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**Applic. No:** C/01/1332  
**Date Recvd:** 11th December 2001  
**Ward:** West Chesterton

**Agenda Item No. :**  
**Officer:** Philippa Eve

**Site:** Goldie Boathouse, Kimberley Road, Cambridge, CB4 1HJ

**Proposal:** Demolition of existing house and erection of a two storey addition to existing boathouse to provide training facilities, offices, treatment room and two bedroom flat.

**Applicant:** Cambridge University Boat Club  
Goldie Boathouse  
Kimberley Road  
Cambridge

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site relates to the Cambridge University Boat Club boathouse and boatman's house, situated on the north side of the River Cam. St Catherine's and Jesus College boathouses lie to the west and east of the site respectively. To the north is the private residential development of Beaulands Close. Vehicular access to the site is via a private road accessed from Kimberley Road
- 1.2 The boathouse, known as the Goldie boathouse, was constructed in the late 1880s and is the oldest surviving boathouse along the River Cam. It was refurbished in 1994, and the ground floor areas converted to land training facilities, including a gym. The building was listed Grade II in 1996. The two-storey boatman's house is located to the east and was constructed in the late 1950s.
- 1.3 The site contains three trees. A mature horse chestnut is situated on the river's edge, at the site frontage (southern side). It occupies a prominent position and is of particular visual importance. A young willow tree is located to the east, and a mature sycamore to the rear.
- 1.4 The site is within the Central Conservation Area, the boundary of which is delimited by the northern side of the site. The site is within the recorded floodplain of the River Cam.

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought for alterations of and extensions to the existing boathouse. On the west side, an existing freestanding concrete garage, lean-to boiler room, toilet extension and porch will be demolished. A



Adjoining Owners: Yes  
Site Notice Displayed: Yes

## 5.0 POLICY

### 5.1 Central government advice

**PPG1 General Policy and Principles (1997)** paragraph 40 states that Section 54A of the 1990 Act requires that applications for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan would not be allowed unless material considerations justify a planning permission.

**PPG13 Transport (2001)** paragraph 28 advises that new development should help to create places that connect with each other sustainably, and provide the right conditions to encourage walking, cycling and the use of public transport. Paragraph 37 states that in determining applications for recreation and leisure, local planning authorities should pay particular attention to the scale, layout, parking and access arrangements.

**PPG15 Planning and the Historic Environment (1994) paragraphs 4.16 – 4.20** requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. **Paragraphs 4.25 - 4.28** advise that consent for demolition in conservation areas should not be given unless there are acceptable and detailed plans for the redevelopment of the site.

**PPG17 Sport and Recreation (1991)** encourages the development of sport and recreation, to enable people to participate in sport, whether as players or spectators, and to encourage the provision of a wide range of opportunities for recreation so that people can choose those which suit them best.

**PPG24 Planning and Noise (1994)** requires local planning authorities to ensure that development does not cause an unacceptable degree of disturbance. **Paragraph 12** states that planning authorities should carefully consider whether noise-sensitive development would be incompatible with existing activities. **Paragraph 13** suggests a number of mitigation measures which could be introduced to control the source of or limit exposure to noise.

**PPG25 Development and Flood Risk (2001)** paragraph 60 states that applicants should carry out an assessment of flood risk and the run-off implications of their proposals that is appropriate to the scale and nature of the development and the risk involved.

## Development Plan

### **Cambridgeshire Structure Plan (1995)**

- SP7/7 - Cyclists
- SP7/8 - Pedestrians
- SP12/10 – The built environment: new development
- SP12/11 – Historic buildings and conservation areas.

