be finished in brick with grey cladding to the upper floor. There is an oriel window to the front elevation at first floor; this would be clad in zinc. An off-street parking space is to be provided to the front of the dwelling. Bike and bin storage is also to be incorporated to the frontage but within the building. Living accommodation would be provided at the ground floor with two bedrooms at first floor.

3.0 SITE HISTORY

- 3.1 There is no site history.

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 Plan 2006	Local	3/1	3/4	3/7	3/10	3/11	3/12
		4/4	4/11	4/13			
		5/1					

	8/2 8/6 8/10 10/1
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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 Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (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)

- 6.1 The proposal will displace the car parking provision for the existing dwelling and, as this dwelling will continue to retain access to residents' Permits within the Residents' Parking Scheme operating in the area, this additional demand is most likely to appear on-street in competition with existing residential uses. This is unlikely to impact on highway safety but may impact on residential amenity. New residents will not be eligible for parking permits and this should be included as an informative. A construction traffic management plan condition is requested.

Environmental Health

- 6.2 No objection: In the interest of amenity conditions are recommended in relation to construction hours, piling and collections/deliveries during construction.

Drainage

- 6.3 No comments received. An update will be provided on the amendment sheet.

Urban Design and Conservation Team

- 6.4 No objection: Over the last few years, a number of small, modern properties have been built at the end of the gardens of Histon Road, which has given North Street a new, modestly-built character. The majority of these dwellings and workshops are in gault brick with slate roofs and timber or zinc cladding. Generally these narrow plots have gable ends facing the street, and the proposal follows this approach. The scale, form and majority of materials proposed are acceptable. However, the use of fibre cement rain screen vertical cladding is out of keeping with the palette of materials used in the vicinity. Timber or zinc would be preferable. Conditions are required in relation to material samples, cladding details, window details and roofing details.

Head of Streets and Open Spaces (Landscape Team)

- 6.5 It is considered that there are no material Landscape issues with this proposal.
- 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:
- 9 Canterbury Close
 - 10 Canterbury Close x2
 - 11 Canterbury Close x3
 - 12 Canterbury Close
 - 14 Canterbury Close
 - 83 Histon Road
 - 85 Histon Road
 - 91 Histon Road
 - 93 Histon Road
 - Camcycle (The Bike Depot, 140 Cowley Road)

7.2 The representations can be summarised as follows:

Access/traffic/parking

- Roads are already over capacity with traffic
- The access to the site is very narrow and is an unadopted road
- Cycle parking area is small and difficult to negotiate as shared with bins
- Car parking area is inadequate

Design/impact on character of the area

- Getting the right materials will be key
- The building is higher than neighbouring 2 storey properties so should not be classed as 1.5 storeys.
- Not suited to the street
- Building shares many characteristics with recent approved applications

Residential amenity

- Concerned about overlooking of garden of no. 85 Histon Road
 - Concerned about inaccuracies in the plans
 - Concerned about loss of light
 - Concerned about overlooking
 - Concerned about disruptions during construction
 - Will increase noise and disturbance
 - The adjoining workshop at 85 Histon Road does not have a first floor window
 - The proposed first floor window will look directly into the bedroom of 9
 - Would be overbearing
- No 10 Canterbury Close is already impacted by the house to the rear of 79 Histon Road

Other

- Loss of animal habitat
- There are already large scale houses in castle which address housing needs and therefore there is no need for 1 inaccessible, impractical home which is detrimental to the area
- Sewers are over capacity
- The site edged red seems to indicate that the applicants own the access from North Street
- Would prefer to see trees rather than a new building
- Trees in the garden of 87 Histon Road were cut down prior to the submission of this application
- Concerned about the quality of the drawings submitted

- Reject the permission at 89 as precedent as residents have major concerns about this scheme also
- Accept the need for more housing but these properties will not be affordable

7.3 Councillor Mike Todd-Jones has commented on the application. His representation can be summarised as follows:

- Requests that application is determined at planning committee
- Displaced parking will harm residential amenity
- Will result in a loss of morning light to 9, 10 and 11 Canterbury Close
- Will result in overlooking of 9, 10 and 11 Canterbury Close

7.4 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 heritage assets
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 character of the surrounding area is predominantly residential. As a result the proposal accords with policy 5/1

8.3 The proposal would be built on land to the rear of 87 Histon Road. As a result policy 3/10 which relates to the sub-division of

plots is relevant. 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). In this case parts (d) and (f) are not relevant. I have addressed the other parts of policy 3/10 below.

