

Application Number	19/0763/FUL	Agenda Item	
Date Received	12th June 2019	Officer	Lorraine Casey
Target Date	7th August 2019		
Ward	Queen Ediths		
Site	305 Hills Road		
Proposal	Demolition of existing dwelling and erection of a single dwelling together with access and landscaping.		
Applicant	Robinson C/O Agent		

SUMMARY	<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 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 - The proposed development would retain trees of amenity value
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No.305 Hills Road is a detached 3-bedroom two-storey dwelling located on the east side of Hills Road just to the north of the Addenbrookes roundabout. The property occupies a sizeable

plot and is set well back from the road, from where the land slopes gently downwards to the property. The front boundary is mainly defined by mature trees, whilst the rear garden area also includes a number of mature trees and hedgerows.

- 1.2 There are large detached dwellings to both sides of the site, each of which are set a comparable distance back from the road frontage, whilst to the rear, the site backs onto the rear garden of No. 1 Fendon Road, beyond which lie the gardens of properties in Fendon Close (Nos. 2 & 3).
- 1.3 Following the submission of the application, Tree Preservation Orders have been served on the site to protect a group of 6 birch trees and a maple tree to the front of the property, and a walnut tree within the rear garden. There are no other specific site constraints.

2.0 THE PROPOSAL

- 2.1 The application proposes the demolition of the existing property and erection of a replacement 2.5 storey 6-bedroom dwelling on the site. The replacement dwelling would be a substantial property based upon the 'Queen Anne' architectural style. Its front elevation would be in a similar position to the existing (set approximately 16 metres back from the front boundary) and would have a rectangular plan form measuring approximately 22m wide x 12m deep. The dwelling would include an attached double garage that would project forward of the principal elevation towards the road.
- 2.2 The scheme has been amended since submission to reduce the garage from a three-bay to two-bay structure (3.3m reduction in depth), to remove a cleaner's flat originally proposed over the garage (0.7m reduction in height) and to retain trees protected subsequent to the original application.
- 2.3 In addition to the application form and plans, the application is accompanied by the following supporting information:
 - . Design & Access Statement
 - . Shadow Study
 - . Arboricultural Impact Assessment

3.0 SITE HISTORY

3.1 C/87/0167 – Erection of front porch to existing dwellinghouse – approved.

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 Plan 2018	Local	1, 3 31, 35, 36 50, 51, 52, 55, 56, 57, 59 71 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 2007)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objections subject to a traffic management plan condition and a condition restricting the hours of delivery of materials and removal of waste to 9.30am-3.30pm daily.

Drainage Officer

- 6.2 No objections subject to conditions requiring surface water drainage and maintenance details.

Environmental Health

- 6.3 No objection subject to the inclusion of conditions regarding construction hours, collection during construction, piling, dust, acoustic/noise insulation specification of windows facing Hills Road, alternative ventilation scheme for habitable windows facing Hills Road, and requirement for EV charging point.

Streets and Open Spaces (Trees)

- 6.4 Following the submission of additional and revised information, no objections subject to tree protection and replacement planting conditions.

Landscape Design

- 6.5 No objections to the scheme, as amended, subject to hard and soft landscaping condition.
- 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 address have made objections:

- 303 Hills Road
- 2 Fendon Close

7.2 The objections can be summarised as follows:

- Boundary between 303 and 305 Hills Road incorrectly drawn and also shown on 303's land within Arboricultural Impact Assessment.
- Proposals show the removal of the boundary hedge between Nos. 303 and 305.
- The shadow study is inaccurate as it shows the sun in the wrong place at 1pm for the Summer Solstice. The proposal could therefore have a significant impact upon sunlight to No.303.
- Object to felling of trees to rear of property given their environmental and wildlife value, and resultant loss of privacy to occupiers of neighbours at 2 Fendon Close.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from the inspection of the site and the surroundings, the main issues are:

1. Principle of development
2. Context of site, design and external spaces, including impact on landscaping and trees
3. Residential amenity
4. Surface water drainage and flood risk
5. Refuse and cycle storage
6. Highway safety
7. Third party representations

Principle of Development

8.2 This application relates to the erection of a replacement dwelling which is compliant in principle with Policies 1 and 3 of the Cambridge Local Plan 2018.

Context of site, design and external spaces, including impact on landscaping and trees

- 8.3 The application proposes a replacement dwelling that would occupy a larger footprint and also be higher than the existing property, increasing the ridge height from 7.7m to 9.7m and eaves height from 5.1m to 6.1m. The principal elevation of the dwelling would be set well back from the road, in approximately the same position as the existing property. A single-storey, 5m high, double garage would project forwards of, and perpendicular to, the front elevation of the house to a position approximately 8m back from the front of the site.
- 8.4 This part of Hills Road is characterised by large detached dwellings sited within substantial plots and set well back from the road. This includes the adjacent property at No.307 Hills Road which, pursuant to a 2016 permission, has been substantially extended to the side and rear to form a large 2.5 storey dwelling. The age and form of these surrounding dwellings is very varied and there is therefore no single defining architectural style that needs to be adhered to. As shown within the street scene elevations and within the Design and Access Statement, the height and scale of the dwelling would relate well to surrounding properties, and its siting at a lower level than the road level ensures the additional scale and massing can be accommodated on the site without detriment to the street scene. Although the forward projecting garage means that the built form would be significantly closer to the road than the existing house, there are a number of properties on this side of the road that have either attached or detached garages projecting forward of the main elevation, and this element is not therefore an uncharacteristic feature in this locality.
- 8.5 The front boundary of the site is defined by mature trees. The application originally proposed to remove all the screening to the front of the property in order to accommodate the footprint of the proposed dwelling. Both the Trees and Landscape Officers objected to the loss of existing trees/screening considered to be of amenity value and importance to the street scape and, in response to the proposal, a TPO was served upon the group of birch trees and a maple tree to the front, as well as a walnut tree to the rear. The scheme was subsequently amended to reduce the depth of the garage thereby ensuring the retention of the protected trees and boundary screening to

the front of the dwelling. The Trees and Landscape Officers have confirmed the revisions address their original concerns, and landscaping and tree protection conditions are recommended to ensure the development would not have an unacceptable adverse impact upon the character of the area.

