



Planning

Committee Members: Councillors Dryden (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Hipkin, Pippas, C. Smart and Tunnacliffe

Alternates: Councillors Bird, Holt and Holland

Published & Despatched: Tuesday, 24 November 2015

Date: Wednesday, 2 December 2015
Time: 12.30 pm
Venue: Committee Room 1 & 2 - Guildhall
Contact: Toni Birkin

AGENDA

1 ORDER OF AGENDA

The Planning Committee operates as a single committee meeting but is organised with a three part agenda and will be considered in the following order:

- **PART ONE**
There are no Major Planning Applications

- **PART TWO**
Minor/Other Planning Applications
Start time: 12.30pm

- **PART THREE**
General and Enforcement Items
Start time: At conclusion of Part Two

There will be a thirty minute lunch break before part two of the agenda is considered. With a possible short break between agenda item two and three which will be subject to the Chair's discretion.

If the meeting should last to 6.00pm, the Committee will vote as to whether or not the meeting will be adjourned. If the decision is to adjourn the Committee will agree the date and time of the continuation meeting which will be held no later than seven days from the original meeting.

2 APOLOGIES

3 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.

4 MINUTES

To follow.

Appendix 1 for Full Details of Central Government Planning Guidance

Part 1: Major Planning Applications

There are no Major Planning Applications for this meeting.

Part 2: Minor/Other Planning Applications 12.30pm

- 5 **15/1653/FUL - DEPT OF CHEMISTRY** Principal Planning Officer (*Pages 19 - 32*)
- 6 **15/1704/FUL - 49 BARROW ROAD** Planning Officer (*Pages 33 - 54*)
- 7 **15/1194/FUL - JUBILEE HOUSE 3 HOOPER STREET** Planning Officer (*Pages 55 - 74*)
- 8 **15/1623/FUL - 64 GLEBE ROAD** Planning Officer (*Pages 75 - 110*)
- 9 **15/1409/OUT - 55-57 ALPHA TERRACE** Planning Officer (*Pages 111 - 136*)
- 10 **15/1518/FUL - LAND REAR OF 16 FERNDAL RISE** Planning Officer (*Pages 137 - 150*)
- 11 **15/1245/FUL - 75 HISTON ROAD** Planning Officer (*Pages 151 - 168*)
- 12 **15/1834/FUL - 1 NUFFIELD ROAD** Planning Officer (*Pages 169 - 182*)

- 13 **15/1656/FUL - CORNER HISTON ROAD/HUNTINGDON ROAD** Principal Planning Officer (*Pages 183 - 190*)
- 14 **15/1580/FUL - 5 BRAYBROOKE PLACE** Principal Planning Officer (*Pages 191 - 196*)
- 15 **15/1588/S73 - 184 KENDAL WAY** Planning Officer (*Pages 197 - 204*)
- 16 **15/1217/FUL - WESTCOTT HOUSE** Principal Planning Officer (*Pages 205 - 246*)
- 17 **15/1218/LBC - WESTCOTT HOUSE** Principal Planning Officer (*Pages 247 - 268*)

Part 3: General and Enforcement Items
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- 18 **6 MONTHLY PLANNING ENFORCEMENT UPDATE REPORT** Planning Enforcement Officer (*Pages 269 - 276*)

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, the Council Chamber and the Small Hall) 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 Head of Planning Services (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.

For further information on speaking at committee please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Further information is available at

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

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

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings. If you have any feedback please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk

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. The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

Anyone who does not want to be recorded should let the Chair of the meeting know. Those recording meetings are strongly urged to respect the wish of any member of the public not to be recorded.

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.

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

(updated August 2015)

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 Planning Practice Guidance (March 2014)

The guidance complements the National Planning Policy Framework and provides advice on how to deliver its policies.

Guidance is provided in relation to the following:

- Advertisements
- Air quality
- Appeals
- Before submitting an application
- Climate change
- Conserving and enhancing the historic environment
- Consultation and pre-decision matters
- Crown Development
- Design
- Determining a planning application
- Duty to cooperate
- Ensuring effective enforcement
- Ensuring the vitality of town centres
- Environmental Impact Assessment
- Flexible options for planning permissions
- Flood Risk and Coastal Change
- Hazardous Substances
- Health and wellbeing
- Housing and economic development needs assessments
- Land affected by contamination
- Land stability
- Lawful development certificates
- Light pollution
- Local Plans
- Making an application
- Minerals
- Natural Environment
- Neighbourhood Planning
- Noise

Open space, sports and recreational facilities, public rights of way and local green space
Planning obligations
Renewable and low carbon energy
Rural housing
Strategic environmental assessment and sustainability appraisal
Travel plans, transport assessments and statements in decision-taking
Tree Preservation Orders and trees in conservation areas
Use of Planning Conditions
Viability
Water supply, wastewater and water quality
When is permission required?

1.3 **Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A only):** Model conditions.

1.4 **Community Infrastructure Levy Regulations 2010**

Paragraph 122 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.

Paragraph 123 Other than through requiring a highway agreement to be entered into, a planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that

- (a) obligation A provides for the funding or provision of an infrastructure project or provides for the funding or provision of a type of infrastructure; and
- (b) five or more separate planning obligations that—
 - (i) relate to planning permissions granted for development within the area of the charging authority; and
 - (ii) which provide for the funding or provision of that project, or provide for the funding or provision of that type of infrastructure

have been entered on or after 6th April 2010

Development Plan policy

2.0 **The Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011**

Minerals and Waste Core Strategy : this sets out the Councils' strategic vision and objectives for future development and management of minerals and waste within Cambridgeshire and Peterborough, including strategic site allocations over the Plan period to 2026. The document also contains a suite of development control policies to guide minerals and waste development.

Minerals and Waste Site Specific Proposals Plan : this sets out the Councils' allocations for site specific proposals for future development and management of minerals and waste within Cambridgeshire and Peterborough. It identifies site specific land allocations for future minerals and waste management development and other supporting site specific policies.

Proposals Maps: Map A: shows minerals and transport proposals; Map B: shows waste management proposals; Map C: shows Mineral Safeguarding Areas.

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
- 3/10 Subdivision 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.

4.7 **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**

5.1 **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.

Cambridgeshire 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.

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

Interim Planning Policy Guidance on the Protection of Public Houses in the City of Cambridge (2012) - This interim guidance will provide a policy framework prior to adoption of the new Local Plan to clarify the circumstances when it is acceptable for a public house to be lost to alternative uses and when it is not acceptable. The guidance will also be used to help determine planning applications relating to the loss of a current or former public house to alternative uses.

5.2 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.

Brooklands Avenue Conservation Area Appraisal (2013)

Cambridge Historic Core Conservation Area Appraisal (2006)

Castle and Victoria Road Conservation Area Appraisal (2012)

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)

Mill Road Area Conservation Area Appraisal (2011)

Newnham Croft Conservation Area Appraisal (2013)

New Town and Glisson Road Conservation Area Appraisal (2012)

Riverside and Stourbridge Common Conservation Area Appraisal (2012)

Southacre Conservation Area Appraisal (2013)

Storeys Way Conservation Area Appraisal (2008)

Trumpington Conservation Area Appraisal (2010)

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)

PLANNING COMMITTEE

2nd December 2015

Application Number	15/1653/FUL	Agenda Item	
Date Received	1st September 2015	Officer	Mr Tony Collins
Target Date	27th October 2015		
Ward	Trumpington		
Site	Department Of Chemistry Lensfield Road Cambridge Cambridgeshire CB2 1EW		
Proposal	Relocation of the existing liquid nitrogen (LN2) tank, Denios unit and cycle parking facilities, and scheme of archaeological investigative works.		
Applicant	Chancellor, Masters and Scholars c/o Agent United Kingdom		

SUMMARY	<p>The development conflicts with the Development Plan for the following reason:</p> <p style="padding-left: 40px;">Noise from deliveries of liquid nitrogen to the relocated tank would cause unacceptable harm to the residential amenity of neighbours. This harm is not outweighed by the public benefits which would arise from the extension to the Department of Chemistry (and the research programmes to be housed therein) which the relocation of the nitrogen tank would enable.</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Department of Chemistry and its satellite buildings occupy a large site filling the majority of the block enclosed by Lensfield Road, Hills Road, Union Road and Panton Street. To the east, the remaining part of this block is filled by the Scott Polar Institute, the Catholic Church of Our Lady and the English Martyrs, and St Alban's RC primary school, together with a small number of office premises.

- 1.2 To the south of the site, a significant area is occupied by the Perse Girls' School, on the opposite side of Union Road. Otherwise, the areas to the south, west and north of the site are chiefly in residential use, containing both family houses and buildings in multiple occupation, generally housing students. Union Road, and Panton Street, the two streets adjoining the main works proposed in this application, are relatively narrow streets serving a significant residential population, but also carrying heavy flows of pedestrian, cycle and motor vehicle journeys to and from the many schools within the Newtown area.
- 1.3 A line of trees runs along the western and northern edges of the Chemistry site. These trees are the subject of Tree Preservation Orders.
- 1.4 The site lies within the Newtown and Glisson Road part of City of Cambridge Conservation Area No.1 (Central). There are no statutorily or locally listed buildings within the application site or immediately adjacent to it, but the terrace at 41-57 Lensfield Road, which contains houses and a hotel, and whose end gable faces the Chemistry main car park area across Panton Street, are listed Grade II. The Scott Polar Institute, which stands close to the Chemistry building, but is hidden from the relevant parts of this application site by that building, is also listed Grade II.
- 1.5 The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks consent for a series of small works required to prepare for and enable the development of a new Chemistry of Health building on the site of the present Department of Chemistry car park fronting Union Road. The works are:
- The relocation of the existing liquid nitrogen tank from the car park area to the south of the main Chemistry building to a position off Panton Street currently occupied by cycle parking.
 - The relocation of the existing Denios (chemical waste) unit from a position south of the main Chemistry building to a position alongside the east wing of Chemistry.
 - Archaeological investigations within the car park alongside Union Road.

- The creation of additional cycle parking spaces in a number of locations on the Chemistry site including double-stacker spaces in the area around the proposed liquid nitrogen tank.
 - Minor alterations to access points.
- 2.2 The application is accompanied by a Design, Access and Heritage Statement, which includes the following supporting information.
- Archaeological Investigation brief project specification
 - Construction method statement
 - Noise Measurement Report
 - Arboricultural Assessment.
- 2.3 The substantive application for the major extension to the Department of Chemistry, to enable which the works sought in the present application are required, has been received by the Council under reference 15/1683/FUL. It is currently under consideration. The proposed extension would house the Molecular Production and Characterisation Centre, the Centre for Protein Misfolding Diseases, and the Chemistry of Health Incubator.
- 2.4 The Design and Access Statement states that ‘the expected outcomes for the three main research projects serviced by this facility include novel diagnostic and therapeutic strategies for neurodegenerative disorders including Alzheimer’s and Parkinson’s diseases.’
- 2.5 Although the delegation scheme would allow this application to be determined under delegated powers, it has been brought to Committee by officers (following discussion with Chair, Vice-Chair and Spokes) because of the extent of neighbour objections and the connection to the associated major application for the extension to the Department of Chemistry.

3.0 SITE HISTORY

3.1 The Department of Chemistry site has an extensive planning history, but most of the past applications are not of relevance to the present case. Those which are relevant are listed below.

3.2

Reference	Description	Outcome
72/0427	Erection of liquid nitrogen	Approved with

84/0672	tank Erection of liquid nitrogen tank	conditions Approved with conditions
91/0905	Erection of liquid nitrogen tank	Approved with conditions
11/0828	Installation of cycle parking hoops	Approved with conditions
15/0988	Relocation of liquid nitrogen tank, Denios unit and cycle parking facilities	Under consideration
15/1683	Extension to Department of Chemistry	Under consideration

3.3 The present application has been submitted to address concerns about the design of the proposal submitted under 15/0988 which were raised by the urban design and conservation team.

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.

5.1 Central Government Advice

National Planning Policy Framework 2012
 National Planning Practice Guidance 2014
 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Cambridge Local Plan 2006

3/1 Sustainable development
 3/4 Responding to context
 3/7 Creating successful places
 3/12 The design of new buildings

4/4 Trees
4/10 Listed Buildings
4/11 Conservation Areas
4/13 Pollution and amenity
7/5 Faculty development in the Central Area, University of Cambridge
8/2 Transport impact
8/6 Cycle parking
8/9 Commercial vehicles and servicing
8/10 Off-street car parking

5.3 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction

5.4 Material Considerations

City Wide Guidance

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
Strategic Flood Risk Assessment (2005)
Cambridge and Milton Surface Water Management Plan (2011)

Area Guidelines

New Town and Glisson Road Conservation Area Appraisal (2012)

5.5 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 35 Protection of human health from noise and vibration
Policy 43 University faculty development

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No adverse impact.

Environmental Health

First comment (22nd September 2015)

- 6.2 The submitted acoustic assessment concludes that the Cambridge City Council criterion is exceeded by 1-3 dB during refuelling. Full calculation details are required on how this result was yielded. Rating level penalties, in accordance with BS4142:2014 are also required to be discussed and added, if required. It is likely the sound of refuelling would be impulsive, have clearly identifiable on/off conditions (intermittent) and possibly tonal.
- 6.3 Further clarification is required of the potential periodic hiss being emitted from the LN2 tank. The proposed relocation may be further away from other existing plant and any periodic hiss may be audible to the locality.
- 6.4 Full details of the raw data of the measurements are required, including the times and dates of the measurements. The background sound level of the locality needs to be representative of the more sensitive hours in the morning and evening when traffic has subsided. It is unknown from the acoustic assessment at what time the reported background levels (48-50 dB) were established.
- 6.5 For the above reasons, it is not possible properly to assess the application. Additional information is needed. (If the application is permitted, restrictions on delivery hours are recommended.)

Second comment (11th November 2015)

6.6 Following our earlier comments, a noise impact assessment in accordance with BS 4142: 2014 has been submitted.

6.7 Issues are:

- Lack of clarity on exact location of assessment points
- Facades of houses opposite not considered to be the nearest noise-sensitive locations (rear gardens and elevations of houses to the south of the site are closer)
- Background noise level understated
- Inappropriate screening and distance correction factors used
- Unclear whether valve opening and delivery vehicle noise have been treated as a single noise source
- Unclear where main noise source on delivery vehicle is located
- No justification given for not using impulsivity and intermittency corrections
- Possibility of hissing noise occurring outside delivery times not fully discussed
- Use of average dB level for refuelling noise rather than maximum level is not justified
- 30 min length of delivery time not confirmed
- Possible increase of nitrogen use in the future not discussed
- Potential noise from two-tier cycle racks requires addressing

6.8 It is concluded that the application does not demonstrate with a reasonable degree of certainty that noise associated with the proposals will not give rise to an unacceptable impact on the amenity of existing neighbouring noise-sensitive residential premises, contrary to Cambridge Local Plan policy 4/13 paragraphs 109, 120 and 123 of the Framework.

Urban Design and Conservation team

6.9 Location of tank acceptable in conservation area terms subject to getting the screening right both for bikes and for tank and ancillary equipment. The problem evaporators have now been relocated to a less visually intrusive place. Brick wall to Panton Street now successfully screens the cycle storage. New brickwork and proper coping will solve the problem of the poor quality of the existing wall.

6.10 Wall continues into the car park area creating a successful screen to that side for the bikes. Tank is screened by louvered metal gates. Their acceptability and that of other metalwork will be down to the detailed design and finish.

6.11 No objection to archaeological works

6.12 If the Denios unit is to be temporary, the length of time it can stay must be fixed. Permanence would be to the detriment of the conservation area.

6.13 Supported subject to conditions

Streets and Opens Spaces (Trees)

6.14 The removal of all trees in the carpark is required to accommodate archaeological investigation. The loss of these trees will be detrimental to amenity and the character of the area.

Cambridgeshire County Council (Archaeology)

6.15 Written scheme of investigation is acceptable. Condition required to ensure reporting of results.

6.16 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 objecting to the proposal:

9 Brookside	12 Panton Street
21 Brookside	16 Panton Street
23 Brookside	19 Panton Street
33 Brookside	19a Panton Street
41 Lensfield Road	20 Panton Street
89 Norwich Street	21 Panton Street
92 Norwich Street	23 Panton Street
2 Panton Street	26 Panton Street
4 Panton Street	35 Panton Street
10 Panton Street	57 Panton Street

59 Panton Street
60 Panton Street
66 Panton Street
3 Pemberton Terrace
4 Pemberton Terrace

16 Russell Court
1 Saxon Street
2 Saxon Street
1 St Eligius Place

and 85 Barrons Way, Comberton (on behalf of the church at 14 Panton Street)

7.2 The objections can be summarised as follows.

Neighbour amenity

- noise from hissing
- noise from delivery vehicles
- condition should enforce limit of one 30min delivery per week
- danger of tank rupturing
- proximity to smoking area is dangerous
- cycle store roofs threaten security of 19 Panton Street
- double-stacker cycle stores will create more noise
- too many cycle storage spaces massed in one place
- wall should be raised to higher level to protect neighbours from noise

Conservation

- harm to the conservation area
- visually unsightly
- loss of trees

Alternative solutions

- nitrogen should be manufactured on site
- other locations are more suitable
- should be located underground or moved to NW Cambridge
- no cost-benefit analysis has been undertaken

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

8.0 ASSESSMENT

Principle of Development

- 8.1 This application does not involve change of use, but relocation of parts of the Department of Chemistry's operation from one part of its site to another. In my opinion, the principle of the development is acceptable and in accordance with policy 7/5 of the Cambridge Local Plan 2006, which permits redevelopment of the University's faculty sites.

