Public Document Pack

Cambridge City Council

Planning Committee

Committee Members: Councillors Stuart (Chair), Blencowe (Vice-Chair), Birtles, Dryden, Hipkin, Rosenstiel, Saunders and Tunnacliffe

Alternates: Councillors Marchant-Daisley and Swanson

Published & Despatched: Tuesday, 24 September 2013

Date:	Wednesday, 2 October 2013
Time:	9.30 am
Venue:	Committee Room 1 & 2 - Guildhall
Contact:	Claire Tunnicliffe

AGENDA

1 Apologies

2 Declarations of Interest

Members are asked to declare at this stage any interests, which they may have in any of the following items on the agenda. If any member is unsure whether or not they should declare an interest on a particular matter, they are requested to seek advice from the Head of Legal Services before the meeting.

3 Minutes

To confirm the minutes of the meeting held on 4th September 2013.

Planning Items

4 Planning Applications

4a 13/0646/FUL - Gonville Hotel and Gresham House, Gonville Place *(Pages 17 - 72)*

4b 13/0647/CAC - Gonville Hotel and Gresham House, Gonville Place *(Pages 73 - 90)*

4c 13/1129/FUL - 40-64 Colville Road and 1-9 Augers Road *(Pages 91 - 162)*

4d 12/1040/FUL - St Colettes Preparatory School, Tenison Road

(Pages 163 - 236)

4e 13/6001/S106BA - Cambridge Water Company, Rustat Road
(Pages 237 - 260)

5 Tree Items

5a Proposed Tree Works, Christ's Pieces, Cambridge
(Pages 261 - 270)

5b TOP No 09/2013, 4 York Terrace, Cambridge
(Pages 271 - 276)

5c TPO No 07/2013, Paradise Island, Paradise House, Grantchester Street, Cambridge
(Pages 277 - 282)

Meeting Information

Location

The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

Local Government (Access to Information) Act 1985

Under Section 100D of the Local Government Act 1972, the following are "background papers" for each of the above reports on planning applications:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses "exempt or confidential information"
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting Patsy Dell (01223 457103) in the Planning Department.

Development Control Forum

Meetings of the Development Control Forum are scheduled for a week after the meetings of Planning Committee if required

Public Participation

Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

Members of the public who want to speak about an application on the agenda for this meeting may do so, if they

have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the day before** the meeting.

Public speakers will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

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Further information is available at

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The Chair will adopt the principles of the public speaking scheme regarding planning applications for general items, enforcement items and tree items.

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Representations on Planning Applications

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

The submission of late information after the officer's report has been published is to be avoided.

A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two

business days before the relevant Committee meeting (e.g by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

Filming, recording and photography

The Council is committed to being open and transparent in the way it conducts its decision making. Recording is permitted at council meetings which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate by ensuring that any such request not to be recorded is respected by those doing the recording.

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http://democracy.cambridge.gov.uk/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=42096147&sch=doc&cat=13203&path=13020%2c13203

Fire Alarm

In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

Facilities for disabled people

Level access to the Guildhall via the Peas Hill entrance.

A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Accessible toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request.

For further assistance please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Queries on reports	If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.
General Information	Information regarding committees, councilors and the democratic process is available at http://democracy.cambridge.gov.uk/

APPENDIX 1 – DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

1.0 **Central Government Advice**

1.1 **National Planning Policy Framework (March 2012)** – sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

1.3 **Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

2.0 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision
P9/8 Infrastructure Provision
P9/9 Cambridge Sub-Region Transport Strategy

3.0 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/3 Setting of the City
3/4 Responding to context
3/6 Ensuring coordinated development
3/7 Creating successful places
3/9 Watercourses and other bodies of water
3/10Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
3/13 Tall buildings and the skyline
3/14 Extending buildings
3/15 Shopfronts and signage

4/1 Green Belt
4/2 Protection of open space
4/3 Safeguarding features of amenity or nature conservation value
4/4 Trees
4/6 Protection of sites of local nature conservation importance
4/8 Local Biodiversity Action Plans
4/9 Scheduled Ancient Monuments/Archaeological Areas
4/10 Listed Buildings
4/11 Conservation Areas
4/12 Buildings of Local Interest
4/13 Pollution and amenity
4/14 Air Quality Management Areas
4/15 Lighting

5/1 Housing provision
5/2 Conversion of large properties
5/3 Housing lost to other uses
5/4 Loss of housing
5/5 Meeting housing needs
5/7 Supported housing/Housing in multiple occupation
5/8 Travellers
5/9 Housing for people with disabilities
5/10 Dwelling mix
5/11 Protection of community facilities
5/12 New community facilities
5/15 Addenbrookes

6/1 Protection of leisure facilities
6/2 New leisure facilities
6/3 Tourist accommodation
6/4 Visitor attractions
6/6 Change of use in the City Centre
6/7 Shopping development and change of use in the District and Local Centres
6/8 Convenience shopping
6/9 Retail warehouses
6/10 Food and drink outlets.

7/1 Employment provision
7/2 Selective management of the Economy
7/3 Protection of Industrial and Storage Space
7/4 Promotion of cluster development
7/5 Faculty development in the Central Area, University of Cambridge
7/6 West Cambridge, South of Madingley Road
7/7 College and University of Cambridge Staff and Student Housing
7/8 Anglia Ruskin University East Road Campus
7/9 Student hostels for Anglia Ruskin University
7/10 Speculative Student Hostel Accommodation
7/11 Language Schools

8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/8 Land for Public Transport
8/9 Commercial vehicles and servicing
8/10 Off-street car parking
8/11 New roads
8/12 Cambridge Airport
8/13 Cambridge Airport Safety Zone
8/14 Telecommunications development
8/15 Mullard Radio Astronomy Observatory, Lords Bridge
8/16 Renewable energy in major new developments
8/17 Renewable energy
8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/7 Land between Madingley Road and Huntingdon Road
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
4/2 Protection of open space
5/13 Community facilities in Areas of Major Change
5/14 Provision of community facilities through new development
6/2 New leisure facilities
8/3 Mitigating measures (*transport*)
8/5 Pedestrian and cycle network
8/7 Public transport accessibility
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area
10/1 Infrastructure improvements *(transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects)*

4.0 Supplementary Planning Documents

4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction**: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)**: The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.

4.3 **Cambridge City Council (January 2008) - Affordable Housing**: Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.

4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

Eastern Gate Supplementary Planning Document (October 2011)
Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

- To articulate a clear vision about the future of the Eastern Gate area;
- To establish a development framework to co-ordinate redevelopment within
- the area and guide decisions (by the Council and others); and
- To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 **Material Considerations**

Central Government Guidance

5.1 **Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

5.2 **Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

5.3 **City Wide Guidance**

Arboricultural Strategy (2004) - City-wide arboricultural strategy.

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001) - This document aims to aid strategic and development control planners when considering biodiversity in both policy development and dealing with planning proposals.

Cambridge Landscape and Character Assessment (2003) – An analysis of the landscape and character of Cambridge.

Cambridge City Nature Conservation Strategy (2006) – Guidance on habitats should be conserved and enhanced, how this should be carried out and how this relates to Biodiversity Action Plans.

Criteria for the Designation of Wildlife Sites (2005) – Sets out the criteria for the designation of Wildlife Sites.

Cambridge City Wildlife Sites Register (2005) – Details of the City and County Wildlife Sites.

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) - a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

Strategic Flood Risk Assessment (2005) – Study assessing the risk of flooding in Cambridge.

Cambridge and Milton Surface Water Management Plan (2011) – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

Cambridge City Council (2011) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

- sets out the protection of existing open spaces;
- promotes the improvement of and creation of new facilities on existing open spaces;
- sets out the standards for open space and sports provision in and through new development;
- supports the implementation of Section 106 monies and future Community Infrastructure Levy monies

As this strategy suggests new standards, the Cambridge Local Plan 2006 standards will stand as the adopted standards for the time-being. However, the strategy's new standards will form part of the evidence base for the review of the Local Plan

Balanced and Mixed Communities – A Good Practice Guide (2006) – Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change and as a material consideration in the determination of planning applications and appeals.

A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridge Sub-Region Culture and Arts Strategy (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridge Quality Charter for Growth (2008) – Sets out the core principles of the level of quality to be expected in new developments in the Cambridge Sub-Region

Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) - sets out in more detail how existing council policy can be applied to proposals for tall buildings or those of significant massing in the city.

Cambridge Walking and Cycling Strategy (2002) – A walking and cycling strategy for Cambridge.

Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004) – Guidance on how development can help achieve the implementation of the cycle network.

Cambridgeshire Design Guide For Streets and Public Realm (2007): The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

Air Quality in Cambridge – Developers Guide (2008) - Provides information on the way in which air quality and air pollution issues will be dealt with through the development control system in Cambridge City. It compliments the Sustainable Design and Construction Supplementary Planning Document.

The Cambridge Shopfront Design Guide (1997) – Guidance on new shopfronts.

Roof Extensions Design Guide (2003) – Guidance on roof extensions.

Modelling the Costs of Affordable Housing (2006) – Toolkit to enable negotiations on affordable housing provision through planning proposals.

5.6 **Area Guidelines**

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
Cambridge City Council (2003)–Western Corridor Area Transport Plan:
The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

Buildings of Local Interest (2005) – A schedule of buildings of local interest and associated guidance.

Brooklands Avenue Conservation Area Appraisal (2002)
Cambridge Historic Core Conservation Area Appraisal (2006)
Storeys Way Conservation Area Appraisal (2008)
Chesterton and Ferry Lane Conservation Area Appraisal (2009)
Conduit Head Road Conservation Area Appraisal (2009)
De Freville Conservation Area Appraisal (2009)
Kite Area Conservation Area Appraisal (1996)
Newnham Croft Conservation Area Appraisal (1999)
Southacre Conservation Area Appraisal (2000)
Trumpington Conservation Area Appraisal (2010)
Mill Road Area Conservation Area Appraisal (2011)

West Cambridge Conservation Area Appraisal (2011)

Guidance relating to development and the Conservation Area including a review of the boundaries.

Jesus Green Conservation Plan (1998)
Parkers Piece Conservation Plan (2001)
Sheeps Green/Coe Fen Conservation Plan (2001)
Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)
Long Road Suburbs and Approaches Study (March 2012)
Barton Road Suburbs and Approaches Study (March 2009)
Huntingdon Road Suburbs and Approaches Study (March 2009)
Madingley Road Suburbs and Approaches Study (March 2009)
Newmarket Road Suburbs and Approaches Study (October 2011)

Provide assessments of local distinctiveness which can be used as a basis when considering planning proposals

Station Area Development Framework (2004) – Sets out a vision and Planning Framework for the development of a high density mixed use area including new transport interchange and includes the **Station Area Conservation Appraisal**.

Southern Fringe Area Development Framework (2006) – Guidance which will help to direct the future planning of development in the Southern Fringe.

West Cambridge Masterplan Design Guidelines and Legal Agreement (1999) – Sets out how the West Cambridge site should be developed.

Mitcham's Corner Area Strategic Planning and Development Brief (2003) – Guidance on the development and improvement of Mitcham's Corner.

Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) (2007) – Development Brief for Proposals Site 7.12 in the Cambridge Local Plan (2006)

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PLANNING COMMITTEE **Date: 2nd October 2013**

Application Number	13/0646/FUL	Agenda Item	
Date Received	28th May 2013	**Officer**	Mrs Angela Briggs
Target Date	27th November 2013		
Ward	Trumpington		
Site	Gonville Hotel And Gresham House Gonville Place Cambridge CB1 1LY		
Proposal	Demolition of Gresham House, and refurbishment and extension of Gonville Hotel to provide an additional 43 bedrooms and new spa/treatment rooms, with internal and external remodelling of the existing hotel to create a new dining area and hotel entrance, and associated external works and landscaping		
Applicant	Mr c/o Agent		

SUMMARY	The development does not accord with the Development Plan for the following reasons: 1. The proposal fails to enhance or preserve the character and appearance of the Conservation Area, and the setting of the Listed Buildings; 2. The proposal would have a detrimental impact on the amenities of the neighbouring properties; 3. Adverse impact on air quality of the area due to additional car/taxi trips to and from the Hotel; 4. Necessary mitigation measures have not been secured via s106 agreement; 5. Loss of two residential units from

	within Gresham House.
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located on the southern side of Gonville Place. It is directly opposite Parkers' Piece, which is a substantial area of protected open space. The Gonville Hotel has views across Parkers' Piece. Gresham House form part of the north eastern boundary of the site. There are residential buildings on the opposite side of Gresham Road. Gresham Court (the former Owen Webb House) is a Grade II Listed Building. The properties on Drosier Road form the south eastern boundary of the site. There are residential properties adjacent to the south western boundary of the site on Gonville Place which are two to three storey Victorian terrace housing. The Gonville Hotel is a three storey building which was originally built as a house. The wings either side were constructed in the late 1970s and forms the main part of the hotel. There have been various additions to the rear of the hotel. The area to the front of the hotel is used for hotel residents' parking. There is limited cycle parking provision currently on-site. The main access to the Hotel is from Gonville Place, however there is a secondary access to the rear from Drosier Road, which is seldom used and remains locked, unless it is required. All service vehicles arrive and leave the hotel via the main entrance from Gonville Place.

1.2 The wider area comprises a typical mix of City Centre uses. To the north east of the site, along Gonville Place, is the Queen Anne Multi-storey car park, Cambridge Medical Centre, and the Kelsey Kerridge Sports Centre. To the south east, along Gresham Road, are residential properties, mainly of Victorian architecture, and Hughes Hall and Cambridge University Cricket Club (Fenners), which is a flat roof apartment block of three storeys. To the south west, along Hills Road, are a mix of commercial and office buildings, including the premises at 1 Hills Road currently occupied by Cambridge Assessment. To the north west, along Regent Street are a mix of commercial uses.

1.3 The application site falls within the Central Conservation Area and as such the New Town and Glisson Road Area

Conservation Appraisal is relevant. The site also bounds the Cambridge Historic Core Conservation Area and therefore this appraisal is also relevant. The Roman Catholic Church on the junction of Lensfield Road and Hills Road is a Grade II listed Building, and is a dominant feature of this part of the Conservation Area. Other Listed buildings within the vicinity include Gresham Court (Owen Webb House) and 3 and 3a Gresham Road, all of which are Grade II Listed. There are no buildings designated as Buildings of Interest adjacent to or within close proximity of the application site. However, the original Gonville Hotel building (former Georgian house) is locally listed as a Building of Local Interest.

1.4 Another significant feature of the site and its surroundings are the trees, on the northern boundary of Gresham House. These consists of a dense and mature group of trees and other vegetation which screens Gresham House from views from Parkers' Piece. There are also trees along the boundary with Gresham Road, some of which are over-grown Leylandii. Most of these trees are covered by a Tree Preservation Order. Those which are not protected by an Order are protected by virtue of their location in the Conservation Area. There is a large London Plane Tree to the front of the Gonville Hotel, which is a significant and dominant tree in the Gonville Place/Parkers' Piece street scape. This is also covered by a Tree Preservation Order.

1.5 The site falls outside the Controlled Parking Zone (CPZ) and within the Air Quality Management Area (AQMA).

2.0 THE PROPOSAL

2.1 The application seeks planning permission for the demolition of Gresham House, and refurbishment and extension of Gonville Hotel to provide an additional 43 rooms and new spa/treatment rooms, with internal and external remodelling of the existing hotel to create a new dining area and hotel entrance, and associated external works and landscaping. The total number of bedrooms that would be provided is 127 (existing + proposed).

2.2 The proposal is essentially two-fold:

1) Extension and remodelling of the existing hotel. This would involve creation of a new internal reception area, new bar and lounge area and extension to the front elevation, enlarging the existing restaurant area by an additional 40 covers, and a new entrance porch.

2) Demolition of Gresham House and re-development of the site to create 43 new bedrooms and a day spa/treatment rooms.

2.3 As part of the remodelling of the existing hotel, some site layout improvements are proposed which include the following:

- Relocation of car parking bays – total of 37 car parking spaces;
- New designated cycle parking area – total of 52 cycle parking spaces;
- Relocation of existing site facilities workshop/office;
- New bin store;
- External lighting;
- Public Art;
- Landscaping works.

2.4 The application is accompanied by the following supporting information:

1. Planning Statement;
2. Design & Access Statement;
3. Sustainable Development Checklist;
4. Statement of Community Involvement;
5. Heritage Statement;
6. Archaeological Desk Based Assessment;
7. Ecological Assessment;
8. Tree Survey and Arboricultural Impact Assessment;
9. Transport Assessment & Travel Plan;
10. Landscape Strategy Report;
11. Renewable Energy Report;
12. Mechanical & Electrical Statement (relating to noise);
13. Utilities Report;
14. Ventilation/Extraction Statement;
15. Water Efficiency Statement;
16. Desktop Contamination Report;
17. Surface Water Assessment;

18. Foul Sewerage Assessment;
19. Site Waste Management Plan;
20. Public Art Delivery Plan;
21. Noise Assessment;
22. Air Quality Report.

3.0 SITE HISTORY

3.1 This application is also accompanied by a Conservation Area Consent application for the demolition of Gresham House (Ref: 13/0647/CAC).

Gonville Hotel:

Reference	Description	Outcome
10/1318/FUL	Air conditioning condensers and extract plant on the roof with the addition of safety balustrade.	Approved
C/00/0319	Erection of single storey extension to glazed conservatory and three storey bedroom wing extension together with internal alterations.	Approved
C/01/1258	Alterations to front elevation of existing Gonville Hotel.	Approved
05/0136/FUL	Retention of air conditioning plant and erection of acoustic enclosure.	Approved

Gresham House, 2 Gresham Road:

Reference	Description	Outcome
C/03/0346	Change of use of ground floor to conference/meeting rooms and conversion to the first floor to 3No. flats and demolition of garage/ store.	Approved
C/71/0218	Alterations to form dwelling units and conservatory on ground floor, plus two flats on first floor	Approved

C/81/0875	Erection of boundary wall	Approved

4.0 PUBLICITY

4.1

Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Public Exhibition:	No
DC Forum (meeting of 14th August 2013):	Yes

The minutes of the DC Forum are attached to this report as Appendix 1. Details of the public exhibition are contained within section 12.0, page 38 of the Design & Access Statement.

The pre-application public exhibition was arranged by the applicants.

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 3/14 4/4 4/7 4/8 4/10 4/11 4/12 4/13 4/14 4/15 5/3 5/4 6/3

	8/2 8/6 8/10 8/16

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Planning Obligation Strategy Public Art
Material Considerations	<u>Central Government</u>: Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide</u>: Arboricultural Strategy Biodiversity Checklist Cambridge and Milton Surface Water Management Plan Cambridge Walking and Cycling Strategy Air Quality in Cambridge – Developers Guide

	Area Guidelines: Southern Corridor Area Transport Plan Buildings of Local Interest Conservation Area Appraisal: Cambridge Historic Core New Town and Glisson Road

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No objection, subject to the dimensions of the car parking spaces to be confirmed. This will be reported on the amendment sheet.

The requirement for SCATP payments is triggered by the proposal.

Head of Environmental Services

Environmental Quality:

Conditions requested relating to construction/demolition pollution to protect the interests of neighbouring amenities

Noise Assessment:

Report from Cass Allen considered dated 25th April 2013. Traffic noise will be adequately mitigated. Recommend noise insulation condition.

Plant noise has been assessed and is generally acceptable, however further tests and analysis are required to ensure that amenity of adjacent properties are protected. This can be secured by condition.

Hours of Use:

Delivery times and refuse collection times have been stated, which are considered to be acceptable and should be controlled by conditions. Spa opening hours are also stated as being 0700 – 2200hrs, which is considered to be reasonable. A condition to secure these times should be appended.

Odour:
Any odour produced on site likely to affect the local amenity including the kitchen extracts serving the proposed spa require assessment and suitable filtration. Recommend condition requiring further details of filtration/extraction.

Contaminated Land:

A Phase I Preliminary Contamination Assessment has been undertaken for the site and the potential of contamination of the site has been identified. As a result of this, the Environmental Health Team consider the site to be conditionable for contaminated land. If planning permission is granted it is recommended that the full contaminated land condition be attached.

Air Quality:

The intensification is predicted to double the number of car/taxi trips to and from the hotel, increasing annual average daily traffic flow by 2.7% (and up to 3.4% at peak hours)

The Assessment shows that there is an increase in predicted levels of Nitrogen Dioxide by up to 0.27 microgrammes per cubic metre and in predicted levels of Particulate Matter (PM10) by up 0.32 microgrammes per cubic metre at and around the site related to the intensification of use at the site. Predicated levels of air pollution at the Receptor Points at and adjacent to the site will remain, just, below the National Air Quality Objectives. The hotel buildings are set back from the road, so the Environmental Health team do not have concerns about the impact of poor air quality at the site.

However, any increase in air pollution within the AQMA is contrary to the Local Plan Policy 4/14, which states that development within or adjacent to an AQMA will only be

permitted if it would have no adverse effect upon air quality within the AQMA. Therefore, this application if permitted, would be contrary to the Local Plan**.**

Urban Design and Conservation Team

No objections to the extensions and alterations to the existing Gonville Hotel building, however object to the redevelopment of the Gresham House site for the following reasons:

Scale and Massing
The submitted Gresham Road Street Elevation (drawing 1193-P-GH-101) indicates the proposed new hotel accommodation and spa facilities are separated into three blocks. Blocks A and B are linked together at ground floor level, whilst Blocks B and C essentially form a single combined block, but are visually separated by the recessed glazing area to the corridor at 1st and 2nd floors.

The existing Gresham House addresses the street in a subtle way with its 15m wide gable end fronting the road. We consider that the proposed 4.5m break between blocks A and B is insufficient to effectively break down scale and bulk of the building, particularly from views looking northwest and southeast along Gresham Road. As a result Blocks A, B and C read more as one long (approximately 54.5m) block of development.

The pre-application scheme indicated the proposed building was setback approximately 6.5m from the existing boundary wall along Gresham Road (adjacent to the spa changing rooms). The submitted application now indicates the proposed spa accommodation within Block C projects forward at ground floor level and is, at its closest point, 2.5m from the site boundary. We are concerned that the combined length of the building and proximity to Gresham Road means the scheme is very dominant in the street scene. This will be very imposing on this side of Gresham Road which will affect the setting of nos. 3 and 3A Gresham Road, opposite, and the character of the New Town and Glisson Road Conservation Area. Nos. 3 and 3A Gresham Road are grade II listed and their setting arguably includes the street scape and Gresham House opposite. The impact of the proposals would be to harm the setting of these listed buildings.

The submitted floor plans indicate that the hotel bedrooms within blocks A and B project forward at ground and first floor levels and are setback adjacent to the ground floor link corridor. The 2nd floor is setback further to include four roof terrace areas. Whilst we support the proposed articulation of the Gresham Road elevation, we are concerned that the narrow 2m setback of the hotel rooms on the front face of the building at the second floor level does little to break down the scale and bulk of the proposed building.

Roofscape
The existing Gresham House forms a well-articulated building with a varied pitched roof form and chimneys that relate to other chimneys at No. 3 and 4 Gresham Road. The proposed three storey new hotel accommodation building rises to 10m and includes a flat roof, the 10.6m high glazed stair core (between Blocks B and C) does little to articulate any interest in the proposed roof line. As a result the building appears bulky and is a stark contrast to neighbouring properties.

Landscaping
The landscape strategy report (page 2) indicates 11 trees are identified for removal on arboricultural grounds and a further 16 trees and one tree group removed to accommodate the new development.

Three new trees are proposed along the Gresham Road frontage. We remain to be convinced that these trees will provide the necessary screening of the proposal. The long elevation of the proposed new building will remain highly visible.

Overlooking
The submitted 1st and 2nd floor plans indicate southwest facing bedrooms within Block A. Section A-A as included in application drawing 1193-P-G-105 indicates these rooms are approximately 5m from the rear garden boundary of No. 8 Drosier Road. As a result, it is likely these hotel rooms will potentially result in direct overlooking of this rear garden, with a resulting negative and overbearing impact on the amenity of the occupants at the property, though this will be subject to confirmation of any potential screening by any retained trees/vegetation.

We also consider that there will be an impact on the outlook of No.4 Gresham Road. The proposed three storey building will present a largely blank, imposing south facing elevation to the occupants of that property, at best without windows to the detriment of the occupant's amenity.

Materials and elevations
Submitted elevations indicate the proposed new building will largely comprise of buff coloured facing brickwork, standing seam metal cladding (mainly used for the third floor) and aluminium window frames with timber infill panels. The single storey area accommodating the spa uses comprises primarily of stone cladding.

We are concerned that the proposed northeast elevation of Block C, fronting Gresham Road appears overly dominant due to the large expanse of brickwork on the 1st and 2nd floors. This Block will be highly visible due to the close proximity to the Gresham Road pedestrian entrance and the limited tree planting in this area.

The Gresham Road elevation presents a series of "cube" forms to the public. Some of these cube forms are projecting, some recessive, with roof terraces at second floor level. In our view Blocks A, B and C have little relation to the context of the immediately surrounding, established form on Gresham Road. At a detailed level, the choice of timber window panels and standing seam cladding, along with the bulky, cube-like form do not compliment the established residential characteristics of No.s 3a, 3, 4 and 6 Gresham Road and Owen Webb House.

Conclusion
Whilst the changes proposed to the ground floor of the existing hotel building are supported, the Urban Design and Conservation team remain concerned over the scale, bulk, and design of the proposed new hotel accommodation and consider it will have a detrimental impact on the character of Gresham Road. Furthermore, the Urban Design and Conservation team do not consider the demolition of Gresham House and its replacement meets the tests of relevant Cambridge Local Plan Policies 4/10 and 4/11 and the National Planning Policy Framework (NPPF) paragraph 138. As a result the Urban Design & Conservation Team do not support the applications.

ADDENDUM – received from the Urban Design and Conservation Team, 23rd August:

The Cambridge Historic Core Conservation Area Appraisal.
In the section on Gonville Place, this states in considering that certain redevelopment opportunities (Queen Anne car park and YMCA) are unlikely to become available, that:

"More likely is the conversion and possible extension of the buildings either side of Gresham Road. Any redevelopment of these buildings would need to respect the form and setting of the buildings, the landscaping and trees and the potential impacts on Parkers Piece."

Thus the Appraisal recognised that Gresham House itself (not just the landscape and trees) is of sufficient significance to warrant retention via conversion/extension.

Taken with the New Town & Glisson Road Conservation Area Appraisal map indicating Gresham House to be a "Building important to the character" (of the conservation area), there is a clear assignment of value to the building and expectation (in documents that were subject to extensive public consultation and which have been formally adopted by the Council) of its retention.

This is in contrast to the current development proposals.

Planning Policy Officer

No objection to the principle of the hotel extension. Possible issues with regard to the loss of the two residential flats (policy 6/3) currently in use within the second floor of Gresham House (but not linked or affiliated to the hotel business).

Senior Sustainability Officer (Design and Construction)

No objection. In relation to the renewable/low carbon energy, the provision of a gas fired Combined Heat and Power (CHP) Unit is proposed which, given the year round thermal demand associated with a hotel and spa is supported and meets the requirements of Policy 8/16.

Head of Streets and Open Spaces (Tree Team)

No objection subject to a condition relating to tree protection during construction.

Head of Streets and Open Spaces (Landscape Team)

No objection to the remodelling, extensions and new layout to the existing Gonville Hotel part of the site. Object to the hotel extension and spa building. The visual impact of the spa building will negatively impact on the amenity of the Protected Open Space (Parkers' Piece) and Conservation Area, which is contrary to Policy 4/2. Secondly, the scale/length of the spa building will be too dominant on the street scape of Gresham Road and will be at odds with the adjacent villa character, which is contrary to Policy 3/7.

Head of Streets and Open Spaces (Walking and Cycling Officer)

Cycle parking for guests and staff should be covered.
There should be some visitor parking supplied next to the main entrance. The spa visitor parking is not very visible and would be better placed next to the main entrance path

Travel Plan:
All staff should be provided with a cycle map. Also should be available to guests.
Provision of information about cycle hire is welcome but could be further enhanced.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Object. The proposals are unclear in terms of the actual method of surface water disposal and only list possibilities. There is a large increase in impermeable area and there is no provision to ensure there is not an increase in flood risk which is not consistent with the NPPF. The proposals also do not take into account the Cambridge Strategic Flood Risk Assessment which requires a minimum of 20% reduction in surface water discharge from a previously developed site.

Natural England

Insufficient information on bats. Further work is required to assess the impact on bats, through disturbance to individuals, or from damage or destruction of a roost, in accordance with 'Bat Surveys – good practice guidelines'.

Anglian Water

The surface water strategy/flood risk assessment submitted with the application relevant to Anglian Water is unacceptable. A condition requiring more details about surface water drainage is therefore recommended.

Cambridgeshire Constabulary (Architectural Liaison Officer)

No objection subject to adequate CCTV equipment being installed, particularly along Gresham Road where natural surveillance is generally poor.

Cambridgeshire County Council (Archaeology)

No objection subject to condition requiring a brief for archaeological works.

Design and Conservation Panel (Meeting of 14th August 2013)

The Panel's comments are as follows:

- Gresham House. In the Panel's view, as the last remaining villa in the area not to be re-developed it could be argued that its very survival increases its value and can help to tell the story of how the area's architecture has evolved over time. The Panel were disappointed that alternative options to demolition did not seem to have been explored exhaustively and were not persuaded that Gresham House's retention and refurbishment, either as a whole or in part, had been examined as part of a thorough options appraisal of the development/redevelopment opportunities across the wider site.
- New hotel accommodation and Spa within the Gresham House site. The Panel found the proposed building mass and elevational treatment to be unconvincing. The relationship

between the single storey spa and the 3 storey hotel is rather awkward and fails to provide sufficient enhancement. Concern was also expressed as to the appropriateness of floor to ceiling windows at ground level within a hotel context and questioned the appropriateness of the materials palette in the Conservation Area -specifically the choice of composite panelling.

- The Gonville Hotel entrance. The Panel noted that the principal hotel building had been extended incrementally and incorporated a Georgian house as part of the main entrance. The Panel felt that an opportunity had been missed to reassert the Georgian features, such that the main entrance would be more distinctive and exude a timeless quality.
- Landscaping. The retention of an area of green space and the existing trees to the north west end of the Gresham House site and the existing boundary walls and tree screen along Gresham Road was welcomed. However, it was felt that the proposed re-modelling of the hotel's forecourt landscaping would benefit from further work so as to better project (along with the restored Georgian house entrance) a presence be-fitting of its prominent frontage within the Conservation Area and the aspirations of an enhanced star rating for the establishment. It was suggested that the tall trees screening along Gonville Place should be retained as part of the forecourt's enhancement.

Conclusion:
Although not listed at a national or local level, the Panel would support the view that Gresham House has importance in the context of the Conservation Area and that all options for its retention should be vigorously explored. Overall, the quality of the new development and refurbishments were regarded as not being of a sufficient quality to compensate for the demolition of Gresham House and the resulting harm to the wider setting.

VERDICT – RED (3), AMBER (1)

Disability Consultative Panel (Meeting of 2nd July 2013)

The Panel felt unable to provide detailed comments due to the absence of comprehensive Access statement. Vehicular access and parking were questioned. The doors of the accessible WC also need to open outwards.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations about either or both the applications:

Objecting:

1A(x2), 'Figtrees' 3(x2), 3A	Gresham Road
1(x3), 3, 4(x2), 5, 6(x2) 7, 8(x2), 11(x4)	Gresham Place
26	St. Barnabas Road
11(x2)	Harvey Road
26	Herbert Street
8(x2), 19, 36, 40, 44(x2), 61, 62, 65(x2)	Glisson Road
15, 25, 27	Lyndewode Road
57, 72, 104	Mawson Road
7, 18	Tenison Avenue
47(x2), 116	Tenison Road
15(x2), 18, 22, 27	Fenners Lawn, Gresham Road
7(x2), 8	Drosier Road
42	Devonshire Road
12	Rectory Farm, Little Wilbraham
9	Park Terrace
61(x2)	Highsett, Hills Road
15	Gainsborough Close

Gonville and Caius College (owners of 'Cobwebs' 4 Gresham Road)	

Supporting:

- Cambridgeshire Chambers of Commerce.

7.2 The representations can be summarised as follows:

Objecting:

- The loss of Gresham House as a Local Heritage Asset;
- The impact of the proposal on the character and appearance of the Conservation Area;
- Poor Design: Scale, mass, bulk, out of character;
- The impact on the residential amenities of nearby residents, from potential over-looking and noise and disturbance from hotel residents and plant;
- Traffic implications – from cars potentially using Gresham Road as a 'drop-off' rather than using the main entrance via Gonville Place;
- Potential impact on cyclists and pedestrians who regularly use Gresham Road.

Supporting:

- There is a need for further high quality hotel accommodation in the centre of Cambridge, as identified by the City Council's April 2012 Hotel Future Study. The expansion of the hotel will encourage our visitors to stay in the City rather than seek accommodation elsewhere.

7.3 The Glisson Road/Tenison Road Residents Association have submitted a petition objecting to the proposal and requesting a Development Control Forum. The petition consists of 106 signatures and their grounds for calling a DCF are as follows:

"*To discuss the possibility of modifying the scheme to retain the existing building and mitigating the impact on nearby residential property in terms of traffic noise and amenity"*

7.4 A copy of an on-line petition with 541 local signatures has also been submitted objecting to the proposal. This accompanies the minutes of the DCF.

7.5 SUSTRANS have made a representation as follows:

- The Transport Assessment (TA) is inaccurate and based on unrealistic figures. The TA should be rewritten.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Impact on the character of the Conservation Area and Listed Buildings
4. Impact on Trees
5. Public Art
6. Renewable energy and sustainability
7. Residential amenity
8. Air Quality
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligation Strategy

Principle of Development

8.2 The proposal to expand existing hotel accommodation is generally supported by Policy 6/3 of the Local Plan 2006.

8.3 Gresham House currently incorporates two self-contained flats at first floor level of the building (both of which were occupied at the time of my site visit on 13th June 2013) and which are accessed independently from the Gonville Hotel, and via an external metal staircase from Gresham Road. Loss of Housing is covered under Policy 5/4 of the Local Plan and their loss as

part of a re-development or change of use will not be supported. The proposal is therefore contrary to the aims and objectives of this policy.

8.4 The Cambridge Hotel Futures Study 2012 was endorsed in June 2012 for use as an evidence base for the review of the Local Plan and as a material consideration in planning decisions. However the Hotel Study does not take precedent over the planning policies contained within the current Local Plan in determining planning applications and proposals must also be considered against all other planning material considerations.

8.5 The Study has identified a need for between 979 and 2013 new hotel bedrooms up to 2031. The Study also notes the limited number of 4 star and boutique style hotels within the City Centre and as such proposals to provide such accommodation would be supported by the Study.

8.6 The proposal, in my view, meets the first line of the Policy 6/3 in that it would be strengthening the range of short-stay accommodation in Cambridge, furthermore by assisting the viability of the rest of the Gonville Hotel, it would also be helping to maintain the range of short-stay accommodation in the City Centre.

8.7 The second part of Policy 6/3 seeks to ensure that where there is existing residential use on the site (as there is in Gresham House); this should be retained as permanent residential accommodation. Paragraph 6.10 of the supporting text adds some detail to this requirement. This paragraph states that there is an appropriate balance to be achieved between protecting residential properties and meeting the needs of visitors. The supporting text goes on to state that private residential accommodation to be occupied by the proprietor will be secured by planning conditions to ensure there is no loss of residential units. It is clear from the supporting text that this policy does not seek to re-provide residential units unconnected to the hotel use, but that re-provided residential accommodation is connected to the new/on-going hotel use. This would be more appropriate in small scale guest houses and Bed and Breakfasts, where on-site residential accommodation is required for the efficient running of the Guest House/B&B. In my view, it is unusual for hotels of this scale to provide an on-

site residential accommodation, particularly as the Hotel does not close during the night and is managed by staff who rotate around the clock. The proposal does not intend to re-provide the residential units, and as such would not strictly accord with this part of the policy. However, I do not believe that the policy aims to achieve this requirement in order to make the scheme wholly acceptable. Furthermore, I believe that there are clear economic benefits of providing additional high quality hotel accommodation in this location, which in my view would outweigh the need to insist that residential accommodation should be incorporated within the re-development.

8.9 In my opinion, the principle of the development is acceptable and in accordance with policy 6/3.

Context of site, design and external spaces

8.10 The Gonville Hotel has recently been upgraded from a 3 star hotel to a 4 star. The Hotel is subscribed to the Best Western brand. The upgrading has been achieved through the improvements made to the internal accommodation and commodities within the hotel building. However, in order to retain the 4 star rating, the hotel is required to invest further to bring forward more bedrooms (of no less than 100 in total) and a leisure type of facility (the spa).

8.11 There are two main elements to the proposal: The total demolition of Gresham House and construction of a new building comprising of a day spa and 43 additional hotel bedrooms; Remodeling of the ground floor of the existing hotel to include a small extension to create a new and improved dining room and entrance together with significant changes to the landscaping and layout of the existing hard standing area to the front of the hotel, and external façade of the building.

8.12 The site is within the Central Conservation Area and is appraised in the New Town and Glisson Road Conservation Area Appraisal.

8.13 The site is related to two distinct character areas; Gresham Road, and Gonville Place. These two areas are quite different in terms of the scale and bulk of the buildings. Gresham Road is characterised strongly by residential Victorian architecture in which there are large buildings fronting the road of mainly 3-4

storeys with gaps in between. The site is in close proximity to The Owen Webb building, and nos.3 and 3A Gresham Road, which are listed. The character is somewhat interrupted by the Fenners apartment block, which is a flat roof three storey building set back from the road. Gonville Place is characterised by larger scale buildings which bound the perimeter of Parkers' Piece, such as the Kelsey Kerridge Sports Centre, the Queen Anne multi-storey car park, Parkside Swimming Pool, and the YMCA building, all of relatively large proportions. There are the four remaining houses along Gonville Place (1-4a Gonville Place) that are of a similar scale and period to the dwellings along Gresham House. The setting of Gresham House is softened by the mature trees and vegetation that bounds with Gonville Place and along the boundary with Gresham Road. Gresham House cannot be seen from Parkers' Piece and its main presence is Gresham Road. The Gonville Hotel building, on the contrary, is part of the Gonville Place character. The original part of the hotel was formerly a dwelling and is 19th Century. The building has since been substantially extended either side of it and stands how we know it today. The Gonville Hotel is designated as a Building of Local Interest, but Gresham House is not.