### **Cambridge Local Plan (1996)**

- EO1 – Noise, smell and air pollution
- NE10 – Development within the flood plain
- NE15 – Wildlife Corridors
- NE16 – Trees of amenity value
- NE17 – Development and existing trees
- NE18 – Landscaping of sensitive sites
- BE1 – Excellence in urban design
- BE2 – Respect for the character of the site and its surroundings
- BE4 – Impact on the townscape or landscape of the surrounding area
- BE8 – Extensions to existing buildings
- BE13 – Access for people with disabilities
- BE29 – Demolition in conservation areas
- BE32 – Requirement of development to preserve or enhance conservation areas
- BE33 – Conservation, preservation and appropriate use of listed buildings
- BE35 – Character and setting of conservation areas
- BE37 – External and internal alterations in conservation areas
- BE38 – Measures to minimise loss of historic fabric and character
- BE39 – Sympathetic repair in conservation areas
- RL14 – Development along and associated use of the River
- RL16 – Proposals for and additions to boathouses
- TR3 – Environmental impact of traffic generated by development
- TR4 – Accessibility of proposals to public transport facilities
- TR15 – Pedestrian accessibility
- TR17 – Cycle accessibility
- TR18 – Cycle parking
- TR22 – Car parking provision
- TR27 – Impact of new development on the road network

## **6.0 CONSULTATIONS**

### **Head of Transport Services (on behalf of the Highway Authority)**

*Application as submitted*

- 6.1 Clarification is needed on how the four car parking spaces are accommodated. Provided that there is no change in car parking provision and that the car parking can be used in a reasonable manner, no objection is raised on behalf of the Highway Authority, as the proposal is unlikely to intensify vehicular use of the site to a significant degree.
- 6.2 A method statement detailing routes to and from the site, vehicle types and loading/unloading arrangements and workers travel arrangements must be submitted for agreement prior to commencement of works.

- 6.3 The development must comply with current accessibility requirements for the disabled.

*Amended scheme*

- 6.4 The parking layout is constrained, for both motor vehicles and cycles, however, of itself this would not be sufficient grounds for a recommendation of refusal on highway grounds on behalf of the Highways Authority.

### **Head of Environmental Health and Waste Strategy**

*Application as submitted*

- 6.5 No objection in principle. The development has the potential to have a considerable impact on residential properties nearby. The following would need to be considered and appropriately controlled to minimise noise disturbance to nearby residents: demolition and construction, nature/type of events held, frequency of events, hours of use, location of car parking, use of floodlighting, ventilation systems, deliveries and/or collections. Recommends conditions/informatives.

*Amended scheme*

- 6.6 The application has not changed in principle and my previous comments remain. Some additional information has been provided which addresses some of the issues raised previously. Recommends conditions/informatives. Recommends that the applicant engages an acoustic consultant to deal with noise generation issues.

### **Environment Agency**

*Application as submitted*

- 6.7 Objects to the scheme on the grounds that no flood risk assessment has been undertaken and that the flood risk has not been considered. The existing flood defence does not provide the standard (1 in 100 years) appropriate to safeguard the proposed residential development in accordance with PPG25. The proposed development would be at risk of flooding and would increase the risk of flooding to existing property. The development as proposed would obstruct the floodplain resulting in the increased risk to life and the environment, and increase risk of flooding to existing property.

*Amended scheme*

- 6.8 I confirm that the details are now satisfactory to the Environment Agency, subject to the recommendation of conditions and informatives regarding floodplain mitigation works, flood storage capacity and surface/foul water disposal.

### **Anglian Water**

- 6.9 No objection. Recommends informatives.

### **Conservation and Design Panel**

- 6.10 Panel considered the impact of the proposals on the conservation area (balance of buildings and spaces along the river frontage, relationship to the group of boathouses as a whole, impact on trees) and on the listed building. No objections were raised to the demolition of the existing boatman's house. Panel were of the opinion that the proposed site layout (including building across the present open river frontage) and massing were acceptable in terms of the Conservation Area, and that the new river frontage buildings would relate well to the sequence of boathouses.
- 6.11 Panel commended the design approach and its relationship to the listed building, but asked the officers to ensure that the servicing issues were resolved as an integral part of the design. The Niche system was suggested as a possible way of solving the ventilation challenges.