Context of site, design and external spaces

- 8.2 The nitrogen tank enclosure has been designed to limit visibility of the equipment in the public realm, and in my view this is successful. I consider that the new wall would enhance the appearance of the conservation area in Panton Street, and I concur with the advice of the conservation officer that the overall impact of the proposal is acceptable. I acknowledge that the top of the nitrogen tank would be visible from upper-storey windows across the street. However, this is at a distance of 17 metres, and I do not consider the appearance of the top of the tank to be seriously harmful by comparison with the cycle store roof which is in this position at present.
- 8.3 I note the conservation officer's advice that the move of the Denios unit to a position adjacent to the east wing of the Chemistry building should only be permitted on a temporary basis. This could be addressed by condition.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

- 8.5 The liquid nitrogen tank is a potential source of noise at the time of deliveries. Noise is caused by opening the vaporiser valves to relieve pressure, an operation which produces noise considerably above the background level; noise is also caused by the delivery vehicle and the connection process. The application also proposes double-stacker cycle parking in an area which has previously accommodated almost entirely ground level cycle parking spaces (there are at present only eight upper-tier spaces, and they are not

close to the common boundary with residential units. Upper-tier cycle parking can generate noise because of the movement of the metal components of the upper tier.

- 8.6 The environmental health team have advised me that there are shortcomings in the applicants' assessment of the likely noise impact of both deliveries of liquid nitrogen to the tank, and the double-stacker cycle parking on the amenity of residential occupiers in Panton Street. These shortcomings are listed in paragraph 6.7 above. It is the view of that team that they cannot be confident that the proposal will not result in unacceptable levels of noise.
- 8.7 Since this advice was given, there has been a meeting (13th November 2015) between the environmental health officer and the applicant's agent about how the concerns could be resolved. Two sets of additional information have been submitted by the applicants (16th November 2015, and 17th November 2015) following this meeting, but the advice of the Environmental Health team remains that the noise impact of nitrogen deliveries on the amenity of neighbours would be unacceptable, and that there is no practical way to mitigate this impact. I expect to receive formal advice to this effect, and I will update Committee either on the amendment sheet or by a separate circulation.
- 8.8 A number of representations raise issues about the safety implications of the positioning of the tank near to Panton Street. The safety of such installations is controlled by the Health and Safety Executive, and is not a planning matter.
- 8.9 Representations also suggest that the more robust structure of the proposed new cycle rack roofs would enable easier access by intruders to the rear gardens of Nos. 19-23 Panton Street than the lightweight character of the existing cycle storage. I do not consider that this additional risk is significant; I do not consider that potential intruders would be deterred by the nature of the existing racks
- 8.10 I am of the view that the issue of noise from cycle racks could be addressed by condition, but this is not the case with respect to the noise from deliveries. In the light of advice from the environmental health team it is my view that the expected noise from nitrogen deliveries would cause unacceptable harm to the residential

amenity of neighbours and I consider that it is in conflict with Cambridge Local Plan (2006) policies 3/4 and 4/13, and government advice in paragraphs 109, 120 and 123 of the Framework.

Highway Safety

- 8.11 The highway authority is of the view that this application has no implications for highway safety. I concur with this view.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Trees

- 8.13 The arboricultural officer has objected to the proposal on the basis that the loss of trees in the car park (necessary for the archaeological investigation), would be harmful to the amenity of the area. I accept that the loss of these trees would be harmful, but in my view, this is outweighed by the public benefit of the new research building which these works would enable. In my view, a condition would be necessary to ensure that replacement landscaping is secured, whether or not approval is granted for an extension to the Chemistry Department. Subject to such a condition, in my view, the proposal is in accordance with policy 4/4 of the Cambridge Local Plan 2006.

Car and Cycle Parking

- 8.14 Existing cycle parking levels on the Chemistry site will be maintained by the use of some double-stacking racks and reordering of cycle parking along the Lensfield Road edge of the site. Double-stacker cycle parking is not appropriate for all users, but in this situation, where they form only a minority of the provision on the site, and a high proportion of users are likely to be able to use the upper tier, I consider this solution to be acceptable. Concentration of cycle parking already exists in this area, and the proposals would not exacerbate the situation. Car parking is not affected
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

- 8.16 I have addressed the majority of the issues raised in the paragraphs indicated in the table below. Beneath the table, I address the issues not already covered

noise from hissing	8.5-8.7
noise from delivery vehicles	8.5-8.7
condition should enforce limit of one 30min delivery per week	8.6-8.7 Condition would be possible
danger of tank rupturing	8.8
proximity to smoking area is dangerous	8.8
cycle store roofs threaten security of 19 Panton Street	8.9
double-stacker cycle stores will create more noise	8.5 and 8.10
too many cycle storage spaces massed in one place	8.14
wall should be raised to higher level to protect neighbours from noise	8.5-8.7
harm to the conservation area	8.2
visually unsightly	8.2
loss of trees	8.13

- 8.17 The planning system does not require the applicant in a case of this sort to provide a justification for the development, nor to consider alternative locations within or beyond this site, nor to undertake cost-benefit analysis. There is no provision in local or national policy for any such evidence to be required. The application must be assessed on its own merits, not by comparison with other sites or technical solutions.

9.0 RECOMMENDATION

REFUSE for the following reason

1. The noise impacts of deliveries of nitrogen to the proposed tank would cause unacceptable harm to the residential amenity of surrounding occupiers, contrary to policies 3/4 and 4/13 of the Cambridge Local Plan 2006 and government guidance in the National Planning Policy Framework 2012.

Application Number	15/1704/FUL	Agenda Item	
Date Received	9th September 2015	Officer	Mr Sav Patel
Target Date	4th November 2015		
Ward	Trumpington		
Site	49 Barrow Road Cambridge Cambridgeshire CB2 8AR		
Proposal	Replacement dwelling with associated access and landscaping, following demolition of the existing building.		
Applicant	Dr A Noor c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> – The proposed replacement dwelling would be an enhancement on the existing dwelling in terms of design and appearance from the street scene. – The scale of the proposed dwelling is considered to be acceptable in this context and would sympathetically assimilate into the site without appearing dominant or out of keeping. – The proposed dwelling has been designed to mitigate the impact on the adjoining residents to a level that would not be considered significant.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located on the eastern side of Barrow Road and to the south of a private footpath. Barrow Road runs parallel with and between Porson Road (to the south) and

Bentley Road (to the north) and consists of large detached dwellings on generous plots. Barrow Road has a small dogleg which runs north to south and connects to Porson Road and Barrow Close. The section of Barrow Road to the south of the Porson Road junction is a cul-de-sac. To the east of Barrow Road are Vicar's Brook and Hobson's Brook. Beyond these brooks are Clare College's playing fields.

- 1.2 The site consists of a two storey post war detached dwelling, which has a single storey flat roof element on the northern side, which extends beyond the rear boundary of the dwelling. The dwelling is set back from the road but further forward of no.51. The front boundary (west) defined by a low wall. The northern and southern boundaries are defined by a 1.8 metre timber fence. The rear garden is laid to grass.
- 1.3 There is a clear distinction between the architectural styles in Barrow Road south of the private footpath. To the north of the footpath, the architecture is of arts and crafts style, which is an important characteristic of Barrow Road. To the south of the footpath, the housing development is more modern and functional in style which is typical of post war housing. However, many of the dwellings to the south of the site have been either been replaced or extended with contemporary additions.
- 1.4 The rear half of the site is located within a flood zone 3. Other than this, the site is not located within an area of development constraint.

2.0 THE PROPOSAL

- 2.1 The proposal is for a replacement dwelling on the site following demolition of the existing. This proposal is a resubmission of an earlier application which was withdrawn due to concerns with its scale and dominance.
- 2.2 The proposed dwelling has two elements; the main two " storey section and a single storey section (similar to the existing property). The main two storey section would be 10.75 metres in depth; 14.2 metres wide; and 8.7 metres to the ridgeline (approx. 5 metres to the eaves). The single storey pitched roof section which would project off the northern side of the rear elevation would be 10.2 metres in depth; 5.8 metres wide; and 4.1 to the ridge (2.2 metres to the eaves). In total the proposed

dwelling would have a depth of 22 metres compared to the existing dwelling which has a depth of 17.1 metres.

2.3 The proposed dwelling would be set back from the footprint of the existing dwelling by between 5.2 and 6 metres. This would bring it into a similar line as no.51. The proposal is to turn the front garden area into a driveway with an in-out access.

2.4 The application is accompanied by the following supporting information:

- Planning Statement;
- Shadow Study;
- Plans

3.0 SITE HISTORY

Reference	Description	Outcome
15/0769/FUL	Proposed replacement 5 bedroom house	WITHDRAWN

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 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 3/11 3/12 4/4 5/1 8/1 8/2 8/6

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Roof Extensions Design Guide (2003)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The visibility splay lines are sub-standard however shortfall is not considered to create such detriment to justify refusal and garage dimensions are acceptable. On this basis, the proposal would have no significant adverse effect upon the public highway subject to conditions on no unbound material; no gates; access laid out in accordance to CCC specification; access with adequate drainage measures; visibility splays; access retained free of obstruction; no works to public highway without consent; public utility apparatus.

Environmental Health

- 6.2 The proposed development is acceptable subject to conditions/informatives on construction hours, collection during construction, piling, and dust.

Landscaping

- 6.3 The proposed development is acceptable subject to conditions on hard and soft landscaping and boundary treatment.

Drainage Officer

- 6.4 The proposed development is acceptable subject to a condition requiring an FRA to be submitted for agreement.

Environment Agency

- 6.5 Objection. Site is located within the Flood Zone 3 but no flood risk assessment has been submitted.
- 6.6 The applicant is aware of this objection and is in the process of submitting further information to overcome this objection. I shall update members on the progress of this on amendment sheet or orally at the Committee meeting.

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:

- 3 Barrow Road
- 6 Barrow Road
- 11 Barrow Road
- 18 Barrow Road
- 24 Barrow Road
- 25 Barrow Road
- 27 Barrow Road
- 28 Barrow Road
- 29 Barrow Road
- 39 Barrow Road
- 40 Barrow Road (Support)
- 45 Barrow Road
- 46 Barrow Road (Support)
- 47 Barrow Road
- 51 Barrow Road
- 55 Barrow Road (Support)
- 57 Barrow Road

7.2 The representations can be summarised as follows:

In objection:

Design and Scale

- Concerns with the impact of the ridge height and set back will make nearby houses appear smaller in comparison;
- Height of proposed dwelling compared to no.51 and other existing houses would increase its prominence;
- The staggered layout of no.49,51 and 53 would be altered;
- Very high density and high ridge height which would appear out of place and out of keeping in relation to other houses;
- Proposed height would make a negative contribution to surrounding area;
- The proposed dwelling should be moved west and lowered in height;

- Proposed ridge height 1 metre above surrounding properties would set a poor precedent;
- Proposed set back of the dwelling would spoil the stepped layout in the location;
- The design would not make a positive contribution to the neighbourhood;

Residential amenity

- The propose dwelling would cause substantially overlook and overshadow and loss of privacy of the residential amenity of the neighbouring properties;
- Scale, height and set back would have a detrimental impact;
- Loss of sunlight over outdoor space in adjoining neighbour's garden, particularly in winter months;
- The proposed dwelling will appear overbearing;
- Overshadow the footpath;
- The proposed set back of the dwelling would appear severely enclosing;

In support:

- Dwelling is well located on the site and allows off street parking and garden space;
- Considerable improvement on the existing and will enhance the appearance of Barrow Road and Porson Road;
- Proposed layout of driveway will increase safety in the road for all users;

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity
3. Refuse arrangements
4. Highway safety
5. Car and cycle parking
6. Third party representations
7. Planning Obligations (s106 Agreement)

Context of site, design and external spaces

- 8.2 Barrow Road consists of mainly large two storey detached dwellings, which are set back from the road with well landscaped frontages and on generous plots with deep rear gardens. The character of the street has a spacious suburban feel with wide grass verges, tree lined avenue and a general consistency in terms of building line and two storey scale on both sides. In terms of architecture, many of the dwellings are in an 'Arts and Crafts' style, typically in brick and render with steep tiled hipped and gabled roofs, and dormer windows. Many of the dwellings have also been extended and altered with modern interventions, which have diluted the arts and craft style.
- 8.3 There is distinct change in architectural style south of the private footpath. The dwellings here are much more modern in appearance in comparison. Whilst the character has been maintained in terms of two storey detached dwellings on generous plots, the style is contrasting. No.49 is a typical two up two down pitched roof, gabled ended dwelling with single storey flat roof side extension. The existing dwelling has little architectural merit such that it appears jarring in comparison to no.47. However, in terms of street scene, the existing dwelling can only be viewed in context with the neighbouring property no.51, as the boundary trees and set back prevents the dwelling to be viewed in context with no.47.
- 8.4 Many of the original dwellings to the north have been well preserved. It is apparent that the footpath is a threshold into a distinctly different built environment. There have been many noticeable extensions/alterations and even replacement dwellings, in this part of Barrow Road which, in my view, have helped improved the visual appearance of the area and street scene.
- 8.5 Therefore, in terms of the proposed replacement dwelling, my view is that it would be an improvement on the existing. The proposal is a revised design from that which was originally submitted and eventually withdrawn (planning application ref: 15/0769/FUL) due to concerns with its design and scale. The applicant was advised to draw inspiration from the main and positive features of Barrow Road. As a the design of the proposed dwelling responds to the arts and crafts style of the dwellings to the north by having features such as projecting

front gables, hipped roofs and dormer windows. These features are considered to help reduce the scale of the dwelling whilst maintain a sense of grandeur. The proposed dwelling would make a bold statement in this part of Barrow Road and contribute positively to the street scene in terms of its appearance. I am therefore satisfied with the design and appearance of the proposed dwelling.

- 8.6 In terms of scale and layout, the proposed dwelling would be bigger in overall size and footprint than the existing dwelling but no different to some of the other original and modern replacement dwellings nearby. Local Plan policy 3/12 (New buildings) is relevant for consideration of this proposal. Policy 3/12 requires new buildings to have a positive impact on their setting in terms of location on the site, height, scale and form, materials, detailing and wider townscape and landscape impacts and available views. The footprint of the proposed new dwelling can be comfortably accommodated within the large rectangular plot. The proposed dwelling has a deeper footprint as compared with the existing house and its neighbour no.51, but this does not result in any harm to the character and appearance of the suburban street scene or from the rear gardens. Therefore, in my view it would not appear out of character or out of scale.
- 8.7 The main differences between the existing and proposed are, the proposed dwelling is set 6 metres back to the east (5.1 metres if taken from the projecting gable) from the existing footprint. This would result in the dwelling being in line with the frontage of no.51 instead no.47. The two storey element of the proposed dwelling would be closer to the northern boundary than the existing two storey element, but it would be set off the boundary by just over 1.2 metres. Currently the single storey flat roof extension is located on the boundary. In terms of height, the ridge of proposed dwelling would be 700mm higher than the existing and span 1.3 metres more than the existing. The increase in ridge height and ridge span is not considered to result in the new dwelling having a significantly harmful impact on the character or appearance of the area. The single storey hipped roof rear element is considered to be ancillary to the main dwelling and would not be visible from public realm. The proposed dwelling would still maintain a generous amount of rear garden space and provide a generous driveway for several vehicles to park off street. Concerns have been raised

regarding the loss of the stepped layout of development between no.49, 51 and 53 and the impact this would have on the street scene. In my view the stepped layout is not an important characteristic of this area as there is no consistent layout pattern that makes a positive contribution to the street scene and is therefore not a feature worthy of protection. The setting back of the proposed dwelling would give the relationship between no.49 and no.51 consistency as they would sit side by side.

- 8.8 Materials and detailing are important elements to ensure the appearance of the proposed dwelling is appropriate. I have therefore recommended a materials condition (3) so that such details can be agreed before development is commenced.
- 8.9 In my view therefore, the proposed replacement dwelling would result in an improvement on the existing dwelling and responds and contribute positively to the existing built environment and street scene without having a significantly detrimental impact on the character or appearance of the area.
- 8.10 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

- 8.11 The proposed dwelling has been redesigned from that originally submitted (and withdrawn) in order to respond to Officers concerns with its impact on the adjacent neighbor at no.47. The previous proposal was for a dwelling which extended nearly 18 metres along the northern boundary at two storey level.
- 8.12 In response to concerns with the scale and dominant/overbearing impact of the northern elevation on the occupiers of no.47, the applicant reduced the two storey depth of the dwelling along the northern boundary to 11.7 metres and set the dwelling 1.2 metres off the boundary. The roof form has also been revised to reduce its scale and dominance by incorporating a hipped element. The proposed dwelling would only impact the adjacent occupiers of at no.47 and no.51. I do not consider any other neighbours would be affected. I therefore set out below my response to the impact on both below.

