

PLANNING COMMITTEE MEETING – MAJOR APPLICATIONS

Amendment/De-brief Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: **15/0398/FUL**

Location: 8, 10, 10A Cheddars Lane and 351-355 Newmarket Road

Target Date: 29.05.2015

To Note:

- 1.0 In addition to the addresses listed on the agenda, representations have also been received from 82 Stanley Road. The issues raised are already included in the list on the agenda.
- 2.0 The minutes of the Development Control Forum are attached to this amendment sheet as Appendix A
- 3.0 Following publication of the advice of the Council's urban design team, additional comments have been submitted by Riverside Area Residents' Association. The full comments are attached to this amendment sheet as Appendix B.
- 3.1 A response is given below to the eight points identified by subheadings in the RARA email, and to two further points raised in the conclusion to that mail.

Ignored own guidance on use of misleading wide-angle photomontages

- 3.2 The urban design team accepts that a focal length of 50mm producing a 40° field of view is best practice. However, the Landscape Institute advice note of January 2011, which sets this standard, also indicates (Section 3.4, paragraph 3) that in circumstances where the field of view required to assess impact is greater than 40°, a wider-angle view can provide a more informative representation of the effect of a development. The applicants have provided a justification (supported by examples of 50mm images) for using a wider-angle format in this case. The urban design team broadly accepts this justification, whilst adhering to the view that wide-angle views must be assessed with caution. The urban design team and the case officer have considered the images in both formats, and they will both be presented to Committee.

Ignored 50mm verified images provided by RARA

- 3.3 The images submitted by RARA were fully considered by the urban design team before advice was provided to the case officer, and he was aware of this. The urban design team acknowledge that it would have been desirable to make this fact clear to other parties by indicating it explicitly in the advice given.

Ignored methodological inaccuracies confirmed by independent professional appraisals

- 3.4 The urban design advice given to the case officer on 20th July notes exactly the same shortcomings as those raised by the independent appraisals: wide focal length; absence of winter views; planting only shown at 5-10 years.

Ignored independent evidence that landscape proposals are unachievable

- 3.5 The urban design team have not commented on this point in their latest advice, because the applicants have accepted the landscape officer's view that the original landscape proposal was unworkable, and have submitted an alternative version. This is an issue which can be controlled by condition.

Insufficient attention paid to massing at the Stanley Road boundary

- 3.6 The question of how visually dominant the proposed development would be when seen from 23-31 Stanley Road is not a mathematical question, but one of judgement. The urban design team and RARA have different opinions on this matter.

Inaccurate stated height differences between development and neighbouring properties.

- 3.7 The urban design team acknowledge that some small discrepancies remain in the drawings about the differences between ridge heights on the proposed buildings and ridge heights at 61-67 Stanley Road, but, given the distance between these buildings (min 35m), it does not consider that they are of a magnitude to be significant.

Comments only reference Kingdom Hall ground level and ignore amenity of gardens

- 3.8 The urban design team are aware of the difference in level between The Kingdom Hall site and rear gardens at 61-67 Stanley Road. This discrepancy was built in to the verified images submitted by both parties, and the comments made by urban design officers take this into account.

Do not acknowledge true impact of light loss on CHS tenants

- 3.9 BRE guidance (Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice (Second Edition) Appendix H Trees and Hedges para H1.2)

states that: 'Where the effect of a new building on existing buildings nearby is being analysed, it is usual to ignore the effect of existing trees. This is because daylight is at its scarcest and most valuable in winter when most trees will not be in leaf'. The applicants have followed this guidance, which officers believe to be the correct approach.

Planning Committee should consider only the RARA verified photomontages

- 3.10 It is not correct to say that RARAs images are 'the sole correct visual representations'. Both sets of key verified images will be before Committee, and the background to them will be set out in order that Committee can make an informed judgement.

Independent concerns about landscape plans must be properly scrutinised

- 3.11 The urban design team's advice does not suggest that the original planting proposed at the north-east end of the site was essential to provide screening for the development. The applicants have revised the landscaping proposed in this location, and the landscape officer, the urban design team, and the case officer regard it as acceptable.
- 4.0 Additional comments have also been submitted by CHS. These are attached to this amendment sheet as Appendix C.
- 5.0 On 29th July, a further email was received from Riverside Area Residents Association raising further concerns about Urban Design advice, and about the applicants' sunlight/daylight submissions. The email also requests the opportunity to submit further photomontages. The email is attached to the amendment sheet as Appendix D.
- 6.0 On 3rd August a letter was received from rights to Light consultants working for CHS, raising concerns about the applicants' daylight and sunlight submissions, and requesting deferral of a decision on the application. This letter is attached to the amendment sheet as Appendix E.
- 7.0 Following the continued concerns of residents, the Urban Design team have provided further information on building-to-building distances in a number of other nearby locations. This information is attached to the amendment sheet as Appendix F. I will explain this information further in my introduction to Committee.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0864/FUL**

Location: Leda House, 20 Station Road

Target Date: 31.07.2015

To Note:

The owners/occupiers of 43 Warren Close have made the following additional comment:

In summary, we object to building of an extra (6th) floor which would compromise our privacy. We do not object to the original building being replaced.

Amendments To Text:

Paragraph 2.2 – The proposed ramp and the ramp already constructed as part of 22 Station Road would operate together, with one ramp used as the ‘in’ ramp and the other used as the ‘out’ ramp. This arrangement would serve all of the J Blocks (10 Station Road, 20 Station Road, 22 Station Road and 30 Station Road).

Pre-Committee Amendments to Recommendation:

Conditions

Condition 22 – ‘unless otherwise agreed in writing by the local planning authority’ should be omitted.

Condition 26 – Kestrel boxes should be omitted. A Kestrel box is proposed as part of the development of 30 Station Road and is included in the masterplan.

Condition 28 – ‘unless the local planning authority gives its written consent to any variation’ should be omitted.

Planning Obligations – Transport

Ongoing discussions are taking place between the applicant and the County Council. The County Council has no outstanding concerns and is supportive of the application, in principle. The discussions relate to agreeing the schemes that would be funded by the commuted payments and how much the commuted payments would be. The commuting payments would be similar to those paid under the S106 agreement linked to the outline planning permission.

Committee is asked to give delegated power to Officers to negotiate and complete the S106 agreement on this basis. I recommend that the deadline for completion of the S106 agreement should be extended to 31st January 2016.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0865/FUL**

Location: Leda House, 20 Station Road

Target Date: 31.07.2015

To Note:

The owners/occupiers of 43 Warren Close have made the following additional comment:

In summary, we object to building of an extra (6th) floor which would compromise our privacy. We do not object to the original building being replaced.

Amendments To Text:

Paragraph 2.2 – Five motorcycle bays are proposed and not three as stated.

Paragraph 8.40 – The floorspace of the proposed building is 7,421 sqm and not 7,453 sqm as stated.

Paragraph 8.43 – There are 12 Sheffield stands proposed to the west of the building (and not 15 as stated; and there are six Sheffield stands proposed adjacent to the rear elevation (and not three as stated).

Pre-Committee Amendments to Recommendation:

Conditions

Condition 22 – ‘unless otherwise agreed in writing by the local planning authority’ should be omitted.

Condition 26 – Kestrel boxes should be omitted. A Kestrel box is proposed as part of the development of 30 Station Road and is included in the masterplan.