Alterations and Landscaping:

8.14 Taking the first element of the proposal and the alterations to the existing Gonville Hotel, the scheme seeks to create a fully glazed single storey extension to the dining hall on the Gonville Place elevation. The extension is of a contemporary style and in my view, is a positive contribution and would help to activate the frontage of the hotel. I therefore consider this to be acceptable. The scheme also proposes to render the recessed parts of the flank elevation of the original 19th Century house. This seeks to break down the long Gonville Place elevation into three separate elements and frame the original Gonville House building. I consider this to be acceptable.

8.15 The existing front entrance porch is proposed to be removed and replaced with a new fully glazed porch with a lead roof. This element also seeks to improve the façade of the building and the use of traditional materials. I therefore consider this to be acceptable.

8.16 Lastly, the proposals for the existing hotel will result in a more appropriately landscaped frontage to Gonville Place which, in my view, will improve the appearance of the area by removing some of the parking to the front of the hotel and softening the elevation. It would also, in my opinion, create a better outlook for the people dining in the new extension and remove much of the 'hard' parking area which currently dominates the Gonville Place frontage.

Demolition of Gresham House and New Wing to Hotel:

8.17 Turning to the second element, and one which is more fundamental, in my view, is the demolition of Gresham House and the proposed three storey building, incorporating a day Spa, external hot tub, and some cycle parking. In terms of scale and massing, the submitted Gresham Road Street Elevation (drawing 1193-P-GH-101) indicates the proposed new hotel accommodation and spa facilities are separated into three blocks. Blocks A and B are linked together at ground floor level by a glazed building, whilst Blocks B and C essentially form a single combined block, but are visually separated by the recessed glazing area to the corridor at 1st and 2nd floors.

8.18 The existing Gresham House addresses the street in a subtle way with its 15m wide gable end facing the road (note that the building frontage does not front the road). In my view, the proposed 4.5m break between blocks A and B is insufficient to effectively break down the scale and bulk of the building, particularly from views looking northwest and southeast along Gresham Road. As a result, Blocks A, B and C read more as one long (approximately 54.5m) block of development.

8.19 The proposed spa accommodation within Block C projects forward at ground floor level and is, at its closes point, 2.5m from the site boundary. The combined length of the building together with this close proximity to Gresham Road, means that in my view, the scheme will be very dominant in the street scene. This will be very imposing on this side of Gresham Road which will affect the setting of nos. 3 and 3A Gresham Road, opposite, and the character of the Conservation Area adversely.

8.20 The submitted floor plans indicate that the hotel bedrooms within blocks A and B project forward at ground floor and first

floor levels and are set back adjacent to the ground floor link corridor. The 2nd floor is setback further to include four roof terrace areas. Whilst this setback is welcome, in design terms, to help articulate this elevation to Gresham Road, I am concerned that the narrow 2m setback of the hotel rooms on the front face of the building at the second floor level does little to break down the scale and bulk of the proposed building.

8.21 Therefore, I conclude that the scale and massing of the proposed building is unacceptable.

8.22 In terms of height, the existing Gresham House forms a well-articulated building with a varied pitch roof form and chimneys that relate to other chimneys at nos.3 and 4 Gresham Road, and rises to approximately 7.4m. The proposed three storey new hotel accommodation building rises to 10m and includes a flat roof, the 10.6m high glazed stair core (between Blocks B and C) does little to articulate any interest in the proposed roof line. As a result, in my view, the building will appear to be excessively high and bulky in stark contrast to neighbouring properties.

8.23 Gresham House is now accessed via the Gonville Hotel, although the two residential flats are accessed via a small gated entrance from Gresham Road. There is also another gated access further up Gresham Road, within the boundary wall of the site, and set back, which I understand is not used, however the gates remain in situ. Views of Gresham House can be seen from this access. It is proposed that the pedestrian entrance to the Spa facility would be from this existing access. Cyclists could also use this access. This entrance would be emphasised by the removal of some mature trees and planting along the boundary and therefore making the spa and hotel accommodation building even more dominant and prominent within the street scape, which in my view adds to the objection on design grounds.

8.24 In terms of materials, the proposed building will largely comprise buff coloured facing brick, standing seam metal cladding (mainly used for the third floor), and aluminum window frames with timber infill panels. The single storey area accommodating the spa comprises primarily stone cladding. I am concerned that the proposed northeast elevation of Block C, fronting Gresham Road will appear overly dominant due to the

expanse of brickwork on the first and second floors. This block will be highly visible due to the close proximity to the Gresham Road pedestrian entrance and the limited tree planting in this area

8.25 The Gresham Road elevation presents a series of 'cube' forms to the public. Some of these 'cube' forms are projecting, some are recessive, with roof terraces at second floor level. In my view, Blocks A, B and C have little relation to the context of the immediately surrounding, established form on Gresham Road. At a detailed level, the choice of timber window panels and standing seam cladding, along with bulky, cube-like form do not complement the established residential characteristics of nos. 3, 3A, 4, and 6 Gresham Road, and Owen Webb House.

8.26 In my opinion the proposal fails to comply with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Impact on the Character and Appearance of the Conservation Area and Listed Buildings

8.27 The application is supported by a Heritage Statement. Officers in the Urban Design and Conservation Team have raised concerns about the analysis approach and disagrees with its conclusions.

8.28 The site is within the Central Conservation Area and is appraised in the New Town and Glisson Road Conservation Area Appraisal. The Gonville Hotel is a Building of Local Interest, which has been greatly extended, and there are three Listed Buildings in close proximity to Gresham House. The concern is that the proposed demolition of Gresham House and the new development will have a detrimental impact on the setting of the listed buildings and the character and appearance of the Conservation Area.

8.29 The proposed development is considered to have a detrimental impact on the character and appearance of the Conservation Area. I have explained how this would impact on design grounds. However, Policy 4/11 seeks development in Conservation Areas to preserve or enhance the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it. I consider that the proposal fails to achieve this because the quality of the

replacement building relates poorly to the historic environment, and neither preserves or enhances its setting.

8.30 The elements relating to the development at the existing Gonville Hotel, are considered to be acceptable, and in my view would not harm the character and appearance of the Conservation Area, or the Building of Local Interest and as such complies with Policy 4/12 of the Local Plan.

8.31 The element relating to the demolition of Gresham House and the construction of a new building to provide 43 additional bedrooms and a day spa is considered to have a detrimental impact on the character and appearance of the Conservation Area, and harmful to the setting of the adjacent Listed Buildings.

8.32 I am not convinced that the proposal can be successfully integrated within the historic setting, in this form. I am of the view that the large proportions of the blocks and 'cube' like design significantly detracts from the Victorian character of Gresham Road. The proposal, in my view, fails to respect the scale and form of the existing historic buildings and neither enhances or preserves the character of the Conservation Area.

8.33 In my opinion the proposal fails to comply with Cambridge Local Plan (2006) policies 4/10 and 4/11.

Impact on Trees

8.34 Policy 4/4 relates to trees, and requires that development which involves the felling, significant surgery or potential root damage to trees of amenity or other value will not be permitted unless there are demonstrable public benefits arising from the proposal. The proposed development would lead to the removal of 11 trees on Arboricultural grounds, and a further 16 trees and one tree group would be removed to accommodate the development. It is proposed to plant five new trees in strategic locations at the boundary of the site, to complement the existing screening and enhance the hotel entrance. A full Arboricultural report and plans has been submitted, detailing the removal of the trees, and the re-planting of new ones. The proposal seeks to retain the trees along the Gonville Place boundary which screen Gresham House from view from Parkers' Piece. The proposal also seeks to retain the large London Plane Tree to the front of the Gonville Hotel on Gonville

Place. Notwithstanding my concern about the dominance of the new hotel accommodation on Gresham Road because of the removal of some trees, the method for removal and re-planting, as described within the arboricultural report and plans is considered to be acceptable.

8.35 In my opinion the proposal is compliant with Cambridge Local Plan 2006, policy 4/4.

Public Art

8.36 The application includes a Public Art proposal. The requirement for a Public Art scheme is enshrined within the Public Art Supplementary Planning Document, which should either be provided on-site or secured through s106 as a financial contribution, amounting to 1% of construction costs. Further comments are awaited and will be reported on the Amendment Sheet or orally at the meeting.

Renewable energy and sustainability

8.37 The application is accompanied by a Renewable Energy Report. Policy 8/16 of the Local Plan relates to Renewable Energy, and requires major developments to provide at least 10% of the development's total predicted energy requirements on-site, from renewable energy sources. Photovoltaics were considered as an option but are not suitable because there is insufficient space on the roof to accommodate the number of photovoltaic panels required to meet the 10% renewable energy test. A Combined Heat and Power (CHP) system is proposed, and would be installed within the mechanical services plant room. The proposed method is considered to be acceptable, and is therefore supported.

8.38 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.39 The submitted first and second floor plans indicate southwest facing bedrooms within Block A. Section A-A as included in application drawing 1193-P-G-105 indicates these rooms are approximately 5m from the rear garden boundary of no.8 Drosier Road. As a result, it is likely these hotel rooms would result in direct overlooking of this rear garden. I also consider that this elevation is imposing with numerous windows facing in this direction and the building being in close proximity to the boundary. As such, this elevation would appear dominant and intrusive towards no.8 Drosier Road, which in my view, is unacceptable.

8.40 I also consider that there would be an impact on the outlook of no.4 Gresham Road ('Cobwebs'). The proposed three storey building would present a largely blank, imposing south facing elevation to the occupants of that property and its proximity to the boundary would appear unduly over-bearing at a height of approximately 10m.

8.41 In my opinion the proposal fails to respect the residential amenity of its neighbours and the constraints of the site and I consider that it does not comply with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Air Quality

8.42 The site lies within the Air Quality Management Area (AQMA), and therefore Policy 4/14 of the Local Plan is relevant. The Environmental Health team are concerned that the small increase in car/taxi traffic, as a result of the intensification of the use of the site, will have an adverse impact on air quality in the area. The Policy seeks to ensure that all developments within the AQMA do not have an adverse effect upon air quality. The submitted Air Quality Assessment suggests that the intensification is predicted to double the number of car and taxi trips to and from the Hotel. As a result of these predicted figures it is anticipated that an increase of Nitrogen Dioxide around the site will be increased. The assessment does not provide any mitigation measures to minimise this impact and as such the proposal is not supported and is contrary to policy 4/14.

Highway Safety

8.43 The Local Highways Authority raise no objection in terms of highway safety regarding the proposals.

8.44 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

8.45 The extension and refurbishment of the hotel will allow the existing car parking to be re-arranged on site and consolidated to the side and rear of the building. The site currently provides 59 car parking spaces, of which four are disabled spaces. The approach of rearranging the car parking would free up space for a better organized vehicle drop-off area at the hotel entrance, new landscaping in front of the proposed dining room extension, and a designated cycle parking area. The re-arrangement of the car parking would result in a reduction of 15 spaces, providing a total of 37 spaces. The car parking provision would fall below the car parking standards as set out in the Local Plan (requirement would be 85 spaces, based on a total of 127 hotel bedrooms). However I consider that there are other factors that suggests that this reduction in car parking provision could be supported. Firstly, I consider that the proposed re-configurement of the hotel forecourt helps to enhance the visual approach to the hotel and help to assimilate it with the greener surrounding context. The current impression is hard on the eye, with a vast amount of concrete dominating the frontage. This would be significantly reduced, in my view, by the removal of some car parking spaces here. Secondly, the hotel is located close to the City Centre and is easily accessible by walking, cycling and public transport. It would be possible for visitors to choose not to use a private car.

Cycle Parking

The hotel currently has an under provision of cycle spaces on-site (8 spaces). The proposal would include the provision of 52 cycle spaces. The cycle parking provision is intended to be used by staff, day spa/treatment visitors and the restaurant,

rather than hotel residents, exclusively. Eight cycle spaces have been designated for spa users and are located at the spa entrance, off Gresham Road. The remaining cycle spaces are located on the Gonville Hotel site and are intended to be used by all hotel users, including staff. It is unlikely that overnight guests will cycle to the hotel. This provision is over and above the requirement as set out in Local Plan policy 8/6. Included within this provision is an opportunity for guests to hire bikes whilst in Cambridge, which can be offered on-site and has been included within the Hotel's Travel Plan.

The location of the proposed cycle parking has been raised by the Cycling and Walking Officer in her response. There are two areas of cycle parking on the site; A small area of eight spaces close to the Spa entrance, and the remaining 42 are situated to the northeast end of the site behind a gated access. Whilst I agree that it would be a benefit to place some cycle parking next to the main entrance to the hotel, I consider that this would alter the uncluttered visual appearance and approach to the hotel. The locations and level of provision of the cycle parking in my view is acceptable.

8.46 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.47 I have covered the first four points of concerns raised by third parties. The concern raised about the proposed Spa entrance being used as a regular 'drop off' by vehicles and impact on cyclists and pedestrians are noted. The Local Highway Authority have not indicated this to be a significant concern from a public highway safety point of view. I understand that the end of Gresham Road is heavily used by mainly cyclists and pedestrians as they approach the traffic lights on Gonville Place, and I have seen evidence from the DCF that cars often use this area as a turning area. The Highways Authority have not suggested that these actions would be exacerbated by the development of the Gresham House site. As such, I conclude that I cannot recommend refusal of the proposal on the basis of highway safety.

Planning Obligations

8.48 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

<u>Transport</u>

8.49 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the South Corridor Area Transport Plan where the contribution sought per trip is £369. Further information regarding this issue will be reported on the Amendment Sheet.

8.50 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Public Art

8.51 The development is required to make provision for public art. The submitted Public Art Delivery Plan does not give sufficient details of how the public art will be incorporated within the proposal. Further information about Public Art provision will be reported on the Amendment sheet.

Monitoring

8.52 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.53 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

9.1 In conclusion the proposed development is considered to have and unacceptable impact on the character and appearance of the Conservation Area, and to the setting of the nearby Listed Buildings. The proposal would also have a significant impact on the amenity of neighbouring properties. The proposed development also fails to adequately address the issue of air quality within the Air Quality Management Area. Therefore refusal is recommended.

10.0 RECOMMENDATION

1. REFUSE for the following reasons:

1. The proposal to extend the Gonville Hotel creating an additional 43 bedrooms and a Day Spa/Treatment facility would have a detrimental impact on the character of Gresham Road. The proposed extension would replace Gresham House, a large detached two storey Victoriana Villa, located at the end of Gresham Road and nestled within a mature landscaped and "Sylvian" setting, sitting gable end to the road. The proposed contemporary design of the building would not respect the historic scale, grain or rhythm of buildings particularly along Gresham Road. The proposed extension would be three storeys in height, and its design form is 'cube like', comprising of three main elements. By virtue of the scale, bulk and massing of the building and its poor relationship with the historic environment, these 'cube like' elements would detract from the prevailing Victoriana street scape that is Gresham Road. As such the proposal fails to enhance or preserve the character of the Central Conservation Area, and would significantly affect the setting of the nearby Listed Buildings, 3 and 3A Gresham Road, and Owen Webb House. The proposal would therefore be contrary to policies 3/4, 3/7, 3/11, 3/12, 4/10, 4/11, and 4/12 of the Cambridge Local Plan 2006.

2. The proposed development by virtue of its height, scale, mass and proximity to the boundary with no.8 Drosier Road, would have an adverse effect on their private amenity space, which would be 5m away. This impact would be exacerbated by the removal of natural vegetation and trees which would be necessary to facilitate the development. In doing so, the development would create an unacceptable sense of enclosure and erode the space between the buildings and their boundaries that is characteristic of the area. As such the proposal fails to respect the reasonable residential amenities of neighbouring properties, contrary to the aims and objectives of policies 3/7, 3/11, 3/12 and 3/14 of the Cambridge Local Plan 2006.

3. In the absence of information to demonstrate that the use of the development from additional car/taxi movements will not have an adverse impact on air quality in the area which suffers from poor air quality and is designated an Air Quality Management Area, the development is contrary to Policy 4/14 of the Cambridge Local Plan 2006.

4. The proposed development does not make appropriate provision for transport mitigation measures, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 8/3 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010 and the Southern Corridor Area Transport Plan 2002.

Determined under delegated powers by:

Designation - Development Control Manager

Date:

Declaration of Interest for case officer

Does the case officer have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

9 Yes
10 No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]
Signed …….

Declaration of Interest for officer with delegated powers

Does the officer with delegated powers have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

11 Yes
12 No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]

Signed …….

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DEVELOPMENT CONTROL FORUM 14 August 2013
10.00 am - 12.00 pm

Present: Councillors

FOR THE INFORMATION OF THE COUNCIL

1 Declarations of Interest

No interests were declared.

2 Application and Petition Details 13/0646/FUL Gonville Hotel & Gresham House Gonville Place

Committee:	Planning Committee
Date:	14 August 2013
Application No:	13/0646/FUL
Site Address:	Gonville Hotel and Gresham House Gonville Place Cambridge CB1 1LY
Description:	Demolition of Gresham House and refurbishment and extension of Gonville Hotel to provide an additional 43 houses bedrooms and new spa / treatment rooms, with internal and external remodelling of the existing hotel to create and new dining area and hotel entrance, and associated external works and landscaping.
Applicant:	TBC
Agent:	Mr Colin Brown
Lead Petitioner:	Mrs Phillipa Savage
Case Officer:	Ms Angela Briggs
Text of Petition:	Request the convening of a Development Control Forum in relation to planning application 13/0646/FUL regarding the redevelopment of the Gonville Hotel and Gresham House. We wish to discuss the application, Council planning officers and Members of the Planning Committee the possibility of modifying the scheme to retain the existing building and mitigate the impact on nearby residential property in terms of traffic noise and amenity.

Opening Remarks by 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.

Case by Applicant Representative

Mr Martin Lindus (architect) made the following comments;

1) There is a need for the development, particularly for 4/5* accommodation in City Centre.
2) Emerging Local Plan recognises potential of Parkers' Piece area.
3) The hotel needs to remain competitive and invest in added services such as the proposed spa.
4) Need for further revenue to maintain trading position.
5) The requirement for additional bedrooms is critical, there are currently eighty four all of which have recently been upgraded but need in excess of up to one hundred and twenty four rooms to retain viability at 4* level.
6) Current hotel rooms are smaller than desirable which presents an opportunity to remodel and improve the hotel to a high quality both the interior and the exterior.

Mr Matthew Seaborn explained that he had researched the history of the site and the surrounding area beginning in 1813 and gave a brief outline up to the present day. The following points were then highlighted;

7) Looking at the current density of the area Gresham House has become an anomaly within the conservation area grain.
8) The building is of a poor composition and scale with ugly additions added over time.
9) The house itself does not reflect the character of the site but the area that surrounds it such as the important vistas of the trees.
10) The house is a collection of small rooms with low ceilings that could not be converted for the purpose of a 4* star hotel.
11) The interior is unremarkable.
12) The rear garden is very plain and is without merit but the garden element would be important to retain and all key elements would be kept.
13) In comparison to the surrounding buildings on Gresham road the House itself is small in scale and the site lends itself to development.
14) There would be no loss of amenity.

Case by Petitioners:

Mrs Pillipa Savage, lead petitioner raised the following points;

15) Although not a listed building Gresham House is recognised in the Conservation Area Appraisal and by the Cambridge City Council Conservation Office.

16) There were currently two developments on Parkers Piece which benefits the historic location and is sympathetic to the surroundings.
17) Questioned why the hotel could not be extended to keep in with the character of the existing building which would be welcomed.
18) The current building is very much in keeping with the street scene and adds to the village effect experienced in the area
19) The development does not comply with paragraphs 4/10 and 4/11 of the Cambridge Local Plan.
20) The proposed development does not retain any of the existing character. The new three storey property would be a flat roofed contemporary extension which would dominate this particular section of Gresham Road and would destroy the character of the area.
21) The proposed materials do not match the existing properties, particularly the listed buildings in close proximity to the building.
22) Number 3 & 3A Gresham Road are listed houses which stand opposite Gresham House and will be subjugated by the development.
23) Owen Webb House, a listed building opposite Gresham House is an example of a sympathetic development which respects the character of the conservation area.
24) Unsympathetic development is not the way forward and is not progress.
25) There would be a significant loss of trees to the area which ensures the privacy of neighbouring properties.
26) The building was contrary to the national planning policy framework, paragraph 13, and did not make a positive contribution to the conservation area.

Dr Mona Kelly explained that she lived opposite the proposed development and the following objections were made;

27) Gresham House and gardens lie within the conservation area of the new town and central conservation area. The building plays a significant part in balancing the existing street scene.
28) The site is located in a quiet residential area. The demolition and the proposed development could result in disturbance to the neighbouring properties.
29) Gresham House is set opposite listed buildings, Figtrees Cottages and Owen Webb House both of which are an integral part of the historic and picturesque gateway from Gonville Place and Parker's Piece to Gresham Road. The House in relation to these properties plays a vital role in currently balancing and enhancing the aesthetic and historical value.
30) The proposed development would be out of keeping with the existing street scene, not in keeping with the scale of the street scene, would

overlook the surrounding properties and would only have a negative impact to the area.

31) The developers state that the development would be the same height as Cobwebs No.4 Gresham Road, but this house has a completely different volume, setting and proximity to any opposite properties, so is not a fair comparison.
32) The proposed development will have windows that will look directly into the garden of 3 Gresham Road and result in loss of privacy and its lack of use as an enjoyable space.
33) The increase in foot fall and vehicle access would also have an impact on the privacy of No 3 and 3a as neither houses are set back from the footpath and are particularly sensitive to road traffic and footfall.
34) Previously an application for a block of flats to be built behind Owen Web House was refused because following a planning site visit to No 3 Gresham Road, it was apparent that the flats would look directly into the garden.
35) The subsequent sympathetic development of five town houses to the rear of Owen Webb House stipulated that the house immediately adjacent to the garden of No 3 Gresham Road was restricted to a two storey development and not permitted to have windows above ground floor level to the west facing elevation to protect privacy to No 3 Gresham Road and it's garden.
36) The development of a three -storey extension will also exclude the use of the living rooms and bedrooms of No's 3 and 3a Gresham Road as private areas.
37) The erection of such a large three storey building would affect the light onto No's 3 and 3a Gresham Road. The fig-tree which grows on the west facing wall of No 3 Gresham Road had been reported as being one of/if not the oldest in the UK. The overshadowing and loss of sun for this tree would be debilitating.

Dr Kelly presented a petition entitled 'Save Gresham House' with at the time of the meeting four hundred and two signatures. A copy is attached to the original set of minutes of this meeting.

Mrs Darcey Weaver then addressed the meeting. The Committee heard the following objections;

38) The proposal to build a 43-bedroom extension to the Gonville Hotel would have an impact on the traffic congestion already experienced in Gonville Road.
39) The planned use of the gate of Gresham House as an entrance to the Hotel Spa has not been used by the hotel for access to date. The gate

opens directly onto the cycle path at Gresham Road at a point where the road narrows significantly and an increase in pedestrian traffic through the gate would increase the risk of congestion and collisions.

40) Although spa visitors would be encouraged to use the local Queen Anne's car park, the loss of parking spaces at the front of the hotel would result in an overspill onto Gresham Road, especially relevant to wedding receptions and use of the Spa which would remain open in the evening. This end of Gresham Road would inevitably be used as a drop-off point with subsequent increase in turnarounds in the area outside No 3 and 3a Gresham Road.

41) The increase in traffic would cause difficulties for pedestrians and cyclists who use this traffic restricted safe cycle route which is part of the East West Bike path.

Mrs Weaver then showed the Committee a video of the traffic movement turning into Gresham Place over a thirty minute period and the constant flow of cyclists and pedestrians.

Case Officer Comments:

Mrs Angela Briggs acknowledged that both proposals had attracted concerns from third parties, which were as follows;

42) The loss of Gresham House as a local heritage asset

43) The impact of the proposed scheme on the character and appearance of the Conservation Area and nearby listed Buildings.

44) Poor design.

45) The impact on the residential amenities of nearby residents, from potential over-looking and noise and disturbance from hotel residents and plant.

46) Traffic implications – from cars potentially using Gresham Road as a 'drop-off', rather than using the main entrance via Gonville Place

47) Potential impact on cyclists and pedestrians who regularly use Gresham Road.

48) A letter of support had been received from the Cambridgeshire Chambers of Commerce.

The following consultees had been consulted and the following comments made;

49) Urban Design and Conservation Team – no objection to the extensions and alterations to the existing Gonville Hotel building. However, strongly object to the new hotel extension and Spa on the basis of poor design

and impact on the character and appearance of the Conservation Area. The demolition of Gresham House, therefore, also cannot be supported.

50) Local Highways Authority – no objections, subject to confirmation as to whether a contribution needs to be made to the East Area Corridor Transport Plan.
51) Sustainability Officers – no objections to the use of a gas fired Combined Heat and Power unit to meet the requirements of Policy 8/16 of the Local Plan. Object to potential impact of surface water flooding.
52) Environmental Health – object. Negative impact on air quality in the Air Quality Management Area.
53) Anglian Water – No impact on wastewater treatment and foul sewerage treatment, however the surface water strategy is unacceptable.
54) SuSTRANS (charity enabling people to travel by foot, bike or public transport) – object. Transport Assessment inaccurate.
55) Landscape Officer – parts of the scheme are supported, however cannot wholly support application because of the impact on the visual amenity of the area and the scale and length of the Spa building will be too dominant on the streetscape of Gresham Road.
56) Trees Officer – no objection subject to conditions.
57) Archaeology Team – Potential archaeological impacts. Recommend condition requiring a brief for archaeology works.
58) Policy Team – no objection to the principle of the hotel expansion. Possible issues with the loss of the two residential flats (policy 6/3 – loss of housing).
59) Public Art Officer – Public Art proposal is inadequate, therefore cannot comment.

Members Questions:

60) Could the status of the building be confirmed?
A) The building is not listed or recorded as a building of local interest.
64) Are there existing residents at Gresham House?
A) The ground floor is an area which is used by the hotel and there are two flats above ground floor which are not connected to the hotel. One flat may be currently occupied.
65) Could you confirm how those people visiting the spa will be monitored to ensure that they are not parking or dropping off down Gresham Road?
A) The spa would carter for a maximum of 12 day customers who would be educated by staff not to drive down Gresham Road and would be encouraged to park in the Queen Anne Terrace car park.
66) Is the developer aware of the renewable energy issues?
A) Intend on meeting the 10% deadlines
67) What are the main objections from the petitioners?

A) Main concern is the demolition of Gresham House.

Summing on Behalf of Applicant

68) It is not feasible to deliver hotel requirements whilst retaining existing building.
69) The building is felt to make a neutral contribution to the Conservation area.
70) There is no evidence and no reference to the building's character despite extensive research.
71) The hotel is needed in the City center to meet demand.
72) Loss may be regretted by some but necessary if the hotel to improve and remain competitive.

Summing up by the Petitioners

73) The Hotel development should be balanced to the environment which residents would not be opposed to.
74) The proposed design of the large flat roof would dominate the landscape and be out of keeping with the surrounding properties.
75) Pictures of the proposed design were misleading.
76) The planned use of the gate of Gresham House as an entrance to the Hotel Spa was an accident waiting to happen.

Final Comments of the Chair

The Chair observed the following:

77) Notes of the Development Control Forum would be made available to relevant parties.

The meeting ended at 12.00 pm

CHAIR

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Perspective View of Proposed New Accommodation Building
Looking South-East along Gresham Road

No.	Revision	Date	Chckd	Athrised

PLANNING

Charterel Architects
119 Newmarket Road
Cambridge
CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Gonville Hotel

Job: New Accommodation, Extension & Refurb

Drawing: Rendered Perspective Image
Proposed New Accommodation

Scales	Date
NOT TO SCALE	05.04.13
Checked: AJT	Authorised: NTS
Number: 1193-P-G-CGI02	Revision

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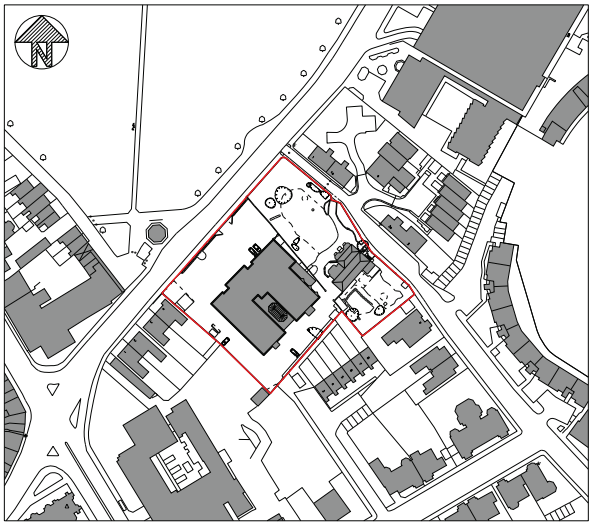
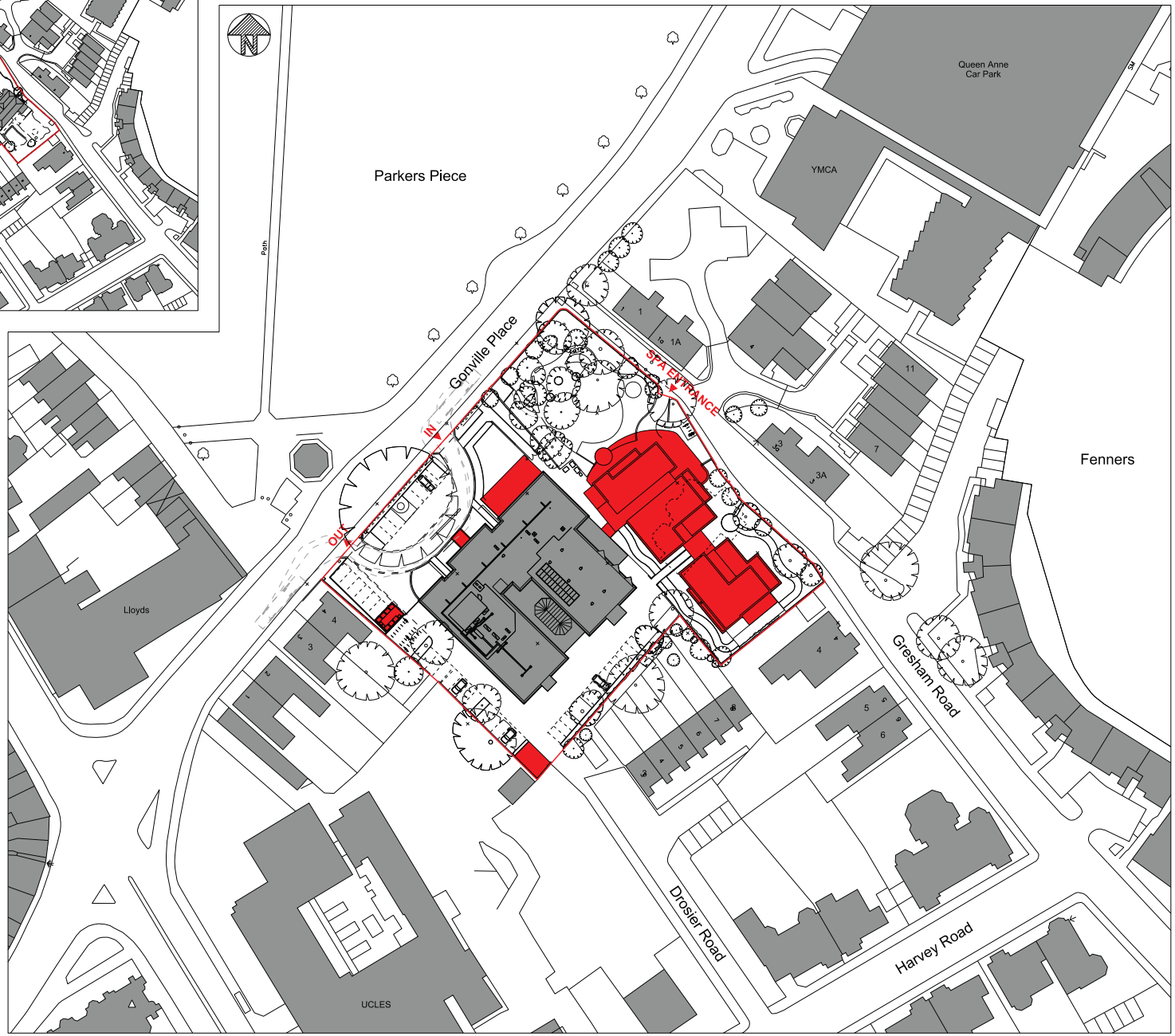


EXISTING LOCATION PLAN
SCALE 1:1250



PROPOSED BLOCK PLAN
SCALE 1:500

No.	Notes.
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6.	Drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative

KEY

- Site Boundary
- Demolition
- Existing Buildings
- Proposed Buildings

SCALE BAR (BLOCK PLAN)
1:500 @ A1 / 1:1000 @ A3

0m 10 20 30 40m

SCALE BAR (LOCATION PLAN)
1:1250 @ A1 / 1:2500 @ A3

0m 10 20 30 40 50m 100m

No.	Revision	Date	Chckd	Athrised

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Gonville Hotel

Job: New Accommodation, Extension & Refurb

Drawing: Proposed Site Location & Block Plan

Scales	Date
1:1250 @ A1 / 1:2500 @ A3 & 1:500 @ A1 / 1:1000 @ A3	05.04.13
Checked: BR	Authorised: AJT
Number: 1193-P-GH-001	Revision: -

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KEY

Site Boundary

Existing Buildings

SCALE BAR
1:200 @ A1 / 1:400 @ A3

0m 2 4 6 8 10m

EXISTING SITE PLAN
NORTH POINT

No.	Revision	Date	Chckd	Athrised

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Gonville Hotel

Job: New Accommodation, Extension & Refurb

Drawing: Existing Site Plan

Scales	Date
1:200 at A1 1:400 at A3	05.04.13
Checked: BR	Authorised: AJT
Number: 1193-P-GH-002	Revision: -

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Page 67

No.	Notes.
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No.	Revision	Date	Chckd	Athrised
P2	Additional screen planting to rear Gresham Site boundary	18.04.13	AJT	NTS
P1	Spa Cycle provision revised	12.04.13	AJT	NTS

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Gonville Hotel

Job: New Accomodation, Extension & Refurb

Drawing: Proposed Site Plan

Scales	Date
1:200 at A1 1:400 at A3	05.04.13
Checked: BR	Authorised: AJT
Number: 1193-P-GH-003	Revision: P2

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No. Notes.
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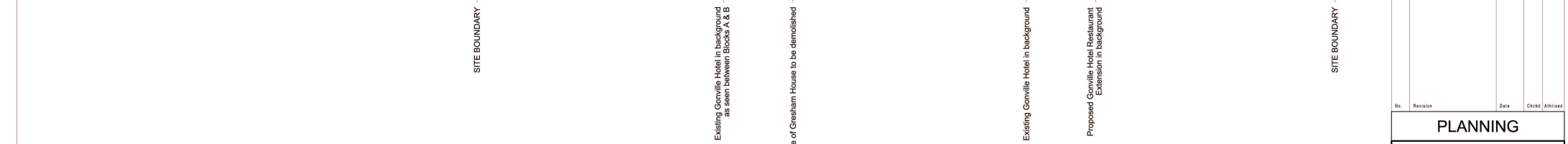
5. This drawing is to be read in conjunction with all other Consultants drawings and specifications.
6. Drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative

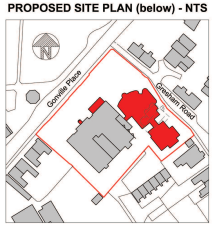
Existing Gresham Road Elevation

No. 5 & 6 Gresham Road | No. 4 Gresham Road | Gonville Hotel Site | Gonville Place

Proposed Gresham Road Elevation



PROPOSED SITE PLAN (below) - NTS



Site Boundary
Demolition
Existing Buildings
Proposed New Buildings / Extensions

SCALE BAR
1:200 @ A1 / 1:400 @ A3

0m 2 4 6 8 10m

No.	Revision	Date	Chckd	Athrised

PLANNING

Chartered Architects
119 Newmarket Road Cambridge CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Gonville Hotel

Job: New Accommodation, Extension & Refurb

Drawing: Existing & Proposed Gresham Road Street Elevation

Scales: 1:200 at A1 1:400 at A3

Date: 11.04.13

Checked: BR | Authorised: AJT

Number: **1193-P-GH-101**

Revision:

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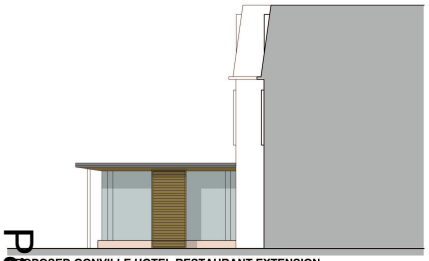
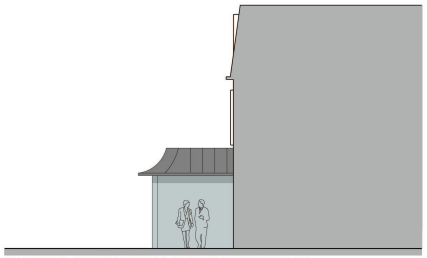
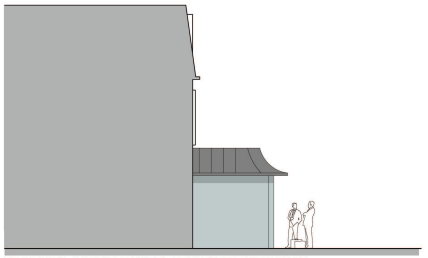
PROPOSED GONVILLE HOTEL RESTAURANT EXTENSION & NEW ENTRANCE PORCH
FRONT (NORTH WEST) ELEVATION



PROPOSED GONVILLE HOTEL RESTAURANT EXTENSION
SIDE (SOUTH WEST) ELEVATION



PROPOSED GONVILLE HOTEL NEW ENTRANCE PORCH
SIDE (SOUTH WEST) ELEVATION



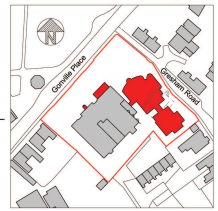
PROPOSED GONVILLE HOTEL NEW ENTRANCE PORCH
SIDE (SOUTH EAST) ELEVATION

PROPOSED GONVILLE HOTEL LAUNDRY EXTENSION
REAR (SOUTH EAST) ELEVATION

PROPOSED GONVILLE HOTEL RESTAURANT EXTENSION
SIDE (NORTH EAST) ELEVATION

No.	Notes.
1.	All dimensions to be verified on site by GENERAL CONTRACTOR and any discrepancies to be brought to the attention of the Architect prior to commencing work or setting out or preparing shop drawings.
2.	Drawings not to be scaled. Work to figured dimensions only
3.	© copyright SAUNDERS BOSTON LIMITED. All rights reserved. This drawing remains the property of SAUNDERS BOSTON LIMITED at all times and may not be reproduced or copied in whole or in part without their prior written consent.
4.	This drawing and related specifications are for use only in the stated location.
5.	This drawing is to be read in conjunction with all other Consultants drawings and specifications.
6.	Drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative

PROPOSED KEY PLAN (below) - NTS



Site Boundary

Demolition

Existing Buildings

Proposed Buildings
Gresham Hotel (as shown in plan)

SCALE BAR
1:100 @ A1 / 1:200 @ A3

0m 1 2 3 4 5m

No.	Revision	Date	Chckd	Athrised

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client
Gonville Hotel

Job
New Accommodation, Extension & Refurb

Drawing
Proposed Hotel
Extension Elevations

Scales
1:100 at A1 1:200 at A3

Date
05.04.13

Checked
BR

Authorised
AJT

Number
1193-P-H-205

Revision
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PLANNING COMMITTEE **Date: 2nd October 2013**

Application Number	13/0647/CAC	**Agenda Item**	
Date Received	28th May 2013	**Officer**	Mrs Angela Briggs
Target Date	23rd July 2013		
Ward	Trumpington		
Site	Gonville Hotel And Gresham House Gonville Place Cambridge CB1 1LY		
Proposal	Demolition of Gresham House, and refurbishment and extension of Gonville Hotel to provide an additional 43 bedrooms and new spa/treatment rooms, with internal and external remodelling of the existing hotel to create a new dining area and hotel entrance, and associated external works and landscaping		
Applicant	Mr c/o Agent		

SUMMARY	The development does not accord with the Development Plan for the following reasons: 1 The loss of Gresham House as a Heritage Asset would harm the character and appearance of the Conservation Area; 2 The demolition of Gresham House is not justified by the public benefit that will derive from the re-development of the site for hotel accommodation as part of the wider Gonville Hotel refurbishment and re-configurement.
RECOMMENDATION	Refusal

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application has been submitted in conjunction with a separate application for the re-development of the site and

refurbishment and reconfigurements of the Gonville Hotel, under Reference 13/0646/FUL.