- 8.6 The design of the proposal is considered to be acceptable and in accordance with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 59 and 71.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 The site is adjoined by No.303 Hills Road to the north-west, No.307 Hills Road to the south east, and No.1 Fendon Road to the rear/north-east.
- 8.8 With regards to the impact on No.303 Hills Road, the front elevation of this property has a ground floor habitable room window close to the common boundary with No.305. The 2.5 storey element of the replacement dwelling would project approximately 5m forward of this window but, given that it would be set off the boundary by 3.5m and around 5m away from the centre of this window, it is considered that there would not be an unacceptable enclosing impact on the outlook from this neighbouring property.
- 8.9 The application has been accompanied by a shadow study which demonstrates that the development would not result in an unacceptable loss of sunlight to No.303. The owner of this adjacent property has questioned the accuracy of the study, but the applicant's agent has confirmed the study is correct and that the shadow information provided by the neighbour relates to a shadow cast by an existing building within their curtilage. Officers have no reason to dispute the findings of the study and concur with its conclusions that the development would not give rise to an unacceptable loss of daylight to any of the neighbouring properties.
- 8.10 Concerns have been raised regarding the loss of trees within the rear garden and consequent overlooking of neighbouring properties. The application does propose the removal of a number of smaller trees within the south-eastern part of the rear

garden but the protected walnut and group of trees within the north-eastern part of the garden would be retained thereby ensuring the retention of the most significant boundary screening. Notwithstanding this, there is a distance of 25m between the rear elevation of the property and rear boundary with the bottom of No.1 Fendon Road's rear garden, which extends to a depth of in excess of 65m. The garden of No.2 Fendon Close, the owner of which has objected to the proposal, is situated a further 13m away. In view of these distances, Officers consider the development would not give rise to an unacceptable degree of overlooking of residential gardens to the rear.

8.11 No.307 Hills Road to the south has, in recent years, been extended towards the boundary with No.305. There are no windows serving habitable rooms within the side elevation facing the site and the development would not therefore give rise to any undue loss of light or outlook to this property.

8.12 The replacement dwelling incorporates two first floor windows in each of the side elevations. These all serve en-suite bathrooms and are shown as being obscure glazed. In order to prevent any overlooking of the neighbouring properties, a condition is recommended to require these windows to be both obscure glazed and fixed up to at least 1.7m above the internal finished first floor level.

Amenity for future occupiers of the site

8.13 The dwelling would clearly comply with the space standards set out within Policy 50 of the Local Plan, whilst the Design and Access Statement confirms it would meet the requirements of Part M4(2) of the Building Regulations, thereby complying with Local Plan Policy 51. This can be secured by condition. The gross internal floor space measurements for the unit in this application is 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	6	12	3	138	590	+452

- 8.14 The Environmental Health Officer has recommended a number of conditions. Officers consider that all conditions designed to protect the amenities of neighbours are reasonable. However, the conditions relating to the amenities of future occupiers (noise insulation/ventilation of front facing habitable room windows) and requirement for EV charging are not considered reasonable or necessary given that the application is not proposing to increase the number of units on the site.
- 8.15 The proposal provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers in accordance with Cambridge Local Plan (2018) policies 50 and 51.

Surface water drainage and flood risk

- 8.16 The Drainage Officer has not raised any objections and considers that the surface water drainage implications of the additional footprint of the property can be adequately controlled by way of planning condition.

Refuse and cycle storage

- 8.17 Bin and cycle stores are proposed to the rear/north-west side of the garage. The proposal is therefore compliant in this respect with Cambridge Local Plan (2018) policies 57 and 82.

Highway Safety

- 8.18 The Highway Authority has been consulted as part of the application and is satisfied there would not be any adverse impact upon highway safety. The proposal is therefore compliant with Cambridge Local Plan (2018) policy 81.

Third party representations

- 8.19 The owner of the adjacent property at No.303 Hills Road raised concerns regarding the accuracy of the boundary position denoted within the Arboricultural Impact Assessment and potential loss of the boundary hedge. In response to this, the AIA was amended to show the retention of the boundary hedge and addition of protection barrier during construction.

9.0 CONCLUSION

- 9.1 The proposed development would not have an adverse impact upon the character of the area, the amenity of neighbouring properties or upon trees of amenity value.

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 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 and 57)

4. Notwithstanding the approved plans, 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)

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. 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. Development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81)

10. All deliveries of materials or removal of waste from the site shall be undertaken solely between the hours of 09.30hrs -15.30hrs seven days a week.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81).

11. 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)

12. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

13. Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

14. Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

15. The approved tree protection methodology will be implemented throughout the development 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 approved tree protection plans, 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. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

16. If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

17. Prior to the occupation of the development, hereby permitted, the first floor side windows identified as having obscured glass on the approved plans shall be obscure glazed, to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and non-opening to a minimum height of 1.7m above the internal finished first floor level. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).