## 7.0 REPRESENTATIONS

- 7.1 Letters/emails were received from the following people, in relation to the application as submitted:

G Butcher	1 Beaulands Close
M Franklin	2 Beaulands Close
H Jeffrey	3 Beaulands Close
L Maishman	5 Beaulands Close
K and J Priest	6 Beaulands Close
K Dear	9 Beaulands Close
A Martin	10 Beaulands Close
S Hine	11 Beaulands Close
S Strojjan	12 Beaulands Close
F Pattaro	15 Beaulands Close
C Roberts	39 Beaulands Close
A and E Gurr	49 Beaulands Close
J Chin	51 Beaulands Close
A Hodgkinson	52 Beaulands Close
R and J Astbury	63 Kimberley Road
P and R Tillett	70 Kimberley Road
A Watson	72 Kimberley Road
D and J Goode	74 Kimberley Road
E Adey	8 Aylestone Road
J and J Rallison	84 de Freville Avenue
N Goy	81 Hurst Park Avenue (owns 32 Beaulands Close)

- 7.2 The comments made in respect of the application as submitted fall within the following categories:

1. Principle of Development;
2. Design;
3. Residential Amenity;
4. Traffic, Access and Parking;
5. Environmental Issues; and
6. Other Issues:
  - Loss of view
  - Devaluation of property.

- 7.3 A letter of objection was also received on behalf of the directors of Beaulands Close Management Limited. Their objections related to the following issues:

1. Access;
2. Over-development of the site;
3. Noise and Disturbance;
4. Traffic/car parking; and

5. Flooding.

7.4 A petition was received in respect of the scheme as submitted containing 25 signatures. The grounds of objection were as follows:

- Noise;
- Increased activity and traffic around the area; and
- Inadequate parking.

7.5 As a result of the petition a Development Control Forum was held on 20 February 2002. A copy of the minutes of the Forum are attached.

7.6 A summary of the objections raised at the meeting are as follows:

- Concept of a major sports complex unsuitable for residential and conservation area;
- Increased noise – mechanical, radios, voice;
- Extra people and longer hours;
- Access, car parking and safety;
- Flooding/conservation issues; and
- Construction issues.

7.7 As a result of the DC Forum, the scheme was amended and the eight man rowing tank was removed from the scheme.

7.8 Letters/emails were received from the following people in relation to the application as amended:

G Butcher	1 Beaulands Close
J Franklin	2 Beaulands Close
H Jeffrey	3 Beaulands Close
L Maishman	5 Beaulands Close
K and J Priest	6 Beaulands Close
K Dear	9 Beaulands Close
S Hine	11 Beaulands Close
S Strojjan	12 Beaulands Close
F Pattaro	15 Beaulands Close
A Hodgkinson,	52 Beaulands Close
B McKeigue and R Spence	62 De Freville Avenue
M Thompson	86 DeFreville Avenue
N Goy	81 Hurst Park Avenue
R and J Astbury	63 Kimberley Road

7.9 The following comments were made in respect of the application as amended:

*Principle of Development*

1. The redeveloped facility will be used for commercial purposes.
2. The site is not appropriate for upgrading into a sports complex.
3. The site is too close to residential areas.
4. The proposals will have a damaging effect on the riverbank environment.
5. An alternative site should be used.

*Design*

1. Clashing architectural styles are proposed.
2. The proposals will alter the Cambridge boathouse skyline when viewed from Midsummer Common.
3. The plans, drawings and artistic views are highly idealistic, do not use real dimensions and cannot be taken seriously.

### *Residential Amenity*

1. The proposed rear balcony will overlook several Beaulands Close flats, including Nos. 6-12 and 15.
2. The proposed rear office windows will overlook flats 1-5 Beaulands Close and block light and invade privacy.
3. The proposed two-storey extension would overshadow Beaulands Close flats.
4. The glass doors/windows should be fixed.
5. Would it be possible to make the windows in the new office block which overlook Beaulands Close flats frosted to prevent overlooking?
6. Proposed fencing at rear of boathouse should be designed to let light through.
7. Noise and disturbance from external ventilation systems, mechanical noise, ventilation louvers and loud music.
8. Noise from openable windows/doors at the back of the 2 man rowing tank.

### *Parking and Accessibility*

1. Proposed parking layout insufficient and restricted.
2. The plans showing proposed car parking layout are misleading.
3. Cars parked on the river bank are a nuisance
4. The proposals show a restricted parking space which will worsen existing problems.
5. Increasing the number of people using the boathouse will increase the number of cars.
6. Knock on implications for on street parking in the area.