1.2 The application site is located on the southern side of Gonville Place. It is directly opposite Parkers' Piece, which is a substantial area of protected open space. The Gonville Hotel has views across Parkers' Piece. Gresham House form part of the north eastern boundary of the site. There are residential buildings on the opposite side of Gresham Road. Gresham Court (the former Owen Webb House) is a Grade II Listed Building. The properties on Drosier Road form the south eastern boundary of the site. There are residential properties adjacent to the south western boundary of the site on Gonville Place which are two to three storey Victorian terrace housing. The Gonville Hotel is a three storey building which was originally built as a house. The wings either side were constructed in the late 1970s and forms the main part of the hotel. There have been various additions to the rear of the hotel Access to Gresham House is currently through the main hotel, although there is a gated access way from Gresham Road, which is not in use. Gresham House is a two storey detached Victorian Villa with quite an unusual, but attractive twin bay frontage. The house sits gable end to Gresham Road and fronts onto its landscaped setting. Gresham Road is predominantly residential. Gresham House is essentially split into two sections. The ground floor is used by the hotel for conferences/meetings and for the storage of surplus furniture and equipment. At first floor level, there are two residential flats which are accessed via a separate door from Gresham Road and up through an external metal staircase that wraps around the side and rear of Gresham House. Gresham House sits in a formal landscaped setting, both to the front of the property, and to the rear. The front boundary, along Gonville Place, is heavily landscaped with mature trees and other planting.

1.3 The application site falls within the Central Conservation Area and as such the New Town and Glisson Road Area Conservation Appraisal is relevant. The site crosses Conservation Area Appraisal boundaries, and as such the Cambridge Historic Core Conservation Area Appraisal is also relevant. Gresham House is not a Listed Building, nor a Building of Local Interest. The Roman Catholic Church on the junction of Lensfield Road and Hills Road is a Grade II listed Building, and is a dominant feature of this part of the Conservation Area.

Other Listed buildings within the vicinity include Gresham Court (Owen Webb House) and 3 and 3a Gresham Road, all of which are Grade II Listed. There are no buildings designated as Buildings of Interest adjacent to or within close proximity of the application site. However, the original Gonville Hotel building (former Georgian house) is locally listed as a Building of Local Interest.

1.4 The wider area falls within the Controlled Parking Zone (CPZ) and within the Air Quality Management Area (AQMA).

2.0 THE PROPOSAL

2.1 Conservation Area Consent is sought for the demolition of Gresham House to facilitate the development of a new wing to the hotel which will accommodate 43 additional hotel bedrooms and a day spa/treatment facility.

2.2 The application is accompanied by the following supporting information:

- Design and Access Statement by Saunders Boston
- Heritage Statement by Donald Insall Associates
- Planning Statement by Januarys

3.0 SITE HISTORY

Reference	Description	Outcome
C/03/0346	Change of use of ground floor to conference/meeting rooms and conversion to the first floor to 3No. flats and demolition of garage/ store.	Approved
C/71/0218	Alterations to form dwelling units and conservatory on ground floor, plus two flats on first floor	Approved
C/81/0875	Erection of boundary wall	Approved

4.0 **PUBLICITY**

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition:	No
	DC Forum:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	4/11 4/12 4/13 8/2 9/9

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Material Considerations	<u>Central Government</u>: Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide</u>:

	Air Quality in Cambridge – Developers Guide
	Area Guidelines: Conservation Area Appraisal: Cambridge Historic Core New Town and Glisson Road

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No objection.

Head of Refuse and Environment

6.2 No objection to the demolition process, subject to conditions to control construction, demolition, delivery hours, noise/hours and dust.

Urban Design and Conservation Team

6.3 The comments of the Urban Design and Conservation Team are as follows:

Gresham House is indicated in the New Town and Glisson Road Conservation Area Appraisal as being a building which is important to the character of the area. Therefore it is seen as making a positive, rather than neutral contribution to the conservation area and under paragraph 4.40 of the Cambridge Local Plan 2006, the same tests as for the demolition of a listed building should be applied: 'Works for the demolition of Listed Buildings will not be permitted unless:

a. The building is structurally unsound for reasons other than deliberate damage or neglect; or
b. It cannot continue in its current use and there are no viable alternative uses; and
c. Wider public benefits will accrue from redevelopment.'

6.4 The information submitted does not adequately satisfy any of these tests and therefore the demolition of this building cannot be supported. The application documentation does not say that the building is structurally unsound. The current use of the building is residential and it could remain in use either as an HMO or as a single residence with little alteration. It is believed that a property such as this, in this location could be put on the open market for resale as a residence and would be expected to sell due to the character of the building and the pleasant garden and surroundings. The 'Cambridge Hotel Futures' study, commissioned by Cambridge City Council and published in April 2012, found that there is a need for more 4 star (as well as other large luxury) hotels in the city, which is what the Gonville Hotel is aiming for with the additional services they intend to provide. However this need does not outweigh the fact that the demolition of Gresham House and the erection of the proposed development, which is not considered to be of an appropriate design for this location, would be detrimental to the character and appearance of the conservation area. The character of Gresham Road, and the New Town and Glisson Road Conservation Area, especially where it narrows towards Gonville Place, would be considerably altered if the proposed building were constructed. This would be due to its size, articulation and the loss of Gresham House which is seen as a building important to the character of the area. Should further information come forward in order to meet any of the tests required to agree to the demolition of the building, the loss of Gresham House can only be supported if the proposed redevelopment preserves or enhances the character or appearance of the conservation area. As noted in the comments above, this application does not meet that criterion.

6.5 The Heritage Statement that accompanied the applications does not address the tests for demolition as it does not conclude that the building is of enough substance that its loss would cause any significant harm to the conservation area. However the New Town and Glisson Road Conservation Area Appraisal went through a public consultation exercise in 2011/12 and the highlighting of Gresham House as a Building Important to the Character was not contradicted at that time by any consultees or members of the public. It is agreed that the land on which the building sits is a positive contributor to the character of the area, but the City Council also believes that the house too is important.

6.6 In terms of the NPPF, paragraph 138 regarding a building making a positive contribution to a conservation area, it is argued that the period houses in this part of the conservation area (of which Gresham House appears to be one of the earliest) are important to the character of the area. Therefore the team consider the loss of Gresham House would cause substantial harm to the heritage asset. The road narrows here as it approaches/ exits from Parker's Piece. Either side of the road, 3/3A Gresham Road and Gresham House are of similar characteristics, help mark this point. The view of the Urban Design and Conservation team is that it has not been demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh such harm.

The principle of the demolition of Gresham House and the replacement building is not acceptable under the requirements of Policy 4/10 and 4/11.

6.7 ADDENDUM – Received 23rd August 2013:

The Cambridge Historic Core Conservation Area Appraisal. In the section on Gonville Place, this states in considering that certain redevelopment opportunities (Queen Anne car park and YMCA) are unlikely to become available, that:

"More likely is the conversion and possible extension of the buildings either side of Gresham Road. Any redevelopment of these buildings would need to respect the form and setting of the buildings, the landscaping and trees and the potential impacts on Parkers Piece."

Thus the Appraisal recognised that Gresham House itself (not just the landscape and trees) is of sufficient significance to warrant retention via conversion/extension.

Taken with the New Town & Glisson Road Conservation Area Appraisal map indicating Gresham House to be a "Building important to the character" (of the conservation area), there is a clear assignment of value to the building and expectation (in documents that were subject to extensive public consultation and which have been formally adopted by the Council) of its retention.

This is in contrast to the current development proposals.

English Heritage

6.8 These comments will be reported on the Amendment sheet.

Design and Conservation Panel (Meeting of 14 August 2013)

6.9 The minutes of the Panel meeting were as follows:

Gresham House: In the Panel's view, as the last remaining villa in the area not to be re-developed it could be argued that its very survival increases its value and can help to tell the story of how the area's architecture has evolved over time. The Panel were disappointed that alternative options to demolition did not seem to have been explored exhaustively and were not persuaded that Gresham House's retention and refurbishment, either as a whole or in part, had been examined as part of a thorough options appraisal of the development/redevelopment opportunities across the wider site.

New hotel accommodation and Spa within the Gresham House site: The Panel found the proposed building mass and elevational treatment to be unconvincing. The relationship between the single storey spa and the 3 storey hotel is rather awkward and fails to provide sufficient enhancement. Concern was also expressed as to the appropriateness of floor to ceiling windows at ground level within a hotel context and the appropriateness of the materials palette in the Conservation Area, specifically the choice of composite panelling.

Landscaping The retention of an area of green space and the existing trees to the northwest end of the Gresham House site and the existing boundary walls and tree screen along Gresham Road was welcomed. However, it was felt that the proposed re-modelling of the hotel's forecourt landscaping would benefit from further work so as to better project (along with the restored Georgian house entrance) a presence be-fitting of its prominent frontage within the Conservation Area and the aspirations of an enhanced star rating for the establishment. It was suggested that the tall trees screening along Gonville Place should be retained as part of the forecourt's enhancement.

Conclusion

Although not listed at a national or local level, the Panel would support the view that Gresham House has importance in the context of the Conservation Area and that all options for its retention should be vigorously explored. Overall, the quality of the new development and refurbishments were regarded as not being of a sufficient quality to compensate for the demolition of Gresham House and the resulting harm to the wider setting.

VERDICT – RED (3), AMBER (1)

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations about either or both of the applications:

Objecting:

1A(x2), 'Figtrees' 3(x2), 3A	Gresham Road
1(x3), 3, 4(x2), 5, 6(x2) 7, 8(x2), 11(x4)	Gresham Place
26	St. Barnabas Road
11(x2)	Harvey Road
26	Herbert Street
8(x2), 19, 36, 40, 44(x2), 61, 62, 65(x2)	Glisson Road
15, 25, 27	Lyndewode Road
57, 72, 104	Mawson Road
7, 18	Tenison Avenue
47(x2), 116	Tenison Road
15(x2), 18, 22, 27	Fenners Lawn, Gresham Road
7(x2), 8	Drosier Road

42	Devonshire Road
12	Rectory Farm, Little Wilbraham
9	Park Terrace
61(x2)	Highsett, Hills Road
15	Gainsborough Close
Gonville and Caius College (owners of 'Cobwebs' 4 Gresham Road)	

Supporting:

- Cambridgeshire Chambers of Commerce.

7.2 The representations can be summarised as follows:

Objecting:

- The loss of Gresham House as a Local Heritage Asset;
- The impact of the proposal on the character and appearance of the Conservation Area;
- Poor Design: Scale, mass, bulk, character;
- The impact on the residential amenities of nearby residents, from potential over-looking and noise and disturbance from hotel residents and plant;
- Traffic implications – from cars potentially using Gresham Road as a 'drop-off' rather than using the main entrance via Gonville Place;
- Potential impact on cyclists and pedestrians who regularly use Gresham Road.

Supporting:

- There is a need for further high quality hotel accommodation in the centre of Cambridge, as identified by the City Council's April 2012 Hotel Future Study. The expansion of the hotel will encourage our visitors to stay in the City rather than seek accommodation elsewhere.

7.3 A copy of an on-line petition with 541 local signatures has also been submitted objecting to the proposal. This accompanies the minutes of the DCF relating to Ref: 13/0646/FUL.

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

8.0 ASSESSMENT

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

1. Principle of demolition
2. Impact on Heritage Assets
3. Other environmental impacts
4. Third party representations

Principle of Demolition

8.2 Gresham House is not a Listed Building, nor a Building of Local Interest. It is, however, situated within a Conservation Area.

8.3 The Heritage Statement submitted with the application, by Donald Insall Associates concludes that Gresham House is not a building of architectural importance, nor of historical importance. The report recognises that the building contributes to the immediate local environment in that its scale responds to the two storey Cottages over the road (3 and 3A Gresham Road), but argues that the building is not typical or representative of the greater Conservation Area as a whole.
Gresham House is indicated in the New Town and Glisson Road Conservation Area Appraisal as being a building which is important to the character of the area. Therefore it is seen as making a positive, rather than a neutral contribution to the Conservation Area. Paragraph 4.40 of the Local Plan is particularly relevant. It is a sub paragraph of policy 4/11 (Conservation Areas) and specifically states that when considering the demolition of buildings, which contribute positively to the character of a Conservation Area, the same tests that would apply to the demolition of a Listed Building will be applied (Policy 4/10 – Listed Buildings).

8.4 The Urban Design and Conservation Team have concluded that Gresham House makes a positive contribution to the character of the Conservation Area, and therefore the aims and objectives of Policy 4/10 should be applied. Policy 4/10 is split into two sections. The first section (a, b, c and d) is not relevant as it specifically deals with Listed Buildings. The second section is relevant:

Works for the demolition of Listed Buildings will not be permitted unless:

a) The building is structurally unsound for reasons other than deliberate damage or neglect; OR
b) It cannot continue in its current use and there are no viable alternative uses; AND
c) Wider public benefits will accrue from redevelopment.

8.5 The Heritage Statement submitted with the application fails, in my view, to adequately satisfy any of the above tests because it does not consider the building to make a positive contribution to the character of the Conservation Area and therefore the tests for demolition have not been addressed.

8.6 My view is that there is insufficient analysis and evidence to justify the demolition of Gresham House and therefore the application cannot be supported.

Impact on Heritage Assets

8.7 In this section of my report I consider the submissions made by the applicant and make my assessment against the policy context. The applications for Conservation Area Consent and planning permission are supported by a Heritage Statement as required by paragraph 128 of the National Planning Policy Framework (NPPF). Officers in the Urban Design and Conservation Team have raised concerns about the analysis and conclusions made and do not support the scheme for demolition and redevelopment of the site.

<u>The relevant policy context and assessment</u>

8.8 The advice in the NPPF, Paragraph 138, regarding a building making a positive contribution to a Conservation Area:

Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or Wold Heritage Site should be treated either as substantial harm under paragraph 133 or less substantial under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

8.9 The Urban Design and Conservation Team consider that the loss of Gresham House would cause substantial harm to the heritage assess and as such paragraph 133 of the NPPF is relevant:

Where a proposed development will lead to substantial harm to or total loss of a significance of a designated heritage assess, local planning authorities should refuse consent, unless it can be demonstrated tha the substantial harm or loss if necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) The nature of the heritage asset prevents all reasonable uses of the site; AND
b) No viable use of the heritage assess itself can be found in the medium term through appropriate marketing that will enable its conservation; AND
c) Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; AND
d) The harm or loss is outweighed by the benefit of bringing the site back into use.

8.10 Both the policy and the NPPF look to establish either a clear public benefit or compliance with a set of criteria. It is important to note that a justification for demolition does not need to establish both a public benefit argument and compliance with the criteria or test established by policy/guidance.

8.11 I share the Conservation Team's view that is has not been demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh such harm.

8.12 I am unconvinced that the new hotel extension will be a positive asset to the Conservation Area for the reasons set out in my

report on the planning application. The Design and Conservation Panel, and the Urban Design and Conservation Team share these views.

8.13 In my opinion the proposal fails to comply with Cambridge Local Plan (2006) policies 4/11 and 4/12 and guidance provided by the NPPF and the application is recommended for refusal.

Third Party Representations

8.14 I have addressed the issues raised in this report and in the related report on the planning application.

9.0 CONCLUSION

9.1 In my view the demolition of Gresham House is not justified by the public benefit that will derive from the development of the site for hotel accommodation as part of the wider development of the Gonville Hotel. The assessment of Gresham House as a building which is important and significant to the character of the Conservation Area has not been carried out comprehensively and therefore the complete demolition of Gresham House is not supported by officers.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed demolition is contrary to policies 4/11 and 4/12 of the Cambridge Local Plan (2006) and paragraph 136 of the National Planning Policy Framework 2012 in that in the absence of an approved redevelopment scheme that has a contract for redevelopment and which preserves and enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a contrast with it, the demolition of the building would result in the loss of a heritage asset in the form of a Building which contributes positively to the character and appearance of the Conservation Area.

2. The demolition of Gresham House is not justified by the public benefit that will derive from the development of the site for hotel accommodation as part of the wider development of the Gonville Hotel. As such the proposal to demolish Gresham House would be contrary to Policy 4/10 of the Cambridge Local Plan and paragraph 133 of the National Planning Policy Framework 2012.

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Drawings for application 13/0647/CAC are identical to drawings 1-6 for application 13/0646/FUL and therefore have not been reprinted.

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PLANNING COMMITTEE **Date: 2nd October 2013**

Application Number	13/1129/FUL	**Agenda Item**	
Date Received	1st August 2013	**Officer**	Miss Catherine Linford
Target Date	31st October 2013		
Ward	Cherry Hinton		
Site	40 - 64 Colville Road And 1 - 9 Augers Road Cambridge Cambridgeshire CB1 9EH		
Proposal	The demolition of 18 one bedroom bungalows. Erection of 16 Affordable Older Persons Flats, 3 Affordable dwellings (2 Houses and 1 FOG) and 14 Private Dwellings (6 Flats and 8 Houses). Associated car parking and private and shared amenity space. No change of use. This is a part of the Cambridge City Council Affordable Housing Framework		
Applicant	Mr 950 Capability Green Luton Bedfordshire LU1 3LU		

SUMMARY	The development accords with the Development Plan for the following reasons: 1. The proposed development respects the character of the surrounding area; 2. The residential amenity of neighbouring properties is not significantly impacted upon; and 3. Car parking, cycle parking and refuse storage is successfully integrated into the scheme.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a City Council owned parcel of land, situated between Colville Road, Augers Road and Fishers Lane. The site is an 'L-shaped' plot situated on the northern side of Colville Road. It is relatively flat and has an area of approximately 0.5 hectares. The site is currently occupied by 18 bungalows, arranged in staggered blocks which face onto Colville Road and Augers Road.

1.2 There are a small number of trees on the site, and these are mostly concentrated in the north east and south east corners. In addition to trees within the boundaries of the site there are trees within the verges of Colville Road and Augers Road.

1.3 There is no vehicular access into the site and no parking. Residents gain pedestrian access to the bungalows from Colville Road and Augers Road. There are a series of footpaths between the blocks of bungalows, which allow residents access to their rear gardens and the communal green space behind the bungalows.

1.4 The site is not within a Conservation Area.

2.0 THE PROPOSAL

2.1 Full planning permission is sought for the redevelopment of the site for housing, following the demolition of all buildings on the site. The proposed development comprises part affordable housing (flats for the over 55s, houses with no age stipulation, and a flat over garage unit (FOG) with no age stipulation), which will be maintained by the City Council, and part private housing (flats and houses) to be sold by the developer.

2.2 This is part of the City Council's new Council House building programme. Changes in the regulations mean that the Council can develop new housing, without having to hand the site over to a housing association to develop and manage, as has been the case in the past. The Council has been successful in securing grant funding from the Homes and Communities Agency (HCA). Allocated grant funding from the HCA will be spread across a number of sites and provide 146 new homes by the end of March 2015 (The 146 Programme). This scheme,

along with 9 others has been granted Executive Councillor Approval to proceed.

2.3 The following dwellings will be provided:

Affordable housing

2 x 1-bed flats (for the over 55s)
14 x 2-bed flats (for the over 55s)
1 x 2-bed FOG (no age stipulation)
2 x 3-bed houses (no age stipulation)

Private housing

1 x 1-bed flat
5 x 2-bed flats
8 x 3-bed houses

2.4 Currently, the site is car free and two accesses are proposed onto the site, one on Colville Road and one on Augers Road. It is proposed that the site is developed as follows:

Block A – affordable flats for the over 55s

2.5 This block would stand at the north-western end of the site, with a car parking area (10 spaces) at the front accessed from Colville Road. The proposed building would be 'U shaped' in floorplan. The front of the building and the north-western 'wing' would be three-storeys in height and the south-eastern 'wing' would be single storey. There would be a communal garden area at the rear of the building, between the two 'wings'.

Block B – private flats

2.6 This block would stand adjacent to Block A to the southeast, set further forward with a car parking area (6 spaces) to the rear accessed from Augers Road, on the opposite side of a communal garden area. The proposed building would be almost rectangular in floorplan and would be three-storeys in height, with a single storey cycle store on the south-eastern end.

Private houses

2.7 The private houses would be arranged in semi-detached pairs. Attached to the cycle store of Block B, there would be a pair of two-storey semi-detached houses, with car ports (providing two tandem parking spaces for each dwelling) accessed from Colville Road. Turning the corner onto Augers Road, there would be two pairs of two-storey semi-detached houses, with car ports (providing two tandem parking spaces for each dwelling) accessed from Augers Road. There would be one pair of houses on each side of the access road. Turning the corner onto Fishers Lane, there would be a pair of two-storey, semi-detached houses with two tandom parking spaces for each dwelling alongside the house, accessed from Fishers Lane.

Affordable houses and FOG

2.8 These dwellings would be situated along the Augers Road access road. A pair of two-storey, semi-detached houses would be situated on the north-eastern side of the access road backing onto the proposed houses on Fisher Lane and adjacent to the common boundary with the flats at 60-70 Fishers Lane A FOG would be situated opposite these houses, on the south-western side of the access road, backing onto the proposed houses on Colville Road. Below the FOG there would be three car parking spaces, one for the FOG and one for each of the affordable houses.

2.9 The application is accompanied by the following supporting information:

1. Design and Access and Planning Statement
2. Flood Risk Assessment and Drainage Strategy Report
3. Ecology Report (Extended Phase 1 Habitat Survey)
4. Engineering Assessment including Ground Conditions
5. Public Art Delivery Plan
6. Code Assessment
7. 10% Planning or Zero Carbon Technology Report
8. Sustainability Checklist
9. Site Waste Management Plan
10. Transport Statement
11. Arboricultural Survey

3.0 SITE HISTORY

None.

4.0 PUBLICITY

4.1 Advertisement: Yes
Adjoining Owners: Yes
Site Notice Displayed: Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/4 5/1 5/4 5/12 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Affordable Housing

	Planning Obligation Strategy
Material Considerations	Central Government: Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	Citywide: Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

Application as submitted

6.1 The access to Block A is being shown as being 4.7m in width. This is insufficient to enable two domestic cars to pass each other with ease. There is adequate space to increase the width of the access to 5m without impacting on the design. Conditions are recommended.

Application as amended

6.2 The applicant has submitted an amended site plan showing the access to Block A as 5m in width.

Head of Environmental Services

6.2 No objection. Conditions are recommended relating to construction hours, dust, noise assessment and mitigation (from the British Legion as they can apply for Temporary Event Licences), and waste storage.

Urban Design and Conservation Team

6.3 The Urban Design and Conservation Team supports the application, subject to the introduction of a screening panel on the southern side of the terrace area associated with the FOG; the introduction of a lower boundary fence along the southern and western boundaries of the over 55s block; and details of the proposed porch/entrance canopies.

Senior Sustainability Officer (Design and Construction)

6.4 The general approach to sustainable design and construction and renewable energy provision is supported, further information is requested, notably in relation to the location of the photovoltaic panels and the achievement of some of the Code credits.

Head of Streets and Open Spaces (Landscape Team)

6.5 No objection, subject to minor changes to the landscaping. A condition is recommended requiring a hard and soft landscaping scheme.

Cambridgeshire County Council (Archaeology)

6.6 The site should be subject to a programme of archaeological investigation.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

- 2 Augers Road
- 50 Fishers Lane
- 52 Fishers Lane
- 4 Wenvoe Close

7.3 The representations can be summarised as follows:

Design

- Out of character – the Colville Estate has no other kerbside three-storey flats
- Loss of green space
- Block A looks like a 'prison bloc' or like an inner city block built in the 1960s/1970s

Residential Amenity

- Loss of light
- Dust, noise and parking during construction
- Concern about when materials will be delivered
- Air quality reduced by additional cars
- Additional traffic
- Bus service has been lost
- Overlooking

Other

- The lack of evidence of suitability of Block for older tenants. Second and third floor flats are not suitable or wanted, and people cannot afford to rent a two-bed flat
- The Council will not be able to fill the flats and in the future there will be a request to remove the age restriction
- Piecemeal development process – the Council intends to redevelop the 3 storey flats at the end of Colville Road and the British Legion site

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

8.0 ASSESSMENT

From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Affordable Housing
3. Context of site, design and external spaces
4. Public Art
5. Renewable energy and sustainability

6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Car and cycle parking
10. Third party representations
11. Planning Obligation Strategy

Principle of Development

8.1 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing use and compatibility with adjoining land uses. The site is currently in residential use and is in a predominantly residential area. Therefore, I am satisfied that the proposals comply with policy 5/1 of the Local Plan.

8.2 Policy 5/4 states that the redevelopment of existing dwellings will not be permitted unless it can be demonstrated that;

a) The property is unfit for human habitation and cannot be rehabilitated;
b) It is a subsidiary part of a non-residential property without any practical means of separate access being provided;
c) It is a Listed Building which can best be preserved through change of use;
d) It is necessary for the provision of community facilities for which there is a need in Cambridge; or
e) The lost accommodation is replaced by at least an equivalent amount of new residential floorspace. Such provision will be made on site unless otherwise agreed.

8.3 Until recently, the site was used as housing, managed by the City Council. The site currently accommodates 18 one-bed bungalows.The proposed development is for three one-bed flats, 19 two-bed flats, one two-bed FOG, and 10 three-bed houses – 33 dwellings in total. This is an increase in the number of dwellings on the site and, therefore, I am satisfied that the proposal complies with part e) of policy 5/4 of the Local Plan.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/4 of the Cambridge Local Plan (2006).

Affordable Housing

8.5 Following a change in the rules about how Council's fund their own housing, Cambridge City Council have recently established a new Council House Building Programme. These changes mean that the Council can develop new housing, without having to hand the site over to a housing association to develop and manage, as has been the case in the past. The Council has been successful in securing grant funding from the Homes and Communities Agency (HCA). Allocated grant funding from the HCA will be spread across a number of sites and provide 146 new homes by the end of March 2015 (The 146 Programme). This scheme, along with 9 others has been granted Executive Councillor Approval to proceed.

8.6 It is proposed that 19 of the 33 residential units are affordable. This equates to 58% and as such more than meets the requirements for affordable housing provision as set out in the Local Plan, which is to provide at least 40%. The mix of affordable units comprises two one-bed flats and 14 two-bed flats, for people over 55 years old; and 1 two-bed FOG and 2 3-bed houses.

8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008)

Context of site, design and external spaces

Site layout

8.8 The site layout results in clearly defined public and private space with the buildings around the perimeter of the site along Colville Road, Augers Road, and Fishers Lane clearly addressing the streets. Within the site, the two dwellings proposed along the access road (plots 31 and 32) and the FOG secure the rear boundaries of the gardens of plots 23 and 24, and 29 and 30, creating a secure development.

Scale and massing of Blocks A and B

8.9 Block A has been designed so that it addresses the corner identified at the western edge of the site with an active frontage

to the west and south. To reduce the overall bulk of the building, it has been split into two so that it is 'read' as two separate blocks linked by a lightweight deck. The building would be accessed from the centre, which would take residents onto a deck that would run along the rear of the building leading to an individual front door for each flat. The building would be three storeys in height with the exception of the northeast 'wing' which would be single storey, with a green roof. The building has been reduced in height at this point, to respond to concerns that a taller building would significantly impact upon the occupiers of 50 and 52 Fishers Lane.

8.10 Block B adjacent to this would be simpler in design with a central stair core and a flat on each side. A single storey cycle store would be positioned to the side of this block, linking it to the houses stepping down the height of the built form and reinforcing the built frontage along Colville Road. This building has been stepped forward to maximise amenity space at the rear.

8.11 The housing to the north and west of the site is generally two-storeys in height and consists of semi-detached and terrace houses, and flats. Immediately opposite, on the other side of Colville Road is Colville County Primary School, which is also two-storeys in height. To the west of the site, there is a car parking and behind this are three-storey blocks of flats.

8.12 It has been suggested that the height and scale of Blocks A and B is out of character with its surroundings as the Colville Estate is predominantly two-storey in height. The City Council owned blocks of flats behind the car park are three storeys in height, and although they are not positioned in the same way as Block A would be, they do have a presence in the street. Block A would be set back from the road in much the same way as the School opposite, and it is my view, and that of the Urban Design and ConservationTeam, that this is an appropriate way to develop this end of the site.

Proposed houses

8.13 The proposed houses around the perimeter of site on Colville Road, Augers Road and Fishers Lane are two storeys in height and are not dissimilar in scale or design to the existing houses

on Augers Road. In my opinion they are visually acceptable and will integrate well with the neighbouring houses.

8.14 The submitted elevations indicate windows on the end gables of Plots 25-28 on the corners of the site with Colville Road, Augers Road and Fisher's Lane. Plots 26 and 27 include kitchen and living room windows fronting the internal access road. This approach is supported as it improves surveillance of the site entrance.

FOG unit

8.15 The FOG unit is a significant benefit to the scheme as it secures the rear boundary of plots 23 and 24. The submitted floor plans indicate that the FOG includes a 1.8m deep x 5.6m wide west facing terrace overlooking the shared amenity space associated with Block B. This approach is supported as it provides a generous private amenity space for this unit. In order to prevent overlooking of plot 23 to the south, screening panels will be required on the southern side of the terrace. Details of this can be secured by condition (3).

Materials and elevation treatment

8.16 The proposal takes a simple approach to the treatment for the elevations and materials and includes red facing brick, slim line PVC-u window frames and timber infill panels which is supported in design terms. I recommend a condition requiring details of all materials (4).

8.17 The facing brick proposed for both the flat blocks and houses, responds to the prevailing brick colour of existing semi-detached and terrace houses on Colville Road and Augers Road. Buff brick is proposed within recessed circulation cores (Block B) and at the back of the balconies (Block A). This approach is supported as it helps to break up the elevations.

8.18 Two courses of projecting brickwork are used between floors to emphasise the horizontal form of units and help break up and articulate the elevations.

8.19 On Block A it is proposed that 'hit and miss' brickwork is used on the external walls of the refuse store and scooter room and also within upper parts of the gable wall facing Colville Road.

This approach is supported as it adds interest and helps break up the expanse of brickwork in these locations.

8.20 Both the flat blocks and houses include flat-roofed entrances canopies above each front door. Further details of the design of these canopies are required and this can be secured by condition (5).

8.21 Deep reveal depths, of at least one brick depth, should be provided for window and door recesses to improve the articulation of elevations. This can be secured by condition (6).

Property thresholds

8.22 All houses now include 1.5m threshold spaces to the front of units to help soften the scheme. Planted areas along the southern garden boundary of Plot 27 and northern garden boundary of Plot 26 (located either site of the internal access road) have helped to soften the entrance into the site.

8.23 The submitted drawings indicate 2m high railings and brick pillars as boundary treatment for Block A along the southern (Colville Road frontage) and western boundaries of the site. A lower fence, such as 1.1m high railings, as proposed in front of Block B would appear less dominant and form a consistent approach to the boundary of treatment along Colville Road. I recommend that details of these boundaries are required by condition (7).

8.24 1.8m high brick walls are proposed for the garden boundaries of Plots 23 and 25-28. This approach which forms a robust boundary treatment. The submitted Design and Access Statement indicates 'hit and miss' brick walls for the side garden boundaries of Plots 26 and 27 which face the internal road. This is acceptable.

8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

Landscaping and loss of green space

8.26 Currently, the site includes a large amount of green space at the rear. As this is not visible from the street, it is my opinion that its loss would not have a detrimental impact on the character or

appearance of the area, especially as the proosed scheme includes open space.

8.27 The proposed scheme has large areas of landscaping, and to ensure that these remain of a high quality it is important that they are low maintenance. The Landscape Team are generally supportive of the scheme, but recommend amendments to the submitted landscape plan.

8.28 There are narrow areas of land between the fence and the building on the east and west ends of Block A, and behind the cycle store of Block B. The landscape plan indicates that these areas would be lawn, which would be difficult to mow. It is, therefore, recommended that either the fence is relocated to create more generous areas of lawn or the area is planted with low maintenance shrubs or gravelled.

8.29 It is recommended that the proposed tree on the northeast corner of the site (T1 – Betula utilis jacquemontii) is replaced with a larger tree, and that two further trees are added; one along the access road, adjacent to plot 26, and another adjacent to the car park area for Block B. These trees are shown on the site plan but not on the submitted landscape plan.

8.30 These amendments can be secured through a condition requiring a hard and soft landscape plan (8)

Public Art

8.31 All major developments are required to provide Public Art either on site, if appropriate, or as a commuted sum It has been decided by the Housing Team and applicant that the Council Housing project would benefit from a strategic approach to Public Art across all of the sites.

8.32 An artist has been commissioned to develop a project entitled ‘Thresholds’ where the artist will explore the idea of ‘home’ and what ‘home’ represents by marking the thresholds of ‘home’.

8.33 This concept has been agreed by the City Council’s Public Art Officer. The details of the scheme will be agreed through the S106 agreement.

8.34 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8 and Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

8.35 Policy 8/16 of the Cambridge Local Plan (2006) explains that all major developments are required to provide at least 10% of the development's total predicted energy requirements on site, from renewable energy sources. Photovoltaics have been chosen as the most appropriate technology, which is fully supported. Two options for the photovoltaic system are put forward, one which would see panels utilised for all plots and one which would see panels used on the affordable units only (Block A and plots 31, 32 and 33). Under both options, the levels of carbon saving achieved would exceed the minimum requirements of Policy 8/16 of the Local Plan. Details showing the exact positions of the panels has not been submitted, and it is recommended that these details are required by condition (9 and 10) to ensure that the requirements are met.

8.36 There is no longer a bus service between the site and Cherry Hinton High Street and concern has been raised that older residents will find it difficult to access local services. This is regrettable, but is not under the control of the City Council.

8.37 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Residential Amenity

<u>Impact on amenity of neighbouring occupiers</u>

Block A

8.38 Block A has the greatest potential to result in adverse impacts on neighbour amenity. The building would stand to the southwest of the British Legion on Fishers Lane, and 50-58 Fishers Lane, and would be set back 12.8m from the road. The building would be 'U-shaped' in plan, with two 'wings' at the rear.

8.39 The ‘wing’ on the northeastern side of the building would be three-storeys and would stand behind the British Legion car park. This part of the building would stand 4m from the common boundary. In my opinion, this ‘wing’ would not have a significant detrimental impact on neighbours as it would not be directly adjacent to any other buildings. This wing would stand to the southwest of the British Legion car park and would not, in my opinion dominate, enclose or overshadow the British Legion building or the doctor’s surgery to an unacceptable degree.

8.40 The wing on the northeastern side of the building would be single storey and (at its closest point) would stand 2m from the common boundary with 50 and 52 Fishers Lane. These neighbouring properties do not have large gardens, with No. 50 standing (at its closest point) 5.2m from the common boundary; and No. 52 standing (at its closest point) 7.4m from the common boundary. The proposed building would stand to the southwest of these neighbouring properties.

8.41 The common boundary between the site and 52 Fishers Lane is heavily planted on both sides. The proposed building would be single storey at this point, with a flat green roof, and it is my opinion that it would not be overly dominant when seen from 50 or 52 Fishers Lane.

8.42 The three-storey element of the building would stand 11m from the common boundary with 50 and 52 Fishers Lane. The access deck would run along the back of the building. The submitted plans show that the balustrading along the edge of the deck would be perforated metal, allowing views through it. The deck would be used for access, and would not be used as amenity space as balconies would be provided at the front of the building. In my opinion, this would mean that any overlooking from the deck would be minimal and not significant enough to warrant refusal of the application. However, in order to reduce the perceived overlooking I recommend a condition requiring full details of screening (11).

Block B

8.43 Block B would stand adjacent to Block A on Colville Road but further forward, and would be set back 3m from the road. This building would be rectangular in floorplan and three-storeys in

height, with a communal garden directly behind the building and a car parking area beyond this. The car parking area would abut the common boundary with the flats at 60-70 Fishers Lane The car parking spaces would not be hard up against the common boundary and the common boundary is heavily planted. It is my opinion that the proposed car park would not disturb these neighbours to a significant degree. The proposed building would stand 23m from the common boundary and, therefore, would not enclose, dominate or overshadow these neighbours. Windows and balconies are proposed on the rear of the building but, due to the separation distance between the proposed building and the neighbouring properties on Fishers Lane, it is my opinion that any overlooking would not be significantly detrimental.

Private houses

8.44 The private houses would stand around the perimeter of the site, on Colville Road, Augers Road and Fishers Lane frontages. Their impact on existing, neighbouring residential properties would, in my view, not be significant. Plots 23 and 24 would stand opposite the School; plots 25 and 26, and 27 and 28 would stand opposite other houses on Augers Road; and plots 29 and 30 would stand opposite houses on Arran Close.