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Committee is asked to give delegated power to Officers to negotiate and complete the S106 agreement on this basis. I recommend that the deadline for completion of the S106 agreement should be extended to 31st January 2016.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0120/FUL**

Location: 186-188 Histon Road

Target Date: 27.04.2015

To Note: Nothing

Amendments To Text:

Paragraph 2.3: 4 car parking spaces are proposed in the undercroft, not 3 as originally proposed.

In response to the Access Officer's comments, the applicant has advised that all flats will be accessible to wheelchair users and any flat could be designed to wheelchair standards if required.

Paragraph 8.40: replace "condition" with "informative" – a Car Club informative has been recommended – see informative 36.

Pre-Committee Amendments to Recommendation:

Paragraph 6.3: North Corridor Area Transport Payment (NCATP) is no longer required. The County Council has agreed to this.

Remove conditions 10 (Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)) and 11 (Arboricultural Method Statement implementation), as there are no trees on the site which are being retained that would be affected by the proposed

development.

Revise wording of condition 29 to reflect the revised scheme, as follows:

The undercroft shown on the approved plans shall be used only for the parking of no more than 4 cars and/or 24 motorcycles associated with the commercial use at 184 Histon Road. At no time shall the area be used for the commercial repair of vehicles.

Reason: To protect the amenity of future residents and nearby properties (Cambridge Local Plan 2006 policies 3/7 and 4/13)

DECISION:

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DEVELOPMENT CONTROL FORUM

8 July 2015
10.00 - 11.50 am

Present: Councillors Blencowe, Hipkin, Holt and C. Smart

City Development Manager (Chair): Sarah Dyer
Planning Officer: Catherine Linford
Planning Officer: Matthew Paul
Committee Manager: Toni Birkin
Committee Manager: Sarah Steed

For Applicant:

Applicant Representative: Junstin Bainton
Applicant Representative: Chris White
Applicant Representative: James Money

For Petitioners (in objection):

Lead Petitioner: Jim Hair
Resident: Peter Maddern
Resident: Helen Tonks

FOR THE INFORMATION OF THE COUNCIL

15/4/DCF Declarations of Interest

No interests were declared.

15/5/DCF Introduction by the Chair

The Chair outlined the role and purpose of the Development Control Forum. Those present were informed that no decisions would be taken at the meeting.

15/6/DCF Application and Petition Details: 15/0398/FUL / 8, 10 and 10A Cheddars Lane And 351-355 Newmarket Road Cambridge Cambridgeshire CB5 8LD

Committee: Planning Committee
Application No: 15/0398/FUL
Site Address: 8, 10 and 10A Cheddars Lane And 351-355 Newmarket Road Cambridge Cambridgeshire CB5 8LD

Description: Erection of student accommodation with 321 student rooms (following demolition of existing buildings), together with ancillary accommodation comprising common/study rooms, porters lodge, laundry room, plant room, bin and bike enclosures, landscaping and associated infrastructure including a sub-station.

Applicant: Wrenbridge (Cheddars) Lane
Agent: Carter Jonas
Address: Incorporating Januarys York House, 7 Dukes Court 54-62
Newmarket Road Cambridge CB5 8DZ

Lead Petitioner: Jim Hair
Address: 63 Stanley Road
Case Officer: Tony Collins, Principal Planning Officer

Text of petition:

This is a petition asking Cambridge City Council to hold a Development Control Forum in relation to the following Planning Application:

Application No: 15/0398/FUL

Site Address: 8, 10 and 10A Cheddars Lane and 351-355 Newmarket Road Cambridge Cambridgeshire CB5 8LD

The grounds for asking for a Forum on this application are as follows:

Reduce building heights near to, and increase the separation from, Stanley Road properties to protect the amenity of nearby residents and better respond to the local context:

- The proposed development breaches Local Plan policies 3/4, 3/12 and NPPF section 7 in that:
- As all of the proposed buildings near the Stanley Road boundary are designed meters taller than surrounding houses, land on the development site will be meters higher to begin with, and two separate blocks will be built close together and very near to the Stanley Road boundary; collectively this will visually dominate nearby residences and increases the risk of noise and disturbance.

- The four-storey buildings are 12.8m tall, but 13m rounded up (Local Plan 2006 section 1.20), so therefore should trigger Tall Building policy 3/13, but it is not considered.
- Building D is an overwhelmingly bulky building without precedent in the area; being out of alignment with the main development in the direct sightline of nearby properties, its blank brick façade will both visually dominate views through the thin deciduous trees nearby and set an inappropriate precedent for future local re-development.
- NPPF Section 7 states “Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community” but the applicant is unwilling to make any changes despite these being the first plans residents have seen.

No residential development should take place before on-street parking controls are in place in the local area:

- The eastern Riverside area experiences high on-street parking competition. There has been no consideration of the impact on this local context, and the transport assessment is inadequate, breaching Local Plan 2006 policy 8/2 and emerging Local Plan 2014 policy 82.
- Car-free developments should be approved only where local on-street parking controls exist (Local Plan 2014 policy 82); yet the Stanley Road area does not have these and is only a short walk from the development. Enforcement of the student no-car policy is impossible, and it does not apply to residents out of term time, or visitors.
- Very limited on-site parking means the suggested 15min student drop off period is hopelessly optimistic, especially when it is acknowledged that most of the 321 students will arrive on the first weekend before term.
- Strong support of these plans from at least one main target institutions has not been gained (required by Local Plan policy 7/10), and there is a clear risk that “appropriate management controls” may not be in place.

Onsite professional support should be available to deal with residents’ and students’ concerns

- We feel that a lack of professional on-site support after 17:00 is inadequate for such a large site and should be provided to protect the amenity of students and residents alike.

Refusal would allow opportunities to better incorporate either continued employment-generating uses and/or affordable homes

- The land on the development site is dominated by general industrial uses and both Local Plans 2006 (policy 7/3) and 2014 (policy 41) cite the importance of protecting employment unless sufficient space elsewhere can be found, vacancy rates are high or the land cannot be realistically marketed (none of which did the applicant demonstrate).
- Should a land use change be deemed appropriate, we request that these proposals be rejected and much-needed affordable housing incorporated into future designs. Similar speculative proposals on Mill Road (14/1496/FUL) have been recently refused on the grounds that it was “reducing the Council’s ability to meet housing need”, citing the “cumulative effect” of losing potential housing land. Additionally, universities have recently “made considerable progress in acquiring new purpose built student accommodation.”

Do you think there are changes that could be made to overcome your concerns?

Yes

If Yes, please explain:

- Move both buildings E and F back from their extreme proximity to the Stanley Road boundary and match the heights of each to surrounding 2-storey properties to reduce overlooking, potential for noise/disturbance/light pollution, the proximity of habitable rooms to trees, and the visual domination of views from/overshadowing of nearby properties, in accordance with Policies 3/4, 3/12, 4/4, 4/13 and NPPF section 7.
- Reduce the height of Building D and integrate it better into the north/south roofline to: reduce overbearing bulk when viewed from nearby residences; reduce overlooking of St Bartholomew’s Ct; set an appropriate precedent for future redevelopment of the area sloping towards Riverside and the southern end of Stanley Road (thereby protecting the nearby conservation area), in accordance with Policies 3/4, 3/12, 3/13 and NPPF section 7.