### *Environmental Issues*

1. The few mature trees on this stretch of the river are important and should be preserved.
2. Removal of willow tree will have a detrimental effect on the conservation corridor and local amenities and must be replaced with another.

### *Other issues*

1. Property devaluation

7.10 A further letter of objection was received from Beaulands Close Management Limited, raising the following concerns in relation to the amended scheme:

1. *Proposed office block*

A building of such size will cause loss of light to the flats behind it.

2. *Overlooking*

The proposed windows in the north-facing wall of the proposed office block face directly into the first floor flats of the block immediately behind them. The proposed crew room/treatment room above the two man rowing tank has a balcony which looks directly into the flats behind.

3. *Parking*

The proposed new building on the east side takes up an area that was previously available for parking. Already there is insufficient parking on site, with cars parked most days in front of the Goldie Boathouse on the foreshore tarmac. The Architects drawings show that four cars can still park in the remaining space, as well as implying there will be room for bikes. Calculations show that in reality if a significant number arrived by bike then there is only room in the remaining space for three cars – each blocking the other in. The applicant has said that

two of those vehicles will be minibuses and the on-site physio will need a car. There is therefore no room for any other user of the facility to arrive by car. This is not satisfactory and will lead to parking in local streets or illegally in Beaulands Close, which are already very congested.

#### 4. *Ventilation Louvres*

Object to the new louvre on the east wall of the existing weights area, which we believe will emit significant noise into the enclosed space behind the proposed two-man rowing tank building.

#### 5. *Ventilation Chimneys*

There is no evidence of these chimneys on the roof plan nor of any other extraction point referred to in the document 'Description of Mechanical Services'. If ventilation is both upwards and fan powered, then the increase in unrestrained noise will be unacceptable.

#### 5. *Two man rowing tank noise*

It is not clear if the windows along the north will be open. If they are intended to open, then the increase in noise will be unacceptable. It is also not clear how water movement in the tank is intended. There must be some plant associated with this tank. We are concerned that whatever is intended will have to be mechanical and will introduce airborne noise and groundborn vibration. There is an additional concern that since this is not shown on the plans then it may be some sort of external plant.

#### 6. *Noise report*

The recorded figures seem high for a very quiet area. The measurement points appear to be at a different place compared to where subsequent noise tests will be done to measure noise increase after the work is complete. None of the measurements presented were taken at the boundary of Goldie. It is also noted that the noise survey did not take any measurements in the evening or at night.

#### 7. *Two man rowing tank construction and sycamore tree*

It is unclear how this can be built whilst retaining the sycamore tree. Concerned for the safety of Beaulands Close buildings should root work have to take place within the defined 12m radius. It is unclear where liability lies should the tree fall, as a result of root removal.

#### 8. *Boatman's House*

The demolition and rebuild should meet current building regulations which will call for deeper foundations than existed at the time of the original construction. This could have implications for the roots of the horse chestnut and sycamore tree.

#### 9. *Flooding*

In our view the submitted scheme still contravenes Local Plan Clause NE10 in respect of building in an area liable to flooding.

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

## **8.0 ASSESSMENT**

8.1 In evaluating these applications, the key issues are as follows:

- i. Principle of development;
- ii. Impact on listed building;
- iii. Impact on conservation area;
- iv. Traffic, access and parking;
- v. Residential amenity;
- vi. Impact on trees; and
- vii. Third party comments.