8.45 Plot 30 would stand adjacent to the common boundary with the flats at 60-70 Fishers Lane adjacent to the parking area at the front, with the tandem car parking spaces for plot 30 providing a buffer between the proposed house and the boundary. Due to the orientation of the buildings, the proposed house would cast shadow over the car parking area in the late afternoon, but it is my view that the impact of this would be minimal and not at a level significant enough to warrant refusal of the application. Plot 30 would have windows on the rear elevation, but these windows would only allow oblique views across to the flats at 60-70 Fishers Lane. In my view, this form of overlooking, is acceptable in an urban area.

Affordable houses and FOG

8.46 These dwellings would be situated along the Augers Way access road. The proposed two-storey houses (plots 31 and 32) would stand on the northeastern side of the access road, adjacent to the common boundary with the flats at 60-70

Fishers Lane The proposed houses would stand to the southeast of these neighbouring properties 1.8m from the common boundary.

8.47 Plot 31 would stand adjacent to the common boundary with the flats at 60-70 Fishers Lane. The neighbouring building is 'T-shaped', and the proposed house would stand adjacent to the rear section of the neighbouring plot, which appears to be used as amenity space. Due to the orientation of the buildings, the proposed house would cast shadow over the amenity space in the late afternoon, but it is my view that the impact of this would be minimal and not at a level significant enough to warrant refusal of the application. Plot 31 would have windows on the rear elevation, but these windows would only allow oblique views across to the flats at 60-70 Fishers Lane. In my view, this form of overlooking, is acceptable in an urban area.

Noise and disturbance during construction

8.48 The site is close to other residential properties and opposite a School. I, therefore, recommend that a Demolition and Construction Environmental Management Plan is required by condition (2), which will contain details including demolition and construction hours, delivery hours (to avoid school dropping off and picking up times), contractor working arrangements (including parking), noise and dust suppression.

8.49 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Air quality

8.50 Environmental Health have not raised any concerns regarding air quality. The additional traffic produced by the development would not be excessive and considering that the site is not within an Air Quality Management Zone it is my opinion that the development would not have a significant detrimental impact on air quality in the area.

Amenity for future occupiers of the site

8.51 The British legion community hall at 58 Fishers Lane is at the rear of the site and in relatively close proximity to the application site. Twelve temporary event notices can be applied for under the Licensing Act 2003 to allow licensable activities at the site such as the sale of alcohol and the provision of regulated entertainment which can continue beyond 11pm. These activities have the potential to impact upon the proposed development site. It is recommended an assessment is undertaken to establish the potential impact of regulated entertainment at the community hall on the proposed development site, as further noise mitigation may be required in addition to the proposed 1.8m high close boarded fence at the site boundary. This can be secured by condition (12).

8.52 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

8.53 The bin stores for Blocks A and B would be located within the buildings. The submitted plans show that it is intended that the refuse collection vehicle would stop at the entrance gate to the car park of Block A to allow the bins to be collected from this building; and that the refuse collection vehicle would then enter the site, using the Augers Road entrance, to collect the bins from Block A and the affordable houses and FOG within the site.

8.54 The Refuse Team have explained that it would not be possible for the refuse collection vehicle to stop at the entrance to the car park of Block A as the space allowed is too short (the space is 10m in length and the refuse collection vehicle is 11.5m in length). Cars can currently freely park on both Colville Road and Augers Road and the reversing manoeuvre of the refuse collection vehicle may not be possible with parked cars nearby inhibiting the swing/ turning circle of the vehicle. This would make collecting waste problematic as it would mean that the refuse collection would have to stop in the road and would also mean that the refuse collectors would need to walk further. Due

to the proximity of the School, Colville Road and Augers Road are heavily used and parked along at school dropping off and picking up times. These roads have no parking restrictions and the Local Planning Authority cannot impose them. When it was occupied, refuse would have been collected from the site with the refuse collection vehicles stopping in the road. In my opinion, although it may well be problematic, waste can be collected from the site and it would therefore be unreasonable to refuse planning permission on these grounds. However, in order for the site to work, this needs to be resolved. Further details on this issue will be reported on the Amendment Sheet .

8.55 The submitted plans do not show the suitable bin sized Block B. The store may also be too small, and it may be difficult to manoeuvre bins into and out of the store. The Refuse Team are of the opinion that this is resolveable, and I, therefore, recommend that details of this bin store are required by condition (13).

8.56 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

8.57 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) states that no more than one car parking space should be provided for a dwelling with up to two bedrooms, and no more than two parking spaces should be provided for a dwelling with three or more bedrooms

8.58 It is proposed that a car park is provided for Block A, with 10 spaces for the 16 flats; a car parking is provided for Block B, with six parking spaces for the six flats; each private house has two parking spaces; and each affordable house and the FOG has one parking space. The parking spaces proposed for Block B and the houses meet the standards, whereas the number of parking spaces proposed for Block A is below the standards. Concern has been raised about the lack of car parking spaces proposed. Considering the site's location, very close to Cherry Hinton High Street and the Local Centre, and because Cherry Hinton is linked to the City Centre and onward public transport

routes it is my opinion that it would be unreasonable to refuse planning permission for this reason.

Cycle Parking

8.59 Block A would have two covered cycle parking areas at the rear of the site, on the deck, adjacent to the staircases. The number of cycle parking spaces proposed (16) is below those stated in Appendix D (Cycle Parking Standards) of the Cambridge Local Plan, but the Housing Team consider this provision to be appropriate, as it matches the provision at other similar sites in the City. Even so, it is my opinion that full compliance with the standards should be sought. There is sufficient space on site for additional cycle storage and I therefore recommend a condition requiring details of cycle storage (14). A scooter store is also proposed within the building, adjacent to the entrance.

8.60 A secure cycle store would be provided adjacent to Block B, with access to Colville Road and the car park to the rear. Twelve cycle parking spaces are proposed in this store which meets the requirements of Appendix D.

8.61 Each house would have a secure cycle shed in the rear garden, and the FOG would have a cycle store within the building. This approach is acceptable in principle. Details of these stores have not been submitted and I therefore recommend that these details are required by condition (14).

8.62 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

The lack of evidence of suitability of Block for older tenants. Second and third floor flats are not suitable or wanted, and people cannot afford to rent a two-bed flat

8.63 This is not a planning issue. However, a response has been requested from the Housing Team, which will be reported on the Amendment Sheet.

The Council will not be able to fill the flats and in the future there will be a request to remove the age restriction

8.64 This will be a clause in the S106 agreement. If the Housing Team wishes to accommodate residents under 55 years old in the flats in the future, they will need to seek to vary the S106 agreement. The impact of this would then be assessed. No changes to the building would be required in order to accommodate those under 55 years old, but the local planning authority would seek additional S106 contributions, such as education contributions.

Piecemeal development process – the Council intends to redevelop the 3 storey flats at the end of Colville Road and the British Legion site

8.65 The proposal would not prejudice the development of these neighbouring sites in the future. The application should be assessed on its own merits.

Planning Obligations

8.66 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary

Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.67 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.68 The application proposes the erection of 10 three-bedroom houses, 20 two-bedroom flats (including the FOG) and 3 one-bedroom flats. 18 residential units would be removed, so the net total of additional residential units is 15. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	**Total** £
18	73	55	55	238	**13,090**

Indoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	**Total** £
18	73	55	55	269	**14,795**

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	**Total** £
18	73	55	55	242	**13,310**

Provision for children and teenagers					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units (and not over 55s)	Assumed net additional persons not in 1-bed units	£ per person	**Total** £
18	73	42	42	316	**13,272**

8.69 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.70 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		

2-bed	1256	5 additional	6280
3-bed	1882	10 additional	18,820
4-bed	1882		
		Total	**25,100**

8.71 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.72 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	15 additional	2250
		Total	**2250**

8.73 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Household Recycling Centres

8.74 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and

Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.75 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.76 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at £5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u> Total number of households in catchment	x New households in catchment	
	x 24,273	= £4,611,730

£22 million 115,793
Total Developer Contribution per household = £190

The net gain is 15 therefore the necessary contribution towards HRC is £2850.

8.77 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

Education

8.78 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.79 In this case, 15 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, primary education, secondary education, and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		810	16	12,960
				Total	**12,960**

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1350	16	21,600
				Total	**21,600**

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1520	16	24,320
				Total	**24,320**

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+-beds	2		160	15	2400
				Total	**2400**

8.80 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003)

policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Public Art

8.81 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.30 to 8.33 above that in this case provision for public art should be made on site

8.82 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8, Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Monitoring

8.83 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as _150 per financial head of term and _300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.84 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

9.1 The proposed scheme will provide much needed Council housing alongside private housing. In my opinion, the proposal respects the character of the surrounding area and would have a minimal impact on neighbouring residents. The application is, therefore, recommended for approval, subject to conditions and the completion of a S106 agreement.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

1. APPROVE subject to the satisfactory completion of the s106 agreement by 31 January 2014 and subject to the following conditions and reasons for approval:

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

   Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development, including demolition, a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

   a) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
   b) Demolition and construction hours.
   c) Delivery times for demolition and construction purposes.
   d) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
   e) Maximum noise levels
   f) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
   g) Maximum vibration levels
   h) Dust management and wheel washing measures in accordance with the provisions of London Best Practice Guidance: The control of dust and emissions from construction and demolition.
   i) Prohibition of the burning of waste on site during demolition/construction.
   j) Site lighting.
   k) Drainage control measures.
   l) Screening and hoarding details.
   m) Access and protection arrangements around the site for pedestrians, cyclists and other road users.

n) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
o) External safety and information signing and notices.
p) Consideration of sensitive receptors.
q) Prior notice and agreement procedures for works outside agreed limits.
r) Complaints procedures, including complaints response procedures.
s) Membership of the Considerate Contractors Scheme.

Works shall be carried out in accordance with the approved DCEMP.

Reason: To minimise the impact on neighbouring properties in terms of noise and disturbance (Cambridge Local Plan 2006, policy 4/13)

3. Prior to occupation, full details of the screen to the terrace of the FOG (plot 33) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006, policy 3/7)

4. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

5. Prior to installation, full details of all entrance canopies shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the appearance is acceptable. (Cambridge Local Plan 2006, policy 3/12)

6. The depth of the reveal for all external windows and doors shall be no less than 75mm.

   Reason: To ensure the appearance of the building is acceptable. (Cambridge Local Plan 2006, policy 3/12)

7. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

   Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

   Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. Prior to installation, full details of the positioning of the proposed solar panels shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure they are visually acceptable and efficient. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

10. The proposed on-site renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The renewable energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16).

11. Prior to the occupation, full details of a screening system for the deck on Block A shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 3/7)

12. Part A

Prior to the commencement of development works a noise report that considers the impact of entertainment noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Part B

Following the submission of the noise report and prior to the commencement of refurbishment/development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and/or boundary treatment for protecting the residential units from noise from the neighbouring entertainment use shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. These levels shall be achieved with ventilation meeting both the background and summer cooling requirements.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

13. Prior to the commencement of development, with the exception of below ground works, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason; To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/13)

14. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be 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 appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

15. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 31 January 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, public art, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1, the Public Art Supplementary Planning Document 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, and Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

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Affordable Residential:
BLOCK A (3 1/2 Storey, 16 Flats)
55+ FLATS
2 No. 2B3P Flats (81 Sq m)
12 No. 2B3P Flats (70 Sq m)
2 No. 1B2P Flats (57 Sq m)
10 No. Unallocated Parking Spaces
2 No. 3B5P House (90 Sq m - Wide Frontage)
1 No. 2B3P FOG (65 Sq m)
3 No. Unallocated Parking Spaces
Total Affordable: 19 No.
Private Residential:
BLOCK B (3 Storey, 6 Flats)
5 No. 2B4P Flats with 1 No. Parking Space (64.5 Sq m)
1 No. 1B2P Flats with 1 No. Parking Space (55.7 Sq m)
2 No. 3B5P House with 2 No. Parking Space (79 Sq m - Wide)
4 No. 3B5P House with 2 No. Parking Space (86 Sq m)
2 No. 3B5P House with 2 No. Parking Space (102 Sq m)
Total Private: 14 No.
Site Total: 33 No.
FISHER'S LANE
COLVILLE ROAD
AUGERS ROAD
Colville County Primary School
Car Park
Surgery
Club
Sub Sta
House
Block A Plots 1-16
Block B Plots 17-22
Block B Parking
Cycle Store
Plot 23 3B5P
Plot 24 3B5P
Plot 25 3B5P
Plot 26 3B5P
Plot 27 3B5P
Plot 28 3B5P
Plot 29 3B5P
Plot 30 3B5P
Plot 31 3B5P
Plot 32 3B5P
Plot 33 2B3P FOG
North
Scale Bar (Metres)
KEY
Site Boundary
Allocated Market Parking
Unallocated Affordable Parking
SURAFCES LEGEND
Grass
Gravel
Permeable Paving - Type A
Permeable Paving - Type B (All Highways Un-adopted/ Shared)
Permeable Paving - Type C
Permeable Paving - Type D
Tarmac (All Highways Un-adopted/ Shared)
600 x 600 Concrete Paving Slabs (Pedestian Paths in Back Gardens from Pati to Sheds
PLANTING LEGEND
New Tree (Refer to Landscape Design)
Existing Tree Retained (Read in conjunction with Tree Reprt)
Existing Tree Removed
New Planting
MISC LEGEND
New Rotary Dryer
Compost Bins
Indicative Vehicle Visibility Splays
Indicative Pedestrian Visibility Splays
No. Notes.
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6. Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative.
C Visibility Splays Added and General Revisions 04/09/2013 CR NDMG
B Schedule Corrected 03/07/2013 NDMG
A Block A Revisions Following Planning Comments 02/07/2013 NDMG
No. Revision Date Chk Auth
PLANNING
Charterel Architects 119 Newmarket Road Cambridge CB5 8HG Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston
Client Keepmoat
Job Colville Road, Cambridge
Drawing Proposed Site Plan
Scales 1:250 @ A1, 1:500 @ A3
Date May 2013
Checked CR
Authorised NDMG
Number 1244 / P / L / 03
Revision C

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BLOCK A

2 No. 2B3P Flats
12 No. 2B3P Flats
2 No. 1B2P Flats
Plots - 1 to 16

2B3P Flat
Gross Internal Floor Area
81 Square Metres
(Measured to Internal Plaster Face)

Lifetime Homes Compliant
Code 4 for Sustainable Homes

2B3P Flat
Gross Internal Floor Area
70 Square Metres
(Measured to Internal Plaster Face)

Lifetime Homes Compliant
Code 4 for Sustainable Homes

1B2P Flat
Gross Internal Floor Area
57 Square Metres
(Measured to Internal Plaster Face)

Lifetime Homes Compliant
Code 4 for Sustainable Homes

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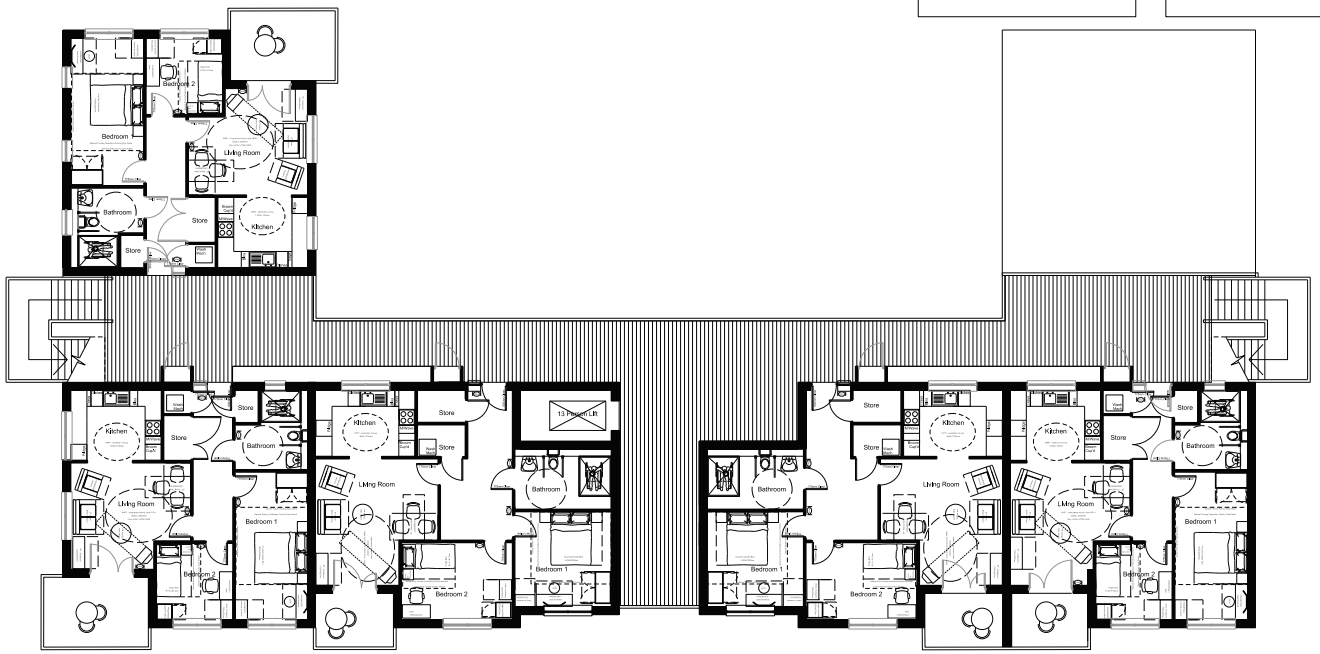
6.	Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative



First and Second Floor Plan (1:100)

Plots 17-22

0 5

1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.		Date	Chk	Auth
B	General Revisions	29.07.13	CR	NDMG
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block A Proposed Floor Plans (Plots 1-16)

Scales: 1:100 at A1

Date: 09.07.13

Checked: CJ

Authorised:

Number: 1244/P/001

Revision: B

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BLOCK B - Open Market

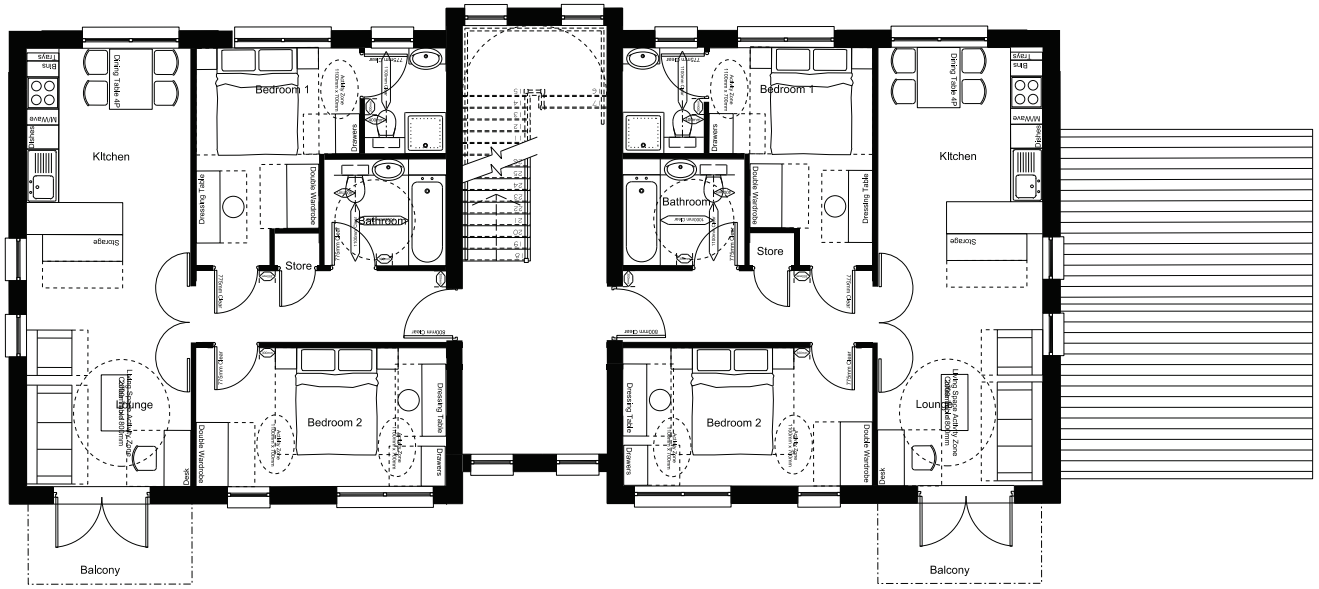
5No 2 Bedroom 4 Person
1No 1 Bedroom 2 Person
Plots - 17, 18, 19 ,20, 21 & 22

1B2P Flat
Gross Internal Floor Area
55.7 Square Metres
(Measured to Internal Plaster Face)

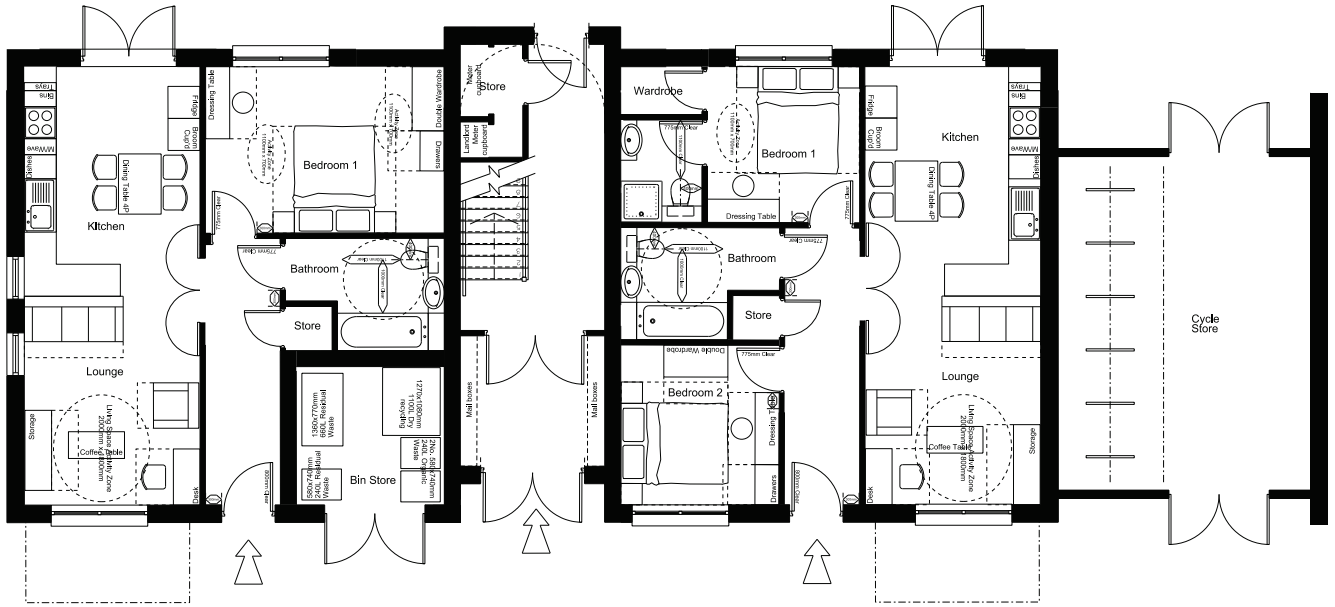
Lifetime Homes Compliant
Code 4 for Sustainable Homes

2B4P Flat
Gross Internal Floor Area
64.5 Square Metres
(Measured to Internal Plaster Face)

Lifetime Homes Compliant
Code 4 for Sustainable Homes

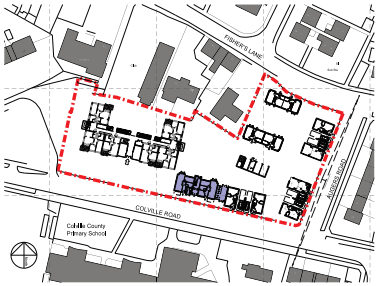


First and Second Floor Plan (1:50)



Ground Floor Plan (1:50)

Plots 17-22



0 5

1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
D	General Revisions	29.07.13	CR	NDMG
C	Client Brief	25.07.13	CJ	NDMG
B	Client Brief	19.07.13	CJ	NDMG
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Chartered Architects
119 Newmarket Road
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CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block B Proposed Floor Plans (Plots 17-22)

Scales: 1:50 at A1 1:100 at A3

Date: 03.07.13

Checked: CR

Authorised:

Number: 1244/P/004

Revision: D

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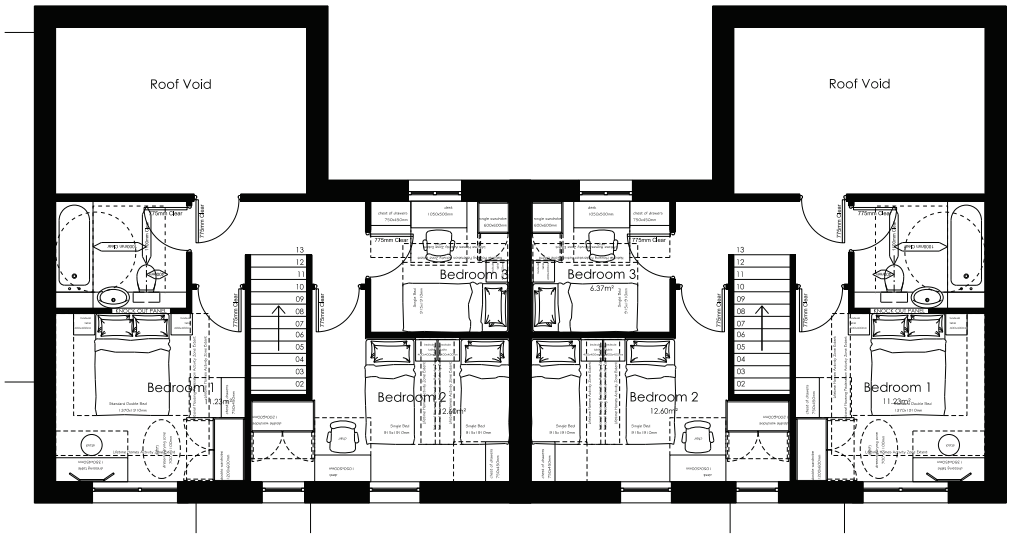
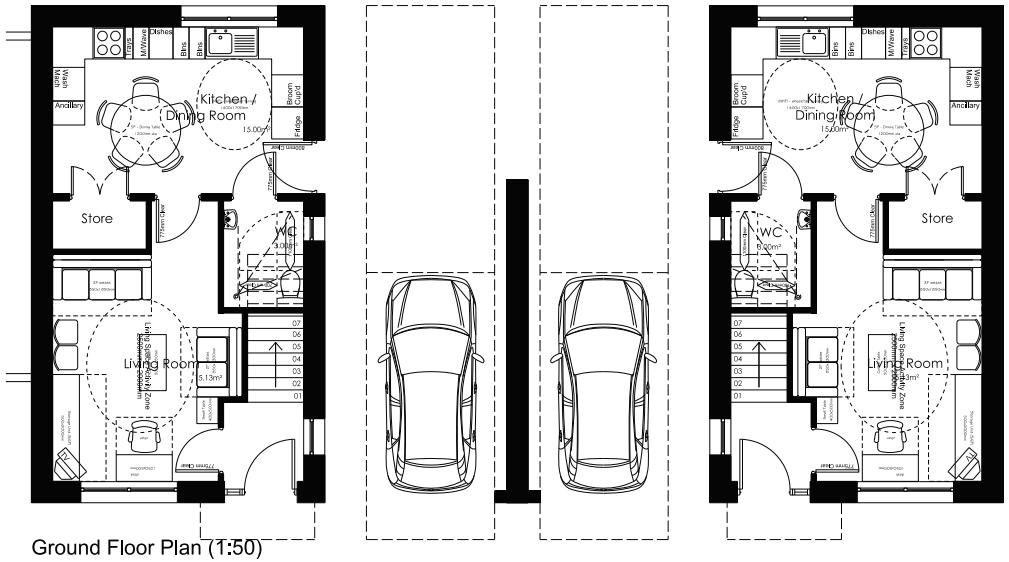
BLOCK C - Open Market

3 Bedroom 5 Person
Plots : 23 & 24



First Floor Plan (1:50)



Ground Floor Plan (1:50)

Plots 23 & 24

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6.	Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative

3B5P House
Gross Internal Floor Area
80.4 Square Metres
(Measured to Internal Plaster Face)
2 Storey

Lifetime Homes Compliant
Code 4 for Sustainable Homes

0 5
1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Saunders Boston
Chartered Architects
119 Newmarket Road Cambridge CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block C Proposed Floor Plans (Plot 23-24)

Scales: 1:50 at A1 1:100 at A3
Date: 03.07.13
Checked: CR
Authorised:
Number: 1244/P/005
Revision: A

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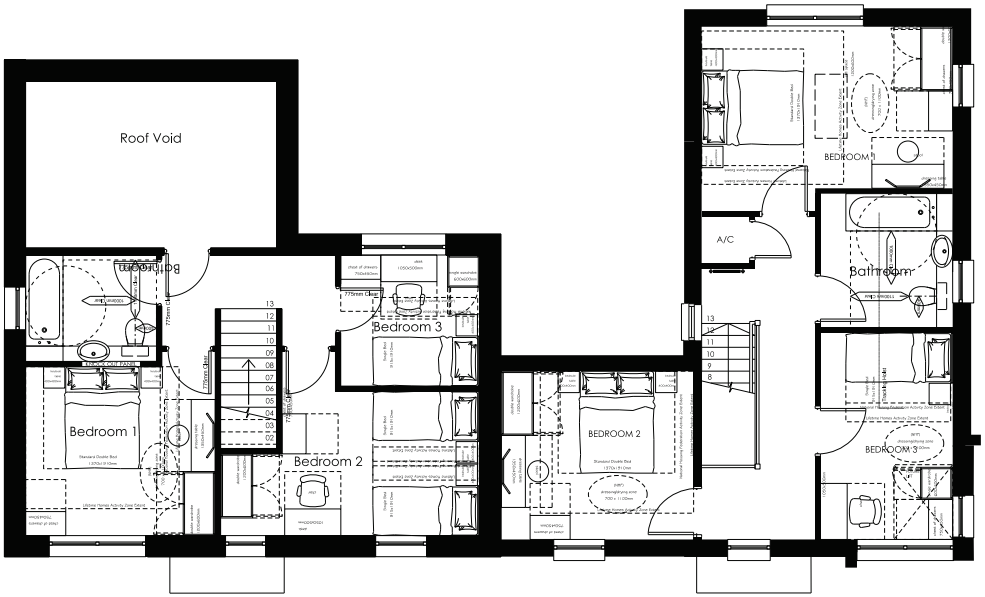
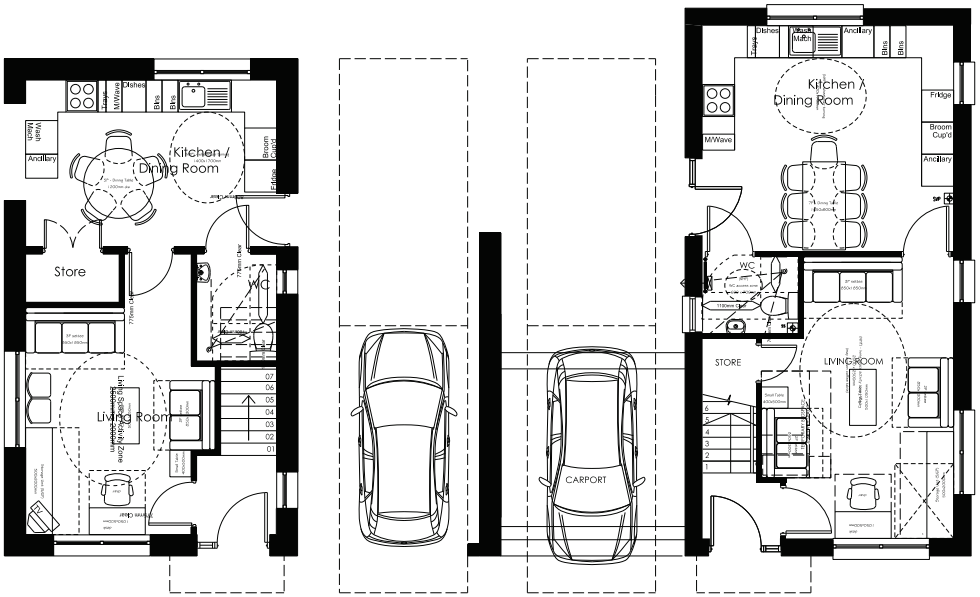
BLOCKS D&G - Open Market

3B5P
Area 80.4 Square Meters
Plots 25 & 27

3B5P
Area 102 Square Meters
Plots 26 & 28



First Floor Plan (1:50)



Ground Floor Plan (1:50)

Plots 25, 26, 27 & 28

3B5P House
Gross Internal Floor Area
80.4 Square Metres
(Measured to Internal Plaster Face)
2 Storey

Lifetime Homes Compliant
Code 4 for Sustainable Homes

3B5P House
Gross Internal Floor Area
102 Square Metres
(Measured to Internal Plaster Face)
2 Storey

Lifetime Homes Compliant
Code 4 for Sustainable Homes

0 5
1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block D&G Proposed Floor Plans (Plots 25-28)

Scales	Date	
1:50 at A1 1:100 at A3	03.07.13	
Number: 1244/P/006	Checked: CR	Authorised
	Revision: A	

No. Notes.
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5. This drawing is to be read in conjunction with all other Consultants drawings and specifications.
6. Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative

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BLOCK E - Affordable

2 Bedroom 3 Person FOG
Plot : 33

No. | Notes.
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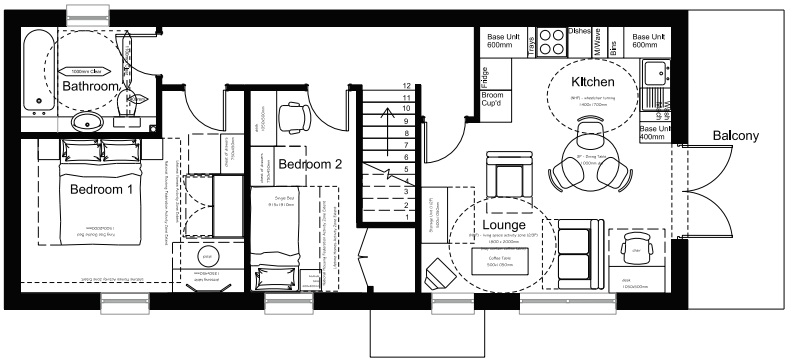
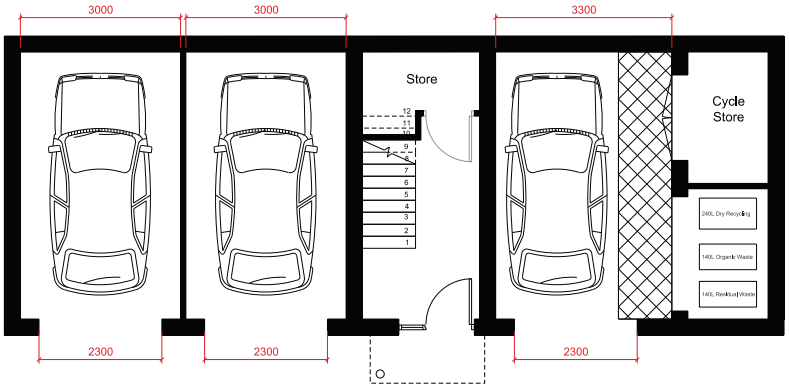
6. Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative

2B3P Flat Over Garage
Gross Internal Floor Area
72 Square Metres
(Measured to Internal Plaster Face)
2 Storey
HQI Compliant
Lifetime Homes Compliant
Code 4 for Sustainable Homes



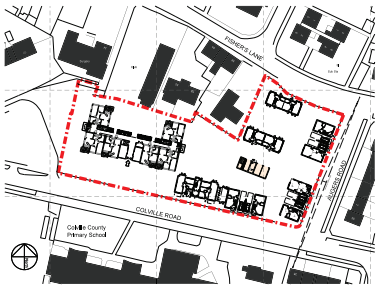
First Floor Plan (1:50)



Ground Floor Plan (1:50)

0 5
1:50 scale (m)

Plots 33



CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	19.07.13	CR	NDMG

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat
Job: Colville Road, Cambridge
Drawing: Block E Proposed Floor Plans (Plot 33)
Scales: 1:50 at A1 1:100 at A3
Date: 03.07.13
Checked: CR
Authorised:
Number: 1244/P/007
Revision: A

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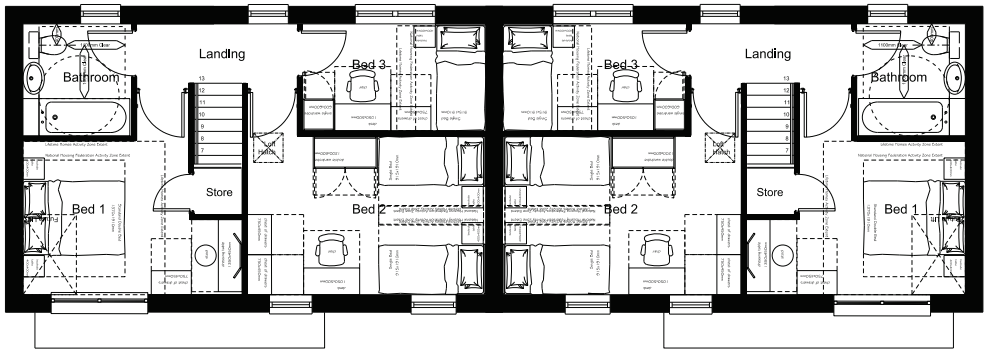
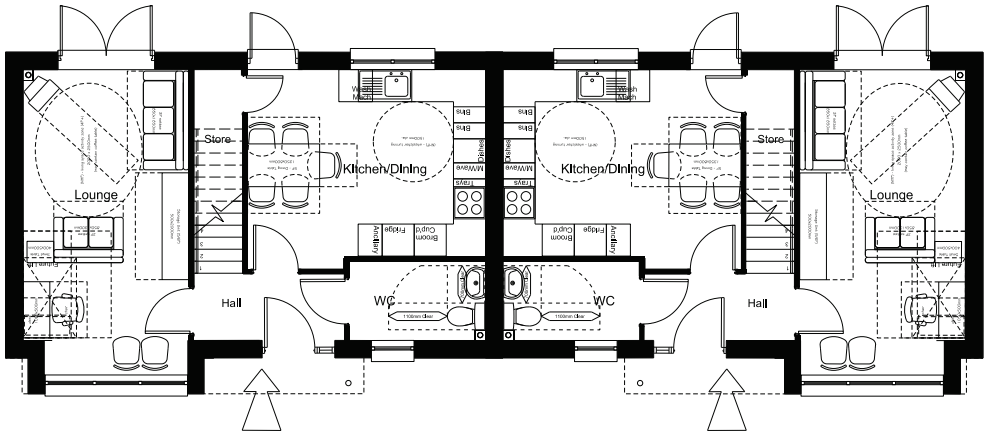
BLOCK F - Affordable

