

Application Number	19/0400/FUL	Agenda Item	
Date Received	29th March 2019	Officer	Emily Burton
Target Date	24th May 2019		
Ward	Kings Hedges		
Site	348 Milton Road Cambridge CB4 1LW		
Proposal	Erection of a single storey dwelling to the rear of 348 Milton Road.		
Applicant	Mr D Crockwell 348, Milton Road Cambridge CB4 1LW		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the proposed development would not have an adverse impact on the character of the surrounding area; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The proposed development would provide a high quality living environment for the future occupiers;
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located at the rear of 348 Milton Road which is comprised of a two storey semi-detached dwelling and a long vacant garden to the rear. The site is in proximity to the

Kendal Way Allotments. The site is not located within a Controlled Parking Zone. There are no site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the erection of a single storey, 3 bedroom dwelling. Vehicle and cycle access to the site would be via an existing private driveway to the rear of No.348 via Kendal Way, and a new 1m wide pedestrian access way is proposed from Milton Road along the eastern boundary of No.348.
- 2.2 Pre-application was submitted for a two storey, 3 bedroom dwelling with similar proposed access arrangements (18/5224/PREAPP). Pre-application advice did not support the two-storey proposal as the scale and mass was not in keeping with the surrounding locality.
- 2.3 2 car parking spaces and a bike area is provided to the rear of the site off the private drive. Bin access would be provided via the 1m wide pedestrian access way to Milton Road.
- 2.4 This scheme does not include any alterations to the existing dwelling or existing trees and seeks planning permission solely for the erection of a single storey dwelling to the rear of 348 Milton Road.
- 2.5 Amended plans have been provided (Drawing nos. L(PL)MR_03 A, L(PL)MR_01 A) for the inclusion of a rooflight to Bedroom 3.
- 2.6 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
12/0531/FUL	Single storey front, part two storey rear extension	PERM 22.06.2012

18/1809/FUL Erection of a single storey dwelling to the rear of 348 Milton Road. Application returned

4.0 PUBLICITY

4.1 Advertisement: No
 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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Cambridge Local Plan 2018

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3 31, 32, 33, 35, 36 50, 51, 52, 55, 56, 57, 59 70, 71 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning	Sustainable Design and Construction (May)

Guidance	2007)
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5.4 **City Wide Guidance**

Cambridge City Council (May 2007) – Sustainable Design and Construction:
Cycle Parking Guide for New Residential Developments (2010)

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Highways Development Control)

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Drainage Team

- 6.2 The development proposed is acceptable subject to the imposition of two conditions for a surface water drainage scheme and details for the long term maintenance arrangements for the surface water drainage system.
- 6.3 The Drainage Team advise that the proposal has not indicated a surface water drainage strategy however, as this is a minor development and there are no surface water flood risk issues, it would be acceptable to obtain this information by way of a condition.

Environmental Health

- 6.4 The development proposed is acceptable subject to the imposition of two conditions for construction/demolition hours and piling in the event the ground works require piling.
- 6.5 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 objections:

- 309 Milton Road
- 362 Milton Road
- 364 Milton Road
- 384 Milton Road

7.2 The representations can be summarised as follows:

- Utility service arrangements
- Space is not suitable for a 3 bedroom dwelling and will not achieve visual amenity for the occupiers
- Maintenance costs and responsibility of private drive
- Private drive is not suitable for heavy vehicles and increased traffic
- Dwelling not in keeping with locality
- Precedent for overdevelopment
- Noise amenity impacts resulting from construction and increased vehicle traffic along private drive
- Loss of green space
- Proposed conflict of interest as owner of 348 trades as a scaffolding company
- Existing trees for retention are in poor condition and dangerous
- Disruption to adjacent gardening allotments during construction
- Pathway is too narrow for cycle and wheelchair access

7.3 The owner/occupier of the following address has made representations neither in support nor objection to the proposal:

- 100 Kendal Way

7.4 The representation can be summarised as follows:

- Seeking further information on the proposed utility servicing and ongoing responsibility of the private drive.

7.5 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. Highway Safety
5. Car and cycle parking
6. Refuse arrangements
7. Surface water drainage
8. Third party representations

Principle of Development

8.2 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.

Policy 52 Protecting garden land and the subdivision of existing dwelling plots

8.3 As the proposal is for the subdivision of an existing residential plot, policy 52 of Cambridge Local Plan (2018) is relevant in assessing the acceptability of the proposal.

8.4 Policy 52 of the Cambridge Local Plan (2018) states that: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;

- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
- e. there is no detrimental effect on the potential comprehensive development of the wider area.

8.5 I consider that the proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.

Context of site, design and external spaces

8.6 The site is located within an area that is characterised by two storey housing with long rear garden allotments. Milton Road is located to the front of the site and a private drive is located to the rear. The private drive is unsealed and is wide enough for one-way traffic only. Adjoining the private drive to the south is an area of private protected open space allotments. While there is a strong linear pattern of development along Milton Road, there is also a strong character of single storey outbuildings and double garage backland development directly to the north east of the site which.