#### **Principle of Development**

- 8.2 The application site is identified in the Cambridge Local Plan under Policy NE10. This policy states that development on the River Cam flood plain will only be permitted where the applicant is able to demonstrate to the satisfaction of the City Council that the development will not increase the risk of flooding or be subject to flooding itself.
- 8.3 Following advice received on behalf of the Environment Agency, the applicant has provided additional information in relation to flood mitigation measures. The area to the east of the proposed training block is to be levelled out. This will reduce the effective level by a volume equivalent to that displaced by the additional building footprint. The Environment Agency has confirmed acceptability of this additional information, and raises no objection on flood risk grounds. On the basis of this evaluation I consider the proposed development to be in accordance with the provisions of Policy NE10 of the Local Plan.
- 8.4 In the context of the demolition of the existing boatman's cottage, in my view the existing building is of little architectural merit and does not contribute to the character of the conservation area. However, in recognition of the prominent location of the site, I consider it appropriate to recommend that the demolition of the boatman's house should not take place until a contract has been let for a redevelopment scheme which has the benefit of planning permission. I therefore consider the proposed demolition of this building to be acceptable under Policy BE29 of the Local Plan.
- 8.5 With regard the scale and form of the proposed extensions, I am satisfied that the additions to the boathouse would be subsidiary to this building. The proposed two-storey training block will have a height of approximately 9.3m (to ridge) which is approximately 2m lower than the original building. The proposed entrance block will have a height of 7m and width of 5.5m. The external materials will be hand-made red facing bricks, stone coloured render and red clay plain tiles, as existing. I therefore consider the proposed development is in accordance with Local Plan Policies BE1, BE2 and BE4 which advocate quality design which respects the site and its surroundings and BE8 which requires extensions to be subsidiary to original buildings.
- 8.6 The agent has confirmed that the proposed development will be ancillary to the use of the boathouse and that it will continue to be for the use of University Boat Club members only. I am satisfied that the proposal does not represent either a change of use, commercial expansion nor intensification of use.
- 8.7 Given the above context, the principle of the proposed development is acceptable and in accordance with the policies set out in the Development Plan. However, this is subject to the proposal being acceptable in terms of the following evaluation.

## **Impact on Listed Building**

- 8.8 The proposed extensions and alterations are of a design, scale and mass which respects the original building, which is Grade II listed. I am satisfied that what is proposed will not detract from this building nor compromise the historic character and setting. Subject to the recommendation of conditions regarding the detail of the work and protection of the existing listed building, I am of the opinion that the proposals are in accordance with Development Plan Policies SP12/11, BE33, BE35, BE37 and BE38.

## **Impact on Conservation Area/River Scene**

- 8.9 Policy RL16 of the Local Plan relates specifically to boathouses and advises that their extension will not be approved where they adversely affect the character of the area and river. Goldie Boathouse occupies a prominent position on the river frontage. The existing gap between the boatman's house and Jesus College boathouse is a significant space which punctuates the line of boathouses. The gap allows views of Beaulands Close flats, which are situated to the north of the application site and outside of the Central Conservation Area, from across the river and along the riverbank.
- 8.10 In terms of the impact of the proposed development on the Central Conservation Area, I am of the opinion that the proposals will enhance the existing line of boathouses. The proposed training block on the river frontage respects the scale, design and rhythm of existing boathouses, and retains sufficient space around the site. I believe this will be to the benefit of the character of the wider Conservation Area.
- 8.11 On the basis of the above evaluation, I consider the proposed development to be in accordance with Local Plan Policies BE1, BE2, BE4 and BE32 which relate to the context of a site and its surroundings.

## **Traffic, Access and Parking**

### Parking

- 8.12 The agent has confirmed that there is to be no change in car parking provision, and has provided clarification of car parking and cycle parking arrangements. The purpose of the works is to improve existing facilities rather than increase size of the squads, and as such no additional car parking spaces are proposed. The Head of Transport Services has confirmed that the site can accommodate at least five vehicles, at least two of which could be minibuses. Additional vehicles could be parked at the frontage of the site. This would be in a constrained fashion, as not all vehicles would be accessible independently. However, I am of the view that for the number of vehicle movements associated with this site, it would be difficult to prove that the additional manoeuvring resulting from this arrangement would justify refusal.

- 8.13 I note the third party comments which state that the proposed car-parking layout would be unworkable. This is a management issue for the University Boat Club, and not one which would merit the recommendation of refusal of the scheme.
- 8.14 I also note the third party concerns regarding increase in vehicular use associated with this scheme. However, as stated above, I am satisfied that the proposed development will not result in an increased demand for parking, over and above the existing demand.
- 8.15 In accordance with the comments of the Head of Transport Services, a method statement condition in respect of routes to and from the site, vehicle types and loading/unloading arrangements and workers travel arrangements has been requested by condition.
- 8.16 I note the comments regarding accessibility requirements for the disabled and have recommended an appropriate informative.