3 Bedroom 5 Person
Plot : 31 & 32

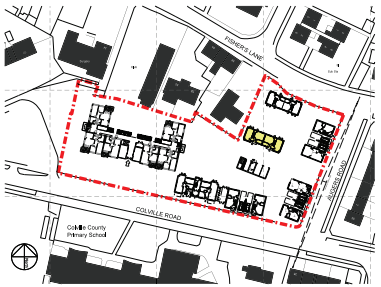


First Floor Plan (1:50)



Ground Floor Plan (1:50)

Plots 31 & 32



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6.	Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative

3B5P Houses
Gross Internal Floor Area
90 Square Metres
(Measured to Internal Plaster Face)
2 Storey
HQI Compliant
Lifetime Homes Compliant
Code 4 for Sustainable Homes

0 5
1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Saunders Boston
Chartered Architects
119 Newmarket Road Cambridge CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block F Proposed Floor Plans (Plots 31-32)

Scales: 1:50 at A1 1:100 at A3
Date: 03.07.13
Checked: CR
Authorised:
Number: 1244/P/008
Revision: A

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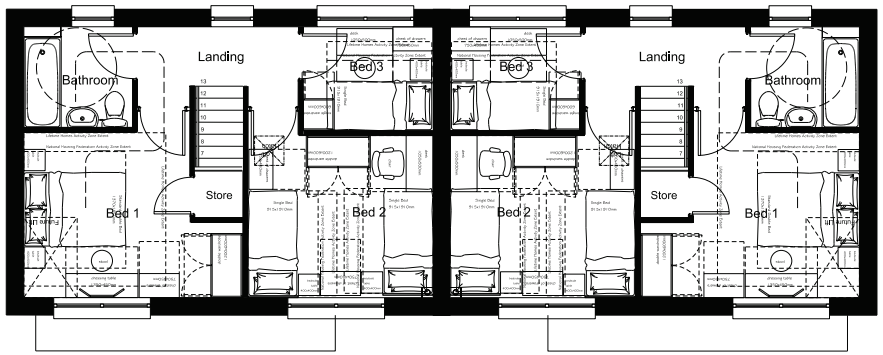
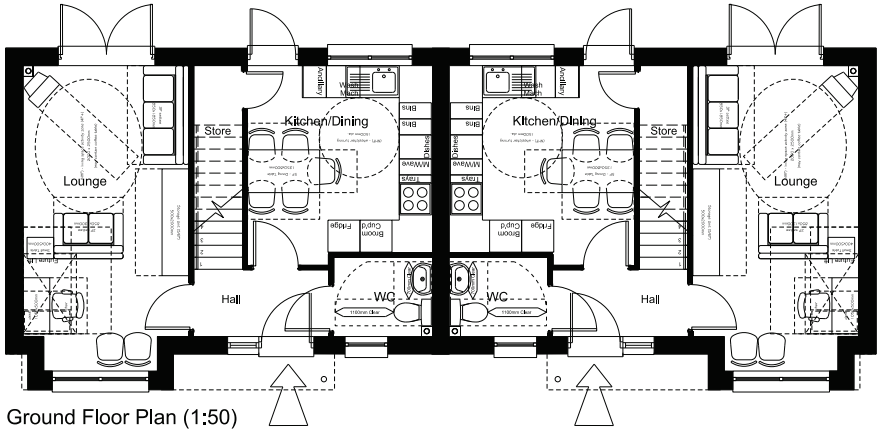
BLOCK H - Open Market
3 Bed 5 Person
Plots 29 & 30

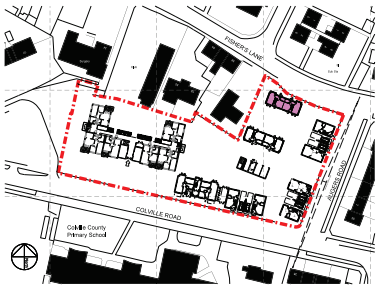


First Floor Plan (1:50)



Ground Floor Plan (1:50)

Plots 29 & 30



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3B5P House
Gross Internal Floor Area
79 Square Metres
(Measured to Internal Plaster Face)
2 Storey

Lifetime Homes Compliant
Code 4 for Sustainable Homes

0 5
1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Chartered Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail: office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat
Job: Colville Road, Cambridge
Drawing: Block H Proposed Floor Plans (Plots 29-30)
Scales: 1:50 at A1 1:100 at A3
Date: 03.07.13
Checked: CR
Authorised:
Number: 1244/P/009
Revision: A

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BLOCK A Elevations

2 No. 2B3P Flats
12 No. 2B3P Flats
2 No. 1B2P Flats
Plots - 1 to 16

No. | Notes.
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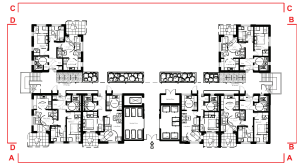
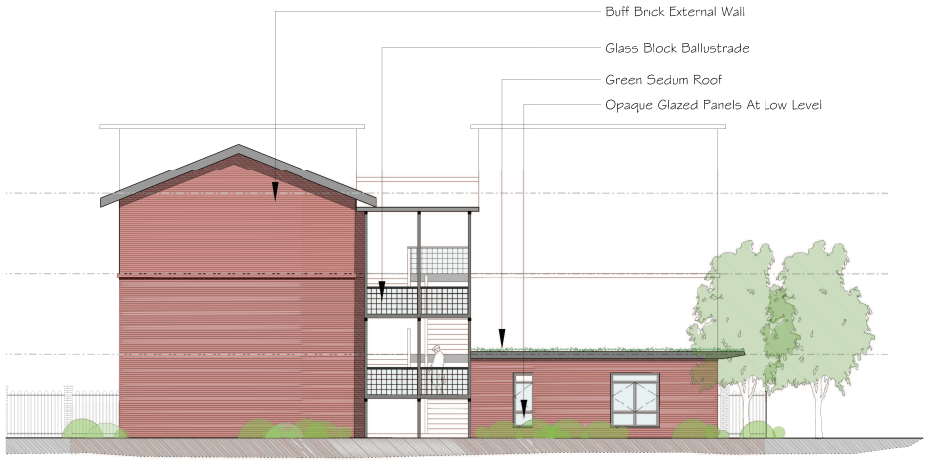
Elevation AA





Elevation BB

Scale Bar (Metres)

No.	Revision	Date	Chk	Auth
B	General Revisions	29.07.13	CR	NDMG
A	General Revisions	10.07.13	CJ	NDMG

FOR DISCUSSION

Charterol Architects
119 Newmarket Road
Cambridge
CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block A Elevations

Scales: 1:100 @ A1

Date: 09.07.2013

Checked: CR

Authorised: NDMG

Number: 1244 / P / 01

Revision: B

For details of proposed materials please refer to material schedule

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BLOCK A Elevations

2 No. 2B3P Flats
12 No. 2B3P Flats
2 No. 1B2P Flats
Plots - 1 to 16

No. | Notes.
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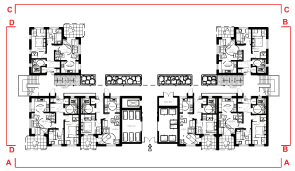
Elevation CC



Elevation DD

0 1 2 3 4 8

Scale Bar (Metres)

No.	Revision	Date	Chk	Auth
B	General Revisions	29.07.13	CR	NDMG
A	General Revisions	10.07.13	CR	NDMG

FOR DISCUSSION

Charterel Architects
119 Newmarket Road Cambridge CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block A Elevations

Scales: 1:100 @ A1

Date: 09.07.2013

Checked: CR

Authorised: NDMG

Number: 1244 / P / 02

Revision: B

For details of proposed materials please refer to material schedule

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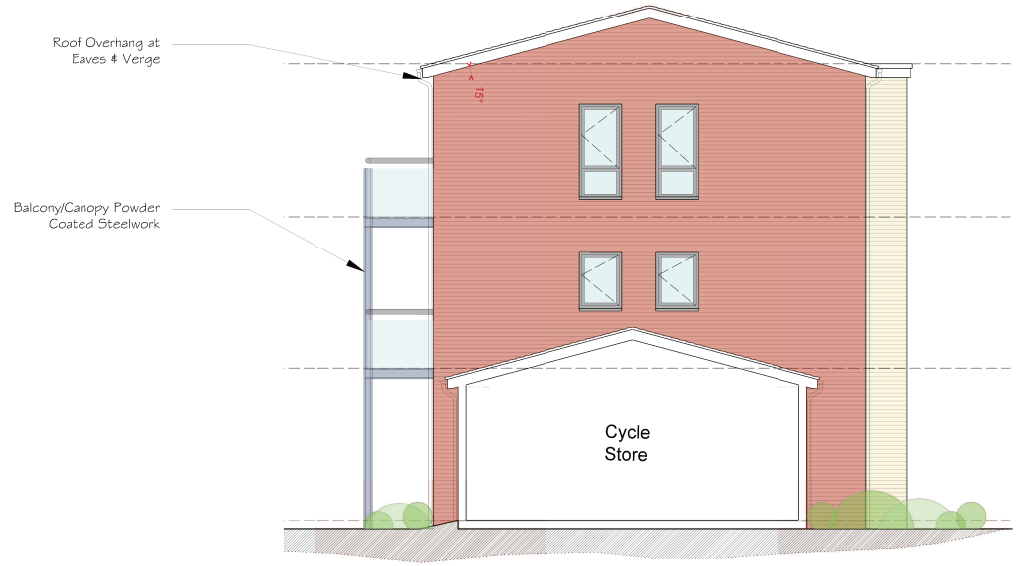
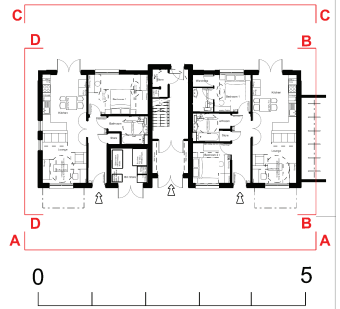
BLOCK B - Open Market

1No. 1 Bedroom 2 Person Flat
5No. 2 Bedroom 3 Person Flats
Plots - 17, 18, 19, 20, 21 & 22

Elevation AA (1:50)



Elevation BB (1:50)



0 5

1:50 scale (m)

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6.	Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative.

CAMBRIDGE CITY COUNCIL

Keepmoat PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
B	General Revisions	29.07.13	CR	NDMG
A	General Revisions	10.07.13	CJ	NDMG

PLANNING

Chartered Architects
119 Newmarket Road Cambridge CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block B Proposed Elevations (Plots 17-22)

Scales	Date	
1:50 at A1 1:100 at A3	04.07.13	
Number: 1244/P/202	Checked: CR	Authorised
	Revision: B	

For details of proposed materials please refer to material schedule

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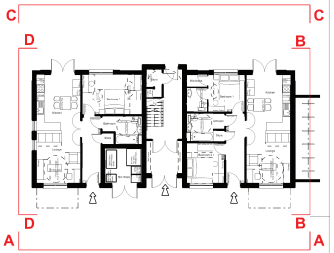
BLOCK B - Open Market

1No. 1 Bedroom 2 Person Flat
5No. 2 Bedroom 3 Person Flats
Plots - 17, 18, 19, 20, 21 & 22

Elevation CC (1:50)

Elevation DD (1:50)



0 5

1:50 scale (m)

CAMBRIDGE CITY COUNCIL

Keepmoat PROMISE. DELIVERED.

No.	Notes
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6.	Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative.

No.	Revision	Date	Chk	Auth
C	General Revisions	29.07.13	CR	NDMG
B	General Revisions	19.07.13	CJ	NDMG
A	General Revisions	10.07.13	CJ	NDMG

PLANNING

Charterel Architects
119 Newmarket Road Cambridge CB5 8HA
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block B Proposed Elevations (Plots 17-22)

Scales: 1:50 at A1 1:100 at A3

Date: 04.07.13

Checked: CR

Authorised:

Number: 1244/P/202

Revision: C

For details of proposed materials please refer to material schedule

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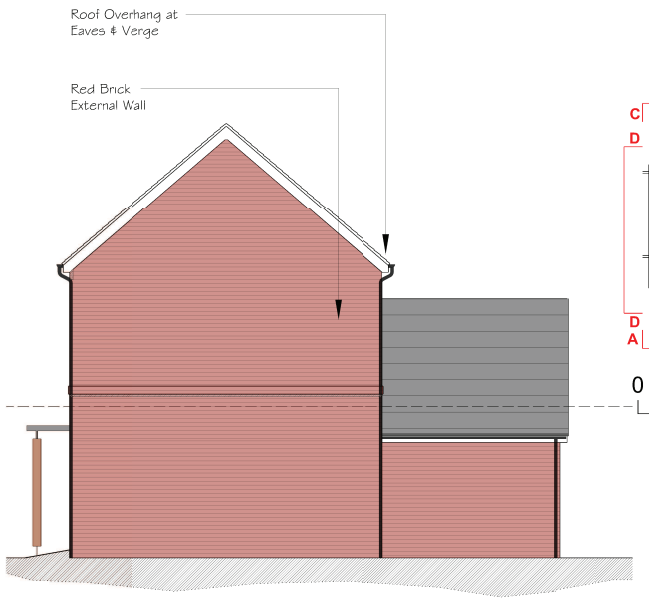
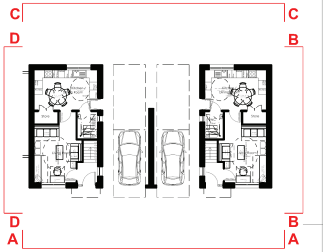
BLOCK C - Open Market

3 Bedroom 5 Person Houses
Plots : 23 & 24

Elevation AA (1:50)



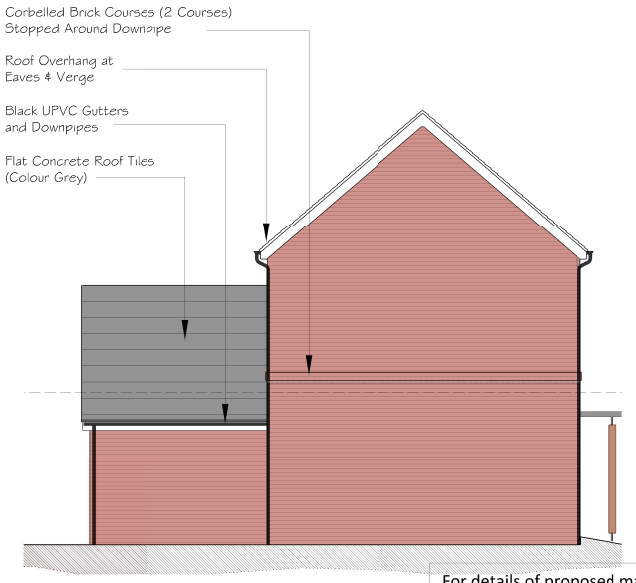
Elevation BB (1:50)



0 5

1:50 scale (m)

Elevation CC (1:50)



Elevation DD (1:50)

For details of proposed materials please refer to material schedule

CAMBRIDGE CITY COUNCIL

Keepmoat PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Charterel Architects
119 Newmarket Road
Cambridge
CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk

Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block C Proposed Elevations (Plots 23-24)

Scales: 1:50 at A1 1:100 at A3

Date: 03.07.13

Checked: CR

Authorised:

Number: 1244/P/204

Revision: A

No. Notes
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6. Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative.

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BLOCK D & G - Open Market

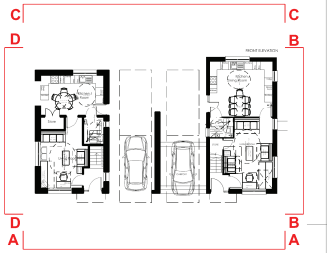
3 Bedroom 5 Person Houses
Plots - 25, 26, 27 & 28

Elevation AA (1:50)

Elevation BB (1:50)

Elevation CC (1:50)

Elevation DD (1:50)



0 5

1:50 scale (m)

No.	Notes
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CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Charterel Architects
119 Newmarket Road
Cambridge
CB5 8HG
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block D & G Proposed Elevations (Plots 25-28)

Scales: 1:50 at A1 1:100 at A3

Date: 04.07.13

Checked: CR

Authorised:

Number: 1244/P/205

Revision: A

For details of proposed materials please refer to material schedule

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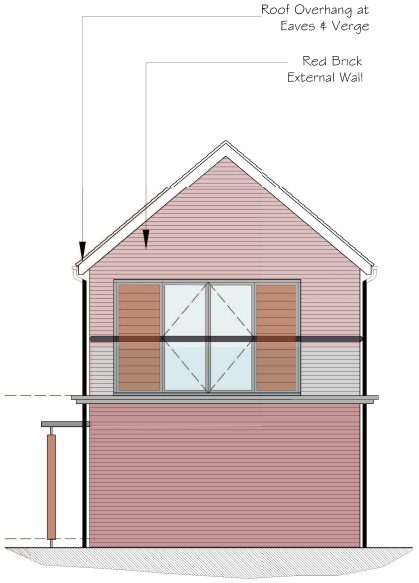
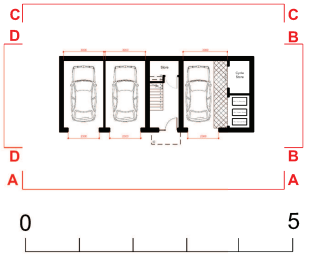
BLOCK E - Affordable

2 Bedroom 3 Person FOG
Plot : 33

Elevation AA (1:50)



Elevation BB (1:50)



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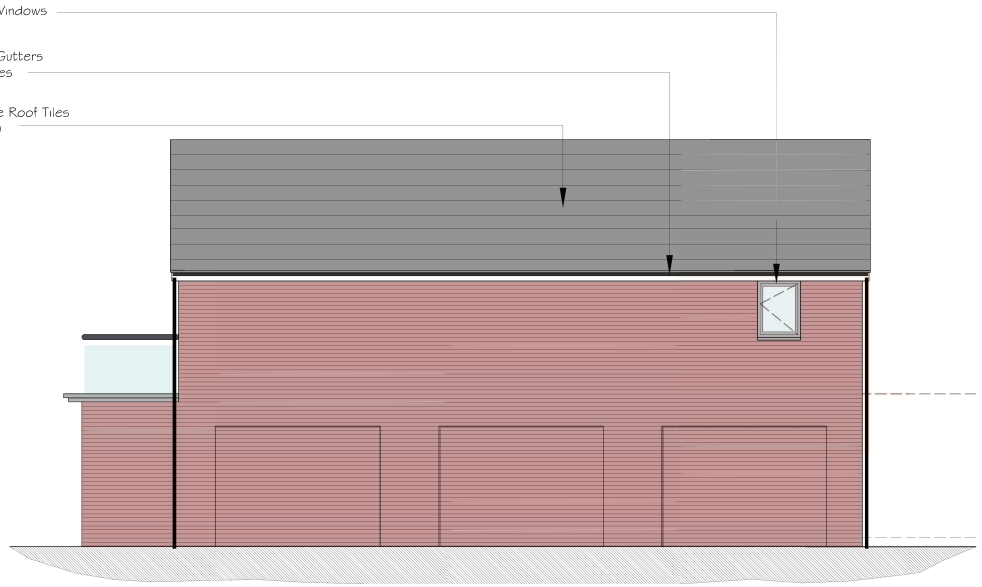

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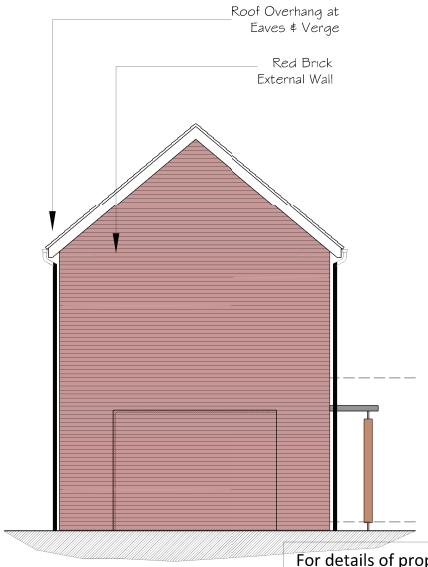

Elevation DD (1:50)

For details of proposed materials please refer to material schedule

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6. Drainage has not been surveyed and all pipe locations and and below ground drainage runs are indicative

CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.		Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Charteret Architects
119 Newmarket Road
Cambridge
CB5 8HA
Tel: (01223) 367733
E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block E Proposed Elevations (Plot 33)

Scales: 1:50 at A1 1:100 at A3

Date: 04.07.13

Checked: CR

Authorised:

Number: 1244/P/206

Revision: A

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BLOCK F - Affordable

3 Bedroom 5 Person Houses
Plots : 31 & 32

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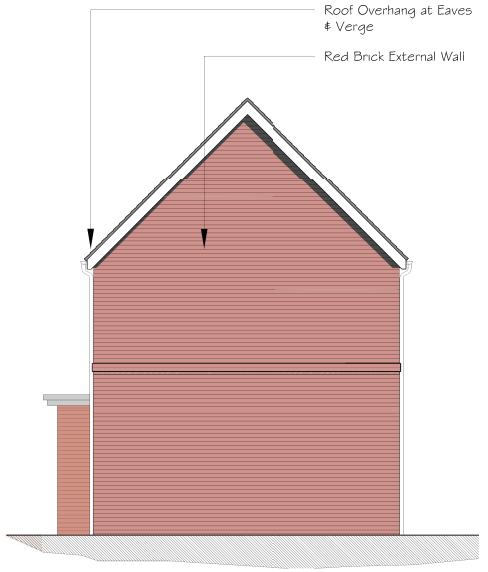
Elevation AA (1:50)



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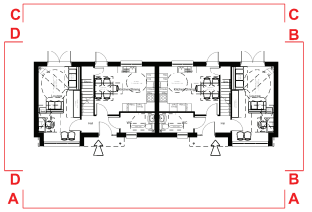

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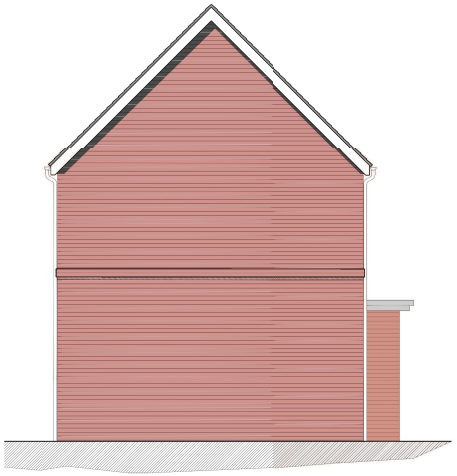
Elevation CC (1:50)



Elevation DD (1:50)

For details of proposed materials please refer to material schedule

CAMBRIDGE CITY COUNCIL

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No.	Revision	Date	Chk	Auth
A	General Revisions	10.07.13	CR	NDMG

PLANNING

Charterel Architects | 119 Newmarket Road Cambridge CB5 8HG Tel: (01223) 367733 E-mail office@saundersboston.co.uk
Saunders Boston

Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block F Proposed Elevations (Plot 31-32)

Scales: 1:50 at A1 1:100 at A3

Date: 04.07.13

Checked: CR | Authorised:

Number: 1244/P/207

Revision: A

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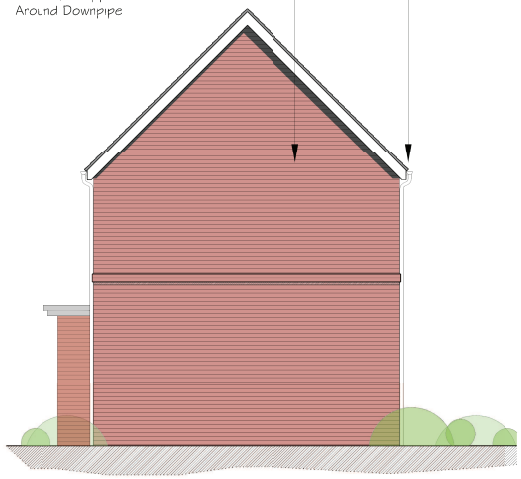
BLOCK H - Open Market

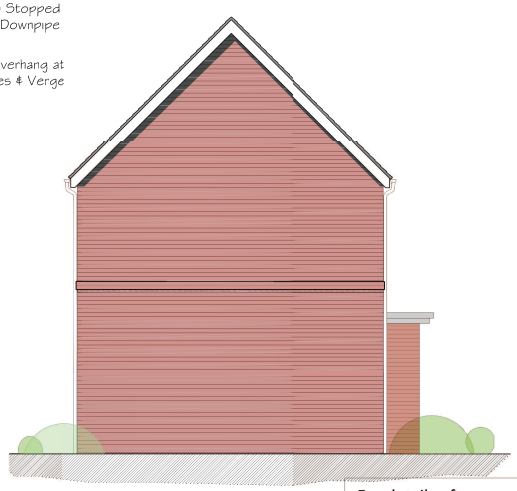
3 Bedroom 5 Person Houses
Plots : 29 & 30

Elevation AA (1:50)



Elevation BB (1:50)

Elevation CC (1:50)



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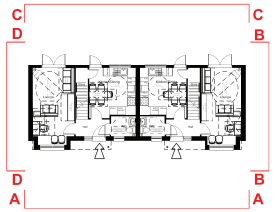

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Page 159

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CAMBRIDGE CITY COUNCIL

Keepmoat
PROMISE. DELIVERED.

No.	Revision	Date	Chk	Auth
B	General Revisions	29.07.13	CR	NDMG
A	General Revisions	10.07.13	CR	NDMG

PLANNING

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Client: Keepmoat

Job: Colville Road, Cambridge

Drawing: Block H Proposed Elevations (Plot 29-30)

Scales: 1:50 at A1 1:100 at A3

Date: 04.07.13

Checked: CR

Authorised:

Number: 1244/P/208

Revision: B

For details of proposed materials please refer to material schedule

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North

0 5 10 15 20

Scale Bar (Metres)

No.	Revision	Date	Chk	Auth

FOR DISCUSSION

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Client
Keepmoat

Job
Colville Road, Cambridge

Drawing
Site Location Plan

Scales	Date
1:500 @ A1, 1:1000 @ A3	Jan 2013
Checked: ND	Authorised: NDMG
Number: 1244 / P / L / 01	Revision: -

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PLANNING COMMITTEE **Date: 2nd October 2013**

Application Number	12/1040/FUL	**Agenda Item**	
Date Received	10th August 2012	**Officer**	Miss Catherine Linford
Target Date	5th October 2012		
Ward	Petersfield		
Site	St Colettes Preparatory School Tenison Road Cambridge Cambridgeshire CB1 2DP		
Proposal	Proposed erection of two 5-bed houses, five 4-bed houses, internal access road, car and cycle parking and hard and soft landscaping.		
Applicant	C/O Agent		

SUMMARY	The development accords with the Development Plan for the following reasons: 1. The proposal respects the character and appearance of the Conservation Area 2. The proposal does not have a significant detrimental impact on the amenity of occupiers of neighbouring properties 3. The proposal will deliver additional housing in a sustainable location 4. The scheme has been amended to address the issues of concern raised by the Inspector in relation to the previous scheme.
RECOMMENDATION	APPROVAL

0.0 INTRODUCTION

0.1 This report is set out in two parts. The first part is an update to the report which was considered by Planning Committee in September 2012 and an assessment of the impact of the proposed plans as amended by plans that have been submitted in response to the Inspectors report on the amenity of neighbours. The second part is the report which was presented to Committee in September 2012 which remains unchanged apart from the recommendation which includes additional conditions

PART ONE – UPDATE TO SEPTEMBER 2012 COMMITTEE REPORT

A1 BACKGROUND

A1.1 At the Planning Committee meeting of 5th September 2012, Members made the decision to defer the application pending the receipt of the appeal decision for the previous application on the site (11/1534/FUL).

A2 APPEAL DECISION – 11/1534/FUL

A2.1 The Appeal Decision has now been received, and is attached to the report at Appendix 1. In paragraphs 39-40 the Inspector concludes the following:

In conclusion, this is a disused, vacant urban site, formerly in education use, that is largely surrounded by housing. The principle of residential use is acceptable and the provision of additional housing in the City confines is to be welcomed. The proposed development has been carefully designed to take account of its location within a Conservation Area and to reflect the many different housing styles within the immediate area. The layout and form of the proposals has clearly taken account of the surrounding development and serious attempts have been made to minimise its impact on the living conditions of adjoining residents. I am satisfied that the development would preserve or enhance the character and the appearance of the Conservation Area; would not result in unacceptable overshadowing of adjoining properties; would make provision for sufficient amenity open space; and would provide other community benefits by way of the UU. The site now has nil use as the education facilities have been demolished and so Policy 5/11 of the Local Plan is not engaged.

However, I am very concerned that the proposed houses on Plots 2, 3, 5 and 7, due to their height, width, siting and proximity to the rear windows and gardens of the Tenison Avenue properties, would mean that the proposed dwellings would dominate the outlook from these properties, resulting in an unacceptably overbearing sense of enclosure. This would be seriously harmful to the living conditions of the occupiers of the Tenison Avenue properties and contrary to the development plan and the Framework. This harm cannot be overcome by the imposition of conditions and so, for that reason, the appeal is dismissed.

A2.2 The Inspector's only issue of concern was the potential overbearing sense of enclosure to houses in Tenison Road. To respond to this the applicant has made amendments to the scheme.

A3 AMENDED PROPOSAL

A3.1 The applicant has provided a drawing comparing the appeal scheme (11/1534/FUL), the original 2012 application (12/1040/FUL) and the amended scheme. Below is a comparison of the appeal scheme and the amended scheme:

Plot 2

A3.2 The dwelling has been set 0.8m further back from the northern site boundary with Tenison Avenue. The building would step away from the northwest corner to create a 1.8m space adjacent to the internal access road.

Plot 3

A3.3 This dwelling has been moved away from the northern boundary with Tenison Avenue by 0.5m. The northern most element of the northern elevation has been reduced in width from 10.7m to 6.1m.

Plot 5

A3.4 This dwelling has been moved away from the northern boundary with Tenison Avenue by 1.4m. The dwelling now

includes on plot car parking on the western (front) elevation. The northwest element now steps 2.7m further back.

Plot 7

A3.5 The projecting bay on the north elevation has been deleted and the dwelling has been set back an additional 2.4m from the northern site boundary. A strip of landscaping/tree planting is now proposed along the northern site boundary.

A3.6 The tables below details the differences between the the appeal scheme (11/1534/FUL), the original 2012 application (12/1040/FUL) and the amended scheme. I have highlighted in grey the key amendments that have been made to the current scheme in response to the outcome of the appeal:

PLOT 1	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.6m	8.6m	8.6m
Distance from northern boundary	N/A	N/A	N/A
Width of nearest element to northern boundary	N/A	N/A	N/A
Area	315sqm	316sqm	305sqm

PLOT 2	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.7m	6.3m	6.3m
Distance from northern boundary	8.1m	8.1m	8.9m
Width of nearest element to northern	11.2m	12.7m	6.7m

boundary			
Area	334sqm	297sqm	269sqm

PLOT 3	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.9m	6.4m	6.4m
Distance from northern boundary	7.4m	7.9m	7.9m
Width of nearest element to northern boundary	10.7m	11.7m	6.1m
Area	274sqm	229sqm	217sqm

PLOT 4	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.8m	8.6m	8.6m
Distance from northern boundary	N/A	N/A	N/A
Width of nearest element to northern boundary	N/A	N/A	N/A
Area	269sqm	260sqm	269sqm

PLOT 5	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.3m	6.3m	6.3m
Distance from northern boundary	6m	5.8m	7.2m
Width of nearest	7.1m	7.6m	7.2m

element to northern boundary			
Area	243sqm	158sqm	134sqm

PLOT 6	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.3m	7.1m	7.1m
Distance from northern boundary	N/A	N/A	N/A
Width of nearest element to northern boundary	N/A	N/A	N/A
Area	204sqm	164sqm	155sqm

PLOT 7	**Appeal Scheme 11/1534/FUL**	**Current Scheme 12/1040/FUL**	**Amended Scheme**
Height of dwelling	9.3m	6.4m	6.3m
Distance from northern boundary	0.7m	2.1m	3.1m
Width of nearest element to northern boundary	4m	8.5m	8m
Area	239sqm	210sqm	191sqm

A4 CONSULTATIONS ON AMENDED PROPOSAL

Cambridgeshire County Council (Engineering)

A4.1 No further comments

Landscape Officer

A4.2 No further comments

Urban Design and Conservation Team

A4.3 We support the proposed revisions to plots 2, 3, 5 and 7 which has further reduced the impact of the scheme on the rear gardens of Tenison Avenue properties.

Sustainable Drainage Engineer

A4.4 No further comments

Anglian Water

A4.5 No comment

A5 REPRESENTATIONS ON AMENDED PROPOSAL

A5.1 The owners/occupiers of the following addresses have objected to the proposals:

- 9 Tenison Avenue
- 13 Tenison Avenue
- 15 Tenison Avenue
- 17 Tenison Avenue
- 21 Tenison Avenue
- 25 Tenison Avenue
- 27 Tenison Avenue
- 29/31 Tenison Avenue
- 61 Highsett
- 62 Highsett
- 68 Highsett
- 69 Highsett
- 85 Highsett
- 116 Tenison Road

A5.2 The objections can be summarised as follows:

- Overdevelopment
- Lack of affordable houses
- Plots 6 and 7 are too close to neighbouring properties
- Loss of trees
- Insufficient open space
- Overlooking and loss of privacy

- Overshadowing and loss of light
- Noise and pollution from access road
- Light pollution
- Insufficent parking
- Misleading CGI images
- The ivy covered trellis along the boundary with 68 Highsett is unacceptable due to allergies
- Some of the trees proposed are toxic
- The proposed trees planted to screen the development will block light and contribute to the sense of enclosure
- There is crime and anti-social behaviour in the area and security is an issue. The site should therefore be gated
- Object to the timing of the application and the very short response period
- The chimneys add to the height and sense of enclosure
- Collusion between the developers and planning officers as they agreed that the grounds for dismissing the appeal were narrow
- The site could be put to other uses with more benefit for the community
- The Council should request an impact assessment to assess whether increased traffic movements entering and leaving George Pateman Court can be accommodated

ASSESSMENT OF AMENDED PLANS SUBMITTED IN THE LIGHT OF THE APPEAL DECISION

A5.3 The Inspector dismissed the appeal on the grounds that the proposed dwellings would dominate the neighbouring houses on Tenison Avenue (part of Reason for Refusal 1). The Inspector was satisfied that the proposal preserved the character and appearance of the Conservation Area (Reason for Refusal 3); that the developer's obligation to provide public open space would be adequately met through the S106 agreement (Reason for Refusal 4); and that the proposed dwellings would not overshadow neighbouring properties to an unacceptable degree (part of reason for refusal 1). Reason or Refusal 2 related to the loss of a community facility. The local planning authority chose not to give any evidence at the Public Inquiry with regards to this reason for refusal following legal advice. The site is considered to have nil use, and this was agreed by the Inspector.

A5.4 The Inspector's decision is a very significant material consideration in the determination of this application, and it is my view that it is appropriate to focus consideration of the amended plans for the second application on the potential for an overbearing sense of enclosure to be experienced by the occupiers of 9-31 Tenison Avenue, because in other respects the two schemes are very similar.

A5.5 I have set out below my reasons why the amended scheme will not enclose or dominate 9-31 Tenison Avenue, and I have also considered the issues raised by Third Parties that have not been previously addressed.

Dominance and enclosure of Tenison Avenue

A5.6 In order to assess this impact I have looked at each proposed dwelling individually. The proposed dwellings closest to the northern boundary with Tenison Avenue are plots 2, 3, 5 and 7.

Plot 2

A5.7 Plot 2 would stand in line with 7-11 Tenison Avenue.

A5.8 When compared with the appeal scheme, this plot has been reduced in height by 3.4m, is 0.8m further from the northern boundary, and the width of the nearest element of the dwelling to the northern boundary has been reduced by 4.5m. The footprint of the dwelling has been reduced by 65sqm.

A5.9 In my opinion, the reduction in height, the increase in the distance from the common boundary with Tenison Avenue, and the reduction in footprint significantly reduces the impact on 7-11 Tension Avenue. It is my view that this dwelling would not dominate or enclose these neighbouring properties to an unacceptable degree.

Plot 3

A5.10 Plot 3 would stand in line with 15-17 Tenison Avenue.

A5.11 When compared with the appeal scheme, this plot has been reduced in height by 3.5m, is 0.5m further from the northern boundary and the width of the nearest element of the

dwelling has been reduced by 4.6m. The footprint of the dwelling has been reduced by 57sqm.

A5.12 In my opinion, the reduction in height, the increase in the distance from the common boundary with Tenison Avenue, and the reduction in footprint significantly reduces the impact on 15-17 Tension Avenue. It is my view that this dwelling would not dominate or enclose these neighbouring properties to an unacceptable degree.

Plot 5

A5.13 Plot 5 would stand in line with 23-27 Tenison Avenue.

A5.14 When compared with the appeal scheme, this plot has been reduced in height by 3m, is 1.2m further from the northern boundary, and the footprint of the dwelling has been reduced by 109sqm.

A5.15 In my opinion, the reduction in height, and the increase in the distance from the common boundary with Tenison Avenue significantly reduces the impact on 23-27 Tension Avenue. It is my view that this dwelling would not dominate or enclose these neighbouring properties to an unacceptable degree.

Plot 7

A5.16 Plot 7 would stand in line with 29-31 Tenison Avenue.

A5.17 When compared with the appeal scheme, this plot has been reduced in height by 3m, and the distance from the northern boundary has been increased by 2.3m, partly due to the deletion of the projecting bay on this side. The footprint of the proposed dwelling has been reduced by 48sqm.

A5.18 This dwelling was the closest to the common boundary, and it is my opinion that the reduction in height, and the increase in the distance between the house and the common boundary, greatly reduces the impact on 29-31 Tenison Avenue. A strip of landscaping/trees is proposed along the common boundary, and concern has been raised that these trees would have an overbearing impact on neighbouring properties. In my opinion, these trees would only have a significant detrimental impact if they were large trees, and I

therefore recommend a condition requiring details of the trees/plants to be planted along this boundary to ensure that they are an appropriate species (16).

Third party representations not addressed in the previous report

The ivy covered trellis along the boundary with 68 Highsett is unacceptable due to allergies and some of the proposed trees are toxic

A5.19 This has been raised with the applicant. To address the concerns raised I recommend an additional condition requiring details of the plants and trees to be used along the boundary (16).

There is crime and anti-social behaviour in the area and security is an issue. The site should therefore be gated

A5.20 The first application (09/1142/FUL) was refused (partly) because it would have been gated and, thereby, separated from the surrounding area. It has, therefore, been accepted that a gated development is not acceptable in this area.