No.47 Barrow Road

- 8.13 The impact on no.47 would be significantly reduced compared to the previous scheme, in my view. No.47 would, due its layout, be set between 17.4 metres (front) and 19 metres (rear) from the proposed dwelling. This level of separation combined with the reduction in the depth and revised roof form would not result in the proposed dwelling having a significant adverse impact on the residential amenity of the occupiers of no.47. It is understood that no.47 use the side garden area as their main amenity area, and there are concerns the proposed dwelling would have a detrimental impact on the outlook from this area and cause overshadowing. The southern boundary of no.47 is defined by a mixed group of semi mature trees such as Silver Birch and conifers. There is a gap in the boundary that would be partly enclosed by the proposed dwelling which is a concern of the occupier of no.47. The applicant has produced a shadow study, which demonstrates that the impact from the proposed dwelling would be felt during the winter solstice when the sun is at its lowest. The applicant has not included the existing trees in the study. The shadow study appears to show that the existing dwelling causes overshadowing during this winter solstice. The proposed dwelling would, during this time, cause additional overshadow which would extend to the rear amenity area. The proposed dwelling would not cause any overshadowing at other times of the year, particularly the spring equinox and summer solstice. According to the Site Layout Planning For Daylight and Sunlight: A guide to good practice (2011 2nd edition), it recommends that at least half of the 'amenity areas' which includes back gardens, should receive at least two hours of sunlight on 21 March." The garden area of no.47 would receive significantly more than two hours of sunlight during this time. I am therefore satisfied that whilst the proposed dwelling will cause some overshadowing, the degree of overshadowing, particularly during spring and summer, would not be significant enough to warrant refusal.
- 8.14 The outlook from the side garden area would be altered by the introduction of the proposed dwelling, as it would partly enclose the gap in the boundary. However, in my view, due to the level of separation and reduction in depth from the previous scheme, it would be difficult to argue the proposed dwelling would have such an adverse impact on outlook, particularly as the occupier

of no.47 would maintain an uninterrupted eastern outlook. I therefore do not consider the impact on outlook would be significant enough to warrant refusal.

- 8.15 In terms of overlooking, the northern elevation of the proposed dwelling includes two small windows which would serve a dressing room and en-suite. These are not habitable rooms. Nevertheless, I have recommended a condition (3) for these windows to be obscure glazed and for any opening to be restricted to 45 degrees. The windows in the rear elevation including dormer would not in my view cause any loss of privacy as setting back of the dwelling would reduce the amount of garden space that would be overlooked. The proposed dwelling would not cause any more overlooking than the existing dwelling. Therefore, in my view, subject to obscure glazing condition (3), the proposed development would not cause any significant loss of privacy by overlooking of the private garden area of no.47.

51 Barrow Road

- 8.16 The proposed dwelling would be located north of no.51 and therefore would not cause any significantly levels of overshadowing.
- 8.17 No.51 has a single storey side extension which is located adjacent to the side boundary with no.49. The proposed dwelling would maintain a similar level of separation from the boundary as the existing dwelling (800mm). However, the proposed dwelling would project past the rear elevation of no.51 by approx. 4.5 metres at two storey level. The main two storey element of no.51 is located approx. 5 metres from the side boundary with no.49 and would be approx. 5.8 metres from the side elevation of the proposed dwelling. Having stood in the garden of no.51 and looked towards the northern boundary, the proposed dwelling would be highly visible. However, unlike no.47, no.51 does not have a side garden area. The main garden space is to the rear and the outlook from the rear (east) of the dwelling is uninterrupted. The additional depth of the proposed dwelling beyond no.51 would not cut across the 45 degree rule. I am therefore satisfied that, whilst the proposed dwelling would be noticeable on the northern boundary, it would not have a significantly adverse impact on the residential

amenity of the occupier no.51 in terms of outlook or overbearingness.

8.18 In terms of overlooking, the southern elevation of the proposed dwelling contains a window at first floor which would serve a bathroom. This window would face onto the gable end of no.51. Nevertheless, as with no.47, I have recommended a condition (3) for this window to be obscure glazed and for any opening to be restricted to 45 degrees. This in my view would prevent any overlooking issues.

8.19 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.

Amenity for future occupiers of the site

8.20 The proposed new house provides a high-quality living environment, appropriate in this setting, 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

8.21 The proposal is to incorporate the refuse receptacle within the integral garage.

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

Highway Safety

8.23 The applicant has demonstrated on plan that adequate visibility splays and car parking dimensions can be accommodated.

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

Car and Cycle Parking

Car parking

- 8.25 The proposal includes an integral garage and there would be enough space in the driveway to accommodate at least two more.

Cycle parking

- 8.26 The proposed dwelling makes provision for four cycles to be stored within the garage. There is also enough space within and around the dwelling to accommodate additional spaces.
- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.28 I have addressed most of the comments received by third party representation in the above section. However, I set out below the comments that I have not addressed.

Representation	Response
Concerns with the impact of the ridge height and set back will make nearby houses appear smaller in comparison;	I have addressed this point in paras 8.5 and 8.6 of my report.
Height of proposed dwelling compared to no.51 and other existing houses would increase its prominence;	I have addressed this point in paras 8.5 and 8.6 of my report.
The staggered layout of no.49,51 and 53 would be altered;	I have addressed this point in para 8.6 of my report.
Very high density and high ridge height which would appear out of place and out of keeping in relation to other houses;	The proposed dwelling would fit comfortably with this plot without appearing overdevelopment. The increased ridge height would not be significant enough to make the dwelling appear out of place and would add variation into the street scene.

Proposed height would make a negative contribution to surrounding area;	I have addressed this point in paras 8.5 and 8.6 of my report.
The proposed dwelling should be moved west and lowered in height;	The proposal to set the dwelling further back from the original footprint would not have a significant adverse impact on the adjoining neighbours.
Proposed ridge height 1 metre above surrounding properties would set a poor precedent;	This is incorrect. The increase in ridge height would be 0.7 metres. Each planning application is considered on its own merits.
Impact residential amenity	See paragraphs 8.10 to 8.17
Overshadow the footpath;	The proposed dwelling would increase the level of overshadowing over the footpath however, this would only apply to a small section of the path and the path is already enclosed by boundary vegetation. I do not consider the additional impact would be significant enough to warrant refusal.

Planning Obligations

8.29 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

- 8.30 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.
- 8.31 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:
- S106 contributions have to be for projects at specific places/facilities.
 - The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
 - Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.
- 8.32 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 CONCLUSION

- 9.1 The proposed replacement dwelling would make a positive contribution to the street scene and area. It is accepted that it is an improvement on the existing. The design, scale and layout of the proposed dwelling is considered to be of high quality and would not appear out of keeping or have an adverse impact on the residential amenity of the adjoining neighbours.

- 9.2 The applicant has demonstrated that the proposed dwelling would not cause significant levels of overshadowing over the adjacent gardens. The proposed dwelling has also been revised from its original inception to mitigate the impact on the residential amenity of the adjoining occupier. The scale and roof form has been reduced from the original scheme and there are no habitable room windows that would cause overlooking.

10. RECOMMENDATION

APPROVE subject to completion the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place 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)

4. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

5. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.
Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

6. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure forward of the principal elevation shall be erected within the curtilage of the dwellinghouse(s) without the granting of specific planning permission.

Reason: To protect the visual amenity of the neighbourhood and in the interests of highway safety (Cambridge Local Plan 2006 policies 3/4 and 8/2).

7. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

8. 2.0 x 2.0 metres visibility splays shall be provided as shown on drawing no.02 PL3. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

9. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety.

10. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

11. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

12. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

13. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

14. 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)

15. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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)

16. The windows on the south and north elevations at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

Agenda Item 7

PLANNING COMMITTEE

2nd December 2015

Application Number	15/1194/FUL	Agenda Item	
Date Received	22nd June 2015	Officer	Mr Sav Patel
Target Date	17th August 2015		
Ward	Petersfield		
Site	Jubilee House 3 Hooper Street Cambridge Cambridgeshire CB1 2NZ		
Proposal	Change of use from office (B1a) to form 2x 2 bed and 6x 1bed residential units (C3) along with 3 storey rear extensions, with roof terrace, and alterations.		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed change of use from office to residential is considered to be acceptable as it would be compatible with surrounding uses and provide a popular form of housing in this sustainable and central location;- The proposed extensions and alterations are considered to be acceptable in terms of design, scale and materials such that they would not have an adverse impact on the character or appearance of the Conservation Area.- The proposed development would not subject to conditions have any adverse impact on the residential amenity of the surrounding neighbours and would provide future residents with a high quality form of living accommodation.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a five storey detached office building located on the northern side of Hooper Street. The building is known as Jubilee House and is set back from the site frontage, which is defined by two mature Horse Chestnut trees. There is also a similar Horse Chestnut tree, which is set back and on the western side of the site. To the west of the building is an access drive which leads to a car parking area (5 spaces) to the rear of the building and provides access to the residential units of Celtic House. To the east is the three storey detached building at no.5 Hooper Street which has recently been converted into flats. No.5 sits further forward (east) than Jubilee House and there are a number of communal garages located at the rear. No.5 appears to have been subdivided into flats.
- 1.2 The prevailing pattern of development in this area is of modest two storey terrace housing.
- 1.3 The site is located within a Conservation Area and Controlled Parking Zone. The Horse Chestnut trees are protected by Tree Preservation Orders.

2.0 THE PROPOSAL

- 2.1 The proposal is to convert the existing office building into 8 residential flats including rear extension (removal of existing pitched roof dormer), flat roof dormer with external terraces, alterations to the layout of the amenity space to the front and rear and changes to the fenestration of the building. The proposal also includes two pitched roof dormers on the southern roofslope following removal of the existing pitched roof dormer.
- 2.2 The proposal includes boundary treatment in the form of wrought iron railing at the front of the site and along part of the western boundary.
- 2.3 The proposal also includes the removal of 3 Lime trees two from the western boundary and one which forms part of a group of Limes that define part of the eastern boundary to the rear of the building.
- 2.4 The proposed scheme has been amended from its original design and layout. I set out below the main amendments:

- 1) Removal of entrance gate at the front of the site;
- 2) Two formal parking bay at the front of the building;
- 3) Communal outdoor space in front of the building;
- 4) Threshold to flat 1 to improve amenity of future occupier;
- 5) Two external terraces on the rear elevation to flats 3 and 5;

3.0 SITE HISTORY

Reference	Description	Outcome
14/1959/B1C3	Prior Approval notification of proposed change of use from B1(a) (offices) to Class C3 (dwellinghouses) to form nine studio flats	WITHDRAWN
14/1993/FUL	Construction of two cycle stores to serve the building	WITHDRAWN

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 Plan 2006	Local	3/1 3/4 3/7 3/14 4/4 4/11 5/1 5/2 8/1 8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First Comments

- 6.1 The future residents will not qualify for Residents' Permit within the existing scheme.

Second comments

- 6.2 Object to the proposed gates. The proposed new gates at the front of the site to the rear of the footway would require a motor vehicle to stop within the adopted highway and obstruct the carriageway when the gates are being opened/closed. To overcome the objection by removal of the gates or setting them back 5 metres from the back edge of the footpath.

Third comments (following submission of revised plans showing removal of the gates).

- 6.3 No comments to make on the revised plan.

Environmental Health

- 6.4 The proposed development is acceptable subject to condition on construction hours.

Refuse and Recycling

- 6.5 As the existing bin store would be used, the applicant should ensure the waste storage capacity requirements are met, as follows:

Residual waste = 45-50L per person

Dry recycling = 50-55L per person

Organic waste = 20-30L per person, depending on garden size

Urban Design and Conservation Team

Conservation Team:

First Comments

- 6.6 The proposals for the rear and roof extensions are not considered to be appropriate to the character or appearance of the conservation area. The application is therefore not supported. To avoid harming the conservation area, the extension should be in brick with a more sympathetic roof form.

Second Comments

- 6.7 The amendments that have been made to the application do not overcome the issues raised in the original Conservation comments which still stand. In addition, loss of the pedestrian and vehicular gates to the front is unfortunate as these were welcomed as improving the setting of the building.

Urban Design Team (First and second comments):

- 6.8 It is considered that there are no material urban design issues with this proposal.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

First Comments:

- 6.9 The proposed development is acceptable as the proposals do not appear to increase flood risk and the onsite drainage appears to have the capacity to deal with the additional foul water flows.

Second comments:

- 6.10 No further comments to make

Head of Streets and Open Spaces (Tree Team)

- 6.11 No comments received to date. I will report comments either to the amendment sheet or orally at Committee.

6.12 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:

- 136 Gwydir Street
- 138 a Gwydir Street
- 140 Gwydir Street
- 2 Celtic House, Hooper Street
- 17 Belvoir Road

7.2 The representations can be summarised as follows:

- Concerned by the bins which will be left on the footpath;
- Inadequate car parking – 1 per flat should be provided;
- Side passage must be kept open at all times during and after building works;
- Would like root line from under property to be removed when 3 trees are removed;
- Concerns with disruption, dust and general inconvenience during construction works;
- Concerned about not being notified;
- How long will works last?
- What provisions will be made for skips?;
- What are the permitted hours of work and what noise assessment has been carried out to mitigate construction noise;
- Will future residents be entitled to visitor permits;

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from 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 (and impact on heritage assets)
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 The principle of the proposed change of use from office (B1a use) to residential (C3 use) is considered to be acceptable as the adopted plan does not safeguard B1a uses.
- 8.3 The proposed development would constitute windfall housing in a sustainable location which is compatible with the surrounding uses and policy 5/1. The principle of the proposed development is therefore considered to be acceptable in this context.
- 8.4 Policy 5/2 of the Cambridge Local Plan 2006 supports the conversion of larger properties and non-residential buildings into housing provided that the development meets the following tests:
- Original property at least 110m² in floor area
 - No unacceptable impact on on-street car parking
 - Satisfactory living accommodation provided
 - Satisfactory refuse bin and cycle storage
 - Location and nearby land uses do not preclude a satisfactory level of residential amenity
- 8.5 I set out below my assessment of the proposal in relation to the above criteria.

Original property at least 110m² in floor area

- 8.6 The existing property has a total floor area of 258m². Therefore the property is compliant with this criterion.

No unacceptable impact on on-street car parking

- 8.7 The proposed includes 6 off street car parking spaces; two at the front and four at the rear. This level of car parking is

considered to be acceptable in this centrally located site. The Council's car parking standards in the adopted Local Plan has maximum standards. The standard seeks 1 space up to 2bedrooms as a maximum inside a Controlled Parking Zone. Therefore, in my view, given the site is located within close proximity of Mill Road Local Centre, where there are bus stops and the city centre is a reasonable walk and cycle ride away, I consider the level of car parking to be acceptable in this context. I have nevertheless recommended a Car Club informative to ensure future residents are aware of their local Car Club spot.

Satisfactory living accommodation

- 8.8 The proposed 8 flats are considered to provide future residents with high quality living accommodation. 6 of the flats would have their own terrace areas and there is a small communal courtyard at the front of the building for residents to enjoy. The living accommodation in each flat provides kitchen, lounge, dining room, separate bedroom with ensembles (the two bed units would also have a separate bathroom) and good access to outdoor space.
- 8.9 The proposal has been amended to improve the outlook from flat 1 which is in the basement. The applicant has provided a light well which can be used as a terrace.
- 8.10 I am therefore satisfied that the proposed development would provide future residents with a high quality living environment and accommodation.

Satisfactory refuse bin and cycle storage

- 8.11 The proposal includes provision for bin and cycle storage provision. There is an existing bin store with a brick surround located to the rear of the property along the western boundary. The proposal is to utilise this for the proposed residential units. No specific details have been provided to demonstrate it can accommodate the required amount of waste receptacles, particularly as there is a tree in the corner of the enclosure. I have therefore recommended a waste condition (5) so that details of the layout and size of the bins are provided.

- 8.12 The proposal is to provide a covered and secure cycle shelter adjacent to the bin store. This would require the removal of 2 Lime trees. The cycle shelter would provide 6 Sheffield stands which would enable 12 cycles to be parked. The proposed cycle storage arrangement is considered to be acceptable.

Location and nearby land uses do not preclude a satisfactory level of residential amenity

- 8.13 The proposal to change the use of the existing office building to residential flats would be compatible with the surrounding environment which is predominantly in residential use. The proposed reuse and subdivision of the office building as residential flats would provide a popular form of housing in a central and sustainable location.
- 8.14 The existing building is located away from the western boundary by between 4 and 5 metres. To the west are the rear gardens of the dwellings that front onto Gwydir Street. There are no windows in the western elevation of the existing building.
- 8.15 The proposed rear extension would incorporate four windows which would serve bedrooms. The bedrooms would also have windows that face north (in the rear elevation) and so the west windows are not principal windows. The proposed windows in the western elevation would be approximately 19 metres from the rear of the dwellings in Gwydir Street. Therefore, whilst the level of window to window separation would represent an acceptable relationship with the occupiers of the dwellings to the in Gwydir Street, I have nevertheless recommended the windows be obscure glazed by up to 1.7 metres from internal floor level. As they are not principal windows, this would mitigate the perceived overlooking on existing residents whilst maintaining the appearance of the proposed western elevation. I have also recommended a condition for 1.7 metres high screens to be inserted on the side of the balconies and roof terrace to mitigate the impact from overlooking of the rear gardens in Gwydir Street.
- 8.16 I do not consider the proposal would have any adverse impact on the residential amenity of the occupiers in Celtic House. The front elevation of Celtic House is west facing and so there would be no issue with window to window impact. Also the existing office building has windows in the rear elevation which faces

north. The proposed residential use of the building would improve natural surveillance over the rear of the building and for the residents in Celtic House. I also do not consider the proposed extension and balcony structure would have significantly adverse impact on the adjoining building at no.5 Hooper Street. No.5 is set further forward than Jubilee House and the proposed rear extension and balcony structure would be set in from the boundary. Therefore there would be no issue with overlooking into existing windows. The only issue would be the ability for future residents to overlook the existing open space and garage block to the rear. This is not considered to have any adverse impact on residential amenity of the occupiers in the adjacent building. The proposed roof terraces on the rear elevation would be partly screened by the canopy of the existing Lime trees and would not, in my view, cause any significant levels of overlooking.

