

Application Number	18/0647/OUT	Agenda Item	
Date Received	25th April 2018	Officer	Mairead O'Sullivan
Target Date	20th June 2018		
Ward	Coleridge		
Site	198 Perne Road Cambridge CB1 3NX		
Proposal	A new, 2 storey dwelling accessed off the private access track between 198 and 200 Perne Road. To be constructed in part of the rear garden of 198 Perne Road, Cambridge.		
Applicant	Messrs K & I Twinn C/o Skinner Holden Property Advisor 3 School Lane Stedham MIDHURST GU29 0NT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed layout, scale and access arrangements would not harm the amenity of surrounding occupiers- The proposal would provide a high quality living environment
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies on land to the rear of 198 Perne Road. The land is currently in use as garden which serves the property on Perne Road. Directly to the north of the site is a strip of land owned by the city council which is tarmacked and provides pedestrian and cycle access from Perne Road to Tiverton Way. Vehicular access is possible from Perne Road but bollards at the Tiverton Way end prevent vehicles using the strip of land as a through route.

1.2 This is a predominantly residential area. Perne Road is a classified road and this part of the street is characterised by semi-detached dwellings. Almost all of the properties on this strip of Perne Road have been subdivided with new dwelling fronting onto Tiverton Way. The back land properties on Tiverton Way are all subservient to the host dwelling on Perne Road. The southern end of Tiverton Way is characterised by bungalows but the northern end adjacent to the application site has several 1.5 storey dwellings. These buildings have pitched and lean-to roofs with low eaves heights. To the north of the site a new dwelling has been constructed on land to the rear of 200 Perne Road which does not front onto Tiverton Way but onto the strip of land owned by the city council.

1.3 The site does not fall within a Conservation Area.

2.0 THE PROPOSAL

2.1 The application seeks outline permission for the construction of a 2 storey dwelling on land to the rear of 198 Perne Road. Matters for consideration are layout, scale and access. Appearance and landscaping matters are reserved.

2.2 The proposal would sit roughly in line with the property to the south at 62 Tiverton Way. It would be accessed along the tarmacked accessway running between Perne Road and Tiverton Way. Vehicular access would be from Perne Road and two car parking spaces are proposed. The dwelling shown would accommodate 4 bedrooms.

3.0 SITE HISTORY

3.1 There is no site history.

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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	1, 3 32, 35, 36 50, 51, 52 55, 56, 57, 59 81, 82

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

Central Government Guidance	National Planning Policy Framework March 2018 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) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010)
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network

Environmental Health

- 6.2 No objection: Four conditions are recommended regarding construction hours, hours of collections, piling and dust. An informative regarding dust is requested. Traffic noise from Perne Road was considered but given the orientation of the dwelling and distance from the road, the impact is considered to be acceptable without additional mitigation.

Urban Design and Conservation Team

- 6.3 There are no material urban design issues.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.4 Objection: 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.

- 6.5 Objection: Sufficient surface water drainage details proving the principle of draining the site have not been submitted to the local planning authority. Evidence that infiltration is feasible onsite or written confirmation that Anglian Water is satisfied with the surface water drainage proposal must be provided. The current proposed floor level is 300mm above the expected flood depth for the 1% AEP flood event, an allowance for climate change has not been included.
- 6.6 No objection: The drainage information provided by the applicant is adequate to remove the objection. Three conditions and an informative are requested. The conditions relate to the need for further surface water drainage details, details of flood resilient construction and heights for internal finished floor levels.

Waste

- 6.7 No comments received.
- 6.8 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:
- 196 Perne Road
 - 200B Perne Road
 - 1 Trefoil Terrace
- 7.2 The representations can be summarised as follows:
- Concerned that first floor windows would overlook garden of 196 Perne Road
 - Request that construction hours are conditioned.

- Unclear whether permission for access over the private road has been obtained
- Hardstanding should be relocated away from the junction with Tiverton Way to avoid conflict with cyclists
- Concerned about congestion of lane during construction
- If permission is granted request that owners are required to enter into same legal agreement as 200b Perne Road in relation to insurance and maintenance of the strip of land used to access

7.3 The legal group acting on behalf of the owner of 200b Perne Road has also provided past correspondence with the council and a copy of the legal agreement regarding the use of the accessway.