#### Cycle Parking

- 8.17 Additional information has been provided which shows cycle parking for 24 bicycles within the site. A new cycle rack accommodates nineteen bikes, whilst additional bikes are to be parked against the front of the building as at present. The Head of Transport Services has advised that the level of cycle parking provided is acceptable, given the likely use of public transport and foot to arrive at site is acceptable. The cycle parking may be better accommodated on Sheffield Hoop type stands, which would provide a width saving and there would also appear to be some scope for additional provision within the site. An appropriate condition has been recommended.
- 8.18 I note the third party concerns which state that the proposed bicycle layout would be unworkable. This is a management issue for the University Boat Club to resolve, and is not sufficient to warrant a refusal of the scheme.

#### Access

- 8.19 I note the third party concerns regarding access to the site. Confirmation has been received that there is to be no access from De Freville Avenue to the site, as the Boat Club has no right of way across this part of Beaulands Close. Normal daily access will be as existing, along the river-front, with occasional access along Beaulands Close from Kimberley Road. This is an existing right of way occasionally used. The existing access onto Beaulands Close is to remain. The site plan has been amended to clarify the issues raised by the Beaulands Close Management Group.

#### Traffic, Access and Parking - Conclusion

- 8.20 On the basis of the above evaluation, I consider the proposals to be in accordance with Local Plan Policies TR4, TR15, TR18, TR22 and TR27.

### **Impact on Neighbouring Residential Amenity**

- 8.21 Local Plan Policy RL16 relates specifically to boat houses and advises that their extension will not be approved where they adversely affect the amenities of local residents. The impacts of the proposed development in terms of the effects which will be experienced by existing residents to the north of the site, have been the subject of detailed comments made by objectors and petitioners. The concerns of local residents in relation to impact on existing amenities were drawn to the attention of the applicants both during and after the Development Control Forum. Amended plans and additional information that has been submitted has sought to address the issues raised. The following is an examination of the relationship of the proposed scheme with reference to the site as it backs onto Beaulands Close flats.

#### Overlooking

- 8.22 The issue of overlooking relates to the relationship between the proposed two-storey block to the east, and new entrance block to the west. In the context of the new entrance block, this is to be set back from the existing building by a distance of approximately 1.7m. The distance between the site boundary and Beaulands Close properties is approximately 11m. Two replacement trees are also to be planted between the proposed block and the site boundary. The agent has confirmed the acceptability of the use of opaque glazing to the new windows in the northern elevation of the proposed entrance block.
- 8.23 In the context of the proposed training block, there is a distance of approximately 18m between the proposed building and the nearest residential properties. The agent has agreed to the removal of a balcony from the northern side of the proposed two-storey training block. I do not consider it to be necessary to request that the new windows proposed in the northern elevation are opaque glazed, given the distance between the existing flats and that views are oblique.
- 8.24 In my view, the measures identified above are sufficient to overcome potential problems of overlooking.

#### Overshadowing/Loss of light

- 8.25 Additional information has been provided in relation to potential overshadowing of Beaulands Close properties. Twenty-five degree daylight and sunlight angles from the centre of the ground floor windows of the residential properties in Beaulands Close have been calculated. This has confirmed that the proposals will not project above these angles and would not impair the natural lighting of the surrounding buildings. I am satisfied that given the distance from the boundary, the orientation of the dwellings and the assessed sunlight impacts, that overshadowing to Beaulands Close properties will not be significant.
- 8.26 I note the third party representation regarding treatment of the northern boundary, and have recommended an appropriate condition regarding details of the proposed fence.

#### Noise and disturbance

- 8.27 The proposed development has the potential to cause disturbance to local residents, by virtue of noise from plant/ventilation systems and general activities undertaken within the building. On the basis of advice received from the Head of Environmental Health and Waste Strategy, I am satisfied that these aspects of the scheme can be controlled through the recommendation of appropriate conditions/informatives.
- 8.28 On the basis of the above evaluation I am of the opinion that the proposed development accords with Policy EO1 of the Cambridge Local Plan.