- 8.17 The proposal includes a 1.8 metre high frosted screen panel between the two roof top terraces to avoid overlooking between future residents. This is considered to be acceptable.
- 8.18 Concerns have been raised by some local residents about the potential noise cause from construction work. I have therefore recommended a construction hours condition to restrict working hours. I have also recommended a dust condition to mitigate any impact on the residential amenity of the adjacent neighbours.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14, 5/1, 5/2, 8/6 and 8/10 of the Local Plan (2006)

Context of site, design and external spaces

- 8.20 The proposed rear extension would infill the stepped sections at the rear of the building and give it a squarer footprint and flush appearance. The scale of the extension is considered to be an acceptable intervention to the existing building and would not appear dominant or bulky in appearance. The modest scale of the proposed extension also would not appear overbearing such that it would create an adverse sense of enclosure of neighbouring properties due to the level of separation from adjacent properties. The proposed extension would also be south of Celtic House, west of no.5 and east of the dwellings in

Gwydir Street. On this basis, the proposal would not cause any significant level of overshadowing over the aforementioned sites such that it would have a significantly detrimental impact on residential amenity. The rear extension would only be visible from oblique angles from Hooper Street. The existing trees at the front and on the side boundary would help to soften its appearance from the public domain.

- 8.21 The western elevation would have brickwork recess detailing for a downpipe. This detail would in my view provide a distinctive break between the original and proposed extension whilst also breaking up the western elevation. The western elevation also includes a small chamfered edge section which is an existing feature found on the front of the site. This edge detailing also provides more space for landscaping around the building.
- 8.22 Following concerns with the amenity space of future residents, the applicant has introduced rear balconies and a terrace to three flats. The basement flat (1) would benefit from a terrace would project 1.7 metres and flats 3 and 5 would benefit from covered balconies. The balcony structure is proposed to be of galvanised steel frame with metal railings. The structure would be adjacent to the eastern boundary and overlook the car parking spaces. The structure would appear as a light weight frame which would not add significantly to the scale of the rear extension. I am therefore satisfied with the design and appearance of this structure as it would also benefit the residential amenity of future residents.
- 8.23 The proposed roof extension would introduce a contemporary element to the traditional form of the building. The proposal is to clad the cheeks of the roof dormer with standing seams, metal roof and the face with timber shiplap cladding. This combination of crisp metal, soft timber and glazed balustrading would give the roof extension a distinct and light weight appearance at roof top level. The side cheeks would be set in so as to appear as an extension rather than the entire roof. This would reduce its appearance from Hooper Street and maintain the appearance of the roofscape. The Conservation Team is not supportive of the proposal due to the roof extension. Whilst I appreciate their concerns, I do not consider their concerns to be significant enough to warrant refusal. The proposed roof extension would introduce a modern dimension to this traditional Victorian building in a sympathetic and visually appealing manner. The

proposed dormers on the front are modest and similar in appearance of the existing pitched roof dormer. I am therefore satisfied that the design and scale of the proposed roof extension would not have a significantly detrimental impact on the character or appearance of the Conservation Area. My view is that the roof extension would contrast successfully with the traditional building.

- 8.24 In terms of external space, the proposal has been revised to provide future occupiers with a communal area at the front of the building. This area is proposed to be landscaped and I have recommended a soft and hard landscaping condition to ensure the details of this are provided and agreed. The existing car parking area to the rear is to be retained with the loss of one space in order to provide a suitable threshold for the basement flat. The access to the rear of the building and to Celtic House will not be affected by the proposed development. Therefore, the limited external space around the building has been arranged to maximise its use to the future occupier.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and, 4/11.

Refuse Arrangements

- 8.26 The existing bin storage enclosure is proposed to be used. It is located within a convenient location and close to the collection point. However, no details have been provided as to whether it can accommodate the required amount of receptacles. I have therefore recommended a condition so that these details can be agreed. Subject condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.27 The applicant has removed the proposed gates at the front of the site which was of concern to the highway authority. In view of this the Highway Authority has not raised any concerns with this proposal in terms of highway safety.
- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

8.29 I set out below my response to the third party representations received:

Representation	Response
Bin storage and collection	A dedicated bin store is proposed for future occupiers. They will also be responsible for collecting and storing the bins.
Inadequate car parking	The proposal would provide 6 spaces for the 8 flats. In this sustainable and central location which is close to the Mill Road Local Centre, bus stops and railway station, I consider the level of car parking to be more than acceptable for this site in this context.
Side passage	The gates which were originally proposed have been removed and there is no other obstruction that would prevent access to the occupiers of Celtic House.
Concerns with disruption during construction work	This is an inevitable part of development. In order to minimise the impact on local residents I have recommended a construction hours and dust condition. The Environmental Services have not requested a construction noise condition as the proposed development is not considered to be significant enough to warrant this level of information.
Concerned with neighbour notification	Having checked the neighbour consultation list all affected neighbours were consulted and a site notice was displayed on site and an advert placed in the local newspaper.
How long will the works last	I am not aware of the applicant's timescales for this project.

Parking/visitor permits	The Highway Authority have advised that the future occupier will not be entitled to join the existing Residents' Permit Scheme.
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Planning Obligations (s106 Agreement)

Planning Obligations

8.30 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.31 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

8.32 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.

- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.33 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 CONCLUSION

9.1 The proposed change of use of the existing building from office to residential flat is considered to be acceptable in principle.

9.2 The proposed extensions and alterations primarily affect the rear of the building. The rear extension is considered to be acceptable in terms of its scale and design. The proposed roof extension and materials would introduce a contemporary feature to a traditional building which in my view would contrast sympathetically without having an adverse impact on the character or appearance of the Conservation Area. The proposed addition of a covered framed balcony structure on to the rear extension would appear lightweight and would not detrimentally affect the scale or design of the rear elevation.

9.3 The proposed development would not in my view have any adverse impact on the residential amenity of local residents. I have recommended conditions to ensure any impact from overlooking and construction work is mitigated.

10.0 RECOMMENDATION

APPROVE subject the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place 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)

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. Prior to the commencement of development, 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 wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

6. The glazed balustrade on the western side of the roof terrace and windows on west elevation at first and second floor level shall be obscure glazed to a height of 1.7 metres above finished floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of the extension. The windows shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

7. Prior to occupation of the flats, details of the type of screen shall be inserted on the western side of the ground and first floor balconies shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be obscure glazed to a height of 1.7 metres above finished balcony floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

INFORMATIVE: Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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Agenda Item 8

PLANNING COMMITTEE

2nd December 2015

Application Number	15/1623/FUL	Agenda Item	
Date Received	27th August 2015	Officer	Mr Sav Patel
Target Date	22nd October 2015		
Ward	Queen Ediths		
Site	64 Glebe Road Cambridge Cambridgeshire CB1 7SZ		
Proposal	Demolition of single storey dwelling and erection of 5 new dwellings		
Applicant	C/O Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed development would make effective and efficient use of previously development land to provide a popular form of housing;- The proposed development is of high quality in terms of design, scale and layout.- The proposed development would integrate into the site without appearing out of character with the existing built environment.- The proposed development would not have a significantly adverse impact on the residential amenity of the surrounding neighbours, particularly the occupiers of the properties to the north and west.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located to the south of Glebe Road and in a backland location to the existing two storey dwellings which are set back from Glebe Road. The general pattern of development in this area is of two storey detached and semidetached dwellings set back from the road and with deep rear gardens.
- 1.2 The application site is 0.22 hectares in extent and consists of a single storey dwelling within a generous plot. Access to the dwelling (no.64 Glebe Road) is via a long single width access road of 66 metres in length that runs between no.64a and no.66 Glebe Road.
- 1.3 To the north of the site are the two storey dwellings that face Glebe Road. To south is an allotment site and beyond this are the dwellings in Holbrook Road. To the west are the dwellings in the Temple Close which is a small back land development consisting of 11 large detached dwellings. To the east are the rear gardens of the dwellings facing Glebe Road.
- 1.4 The site is not located within an area of designated development constraint. There are a row of Lime trees with Tree Preservation Orders within close proximity to the north-west boundary.

2.0 THE PROPOSAL

- 2.1 The proposal is to demolish the existing dwelling and replace it with five, three storey dwellings; two pairs of linked semi-detached dwellings and a linked detached dwelling. The proposed development would include associated facilities such as bin and cycle storage, car parking and private garden areas.
- 2.2 The proposed development would have a consistent ridge height of 9.6 metres with eaves of 5.6 metres. The semi-detached units would be approx. 13 metres wide (excluding the single storey flat roof link, which would be 2.8 metres in height) and 13 metres in depth. The detached dwelling would be 7.6 metres wide (excluding the attached 1 " storey side element which would be 7.95 metres in height and 5.65 metres wide) and 13 metres in depth.

2.3 The application includes the following supporting information:

1. Design and Access Statement;
2. Planning Statement;
3. Transport Statement;
4. Arboricultural Impact Assessment and Tree Protection Plan;
5. Shadow Study;
6. Plans

2.4 Additional information has been submitted in respect of refuse arrangements.

3.0 SITE HISTORY

Reference	Description	Outcome
C/77/0410	Erection of one detached single storey dwelling unit and garage.	APPROVED
C/77/0894	Erection of a single storey dwelling (submission of reserved matters)	APPROVED
C/99/0258	Erection of a single storey extension and alterations to existing bungalow.	APPROVED

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed (Wider concern):	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 3/12 4/4 4/13

	5/1 8/2 8/6 8/10
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5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objections. The access-way is not to adoptable standard. Tracking for plot 4 appears to conflict with car parked opposite. Visibility splays should be 2 metres by 2 metres rather than 1.5 metres. No explanation on how site will be serviced. Aside from this the Highway Authority is satisfied the proposal will have no significant adverse effect upon the highway subject to the following conditions/informatives:

- No unbound material
- No gates erected
- First use of vehicular access
- Highways drainage
- Visibility Splays
- Manoeuvring area
- Access as shown
- Traffic Management Plan
- Traffic Management Plan Informative
- Highways Informative
- Public utility informative

Landscaping

6.2 The proposed development is acceptable subject to conditions on hard and soft landscaping and boundary treatment.

Trees

6.3 No comments received to date. I shall report them on the amendment sheet or orally at the meeting.

Environmental Health

6.4 No contamination issues and the potential impact from demolition and construction should be controlled. The following conditions are recommended:

- Construction hours
- Collection hours during construction
- Piling
- Dust
- Dust informative

Refuse and Recycling

Original comments:

6.5 The proposed development is unacceptable and should be refused as it does not meet the requirement of the Cambridgeshire RECAP 2012 guidance. The future residents should not be expected to pull wheeled bins more than 30 metres to the kerbside.

Second comments:

6.6 The revised plan showing the location of bin storage adjacent to the access lane and subject to waste management condition overcomes the objection.

Urban Design and Conservation Team

6.7 The submitted scheme is acceptable in design terms. Details of the proposed waste collection arrangements need to be provided. Materials condition is recommended.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.8 The proposed development is acceptable subject to surface water drainage condition.

Cambridgeshire Fire & Rescue Services

6.9 No objections subject to adequate provision being made for fire hydrants.

6.10 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:

Object:

- 60 Glebe Road
- 62 Glebe Road
- 64A Glebe Road
- 68 Glebe Road
- 70 Glebe Road
- 72 Glebe Road
- 1 Templemore Close;
- 3 Templemore Close
- 4 Templemore Close
- 8 Templemore Close
- 41 Holbrook Road
- 63 Holbrook Road
- 39 Hinton Road;
- Flat 12 Brooklands Court, Brooklands Avenue
- Rock Allotment Society, Trading Centre, 21 Baldock Way

Support:

- Green Glade, 64 Glebe Road
- 66 Glebe Road
- 8 Aberdeen Square
- 9 Aberdeen Square
- 5 May Pasture, Great Shelford
- 25 London Road, Great Shelford
- 7 Richard Foster Road
- Flat 1, 164 Coleridge Road

7.2 The representations can be summarised as follows:

Objection

Design, scale and layout:

- Development is too large for this plot;
- Density of development at odd with character of area;
- Three storey houses inappropriate in this two storey context;
- Concerned by the height of the proposed properties;
- The proposal would be out of keeping with the character of the area;
- Proposed dwellings should not exceed height of properties in Glebe Road and Holbrook Road;
- Insufficient gardens space;
- Alteration to front boundary no.66 will change the character of the street;

Highway and access:

- Single track access is adequate for heavy plant machinery;
- Increased in vehicle movements will put pressure on traffic along Glebe Road and parking, particularly during peak times;
- Concerns with impact on road safety;
- Bin storage will block pavement verge;
- Access is narrow and close to an accident black spot;
- Access road is inadequate for serve the proposed development;
- Concerns with potential conflict with school children walking along Glebe Road;
- How will access road be maintained to an appropriate standard?

Residential amenity:

- Loss of privacy from overlooking of garden and internal rooms;
- Removal of existing gate would significantly reduce security for properties that back onto the site;
- Noise and disturbance from additional dwellings;
- Affect legal entitlement to quiet enjoyment of property;
- Installation of security lighting will change the environment of our garden at night;
- Artificial light pollution from 5 dwellings;
- Loss of light into garden;
- Disruption during construction work;
- Lack of privacy over for future occupiers;
- No balconies overlook the allotments;

- No detail of boundary treatment along the northern boundary;
- No details of how privacy will be protected;
- The proposed dwellings will enclose existing gardens;
- The proposal will overshadow existing properties;
- Increase in noise and pollution from car fumes;

Other:

- Reduce property value;
- Proposal to maximise site value;
- The proposal would impact the protected tree in front of no.68;
- Impact on local schools and surface drainage;
- No affordable housing;
- Loss of wildlife habitat;
- The proposed development does not comply with Policies 50, 52, and 58 of the draft Local Plan;
- Concerns with access for emergency vehicles
- Material change in view/outlook;

Support:

- Reuse of under-developed site for much needed house;
- Highly sustainable location to local provisions;
- Environmentally friendly proposal;
- Compliant with the objectives of the NPPF;
- Need for family housing within the city instead of greenbelt
- Bespoke scheme which responds to its setting;
- Well designed houses;
- Sympathetic to neighbouring dwellings in terms of open space, scale and massing and residential amenity;
- Desirable type of accommodation
- Developer has a good track record;
- Good provision of off street parking;

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from 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 Obligations (s106 Agreement)

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is surrounded by residential uses and it is therefore my opinion that the proposed residential development is acceptable in principle, and is in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

Response to context

8.3 The application site is located in a back land context behind predominantly two storey housing development fronting Glebe Road. To the west of the site is a small back land housing development consists of eleven substantial two and two " storey detached dwellings. There are also examples of 2 " and 3 storey dwellings in Glebe Road close to the site. No.52 and 64a Glebe Road are good such examples. No.52 a three storey detached dwelling and a relatively recent addition to the street scene. Planning permission (09/1015/FUL) was granted in 2009 for a replacement dwelling. No.64a is a detached 2 " storey dwelling which backs onto part of the application site.

8.4 In terms of architectural style, there are examples of hipped roofed dwellings, gabled ended and gable fronted dwellings and a contemporary mono-pitched dwelling at no.52 Glebe Road.

The area is also characterised by terrace, semi-detached and detached dwellings. It would be reasonable to suggest the built form of the area is mixed.

- 8.5 Therefore in this varied context, my view is that the proposed development of five dwellings, which have been designed to appear two storey in the front elevation and 3 storey in the rear elevation responds appropriately to this site context. The two storey frontage would respond to the predominantly two storey scale of Glebe Road. The proposal includes use of the loft space but this would only be distinguishable by the appearance of rooflights. The south elevation, which would overlook the allotment site, would have a three storey appearance. This juxtaposition between the two elevations has been created by altering the roof pitch from steep to shallow. The shallow roof pitch on the rear enables more head room to allow for a full 2nd floor to be created. This transfiguration, in my view, responds well to the site context.
- 8.6 According to the applicant's front and rear elevation plan (P10 rev G) the ridge height of the proposed dwelling would be lower than the nearest property in Templemore Close. The scale of the proposed dwellings would therefore not appear out of keeping with the existing built form when views from Glebe Road.
- 8.7 In terms of articulation of the fenestration, the front elevation has been arranged in a symmetrical arrangement with modest openings, particularly at first floor. This conservative approach has been liberated on the rear elevation where it would consist of extensive floor to ceiling glazed openings on all three levels which would make the most of the south facing aspect. This detailing in my view shows the scheme is responding to the most sensitive aspect of the site which is to be north.
- 8.8 The conservative arrangement of the front elevation gives it an unfussy appearance. However, the proposed materials which include vertical cedar boarding, slate, brick and powder coated aluminum joinery would in my view bring to life the understated appearance of the front elevation whilst also refining the rear elevation of the proposed dwellings. It is therefore important to ensure the materials are of the highest quality as this will determine how successful the proposal is. I have therefore

recommended a materials condition (3) to ensure all the external materials are submitted and agreed.