- Permit development only once adequate transport assessments of the impact on the eastern Riverside area have taken place and on-street parking controls have been established in nearby streets without these (specifically eastern Riverside, Stanley Rd, Oyster/Garlic Rows) in accordance with policies 8/3 and emerging policy 82
- Permit development only once at least one target institution has offered strong support to the developmental plans to ensure policies 7/10 and 46 are met in full. The current lack of support/objections lodged by target institutions suggests a lack of “proven need” for this accommodation and therefore “occupancy restrictions” and “appropriate management arrangements” will not be in place.
- Provision should be made for at least one 24hr professional CRM support staff member to be on site to deal with residents’ (and students’) concerns, thereby protecting their amenity in accordance with policy 4/13 and emerging policy 46.
- Reassess provision for affordable housing/employment-generating uses in accordance with policies 5/1, 7/3 and emerging policies 40, 41 and 45.

Case by Applicants:

1. Intention is to create a safe environment for student.
2. Occupation of the accommodation would be restricted to Cambridge University and Anglia Ruskin University students.
3. Tenancies would cover 51 weeks per year.
4. Have been working with the Urban Design and Conservation team to create a suitable scheme.
5. Design and Conservation Panel comments had been incorporated into the design.
6. Had changed to pitched roofs.
7. Sunlight studies had demonstrated that there would be little impact on nearby gardens.
8. Site would have a single access point.
9. Flexible room types were a feature of the design.
10. Secure cycle parking would be available.
11. Internal courtyards featured in the design.
12. Built over 10 blocks.
13. Respects sensitive boundaries.
14. Had responded to concerns from Stanley Road residents.
15. Views would be screened by existing features.
16. Bricks would be in keeping with the area.
17. CRM Management Plan would be in place.

18. Staff would be on site during the day and a 24 hour call centre would deal with out of hours issues.
19. 4 Community ambassadors would be recruited from the students in residence.
20. Scheme would be car free.
21. Transport concerns had been addressed.
22. Car use would be monitored.

Case by Petitioners:

23. 200 people had signed the petition.
24. Development in this area would be unsound.
25. Area was 64% B2 Use (light industrial).
26. A range of small businesses would need to be evicted and would find it difficult to find alternative premises.
27. Residential development would be more appropriate.
28. Policy was in place to protect industrial sites.
29. ARU and Cambridge University do not support the proposals.
30. There was no evidence to support the need for these bed spaces.
31. Percentage of local students currently living in student only accommodation was well above the national average.
32. Existing student accommodation was not full.
33. Development would not address local needs.
34. Against National Planning Policy 22.
35. Site should be used for affordable housing or for local businesses.
36. 66% of the land currently in council ownership.
37. Inadequate parking arrangements would inconvenience local residents.
38. Not enough disabled parking provision.
39. Students would bring cars and it would be impossible to police this.
40. Arriving and departing students would have no space to unload.
41. Development would be visually dominant.
42. Roof lines would be high and do not take account of the way the road slopes downwards.
43. Visual impact would be immense.
44. No light assessment was provided.
45. Student social area would be very near to residential areas.
46. Would create a feeling of enclosure and overlooking.
47. 27 bedrooms would be very near to a noisy motor bike service area.
48. Does not deliver development needs.
49. Site poorly planned.
50. 24 staff provision was not offered.

Case Officers Comments:

51. An amended version of the application was out for consultation.
52. Unit numbers had been reduced.
53. Had responded to drainage and access concerns.

Questions and Comments to the Applicant by Members:

54. Commentary needed regarding the site plan.
55. Questioned the nature of the tenancies.
56. Asked for evidence to support the need for this accommodation.
57. Is there evidence regarding occupancy rates for existing provision?
58. The rental of the properties would be upwards of £1,000 for 51 weeks per year. Would students be prepared to pay this?
59. Who would be using the limited parking spaces?
60. Where would delivery drivers, taxis and takeaway vehicles park?
61. How much open space would there be inside the site?
62. The access officer had raised concerns. How many rooms were accessible to those with a disability?

Response to Questions:

63. Applicant used the site plan to demonstrate access and outlined the usage of individual blocks.
64. Tenancies would be for 51 weeks per year.
65. Research had been undertaken and demonstrated a need for a variety of unit types.
66. Purbeck House and CB1 were fully occupied.
67. Student behaviour had changed and many choose to remain in the accommodation all year. A range of rooms would be available at different price points. Parents welcomed the security. Bills and laundry were included in the costs.
68. There would be 4 parking bays: one for maintenance vehicles and three disabled spaces.
69. It was anticipated that delivery vehicles would be spread over the day and would park on the public highway.
70. Space within the site would be split 50/50 to building and open space. This was higher than most student provision.
71. Local residents would be provided with a call centre number. Paid student ambassadors would be on site.

72. 17 rooms would be available to suit a range of needs. An addendum had been submitted.

Summing up by the Applicant:

73. Had found the debate really helpful.
74. Had taken on board the concerns of local residents.
75. Will act on key concerns.
76. Would supply further information regarding disabled provision and parking.
77. Understands tensions regarding loss of employment or affordable housing opportunities.

Summing up the Petitioners:

78. Some consideration could be given to the emerging local plan when this decision was considered by the Planning Committee.
79. Application unsound – industrial sites should be retained.
80. Speculative and lacks evidence of support from universities.
81. Adverse impact on the area.
82. Parking concerns not addressed.
83. Noise and disturbance unacceptable.
84. Invited Planning Committee to view the site.
85. Boundary too close to local properties.
86. Site not compatible with the area.
87. Small modifications would make the proposal more agreeable to local residents.

Final Comments of the Chair:

88. The Chair confirmed that the notes of the Development Control Forum would be made available to relevant parties and would be reported to the Planning Committee when the application is reported to them.

The meeting ended at 11.50 am

CHAIR

1. Ignored own guidance on use of misleading wide-angle photomontages

The Urban Design team has previously stated that wide angle photomontages are misleading, and that accurate visual representations must use standard focal length (i.e. ~50mm lenses) and be taken at 1.6m (eye height). Since the applicants' photomontages are almost exclusively panoramas representing very wide-angle focal lengths, these should not have been accepted: they contravene both the Urban Design team's own guidelines and professional best practice¹ (e.g. Scottish National Heritage 2014 guidance).

Specifically, for application 14/1154/FUL the Urban Design team commented "*whilst the images previously provided made the scheme appear acceptable in scale terms, the confirmation that the images are not accurate visual representations (i.e. 50mm lens and 1.6m eye height) casts this into some doubt.*" They also stated: "*View across the Conservation Area is 22mm and again casts our previous comfort with the potential impact in some doubt.*" There are two key points relating to this:

- The images used to create the applicants' photomontage are almost exclusively wide-angle at 28mm. The Urban Design team makes no comment on the suitability of these, and appear to have accepted these in this instance, directly contradicting their previous planning guidance.
- The applicants' photomontages were actually created by making panoramas of multiple (already wide angle) 28mm pictures, meaning the final 76° field-of-view images effectively constitute an ultra-wide angle focal length of 23mm equivalent, almost identical to the 22mm criticised as "*not (being) accurate visual representations*".

2. Ignored independent, verified 50mm photomontages provided to Urban Design by residents

Due to the failure of the applicant to provide accurate photomontages for key Stanley Road views, RARA commissioned a series of verifiable photomontages at 'standard' focal length (~50mm). These were delivered to the Guildhall on July 15th, along with RARAs' comments and commissioned independent appraisals. The Urban Design report dated 20th July has completely ignored these, despite noting that "*no comparison 50mm view has been provided*" by the applicant for views of the amended scheme from 29-31 Stanley Road or 63 Stanley Road. We consider this to be both discourteous and unprofessional, since the residents' photomontages are the only ones to a) provide an accurate view of the amendments which complies with Urban Design team and SNH requirements; b) show the development as it will appear outside of the summer months; c) show the development as it will appear on Day 0 without unrealistic mitigating planting that will in any event be of "*limited influence*"¹ (see below).