#### Residential Amenity – Conclusion

- 8.29 Having carried out a comprehensive assessment of the impact of the development on the amenities currently enjoyed by nearby residents, I am satisfied that impacts of the proposal are acceptable. On the basis of the above evaluation the proposal accords with Local Plan Policy BE2.

#### **Impact on Trees**

- 8.30 The proposed works will require the removal of the existing weeping willow tree which is in the middle of the site. This tree is not the best of specimens and that the loss is acceptable. It is proposed to replace this tree with three smaller trees, and I have recommended that this aspect of the scheme be conditioned.
- 8.31 The proposals have been designed to retain the sycamore to the rear of the site and a garden area around this tree is proposed. Additional arboricultural information has been received in relation to the construction works involved. I am of the view that the proposed works can be undertaken without serious detriment to this tree. The two-person tank can be constructed in accordance with the plans, subject to appropriate conditions regarding the protection against compaction. The life of this tree is likely to be limited, and it will ultimately be removed and replaced. I therefore consider it appropriate to recommend appropriate conditions in the eventuality that this tree be removed in the future.
- 8.32 The horse chestnut at the frontage of the site occupies a prominent position and is of particular visual importance. The proposals as submitted indicate the retention of this tree. Additional information has been requested regarding tree protection during construction/ demolition works. This tree has, however, seriously declined in health since last seen in leaf and currently looks approximately 50% dead. I am of the view that given the condition of this tree its retention is not appropriate. The agent has been advised by the Council's Arboriculturalist that the horse chestnut should be felled and a suitable replacement established. Formal notification to fell this tree has now been received (application reference 106/02), which will be dealt with by the Council's Arboriculturalist elsewhere on the Agenda.
- 8.33 The loss of this tree is regrettable, being of considerable historical and environmental significance in this stretch of the Cam Riverfront. Should the Arboriculturalist's advice be followed, then the replacement of this tree is sought, and appropriate conditions are recommended. Should Members

decide not to support the recommendation to fell the horse chestnut tree, then additional tree protection measures should be recommended.

- 8.34 On the basis of the above evaluation, I am of the opinion that the proposal is in accordance to Local Plan Policies NE16 and NE17.

### **Third Party Comments**

#### Scale of Plans

- 8.35 Third party concerns were raised regarding the following note which appeared on all drawings submitted: *'Do Not Scale. All dimensions to be verified on site by the contractor. The contractor is to report any discrepancies to CANTOS BAILEY immediately'*. The agent has confirmed that this is a standard note which is carried on all drawings to avoid mistakes being made on site during construction due to incomplete or incorrect information. This note has now been removed from all drawings, and the agent has clarified that the submitted plans are based on measured survey information of the existing building and site, and as far as the agent is aware and able to ascertain, accurate as drawn. I am satisfied with this confirmation.

#### Devaluation of Property/Loss of view

- 8.36 These issues are not material to the consideration of this application.

### **Conclusion**

- 8.37 On the basis of the above evaluation, I am satisfied that the proposed development is acceptable and accords with Development Plan policies.

## **9.0 RECOMMENDATION                      APPROVE**

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 No development shall commence until details of facilities for the covered, secure parking of 24 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.

- 3 No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority. 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.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development.

- 4 All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. 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: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design.

- 5 In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, 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.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development (including demolition), and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any

excavation be made, without the written consent of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site.

- 6 No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity.

- 7 If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

- 8 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 the local planning authority for its written approval before any equipment, machinery or materials are brought onto the site for the purpose of development. The agreed means of protection shall also be implemented in accordance with the approved scheme before any equipment, machinery or materials are brought onto the site for the purpose of development, and 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.

- 9 Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties.

- 10 Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out, or plant operated other than

between the following hours: 0800 hours to 1800 hours 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.

- 11 The development hereby permitted shall be used solely in conjunction with and ancillary to and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit.

- 12 No external lights or security lighting is to be erected without the prior written agreement of the local planning authority.

Reason: To protect the amenity of nearby properties.

- 13 Before the development hereby permitted is commenced, details of the northern boundary fence shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable.

- 14 No development shall take place until details of any new external plant which will need to be provided, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate.