- 8.9 In terms of external space, the proposed dwellings would be provided with 8 metre deep, south facing rear gardens. The garden size would vary between plots and range from 77m² to 170m². Whilst some concerns have been raised regarding to garden sizes not being in keeping with the existing houses, the proposed development would make efficient use of previously development land and still provide a generous amount of outdoor space for future residents. It would be inappropriate and inefficient use of land to insist on the applicant provides the same level of garden space at existing plots. There is also sufficient space around the dwellings within the site to accommodate soft landscaping. I have recommended a soft and hard landscaping condition (17 including maintenance condition 18), as this will be important to soften the boundaries and setting of the development in this back land context.
- 8.10 In terms of scale and layout, the proposed development has been arranged a three separate blocks with generous spacing in between, particularly plots 1 and 2 and 3 and 4. The gap between these plots would be 6.9 metres. This is comparable with the gap between no.64a and no.66 and more than the spacing between some of the dwellings in Templemore Close. The proposed arrange and spacing would in my view reduce the scale and mass of the proposed development, and avoids it from appearing as a wall of development, particularly from the rear gardens of the properties to in Glebe Road. Consideration has also been given to east and west boundaries. The proposed development is stepped away from the boundaries with a single storey structure adjacent to the western boundary, which forms the rear boundary of no.2 Templemore Close, and a 1 " storey structure adjacent to the western boundary. The western boundary appears to be shared with part of the side boundary of no.62.
- 8.11 In my opinion the proposal has sympathetically responded to each side of the site and site context whilst achieving a high quality, cohesive developed which would make a positive contribution to the area without appearing out of character. In these terms therefore, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 Concerns have been raised from local residents on the potential impact the proposed development would have on residential amenity in terms of overlooking, enclosure, loss of light, noise and disturbance. I set out below my response to each of these in turn.

Overlooking and loss of privacy

- 8.13 The dwellings at the front of the application site currently enjoy a relatively open outlook save of existing trees. Therefore the proposal to construct three blocks of two storey housing development will have a degree of impact on their outlook and residential amenity. However, it is important to assess the relationship between the proposed and existing form. The main dwellings that directly back onto the application site are 64a, 66, 68, 70 and 72 Glebe Road. The proposed dwelling would contain bedrooms at first floor and in the loft space. The first floor bedrooms would be set back from the rear boundary by between 8 metres (unit 5) and 12 metres (unit 1). The level of separation between the existing dwellings would be:

Dwelling	Distance to main rear elevation
64a Glebe Road	48 metres
66 Glebe Road	54.5 metres
68 Glebe Road	54 metres (51.5 to the extension)
70 Glebe Road	53.5 metres (between 50 and 41.5 to single storey extensions)
72 Glebe Road	53 metres (between 43 and 51 metres to the single storey extensions)

- 8.14 As a general rule of thumb, in an urban context such as this an acceptable window to window distance would be 20 metres. The window to window separation between the proposed and existing would be significantly more than this. There are also opportunities with the site to introduce tree planting, which the applicant has shown on the site layout plan which would assist

in mitigate the impact from overlooking. However, at this distance I do not consider the proposal would result in harmful levels of overlooking such that it would have a significantly adverse impact on the residential amenity of the existing residents. As for the level of separation between the dwellings in Holbrook Road, this would be over 80 metres. It would therefore be difficult to argue the proposed development would cause any harmful overlooking at this distance. I am therefore satisfied that the impact from overlooking on the properties to the north and south would not have a significantly harmful impact on the residential amenity of the existing residents such that it would warrant refusal of this application.

- 8.15 In terms of the impact from overlooking to the east and west of the site, the rear gardens of the properties in Glebe Road are to the east and Templemore Close development is to the west. The east elevation of unit 1 would contain three windows at second floor level which would serve a bedroom, landing and ensuite. These windows would be set off the side boundary by 7.4 metres and have an outlook over the rear most section of gardens serving the properties in Glebe Road. At this depth, I do not consider these windows would cause loss of privacy or directly overlook the private amenity space of existing dwellings such that it would have a detrimental impact on the residential amenity of existing residents. Unit 1 also proposed to have roof terraces serving the main dwelling and 1 " storey side structure. As these terraces would allow more flexibility in terms of viewing angle, I have recommended a condition (25) so that the sides of the terraces (east and west) are fixed with 1.7 metres high screen the type of which are to be submitted and agreed. This also applies to unit 5 in order to prevent overlooking of the rear gardens of the dwellings in Templemore Close. Unit 5 would also have a landing window at first and second floor level and a bedroom window in the west elevation. I have recommended a condition (24) to have the first and second floor windows obscure glazed with any openings restricted to 45 degrees. The proposed development would associate more to the Templemore Close due to proximity and so the impact of the proposed development is likely to be felt more the occupiers of the existing dwellings. However, in my view, whilst the proposed development would change the outlook from the rear gardens, I do not consider it would create a significantly adverse relationship. The windows in the rear elevation of the proposed dwellings, particularly unit 5 would face southwards

but would allow oblique views towards the rear gardens of the dwellings, in Templemore Close, particularly no.2. However, in this urban context and backland location, it would be difficult to completely avoid any overlooking issues. This is why I have recommended conditions such as obscuring windows and screening the side of the roof terrace to mitigate any obviously potential for overlooking.

- 8.16 Therefore, in terms of overlooking from the proposed development on the surrounding area, I am satisfied that the proposed development subject to conditions, would not have a significantly adverse impact on the residential amenity of the residents to east and west of the site.

Enclosure

- 8.17 I do not consider the proposed development would have an overbearing impact on the surrounding residents, particularly to the north and south due to the level of separation and layout. The proposed development would be between 48 and 54.5 metres from the properties to the north and over 80 metres from the properties to the south. The spacing between each block (6.9 metres) would, in my view, help to break up the mass of the proposed development and enables views through. The two storey scale of the front elevation also mitigates the dominance of the proposed development.

- 8.18 In terms of the impact on the properties to the west, in Templemore Close, the proposed development would be much closer and the degree of impact greater. The side elevation of unit 5 would be approx. 19.8 metres from the rear elevation of no.2 Templemore Close, which is the closest property to the application site. The applicant's Shadow Study which focuses on the relationship with the properties in Templemore Close demonstrates the proposed development would not have any significant adverse overshadowing impact over the rear gardens of the properties that back onto the application site. The 25 degree rule also demonstrates that the side elevation of unit 5 would not conflict with this due to the level of separation.

Noise and disturbance

- 8.19 The existing site is defined by a timber fence with planting in behind. In order to reduce the impact caused by the potential

increase in comings and goings and general intensification of the use of the land, I have recommended a boundary treatment condition to ensure the site is defined by a robust boundary. I have also recommended a soft and hard landscape condition (17). These conditions would also help to attenuate noise pollution/overspill from the intensification of the site. The existing access road is defined by a timber fence on either side. Part of the side with no.66 is defined by a brick wall. The proposal would include widening a section of the access to create a passing place and to improve visibility at the junction.

8.20 Whilst the proposed development would increase activity within the site and movement to and from, I do not consider the level of intensification would have a significant adverse impact on the residential amenity of adjacent neighbours. I have also recommended conditions to protect the residential amenity of adjacent residents during construction stage by restricting the working hours, collections to the site and dust control.

8.21 In my opinion, subject to conditions, 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.

Amenity for future occupiers of the site

8.22 The proposed development would provide high quality living accommodation within a well laid out site. The proposed dwelling would provide a generous amount of internal living space and also a suitable amount of outdoor space. Whilst the outdoor space would not be comparable to existing properties in Glebe Road they would be similar to those in Templemore Close.

8.23 The proposed garden sizes for each unit would be:

Unit no.	Garden size	Garden m ² per bedroom
Unit 1 – 5bed	170m ²	34m ²
Unit 2 – 4bed	77m ²	19.25m ²
Unit 3 – 4bed	77m ²	19.25m ²
Unit 4 – 4bed	77m ²	19.25m ²
Unit 5 - 4bed	160m ²	40m ²

(The above table does not include the 2nd floor terraces that are proposed for each unit)

- 8.24 The rear gardens depth would be a consistent 8 metres for each unit but vary in width. Units 1 and 5 are the widest and would also benefit from space to the side. I am satisfied that the proposed development would provide adequate levels of outdoor space for the size of dwellings proposed.
- 8.25 The rear garden of unit 5 would be overlooked by no.2 Templemore Close. The rear garden of no.2 is 11 metres in depth and current overlooks the existing site. Therefore, with appropriate landscaping along the western boundary, I believe the level of overlooking would be mitigated to an acceptable level. Furthermore, in this urban context it would be difficult to eliminate any overlook issues from being created.
- 8.26 The main concern with the amenity of future occupiers is the refuse arrangement, particularly the bin drag distance to the collection point. As the County Highway Authority will not adopt the access road, refuse bins are collected from the road side. The existing occupier has to drag their bins over 65 to the collection point. For the future occupiers of plots 4 and 5 the drag distance would increase to nearer 80 metres. The proposed refuse arrangement would also conflict with the recommended drag distance of 30 metres, as set out in the Waste Design Guide. This situation is also an issue that the existing resident has had to deal with and I do not consider having four (net) additional dwellings would significantly exacerbate the problem. I also do not consider the refuse arrangement should frustrate the redevelopment of this site. Nevertheless, following discussions with the Waste and Recycling Officer over how best to address the restrictive refuse arrangement, the applicant has submitted a plan to show a bin storage area at the end of the access lane. The Waste and Recycling Officer is satisfied with the location of a dedicated bin storage area for collection and has recommended a waste management condition so that details of the waste management are submitted for agreement. The applicant has agreed to this condition. Therefore, in light of the refuse constraints, I recommend a waste management condition (26) so that details of how the refuse arrangement for future residents will be managed can be submitted for agreement.

8.27 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.

Highway Safety

8.28 The Highway Authority does not consider the proposal will have any adverse impact on highway safety subject to conditions. I agree with the recommended conditions.

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

Car and Cycle Parking

Car parking

8.30 The proposed dwellings have integral garages; unit 1 and 5 would benefit from double integral garages. Five car parking spaces are also proposed within the site to accommodate additional vehicles. There is also space in front of the integral garages to accommodate vehicles without obstructing the access. I am therefore satisfied that the proposed development make suitable provision for car parking so as to not increase the pressure on existing on street parking along Glebe Road. The proposed development would be self sufficient in this regard.

Cycle parking

8.31 The proposed dwellings make provision for four cycle parking space in a safe and convenient location. The proposed level of cycle spaces is compliant with the cycle parking guide.

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

Third Party Representations

8.33 I have responded to some of the issues raised by third party representation in the above sections of my report. I set below my response to the objections that I have not directly responded to:

Representation	Response
<u>Design, scale and layout</u>	
Development is too large for this plot;	The proposed development would make effective and efficient use of previous developed land without appearing cramped.
Density of development at odd with character of area;	The density of development would be 23 dwellings per hectare. This is considered to be acceptable for this site in this location.
Three storey houses inappropriate in this two storey context;	See para 8.3 to 8.6
Concerned by the height of the proposed properties;	See para 8.3 to 8.6
The proposal would be out of keeping with the character of the area;	See para 8.3 to 8.6
Proposed dwellings should not exceed height of properties in Glebe Road and Holbrook Road;	The height of dwellings in Glebe Road are varied. The height between the proposed dwellings and existing properties in Glebe Road and Holbrook Road would not be distinguishable due to the level of separation. The dwellings in Templemore Close would have a higher ridge. I therefore do not consider the height of the proposed dwelling is unacceptable.
Insufficient gardens space;	See para 8.9 and 8.22
Alteration to front boundary no.66 will change the character of the street;	The alteration to the frontage of no.66 would not be significant such that it would have a detrimental impact on the character of the street. The alteration to the front boundary would allow for the access to be widened to improve visibility.

<u>Highway and access</u>	
Single track access is adequate for heavy plant machinery;	The applicant will need to ensure there is suitable provision for allow construction vehicles to access the site. This is not a material planning consideration.
Increased in vehicle movements will put pressure on traffic along Glebe Road and parking, particularly during peak times;	In my view, the increase in vehicle movements would not be significant enough to have a materially adverse impact on existing traffic along Glebe Road.
Concerns with impact on road safety;	The County Highway Authority has not raised any concerns with the proposal in terms of highway safety.
Bin storage will block pavement verge;	Bins are currently stored on the highway for collection and cause temporary obstruction. I have recommended a waste management condition to ensure the storage arrangement during collection does not cause obstruction at this point.
Access is narrow and close to an accident black spot;	The access is of suitable dimension to allow vehicles to travel along. The proposal includes provision for a pass space and alteration to the frontage to increase visibility at the junction. The highway authority does not consider the proposal would have an adverse impact on highway safety.
Access road is inadequate for serve the proposed development;	As above.
Concerns with potential conflict with school children walking along Glebe Road;	As above

How will access road be maintained to an appropriate standard?	The access would be a private road and would need to be maintained by the future residents either by themselves or through a management company.
<u>Residential amenity</u>	
Loss of privacy from overlooking of garden and internal rooms;	See para 8.13 to 8.15
Removal of existing gate would significantly reduce security for properties that back onto the site;	This is not a material planning issue.
Noise and disturbance from additional dwellings;	In this residential and urban context, I do not consider an additional five dwellings would cause significantly adverse noise levels that it would warrant refusing this application.
Affect legal entitlement to quiet enjoyment of property;	Not a material planning consideration.
Installation of security lighting will change the environment of our garden at night;	The level of separation between the proposed and existing dwellings would minimise any adverse impact on security lights.
Artificial light pollution from 5 dwellings;	The openings in the front elevation have been kept to a minimum, particularly at first floor and in the roof. Therefore, in conjunction with the level of separation, I do not consider the impact from artificial light would be significant.
Loss of light into garden;	The shadow study demonstrate that the proposed dwelling would not cast significant shadows over the amenity space of neighbouring gardens such that it would

	have an adverse impact on the residential amenity of existing occupiers.
Disruption during construction work;	I have recommended conditions to mitigate the impact.
Lack of privacy over for future occupiers;	The proposed development would provide future residents with high quality living environment.
No balconies overlook the allotments;	The allotments are protected from being overlooked and whilst there are no balconies that overlook the allotments there are windows.
No detail of boundary treatment along the northern boundary;	I have recommended a boundary treatment condition
No details of how privacy will be protected;	I have recommended obscure glazing condition and for the balconies of unit 1 and 5 to have side screens to protect privacy of neighbouring occupiers.
The proposed dwellings will enclose existing gardens;	The proposed development would make effective and efficient use of previous developed land without appearing cramped.
The proposal will overshadow existing properties;	The proposed development would not cause adverse levels of overshadowing.
Increase in noise and pollution from car fumes;	The noise and pollution from vehicles serving the proposed development would not be significant enough to cause an adverse impact.
<u>Other issues</u>	
Reduce property value;	This is not a material planning consideration.
Proposal to maximum site value;	This is not a material planning consideration.
The proposal would impact the	The proposed alterations to

protected tree in front of no.68;	the site frontage would not have any adverse impact on the existing tree in front of no.68. None of the protected trees that are located adjacent to the site boundary would be adversely impacted by the proposed development.
Impact on local schools and surface drainage;	
No affordable housing;	The proposal would not trigger affordable housing requirement.
Loss of wildlife habitat;	The site has been well maintained with landscaped garden and so is unlikely to be used as a wildlife habitat of significant importance.
The proposed development does not comply with Policies 50, 52, and 58 of the draft Local Plan;	See para 5.4
Concerns with access for emergency vehicles	The proposal includes alterations to the existing access to enable better visibility at the junction and a pass place. Therefore, the access would be suitable for emergency vehicles to serve the proposed dwellings.
Material change in view/outlook;	The proposal will materially change the outlook and view from the rear gardens of surrounding residents. However, the outlook/view would be of high quality housing development.