3. Ignored methodological inaccuracies confirmed by independent professional appraisals

When the applicants' photomontages eventually became available for review in early June, RARA commissioned two independent photomontage experts to critically appraise them, as we had serious concerns about their accuracy. The independent findings highlighted a number of inaccuracies and irregularities:

¹ Visual Appraisal on behalf of 63 Stanley Road for Proposed Student Accommodation at 8, 10 and 10A Cheddars Lane and 351-352 Newmarket Road, Cambridge (The Landscape Partnership)

- **Errors in methodology** *“...the photomontages are not an accurate representation of the likely views of the proposals from these locations.”* (Chris Jackson, Chartered Landscape Architect; Liz Lake Associates report²). Independent analysis confirmed that the applicant’s to-scale diagrams of proposed buildings show numerous inconsistencies between one another. In addition, the buildings as they appear in the 3D photomontage do not appear to be the same as the buildings as shown in the 2D diagrams (which is still the case for the apparently corrected photomontage uploaded on 17th July). This report was passed to the Urban Design team on July 15th, as stated above, yet none of the issues highlighted have been referred to.
- **No views provided for half of the year when trees are not in leaf** The applicants’ photomontage shows views towards Buildings D, E and F only when the boundary is in leaf. The independent expert views of this were quite clear; *“in winter the view is noticeably more open ...when the changes resulting from the proposed development would be most apparent”*³ and there is a *“stark contrast in the nature of views from residential properties on Stanley Road towards the Site during winter months.”*² We are bemused therefore by Urban Design’s statement that *“any impacts (on views from 31 Stanley Road) will be further tempered by the presence of a mature landscape around the application site for most of the year”* and *“(buildings viewed from 63 Stanley Road) will be almost entirely concealed by existing tree planting for much of the year”*. These statements are inaccurate, as what deciduous screening there is in the area is lost for approximately 6 months of the year. RARA photomontage views from 29 Stanley Road taken as late as April show clearly that there are no leaves on surrounding trees. Views from 63 Stanley Road at the same time of year show only a thin screen of branches. The buildings will therefore be much more dominant than shown, for 50% of the year. The RARA photomontages were passed to the Urban Design team but have never been referred to.
- **Misleading screening vegetation.** The inclusion of a computer-generated 4m high hedge in front of the development building has the unjustified effect of immediately reducing the impact of the development in a manner that is unlikely to be achieved within 15 years of development:
 - *“Liz Lake Associates would suggest a time frame of 15 years + for this hedgerow to reach similar heights”* and *“Best practice for the production of photomontages to allow a complete understanding of the proposals is to present photomontages at the following stages; Current day (the existing Site); At Completion (Day 1); Established (15 years)”*²
 - *“Even after 5-10 years the proposed hedge would have limited influence in screening the proposed buildings. The change to the view would therefore be both significant and adverse”*³

The Urban Design team do not comment either on the lack of a ‘Day 0’ photomontage as the only means to assess the true impact of the development for the first 15 years, or on the view of the independent landscape assessment that the proposed hedge will not reach 4m for many years (if ever; see below).

² Review of Verified Photomontages and Supporting Documentation Cheddars Lane Student Accommodation (July 2015; Liz Lake Associates)

³ Visual Appraisal on behalf of 63 Stanley Road for Proposed Student Accommodation at 8, 10 and 10A Cheddars Lane and 351-352 Newmarket Road, Cambridge (July 2015; The Landscape Partnership)

4. Ignored independent evidence that landscape proposals are unachievable

Comments from the City Council Landscape team highlight that the original proposal for trees to be planted as mitigation at the Stanley Road boundary are unrealistic due to significant space constraints. These concerns were also highlighted in the reports by independent landscape architects who conclude *“The proposed landscape mitigation is unrealistic and further demonstrates the over intensification of built development that creates very limited space between the proposed buildings and the site boundaries.”*⁴ We are surprised that the Urban Design team has not passed comment on the extreme proximity of the buildings and therefore the impossibility of meaningfully mitigating for this through boundary planting. We are also surprised that there has been no comment regarding the potential impact of planting a tall hedge nearby on the amenity of nearby properties: ‘mitigation’ measures such as this damage residential amenity in their own right. These issues could easily be avoided had the buildings not been planned so close to the boundary.

5. Insufficient attention paid to massing at the Stanley Road boundary

The response to the amended plans with respect to scale and massing at the Stanley Road boundary, is devoted to a detailed description of relative building heights, including inaccurately stated height differences (see below) to surrounding properties. By referring to only height differences, the comments ignore the fact that most of Buildings E and F remain the same height, and both buildings are still built hard up against the boundary. The key point of visual dominance, created by having two buildings together in close proximity to both each other and the boundary, is therefore missed. For example, the taller 9.8m high section of Building F commences less than 18m from the boundary. The RARA 50mm photomontage provided from 29 Stanley Road shows the overwhelming combined effect of Buildings E and F on adjacent CHS properties. Even the lowered end portions of these buildings are the same width, and nearly the same height as surrounding properties, although it is impossible to validate the claim that the small portion of Building F that is lowered in height is actually modestly below the height of the nearby CHS properties at 23-31 Stanley Road as no heights have been given for these residences.

6. Inaccurate stated height differences between development and neighbouring properties

The height differences stated by Urban Design are inaccurate; the ridge height of the tallest sections of buildings E and F relative to 61 Stanley Road is almost 3m, not 2.1 as stated here, or 1.8m as stated in comments made in March 2015. Topographical survey data clearly shows 61 Stanley Road ridge height as 18m AOD. The final ridge height for buildings E and F is 21m AOD. This 3m difference represents a full storey height difference over nearby properties. RARA has recently discovered yet more significant inconsistencies in the to-scale diagrams of these buildings (see Figure 1 on the last page); the lowered section of Building F is shown in one diagram to be 2.71m wide but in another is 5.51m (a 103% error). Combined with previous errors identified by Liz Lake Associates and RARA (but not by Urban Design), it is increasingly difficult to know if any of the claimed building measurements are accurate.

⁴ Visual Appraisal on behalf of 63 Stanley Road for Proposed Student Accommodation at 8, 10 and 10A Cheddars Lane and 351-352 Newmarket Road, Cambridge (July 2015; The Landscape Partnership)

7. Comments only reference Kingdom Hall ground levels and ignore amenity of gardens

The Urban Design comments repeatedly reference to the drop in height from the site relative to Kingdom Hall ground level. They fail at any point to mention the drop in height from the site to gardens near 61 Stanley Road: even after soil removal, there is a drop of ~1.5m, which increases the apparent height of proposed buildings when viewed from these gardens. Most of the bulk of buildings E and F will therefore stand 11.5m above nearby gardens (21m AOD height vs. ~9.5m AOD in gardens near 61 Stanley Road), just 1.5m off what would be considered a tall building. The comments fail to mention the impact of these buildings on these amenity spaces, especially important as the boundary of these is as little as 10m from Building E.