Object to the timing of the application and the very short response period

A5.21 The local planning authority cannot control when an application is made, or, in this case, when amendments are received. The local planning authority is obliged to deal with all applications in a timely manner.

The site could be put to other uses with more benefit for the community

A5.22 The local planning authority must determine the application before it, and cannot insist that the site is used for another use.

PART TWO – SEPTEMBER 2012 REPORT WITH AMENDED RECOMMENDATION (ADDITIONAL CONDITIONS ???)

Part Two of my report re-produces my original 2012 report and allows the Committee to determine the application in the light of

all the relevant information and to consider the recommendation as originally put forward as amended by the addition of condition 16.

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site lies between Tenison Avenue, George Pateman Court, and Highsett, about 120m from the Tenison Road/Station Road junction. The site takes the form of a narrow truncated wedge, with its long axis running east-west parallel with Tenison Avenue. It measures 122 m in length, and is 30m wide at its east end, where it abuts the rear of curtilages facing Tenison Road, and 19m wide at the west end, abutting Highsett.

1.2 The site is not allocated in the Cambridge Local Plan (2006). It has been in use as a private preparatory school. This use ceased in mid-2009, when the school relocated to a site in Girton, outside the city boundary. All the buildings on the site have been demolished following the grant of Conservation Area Consent in 2010 (09/1144/CAC)

1.3 Residential accommodation surrounds the site: to the north and west are three-storey houses in Tenison Avenue and Highsett, and to the south are three-storey buildings in George Pateman Court, containing flats and maisonettes. The three-storey terrace of buildings on the east of the site is occupied by a mixture of private houses and bed-and-breakfast accommodation. The site falls within the controlled parking zone (CPZ).

1.4 The site falls within the City of Cambridge Conservation Area No.1 (Central). It lies just to the south-west of the edge of the Mill Road and St Matthews sector, in a part of the Conservation Area for which there is no appraisal. A large number of the trees within and immediately adjacent to the site are subject to Tree Preservation Orders.

2.0 THE PROPOSAL

2.1 Full planning permission is sought for two five-bedroom houses and five four-bedroom houses. The houses would be served by an access road turning off George Pateman Court and running along the eastern and northern boundaries of the application site. The houses would be arranged in line with the eastern and

western boundaries, standing at right angles to the neighbouring houses on Tenison Avenue.

2.2 The houses would be semi-detached, standing in pairs, with the exception of one detached house at the western end of the site (plot 7). Each plot can be described as follows:

Plots 1 & 2

2.3 This pair of houses would stand on the eastern end of the site, facing out onto the access road, where it adjoins George Pateman Close, and in line with 7-13 Tenison Avenue. At their closest point, these houses would stand 19.6m from the common boundary with the houses on Tenison Road to the east; 1m from the common boundary with George Pateman Court to the south; and 7.4m from the common boundary with the houses on Tenison Avenue to the north (with the access road between the houses and the common boundary). Plot 1 would step down to 6m in height 1m from the southern side of the house. Plot 2 would be 6.3 in height.

Plots 3 & 4

2.4 This pair of semi-detached houses would stand in line with 15-17 Tenison Avenue. At their closest point, these houses would stand 1.8 from the common boundary with George Pateman Close to the south; and 6.4m from the common boundary with the houses on Tenison Avenue to the north (with the access road between the houses and the common boundary). Plot 3 would be 6.4m in height.

Plots 5 & 6

2.5 This pair of semi-detached houses would stand in line with 21-27 Tenison Avenue. At their closest point, the houses would stand 1m from the common boundary with Highsett to the south; and 5m from the common boundary with the houses on Tenison Avenue to the north (with the access road between the houses and the common boundary). Plots 5 and 6 would be two storeys in height – 6.2m.

Plot 7

2.6 This detached house would stand in line with 29-31 Tenison Avenue. At its closest point, the house would stand 4.2m from the common boundary with Highsett to the south; and 0.8m from the common boundary with the houses on Tenison Avenue to the north (with the access road between the houses and the common boundary). The house would be two storeys in height (6.4m) dropping down to a single storey in height.

2.7 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Supporting Planning Statement
3. Site Waste Management Plan

2.8 The application is brought before Planning Committee rather than East Area Committee because the previous application was determined by Planning Committee.

3.0 SITE HISTORY

Reference	Description	Outcome
09/1142/FUL	Erection of 12no 4 bed houses and 1no 5 bed house, internal access road and hard and soft landscaping following demolition of all existing buildings on site.	REF
09/1144/CAC	Demolition of all existing buildings.	A/C
11/1534/FUL	Proposed erection of 7 x 5 bed houses, internal access road, car and cycle parking and hard and soft landscaping.	REF Appeal in progress

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (25 October 2012):	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 ENV6 ENV7 WM6
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/4 4/11 4/13 4/15 4/16 5/1 5/14 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning	Sustainable Design and Construction Waste Management Design Guide

Documents	Planning Obligation Strategy
Material Considerations	Central Government: Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	Citywide: Arboricultural Strategy Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan Open Space and Recreation Strategy Cycle Parking Guide for New Residential Developments
	Area Guidelines: Conservation Area Appraisal: Cambridge Historic Core

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 The internal road layout is unsuitable for adoption as a highway maintainable at the public expense and the access does not connect to a public highway. The applicant must confirm that that they will not be seeking the adoption of the road by the Highway Authority. The road way has been tracked to demonstrate the ability of a fire engine to adequately reach the farthest point of the site. Conditions are recommended.

Head of Environmental Services

6.2 No objection, subject to conditions.

Urban Design and Conservation Team

6.3 No objection, subject to conditions.

Landscape Officer

6.4 No objection.

Cycling and Walking Officer

6.5 The cycle stores are too small.

Sustainable Drainage Engineer

6.6 The proposal for disposal of the surface water is via soakaways. Although this is supported by the City Council, there are known high ground water levels in the area and this may not be suitable. Suitable testing and monitoring should be undertaken or the proposals are likely to increase the risk of flooding in the area.

Environment Agency

6.7 No objection, subject to conditions.

Cambridgeshire County Council (Archaeology)

6.8 No objection, subject to conditions.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have objected to the proposals:

- 39 Highsett
- 49 Highsett

- 59 Highsett
- 61 Highsett
- 62 Highsett
- 73 Highsett
- 82 Highsett
- 85 Highsett
- 30 George Pateman Court
- 9 Tenison Avenue
- 13 Tenison Avenue
- 15 Tenison Avenue
- 17 Tenison Avenue
- 21 Tenison Avenue
- 23 Tenison Avenue
- 25 Tenison Avenue
- 27 Tenison Avenue
- 29-31 Tenison Avenue
- 23 Glisson Road
- GTARA
- Cambridge Centre for Sixth-form Studies
- Petition containing 32 signatures

7.2 The objections can be summarised as follows:

Principle

- How can this application be considered when an Appeal is underway to determine whether or not this land is for educational purposes or housing
- The principle of policy 5/11 should not be disregarded as the spirit of the policy is harmed. CCSS (an independent school) is interested in buying the site for educational purposes

Character and context

- Overdevelopment
- The large houses are not appropriate for the area
- The design does not respect the character of the adjacent Highsett houses
- Loss of mature trees
- There is no shared open space on the site

Residential amenity

- Overshadowing
- Overbearing
- Loss of privacy

- Loss of light
- Increase in noise
- The trees along the boundaries are deciduous but are shown as evergreen. They would not provide the kind of screening portrayed
- Roof gardens would be unacceptable
- Light pollution
- Pollution from car exhausts
- The rear boundary of the houses on Tenison Avenue will become less secure
- The rear garden of plot 7 would be overshadowed by trees

Traffic

- Tenison Road is already experiencing problems with the increase in traffic going to the developments at the station. More traffic emerging from the St Colette's site will add to the congestion on Tenison Road
- The traffic impact assessment has been based on a census from 2001 and is out of date

Car and cycle parking

- Lack of parking

Other

- The decision relating to the educational use of the site was not transparent
- The submitted drawings are misleading
- The historic boundary wall between the site and Tenison Avenue may be damaged by the building works
- There was an architectural competition for this site. A scheme designed by another architectural firm was more acceptable
- Water table and flooding

7.3 The above objections are a summary of the comments that have been received. Full details can be inspected on the application file or via public access.

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Background

8.2 This site has a complex history. In 2009, conservation area consent was granted to demolish the buildings on the site (09/1144/CAC), with the buildings demolished in 2011. At this time, planning permission was refused to develop the site with 13 terraced houses (09/1142/FUL).

8.3 In 2011, planning permission was refused to develop the site with 7 houses. This scheme is now at appeal. The application was refused for the following reasons:

1. Because of the overbearing sense of enclosure that will be created by the development and experienced by the occupiers of 9-31 Tenison Avenue and 68 and 85 Highsett, and because of the overshadowing of the rear gardens, balconies, roof terraces and ground floor rooms of 9-31 Tenison Avenue during Winter months, the application would result in unacceptable harm to the residential amenity of the occupiers of those houses and would be in conflict with policy ENV7 of the East of England Plan (2008), and policies 3/4 and 3/7 of the Cambridge Local Plan (2006), and government guidance in the National Planning Policy Framework (2012).

2. Insufficient information has been provided to demonstrate that the community use to be lost on the site is either to be replaced within the development, relocated to another premises of equal accessibility for its users, or no longer required. As the marketing strategy was inadequate, there is insufficient information to demonstrate that the site is not required for educational use or community use in the longer term. For both these reasons the proposal is in conflict with policy 5/11 of the Cambridge Local Plan (2006), and

government guidance in the National Planning Policy Framework (2012).

3. The layout of the proposed development and the scale and design of the proposed development is not compatible with the character of the surrounding area. The development does not result in creation of an attractive built frontage which positively enhances the townscape or the Conservation Area of which it forms part. The development does not provide an appropriate balance between public and private space to achieve a good relationship between buildings, routes and spaces. In so doing, the development fails to provide a positive sense of place and represents overdevelopment of the site, contrary to policies 3/4, 3/7, 3/12, 4/11 and 5/1 of the Cambridge Local Plan (2006) and government guidance in the National Planning Policy Framework (2012).

4. The development fails to make adequate provision for on site informal open space contrary to policy 3/8 of the Cambridge Local Plan (2006) and government guidance in the National Planning Policy Framework (2012).

5. The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, or public art, in accordance with policies 3/7, 3/8, 5/14, and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and the Open Space and Recreation Strategy (2011).

8.4 When the appeal was lodged with the Inspectorate, the Council sought legal advice from Counsel on the strength of reason for refusal 2. The advice received was that due to the demolition of the buildings on the site, the site was no longer in D1 use (it was in nil use) and policy 5/11 of the Cambridge Local Plan (2006) was not engaged. A confidential item was then taken to Planning Committee on 25 July 2012 seeking agreement that reason for refusal 2 would not be defended at the appeal. The public were excluded from this meeting because the advice and Committee report were legally privileged and should not, therefore, be made public.

8.5 It has been suggested that this application should not be determined until the appeal has been decided. This is something that Members must take a view on. If Members are of the opinion that the application cannot be determined prior to the appeal decision the application will need to be deferred.

Principle of Development

8.6 The previous application was refused for the following reason, in relation to the principle of development:

Reason for refusal 2

Insufficient information has been provided to demonstrate that the community use to be lost on the site is either to be replaced within the development, relocated to another premises of equal accessibility for its users, or no longer required. As the marketing strategy was inadequate there is insufficient information to demonstrate that the site is not required for educational use or community use in the longer term. For both these reasons the proposal is in conflict with policy 5/11 of the Cambridge Local Plan (2006), and government guidance in the National Planning Policy Framework (2012).

8.7 Officers have sought legal advice from Counsel on this reason for refusal. This advice explained that as the buildings on the site have been demolished, the site can no longer be considered to be in D1 (non-residential institutions) use, but is in a nil use. This means that policy 5/11 of the Cambridge Local Plan (2006) does not apply to this case, and the previous educational use cannot be protected by policy 5/11.

8.8 It has been suggested that even though the site is technically no longer in educational use, the spirit of policy 5/11 of the Cambridge Local Plan (2006) is being threatened by the proposed development and the application should be refused on this basis. The aim of policy 5/11 of the Local Plan is to prevent the loss of sites of educational or community value. It has been argued that this site could be re-developed for such a use, even though there are no longer any buildings on the site. Cambridge Centre for Sixth Form Studies (CCSS) is interested in the site for educational use. Whilst I understand this argument, as currently drafter, there is no scope for the educational use of the site to be protected by policy 5/11 of the

Local Plan as, as far as the Use Class is concerned, the site is now no longer in D1 Use.

8.9 Policy 5/1 of the Cambridge Local Plan relates to housing provision and states that proposal for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and therefore it is my opinion that the redevelopment of the site for residential use is compatible with its surroundings and acceptable in principle.

8.10 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006). Policy 5/11 if no longer applicable.

Context of site, design and external spaces

8.11 The previous, refused application proposed the erection of seven houses (six semi-detached houses and one detached house). The site layout proposed in this application is the same as before with the houses standing in the same locations. However, the proposed houses are not as tall, the footprints are not as deep and the houses are of a different design.

8.12 The previous application was refused for the following reason, relating to design:

Reason for refusal 3

The layout of the proposed development and the scale and design of the proposed development is not compatible with the character of the surrounding area. The development does not result in the creation of an attractive built frontage, which positively enhances the townscape of the Conservation Area of which it forms part. The development does not provide an appropriate balance between public and private space to achieve a good relationship between buildings, routes and spaces. In doing so, the development fails to provide a positive sense of place and represents overdevelopment of the site, contrary to policies 3/4, 3/7, 3/12, 4/11 and 5/1 of the Cambridge Local Plan (2006) and government guidance in the National Policy Framework (2012).

8.13 The previous refused application included pitched roofs and end gabled houses. These dwellings have now been replaced with flat roofs, reducing the overall height of the proposed buildings. The scale of the development has also been reduced from the previous scheme, through the reduction in storey heights. Plots 2, 3, 5, 6 and 7 have been reduced from three to two storeys, and are typically between 2.2m and 3.65m lower than the units on the previous scheme. Plots 1 and 4 remain at three storeys but the alteration to the roof form has reduced their overall height by 1.2m.

8.14 It is my view, and the view of the Urban Design and Conservation Team, that the scale and massing of the dwellings is appropriate. Two storey units are located on the more sensitive edges of the site, adjacent to Highsett to the southwest and the rear gardens of 5-31 Tenison Avenue to the north.

8.15 The proposed materials include buff coloured brick, white render, and timber (used for the projecting bays and garage doors) and reflects the materials evident in the locality. However, to ensure the materials used are appropriate, I recommend that samples are required by condition (conditions 9 and 10).

8.16 There are no objections to the principle of the proposed development in terms of the impact on the character and appearance of the Conservation Area. The site is obscured from view by the nature of its location, and consequently development on the site will have minimal impact on the character and appearance of the Conservation Area. There is a variation in architectural style in the immediate area. However, the buildings on George Pateman Court, adjacent to the proposal have a horizontal emphasis, which is mirrored in the proposal. This, along with the flat roof design, links the development well to the existing buildings.

Reason for refusal 4

The site fails to make adequate provision for on-site informal open space contrary to policy 3/8 of the Cambridge Local Plan (2006) and government guidance in the National Planning Policy Framework (2012).

8.17 Policy 3/8 of the Local Plan states that all residential development should provide public open space in accordance with the Open Space and Recreation Standards. It advises that provision should be made on site as appropriate to the nature and location of development or where the scale of development indicates otherwise, through the payment of a commuted sum.

8.18 The Planning Obligations Supplementary Planning Document (2010) provides further guidance on circumstances when onsite provision should be sought, and when a commuted sum would be more appropriate. It states that on-site informal open space in the form of informal play space should be provided as part of housing developments of more than 25 units and informal activities as part of housing developments of more than 10 units.

8.19 In this particular case the proposal is for seven houses. However, in response to this reason for refusal, the application includes a small area of open play space within the northeast corner of the site. It is proposed that this area will contain some pieces of play equipment. A shared surface approach is being taken, which means that children will beable to safely play in the street. The size of the play space area meets the policy requirement and this would appear to overcome the objections raised in the previous reason for refusal.

8.20 The proposal for disposal of the surface water is via soakaways. Although this is supported by the City Council, there are known high ground water levels in the area and this may not be suitable. The City Council's Sustainable Drainage Engineer has recommended that suitable testing and monitoring should be undertaken or the proposals are likely to increase the risk of flooding in the area. This can be achieved though a condition requiring a drainage strategy (condition 12), which must include an adoption and maintenance strategy for the proposed drainage system to ensure the long term effectiveness of the proposed system.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Privacy: occupants of George Pateman Court

8.22 The proposed houses have been designed to minimise the overlooking of neighbouring properties. There are very few windows on the southern elevation of the houses, facing out towards George Pateman Court. The distance between the existing block of flats at George Pateman Court and the proposed houses, varys from unit to unit, but at the closest point, there would be a separation distance of 14m between the buildings. This is the access elevation of George Pateman Court, with walkways running along the building at first and second floor level. Such windows as face in this direction have no privacy at present, as occupiers of, and visitors to, other flats pass directly in front of them – a fact reflected by the almost universal use of net curtains on these windows. At ground level, there are no gardens – this side of the block is taken up with car parking space, and the communal amenity space is on the opposite (south) side of the building. I do not consider that the proposed development would entail any loss of privacy for occupants of George Pateman Court.

8.23 Plots 1 and 4 have terraces/balconies close to the southern boundary with George Pateman Court, with the terrace to plot 1 at first floor level and the terrace to plot 4 at second floor level. The plans show that the terraces would have screens, but to ensure they are sufficient enough to prevent overlooking I recommend a condition requiring details of these screens (condition 7).

Privacy: occupiers of 68-70 and 82-85 Highsett

8.24 Plot 6 would stand alongside 85 Highsett with the front elevation of plots 5 and 6 facing towards the rear of the site. The side elevation of plot 6 includes only a bathroom window (which will be obscure glazed), which would face onto the flank wall of 85 Highsett, and would have no detrimental impact on the privacy of the occupiers of this property. Plot 6 would include windows on the front of the house (serving the living room on the ground floor, and bedrooms). Direct views into the neighbouring garden would not be possible but oblique views would be. This,

in my view, is no worse than any urban situation, and is no worse than the existing overlooking between 85 and their attached neighbours. I consider this to be acceptable.

8.25 The rear garden of plot 7 would sit alongside 68 Highsett. Due to the positioning of plot 7, forward of 68 Highsett, there is some potential for overlooking from the rear of plot 7 to the rear of 68 Highsett (68 Highsett backs on to the site, unlike 85 Highsett, which is side on). Again, there is no potential to directly overlook the neighbouring property, but there is potential from some oblique angles which are more direct than the relationship between plot 6 and 85 Highsett. The design of plot 7, has however, reduced this potential impact. There are windows proposed at first floor level on the rear elevation of plot 7. The southern most two windows (ie the windows closest to 68 Highsett) will serve an ensuite and a dressing room, and the northern most windows will serve a bedroom. To prevent any overlooking from the closest windows to the neighbour I consider it reasonable to add a condition requiring that these windows are obscure glazed and fixed shut (condition 4). Due to the width of the house (approximately twice the width of the other houses on the site), the first floor windows serving the bedroom would be more than 14m from the back of 68 Highsett (when measured diagonally). Although oblique views would be possible towards the rear of 68 Highsett, it is my view that due to the separation distance between the properties this is not significant enough to warrant refusal of the application and is acceptable.

Privacy: occupiers of 5-31 Tenison Avenue

8.26 There are very few windows on the northern, side, elevation of the houses facing out towards the rear gardens of the neighbouring houses on Tenison Avenue. Many of these neighbouring houses have been extended and are closer to the proposed houses than old Ordnance Survey extracts suggests. In many cases, the rear windows of the Tenison Avenue houses are considerably less than 20m from the proposed northern, side elevations. Many of the Tenison Avenue houses have habitable rooms (living rooms, kitchens, bedrooms, and studies) on this south elevation, and some have balconies and roof terraces. The degree of privacy enjoyed in these rooms and in the adjacent gardens at present is considerable, but not absolute. Gardens are already overlooked to some degree by

neighbours, but this does not always extend to the area closest to the houses themselves. The rear elevations of the Tenison Avenue houses are also overlooked from the entrance walkways and north facing windows of George Pateman Court, but this is from some considerable distance.

8.27 Generally, the windows on the northern elevation of the houses, at first and second floor levels, serve bathrooms and staircases. To prevent direct overlooking of the houses on Tenison Avenue, I recommend that a condition is added requiring that these windows are obscure glazed and fixed shut (condition 4).

8.28 Concern has been raised that the development will mean that the rear boundary of the houses on Tenison Avenue will become less secure. The development will increase the amount of natural surveillance in the area, and it is my opinion that the proposal will not have a detrimental impact on safety and security.

8.29 As the houses are flat roofed, with differing levels and there is concern that roof gardens or terraces may be created by the occupiers. These would require planning permission in their own right.

Overshadowing and visual dominance

8.31 The previous application was refused for the following reason, in relation to residential amenity:

Reason for refusal 1

Because of the overbearing sense of enclosure that will be created by the development and experienced by the occupiers of 9-31 Tenison Avenue and 68 and 85 Highsett, and because of the overshadowing of the rear gardens, balconies, roof terraces and ground floor rooms of 9-31 Tenison Avenue during Winter months, the application would result in unacceptable harm to the residential amenity of the occupiers of those houses and would be in conflict with policy ENV7 of the East of England Plan (2008) and policies 3/4 and 3/7 of the Cambridge Local Plan (2006), and government guidance in the National Planning Policy Framework (2012).

8.32 The submitted 'impact comparison drawings' indicate that the proposed scheme will have a reduced overshadowing impact on the existing rear gardens of properties along Tenison Avenue at noon mid-winter as a result of the reduction from three to two storeys and the replacement of pitched roofs with flat roofs. The impact of overshadowing in the direction of the rear gardens of properties along Tenison Avenue at noon mid-spring and noon mid-summer is limited to the overshadowing of the access lane and strip of tree planting to the north.

8.33 The proposed houses would be a very prominent feature in the outlook from the rear of the Tenison Avenue houses, especially as these properties currently benefit from an outlook across an open piece of land. However, considering the reduction in the scale and height of the proposed houses, I do not consider that they would be close enough to the existing houses to result in overwhelming visual domination or an unacceptable sense of enclosure. I take the same view with respect to Nos. 68 and 85 Highsett.

Noise and disturbance

8.34 The access road, serving the site, would be separated from the Tenison Avenue gardens by the existing high brick wall. The number of vehicle movements along this road would be very limited. Notwithstanding the concerns expressed in representations, I do not consider it likely that an unacceptable degree of noise or disturbance would result. I also am of the opinion, that the light generated from car lights would be minimal and shielded by the boundary wall.

8.35 The impact on neighbouring occupiers could be increased if the proposed houses were extended or additional windows were added. I, therefore, recommend that conditions are added to the permission removing Permitted Development rights (conditions 5 and 6).

8.36 In my opinion, the proposal respects the residential amenity of neighbouring occupiers, and I consider that it therefore complies with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

8.37 Concern has been raised by residents that the gardens are too small for the size of the houses. In my view the gardens provided are adequate and consistent with the size of gardens on other new developments.

8.38 In my opinion the proposal provides an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

8.39 The residents will only be required to move their bins to their immediate collection points which are under the maximum of 30m distance. From here a management company will transport the bins to the main collection point at the entrance of the site where the refuse collectors will empty the bins into the refuse collection vehicle which will be situated on George Pateman Court. This approach has been agreed in principle with the Refuse Department at the City Council.

8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

8.41 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) states that, at a maximum, two car parking spaces should be provided for houses of this size. One car parking space is proposed for each dwelling (with all but one house having a garage) along with three visitor parking standards. This is below the maximum standards but considering the site is close to the railway station and the bus interchange, I consider it to be acceptable.

8.42 I also acknowledge that the pressure to use private garages for storage space or to convert them to habitable rooms might lead to a reduction in the overall car parking space available. Some representations express concern about the impact of the development on on-street car parking space. However, this is an area of controlled parking, in which the pressure for on-street space, both during the day and at night, is already far beyond the saturation level. Residents of the development proposed here would not be entitled to residents' parking permits, and I

do not consider that their demands, whether or not the households concerned keep one or more cars, would make any difference to the on-street pressure. I recommend that if the application were to be approved, a condition should be attached requiring a system to limit use of the visitors' spaces to visitors of these houses only. I also recommend a condition preventing the garages from being converted into habitable rooms without the need for planning permission (condition 8).

8.43 Appendix D (Cycle Parking Standards) states that for houses of this size a minimum of four secure, covered cycle parking spaces must be provided. It is proposed that each house will have an individual cycle store. This approach is satisfactory, and acceptable. However, the City Council's Cycling and Walking Officer has explained that, in their view, the cycle stores are too small and not in appropriate locations. Therefore, I recommend that details of the cycle stores are required by condition (condition 11).

8.44 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6, 8/10 and 8/16.

Third Party Representations

Works to and maintenance of the boundary wall

8.45 The application does not include the removal of or any works to the boundary wall between the application site and Tenison Avenue. The maintenance of this wall will be a civil matter between the developer and the owner.

Architectural competition

8.46 This site was the subject of an architectural competition. Even if another scheme was put forward and won this competition, the Local Planning Authority must assess what has been proposed in this application.

Planning Obligation Strategy

Planning Obligations

8.47 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an

assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.48 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.49 The application proposes the erection of two five-bedroom houses and five four-bedroom houses. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are

not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed (or more)	4	238	952	7	6664
				Total	**6664**

Indoor sports facilities					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed (and more)	4	269	1076	7	7532
				Total	**7532**

Informal open space					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed (and more)	4	242	968	7	6776
				Total	**6776**

Provision for children and teenagers					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	0	0		
1 bed	1.5	0	0		
2-bed	2	316	632		
3-bed	3	316	948		
4-bed (and more)	4	316	1264	7	8848
				Total	**8848**

8.50 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.51 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	Jper unit	Number of such units	Total J
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed (and more)	1882	7	13174

Total	**13174**

8.52 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.53 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	Jper unit	Number of such units	Total J
House	75	7	525
Flat	150		
		Total	**525**

8.54 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Waste Management

A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of J190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of J1330 is necessary

8.55 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

Education

8.56 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.57 In this case, 7 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, secondary education and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		Jper unit	Number of such units	Total J
1 bed	1.5		0		
2+-beds	2		810	7	5670
				Total	**5670**

Primary education					
Type of unit	Persons per unit		Jper unit	Number of such units	Total J

1 bed	1.5		0		
2+-beds	2		1350	7	9450
				Total	**9450**

Secondary education					
Type of unit	Persons per unit		Jper unit	Number of such units	Total J
1 bed	1.5		0		
2+-beds	2		1520	7	10640
				Total	**10640**

Life-long learning					
Type of unit	Persons per unit		Jper unit	Number of such units	Total J
1 bed	1.5		160		
2+-beds	2		160	7	1120
				Total	**1120**

8.58 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

8.59 Subject to the completion of a S106 planning obligation to secure the requirements of the Affordable Housing SPD (2008), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

8.60 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge

Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.61 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.62 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

9.1 In my opinion, the proposed scheme is well designed and respects the amenities currently enjoyed by the neighbouring residents. The proposed development respects the character and appearance of the Conservation Area. The proposal satisfactorily addresses the previous reasons for refusal and is therefore recommended for approval, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 1st January 2014 and subject to the following conditions and reasons for approval:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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. (Cambridge Local Plan 2006 policy 4/13)

3. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

   Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. The bathroom/shower room/staircase windows of all of the houses hereby approved shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent when first introduced to the building and remain as such thereafter.

   Reason: In the interest of privacy (Cambridge Local Plan 2006 policy 3/12).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

   Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

   Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

7. Prior to the commencement of development details of the screens to the balconies/terraces shall be submitted to and approved in writing by the Local Planning Authority.

   Reason: To prevent overlooking of neighbouring properties. (Cambridge Local Plan 2006, policy 3/7)

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no garages shall be converted into habitable space other than with the prior formal permission of the local planning authority.

   Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

9. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

   Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/12)

10. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

    Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/12)

11. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be 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 appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

12. Prior to the commencement of development a drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority.

    Reason: To prevent the risk of flooding. (Cambridge Local Plan 2006, policy 4/16)

13. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.
    (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.
No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).
(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.
(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To protect the amenity of the future occupiers of the site. (Cambridge Local Plan 2006, policy 4/13)

14. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

    Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

15. The units hereby approved shall not be occupied until fire hydrants have been installed according to a scheme previously submitted to, and approved in writing by the local planning authority.

    Reason: To ensure safe conditions for future occupants. (Cambridge Local Plan (2006) policy 3/7)

16. Prior to occupation, full details of the planting along the boundaries of the site shall be submitted the and approved in writing by the Local Planning Authority.

    Reason: In the interests of visual amenity and residential amenity. (Cambridge Local Plan 2006, policies 3/7 and 3/11)

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 1st January 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, sports facilities, community development facilities, education and life-long learning facilities, waste storage, waste management facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003

policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the RECAP Waste Management Design Guide SPD 2012, and the Open Space Standards Guidance for Interpretation and Implementation 2010.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

The Planning Inspectorate

Appeal Decision

Inquiry opened on 8 May 2013
Site visits made on 9 and 10 May 2013

by Clive Hughes BA (Hons) MA DMS MRTPI

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

Decision date: 18 June 2013

Appeal Ref: APP/Q0505/A/12/2176501
Land at former St Colette's Preparatory School, Tenison Road, Cambridge CB1 2DP

- 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 ORO Ventures Ltd & MPM Properties (Investments) Ltd against the decision of Cambridge City Council.
- The application Ref 11/1534/FUL, dated 13 December 2011, was refused by notice dated 11 April 2012.
- The development proposed is erection of 6x5 bed houses; 1x4 bed house; and 1x3 bed house, internal access road, car and cycle parking and hard and soft landscaping.
- The inquiry sat for 2 days on 8 and 9 May 2013.

Decision

1. The appeal is dismissed.

Applications for costs

2. At the Inquiry applications for costs were made by ORO Ventures Ltd & MPM Properties (Investments) Ltd and by Dr Andy Harter against Cambridge City Council. These applications are the subject of separate Decisions.

Procedural matters

3. The application was amended prior to its determination by the Council. The 4- and 3-bed houses were omitted and replaced by an additional 5-bed house resulting in a scheme for 7x5-bed houses. I have used this revised description in the determination of this appeal.

4. At a meeting of the Council's Planning Committee on 25 July 2012, the Council resolved not to pursue its 2nd reason for refusal. This matter was, however, pursued by local residents and so remained an issue before the Inquiry.

5. A signed Unilateral Undertaking, dated 18 May 2012 was submitted with the appeal. The Statement of Common Ground (SoCG) confirms that this fully meets the Council's requirements and that the Council is not pursuing its 5th reason for refusal.

6. An amended plan, Drawing No 050-205 Rev B, was submitted with the appeal. This corrects the position of the boundary between the appeal site and No 25 Tenison Avenue which was shown incorrectly on Drawing No 050-205 Rev A. That plan is a cross section of the site. The site layout plan (Drawing No 050-100 Rev B), submitted as part of the original planning application, shows the

correct position of the boundary. I am satisfied that no parties would be prejudiced by my consideration of the amended plan.

Main Issues

7. The main issues are (i) whether the proposed development would preserve or enhance the character and appearance of the City of Cambridge Conservation Area No 1 (Central); (ii) the effect of the proposals upon the living conditions of occupiers of nearby dwellings with particular regard to overshadowing (9-31 (odd nos) Tenison Avenue) and the effect on outlook (9-31 (odd nos) Tenison Avenue, 68 and 85 Highsett); (iii) whether the proposals make adequate provision for informal public open space; and (iv) whether the development involves the loss of existing community facilities and, if so, whether the proposals would result in unacceptable conflict with Policy 5/11 of the *Cambridge Local Plan 2006*.

Reasons

Background

8. The appeal site is situated in an urban location to the south of the centre of Cambridge, close to the railway station. The site is roughly rectangular with long boundaries to the north and south and tapering slightly from east to west. It is flat and has many perimeter trees, some of which are the subject of a Tree Preservation Order. The site was last occupied by a school with three large single storey buildings and other areas of hard surfacing. The buildings have now been demolished, with Conservation Area Consent, although their oversites remain. It lies within a Conservation Area.

9. The site is surrounded by buildings, mostly in residential use. To the north, and running parallel with the northern boundary of the site, lies Tenison Avenue, a residential road mainly comprising 3 storey semi detached late Victorian houses. Nos 29/31 are in use as Houses in Multiple Occupation (HMOs). To the west, and separated by a private access road, are 3 storey dwellings in Highsett, a residential development with terraced dwellings aligned north/ south and east/ west. This development also abuts the western end of the southern boundary with 2- and 3-storey terraces aligned with their end elevations facing the site. The remainder of the southern boundary abuts George Pateman Court, a three storey flatted development with balcony access to the upper floors and frontage car parking. To the east are three storey terraced properties fronting Tenison Road that comprise a mix of houses, guest houses and bed and breakfast accommodation.

10. It is proposed to develop the site with three pairs of three storey semi detached houses and a detached house set in four tiers with all the dwellings having their main elevations facing east/ west. There would be a new shared surface access using the existing access point from George Patemen Court and running between the new houses and the rear gardens of Tenison Road and Tenison Avenue properties. Some trees would be felled and there would be new planting. The site is largely surrounded by walls that would be retained.

Effect on the character and appearance of the Conservation Area

11. The City of Cambridge Conservation Area No 1 (Central) is very extensive, covering most of the centre of the city and extending outwards in several directions. It has been extended on a number of occasions, the appeal site and

its surrounding area having been included in 1993. The site is wholly surrounded by the Conservation Area, although the former Focus DIY/ garden store and the housing in Ravensworth Gardens, on the opposite side of Tenison Road, lie outside the Area. There are public views of the site from George Pateman Court, a short residential cul-de-sac, and from around its junction with Tenison Road. Although the site entrance is set some distance back from Tenison Road, the wall and conifer trees to the west of this entrance are clearly visible from the main road.

12. As set out above, the site lies within a predominantly residential area where the proposed houses would accord with the prevailing residential character. The established housing is very varied with a mix of dwelling types, styles and ages. There are detached, semi detached and terraced houses as well as blocks of flats. Most of the properties are three stories high, although even here there are variations with some dwellings having steeply pitched roofs with strong gable features while others have flat roofs (George Pateman Court) or a mix of mono-pitch and butterfly roofs (Highsett). There are also variations in dwelling size and the scale of the gardens.

13. The easternmost two of the proposed dwellings, on Plots 1 and 2, would face towards Tenison Road, albeit they would be sited behind the frontage properties. These two houses would be the only dwellings on the site that would be clearly visible from public viewpoints, although the side elevation of Plot 4 would be seen over the wall from the turning area at the end of George Pateman Court. The main public view, and the view that would have the most impact on the appearance of the Conservation Area would be the front elevation of Plots 1 and 2. Plot 1 would be partly obscured by the retained boundary wall and there is a parking area for the George Pateman Court flats between the houses and Tenison Road.

14. The site has been cleared and so it currently has little presence outside its surrounding walls save for the perimeter trees. The two houses on Plots 1 and 2 would be seen as a pair of modern semi-detached three storey dwellings. They would provide the necessary frontage to the development that would enhance views from Tenison Road. Their form, scale, designs and materials, with strong gables to the front and a mix of materials, would be entirely compatible with the scale and styles of other dwellings in this part of the Conservation Area. The layout of the development, with pairs of houses facing east/ west, would be in keeping with scale and orientation of the short terraces at Highsett. Within the site itself the access serving the dwellings would not be out of character with the accesses within Highsett while the garden sizes would be commensurate with others in the area.

15. I conclude on the first issue that the development would preserve the character of the area and enhance its appearance. It would satisfactorily respond to its Conservation Area context and there would be no unacceptable conflict with the relevant parts of Policies 3/4, 3/7, 3/12 and 5/1 of the *Cambridge Local Plan 2006* and the *National Planning Policy Framework* (the *Framework*).

Effect on living conditions

Overshadowing

16. The Council's first reason for refusal refers to the overshadowing of rear gardens, balconies, roof terraces and ground floor rooms of Nos 9-31 Tenison

Avenue during winter months. The appellants and the Council have both used the Building Research Establishment's (BRE) guidance set out in *Site Layout Planning for Daylight and Sunlight*, although the assessment on behalf of the Council does not appear to take account of existing boundary walls and surrounding buildings. The assessment on behalf of the Council also fails to explain whether the development would accord with the guidance. In particular it does not say whether at least half of the amenity areas for each property would receive at least 2 hours sunlight and is therefore well sunlit.

17. The appellants' evidence takes into account the buildings that were on the site but which have since been demolished. These were single storey structures and in mid-winter had relatively little impact due to the height of the existing boundary walls. The appellants' evidence did include an analysis of whether the BRE guidance would be met; there is no dispute that on 21 March the guidance is are fully met. There would be some additional shadows cast by the proposed dwellings, but these would be transient and, taking the day as a whole, adequate sunlight would be received. In coming to this conclusion I have had regard to the fact that this is an urban location where it is not unusual for large areas to be in shadow in mid-winter when the sun is low.

Effect on outlook/ sense of enclosure

18. The reason for refusal relates to the impact on the living conditions of the occupiers of Nos 9-31 (odd nos) Tenison Avenue & Nos 68 and 85 Highsett and cites the "overbearing sense of enclosure that will be created by the development". The site was last occupied by single storey school buildings. I agree with the appellants that the northern boundary of the site is the most sensitive as the houses would be sited to the rear of dwellings in Tenison Avenue and at right angles to them. The proposed semi-detached houses would be three storeys high and separated from the boundary by the proposed shared surface access. The detached house (Plot 7) would have a different form with a substantial single storey side projection that would be sited close to the common boundary. There would also be some impact on the living conditions of occupiers of the two closest properties in Highsett, Nos 68 and 85, which are sited parallel with the proposed houses on Plots 6 and 7.

19. Concerning the impact on the living conditions of occupiers of Tenison Avenue properties, the residents of Nos 9, 15, 17, 25 and 29 would be likely to be most affected as they would have new buildings directly behind their houses that would extend for all, or most, of the width of their plots. The outlook from these properties would be significantly changed by the development. The impact on the outlook from the other properties abutting the site would be a little less noticeable due to their siting relative to one another. Drawing No 050-503 sets out the distances between the existing houses and the new buildings. In considering the impact, it must also be borne in mind that the proposed houses have been deliberately designed with asymmetrical roofs such that the ridges are located further from the common boundary than if they were centrally located, in an attempt to reduce their impact.