Planning Obligations

8.34 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

- 8.35 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.
- 8.36 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:
- S106 contributions have to be for projects at specific places/facilities.
 - The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
 - Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.
- 8.37 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in

future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 CONCLUSION

- 9.1 The proposed redevelopment of the existing site to provide five semi-detached and linked detached dwelling including alterations to the access road would result in a high quality form of development in this back land location. The proposed development responds to the site context by reading as a two storey dwelling to address the Glebe Road setting and taking advantage of the views over the allotment to the south by reading as a three storey dwelling.
- 9.2 The proposed dwellings have been set off the east and west boundary to minimise the impact on the neighbours, particularly those in Templemore Close. Windows are proposed in the flank elevations of units 1 and 5 but I have recommended an obscure glazing condition to prevent overlooking. The proposed development would not appear dominant or create an adverse sense of enclosure on the occupier of the properties in Templemore Close due to the level of separation. The proposal would also comply with the 25 degree rule and the applicant's shadow study demonstrates there would be no significant levels of overshadowing.
- 9.3 The level of separation between the properties in Glebe Road and Holbrook Road are considered to mitigate any adverse impact in terms of overlooking, loss of privacy and creating a sense of enclosure.
- 9.4 The proposed development would result in a high quality form of development that would also provide high quality living accommodation for future residents in a high quality environment.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place 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)

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

7. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

8. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

9. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

10. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

11. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

12. Prior to occupation of the dwellings hereby approved, two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

13. The manoeuvring areas shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

14. The access shall be provided as shown on the approved drawing no.P00 rev G (Proposed Site Access) and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

16. Prior to the commencement of the development a scheme for the provision of fire hydrants serving that phase shall be submitted and approved in writing by the local planning authority. The approved scheme shall be fully operational prior to the first occupation of the development, or as agreed in writing with the local planning authority. No development shall take place otherwise than in accordance with the approved scheme.

Reason: To ensure the provision of adequate water supply infrastructure to protect the safe living and working environment for all users and visitors
(Cambridge Local Plan 2006 saved policies 3/7, 3/12 and 8/18).

17. 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)

18. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

19. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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)

20. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

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

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

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

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

23. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 30% an allowance for climate change. The submitted details shall:
- o provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - o provide a management and maintenance plan for the lifetime of the development.
 - o The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

24. The windows in the eastern elevation of unit 1 and western elevation of unit 5 at first and second floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

25. Prior to occupation of unit 1 and 5 details of the type of screen on the east and west side of the roof terraces (at first and second floor) shall be submitted to and approved in writing. The screen shall be a minimum of 1.7 metres in height and project the full depth of the terraces. The screens shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

26. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided including details of the enclosure for storage during collection and information shall also be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point and return to the dwellings. The approved arrangements 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

27. Prior to occupation of the development hereby approved, the car parking spaces identified on the approved plans shall be implemented and shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

28. Prior to occupation of the development hereby approved, the cycle parking spaces identified on the approved plans shall be installed and shall not thereafter be used for any other purpose than the parking of cycles.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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Application Number	15/1409/OUT	Agenda Item	
Date Received	21st July 2015	Officer	Mr Sav Patel
Target Date	15th September 2015		
Ward	Trumpington		
Site	55 And 57 Alpha Terrace Cambridge Cambridgeshire CB2 9HS		
Proposal	Outline application for erection of three dwellings with ancillary access arrangements on land to the rear of 55 and 57 Alpha Terrace.		
Applicant	Mr Frank Lindsay 1 Sydenham Terrace Halifax Road Cambridge CB4 3PZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The principle of residential development in this location is considered to be acceptable as it would be compatible with the surrounding environment. - The scale of the proposed dwelling is considered to be acceptable in this context and would sympathetically assimilate into the site without appearing dominant or out of keeping. - The proposed development of this back land site with the scale and type of development proposed is unlikely to have a significantly adverse impact on the residential amenity of the local area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, nos.55 and 57 Alpha Terrace, are comprised of two individual detached properties, both with long rear gardens and on-site parking at the front of each property. No.55 is a two-storey residential property designed in render with a slate roof. No.57 is also two-storeys in scale and is designed in render with a slate roof but does occupy a deeper footprint than no.55. The British Telecom exchange building complex is situated to the north-west of the application site and further to the east of the site at the end of Alpha Terrace is the Fawcett Primary School.
- 1.2 Alpha Terrace is a predominantly residential area and is formed primarily of similar sized terraced and semi-detached with the majority of these properties being designed in brick although there is some variation in the colour and types of bricks. Roof materials and pitches are also relatively varied along this road. To the north of the site lie the larger detached properties of Wingate Way and Wingate Close.
- 1.3 The site is situated immediately adjacent to, but not within, the Trumpington Conservation Area.

2.0 THE PROPOSAL

- 2.1 The application seeks outline planning permission for the erection of three dwellings, including ancillary access arrangements, on land to the rear of nos.55 and 57 Alpha Terrace. The applicant has sought to reserve landscaping and layout from consideration of this application. Details of access, appearance and scale have not been reserved. The application has been assessed on the basis of the matter that have not be reserved.
- 2.2 The access to the dwellings is proposed between 55 and 57 Alpha Terrace. The appearance of each dwelling would be single storey with a traditional pitched roof. The scale of each dwelling would be 7 metres in depth, 9 metres wide and 4.6 metres to the ridge.
- 2.3 The proposed dwellings would contain two bedrooms. Two car parking spaces are proposed for each dwelling. Cycle parking is designated in a communal area on the site. Refuse

arrangements would be provided along the southern boundary of the dwelling site. The gardens would vary in size between approximately 54m² and 128m².

2.4 The application is accompanied by the following supporting information:

1. Covering letter
2. Transport Statement
3. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
09/0582/FUL	55 Alpha Terrace - Two storey side and single storey front and rear extensions.	Permitted.
06/0120/FUL	57 Alpha Terrace - Change of use from 2 flats to single dwelling as originally built.	Permitted.

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 3/2 3/4 3/7 3/10 3/12 4/11 5/1 /2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF

will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No objection, subject to the following conditions:

- No unbound material
- No gates erected
- First use of vehicular access
- Highways drainage
- Visibility Splays
- Manoeuvring area
- Access as shown
- Traffic Management Plan
- Traffic Management Plan Informative
- Highways Informative

Head of Refuse and Environment

6.2 No objection, subject to the following conditions:

- Construction Hours
- Collection during construction
- Construction/ demolition noise/ vibration and piling
- Piling
- Dust Condition
- Dust Condition Informative

Urban Design and Conservation team

6.3 The application is supported.

Drainage

6.4 No objection, subject to the following conditions:

- Surface Water Drainage

- Foul Water Drainage

Cambridgeshire County Council (Fire Authority)

6.5 No objection.

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

7.0 REPRESENTATIONS

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

- 42 Alpha Terrace
- 46A Alpha Terrace
- 52 Alpha Terrace
- 53 Alpha Terrace
- 59 Alpha Terrace
- 62 Lantree Crescent

7.2 The representations can be summarised as follows:

Design/ Character of Area:

- The proposal does not respect the context of the site, within the street.
- Overdevelopment
- The scale of development (bungalow) is not appropriate for this area.
- The density is too high.
- There is no precedent for garden land development.

Highway Safety/ Traffic Congestion

- Increase in cars entering/ exiting proposed access road will aggravate traffic congestion.
- Access road too narrow for vehicles entering/ exiting site.
- Creation of access road is a risk to users of footpath.
- Question whether visibility splays will remain in place.

Car Parking

- The levels of parking are above the maximum standards stated in the Car Parking Standards of the Local Plan.
- Where will the exiting occupiers of 55 and 57 park?

Construction:

- Noise, dirt and air pollution disturbance during construction phase
- Increase in on-street parking due to contractor vehicles.
- No details of contractor parking/ vehicle arrangements are included.

Residential Amenity

- Noise and disturbance from future occupiers and increase in movement of vehicles.
- The future occupiers of the proposed dwellings will be overlooked by existing dwellings

Other

- This development is designed to maximise profit.
- The measurement stated between 55 and 57 Alpha Terrace is 3.74 metres as shown on appendix A of the transport statement and on the drawings for the proposed dwellings is incorrect.
- The fire service report needs to be updated as it is not possible to back a fire truck into the gap between nos.55 and 57.
- Inaccuracies in the plans.
- The application form needs to be revised to reflect the additional 'appearance' and 'scale' elements of the proposal.
- Inaccuracies in the application form.
- What is the document 'Trumpington extension' in the constraints tab of the online application file?
- What constitutes the requirement for further housing?
- How does the proposal fit with environmental policies?

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

8.0 ASSESSMENT

Principle of Development

- 8.1 Policy 5/1 of the Cambridge Local Plan states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is surrounded by residential uses and it is therefore my opinion that the proposed residential development is acceptable in principle, and is in accordance with policy 5/1 of the Cambridge Local Plan (2006).
- 8.2 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remain acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity value gardens contribute to the City.
- 8.3 Policy 3/10 of the Cambridge Local Plan 2006, Sub-division of Existing Plots, states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) detract from the prevailing character and appearance of the area;
 - d) adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - f) prejudice the comprehensive development of the wider area of which the site forms part.
- 8.4 In my view, criteria d, e and f are not applicable to this site. I consider criteria a, b and c to be relevant in this instance and have assess the proposal against these below.

a) Impact on residential amenity of surrounding neighbours

- 8.5 Outline planning permission is sought for three single storey dwellings in a back land location. The layout of these dwellings is a reserved matter so the layout shown on the proposed site plan is indicative. However, it does demonstrate how three single storey dwellings could be laid out within the site.
- 8.6 55 and 57 Alpha Terrace are within the applicant's ownership and are occupied by tenants. 55 Alpha Terrace is a traditional two storey dwellinghouse and no.57 has been subdivided into four flats. Both properties are set back approximately 7.2 metres from the back edge of the footpath. There are no windows or opening in the side elevation (east) of no.55. However, no.57 has an entrance door and kitchen window to one of the two ground floor flats. The applicant is proposing to relocate the entrance door to the west elevation and insert an obscure glazed window in its place. The proposed access is to run between no.55 and 57. The distance between no.55 and 57 is approximately 3.47 metres. The access from off Alpha Terrace would be 5 metres wide at a depth of 5.96 metres. Each proposed dwelling has been shown with two car parking spaces which would have to pass between no.55 and 57.
- 8.7 The proposed development of the site for three single storey dwellings is unlikely to have any adverse impact on the residential amenity of the occupiers of no.55 and 57. The scale of the dwellings would prevent overlooking into rear gardens. The proposed dwelling would however enable views back towards the existing dwellings. However, the level of window to window separation based upon the layout plan shown would be 18.8 metres from the rear of no.55. There are no windows in the rear elevation of the two storey wing at no.57. Therefore the windows in the main rear elevation of no.57 would directly face onto the blank half of the gable at a distance of 18.8 metres. The applicant is proposing to erect a 2 metre close boarded fence either side of the access. I have nevertheless recommended a boundary treatment condition (23) to also ensure the boundary either side of the access is defined by a noise attenuating structure in order to mitigate noise impacts on existing occupiers from vehicular noise arising from the access.

8.8 In terms of the impact on the neighbouring properties, no.53 is a single storey dwelling so there would be no impact from views looking back towards the occupiers. No.59 is a two storey semi-detached dwelling which has been extended with a two storey wing. The wing does not project beyond the wing of no.57 but does contain a window at first floor. Whilst this wing would bring a window closer to the application site, particularly plot 3, it would mitigate views over the application site from the other windows in the main rear elevation.

8.9 Having assessed the site context and relationship between the existing and proposed development, my view is that the proposed development would not have a significant adverse impact on the residential amenity of the existing neighbours. This is due to the scale of the proposed dwellings; single storey, and level of window to window separation from no.55 and 57. The first floor window in the rear wing of no.59 would be the closest window to any of the plots. I do not consider the proposal would have a negative impact on the residential amenity of the occupier of no.59. It is likely that the residential amenity of the future occupier of plot 3 would be affected in terms of overlooking. However, as the layout of the dwelling is not a matter for consideration, the applicant could move the dwelling closer to the rear boundary no.57 so that the amenity space is to the north of the proposed dwelling which could improve any inter-overlooking issue. I am satisfied that any reserved matters application of layout could address this issue.

b) provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;

8.10 In terms of amenity space, the proposed site plan shows that no.55 Alpha Terrace would retain a 10.6 metre deep and 10 metres wide garden area (excluding the front driveway). This is considered to be an adequate amount of private garden for the existing occupiers. No.57 which is used as flats, would retain a 9.2 metres deep and between 5.4 and 9.2 wide communal garden area (this excludes the front drive and side garden area). This is also considered to be an adequate amount of communal garden space to serve the existing occupiers.

8.11 The proposed dwellings would also benefit from gardens. Plot 1 would have the smallest of the three plots; approx. 4 metres

wide and 9.2 metres deep, and plot 2 would have a biggest; 12.2 metres wide and between 8.4 metres and 13.7 metres in depth. I am therefore satisfied that the propose development would provide adequate levels of amenity space for future occupiers.

8.12 Each proposed dwelling would include two off street car parking spaces. The access to the proposed dwelling would be via the proposed access between no.55 and 57. The access would only be used by the future occupiers and is unlikely to be adopted by County Highway. There appears to be adequate space within the site to enable vehicles to enter and leave in forward gear. The existing occupiers of no.55 and 57 would retain off street parking at the front, similar to other properties along Alpha Terrace.

c) detract from the prevailing character and appearance of the area;

8.13 The prevailing character of the area is defined by two distinct parts. The row of dwellings within which the application site is part of is a later addition to the area and is characterised by two storey semi-detached dwellings set back from the road with deep rear gardens and general spacing in between. The other, more historic and prevailing part is characterised by two storey Victorian terrace dwellings on the back edge of the footpath with deep rear gardens. To the north of the site are the rear gardens of the substantial plots and dwellings in Wingate Close. Views north are screened by a line of mature trees. Therefore in this context, as none of the post war housing plots have been subdivided, the proposed development would conflict with the general frontage pattern of development in this area. However, the proposal represents an opportunity to make efficient use of ancillary garden land without compromising the garden space for the host properties or detrimentally impacting the residential amenity of adjacent occupiers.

8.14 The applicant is seeking outline planning permission for three detached, single storey dwellings. Back land development is not a current feature of this area but I consider that it can be sympathetically accommodated without harm to the character of the area, particularly due to the scale and appearance of the development proposed. The two of three proposed dwellings would not be visible from the public domain and so the impact

on the appearance of the area would be minimal in my view. Whilst it is acceptable that immediate neighbours would have a different outlook from their rear aspects, I do not consider the impact on their outlook of three small dwellings to be a significantly adverse one such that it would have a detrimental impact on their residential amenity.

8.15 I am therefore satisfied that the principle of residential development in this back land location would be acceptable, as it would be compatible with surrounding residential context, of a scale and appearance that would appear ancillary to the main dwellings fronting Alpha Terrace and not have a significantly detrimental impact on the residential amenity of neighbouring occupiers.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/10.

Context of site, design and external spaces

8.17 The planning application seeks outline planning permission for three detached single storey dwellings. Under The Town and Country Planning (Development Management Procedure) (England) Order 2015, applicant can reserve matter from consideration until a future date. The matter the applicant has reserved relate to landscaping and layout. The matters that are not reserved relate to access, appearance and scale. Having assessed these matters in relation to policy 3/10 above, I am satisfied that the proposal in this context is acceptable.

8.18 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

8.19 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.

Amenity for future occupiers of the site

- 8.20 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 3/14.

Refuse Arrangements

- 8.21 The proposed includes provision for bin storage for each plot. There appears to be enough space within each plot to accommodate the required number of receptacles. The main concern with the refuse arrangement is the drag distance to the collection point. The drag distance for future residents would be between 28 metres and 52 metres. The Waste Design Guide recommends a drag distance of 30 metres to the collection. In view of this and the limited detail for the bin store provision, I have recommended a waste storage and management condition (20 and 21).

- 8.22 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.23 The County Highway Officer has not raised any highway safety concerns with the proposal but has recommended several conditions which I have agreed to.
- 8.24 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.25 The proposed site plan shows two car parking spaces for each plot. The spaces are slightly below the dimensions required by County Highway (2.5 metres by 5 metres). However there appears to be enough space within the site to adjust these spaces to comply with the County's dimensions. I have recommended a condition (24 to ensure the car parking spaces are provided in accordance with the County dimensions).