8. Do not acknowledge true impact of light loss on CHS tenants

The VRE light assessments provided by the applicant do not accurately represent the surrounding landscape, as they have been produced without reference to trees or vegetation. In addition, there is no evidence that in conducting the light assessments any visits to the site were undertaken and critical accurate measurements obtained, nor were Daylight Distribution tests performed. The applicant appears to want to have their cake and eat it: a “*mature landscape*” exists when assessing visual dominance, but disappears when light levels are assessed. The VRE assessment therefore assumes a significantly higher baseline level of sunlight for CHS properties closest to the building than is the case, to artificially reduce the stated impact of the new buildings. The residents at these CHS properties have highlighted the reality; clearly indicating in their iDox comments that the sky gap – which will be largely obscured by Buildings E and F – “*is indeed of particularly high amenity value, given the limited outlooks in every other direction.*” These factors are important as these properties benefit from an automatic legal right to light with their windows having been in place for greater than 20 years (see application C/92/0320). We are now seeking further advice on the legal rights of the CHS tenants and this has highlighted that “*if your rooms are poorly lit even before the development, then the light you receive is likely to be precious. In this situation even a small obstruction to your light will constitute an injury.*”⁵

⁵ Source: Right of Light Consulting Chartered Surveyors

Figure 1 – Further inconsistencies in to-scale diagrams for key buildings at the Stanley Rd boundary



Front view of Building F shows lower section is 2.71m wide



Silhouette of Building F behind Building E (foreground) shows lower section is 5.51m wide

Taken from (top) C053/P017 rev p12 (Site Elevation 5) and (bottom) C053/P018 rev p11 (Site Elevation 7)

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Amendment sheet: Appendix C

Email representation submitted by Helen Tonks, Head of Housing and Customer Services, CHS Group on 29th July 2015

I am writing in advance of the Planning Committee's meeting next Wednesday to highlight CHS Group's continuing concerns about the impact of the proposed Cheddars Lane development on our residents of 23-31 Stanley Road, numbers 29 and 31 in particular. As you know Wrenbridge's previous discussions with ourselves and other local residents (and I'm sure with council officers) have resulted in some moderation of the design at the boundary, including partial in reduction of height building F.

I have to concur with the Residents' Association's serious concerns, set out to you by e-mail on 27th July, about the assessment of visual impact. In particular I agree that the Urban Design comments on the revised application appear to overlook the importance of the view of the sky from this small terrace looking towards Cheddars Lane, (all other aspects being dominated by existing buildings) which would be heavily obscured even by the revised plan. I recognise that a further amendment has been submitted in relation to the impact on the London Plane Tree (T6) adjacent to 31 Stanley Road, although the footprint of the building remains unchanged. In our view this does not sufficiently reduce the impact at the boundary on the residents who live so close to it, as Committee members will see from the RARA verified photomontages.

I have asked a Right of Light consultant to write to you this week setting out their concerns about the process followed so far in assessing the impact on light, and in particular on the lack of a full Daylight Distribution Test which would require access inside these houses. Our consultant has advised on the possibility of residents asserting their legal right of light should this be infringed post-development.

Please would you ensure that the presentation to the Planning Committee makes it clear that CHS Group, in partnership with our customers in Stanley Road, fully supports RARA in its objection to this application; and its request to submit updated photomontages based on the most recent amendment to the application.

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Email received from Jim Hair, Riverside Residents Association on 29th July 2015

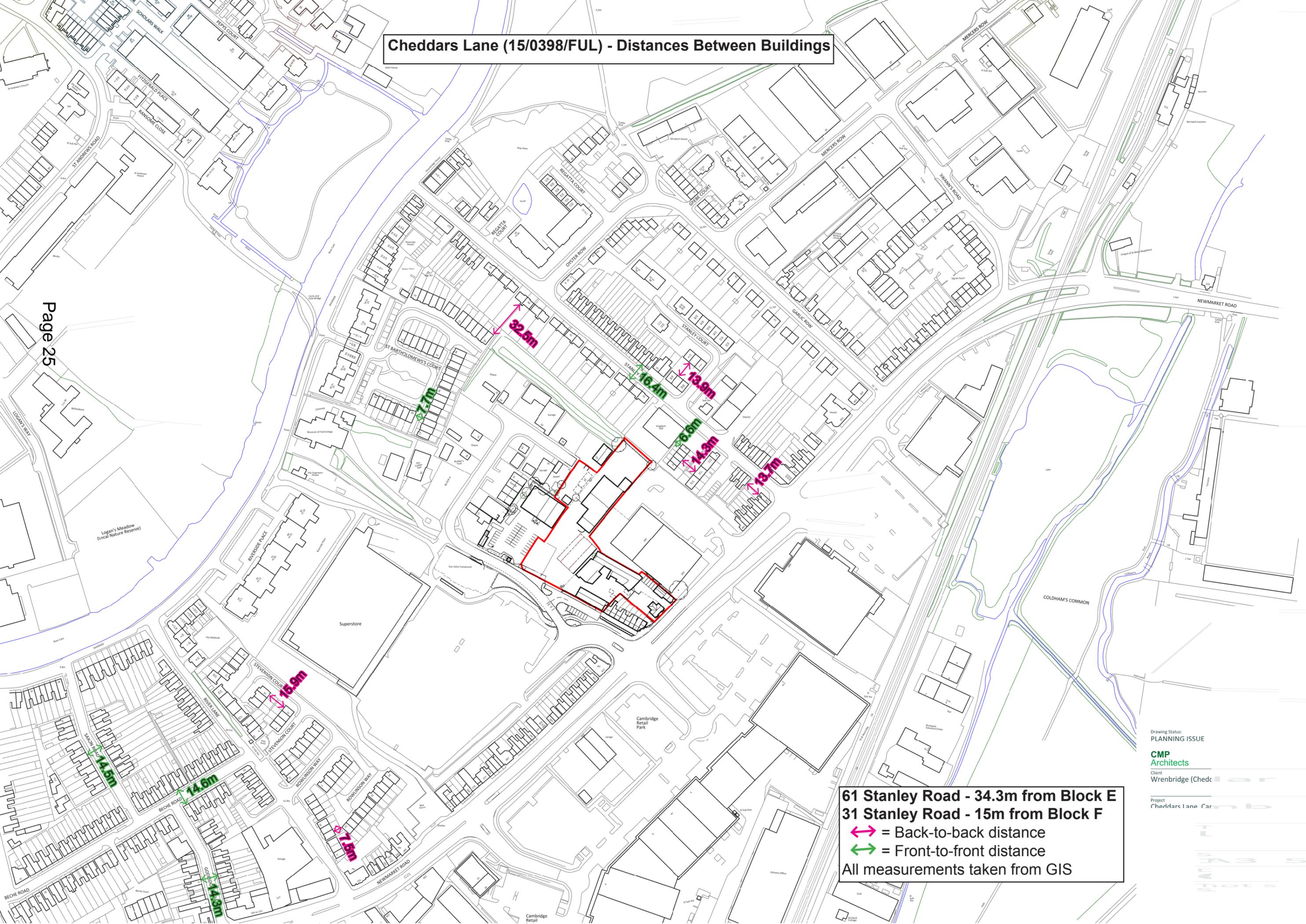
It is disappointing that the applicant has submitted their proposed changes so late that residents cannot now fully consider their impact prior to the Committee meeting. We do not share the view of the Urban Design team that the previous plans were acceptable in design terms and would not be visually dominant for nearby CHS properties in particular. From what we can determine from the drawings just submitted, we believe that the removal of two rooms in total is unlikely to alter the overall visual dominance of these two large buildings located so close to the Kingdom Hall and rear boundaries, and so closely opposed to one another. Even the lower portions of these are both the same width and almost the same height as surrounding properties.