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

- 8.4 The proposal is similar in design to other recent approval on North Street and to the rear of no. 89 which is also accessed from this unadopted road to the north of North Street. The dwelling is designed to have an outbuilding-like character which mimics the existing studio/workshop to the rear of 85 Histon Road. The design of the building is considered to reflect the character of the area and is similar to other recently approved developments in the vicinity.
- 8.5 The Conservation Officer is satisfied that the proposal respects the character and appearance of the Conservation Area subject to a number of conditions regarding material samples, and further details of cladding, windows and roofing materials. I have only recommended the condition regarding material samples as I consider the other requested details to be more appropriate for extensions to existing buildings rather than for a new build property.
- 8.6 I note that representations have raised concerns that trees have been removed from the site prior to the submission of the application. Whilst this should have required consent given the location of the site in a Conservation Area, I consider that the trees had limited amenity value due to their rear garden location, and that the loss of vegetation has not harmed the character of the area. Whilst it is unfortunate that trees have been removed, I have based my assessment on the situation at the time of the application.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12, 4/4 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The proposal would sit in line with the approved new dwelling at 89 Histon Road. This has not yet been implemented but were the scheme to be implemented, I am satisfied there would be no significant impact on the occupier of the new dwelling. As it stands the proposal would result in some overshadowing and enclosure to the end of the garden of 89 Histon Road. However, this is a similar arrangement to others on the street. As only the end of the garden would be impacted, I am satisfied that this impact would not be significantly harmful to warrant a refusal of permission.
- 8.9 The neighbour to the south at 85 Histon Road has a workshop/studio building at the end of the garden so the proposal would not result in any significant enclosure to this occupier. Given the orientation of the plots, with no. 85 to the south of the application site, there would be no significant overshadowing of this occupier.
- 8.10 There is one window proposed to the first floor rear elevation of the new building. A condition is recommended ensuring this window would be obscure glazed up to 1.7m above finished floor levels to ensure it will not result in any overlooking of the neighbouring gardens. A condition restricting any additional first floor windows being installed under permitted development is also recommended.
- 8.11 There is a distance of approx. 16m between the new dwelling and the nearest building on Canterbury Close. As a result I am satisfied that the proposal would not have any significant impact on the residents of these properties in terms of enclosure or overshadowing. There is a first floor bedroom window which faces these properties but this has been designed to be angled looking down towards North Street, similar to the recent approval at no.89. As a result I am satisfied that it would not adversely impact on the privacy of these properties on Canterbury Close.
- 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, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.13 The proposal would offer a high quality living environment to future occupiers of the site with an adequate provision of outdoor amenity provided to serve the new dwelling while maintaining a garden space for the host dwelling at 87 Histon Road. The garden for the new dwelling would accommodate approx. 29sqm of private outdoor amenity space to the rear. The building itself would provide approx. 38 sqm of living accommodation. I am satisfied that this is adequate provision for a two bedroom property in this location and in line with other recent approved schemes nearby. A small garden would be retained to the host dwelling at 87 Histon Road.
- 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, 3/10 and 3/12.

Refuse Arrangements

- 8.15 An integral bike and bin store is to be provided to the front of the building. I am satisfied that this arrangement would be acceptable.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.17 The Highway Authority has not raised any concerns regarding highway safety subject to the incorporation of a construction traffic management condition. I share this view. I accept that the site is on unadopted highway and accessed from a narrow accessway. However, subject to the incorporation of this condition and the construction hours condition specified by the Environmental Health Officer, I am satisfied that the construction work can be carried out in a manner that would not significantly harm the amenity of surrounding occupiers.

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

Car and Cycle Parking

8.19 Bike storage would be included with bin storage to the front of the property. I am satisfied that this space is adequately large to provide bin storage for the dwelling and the required space for two cycles.

8.20 An informative will be included to notify the applicant that residents of the new unit will not be eligible for parking permits. I am satisfied that the removal of the existing garage would be acceptable given the sustainable location of the site. One off street car parking space would be provided to the new unit; I am satisfied that this level of provision would be acceptable.