Cycle parking

8.26 No cycle parking details have been provided. I have therefore recommended a cycle parking condition (21).

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

Third Party Representations

8.28 I set out below my response to the third party representation.

Representation	Response
The proposal does not respect the context of the site, within the street.	See para 8.13 to 8.16
Overdevelopment	The principle of residential in the form of three single storey dwelling would not result in overdevelopment as the proposal would retain sufficient space for garden without compromising garden space for existing residents.
The scale of development (bungalow) is not appropriate for this area.	The single storey scale of development in this back land location is acceptable.
The density is too high.	The proposed development would make effective and efficient use of land without appearing cramped.
There is no precedent for garden land development.	Whilst the proposed development would represent the first form of backland development within this part of Alpha Terrace, I do not consider the harm that would result to be significant to have a detrimental impact on the character or appearance of this location.
Increase in cars entering/ exiting proposed access road will aggravate traffic congestion.	The proposal is likely to increase vehicle movement along Alpha Terrace. However, this level of

	intensification from the three dwellings is likely to be significant enough to have a material impact on the area.
Access road too narrow for vehicles entering/ exiting site.	The access road is wide enough for a family car to drive along and no objection has been received from Highways.
Creation of access road is a risk to users of footpath.	The visibility either side of the access road is relatively unobstructed and would enable drivers to assess the footpath before entering the highway. The County Highway has recommended a condition on visibility splays to be provided as shown on drawing no. PL.02 by TPA.
Question whether visibility splays will remain in place.	Visibility splays shall be required to be maintain at all times. Any change to the visibility splays may require an amendment to any planning permission.
The levels of parking are above the maximum standards stated in the Car Parking Standards of the Local Plan.	Two car parking spaces for 2bed dwellings is one space more than is required according to the Car parking standards. However, there is enough space on site to accommodate and with the pressure of on street parking along Alpha Terrace is provision is unlikely to add to it.
Where will the exiting occupiers of 55 and 57 park?	There is space at the front of the no.55 and no.57 to park. The proposed development would not have a significant impact on the amount of street parking for these properties.
Noise, dirt and air pollution disturbance during construction phase	I have recommended conditions on construction hours, collection during construction, construction noise, vibration and piling, and dust. These should help to mitigate any adverse impact on

	the residential amenity of surrounding neighbours.
Increase in on-street parking due to contractor vehicles.	I have recommended a contractor management plan so that these details are provided prior and agreed to development.
No details of contractor parking/ vehicle arrangements are included	As above.
Noise and disturbance from future occupiers and increase in movement of vehicles.	It is unlikely that the proposed development would cause significant levels of noise and disturbance to harm the residential amenity of surrounding residents.
The future occupiers of the proposed dwellings will be overlooked by existing dwellings	See paragraph 8.5
This development is designed to maximise profit.	This is not a planning issue.
The measurement stated between 55 and 57 Alpha Terrace is 3.74 metres as shown on appendix A of the transport statement and on the drawings for the proposed dwellings is incorrect.	The measurement between no.55 and 57 is approximately 3.47 metres.
The fire service report needs to be updated as it is not possible to back a fire truck into the gap between nos.55 and 57.	This is not a planning issue.
Inaccuracies in the plans.	Some inaccuracies have been found and addressed.
The application form needs to be revised to reflect the additional 'appearance' and 'scale' elements of the proposal.	This has been done.
Inaccuracies in the application form.	
What is the document 'Trumpington extension' in the constraints tab of the online application file?	This relates to the proposed constraints of the emerging Local Plan. The site is not within a Conservation Area.

What constitutes the requirement for further housing?	The site is windfall housing in a residential area.
How does the proposal fit with environmental policies?	N/A

Planning Obligation Strategy

Planning Obligations

8.29 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.30 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

8.31 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.

- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.32 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

3. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

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. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

6. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure forward of the principal elevation shall be erected within the curtilage of the dwellinghouse(s) without the granting of specific planning permission.

Reason: To protect the visual amenity of the neighbourhood and in the interests of highway safety (Cambridge Local Plan 2006 policies 3/4 and 8/2).

7. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

8. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

9. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on drawing no.PL02 re A by TPA. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

10. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

11. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

12. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).

- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

13. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 30% an allowance for climate change. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - ii. provide a management and maintenance plan for the lifetime of the development.
 - iii. The surface water drainage scheme shall be implemented, managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

14. No building hereby permitted shall be occupied until foul water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The foul water drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure appropriate foul water drainage.
(Cambridge Local Plan 2006 policy 4/16)

15. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

16. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

17. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

18. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

19. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

20. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

21. Prior to the commencement of development, 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 wheeled bins, will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside or within 5m of the adopted highway/ refuse collection vehicle access point. 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

22. 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)

23. 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)

24. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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)

25. The car parking spaces associated for this development shall be 2.5 metres wide and 5 metres length. The spaces shall be retained and shall not be used for any other purpose.

Reason: To ensure the spaces are fit for purpose and

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

Application Number	15/1518/FUL	Agenda Item	
Date Received	10th August 2015	Officer	Mr Sav Patel
Target Date	5th October 2015		
Ward	Abbey		
Site	R/O 16 Ferndale Rise Cambridge Cambridgeshire CB5 8QG		
Proposal Applicant	To erect a new single storey dwelling Mr Alan Fitch Land R/o 16 Ferndale Rise Cambridge CB5 8QG United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The principle of residential development in this location is considered to be acceptable as it would be compatible with the surrounding environment. - The scale of the proposed dwelling is considered to be acceptable in this context and would sympathetically assimilate into the site without appearing dominant or out of keeping. - The proposed development would not have any adverse impact on the residential amenity of existing residents and would provide a high quality living environment for a future occupier.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located to the rear (south-east) of no.94-96 Ditton Walk which are two storey semi-detached dwellings

and to the rear (north-west) of no.16 Ferndale Rise, which is a two storey detached property. The application site appears to be part of the rear garden space for these plots. The site is located within a residential area characterised by mainly two storey development. There are some examples of new development nearby and also some small infill developments. There are also some commercial uses nearby particularly on Ditton Walk.

- 1.2 To the south-east of the site is Ferndale Rise, which is a cul-de-sac consisting of linked semi-detached dwelling and a block of flats at the southern end. To the south-west are the rear gardens of the properties in Ditton Walk.
- 1.3 The site is not located within an area of constraint such as a Conservation Area and is not located adjacent to or within the setting of a Listed Building.

2.0 THE PROPOSAL

- 2.1 The proposal is to subdivide gardens to create a residential plot for a single storey flat roof dwellinghouse with off street car parking and bin and cycle storage.
- 2.2 The plot is 11.1 metres wide, 9.2 metres in depth. The proposed dwelling would be located adjacent to the rear boundaries of no.94-96 Ditton Walk and 5.1 metres off the rear boundary of no.16 Ferndale Rise, and just over 2.6 metres from the side garden boundary of no.92 Ditton Walk. The proposed dwelling would be 8 metres from the rear elevation of 95-96 Ditton Walk.
- 2.3 The proposed dwelling would be 3 metres in height and consist of a stepped roof the lower section would be 0.5 metres lower than the 3 metre section. The 2.5 metre section would be located adjacent to the rear boundary of the properties in Ditton Walk. The dwelling would be 9 metres depth and 6 metres wide, and contain a chamfered edge to allow for visibility splays for the car parking space which would be located adjacent to the rear boundary of no.16 Ferndale Rise. The site layout includes a 2 metre strip between the car parking space and rear boundary of no.16 to allow for tree planting.

3.0 SITE HISTORY

Reference	Description	Outcome
	No relevant planning history	

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning

	Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No objections. Recommend conditions to ensure visibility splays are maintained; adequate drainage and no works to highway without highway authority consent.

Head of Refuse and Environment

- 6.2 The proposed development is acceptable subject to conditions on construction hours and piling.
- 6.3 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 Ferndale Rise
- 3 Ferndale Rise
- 4 Ferndale Rise
- 5 Ferndale Rise

7.2 The representations can be summarised as follows:

- The proposal would add to car parking pressure;
- Loss of existing on street car parking provision;
- Narrow road so additional car parking could cause obstruction;
- Potential to add an extra storey;
- Noise disturbance;

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

8.0 ASSESSMENT

Principle of Development

8.1 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.

8.2 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.

8.3 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the

subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d, e and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance (e), and would not prejudice the comprehensive development of the wider area (f).

8.4 Residential development within the garden area or curtilage of existing properties will not be permitted if it will: a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance; b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties; c) detract from the prevailing character and appearance of the area.

8.5 I set out below my assessment of the proposal in relation to the above.

a) Residential amenity

8.6 The proposed single storey dwelling has been carefully designed to mitigate the impact on the residential amenity of the surrounding neighbours. The proposed dwelling would not cause any adverse levels of overlooking due to its single storey form. Furthermore, no windows are proposed in the flank elevations. The main openings are in the front and rear elevations. I am therefore satisfied that the proposal would not cause loss of privacy to the adjacent residents.

8.7 The proposed dwelling would be 8 metres from the rear of no.94 and 96 Ditton Walk and would project above the existing 1.8 metres boundary fence by 0.7 metres for a depth of 9.1 metres. The 3 metre element would be a further 10.1 metres from the rear elevations. I am satisfied that the proposed dwelling would not appear overbearing such that it would create an adverse sense of enclosure issue or cause any significant levels of overshadowing such that it would have a significantly adverse impact on the residential amenity of the occupiers of no.94 and no.96 Ditton. The proposed shed which would be located in part of the access between no.92 and 94 is proposed to be 2 metres in height. However, no elevational details have

been provided. I have therefore recommended details of the shed to be provided so that the impact can be assessed. I am comfortable with this arrangement as the shed is unlikely to be of a size that would have a significantly detrimental impact on the residential amenity of the adjoining neighbours.

- 8.8 I am satisfied that the potential impact on the residential amenity of the occupiers of no.92, 94 and 96 Ditton Walk would not be adversely affected by the proposed dwelling.
- 8.9 In terms of the impact on the occupiers of no.16 Ferndale Rise which is on the opposite side, the proposed dwelling would be just less than 10 metres from the rear elevation. The occupiers of no.16 would be left with a garden space which is just 4.76 metres in depth and 9.4 metres wide. This is considered to be an adequate amount of outdoor space. No.16 also has an area adjacent to the front elevation which appears to be used for car parking for at least two vehicles and bin storage. No windows are proposed that would face the rear elevation of no.16. I am therefore satisfied that due to the size of the proposed dwelling and level of separation, it would not appear overbearing such that it would create an adverse sense of enclosure issue or cause any significant levels of overshadowing such that it would have a significantly adverse impact on the residential amenity of the occupiers of no.16. In order to reduce the overlooking impact on the future occupier, the applicant has proposed to plant deciduous trees adjacent to the boundary with no.16. I have recommended a tree planting condition (X) to mitigate any overlooking from surrounding dwellings. The tree planting would also improve the privacy of the occupiers of no.16 Ferndale Rise, 94-96 Ditton Walk and future occupier by reducing the amount of inter-looking.
- 8.10 In terms of traffic generation, the proposed includes one off street parking space to serve the dwelling. I do not consider the proposed dwelling would result in significant levels of traffic generation such that it would have a materially adverse impact on the residential amenity of the local area in terms of noise nuisance/disturbance. Ferndale Rise is mostly unrestricted and therefore whilst the proposal includes an off street space, any future resident would be able to park on street if they desired. This is the same for any of the existing residents. The County Highways Authority has not raised any concerns with the

proposed car parking or impact on existing car parking provision.

b) Amenity space, access and parking

8.11 The proposed plot appears to be the result of the subdivision of three existing plots; 94 and 96 Ditton Walk and 16 Ferndale Rise. I have recommended a condition (X) to ensure the curtilage of the proposed dwelling is retained as shown on the Proposed Site Location Plan (drawing no.1107/06). The subdivision of these plots to create this site would not unduly compromise the garden space of existing occupiers. The occupiers of no.94-96 would have 8 metre deep gardens. Whilst this would be significantly shorter than the garden depths of the other dwellings in Ditton Road, 8 metres is considered to be an adequate amount of garden space. The occupiers of no.16 Ferndale Rise would have a garden depth of 4.76 metres but would be 9.4 metres wide and include the area of land at the front of no.16. This is considered to be a sufficient amount of usable garden space.

8.12 As for any future occupier, the proposed paved terrace area to the rear of the dwelling would be 2.6 metres in depth and 6 metres wide. This is small but it would serve a 1bed dwelling and is therefore sufficient in my view for any future occupier. The proposal would also make efficient use of land to accommodate additional housing.

8.13 The front door would address Ferndale Rise which would also be used to access the car parking space. This is in keeping with the dwellings in Ferndale Rise with the exception of no.16 which is laid out side onto Ferndale Rise.

c) Detract from the prevailing character of the area

8.14 The built form of the area is characterised by a mix of house styles with examples of new housing developments and small infills. The proposed development would have the appearance of an ancillary outbuilding. It would contrast with the architectural style of the surrounding development. However, whilst it would appear out of keeping with the general built form of the adjacent development, my view is that its subservient scale and efficient and creative use of ancillary garden land would outweigh the nominal harm that it would have on the

area. There are other examples of small infill developments which have been approved nearby and so it would not appear completely out of keeping.

- 8.15 In my opinion, the proposed development is acceptable and in accordance with policies 3/4, 3/7, 3/10, 3/12 and 5/1

Refuse Arrangements

- 8.16 The proposal includes space for three waste receptacles adjacent to the rear boundary and in a location that would transportable to its collection point. I am satisfied with the proposed arrangement.

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

Highway Safety

- 8.18 No concerns have been raised by the Highway Authority subject to conditions.

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

Car and Cycle Parking

Car parking

- 8.20 The proposal includes one off street parking space to serve the proposed 2bed dwelling. The Car Parking Standards set a maximum provision of one car parking space per dwelling with up to two bedrooms outside of the controlled parking zone. The proposal is therefore compliant with the Council's car parking standards. It is Local Plan policy to promote lower levels of car parking in order to encourage a modal shift towards sustainable forms of transport. The City's Car Parking Standards are therefore expressed as maximum levels, and in a location such this; relatively well placed for local services, and cycle routes into the city, the level of car parking is acceptable.

Cycle parking

- 8.21 The applicant has indicated cycles are to be provided in the proposed shed, which is located in the dog-leg part of the site. No elevational or internal layout details of the shed have been provided. However, I have recommended a condition for these details to be provided which shall include the cycle parking layout. The proposal would need to provide one cycle parking space (per 3 bedrooms) to serve the proposed dwelling which is in accordance with the City Council's minimum Cycle Parking Standards as set out in Appendix D of the Cambridge Local Plan (2006). There is enough space within the plot to accommodate this provision.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.23 I set out below my response to the concerns raised in the third party representations:

Representation	Response
The proposal would add to car parking pressure;	The proposal includes an off street car parking space and so would not affect the existing on street parking provision. Ferndale Rise is an unrestricted highway for car parking. The Highway Authority has not raised any objections.
Loss of existing on street car parking provision;	The area in front of the application site is not designated for any car parking.
Narrow road so additional car parking could cause obstruction;	The proposal includes an off street parking space and is not of a scale that would have a material impact on car parking in the area and as such would not cause a significant obstruction issue to the existing road network.

Potential to add an extra storey;	The proposal is for a single storey dwelling. Any proposal for an additional storey would require planning permission which will be assessed on its own merits.
Noise disturbance;	I have recommended a construction hours condition to mitigate the impact on surrounding neighbours.

Planning Obligation Strategy

Planning Obligations

8.24 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.25 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

8.26 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.27 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 CONCLUSION

9.1 The proposed residential development of ancillary rear gardens is considered acceptable in principle. The design and scale of the proposed dwelling would sympathetically assimilate into the site and street scene without appearing as an intrusive or incongruous form. The scheme is considered to provide a high quality living environment and an acceptable standard of residential amenity for future occupiers and its neighbours. The proposal would also make efficient use of garden land for additional housing. As such, I recommend the application be approved.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.
Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

4. 2.0 x 2.0 metres visibility splays shall be provided as shown on drawing no.1107.6. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

5. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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. Prior to occupation of the dwelling hereby approved, a scheme of tree planting around the perimeter of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a layout plan noting size, species, number and planting schedule. The approved details shall be implemented in accordance with development.

Reason: To protect the residential amenity of the adjoining properties and the future occupier. (Cambridge Local Plan 2006 policy 4/13)

Application Number	15/1245/FUL	Agenda Item	
Date Received	7th July 2015	Officer	Elizabeth Thomas
Target Date	1st September 2015		
Ward	Arbury		
Site	75 Histon Road Cambridge Cambridgeshire CB4 3JD		
Proposal	Erection of 1.5 storey, 2 bedroom dwelling following demolition of existing garage to the rear of 75 Histon Road.		
Applicant	Mr Pascal Edme 75 Histon Road Cambridge Cambridgeshire CB4 3JD United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of development is acceptable. <input type="checkbox"/> The scale and massing of the development is appropriate, and the impact on the character of the area would be acceptable. <input type="checkbox"/> The development will provide an acceptable level of amenity for future occupiers and will not have a significant adverse impact on the residential amenity of adjoining occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is located on the east side of North Street and comprises the majority of the rear garden of number 75 Histon Road. This rear part of the garden contains a garage and off street parking for number 75.

- 1.2 North Street is very varied in character and consists of a number of new dwellings and garages and outbuildings serving houses in Histon Road. This has provided the street with a varying building line, identity and character.
- 1.3 To the south permission has been granted for the erection of a 1.5 storey, 2 bedroom dwelling in the rear garden of number 73. To the north of 75 Histon Road are the rear garden areas of number 75a and 77 Histon Road. Opposite are the rear gardens of Westland Terrace and 8a Canterbury Close.
- 1.4 The site is situated within the Castle and Victoria Road Conservation Area and within a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is for the erection of a 1.5 storey 2 bedroom dwelling following demolition of the existing garage to the rear of 75 Histon Road. The proposed development will sub-divide the site from 75 Histon Road and create an additional property facing North Street. The proposed dwelling will contain an open plan kitchen and living space on the ground floor with two bedrooms and a bathroom on the first floor.
- 2.2 The application has been amended slightly from the original proposal to remove the proposed ground floor kitchen window from the north elevation and to enlarge the proposed rear garden.
- 2.3 The dwelling would be sited with its ridge line running parallel to North Street. Materials would consist of brick and zinc cladding for the walls and slate for the roof. Vehicle parking would be provided to the front and bin and cycle storage would be accommodated in the rear garden..