In the interests of accuracy, we would like to request that RARA be given the opportunity to amend our own photomontages and submit these prior to the Committee meeting next week. We believe it is essential that Committee members have the opportunity to view accurate and representative images of the visual impact. In the view of independent experts, the applicant's misleading wide angle photomontages do not provide this. We are making this request in a separate email to Ms Dell and Councillor Dryden. We are still liaising with our independent expert but anticipate that this will be early next week.

In addition, as the footprint of both buildings is unchanged, and we have concerns over the light assessment that has been performed, we retain the view that the buildings will fill the crucial sky-gap through which the sun is received, as highlighted by CHS residents in their iDox comments. A letter from an independent Chartered Surveyor outlining these concerns, and the legal implications of infringing the right to light of CHS properties, will follow shortly.

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Cheddars Lane (15/0398/FUL) - Distances Between Buildings



61 Stanley Road - 34.3m from Block E
31 Stanley Road - 15m from Block F
 ↔ = Back-to-back distance
 ↔ = Front-to-front distance
 All measurements taken from GIS

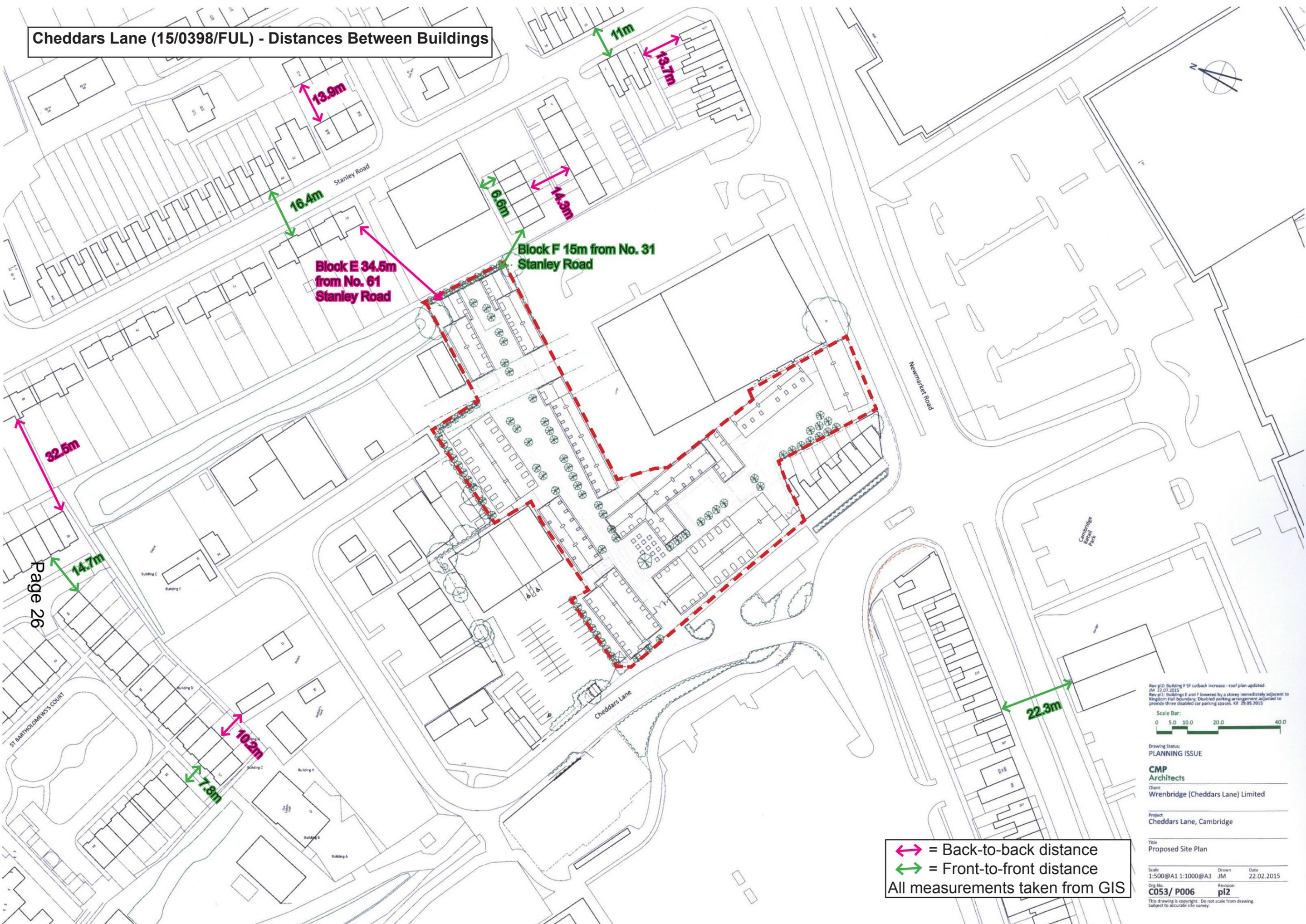
Drawing Status:
 PLANNING ISSUE

CMP
 Architects

Client
 Wrenbridge (Cheddars Lane)

Project
 Cheddars Lane, Cambridge

Cheddars Lane (15/0398/FUL) - Distances Between Buildings



Page 26

↔ = Back-to-back distance
 ↔ = Front-to-front distance
 All measurements taken from GIS

Rev p12: Building F SF cutback increase - roof plan updated. JM 22.02.2015
 Rev p11: Buildings E and F lowered by a storey immediately adjacent to Kingdom Hall boundary. Disabled parking arrangement adjusted to provide three disabled car parking spaces. KR 29.05.2015



Drawing Status:
PLANNING ISSUE

CMP Architects
 Client:
 Wrenbridge (Cheddars Lane) Limited

Project:
 Cheddars Lane, Cambridge

Title:
 Proposed Site Plan

Scale	1:500@A1 1:1000@A3	Drawn	JM	Date	22.02.2015
Dwg. No.	C053/ P006	Revision	p12		

This drawing is copyright. Do not scale from drawing. Subject to accurate site survey.

PLANNING COMMITTEE MEETING – MINOR APPLICATIONS

Amendment/De-brief Sheet

PLANNING APPLICATIONS

TO NOTE – OFFICER UPDATE

Following the judgement in the case of West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government the Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) has been quashed. This means that affordable housing and tariff style contributions can be sought from development comprising 1 to 10 units and less than 1000 sq metres of floorspace as was the case prior to the Ministerial Statement.

The judgement does not affect the need for any mitigation measures to accord with the Community Infrastructure Levy (CIL) regulations. Therefore any contributions sought continue to have to pass the CIL tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Also pooling restrictions apply therefore no more than 5 contributions from 5 legal agreements can be pooled. The Committee will be aware of the interim approach to seeking S106 contributions from 6 April 2015 until the local implementation of a Community Infrastructure Levy for Cambridge which has been agreed.

There are six on this agenda which are affected by the quashing of the Ministerial Statement:

Agenda Item 15	2 Bulstrode Gardens	1 dwelling (refusal)
Agenda Item 18	134 Coleridge Road	Change of use (COU) to House
	in Multiple Occupation (HMO)	
Agenda Item 19	Land r/o 1 Fen Road	1 dwelling
Agenda Item 20	10 Coldham's Lane	COU to HMO
Agenda Item 21	29 Cromwell Road	COU to HMO
Agenda Item 23	45 Elizabeth Way	1 dwelling (refusal)

Officer advice is that it would not be reasonable to require s106 contributions for these developments given the lack of opportunity to gather evidence to justify that any contributions would pass the CIL tests.