20. The existing outlook is, to some extent, foreshortened by the flats in George Pateman Court and the house at No 85 Highsett. However, George Pateman Court is some considerable distance away (around 50m from the rear of No 15) and has a flat roof. While it is visible, I do not consider that it can reasonably said to create any unacceptable sense of enclosure. No 85 is a two storey house with a butterfly roof and its visual impact across the site is limited.

21. Many of the properties in Tenison Avenue have been extended to the rear, bringing the built form closer to the appeal site. Some have large first floor windows that take advantage of the openness of the appeal site. I also saw that the rear gardens appear to be well used; for example I saw that the garden of No 15 is filled with children's play equipment while No 25 is actively cultivated. The proposed house on Plot 3 would be sited only about 7m from the garden of No 15; that on Plot 5 would be about 6m from the garden of No 25. The houses would be 3 storeys high, with long roofs sloping down to an eaves height of about 4.5m.

22. I consider that a combination of the height, width, siting and proximity of the houses to the rear windows and gardens of the Tenison Avenue properties would mean that the proposed dwellings would dominate the outlook from these houses and their gardens and result in an overbearing sense of enclosure. This would be seriously harmful to the living conditions of the occupiers of those properties. This particularly applies to the proposed buildings on Plots 2, 3 and 5 and their impact on the living conditions of the occupiers of Nos 9, 15, 17 and 25 Tenison Avenue.

23. I have taken account of the additional planting proposed along the boundary but in order to screen the houses any substantial planting would itself create a sense of enclosure, as well as affecting sunlight to the houses and gardens. I accept that such planting could be undertaken without the need for any permission, but it seems unlikely that it would be carried out other than in association with the redevelopment of the site. I have also noted that the appellants' CGIs (Drawings No 050-600 Rev A) show a tree in the rear garden of No 25 that largely hides the proposed house. That tree does not exist. I also consider that this CGI gives a rather misleading impression as the proposed house on Plot 5 would be wider than the garden of No 25, the built form extending beyond both side boundaries of No 25.

24. Concerning Plot 7, the house would be sited within 1m of the common boundary and would involve the removal of an existing tree and leaving no space for replacement planting. Although a little less tall than the other proposed houses, it would nonetheless be sited immediately to the rear of No 29 Tenison Avenue, a HMO. This has bedroom and kitchen windows in the rear elevation and the garden is used by the residents. I consider that the scale and siting of this house, and its proximity to the boundary, would be overbearing and harmful to the living conditions of the residents of No 29.

25. The houses on Plots 6 and 7 would also be visible from within Nos 68 and 85 Highsett. Their principal outlooks are to the front and rear and so it would only be in oblique views that the new houses would be seen. No 68 has its living room at first floor level with large windows to the rear. While the house at Plot 7 would be only 11.4m distant, the angle would be such that the new house would not visually dominate or unacceptably harm the outlook. The new house on Plot 6 would be closer to the line of sight but would still be only viewed at an oblique angle. In any case, it would be some 30m distant and would not appear overbearing. I acknowledge that due to the siting of Nos 6 and 7 the existing pleasant views across the site would be lost from Nos 68-70 Highsett, but the impact would not be unacceptably harmful.

26. The house on Plot 6 would be sited adjacent to No 85 Highsett and more or less in line with it so would not be likely to impact on its outlook. There is a high wall at this point and the proposed house would not significantly impact upon

the outlook from the garden of No 85. While Plot 7 would be visible from the front windows, it would also be sited at an oblique angle so the impact would not be unduly harmful.

27. I conclude on this issue that the proposals would not result in any unacceptable overshadowing of the Tenison Avenue properties. It would, however, result in an overbearing sense of enclosure for the occupiers of many of the Tenison Avenue dwellings. This would be seriously harmful to their living conditions and contrary to Policies 3/4 (c) and 3/7 (a) of the *Local Plan* and paragraph 17 of the *Framework*.

Open space provision

28. The Council considers that the on-site informal open space provision is inadequate and so the development is in conflict with Policy 3/8 of the *Local Plan*. The Policy says that provision may be made through commuted payments where the scale of the development indicates, but gives no guidance as to how scale informs that decision. This Policy needs to be read in conjunction with the Council's *Open Space and Recreation Standards* as set out in Appendix A to the *Local Plan* as these apply to all schemes for new residential developments. The *Standards* define informal open space to include amenity greenspaces within housing areas; public open space means space that has unimpeded public access. The definition goes on to say that the amount of provision on site should depend upon the size and character of the proposed development; the character of the surrounding area; and its location in relation to existing open space.

29. In this case the proposals include a relatively small amount of greenspace immediately opposite Plots 1 and 2. While it is under the canopy of trees, these trees have few lower lateral branches facing into the site and the land, which is south facing, would receive a considerable amount of sunlight. I have taken into consideration the small scale of the development (7 units) and the fact that all the houses have private gardens of reasonable size. The site is a small scale private backland development within an area that is characterised by houses with private gardens. Highsett is a similar, if larger, development with no public access or public open space. There is a play area for children, with facilities for under 6's and under 12's, in the Ravensworth Gardens development very nearby on the opposite side of Tenison Road. The nearest playing fields (Coleridge Recreation Ground) are only about 10 minutes' walk away (albeit longer for small children), using the covered cycleway/ footbridge over the railway, which is a reasonable distance.

30. Policy 3/8 allows off-site provision through commuted payments. The submitted UU makes provision for a financial contribution in accordance with the Council's adopted standards. This would be partly used at the Coleridge Recreation Ground and partly for other woodland and open spaces in the City. I conclude on this issue that the small scale and private nature of the development are such that commuted payments are appropriate. They would provide greater benefits for the community than on-site open space provision; the contributions set out in the UU satisfy Policy 3/8 of the *Local Plan*.

The loss of existing school facilities

31. St Colette's Preparatory school ceased operation from the appeal site in mid-2009; the school buildings were demolished in 2010. In refusing planning

permission for the current proposals, the Council referred to the loss of community facilities on the site and the inadequacy of the marketing strategy. The Council stated that the appellants had not demonstrated that the site was not required for an educational or community use and cited Policy 5/11 of the *Local Plan* and guidance in the *Framework*.

32. The appellants and the Council both took advice from Leading Counsel concerning the applicability of Policy 5/11. The Council subsequently resolved not to pursue this reason for refusal as it had been advised, as a matter of law, that this Policy was not engaged since the buildings had been demolished. Notwithstanding this stance, a local resident acquired Counsel's opinion concerning the applicability of the Policy and residents continued to assert that the Policy is engaged and that the development is in conflict with it. The various legal opinions formed appeal documents.

33. Policy 5/11, under the heading *Protection of Existing Facilities*, sets out three factors any one of which needs to be satisfied in order to permit the loss of community facilities. Supporting paragraph 5.24 advises that the protection of existing facilities is necessary due to the limited scope to provide new facilities.

34. The key word in the Policy is "existing". Before the buildings were demolished, the lawful use of the site was the provision of education use (Use Class D1). Following the demolition of all buildings on the site, the land holds nil use. This conclusion is supported by *Iddenden v Secretary of State for the Environment [1972] 1 WLR 1433*, in which the Court of Appeal held that following demolition the use of land was lost. The more recent case of *W E Black v First Secretary of State [2007] 1 P&CR 7* seems particularly relevant. In brief, the Court held that an Inspector had been wrong to treat a cleared site, where a building housing a health club had been demolished, as an existing sports or recreational facility. This was because the terms "existing sports facility" or "existing recreational facility" necessarily implied a physical resource with particular features making provision for sport or recreation. As the building had been demolished, there was no "existing sports facility" or "existing recreational facility".

35. In this case Policy 5/11 relates to "existing facilities". As the site has been cleared there are no longer any existing education facilities and so the policy cannot reasonably be engaged. I have taken account of the opinion of local residents who argued that it was clearly not the intention of the Council to permit the loss of such sites. However, it seems to me that the wording of the Policy is very clear. The construction of planning policy is a matter of law as is made clear in *Tesco Stores Ltd v City of Dundee [2012] UKSC 13*. The Court held that planning policy statements should be interpreted objectively in accordance with the language used, read in its proper context. A planning authority cannot make the development plan mean whatever they would wish it to mean. In this case the context includes the fact that Conservation Area Consent had been granted for the demolition of the buildings. This allowed the removal of the "existing facilities"; their removal resulted in the cessation of the lawful use. The reference to school sites in the final paragraph of the policy cannot be said to increase its scope as it comes under the general heading *Protection of Existing Facilities.* I do not consider that a reasonable interpretation of this would be that this paragraph could operate independently of the remainder of the Policy.

36. In formulating the Policy the Council must have been aware that the demolition of existing facilities could result in the cessation of a use. The Council could have used different wording if it had wished to retain "existing sites" rather than "existing facilities". The fact that it did not do so indicates to me that there was never any intention of using this Policy to protect sites where the facilities had been removed, as is the case here. In these circumstances I am satisfied that Policy 5/11 is not engaged and that the Council was correct not to pursue this reason for refusal.

Unilateral Undertaking

37. The appellants submitted a UU that makes provision for the payment of commuted sums for community facilities, informal open space, children's and teenager's facilities, indoor and outdoor sports facilities, waste facilities and various education/ school facilities. The total sum involved is £61,421. The uses to which these sums would be put are set out in the Council's evidence and it is set out in the SoCG that this fully complies with the Council's requirements. Based upon the Council's submissions I am satisfied that these sums comply with the *Community Infrastructure Levy Regulations 2010* and so can be taken into account in this Decision.

Conclusions

38. I have had regard to all the other matters raised at the Inquiry and in the written submissions. Concerning overlooking and loss of privacy arising from the windows in the proposed houses, the flank, upper floor windows could be non-openable, apart from any top hung light, and fitted with obscured glass which would need to be retained thereafter. This could be the subject of appropriate conditions. Ground floor windows could be so conditioned but unneighbourly overlooking from the ground floor is unlikely to be any more intrusive that views of persons using the access road, gardens etc in any future redevelopment of this site. The finished floor levels of the proposed houses could be the subject of a condition requiring the submission of, and compliance with, full details. I have found nothing in these other matters to outweigh my conclusions on the main issues.

39. In conclusion, this is a disused, vacant urban site, formerly in education use, that is largely surrounded by housing. The principle of residential use is acceptable and the provision of additional housing within the City confines is to be welcomed. The proposed development has been carefully designed to take account of its location within a Conservation Area and to reflect the many different housing styles within the immediate area. The layout and form of the proposals has clearly taken account of the surrounding development and serious attempts have been made to minimise its impact on the living conditions of adjoining residents. I am satisfied that the development would preserve or enhance the character and the appearance of the Conservation Area; would not result in unacceptable overshadowing of adjoining properties; would make provision for sufficient amenity open space; and would provide other community benefits by way of the UU. The site now has nil use as the education facilities have been demolished and so Policy 5/11 of the Local Plan is not engaged.

40. However, I am very concerned that the proposed houses on Plots 2, 3, 5 and 7, due to their height, width, siting and proximity to the rear windows and gardens of the Tenison Avenue properties, would mean that the proposed

dwellings would dominate the outlook from these properties, resulting in an unacceptably overbearing sense of enclosure. This would be seriously harmful to the living conditions of the occupiers of the Tenison Avenue properties and contrary to the development plan and the *Framework*. This harm cannot be overcome by the imposition of conditions and so, for that reason, the appeal is dismissed.

Clive Hughes

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Douglas Edwards QC	Instructed by Simon Pugh, Head of Legal Services, Cambridge City Council
He called	
Rosie Dinnen BA(Hons) Dip TP MRTPI	Senior Planner, Barton Willmore
Catherine Linford	Cambridge City Council (attended site visit)

FOR THE APPELLANTS:

Simon Bird QC	Instructed by Colin Brown, Januarys
He called	
Colin Brown BA(Hons) MRTPI	Managing Director, Januarys
Nicholas Parkinson BSc BArch RIBA	Design Director, Hill Residential Ltd
Ian Absolon BSc	Director, GVA Schatunowski Brooks

INTERESTED PERSONS:

Nicola Harrison	Local resident and former County Councillor
Dr Irene Elia	Local resident
Dr Andy Harter FREng	Local resident
Professor Michael Carpenter	Local resident
Denise Clegg	Owner, 29/ 31 Tenison Avenue
Joseph Saunders	Local resident
Frank Gawthorp	Secretary, Glisson Road & Tenison Road Area Residents' Association and local resident
Sophie Smiley	Local resident
David Gooch	Local resident
Elizabeth Bingham	Local resident

DOCUMENTS SUBMITTED AT THE INQUIRY

1 Drawing No 050 205 Rev B (Position of boundary wall corrected)
2 Letter dated 15 April 2013 from Bursar, Jesus College, to Planning Inspectorate
3 Sunlight analysis – missing page from Ian Absolon's Appendix 3
4 Drawings No BRE04 and 05 - transient shadow analysis for 21 December – missing pages from Ian Absolon's Appendix 2
5 Drawings No 050-105 & 106 sections of site showing former school buildings
6 Drawing No 050-003 existing boundary wall heights
7 Drawing No 050-605 proposed terrace house arrangement plan
8 Drawing No 050-104 development density comparison
9 Drawing No 050-601 set of CGIs showing views from first floors of Tenison Avenue properties
10 Drawing No 050-604 set of CGIs showing views of terraced houses from rear of Tenison Avenue properties
11 Set of suncast images with site "as existing" with no buildings.
12 Opening submissions on behalf of the appellants
13 Opening submissions on behalf of the Council
14 Plan showing boundary of Conservation Area
15 Extracts from Cambridge Local Plan 2006
16 Statement by Dr Andy Harter
17 Closing submissions on behalf of the Council
18 Closing submissions, incorporating an application for a partial award of costs, on behalf of the appellants

PLANS

A Drawings No 050-001, 100B, 200, 201, 202, 203, 204A, 205A, 206B, 207B, 500, 501 – application plans showing site location, site layout, floor plans and elevations of houses, garage and cycle store

Rev. No.	Date.	Amendment.	Initial.
A	25-10-12	Visitor Parking moved to create Open Space for Residents, boundary screening added to Plot 7 garden and measurements added	MC
B	04-07-13	House layouts amended to increase distance from Northern boundary. Vegetation extended and enhanced	MC

N

Hill

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Proposed Site Layout
(Vegetation on the Northern boundary and rear gardens of Tenison Avenue are estimations based on photographs dated 22-11-11)

Scale:		Date:	
1:200 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-801	B

CAD Ref:

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Rev. No.	Date.	Amendment.	Initial.

Planning Appeal scheme plot outlines
(APP/Q0505/A/12/2176501)

Superceded undetermined scheme plot outlines

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Comparison Site Layout
(Vegetation on the Northern boundary and rear gardens of Tenison Avenue are estimations based on photographs dated 22-11-11)

Scale:		Date:	
1:200 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
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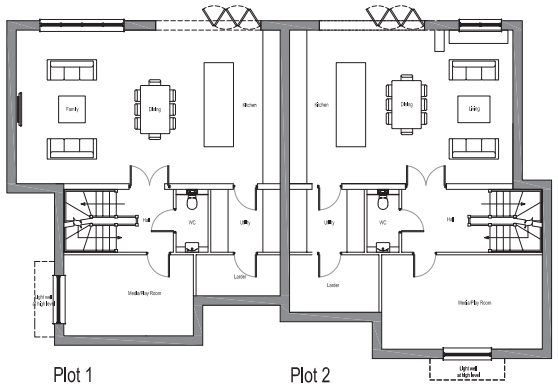
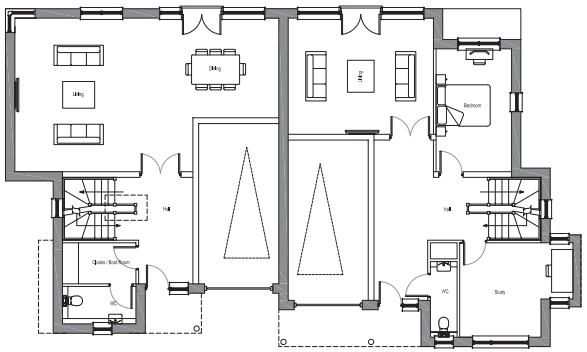
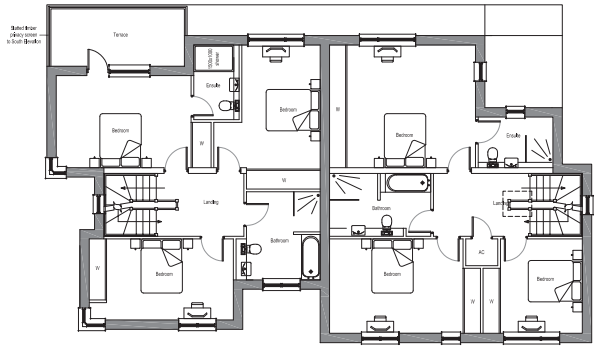
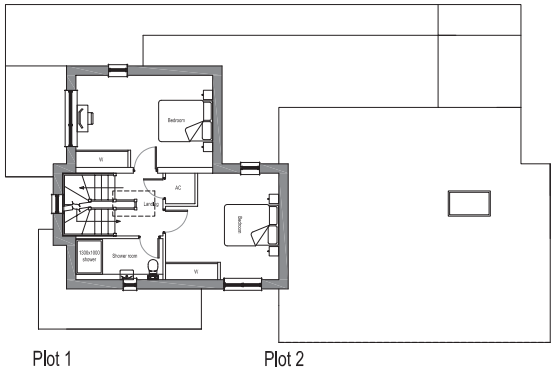
Rev. No.	Date.	Amendment.	Initial.
A	25-10-12	Timber privacy screens added to south facing side of terrace following Urban Design and Conservation Team comments	MC
B	04-07-13	Floor layouts amended to increase distance from northern boundary and to decrease width of northern most element of elevation	MC









Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plot 1 & 2
Floor Plans

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-810	B
CAD Ref:			

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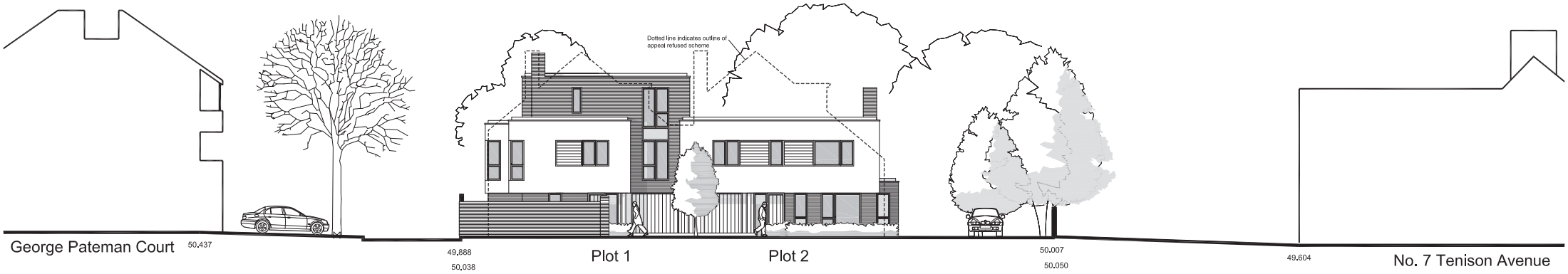
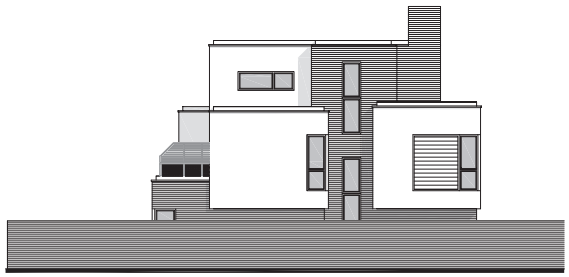


Elevation to proposed access road

0 10

Scale Bar Metres

Rear Elevation



Elevation to George Pateman Court

Hill

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plot 1 & 2
Elevations

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-811	B

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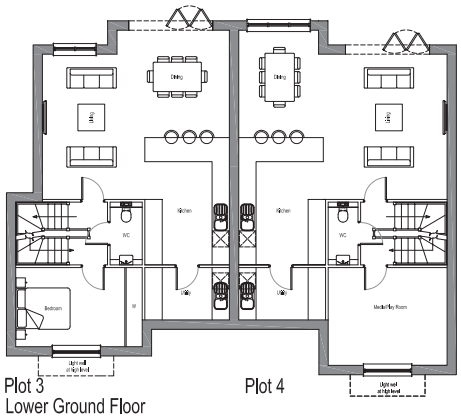

Plot 3 Plot 4
Lower Ground Floor

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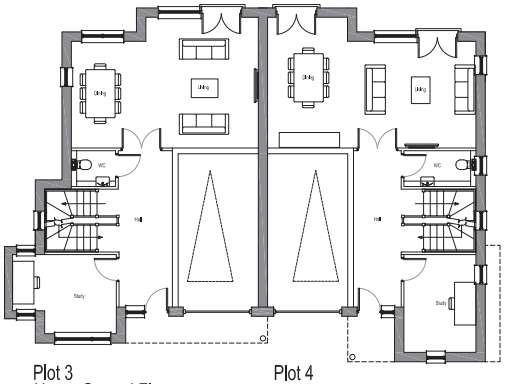
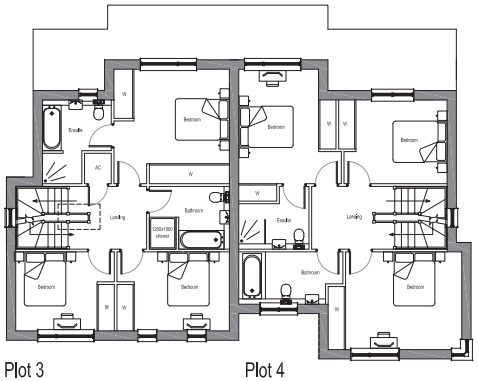
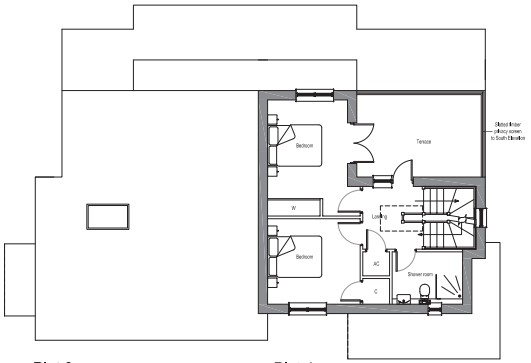
Scale Bar Metres



Plot 3 Plot 4
Upper Ground Floor



Plot 3 Plot 4
First Floor



Plot 3 Plot 4
Second Floor

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plot 3&4
Floor Plans

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-812	B

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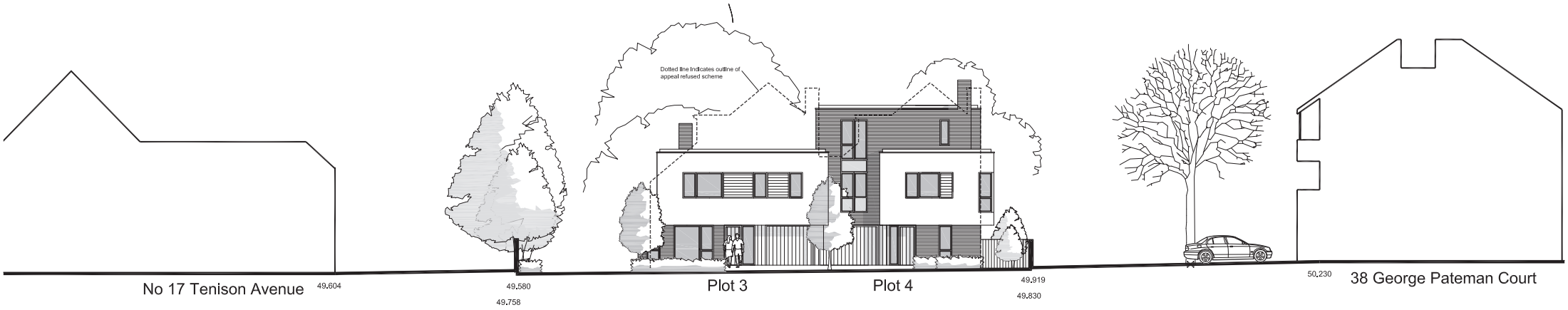
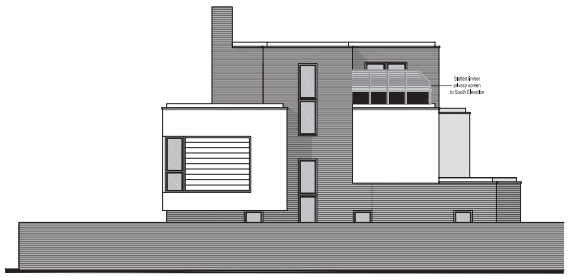


Elevation to proposed access road

Rear Elevation



Elevation to George Pateman Court

0 10

Scale Bar Metres

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plots 3&4 Elevations
Elevations

Scale:		Date:	
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Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-813	B
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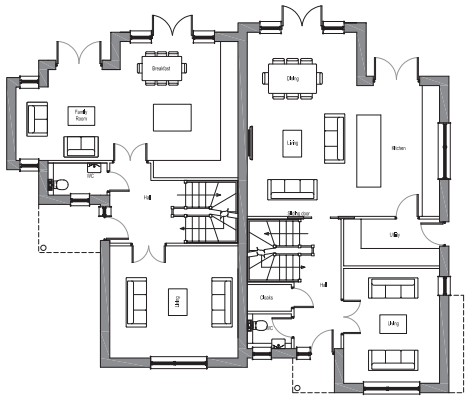
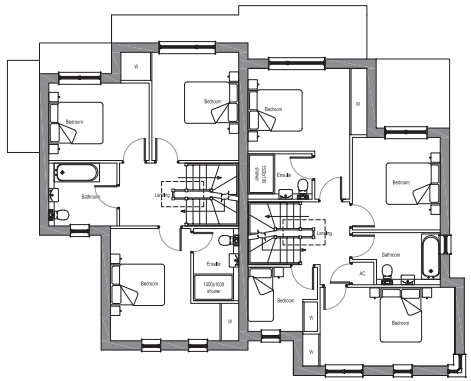


Plot 5
Ground Floor

Plot 6

0 10

Scale Bar Metres



Plot 5
First Floor

Plot 6

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plots 5&6
Floor Plans

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-814	A

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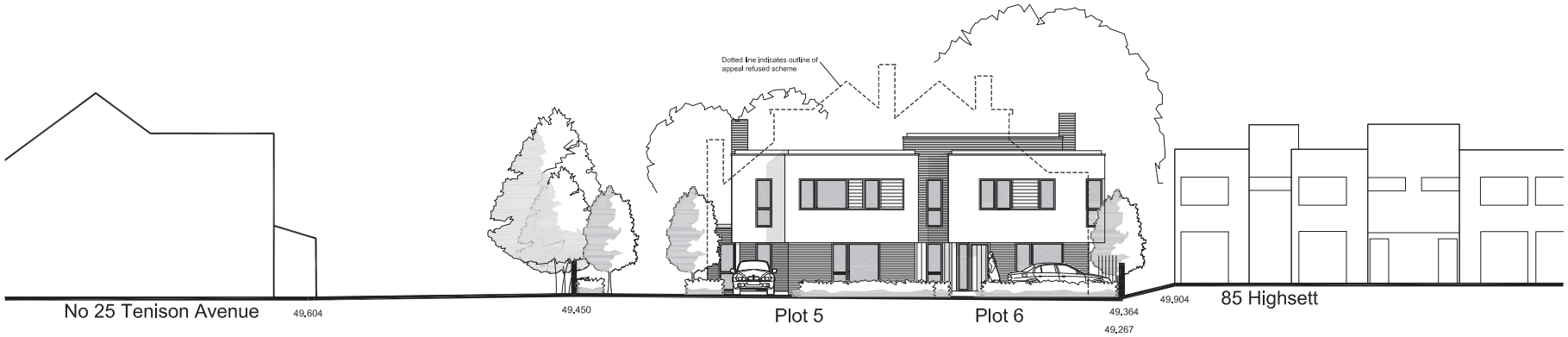
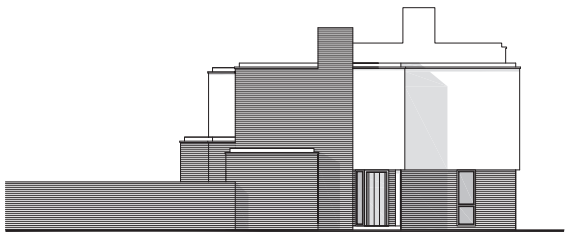
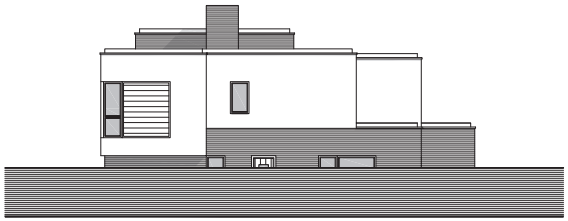



Elevation to proposed access road

Rear Elevation


Elevation to Highsett

0 10

Scale Bar Metres

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plots 5&6 Elevations
Elevations

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-815	A
CAD Ref:			

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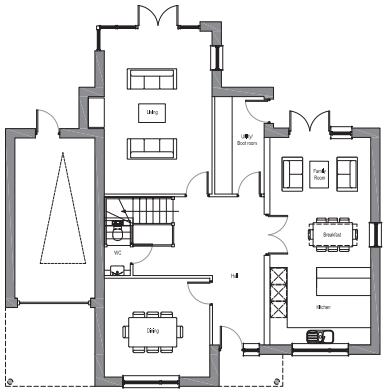
Rev. No.	Date.	Amendment.	Initial.
A	25-10-12	Timber privacy screen added to rear elevation and obscure glazing windows annotated	MC
B	04-07-13	Floor layouts amended to increase distance from northern boundary and to decrease width of northern most element of elevation	MC



Plot 7
Ground Floor

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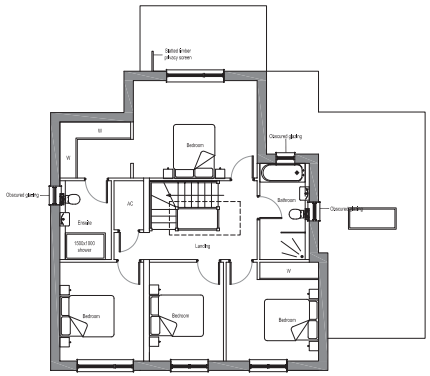
Scale Bar Metres



Plot 7
First Floor

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plot 7
Floor Plans

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-816	B

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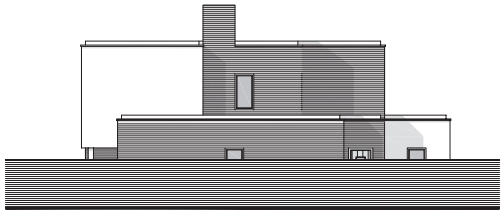
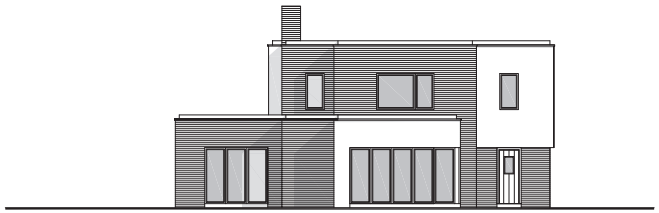
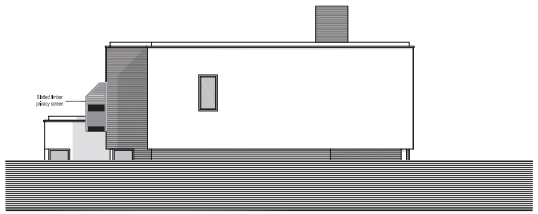


Elevation to Tenison Avenue



Rear Elevation



Elevation to Highsett

0 10

Scale Bar Metres

Client:
MPM Properties (Investments) Ltd
The Coach House, 13 Woodlands Road
Great Shelford, Cambridgeshire CB22 5LW

Project:
St. Colettes
Tenison Road
Cambridge

Drawing:
Plots 7 Elevations
Elevations

Scale:		Date:	
1:100 @A1		25-07-12	
Drawn By:	Checked By:	Drawing No:	Rev. No:
MC	PD	050-817	B

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PLANNING COMMITTEE **Date: 2nd October 2013**

Application Number	13/6001/S106BA	Agenda Item	
Date Received	9th September 2013	**Officer**	Mrs Sarah Dyer
Target Date	7th October 2013		
Ward	Coleridge		
Site	Cambridge Water Company 41 Rustat Road Cambridge Cambridgeshire CB1 3QR		
Proposal	Application under s106BA to vary the existing s106 Affordable Housing provision from 30% to 0%.		
Applicant	Permisson House 19 Commerve Road Peterborough Business Park Lynch Wood Peterborough PE2 6LR		

SUMMARY	The application is the first of its kind to be submitted to the City Council. If approved the application would result in a variation of the s106 Agreement to reduce the affordable housing provision to zero. If the application is refused, the applicant has a right of appeal to the Secretary of State.
RECOMMENDATION	To be confirmed on Pre-Committee Amendment Sheet

0.0 INTRODUCTION

0.1 Members will recall that a confidential report was brought before this Committee in August 2013 (the August report). The report was not published because it related to a potential review of a s106 Agreement and the evidence that had been produced to justify the review included information that was commercially sensitive. An exemption was made by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

This information now forms part of the current application and is no longer excluded as commercially sensitive information.

0.2 The August report was compiled following a mediation exercise between Persimmon (the owners of the site) and the City Council with mediators provided by DCLG under the Central Government Section 106 Renegotiation Programme which was launched in August 2012. As part of that exercise CBRE were commissioned to provide a Viability Assessment. This appraisal recommended that given the information and assumptions made in the assessment, there is a case for renegotiation of the s106 Agreement to ensure delivery of the proposed residential development.

0.3 The Committee resolved to accept the officer recommendation that officers enter into negotiations with the owners of the site to draw up a revised s106 Agreement, involving reduced obligations, which would subsequently be brought before the Committee for approval. The Committee also agreed to encourage officers to enter into discussions with the site owners with the aim of bringing forward a new planning application for the site.

0.4 As part of the renegotiation of the s106 Agreement, the Council commissioned DVS to review the viability assessment which had been carried out by CBRE. This review was carried out following the Committee meeting in August. A copy of the review is attached at Appendix A. I will refer to this Review more fully in my assessment of the current application below.

0.5 The report made reference to a new section of the Planning Act 1990 which has been introduced by the Growth and Infrastructure Act 2013. The new section allows for the provision of an application and appeal procedure for the review of planning obligations on planning permissions which specifically relate to the provision of affordable housing. Other S106 obligations are not included. At the time of the August meeting an application had not been made under this section of the Act.

0.6 The new section enables developers to apply to the Local Planning Authority to modify affordable housing requirements set out in existing S106 agreements where the requirements have made the development economically unviable. The

developer is required to provide a revised affordable housing proposal based on prevailing viability which is to be supported by relevant viability analysis. The developer also needs to demonstrate that the previously agreed provision will make the scheme unviable in current market conditions and suggest a revised proposal which will deliver the maximum level of affordable housing consistent with viability and the optimum mix of provision. The revised proposal can be based on adjustments to the tenure or mix of affordable housing, or the phasing of delivery as well as the overall level of affordable housing

0.6 An application under s106BA was registered on 9 September 2013. The Council has 28 days to determine the application under Section 106BA (unless both parties mutually agree to extend the date in writing). If the Council does not agree with the developer's proposal for variation of the s106 Agreement, the Act allows developer's the right to appeal to the Secretary of State. The 28 day period for consideration of this application expires on Monday 7 October 2013.

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site (1.163 ha) lies on the west side of Rustat Road. The buildings which formerly occupied the site - the offices and workshops formerly used by the Cambridge Water Company, and the two semi-detached houses which stood further north - were demolished in 2005.

1.2 The north boundary of the site is bounded by a wire and close boarded fence, beyond which is a pedestrian and cycle way which links Rustat Road and Clifton Road. On the northern side of the cycleway is a late 1990's development of 24 residential units on three floors (Regency Square).

1.3 To the south of the site is a detached house, 37 Rustat Road. The rear garden of 35 Rustat Road, which is much longer than that of 37 Rustat Road, also directly abuts the application site. To the west of the application site is the Clifton Road industrial estate, with units 18 and 21 hard up to the common boundary with the application site.

1.4 The site does not have a specific designation in the Cambridge Local Plan 2006.

1.5 The site is not within any conservation area. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

2.1 The application is made under s106BA of the Planning Act 1990 and seeks to vary the s106 Agreement that was entered into as part of the consideration of the Outline planning application (ref. 05/1336/OUT) to reduce the affordable housing provision from 30% to zero.

2.2 The application is accompanied by the following supporting information:

1. Planning statement by Persimmon
2. Copy of the s106 agreed as part of the Outline Planning consent
3. Copy of relevant Decision Notices (Outline and Reserved Matters)
4. Approved scheme layout
5. CBRE Viability Assessment dated July 2013
6. CBRE Viability Appraisals with 30%, 20%, 10% and 0% affordable housing
7. Copies of notifications to other parties to the s106 Agreement including Cambridgeshire County Council.

2.3 The application is brought before Planning Committee because this type of application is not included in the Scheme of Delegation.

3.0 SITE HISTORY

Reference	Description	Outcome
C/02/0582	Outline consent	A/C
05/1336/OUT	Outline consent	A/C
06/0590/REM	153 dwellings	Refused/Appeal dismissed
07/1223/REM	4 three bed townhouses, 108 two bed maisonettes and 31 one bed flats	A/C
09/0137/REM	Landscaping	A/C

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	No
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of):	No

4.2 The legislation does not prescribe the level or type of publicity that is given to this type of application. Officers consider that the publication of the application online (Public Access), its inclusion on the Weekly List, a Press and Site Notice is an appropriate degree of publicity bearing in mind the determination of the application is a technical as opposed to subjective exercise.

4.3 Ward Councillors and the Chair of Rustat Neighbourhood Association have also been advised of the submission of the application.

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	5/5

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010

Supplementary Planning Documents	Affordable Housing
Material Considerations	Central Government: Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

6.0 CONSULTATIONS

Planning Policy

6.1 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

Head of Strategic Housing

6.2 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

7.0 REPRESENTATIONS

7.1 No representations have been received to date. The expiry date for comments is 27 September 2013. Any comments that are received will be reported on the amendment sheet or verbally at the meeting.

8.0 ASSESSMENT

8.1 The determination of this application rests on:

a) an assessment of the evidence that has been submitted to demonstrate that the affordable housing element of the existing s106 means that the scheme is unviable: and

b) consideration of the proposals for provision of affordable housing.