- 15 Notwithstanding the submitted plans, the first floor windows of the northern elevation of the proposed entrance block (office and tea-point) shall be obscure glazed and fixed shut and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the privacy of adjacent properties.

- 16 Notwithstanding the submitted plans, the skylights and ground floor windows to the northern elevation shall be fixed shut and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of nearby properties.

- 17 Prior to the use of the facilities hereby approved, noise insulation works shall be implemented as recommended by Cole Jarman in the submitted Noise Break Out Assessment Report dated May 2002 (document reference No:02015/R2).

Reason: To protect the amenity of nearby properties.

- 18 Before the development hereby permitted is commenced, a survey of constructional noise impacts and constructional method statement report shall be submitted to and approved in writing by the local planning authority. This should detail the phasing of the sites on the development, the construction activities of each phase, the timetable for that phasing, associated predicted noise levels and details of any noise mitigation measures. The report shall be in accordance with *BS5228 – Noise and Vibration Control On Construction and Open Sites* with particular reference to Part 1: 1997 'COP for basic information and procedures for noise and vibration control' and Part 4: 1997 'COP for noise and vibration control applicable to piling operations'. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted. Development shall proceed in accordance with the approved details.

Reason: To protect the amenity of nearby properties.

- 19 Except with the prior written agreement of the local planning authority in writing, the hours of operation of the training areas (two-man rowing tank, weights area and ergo area) shall be 06 30 hours to 21 00 hours.

Reason: To protect the amenity of nearby properties.

- 20 Except with the prior written agreement of the local planning authority in writing, the hours of use of the first floor physiotherapy treatment room shall be 06 30 hours to 23 00 hours.

Reason: To protect the amenity of nearby properties.

- 21 Except with the prior written agreement of the local planning authority in writing, the glazed double doors at ground floor level of the northern elevation shall not be used between 20 00 hours and 08 00 hours.

Reason: To protect the amenity of nearby properties.

- 22 Except with the prior written agreement of the local planning authority, there shall be no commercial collection or deliveries to the premises outside the hours of 07 00 hours and 23 00 hours on Monday – Saturday and there should be no collections on Sundays or Bank and Public holidays.

Reason: To protect the amenity of nearby properties.

- 23 The ground level of any buildings involved in the development must be at least 5.78 ODN.

Reason: To provide a reasonable freeboard against flooding.

- 24 Prior to commencement of development, floodplain mitigation works shall be carried out in accordance with Cantos Bailey's correspondence dated 16 May 2002.

Reason: To prevent the increased risk of flooding to other land/properties due to impedance of flood flows and reduction of flood storage capacity.

- 25 No development or raising of ground levels shall take place on that part of the site lying within the floodplain, a contour of 5.48m ODN, save for the proposed buildings.

Reason: To prevent the increased risk of flooding to other land/properties due to impedance of flood flows and reduction of flood storage capacity.

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passersby. As a result the City Council runs a 'Considerate Contractor Scheme', aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from the Considerate Contractor Project Officer in the Planning Department (Tel 01223 457121).

**INFORMATIVE:** Under the terms of the Water Resources Act 1991 and the Land Drainage Bylaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of the River Cam.

**INFORMATIVE:** All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

**INFORMATIVE:** Surface water will not be permitted to discharge to the foul sewer.

**INFORMATIVE:** Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

**INFORMATIVE:** An acceptable method of foul drainage disposal would be connection to the foul sewer.

**INFORMATIVE:** Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

**INFORMATIVE:** Housing Standards, Mandela House, 4 Regent Street, and Building Control, The Guildhall, regarding fire precaution works/fire escape etc as the development will include residential use on the first floor and the entrance appears to be through the ground floor boathouse. Tel No. 01223 457893.

**INFORMATIVE:** The Food and Health and Safety Section, Mandela House, 4 Regent Street Cambridge for advice concerning the Food Regulations/Requirements, Tel No. 01223 457200 as the premises may require registration under the Food Safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational.

**INFORMATIVE:** The Health and Safety Executive, 14 Luton, LU1 1PP. Tel No. 01582 444200 concerning health and safety regulation requirements.