A process review will be carried out in advance of September Planning Committee and where possible s106 contributions will be sought across all scales of development as set out in the Planning Obligations Strategy SPD 2010.

CIRCULATION: First

ITEM: APPLICATION REF: **15/1045/FUL**

Location: Marque House, 143 Hills Road

Target Date: 30.07.2015

To Note:

The Marque House Residents Association has submitted a letter for the attention of Councillors. A copy of the letter will appear on Public Access once it has been redacted to remove personal information however this may not be completed before the Committee meeting. I will circulate copies to Committee at the meeting and have shared the letter with the EHO officer. The letter raises a number of technical points but does not lead me to change my recommendation.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0842/S73**

Location: 6 Hardwick Street

Target Date: 30.06.2015

To Note: A request has been received from Cllr Reid to defer this application until a full response regarding an enforcement investigation had been issued to all complainants. A full response was issued to all complainants on Friday 31st July. The report considers all points raised with the enforcement team and deferral of this application is not therefore recommended.

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0962/FUL**

Location: 218A-220 Mill Road

Target Date: 14.07.2015

To Note: N/A

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0602/FUL**

Location: 564 Newmarket Road

Target Date: 19.06.2015

To Note: An email has been received from the applicant requesting that Members be advised that the owners wish to continue to provide accommodation for Universities in Cambridge at this property. The owners state that they have not received any complaints regarding the property in the last 5 years. They are also intending to be accredited through Environmental Services.

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0603/FUL**

Location: 31 Gisborne Road

Target Date: 17.06.2015

To Note: An email has been received from the applicant requesting that Members be advised that the owners intend to continue to operate the property as a host family

as they have done for the last 2 and a half years. They state that they have not received any complaints regarding the use of the property as a host dwelling. They also wish to note that the property is accredited with Environmental Services.

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0287/FUL**

Location: Cantabrigian Rugby Club, Sedley Taylor Road

Target Date: 16.04.2015

To Note:

Additional information regarding land ownership has been submitted to the Local Planning Authority in response to points raised by the Sedley Taylor and Luard Road Residents Group and this is available to read on public access.

The Local Planning Authority considers the land ownership section of the application to be correctly completed and acceptable.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0793/FUL**

Location: 2 Bulstrode Gardens

Target Date: 03.07.2015

To Note:

Councillor Cantrill has submitted a letter of support for the proposal which states:

Planning Committee meeting Wednesday 5th August 2015

Dear Member

2 Bulstrode Gardens – Planning application for detached dwelling 15/0793/FUL
I am writing in relation to the above application that will be heard at the forthcoming meeting of the Planning Committee. This letter sets out my views regarding the application. Unfortunately, I am not able to attend the meeting in person.

Background

As a City Councillor for Newnham ward, I have detailed experience of applications that have been submitted in the West Cambridge conservation area and particularly in the Bulstrode Gardens – Madingley Road area. I have asked for the application to be considered by the Planning Committee following a discussion with the applicant and the case officer and having undertaken a site visit.

My views

I have set out below my observations on the key issues that I believe are relevant in considering the application.

The principle of the development of the site 5/1 Subdividing of existing plots 3/10 Conservation Area 4/11

- In my view, Bulstrode Gardens is characterised by properties that fill the entire plot and are of a building form that is characterised by different heights (accommodating gables and garages for example)
- No. 2 Bulstrode Gardens differs from the majority of plots in that it is a plot and a half in size. In addition, the plot currently has the main dwelling and a single storey garage with a pitched roof – the garage is positioned perpendicular to the road.
- The current rhythm of the main dwelling and the garage is achieved by a component of garden – enabling both dwellings to be viewed independently of each other
- The application seeks to reflect the position of the existing garage structure on the site and maintain the key relationships with the main dwelling on the plot and the neighbouring properties by:
 - o Retaining the green space between the application and the main dwelling – therefore preserving the element of separation that already exists
 - o Maintaining the same orientation as the garage structure
 - o Maintaining the rhythm of the dwellings on the plot that currently exists between the main dwelling and the garage (recognising that the application is taller than the garage)

- As a result, I do not believe that the application is detrimental to the conservation area

Conclusion

For the above reasons, I do not share the view of the case officer regarding the impact of the proposed application, and believe that the Planning Committee should approve the application

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0787/FUL**

Location: St Marys School, Bateman Street

Target Date: 23.06.2015

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: That the application be DEFERRED to September Committee at the request of the applicant.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0924/FUL**

Location: 3 Fendon Close

Target Date: 17.07.2015

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0629/FUL**

Location: 134 Coleridge Road

Target Date: 17.06.2015

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0818/FUL**

Location: Land r/o 1 Fen Road

Target Date: 07.07.2015

To Note:

A letter of objection has been received from the owner of No.183 Water Street, the property that bounds the site to the west. The concerns can be summarised as follows:

- The building would be out of keeping with the character of the area.
- The gate across the access to the garages (installed to prevent fly-tipping) should be retained.
- The house would be built against the boundary with No.183, which raises questions as to how it would be built and maintained.
- What measures will be taken to ensure construction vehicles don't obstruct access to the garages?

The first three points have already been addressed within the committee report. With regards to the final concern regarding potential obstruction by construction vehicles, this issue would be taken into consideration as part of the recommended traffic management plan condition.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0068/FUL**

Location: 10 Coldhams Lane

Target Date: 08.04.2015

To Note:

The applicant has submitted photos showing the area where bins and cycles are proposed to be stored (uploaded on 2 August 2015).

Photos have also been received from a local resident showing the roof extension from their garden and a public notice of a Traffic Regulation Order to restrict parking in Silverwood Close to permit holders (uploaded on 3 August 2015).

Cllr Johnson called in the application so that the proposal can be considered by Committee. Cllr Johnson raised the following points:

Representations	Response
The application drawings are vague and vital detail is missing about how it impacts the local area's character and residential amenity;	The plans are sufficient to assess the proposal.
Policy 3/4a - The proposal use does not respond positively to the local character of the immediate vicinity as the 8bed HMO has the potential to cause disturbance and loss of residential amenity;	The proposed use would not in my view have a detrimental impact on the character of the area or the residential amenity of the local area. The proposed use of the existing 6 bed dwelling would not cause significant levels of disturbance over and above that which you would expect from a 6 bed dwellinghouse. I have recommended a condition to restrict the occupancy of the property to eight (condition 3) and recommended a condition (7) to obscure glaze the windows at second floor level to mitigate overlooking).
Lack of information on bin and cycle storage and lack of off street parking –	There is enough space within the plot to accommodate bin and cycle storage

only one space is provided;	provision. I have recommended a cycle parking and waste condition to ensure these details are provided and agreed. The applicant has indicated space in the north east corner of the site to accommodate bin and cycle storage.
Policy 8/10 – it is understood that a lack of car parking spaces is not grounds for rejecting an application. The site is well served by public transports. However, the lack of car parking spaces has the potential to cause significant parking and congestion problems in Silverwood Close;	See para 8.21
Policy 5/7 – the proposal does not fully comply with this policy. The proposal does not comply with part a) and b).	The proposal in my view fully complies with policy 5/7. See para 8.2 to 8.11
Policy 8/6 – the proposal does not provide specific provision for safe and secure cycle parking.	There is enough space within the site to accommodate safe and secure cycle parking. I have recommended a cycle parking condition (5).