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
3. Flood risk
4. Residential amenity
5. Inclusive access
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The proposal includes subdivision of the plot and constructing a dwelling on garden land to the rear of 198 Perne Road. As a result policy 52 is relevant. This states that proposals on garden land will only be permitted where a) the form/height/layout respects the surrounding character, b) there is sufficient space retained to the existing dwelling and any worth trees are

retained, c) adequate amenity and privacy to neighbours is protected, d) adequate provision of amenity space, vehicular access and car parking for proposed and existing properties and, e) the proposal does not compromise development of the wider area. Criterion e) is not relevant. I will assess the application against the remaining criteria below.

Context of site, design and external spaces

- 8.3 Matter of appearance and landscape are not for consideration as part of this application. This information will be considered in a subsequent reserved matters application. Matters for consideration in this application are layout, scale and access.
- 8.4 The proposed access is from an existing lane which is owned by the city council. Access to the site could be created under permitted development. The adjacent property at 200b Perne Road is already accessed off of this lane so the additional access is not considered harmful to the character of the area.
- 8.5 The proposed new building is shown to sit broadly in line with the property to the south at 62 Tiverton Way. A garden is shown to the west side adjacent to the retained garden at 198 Perne Road. Car parking bays and bike and bin storage are shown on the eastern end of the plot. Details of landscaping and boundary treatment will be dealt with by reserved matters but I am satisfied that the layout shown would be acceptable.
- 8.6 The scale proposed is similar to the neighbouring property at no. 62. The eaves height is shown to be the same with this proposal being marginally higher than the neighbouring dwelling. The property lies at the end of the road and is on a wider plot than no. 62 so I am satisfied that the marginal additional height proposed would not be harmful to the character of the area.
- 8.7 The appearance of the proposal is for approval in a subsequent reserved matters application so the proposed plans are illustrative only. The design shown is not considered acceptable as it would appear out of character. The dormer windows, formal front porch, decorative brick and gable finials are all incongruous features. The properties on Tiverton Way take a much simpler design form which helps them to read as subservient. The appearance proposals for consideration in the

future should be unfussy and take cues from the properties to the south on Tiverton Way.

- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59.

Flood Risk

- 8.9 The Drainage Officer raised an objection to the proposal as insufficient drainage information was provided with the original submission. The applicant provided further information as part of the application. The Drainage Officer has reviewed the further submission and considers it adequate to remove their objection subject to conditions.
- 8.10 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2018) policy 32.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The proposal would sit broadly in line with the dwelling to the south on Tiverton Way. There are no primary windows on this side elevation which would be impacted in terms of restricted outlook. No. 62 Tiverton Way is to the south of the site so there would be no loss of light. The proposal is likely to have first floor windows which would look towards the rear garden of no. 62 but this is typical of a row of houses in the city and the garden of 62 is already overlooked by no. 60. Bike and bin storage is shown on the boundary with this neighbour but I am satisfied that any store could be low rise so as not to impact on no 62. Details of landscape and boundary treatment are not up for consideration and would need to be dealt with as part of a future reserved matters application.
- 8.12 The other nearest neighbouring property is 200b Perne Road. This property is set away from the site with the accessway providing a significant separation. As a result I am satisfied there would be no enclosure impacts. The proposal is also unlikely to have any impact in terms of overshadowing given the distance between the properties. The proposal does have windows at first floor which would look towards the garden of

200b but I do not consider these would not cause any significant loss of privacy to 200b due to the presence of an outbuilding on the boundary with the access which is likely to screen most views into the garden.

- 8.13 The proposal would be significantly set away from the host dwelling at 198 Perne Road given the back to back garden arrangement. As a result I am satisfied there would be no significant impact in terms of enclosure or overshadowing. The proposal would have first floor windows looking towards no 198 but this relationship is no different to that found elsewhere on the road. I am satisfied that the garden shown as retained by 198 would be adequate and is in line with other gardens on this part of the street. A curtilage condition is recommended requiring that the plots are laid out as shown on the red edged plan to ensure adequate amenity space for both the existing and proposed new dwelling.
- 8.14 The Environmental Health Officer has considered the impact of traffic noise from Perne Road and is satisfied that, given the distance from the highway, the impact would not require mitigation. A number of conditions are recommended to protect the amenity of surrounding occupiers during construction.
- 8.15 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 (2018) policies 52, 55 and 56.