8.2 The Procedural Note which accompanies the changes to the Act states that the local planning authority may prepare its own viability evidence or provide commentary on the evidence submitted in support of the application.

8.3 The applicants have submitted the report prepared by CBRE as part of the mediation process. They have not submitted their own evidence or any additional viability information. That said the CBRE report is based upon information from the applicants and CBRE's own analysis. The advice previously given to Committee in the August report therefore remains relevant and is as follows:

> The report indicates that on the basis of the assumptions made by CBRE, which include profit on gross development value at 20% for market housing and 6% on affordable housing, there is a very significant viability 'gap' on the development. The assessment suggests a residual land value for the site of Ł1.16m. CBRE consider that the expected RLV for the site would be Ł4m+. CBRE's report includes an analysis of the Rustat Road site with the 'abnormal' costs removed, which produces an RLV of Ł4.05m. The CBRE report also models the impact on RLV of various alternative planning obligation commitments. This shows, for example, that were the affordable housing component in the development to be reduced to zero, the RLV would rise to Ł3.36m.

8.4 The viability appraisals themselves which underpin the Viability Appraisal indicate that even with zero affordable housing there is a Ł540,000 shortfall against reasonable viable 'land value' assessed by CBRE. Notwithstanding this Persimmon indicate, in its Planning Statement, that they are willing to progress development on the site to deliver 143 open market units.

Assessment of Evidence Provided

8.5 Prior to the August Committee officers were asked to advise on the merits of the CBRE report and whether the conclusions that had been reached were robust. This resulted in the appointment of DVS to carry out a desktop review of the CBRE viability assessment. It was not possible to bring the results of this review before Members at the August Committee meeting but they would have been used to assist in the mediation

process had that continued. A copy of the DVS review is attached at Appendix A.

8.6 The DVS review can be summarised as follows:

Development Costs – Land Value –that the land value should be assessed on a residual basis disregarding the historic purchase price is accepted. However, accrued interest should be excluded as the site value should be as at the date of assessment taking account of costs and values as at that date.

Development Costs

a. Land value – CBRE has allowed interest to accrue on the residual land value from 2006 when the site was acquired. This should be disregarded as the site value should be as at the date of assessment taking account of costs and values as at that date.

b. Finance costs – reasonable.

c. Development Programme – satisfactory.

d. Build costs – reasonable

e. Abnormal costs – reasonable but query why blocks are linked and not standalone.

f. Contingency – 3% would be reasonable (5% is considered high given that a value engineering exercise has been carried out)

g. Professional Fees – reasonable

h. Sustainability Code Level 3 – reasonable.

i. Survey costs – reasonable

j. Sales, Marketing and Legal Fees – reasonable.

k. Other Legal Fees – reasonable

l. s106 Costs – it is understood that these have been agreed

m. Acquisition fees on Residual Land Value – SDLT should be 4% (not 4.8%)

n. Developers Profit - reasonable

Development Values

a. Private Residential – similar to CBRE's figures.

b. Ground rents – acceptable

c. Affordable Housing – cannot comment on BPHA offer which has been reflected in CBRE's appraisal.

d. Residual Land Value – RLV is below what would be expected for residential development land in close proximity to Cambridge City centre.

Overall Assessment and Recommendations by DVS

8.7 Overall, DVS do not disagree with the vast majority of CBRE's input in their viability assessment.

However, their assessed site value is in DVS's opinion a conservative assessment.

Nevertheless, it is evident that there is a need for Cambridge City Council and the applicant to reach an agreement reflecting a compromise on both sides which although may see the reduction in the level of affordable housing delivered will ensure the site is brought forward for development.

If required DVS are prepared to undertake further modelling to assist any negotiations with the applicant as to the appropriate level of affordable housing for this scheme.

The Council's position in the light of the DVS review

8.8 The review by DVS has demonstrated that there are a number of areas where DVS consider the assumptions and information on which the CBRE report is based are reasonable. However there are also areas where DVS consider that more work could

be done so that the actual viability gap is clearer. These relate to the following matters:

a. Development Costs – Land value

b. Development Costs – Abnormal Costs

c. Development Costs – Contingency

d. Development Costs – Acquisition fees on Residual Land Value

e. Development Value – Residual Land Value

8.9 With regard to (a), (c) and (d) above, removal of the allowance for interest and a reduction in the allowance for contingency costs and acquisition fees on residential land value would reduce the development costs which would reduce the 'viability gap'. I have asked the applicant to comment on these two issues. I will provide further advice on this point on the Amendment Sheet or verbally at the Committee meeting.

8.10 (b) and (e) above are more complicated to deal with because they are more reliant upon the design details of the scheme and assumptions about the value of residential development land in Cambridge. The advice from DVS is that these two issues could be subject to further analysis.

Development Costs – Abnormal Costs and Design Issues

8.11 With regard to Abnormal Costs, as demonstrated by the CBRE report, these have a significant effect on the viability of the development. These costs principally relate to the provision of a basement car park and piling. The view from DVS is that while the cost of providing the basement is reasonable the overall cost of the scheme is expensive for the proposed 143 units. This opens up the question as to whether an alternative scheme would be more viable which clearly complicates the determination of the application. Under normal circumstances if planning permission is sought the planning authority can only consider what is before them. Following through this logic the evidence that has been submitted demonstrates that the development, including the basement car park and other

abnormal costs is not viable and therefore there is a case for reducing the affordable housing provision to zero.

8.12 The Council could try and make a case for refusal of the application on the basis that the evidence is not taking account of an alternative design which could resolve the viability gap. It is not clear however whether an Inspector would be willing to take this into account but the procedures for an appeal, which I address in more detail below, suggest that he would not be able to. DVS have been asked to comment on this point. I will provide further advice on this point on the Amendment Sheet or verbally at the Committee meeting.

Development Value – Residual Land Value

8.13 With regard to Residual Land Value the DVS report states that in their view the CBRE's assessed land value is below what would be expected for residential development land in close proximity of Cambridge City Centre taking into account the current buoyant local market. However DVS have not carried out an independent assessment.

8.14 The Council could make a case for refusal of the application on the basis that the case is not proven with regard to the actual level of the viability gap and Residual Land Value and more work is needed to demonstrate that this is reasonable. However officers are not yet in a position to recommend this course of action. Further advice will be provided on the Amendment Sheet or verbally at the Committee meeting.

Process following determination of this application

8.15 The Council has 28 days in which to make a determination under s106BA unless both parties agree, in writing, to extend this period. To date officers have not requested an extension of time to deal with the application.

8.16 Once a determination is made the Council must set out in writing any variation to the affordable housing obligations and give reasons for its decision. In the event that it is determined that a variation is not agreed, clear reasons need to be given. Because this is a very new type of application there are very few precedents for the reasons for other decisions by local

planning authorities and only one refused application is currently at appeal nationally.

8.17 It the application is approved then a deed of variation will be prepared and agreed by the Council and the developer stating that no affordable housing is to be provided in the development. This modification would be valid for a period of 3 years from the date of the agreement (this time period is recommended by s106BA to incentivise the development).

8.18 If the application is refused (i.e. the Council does not agree with the developer's revised proposal for affordable housing) or if it is not determined then the developer has the right of appeal to the Secretary of State (under s106BC of the Act).

8.19 Interim procedures for appeals under s106BC have been set out by Central Government pending a consultation exercise. These set out the following principles:

1. appeals will only consider the issue of viability; there will be no opportunity for decision-makers (or third parties) to reopen questions around the overall acceptability of development proposals;
2. there will be an expectation that if parties provided evidence at the application stage, they will not seek to rely on new evidence on appeal;
3. there will be an expectation that appellants will set out their case fully at the outset of their appeal, and that no further information should need to be requested from them;
4. only signatories to the existing Section 106 agreement will be involved, except in exceptional circumstances;
5. all parties will communicate by electronic means wherever possible

8.20 My view is that as a result of the first principle set out above it would be difficult to base a case on the proposition that an alternative form of development could produce a more viable outcome.

8.21 The expectation is that the majority of s106BC appeals will be determined following the written representations procedure. Where a hearing is deemed appropriate this is likely to take the

form of a simple meeting between the Inspector and the parties and would take place shortly after the appeal is lodged.

8.22 After an appeal is lodged the Council and other signatories to the original s106 will be invited to give evidence within 2 weeks of notification and the Planning Inspectorate will have 28 days to issue a decision notice following receipt of all written representations.

9.0 CONCLUSION

9.1 This application is the first of its kind and is required to be determined within a very tight timescale. For this reason a report needed to be brought before this Committee. However there are number of issues which need to be addressed before a final confirmed officer recommendation can be made. These will be addressed on the Amendment Sheet or verbally at the Committee meeting.

10.0 RECOMMENDATION

To be confirmed on the Pre-Committee Amendment Sheet.

Appendix A – DVS Report dated 20 August 2013

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DVS Property Specialists for the Public Sector

St Albans Valuation Office
St Peters House
45 Victoria Street
St Albans
AL1 3WZ

Tony Collins
Cambridge City Council
The Guildhall
Cambridge
CB2 3QJ

Our Reference: OJ/1467452

Your Reference:

Please ask for : Olayinka Jawando
Tel : 03000 504826
Mobile : 07799348784
E Mail : olayinka.jawando@voa.gsi.gov.uk

Date : 20 August 2013

Dear Tony,

DESK TOP REVIEW OF DEVELOPMENT VIABILITY ASSESSMENT by CBRE for 41-45 RUSTAT ROAD, CAMBRIDGE CB1 3QR

I refer to your email of 24 July 2013 requesting a desktop review of the development viability assessment undertaken by CBRE, my confirmation of instruction letter dated 31 July 2013 and your subsequent email of 5 August 2013 to proceed. You have forwarded the CBRE's viability assessment dated July 2013. We have now undertaken our own desk top research and review and report as follows:

Background:

I understand that this review is required as an independent assessment of the viability assessment undertaken by CBRE as part of the Homes and Communities Agency (HCA) mediation process.

I understand that that the subject site received planning permission in 2008 under planning application reference No 05/1336/OUT and 07/1223/REM for the demolition and development of 143 residential units comprising 4 x 3 bed town houses, 108 x 2 bed maisonette and 31 x 1 bed flats.

The contention of the applicant is that following a tender exercise for the design and construction of the consented scheme, a significant 'abnormal' development costs associated with elements of the scheme have been identified the impact of which has led to the development of site being financially "unviable" on the basis of reasonable expectations as to land value for the local area.

I am advised that a S.106 contribution level has been agreed as part of the detailed planning applications which is detailed below within our report.

The Scheme:

The proposed scheme (as detailed in the provided CBRE report) comprises the redevelopment of the site formerly owned by the Cambridge Water Company to provide 143 new residential dwellings comprising 4 x 4 bedroom town houses, 6 x 2 bedroom houses, 102 x 2 bedroom maisonettes and 31 x 1 bedroom flats with basement car parking and amenity space.

Tenure breakdown is as follows:

- 13 no. open market 1 bed flats of 50.5 sq m to 57 sq m (544 sq ft and 614 sq ft)
- 77 no. open market 2 bed maisonettes of 64 sq m to 77.8 sq m (689 sq ft and 837 sq ft)
- 6 no. open market 2 bed houses of 64 sq m (689 sq ft)
- 4 no. open market 4 bed town houses of 85 sq m (915 sq ft)
- 18 no. affordable 1 bed flats of 48 sq m to 53 sq m (517 sq ft and 570 sq ft)
- 25 no. affordable 2 bed maisonettes of 64 sq m to 71.4 sq m (689 sq ft and 769 sq ft)

There are 100 open market dwellings and 43 affordable dwellings, equating to an affordable housing content of 30%.

Viability Review:

This desk top review has been undertaken following my own research into both current sales values and costs. I have adopted the figures put forward by the applicant/CBRE where I believe them to be reasonable.

I summarise my review of the CBRE's report as follows:

1) Development costs -

a) Land Value

CBRE have stated that the land value has been calculated on a residual basis and is not based on the historic purchase price of the site but they have allowed interest to accrue on the residual land value from 2006 when the applicant originally acquired the site.

I accept the approach that the land value should be assessed on a residual basis disregarding the historic purchase price. However, I would exclude any interest accrued as the site value should be as at the date of assessment taking account of costs and values as at that date.

b) Finance costs

CBRE have adopted a finance rate of 7% applied to all build costs and land payments, which I have accepted as being reasonable and the industry norm for a development of this nature.

c) Development Programme

CBRE has adopted a build period of 30 months for both the private and affordable units with the sales period beginning four months after the start of construction for each block and assumes an 18-month sales period for the open market units.

Although CBRE recognise that this is slightly higher than normal, they have put this down to the fact that individual blocks have to be completed given the access to the central core.

I have undertaken my own independent research and I am satisfied with the proposed 30 months build period.

d) Build Cost:

CBRE have adopted an overall build cost of £1,188 per square metre (£110 per sq ft) excluding abnormals (identified separately), design team fees and contingency allowance as provided by the applicant.

I have had regard to the BCIS average build costs adjusted to reflect the location and having regard to the likely quality of the completed dwellings and I accept the adopted build costs of £110/sq.ft as being reasonable.

e) Abnormal costs

The applicant following a value engineering exercise has identified abnormal development costs which equate to a total cost of circa £4.65m i.e. £422.62 per sq m (£39.26 per sq ft).

I understand that these have been provided by a specialist QS firm and relate to site specific costs for the excavation and piling of the basement; piling of the substructure; provision of lift access; and walkways / balconies.

I have undertaken my independent research of the abnormal costs and whilst I believe them to be reasonable for what is being proposed. However, I would question why the blocks are being linked and not stand alone. I believe there is a need for a further value engineering exercise which could see the abnormal costs reduce.

f) Contingency

The applicant has included a development contingency of 5% which CBRE have adopted in their appraisal as being a reasonable percentage taking into account that abnormal costs have been separately identified

In view of the fact that a value engineering exercise has been undertaken which has identified the abnormal costs and is in itself an exercise that seeks to enhance value by eliminating unnecessary cost I am of the opinion that a contingency of 5 % is on the high side and feel 3% should be sufficient.

g) Professional Fees

The applicant has included professional fees of 10%. I have accepted this as being reasonable for a development of this nature.

h) Sustainability Code Level 3

I am advised that there is a sustainability requirement on Rustat Road for Code Level 3 which the applicant has calculated at £1,500 per plot which I accept as reasonable in attaining code level 3.

i) Survey Costs

CBRE have allowed a nominal £10,000 towards survey costs which I accept as being reasonable.

j) Sales, Marketing and Legal Fees

CBRE has allowed 3% of GDV (open market dwellings only) for marketing / sales costs and legal costs at £750 per unit (open market dwellings only) in line with the SHLAA.

I have accepted the above level of fees as being reasonable and the industry norm.

k) Other Legal Fees

The applicant contends that £12,275 has already been incurred to date in legal fees in relation to the affordable housing disposal to get to contract stage. They also estimate that they will further incur an additional £50 per affordable dwelling as the plots are transferred totalling £14,425. CBRE have allowed for additional legal costs.

I have allowed for these costs in my review as being reasonable as they are costs incurred in the delivery of the proposed scheme.

l) Section 106 Costs

S106 costs have been assessed at £1,309,789, which cover the following items:

Education	256,776
Transport	435,107
Public Art	200,000
Formal Open Space	96,253
Informal Open Space	81,815
Play Space	86,609
Community Facilities	153,229

I understand that these are agreed.

m) Acquisition fees on Residual Land Value

CBRE have allowed for Agency acquisition fees on the residual land value at 1%, legal fees at 0.5% and SDLT at 4.8%.

I accept these as being the market standard rates. However the SDLT should be at 4% as opposed to 4.8%

n) Developers Profit

CBRE has allowed for a developers profit on gross development value of 20% on open market housing and 6% on affordable housing as per the SHLAA assumptions. I have accepted this as being reasonable and the industry norm.

2) Development Values -

o) Private Residential:

CBRE has adopted capital resale values ranging between £222,201 and £337,244 for the market sale properties.

I have undertaken my own independent research and set out below my opinion of the open market sales values for the proposed development derived from analysis of achieved sales of similar units or similar units currently available on the open market in proximity to the subject site.

Summary	Unit/sq m	Unit/sq ft	Est. MV	£/sq m	£/sq ft
Private 1 Bed Flats	50	538	235,000	4,700	437
Private 2 Bed Maisonettes	70	753	280,000	4,071	378
Private 2 Bed House	64	915	300,000	3,529	328
Private 4 Bed Townhouse	85	1,023	350,000	3,684	342

Overall my figures are not too dissimilar to CBRE's.

p) Ground Rents

CBRE has added ground rents to their revenue schedule for the flats/maisonettes at a rate of £300 per unit and capitalised this at a rate of 5%.

I have accepted this as the norm for this type of development.

q) Affordable Hosing

I understand that an offer has been received from BPHA for the affordable housing element of the development which is inclusive of land, build and on-costs which has been reflected in CBRE's appraisal. However we have not had sight of this.

2) Residual Land Value (RLV)-

CBRE have assessed the residual land value as follows:

a. **£1.16** m based on the information and assumptions presented in their report. This equates to £995,000 per hectare (£403,000 per acre).

b. **£4.05** m based on **nil** abnormal costs

To help provide a benchmark level for residential land values, CBRE have compared the RLV of the subject site with residual land value within the SHLAA of an adjacent site, Clifton Industrial Estate, within the Coleridge Ward for the purpose of comparing this benchmark figure against the RLV for the subject site to establish if they are in a similar ballpark. Whilst recognising that the Clifton Industrial site values presented in the SHLAA are derived from standard assumptions adopted by CBRE in their analysis of the subject site but in addition anticipate the future policy of a fully chargeable CIL payment of £125 per sq m and S.106 obligations of £1,000 per dwelling, as well as a 40% affordable housing contribution.

Reference has also been made by CBRE to the Valuation Office Agency Property Market Data 2011 in which the value of residential development land in Cambridge as at 1st January 2011 (for suburban sites of 0.5 ha) has been given as £2.9m per ha (£1.17m per acre).

I can confirm that CBRE's assessed land value is below what I would expect for residential development land in close proximity of Cambridge City Centre taking into account the current buoyant local market.

I have had regard of other residential development land transactions in the locality of the subject property. But would confirm I have not undertaken my own independent appraisal.

My Overall assessment and recommendations:

Overall, I do not disagree with the vast majority of CBRE's input in their viability assessment. However, their assessed site value is in my opinion a conservative assessment.

Nevertheless, it is evident that there is a need for Cambridge City Council and the applicant to reach an agreement reflecting a compromise on both sides which although may see the reduction in the level of affordable housing delivered will ensure the site is brought forward for development.

I trust this report deals with the issues as required but please do not hesitate to contact me if you have any queries and I would welcome the opportunity of discussing this with you in greater detail.

If required I am prepared to undertake further modelling to assist any negotiations with the applicant as to the appropriate level of affordable housing for this scheme.

Olayinka Jawando MRICS
Senior Surveyor
RICS Registered Valuer
DVS

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CLIFTON ROAD
RUSTAT ROAD
FAIRSHAWE ROAD
CLIFTON ROAD

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Agenda Item

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Streets and Open Space
TO: Planning Committee 2 October 2013
WARDS: Market

OBJECTION TO
TREE WORKS PROPOSED TO A HORSE CHESTNUT, GROWING ON CHRIST'S PIECES.

1.0 INTRODUCTION – DECISION MAKING

1.1 Members are invited to comment on proposed felling of a horse chestnut growing on Christ's Pieces. Objections have been received to the proposed works. Under the terms of the Tree Works Protocol the matter is referred to Members to make a recommendation on the proposed works.

1.2 After the matter has been considered by Members of the Planning Committee it will be referred to the Director of Environment for a decision using delegated powers. The Director is required to consult the relevant Executive Councillor and, if it is agreed that Planning Committee's recommendation shall be followed, the Director will make the decision.

1.3 If the Director, having consulted the relevant Executive Councillor, is of the opinion the decision may be contrary to the views of the Planning Committee, the formal decision shall be made by the appropriate Executive Councillor at a Scrutiny Committee meeting and subject to the pre-scrutiny process.

1.4 The tree grows within a conservation area. However, because the tree grows on land managed by the City Council, the Council is exempt from the statutory notification procedure.

1.5 A location plan and photograph of the tree is available at Appendix 1.

2.0 RECOMMENDATIONS

2.1 To advise the Executive Councillor for Public Places that the Committee supports the proposal to fell the horse chestnut and; that a replacement tree shall be planted in the same location.

3.0 BACKGROUND

The tree

3.1 Christ's Pieces was acquired by the Corporation of Cambridge in 1887. In the ten years after its purchase extensive tree planting was undertaken. It is likely that this tree was planted during this period making somewhere between 116 and 126 years old, since planting

3.2 The tree grows adjacent Pike's Walk and is the closest to the vehicular access to the park from King Street. It is in significant decline as a result of extensive bark necrosis caused the bacterium *Pseudomonas syringae* pv. *Aesculi*, more commonly referred to as bleeding canker of horse chestnut, hence the proposal to fell. Its loss will have a significant adverse impact on its immediate surroundings.

3.3 For the majority of its life it would appear that this tree has been grown to its natural form receiving with minimal interventional pruning, for example the removal deadwood and minor branches that may have obstructed access beneath the crown. This type of management is in line with good arboricultural practice

3.4 The tree has been infected with bleeding canker disease for 7 years and consequently monitored. The tree is also has an additional infection by two species of wood decay fungi. Following the emergence of their fruiting bodies on the trunk from an area of bark necrosis, a detailed assessment was taken to determine if any decay was present. No significant

decay was found at the sample point. A climbing inspection was undertaken this spring to report on the extent the bark death caused by the bleeding canker infection in the crown of the tree, deadwood was removed at the same time. Significant infection was found throughout the tree.

3.5 A follow-on inspection this early summer revealed the severity of the infection with the near death of the eastern primary limb. This limb carries around a quarter of the tree's total canopy. This limb and its sub-branches will be at increasing risk of failure the longer they remain in the tree - degradation of woody tissues has already been observed.

3.6 It is the significance of this failure that has prompted the recommendation to remove the tree.

Bleeding canker disease

3.7 This serious disease affects species of horse chestnut. Over the last decade, the incidence of bleeding cankers on stem and branches of horse chestnut has risen markedly in the UK, and is now very widespread. The Forestry Commission estimate that nearly half the UK's horse chestnut trees are now affected. The disease affects almost all ages of tree, from young trees to mature specimen trees, including many highly visible trees in parks, gardens and avenues. There is no chemical treatment available to control or stop development of the canker.

3.8 Horse chestnuts are prone to unpredictable and sudden limb failure when under stress or as the wood dries out, so removal of major dying branches and those trees with significant cankers is advised by the Forestry Commission.

3.6 Replanting with horse chestnut is not advised as they are likely to also become infected within a few years.

4.0 CONSIDERATIONS

Management of risk

4.1.0 The pedestrian and cycle traffic varies in the park depending on weather, time of day and year. The tree is growing in a busy well-used central city park. It grows adjacent a footpath which leads to a near-by gateway to the park. It is within falling distance of a number of private residences.

4.1.1 At this point in time the most likely part of the tree to fail would be the sub-branches of the dying limb and the limb itself; the lower the order of branching the greater the likelihood of failure. Should these branches fail consequence of an impact is likely to be very significant, severity would increase with the higher order of branches/ limb.

4.1.2 Due to the tree's condition the probability of branch failure is considered high.

4.1.3 The tree is in poor condition as such it is not considered reasonable to tolerate the risk posed. There is no chemical treatment available to control or stop development of the canker. Remedial tree works are considered proportionate response.

Tree work options

4.2 The following remedial tree work options have been considered:

4.2.1 **Option A The tree be removed and a replacement planted.**

Environmental implications:

- The tree is in significant decline as a result of extensive bark necrosis caused by bleeding canker of horse chestnuts. Its loss will have a significant adverse impact on its immediate surroundings. Replacement planting will allow for continuity of tree cover, an opportunity to diversify the species and age profile in Christ's Pieces.

Cost implications:

- The cost of tree works, approximately £2000 for felling.

4.2.2 **Option B The tree be retained but reduced in size.**

Environmental implications:

- The extent of reductions works needed to address safety issues would be significant – up to 50% of the branch length. If implemented it would mean the tree's visual amenity would be greatly diminished by removing fine branch work and reducing its stature to leave a decaying and declining monolith. It is considered that this would have a negative impact on the character of the park as a whole which is represented mainly by specimen trees grown out to their natural form. The tree is likely to respond by declining further and faster necessitating other inventions in the near future.

Cost implications:

- The cost of tree works, approximately £1000 for the initial reduction works.

5.0 CONSULTATIONS

5.1 In accordance with the Tree Works Protocol the following were consulted:

- City and County Ward Councillors for Market
- Christ's Pieces Residents Association.

5.2 A notice was placed on the tree, detailing the proposed works, inviting comment and the works posted on the Council tree works web site.

6.0 OBJECTIONS REPRESENTATIONS POINTS OF CONCERN

6.1 Objections were received from four people.

Objections with *Officer Comments*

- There must be alternatives to felling.

There are no chemical treatments to treat bleeding canker.

At a minimum to stabilize the tree it would be necessary to heavily reduce it. This would further seriously weaken the tree allowing the already established pathogens to spread faster and further eventually leading to its death and or further interventions - whilst horse chestnut has a good ability as a species to respond to pruning this individual does not as evidenced by the poor response to a previous minor reduction. In addition a heavy reduction would not be in keeping with the character of the space which is represented by trees grown out to their natural extent.

- Bleeding canker is an auto-correcting disease.

A quarter of the tree is as good as dead, the remaining tissues are heavily infected with bleeding canker and two identified wood decay pathogens. There is nothing that can be done to resurrect these dead tissues.

Horse chestnuts are generally produced from seed rather than cuttings as such each individual will have a unique genotype. Some individuals are thought to be more pre-disposed to infection than others. It is common to see groups of horse chestnuts with varying degrees of infection. As such the advice is not fell infected trees with the first signs of infection. In this case the infection is extensive and well beyond those I would classify as early stages. This tree is not pre-disposed to contain the spread of the disease. In addition to the declining vigour and limb death there is also a structural issue. The bark death has allowed the underlying tissues to dry out (which in itself will weaken wood tissue) allowing a suitable environment for wood decay fungi to flourish. Two decay fungi species have been observed on the tree. There is no treatment for these either and the eventual outcome will be partial or whole tree failure.

- The 10 consultation period is insufficient.

The timescales are set down in the Council's adopted policy on tree works consultations.

7.0 CONCLUSIONS

7.1 The tree is in significant decline as a result of bleeding canker disease. There is no chemical treatment available to control or stop development of the canker. The tree is also infected by two species of wood decay fungi.

7.2 There is a significant risk of harm posed by the increased potential for failure of the tree.

7.3 Remedial works are considered a proportionate response.

7.4 Felling or crown reductions works were the options considered.

7.5 Reduction works are not recommended for arboricultural and amenity reasons.

7.6 Felling and replacement planting is the recommended option.

8.0 RECOMMENDATIONS

8.1 To advise the Executive Councillor for Public Places that the Committee supports the proposal to fell the horse chestnut and that a replacement tree be planted in the same location.

9.0 IMPLICATIONS

(a)	**Financial Implications**	Revenue Spend
(b)	**Staffing Implications**	None
(c)	**Equal Opportunities Implications**	None
(d)	**Environmental Implications**	Loss of 1 mature tree and replacement of 1 tree
(e)	**Community Safety**	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

- ARBORICULTURAL REPORT THE PROPOSED REMOVAL OF 1x HORSE CHESTNUT ON CHRIST'S PIECES. Available from:

https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/christs-pieces-tree-works-july-2013.pdf

- Representations received.

The author and contact officer for queries on the report is contact Matthew Magrath on extension 8526

Date originated: 12 September 2013
Date of last revision:

Appendix 1

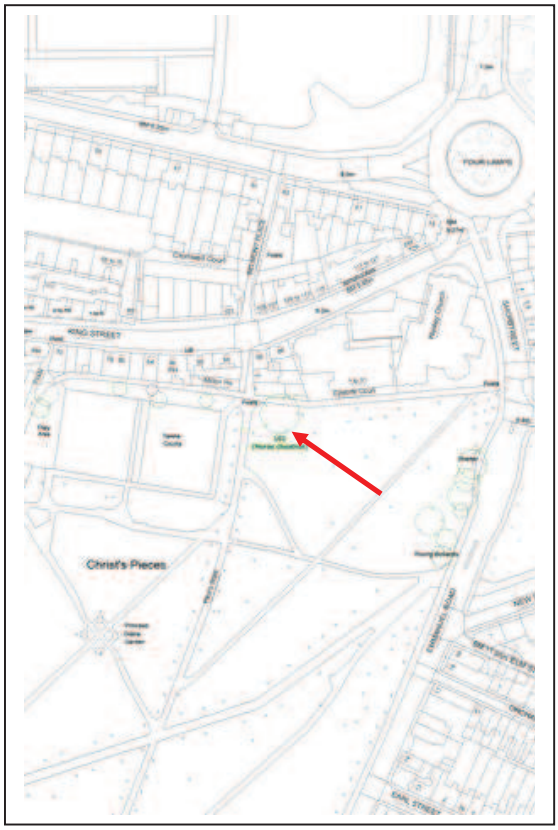

Photo – dated July 2013

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Agenda Item

CAMBRIDGE CITY COUNCIL

REPORT OF:	Arboricultural Officer	
TO:	Planning Committee	2nd October 2013
WARDS:	Petersfield	

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 09/2013

1.0 INTRODUCTION

1.1 A TPO has been served to protect a Birch tree at 4 York Terrace.

1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.

1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

3.1 A section 211 Notice was received from 2 York Terrace to 'remove secondary limb over boundary fence and smaller limb over fence. Reduce smaller lateral limbs by 1m over fence to provide clearance to the house and garden'. Officers concluded that there were no arboricultural nor overbearing practical reasons to carry out the works in the manner proposed and that the works would unbalance the tree and this would be detrimental to amenity. A TPO was therefore served

4.0 POWER TO MAKE A TPO

4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to

amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity
While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability
The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience
As work, which in the opinion of officers would be detrimental to the tree's appearance, was proposed, a TPO was considered expedient.

4.2.2 Amenity
The tree is clearly seen from York Terrace, especially the side of the tree that overhangs number 2 which is the side proposed to be reduced back significantly.

4.2.3 Suitability
It is acknowledged that the tree is relatively close to the rear elevation of number 4 but it is a suitable species for the site and with considered and occasional remedial work can be retained with minimal nuisance.

5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation an objection has been received to the TPO from 2 and 6 York Terrace.

6.0 CONSIDERATIONS

6.1 The objections are made on the following grounds:

6.1.1 The tree is not visible from public spaces.

6.1.2 There are other trees in surrounding gardens that make the area well 'treed'.

6.1.3 The tree belongs to the neighbour who refuses to maintain it. The TPO will exacerbate this problem.

6.1.4 Sewage and drain runs are 4m from the tree.

6.1.5 The tree is taller than the house and branches are a potential health and safety hazard.

6.1.6 Pollen covers the garden.

6.1.7 Because the tree is taller than the house the late afternoon/evening sun is being blocked from the garden.

6.1.8 Leaves in autumn need to be cleared on a daily basis and weekly from the guttering, cutting the tree back from the boundary would resolve this.

6.2 Officer's response to the objection.

6.2.1 The tree is clearly visible from the south end of York Terrace

6.2.2 It is acknowledged that there are other trees in other properties but this does not reduce the amenity contribution of the birch.

6.2.3 The TPO will not stop reasonable and considered tree works from being completed. Following a site meeting with 2 York Terrace just such an application was made and approved by officers.

6.2.4 Proximity alone, without evidence of damage is insufficient reason to remove trees and the proposed pruning would have no positive impact in this regard.

6.2.5 Size alone, without defect, is no indication of hazard.

6.2.6 Pollen and leaf drop are insufficient reasons to allow the removal of a tree and the proposed pruning would have no material, positive impact in this regard.

6.2.7 The property has a relatively long garden and the tree only shades it in part.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.

- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 07/2013.

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 13/105/TTCA

City of Cambridge Tree Preservation Order 07/2013

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 16.09.2013

Date of last revision: 17.09.2013

Appendix 1 TPO Plan

City of Cambridge
(4 York Terrace)
Tree Preservation Order No. 09/2013

Date: 8 April 2013
Produced by: Christopher Tweed
Section/Department: Policy & Projects, Environment & Planning
Scale: 1:500

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Agenda Item

CAMBRIDGE CITY COUNCIL

REPORT OF:	Arboricultural Officer	
TO:	Planning Committee	2nd October 2013
WARDS:	Newnham	

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 07/2013

1.0 INTRODUCTION

1.1 A TPO has been served to protect trees on Paradise Island, Paradise House, Grantchester Street

1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.

1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

3.1 Officers have received a number of section 211 Notices to remove/heavily reduce trees that overhang the gardens of adjacent properties in Grantchester Meadows. In most cases there are no arboricultural nor overbearing practical reasons to carry out the works in the manner proposed. Officers are of the opinion that if the trees are protected by TPO rather than Conservation Area location alone, the importance of the woodland will be more greatly appreciated and applicants and their agents will have a more considered approach to remedial works. In addition with the woodland protected by TPO officers will be able influence any proposed tree works and grant consent subject to condition. A TPO was therefore served. Support for the TPO has been received from the Pemberton Trust, the current owners.

4.0 POWER TO MAKE A TPO

4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or

woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience
If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity
While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability
The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience
The woodland is under continued threat from adjoining owners.

4.2.2 Amenity
Located on the edge of the Cam, the woodland is an important environmental amenity. In addition it provides a suitable backdrop to Grantchester Meadows and therefore has significant visual value.

4.2.3 Suitability
The tree cover is woodland in nature and is currently managed as such.

5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation an objection and a comment have been received to the TPO from 72 and 78 Granrchester Meadows.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 Potential hazard.

6.1.2 Restrict sunlight to the garden

6.2 The comment is made on the following grounds:

6.2.1 The area contains too many trees and would benefit from coppicing

6.2.2 Tree overhang the boundary and into the garden.

6.3 Officer's response to the objection.

6.3.1 The TPO does not affect the removal of dead and dangerous branches/trees, as such wood is exempt from protection.

6.3.2 We have no authority to enforce management of trees with or without tree protection and the TPO will not discourage appropriate management.

6.3.3 The TPO will allow us to condition replacement planting, which will allow us to influence species mix and ensure suitable replacement planting along the woodland edge.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 07/2013.

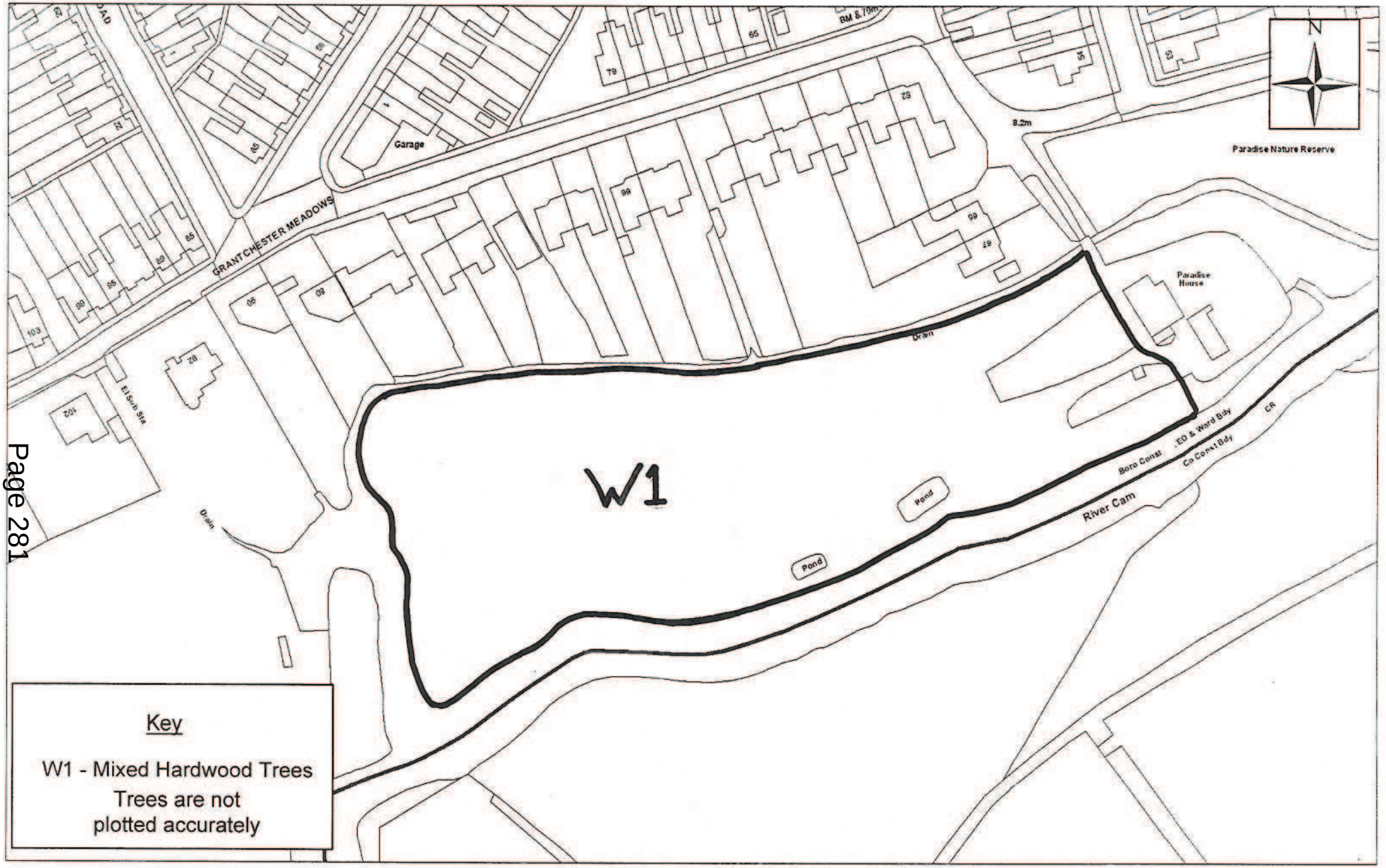
9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:
City of Cambridge Tree Preservation Order 07/2013
To inspect these documents contact Joanna Davies on extension 8522
The author and contact officer for queries on the report is Joanna Davies on extension 8522
Date originated: 16.09.2013
Date of last revision: 17.09.2013

Appendix 1 TPO Plan



CAMBRIDGE CITY COUNCIL

City of Cambridge
(Paradise House, Grantchester Street)
Tree Preservation Order No. 07/2013

Date:	5 April 2013
Produced by:	Christopher Tweed
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:1,250

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