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0757/FUL**

Location: 29 Cromwell Road

Target Date: 19.06.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

FOR REFUSALS WHERE RETROSPECTIVE PLANNING PERMISSION IS SOUGHT

Authority granted to instruct the Head of Legal Services to serve enforcement notices under section 171 of the Town and Country Planning Act 1990 to remedy the breach of planning control.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0999/FUL**

Location: 161 Gwydir Street

Target Date: 22.07.2015

To Note: The Inspector's decision on the previous appeal on this site, to which I refer in my report, is attached to this amendment sheet as Appendix A.

Amendments To Text: Amend Paragraph 8.11 to read as follows:

8.11 I am mindful that similar dormers have been approved both at 171 Gwydir Street, and immediately next door to the application site at 163 Gwydir Street, a fact which has been highlighted by the present applicant's agent. However, the present application must be considered in the light of the planning Inspector's decision dismissing the appeal against the refusal of the earlier application for a dormer at No 161. This decision, given in April 2015, which is a material consideration in the determination of the present application, post-dates the approvals at 171 and 163. These approvals do not set a precedent for further roof extensions if they are of the form which the Inspector has indicated should be regarded as poor design and harmful to the character of the area. I consider the proposed development would have a detrimental cumulative impact upon the Gwydir Street terrace overall, which makes further development of this scale and bulk contrary to planning policy. The issues which led the Inspector to dismiss the appeal against the earlier refusal on this site have not been overcome.

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **15/0563/FUL**

Location: 45 Elizabeth Way

Target Date: 20.05.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

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Appeal Decision

Site visit made on 9 March 2015

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2015

Appeal Ref: APP/Q0505/D/14/2229518

161 Gwydir Street, Cambridge, CB1 2LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Parry against the decision of Cambridge City Council.
 - The application Ref 14/1083/FUL was refused by notice dated 9 September 2014.
 - The development proposed is the erection of a rear roof extension (including raising the ridge height).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Central Conservation Area.

Reasons

3. This part of the conservation area is characterised by terraces of houses closely positioned to the street. At the rear of no. 161 and nearby dwellings there is a more open aspect with long narrow gardens. No. 161 is within a traditional terrace of 4 houses. There are some extensions at the rear of the terrace, but none to the front or rear roof slopes. The traditional form of the terrace is for the most part unaltered so that it makes a positive contribution to the conservation area.
4. The proposal is a rear roof extension that would occupy most of the rear roof slope appearing as a substantial third storey addition. There would be 2 pitched roofs with a flat interconnecting roof, central glazed doors and a Juliette balcony. The slight raising of the roof beyond the existing ridge line would not be visible from street level.
5. There would be matching materials, but the proposal on account of its scale and bulky appearance would detract from, and significantly alter, the traditional roof form of the dwelling house and terrace. There would not be a high quality of design, contrary to paragraph 17 of the National Planning Policy Framework. In reaching this conclusion, I have taken into account the smaller rear roof slope of no. 161 compared to that of some nearby dwellings.
6. The proposal would neither preserve nor enhance the character and appearance of the Central Conservation Area contrary to Policy 4/11 of the Cambridge City

Council Local Plan 2006 (LP). There would also be conflict with LP Policy 3/4, which requires development to respond positively to features of historic character, and with LP Policy 3/14, which expects extensions not to adversely affect the character and appearance of conservation areas. The proposal would conflict with The Roof Extensions Design Guide, which indicates that extensions should not over dominate the roof or overwhelm the immediate setting.

7. The development plan policies are compatible with the objectives of the Framework in these respects. Paragraph 64 of the Framework says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 132 of the Framework says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal does not meet the objectives of the Framework in these respects.
8. Although there is a larger rear roof extension of a similar design visible from no. 161 further along the street, and there are other roof extensions in the locality, these other extensions do not justify an unacceptable development at the appeal dwelling. The appellants have questioned the Council's approach to roof extensions, but this is a matter for the Council. I find no more overlooking into nearby gardens from the proposed second storey windows than might reasonably be expected between closely positioned dwellings in a residential area.
9. I am mindful that the proposal would provide additional living space for the appellants and their family and it would improve the safety of the existing loft conversion. These matters are material to my decision and I place some weight on them. I have also considered all other matters, including all the policies in the Framework, and other national planning guidance. However, all these matters do not override the substantial harm that I have identified to the character and appearance of the conservation area from the appeal proposal. The appeal does not succeed.

Sue Glover

INSPECTOR

Right of Light Consulting

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Rayleigh
Essex
SS6 7EW

TEL 0800 197 4836

E-MAIL enquiries@right-of-light.co.uk

WEBSITE www.right-of-light.co.uk

Cambridge City Council
PO Box 700
Cambridge CB1 0JH

3rd August 2015

Dear Mr T Collins,

**Application Reference No. 15/0398/FUL
Proposed Development at 8,10&10a Cheddars Lane & 351-255
Newmarket Road, Cambridge
(Impact on 23-31 Stanley Road, Cambridge)**

We write today on behalf of our client, CHS Group and the residents of 23-31 Stanley Road, neighbouring the proposed development. We have been contacted by our clients after concerns were raised that the proposed development could infringe on both the daylight and sunlight currently enjoyed by their properties (as laid down in the Building Research Establishment "Site Layout Planning for Daylight and Sunlight: a good practice guide" 2011 by PJ Littlefair).

We have viewed the plans, photography and the daylight and sunlight study undertaken by T-16 Design. We understand that the study was produced without any visit to our clients' properties and did not test for the impact upon the daylight distribution to their rooms.

In light of this initial observation we would request that the planning committee meeting is adjourned so no decision in favour of the application is made until the applicant instructs T-16 Design to visit our clients' properties to gather the actual internal measurements, amend their computer model and re-run the analysis and include the daylight distribution test to accurately determine the impact the proposal will have on the levels of daylight and sunlight currently enjoyed by all the rear windows. Any decision reached beforehand will be based on assumed results and only one of the daylight tests as suggested by the BRE guidelines.

We will be happy to liaise with our clients for a convenient date and time that T-16 Design can visit the properties in order to gather the necessary measurements for assessment. We would request that a copy of the computer model be forwarded to us so that we can confirm accuracy of the findings and advise our clients accordingly.

Should planning permission be granted without due care and attention to the impact upon our clients' daylight and sunlight, they will be at liberty to seek advice on bringing a Judicial Review against the decision. As you will be aware, this could have implications for Cambridge City Council.

Whilst we appreciate that rights of light is not a material planning consideration, it is useful to assess the risk of any potential civil claim from the outset and eliminate any future costs which could be incurred defending a claim. Therefore, we strongly advocate that the issue is also tested during the planning stage.

In summary, we request that the planning committee meeting is adjourned so no decision is made in favour of the application until the applicant undertakes all the BRE daylight and sunlight tests and we are satisfied that the proposal complies with both the BRE guidelines and Civil Legal Rights of Light.

Please could you acknowledge receipt of this letter and respond accordingly with your assurances. Should you wish to discuss any aspect please do not hesitate to contact me directly on 07939 319396 or via email at shirley.ellis@right-of-light.co.uk

I look forward to hearing from you.

Yours sincerely,

Shirley Ellis LLB (Hons)
Right of Light Consultant