Amenity for future occupiers of the site

- 8.16 Whilst the proposed design is not for consideration, I am satisfied that a building of this scale with a garden provision as shown providing a 4 bedroom dwelling would provide a high standard of amenity for future occupiers. Three of the bedrooms shown would be adequately large to provide a single bed space. Bedroom 1 could be a double room. The building shown exceeds the space standards as shown in the below table and would comply with policy 50 of the Cambridge Local Plan (2018). The garden provision is considered to be acceptable; as mentioned above, a curtilage condition is recommended to ensure the gardens are provided as shown. Details of landscape will be dealt with in a future reserved matters application.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	4	5	2	124	97	+27

8.17 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 (2018) policies 50, 52, 56 and 59.

Inclusive access

8.18 The proposal would have level access with off-street car parking adjacent to the entrance and a ground floor WC. I am satisfied that a condition could be imposed to ensure that the proposal would meet with part M4(2) of building regulations to ensure the property would be adequately accessible to meet with the requirements of policy 51.

8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 51.

Refuse Arrangements

8.20 Bins are shown on the western end of the site. The provision shown appears adequate but full details including details of a store are required by condition.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57.

Highway Safety

8.22 The Highway Authority considers that the proposal would not have any significant adverse impact on highway safety. I share this view.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.24 Two off street car parking space are shown. This is considered acceptable.
- 8.25 Four cycle parking space are proposed adjacent to the bin store. The provision and location are considered acceptable. As with the bins, full details including details of a store are required by condition.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52 and 82

Other

- 8.27 The representations raise concerns regarding land ownership and permission to use the access. These are civil matters and cannot be considered as part of the planning application. The city council's property services are aware that an application has been submitted. Any legal agreement to allow access from the strip of city council owned land would not be material to the consideration of the planning application.

Third Party Representations

- 8.28 I have addressed the majority of the third party representations in the body of my report but I will address any outstanding matters below:

Third party representation	Response
Concerned that first floor windows would overlook garden of 196 Perne Road	There would be a significant distance between the proposal and the garden of 196 Perne Road and as a result the proposal is not considered to give rise to any significant overlooking of their garden.
Request that construction hours are conditioned.	A condition is recommended to control construction hours

Unclear whether permission for access over the private road has been obtained	This is a civil matter. See paragraph 8.27.
Hardstanding should be relocated away from the junction with Tiverton Way to avoid conflict with cyclists	I do not consider that the two car parking space will impact on cyclist safety given the low speeds which cars will travel down the access lane
Concerned about congestion of lane during construction	The Environmental Health Officer has requested conditions regarding construction hours and collection/delivery hours during construction. These would help minimise disruptions during construction.
If permission is granted request that owners are required to enter into same legal agreement as 200b Perne Road in relation to insurance and maintenance of the strip of land used to access	This is a civil matter. See paragraph 8.27.

9.0 CONCLUSION

- 9.1 The scale of the proposed dwelling is considered to respect the surrounding character. The layout and scale of what is proposed is not considered to give rise to any unacceptable neighbour amenity impacts. The proposal would provide a high quality living environment for future occupiers. The access arrangement is not considered to give rise to any adverse neighbour amenity or highway safety issues.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. All applications for approval of the reserved matters shall be submitted to the local planning authority before the expiration of 3 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 five 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. Prior to the commencement of any development, details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority (Cambridge Local Plan 2018 policies 55, 56, 57 and 59)

4. 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.

5. 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 2018 policy 35)

6. There shall 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 2018 policy 35)

7. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35)

8. 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 2018 policy 36.

9. Prior to the commencement of development, other than demolition, a scheme for surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an assessment 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 the National Planning Policy 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 + an allowance for climate change. The submitted details shall include the following:

- 1) 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;

- 2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 policies 31 and 32)

10. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority, in accordance with [FRA, FRA-2018-001032, Date 02/11/2018]. Development shall take place in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants (Cambridge Local Plan 2018 policies 31 and 32).

11. Prior to occupation of the dwelling, finished ground floor levels shall be set and retained no lower than 450 mm above existing ground level.

Reason: To reduce the risk of flooding to the proposed development and future occupant (Cambridge Local Plan 2018 policies 31 and 32).

12. Prior to the occupation of the development, hereby permitted, the curtilage of the approved dwelling shall be fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

13. Prior to occupation of the dwelling, details of facilities for the covered, secure cycle parking of 4 number bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policy 82)

14. Prior to occupation of the dwelling, details of facilities for the covered, refuse storage for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the bin storage (Cambridge Local Plan 2018 policy 52 and 57)

15. The dwelling, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)