
Application Number	19/0896/OUT	Agenda Item	
Date Received	26th June 2019	Officer	Andy White
Target Date	21st August 2019		
Ward	Trumpington		
Site	Achray Gazeley Road		
Proposal	Erection of 2 dwellings with revised car parking layout for existing dwelling.		
Applicant	Alex R Moffatt c/o Agent		

SUMMARY	The development accords with the Development Plan for the following reasons: - The principle of residential development is acceptable in this area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies on land to the rear of the property known as 'Achray' on Gazeley Road. The land is currently in use as part of the garden which serves Achray. The site is surrounded by residential development. Achray has vehicular access from Gazeley Road which is a private unadopted road.
- 1.2 This is a predominantly residential area. A number of properties have subdivided their garden land to create detached dwellings. Fairfield and The Lees to the west of the application site are bungalows built on land that was previously attached to Mackery End and Little Kersland. These backland properties are subservient to their host dwellings.
- 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 2 dwellings and a revised parking layout for Achray. All matters are reserved and therefore this application only considers the principle of development.
- 2.2 The red-line that identifies the land that is the subject of the application, runs to Gazeley Road. The majority of the 0.17 Ha of land enclosed by the red-line is to the south of land retained as part of the garden of Achray.
- 2.3 The application is accompanied by:

Planning Statement
Tree Survey
Arboricultural Report
Tree Plan

3.0 SITE HISTORY

- 3.1 There is no recent site history but the following historic applications are of relevance.

Application	Description	Outcome
C/04/0763	Erection of 2 detached bungalows and garages.	Withdrawn 01.09.2004
C/93/0566	Outline application for one bungalow and garage (renewal of c/0608/90).	Approved 30.09.1993
C/90/0608	Outline application for erection of detached Single storey dwelling and garage.	Approved 05.09.1990
C/89/0109	Residential development (outline application for The erection of one detached bungalow).	Refused 17.07.1989
C/88/0995	Erection of 2 no. Bungalows (outline	Refused 02.11.1988

	application).	
C/87/0746	Outline application for the erection of a detached bungalow and garage (amended by letter and drawings dated 26/04/89).	Approved 18.09.1987
C/88/0133 <i>The Lees</i>	<i>Outline Planning Application for the Erection of a Bungalow.</i>	<i>Approved 20.04.1988</i>

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 2018	1, 3 31, 32, 35, 36 50, 51, 52 55, 56, 57, 59, 70, 71 81, 82

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

Central Government Guidance	National Planning Policy Framework 2019 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)

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 Four conditions are recommended regarding construction hours, hours of collections, piling and electric charging points for each parking space. An informative regarding dust is requested.

Drainage

- 6.3 The proposals have 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.

Landscape Architect

- 6.4 The principle of development within the rear garden area of Achray on Gazeley Road is acceptable in landscape terms. Sensitive consideration towards the existing trees must be used as retention of large trees of quality could constrain development.

Trees and Nature Conservation

- 6.5 No comments had been received at the time of drafting report. Comments have been requested and an update will be provided at Committee
- 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:

Name of Road	Address
Gazeley Road	The Lees, Menai, Little Kersland, Fairfield, Merrion Gate, and Mackery End
Wingate Way	Nos 31, 33 and 35
Clay Farm Drive	Nos 56,58, 60, 64 and 70

7.2 The representations can be summarised as follows:

- Achray's garden will be surrounded by an extension to Gazeley Lane
- Two new dwellings represents overdevelopment;
- Residents are likely to use cars as the proposed houses will not be linked to surrounding roads or cycle paths;
- There must be no effect whatsoever on existing mature trees as this will adversely impact the biodiversity of the area;
- Houses will spoil existing garden with possible additional run-off from Achray's garden;
- Pattern of development that would best fit the plot and neighbours is one bungalow set well away from neighbours;
- Concerned that first floor windows from 2-storey dwellings would overlook gardens and amenity space leading to loss of privacy as the hedge between site and neighbour is deciduous;
- Dwellings would be out of keeping;
- Increased volume of traffic leading to noise, safety and access issues. There is risk to old and young through the inadequately lit roads having additional traffic.
- Additional comings and goings from new dwellings and the shed/cycle shed will have an unacceptable impact on residential amenity;
- If trees are removed there will be additional overlooking;
- New dwellings will be surrounded by built development and therefore have unacceptable sense of enclosure and lack of privacy;
- Request that construction hours are conditioned.
- Assured when purchased house that there would be no additional houses built;
- The very attractive view of Achray and its garden from surrounding properties would be changed
- Concerned about congestion of lane during construction and after occupation

7.3 Hewitsons Solicitors also objected on behalf of the owner of 35 Wingate Road raising the identical issues that the household raised in its objection.

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

Principle of Development – context of two dwellings having regard to surrounding land uses.