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

Drainage

8.22 The sustainable Drainage Engineer has not commented on the application. I note that on previously approved applications nearby, a condition was required regarding details of surface water drainage. I will include comments from the sustainable drainage engineer on the amendment sheet but have included a condition and informative relating to surface water drainage in anticipation of their request.

Third Party Representations

8.23 I have addressed the majority of the third party representations within the body of my report. I will address any outstanding matters below:

Representation	Response
Roads are already over capacity with traffic	I do not consider the addition of 1 dwelling will result in a significant increase to traffic in the area.
The access to the site is very narrow and is an unadopted road	The narrowness of the access is noted. A construction traffic management plan is recommended. See paragraph

	8.17
Cycle parking area is small and difficult to negotiate as shared with bins	I am satisfied that the shared bike and bin store is acceptable. See paragraph 8.19
Car parking area is inadequate	See paragraph 8.20
Getting the right materials will be key	A condition regarding material samples and cladding details is recommended
The building is higher than neighbouring 2 storey properties so should not be classed as 1.5 storeys.	I am satisfied that the description of the building as 1.5 storey is accurate. The proposal has a low eaves height with the rooms in the first floor contained predominantly within the roof.
Not suited to the street	See paragraphs 8.4 and 8.5
Building shares many characteristics with recent approved applications	I agree.
Concerned about overshadowing of garden of no. 85 Histon Road	See paragraph 8.9
Concerned about inaccuracies in the plans	I am satisfied that the plans are accurate
Concerned about loss of light	See paragraphs 8.8 – 8.11
Concerned about overlooking	See paragraphs 8.8 – 8.11
Concerned about disruptions during construction	See paragraph 8.17
Will increase noise and disturbance	I do not consider that one additional dwelling will have a significant impact in terms of noise disturbance to surrounding occupiers.
The adjoining workshop at 85 Histon Road does not have a first floor window	Noted.
The proposed first floor window will look directly into the bedroom of 9 Canterbury Close	See paragraph 8.11
Would be overbearing	See paragraphs 8.8 – 8.11
No 10 Canterbury Close is already impacted by the house to the rear of 79 Histon Road	I am satisfied that there would be no significant impact to the occupiers of Canterbury Close. See paragraph 8.11
Loss of animal habitat	The area is not afforded any

	special protection in terms of wildlife
There are already large scale houses in castle which address housing needs and therefore there is no need for 1 inaccessible, impractical home which is detrimental to the area	There is no evidence before me to suggest that housing needs are being met in the area. The proposal would provide an additional residential unit on a site compatible with residential use. This complies with policy 5/1.
Sewers are over capacity	I await comments from the Sustainable Drainage Officer
The site edged red seems to indicate that the applicants own the access from North Street	The applicants have signed certificate D indicating that they do not own this land. It is a validation requirement for the red edge of the site plan to show access to the highway.
Would prefer to see trees rather than a new building	Noted but the proposal is considered to comply with policy.
Trees in the garden of 87 Histon Road were cut down prior to the submission of this application	See paragraph 8.6
Reject the permission at 89 as precedent as residents have major concerns about this scheme also	The permission at 89 has already been granted
Accept the need for more housing but these properties will not be affordable	The proposal is not for affordable housing.

Planning Obligations

8.24 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.

8.25 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 design of the new building is considered to be in keeping with other recent developments on land to the rear of properties on this part of Histon Road. The proposal is not considered to have any significant adverse impact on residential amenity. The new dwelling would provide a high standard of amenity for future occupiers of the site.

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 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)

4. 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)

5. 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)

6. Notwithstanding the details proposed within the application, prior to the commencement of development, samples of the facing materials shall be submitted for the written approval of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area. (Cambridge Local Plan 2006 policy 4/11)

7. Bike and bin storage, as shown on drawing no. 477 (PL)10, shall be fully implemented prior to the occupation of the dwelling. The bike and bin storage shall be retained in accordance with these details thereafter.

Reason: To ensure adequate and secure bike and bin storage for future occupiers of the site (Cambridge Local Plan 2006 policies 3/7, 3/10 and 8/6)

8. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

9. The window on the east elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

10. The curtilage (garden) and boundary treatments of the proposed property shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

11. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new first floor windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

12. 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 the National Planning Policy Framework (2012)

INFORMATIVE: The principle areas of concern that should be addressed by the traffic management plan are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

INFORMATIVE: Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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.