8.7 The proposed dwelling would be of a scale and mass that would be in keeping with the character of the area. The dwelling would not be dissimilar to the height and appearance of existing garages located along the private drive. I am of the opinion that the proposal would be in keeping with this pattern of development. A materials condition is recommended to ensure the proposal would be of a high quality finish. It is my opinion the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute as overdevelopment.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.9 The eastern facing elevation would be 1m away from the rear garden boundary of No.350, and the majority of the western

facing elevation would be located against the garage elevation of No.346. The proposed dwelling would not lead to a loss of light at either neighbouring property. At 3.4m in height, with a pitched roof that slopes down to 2.6m in height as it falls towards the neighbouring boundaries, I do not consider this mass would lead to harmful loss of light. Any loss of light would be minor and limited to the latter parts of neighbouring gardens in the late afternoon or early morning respectively.

8.10 The proposed bungalow would be set approximately 900mm away from the eastern adjoining boundary, and against the western adjoining boundary. I am of the opinion that given the single-storey scale proposed with a low eaves height, the proposed dwelling would not appear visually overbearing from neighbouring gardens. It would be sited a considerable distance from the main windows of neighbours.

8.11 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 55 (58) and 35.

Amenity of future occupiers

8.12 The gross internal floor space measurements for units in this application are shown in the table below:

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	3	5	1	86	86	0

8.13 Third party representations raised concern over the poor outlook from the internal bedrooms due to the small setbacks from adjoining neighbour boundaries. Bedroom 3 is setback only 1m from the western boundary 2.1m high fence however amended plans have been submitted proposing installation of a rooflight. As such Bedroom 3 will have access to adequate light. Bedrooms 2 and 3 have windows facing the south of the property and considered to provide appropriate light amenity for future occupiers.

Size of external amenity space:

- 8.14 Policy 50 of the Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. The proposed dwelling would have a north facing garden of an appropriate size for a 3 bed dwelling, being 8.5m in width and 5.5m in length. A condition is recommended to remove permitted development rights to not only protect neighbouring properties, but also to protect the character of the area and the external amenity space provided for the dwelling.

Accessible homes

- 8.15 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Wider area

- 8.16 The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. I accept this advice and have recommended the conditions accordingly. Additionally a condition to control hours for collections or deliveries to the site is also considered appropriate to protect the amenity of the adjoining properties.
- 8.17 In my opinion the proposal provides an adequate level of residential amenity for future occupiers and I consider that it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

Highway Safety

- 8.18 Third party representations have raised concern over the impact of the development on the existing private drive and ongoing maintenance responsibility. However, as the maintenance of the private drive is not a planning concern, and the Highways Authority have raised no objection to the proposal, it is considered that the proposal will not result in adverse access impacts.

8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

Car parking

8.20 Car parking allocations established under policy 82 of the Local Plan (2018) require the provision of no less than 0.5 spaces per dwelling, up to 2 spaces per dwelling. The application satisfies this requirement with two car parking spaces accessible via the private drive provided at the rear of the property.

Cycle parking

8.21 Cycles can gain access to the site via the private drive, and sufficient space is provided at the rear of the proposed dwelling for secure bike storage. As such, a condition is recommended requesting further details of this store.

8.22 The site is in a sustainable location with good cycle and public transport links to the wider area and there are local shops and services along Barnwell Road and the adjacent retail parks within walking distance.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Refuse Arrangements

8.24 The 1m wide access path from the site to Milton Road will provide appropriate access for waste disposal and there is appropriate space for bin storage. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Surface water drainage

8.25 The proposal has not provided details on surface water drainage, and as such the Drainage Team has requested the submission of a surface water drainage strategy and ongoing maintenance details to be submitted prior to determination. It is

considered that it is reasonable to request this information prior to development.

Third Party Representations

8.26 Some of the third party representations have been addressed in the main body of this report. Those outstanding have been addressed below:

<u>Comment</u>	<u>Response</u>
Utility service arrangements	Utility service arrangements are not a planning matter.
Increase in traffic pressures to the area.	The Highway Authority has raised no objection to the proposed development in terms of increased vehicle movements. The proposal is for one dwelling and I do not consider this increase would have a drastic impact on the existing transport network.
Disturbance caused by construction and ongoing responsibility of private drive	This is a civil/ legal matter between the owners of the private drive as this does not form part of the adopted public highway.
Loss of green space	The site is not a protected public open space and is currently unused vacant land. The proposal is not considered to adversely affect the biodiversity value of the locality.
This would set a precedent for future development.	In terms of precedent, each planning application is considered on its own merits. The proposal is considered to be compliant with policies which relates to the development of dwellings within existing residential plots.
Existing trees are in poor condition and dangerous	This is a civil/ legal matter between the owners of the property and neighbours. The trees are not protected and

	could be removed without planning approval.
Proposed conflict of interest as owner of 348 trades as a scaffolding company	This is not a planning matter.

9.0 CONCLUSION

- 9.1 In my opinion, the proposed development would not amount to overdevelopment of the site nor would it have an adverse impact upon the area, the neighbouring properties or the future occupants of the development.

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 91 of the Town and Country Planning Act 1990 (as amended by 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 2018 policy 35)

4. 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)

5. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of the proposed attenuation;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;

g) Full details of the maintenance/adoption of the surface water drainage system;

h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

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

6. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

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

7. Notwithstanding the approved plans, the building, 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)

8. For the hereby approved dwelling, notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses, including insertion of new windows; loft conversion including rear dormers; and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

9. No development shall take place above ground level, other than demolition, until details of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

10. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) 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)

11. The dwelling hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles and the storage of bins 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 dwellings are occupied.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policies 55, 56, and 82)

12. 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)

INFORMATIVE:

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

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

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