- 8.1 The proposal includes subdivision of the plot and the construction of two additional dwellings on garden land to the rear of Achray. As the application is outline with all matters reserved any illustrative drawings submitted with the application will not be assessed in this report. However, it is noted that the illustrative drawings indicated 2-storey dwellings with basements. The only issue to consider at this stage is whether the principle of residential development is acceptable. Given that the site is surrounded by residential development and there is capacity within the 0.17 Ha site to accommodate dwellings that would occupy plots that would not be significantly different in size to those adjoining the site to the north, west and south it is considered that the principle of developing the site with two dwellings is acceptable in principle.
- 8.2 Policy 52 is relevant to the consideration of proposals on garden land and identifies that planning permission will only be granted where a) the form/height/layout respects the surrounding character, b) there is sufficient space retained to the existing dwelling and any healthy 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 is achieved and, e) the proposal does not compromise development of the wider area.
- 8.3 Given the fact that this is an outline application with all matters reserved the issue of principle discussed in paragraph 8.1 is the main consideration at this stage. However, from the site visit it is possible to conclude that development can be constructed that would meet the criteria in Policy 52 but it will only be possible to conclusively confirm conformity with this Policy at Reserved Matters stage. None of the statutory consultees raised any matters that indicated that the issues identified in Policy 52 could not be addressed.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 52.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 Many of the neighbours have raised concerns regarding loss of amenity, and in particular privacy and Hewitsons has raised matters of detail in relation to the impact of dwelling design on the surrounding properties. Having regard to the siting shown on the illustrative plans it is clear that there is sufficient separation distance achievable to ensure that loss of privacy through overlooking would not be an insurmountable issue. For example the separation distance between the rear elevations of the closest properties in Wingate Way and the boundary of the site is in excess of 50 metres, whilst the rear elevation of No.68 Clay Farm Drive is 18 metres from the site boundary. There is a mature hedge on the boundary between Fairfield and the site. Whilst there are no details with this application, I am satisfied that it is possible to come forward with proposals on this site that will respect the amenities of the neighbouring dwellings. It is also clear that a design can come forward that includes garden depths that would be in keeping with neighbouring dwellings.
- 8.6 Only at reserved matters stage will it be possible to consider this matter in appropriate detail. In considering any reserved matters submission the LPA has the right to refuse schemes that are significantly harmful to the amenity of any neighbouring property as this would be contrary to Local Plan policies. In this respect the conditions suggested by Hewitson's such as: removing Permitted Development Rights; restricting the size and location of windows; and requiring the dwellings to be single storey, would not be appropriate at this stage as there is clear guidance in the Local Plan and the NPPF that the applicant or a developer would need to address this as part of the detail in any Reserved Matters submission.
- 8.7 Concerns have been raised regarding increased noise pollution arising from the increased use of the access road and use of the garden. I consider that the use of the land and access by two additional dwellings would not give rise to an unacceptable level of noise and disturbance to neighbouring residents.

- 8.8 One objection raised the issue of loss of the very attractive view of Achray and its garden, however, the loss of a view is not a material planning consideration.

Amenity for future occupiers of the site

- 8.9 Again, it is my view that a scheme that provides amenity space and privacy for the new occupiers in accordance with policy can be achieved on the site.

Drainage and Flood Risk

- 8.10 The Drainage Officer has reviewed the submission has raised no objections in principle subject to requiring the submission of drainage details by condition. The applicant will have the opportunity to consider providing these with any Reserved Matters submission
- 8.11 In my opinion, subject to an appropriate SuDS condition, the proposal is compliant with Cambridge Local Plan (2018) policies 31 and 32.

Inclusive access

- 8.12 It is presumed that the access will be direct from Gazeley Road and that the site is capable of providing level access for future residents. I have recommended a condition requiring the design of the proposed dwellings to be compliant with Building Regulation M4(2)
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 51.

Refuse Arrangements

- 8.14 When detailed proposals come forward an assessment of the refuse arrangement will be made. There is no reason to consider that this matter cannot be resolved at Reserved Matters stage or by condition.
- 8.15 In my opinion a detailed proposal is capable of being compliant with Cambridge Local Plan (2018) policies 56 and 57.

Highway Safety

- 8.16 The Highway Authority considers that the proposal would not have any significant adverse impact on highway safety. I share this view.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.18 Any future reserved matters submission will need to demonstrate compliance with the car and cycle parking policy and standards. In my opinion any scheme for the site can be designed to meet the car and cycle parking requirements.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52 and 82

Third Party Representations

- 8.20 I have addressed the issues raised within the third party representations in the body of the report as far as it is possible to do so with an outline application with all matters reserved.

9.0 CONCLUSION

- 9.1 The site is capable of accommodating two dwellings which are capable of being of a form and design that would be in keeping with the pattern of residential development in the vicinity of the site

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three 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 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Prior to the commencement of any development, details of the appearance, means of access, landscaping, layout and scale, (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.

3. 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 all SuDS features;
- 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

The details submitted shall also include proposals 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 that the proposed development can be adequately drained, to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of Policies 31 and 32 of the Cambridge Local Plan and in accordance with the requirements of the National Planning Policy Framework.

4. Prior to the installation of any electrical services, an electric vehicle charge point scheme demonstrating that at least one operational active electric vehicle charge point will be installed to each allocated parking space for each of the proposed residential units, shall be submitted to and approved in writing by the Local Planning Authority.

The active electric vehicle charge point scheme as approved shall be fully installed prior to first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF, 2019) paragraphs 105, 110, 170 and 181, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

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. Prior to any equipment, machinery or materials being brought onto the site for the purpose of development, including demolition, details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented prior to development commencing and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the Local Planning Authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2018 policies 55, 57, 59 and 71)

9. Prior to the commencement of the development hereby approved a revised car parking scheme for the existing dwelling 'Achray' shall be submitted to the Local Planning Authority and agreed in writing which will identify the number of cars to be parked and the means by which vehicles will be able to enter and leave the drive of Achray in forward gear. The revised parking and manoeuvring scheme shall be implemented within 28 days of the commencement of the planning permission hereby granted.

Reason In the interests of the providing appropriate parking arrangements for the occupiers of Achray in accordance with Policy 82 of the Cambridge Local Plan (2018)

10. The dwellings hereby approved shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended)

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

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

- 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

-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