3.0 SITE HISTORY

Reference	Description	Outcome
14/1640/FUL	Single storey side/rear extension	Permitted
12/0604/FUL	Demolition of existing garage. Erection of 1 and a half storey 1 bedroom with studio house, with access from North Street along with car parking, and bins/cycle	Permitted

11/0365/FUL	store. Demolition of existing garage and erection of a self-contained annex along with car parking, bins and cycle store.	Permitted
06/0499/FUL	One and a half storey contained annexe.	Permitted
C/77/0330	Erection of storm porch to existing dwelling house, Cambridge.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/11 4/13 5/1 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012)

5.3 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

It is considered there are no policies of relevance to this application in the emerging Local Plan.

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

First Comments to original proposal

- 6.1 The proposed development is likely to increase on-street parking demand as property number 75 Histon Road will lose its parking space to the rear of the garden due to the proposed dwelling. The new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.
- 6.2 The proposal should have no significant impact on the public highway, should it gain the benefit of planning permission.
- 6.3 Conditions and Informatives have been recommended by the highways authority to include:
- No unbound material
 - Removal of permitted development rights for gates
 - Vehicular access
 - Adequate drainage measures
 - Access free of obstruction
 - Traffic management plan
 - Traffic management plan INFORMATIVE
 - Public highway INFORMATIVE
 - Residents Permits INFORMATIVE

Refuse and Environment

- 6.4 The proposed development is considered acceptable subject to the following conditions and Informatives:
- Construction hours
 - Piling

Conservation Officer

- 6.5 The conservation officer supports the principle of development and the form of development. However, the conservation officer does not support the position of the proposed dwelling directly adjacent to the approved permission at number 73 Histon Road and considers this would affect the street scene negatively. It is suggest by the conservation officer a gap should be made to address this to enable the buildings to be read separately.
- 6.6 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 73 Histon Road (Support)
- 8A Canterbury Close (Support)
- 75A Histon Road (Neutral)
- 85 Histon Road (Objects)

7.2 The representations can be summarised as follows:

- Supports the application and considers the proposed dwelling will improve the street scene. (numbers 8A Canterbury Close and 73 Histon Road)
- Support the relocation of the bin store but unclear where the storage for bins is for the existing (No 75a Histon Road)
- Details of the proposed boundary to number 75a required
- Design of the dwelling - should take on a much more traditional character that is appropriately subsidiary to the host dwelling.

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. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be

permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is residential and the principle of residential development on the site is therefore broadly supported by Policy 5/1.

8.3 Policy 3/10 of the 2006 Local Plan states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:

- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
- b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
- c) Detract from the prevailing character and appearance of the area;
- d) Adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
- e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
- f) Prejudice the comprehensive development of the wider area.

8.4 Parts d and e are not of relevance to this application. Parts a, b and c are considered in further detail in this report.

Context of site, design and external spaces

Character, scale and massing

8.5 North Street is mixed in character and includes a number of new modern dwellings, outbuildings and garages. Recent developments include a studio to no 57, a chalet bungalow at 33 North Street, 3 contemporary single storey houses and a large two storey building at the rear of number 79 and 81. There is also an extant consent for a 1.5 storey dwelling on this site.

8.6 The proposed dwelling would face North Street and be the same height as the approved dwellings rear of 73 Histon Road and 33 North Street. It would be set back from North Street to allow room for a vehicle parking space with some adjacent landscaping. It

- 8.7 The Conservation Officer has raised concerns regarding the positioning of the proposed dwelling in relation to the approved dwelling at 73 Histon Road stating that the proposal should contain a gap between the two buildings. The proposed scheme has the roof plane fronting North Street with the ridge running parallel to the road, whilst the adjacent approved dwelling has a gable end frontage. This means there will be a visual break in the roof forms. This means the character and form of the two dwellings adjacent to one another is different and creates the definition in character allowing for the two properties to read as separate units with similar characteristics. In my opinion, this does not create significant mass and would not harm the street scene. In fact, I consider the proposal will provide further reinforced unique character to the area that is in keeping with the existing and varying building line.

Materials

- 8.8 The proposed materials are contemporary and the palette has the potential to work well with the established prevailing character. The proposed materials include: brick, zinc cladding, painted blockwork, slate, aluminium/timber windows frames.

Layout and Access

- 8.9 The layout and access of the site allows for a shared passageway (north of the site) which will provide pedestrian access to the rear garden of 75 Histon Road.
- 8.10 The proposed dwelling layout will contain kitchen, dining and living space on the ground floor and two bedrooms and a bathroom on the first floor. The dwelling is set back from North Street by 5 metres and there will be a vehicle parking space to the front of the proposed dwelling. There will be a partly covered area to the side of the proposed passage way and to the front that will help shelter the passageway and front door from the weather.
- 8.11 Bin and cycle storage would be provided in the rear garden.
- 8.12 Overall the site provides good design in terms of access and movement. The depth of the garden will be slightly deeper than the 2012 permission by approximately 1 metre and allows for

sufficient private amenity space for both the existing and proposed dwellings.

Servicing

- 8.13 The principal entrance to the development will be via North Street. This is where bins will be collected on refuse day for the proposed and existing dwellings.

Landscape

- 8.14 The existing site boundary fence is proposed to be retained to 1.8 metres to the north east of the site and a new 2.4 metre fence is proposed north of the site where the existing garage is situated.
- 8.15 The front of the site will include shrubbery and landscaping
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.17 The closest dwelling to the application site will be the approved scheme to the rear of number 73 Histon Road, which is not yet built. Other dwellings which are also within close proximity are 33 North Street and the recently constructed dwelling at the rear of 79 and 81 Histon Road.

Overlooking

- 8.18 Ground floor and first floor windows face North Street and into the rear garden of the proposed dwelling and there would be no first floor windows in the side elevations. Given the separation distance between the dwelling and houses in Histon Road (approx. 33 metres) I do not consider that overlooking will be harmful or materially different to the levels of overlooking from adjacent houses along North Street and Histon Road.

Enclosure

- 8.19 The proposed dwelling would be designed and positioned such that it would not result in unacceptable enclosure of the approved dwelling to the south.

Overshadowing

- 8.20 The proposed dwelling will be set back slightly from the front of the approved house at 73 Histon Road and will also be shorter than the approved scheme. It will not therefore significantly overshadow the neighbouring approved property.

Amenity for future occupiers of the site

- 8.21 The proposed building will provide well designed living provision for future occupiers and adequate private amenity space. The amendments made to the proposed development have removed the proposed north ground floor window to address the issue of occupiers of number 75 Histon Road passing by.
- 8.22 The bins and covered cycle storage are positioned in convenient locations to enter and exit the site via the passageway leading to North Street.
- 8.23 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, 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.24 Space for bins will be provided in the rear garden and will be moved to the main proposed entrance of North Street on collection day. The agent has confirmed that bins for the existing property will be brought to North Street on bin collection days.
- 8.25 Furthermore the design and access statement states a bin store has been provided to accommodate at least 3No. Coloured 240 litre wheeled containers (allocated for green waste, dry recyclables, and residual waste). Internally, the kitchen is to be provided with integral separate waste containers to encourage recycling. The waste and recycling facilities will be positioned at

the front of North Street on collection day, which is considered suitable and can successfully integrate with other refuse collection points along North Street.

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

Highway Safety

- 8.27 The Highways officer does not consider there to be any significant highways safety issues with the proposed development.
- 8.28 The highways officer has pointed out that the proposed development is likely to increase on-street parking demand as the existing dwelling will lose its parking space to the rear of the garden, and the new dwelling will not qualify for Residents' Permits other than visitor permits.
- 8.29 Due to the location of the site within walking and cycling distance to the City centre and proximity to bus routes I consider the loss of parking for the existing house to be acceptable.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.31 There is provision for two cycle parking spaces to be located to the rear of the proposed garden adjacent to the bins south east of the boundary line. One car parking space is provided to the front of the proposed dwelling facing North Street.
- 8.32 The Cambridge Local Plan (2006) requires for a new residential dwelling to provide 1 cycle parking space per bedroom. This proposal provides two cycle parking spaces for the two proposed bedrooms. Therefore, the proposal meets the cycle parking standards.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Third Party Representations

8.34 The following matters have been raised by third party representations:

Supports the application and considers the proposed dwelling will improve the street scene. (numbers 8A Canterbury Close and 73 Histon Road)	I have covered design matters in paragraphs 8.5-8.16
Support the relocation of the bin store but, unclear where the storage for bins is for the existing 75a.	Addressed in paragraphs 8.24 and 8.25
Details of the proposed boundary to number 75a required	Addressed in paragraph 8.14
Design of the dwelling - should take on a much more traditional character that is appropriately subsidiary to the host dwelling.	Addressed in paragraphs 8.5-8.16

Planning Obligations

8.35 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.36 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

8.37 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new

'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

- 8.38 Having reviewed the proposal I am mindful the scale of the development for one dwelling. I am of the opinion that there is no justification in seeking a contribution in this instance.

CONCLUSION

- 8.39 In conclusion, the development will enhance and contribute to the character of North Street and reinforce the continued varying building line that is providing North Street with its own defined character. The proposed development accords with the provisions of the development plan, and I therefore recommend approval.

9.0 RECOMMENDATION

APPROVE subject the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place 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)

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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)

5. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

6. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety Cambridge Local Plan (2006) policy 8/2.

7. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety. Cambridge Local Plan (2006) policy 8/2

8. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. Cambridge Local Plan (2006) policy 8/2

9. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety Cambridge Local Plan (2006) policy 8/2.

10. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway Cambridge Local Plan (2006) policy 8/2.

11. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

Reason: in the interests of highway safety Cambridge Local Plan (2006) policy 8/2

12. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

13. The principle areas of concern that should be addressed in the traffic management plan required by condition are:
 - i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
 - iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

14. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: Following implementation of any Permission issued by the Planning Authority in regard to this proposal neither the residents of the new dwellings, nor the residential part of the existing development on the site will qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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Application Number	15/1834/FUL	Agenda Item	
Date Received	1st October 2015	Officer	Michael Hammond
Target Date	26th November 2015		
Ward	East Chesterton		
Site	1 Nuffield Road Cambridge Cambridgeshire CB4 1TF		
Proposal	Change of use of dwellinghouse to a house in multiple occupation (HMO) including conversion of garage to accommodation		
Applicant	Ms Tracey Smith 1 Nuffield Road Cambridge CB4 1TF United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The proposed change of use would not have a significantly adverse impact on the character of the area as there would be no material change to the appearance of the dwelling; -The proposed development would not have a significantly adverse impact on the residential amenity of the surrounding neighbours; -The proposal provides an acceptable living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.1 Nuffield Road, is comprised of a two-storey semi-detached dwelling situated on the north side of Nuffield Road, close to the traffic junction with Green End Road. The property has three on-site parking spaces at the front and a garden to the rear of the property. The Shirley Community

Nursery and Primary School is situated to the south of the site. The surrounding area is residential in character and is formed of similar sized residential properties.

1.2 There are no site constraints.

2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for the change of use of the existing property from a dwelling (C3 use) to a seven bedroom (seven person) house in multiple occupation (Sui-Generis use). The proposal includes bin and cycle storage in the covered area around the side of the property which is accessed through a front gate. The proposal does not involve any extensions or significant alterations but does involve the replacement of the garage door with a door and window and the replacement of one of the rear sliding patio doors with a French style door.

2.2 The application is accompanied by the following supporting information:

1. Planning Statement
2. Drawings

3.0 SITE HISTORY

3.1 There is no relevant planning history.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 4/13 5/7 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge,

therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal reduces off-street parking provision by one space. The development may therefore add additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.2 No objection, subject to conditions regarding waste and construction hours, and informative regarding housing standards.
- 6.3 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:
- 30 Nuffield Road
 - 72 Green End Road
 - 74 Green End Road

7.2 The representations can be summarised as follows:

- Inadequate parking provision
- Increase in on-street parking in surrounding area.
- Increase in noise, disturbance and anti-social behaviour.
- The use of the property as a HMO is an overdevelopment and not in keeping with the residential character of the surrounding area.
- Poor quality of living environment for future occupiers.
- Arrangement of rooms not suitable for HMO use.
- Noise disturbance for future occupiers of former garage bedroom due to shared wall with neighbouring garage.

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from 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

Principle of Development

8.2 Policy 5/7 (Supported Housing/Housing in Multiple Occupation) of the Cambridge Local Plan (2006) is relevant to test whether the principle of the proposed use is acceptable. Policy 5/7 states that development of properties for multiple occupation will be permitted subject to:

- a. the potential impact on the residential amenity of the local area;
- b. the suitability of the building or site; and
- c. the proximity of bus stops and pedestrian and cycle routes, shops and other local services

8.3 I set out below my assessment of the proposed use in accordance with the above policy criteria:

Impact on residential amenity

8.4 In my view, the proposed use of the dwelling as a seven bed HMO would not have a significant adverse impact on the residential amenity of the local area. The affects from the proposed use would not be materially different from that which would occur if the dwelling was used as a C3 dwelling. The dwelling could be used as a six bed dwellinghouse to serve a large family without planning permission. The applicant is proposing to house seven occupiers (1 per bedroom). Therefore the proposed use would not be materially different in terms of intensification of the use and noise and disturbance. However, I have recommended condition (8) to ensure the maximum number of occupants is restricted to seven to mitigate concerns and to avoid over intensification of the use.

8.5 The proposal would result in the removal of one of the one existing off street parking spaces so the total number of dedicated parking spaces for the future occupiers would be two spaces. Concerns have been raised regarding the potential impact the proposed use would have on car parking in the area and intensification of traffic. It is important to note that Nuffield Road is not within a controlled parking zone and many residents park on street. Furthermore, the occupiers of the existing four bed property could have at least one car per bedroom and the property could be used as a 6 person HMO without planning permission. Therefore, in view of this fall back position, I do not consider the addition of an extra bedroom to create a seven bed HMO would be materially different of the existing such that it would have a significant adverse impact on the residential amenity of adjoining neighbours or car parking in the area.

Suitability of the building

8.6 The property is a large four bed dwelling. Having assessed the layout of the property and site, I am satisfied that there is enough internal space to accommodate the number of occupiers and provide sufficient communal provision such as a kitchen, sitting room and washing facilities. One of the rooms would also have an en-suite and there would be two bathrooms

and one toilet room communally across the two floors. The applicant is aware that separate licensing consent will be required from the Council's Residential Team. It is noted that there would be a separate entrance for the former garage bedroom. In order to ensure that this is not independently used from the HMO and let as a separate unit, a condition has been attached to restrict this from happening as this would require planning permission separate from this application.

- 8.7 It is noted that a concern has been raised from a neighbouring property regarding the noise and disturbance that the future occupants of the former garage bedroom could experience due to the fact it would be sharing a party wall with the neighbouring garage of no.1a. The Environmental Health team has been made aware of this point but consider that as no.1a is also a domestic property, the likely intensification and type of use of this garage is not going to cause levels of noise and disturbance so great as to result in an unsatisfactory living environment for the future occupant of this room.
- 8.8 In terms of outdoor space, the applicant is proposing to utilise the side covered area to provide bin and cycle storage provision. The existing gate is to be retained to provide secure access through to this cycle and bins storage area. This would provide increased security and reduce the visual appearance of the bins and cycles. The applicant has indicated space for 7 cycle stands which would comply with the Council's Cycle Parking Standards. The Environmental Health team has identified that the proposed bin storage is not sufficient for this level of development. However, as there is sufficient space in this side area for additional bin storage the Environmental Health team is content that this can be dealt with through condition and so further details of bin storage will be required through condition.
- 8.9 There is also a rear garden area which would provide outdoor space for the occupiers. The garden area would be 7 metres in depth and roughly 12 metres wide and I consider the proposed level would provide sufficient outdoor space for future occupiers to enjoy.

Proximity to public transport, shops and services

- 8.10 The site is considered to be within reasonable walking distance

of the nearest bus stops along Green End Road. The site is also close to a cycle route and trail into the city centre. The railway station is an approximate 15 minute cycle ride away and 35 minutes on the bus. However the site would be closer to the new Chesterton terminus once it has been built. Therefore, in terms of access to public transport, the site is located in a sustainable location for this.

- 8.11 In terms of proximity to shops, the site is located within a 10 minute walk and 4 minute cycle ride to the nearest local centres on Milton Road and Green End Road. The site is also within a 20 minute bus journey, 40 minute walk and 13 minute cycle ride to the Grafton Centre, which has a variety of shops and services within the centre and around it such as banks, dentist, chemist and post office. I am therefore satisfied that the site is accessible to shops and services.
- 8.12 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7.

Context of site, design and external spaces

- 8.13 The only proposed change to the front elevation is the replacement of the garage door with a door and window. This change to the front fenestration does not drastically alter the appearance of the building and would not harm the character of the area. The proposed change from a patio door to a French door on the rear elevation will not be visible from any public viewpoints and is a relatively minor alteration, not harmful to the character of the area.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 I have addressed this issue in the above section. I do not consider the proposed use of the property as a seven bed HMO would have a significant adverse impact over and above that which it could otherwise be used as.
- 8.16 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.

Amenity for future occupiers of the site

- 8.17 Future occupants would have access to suitable facilities within the property in terms of the number of bathrooms, communal areas inside and out and suitable bin and cycle storage (subject to agreeing the details). The property is also located within an accessible location in terms of public transport links and shops and services.
- 8.18 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) policy 3/7.

Refuse Arrangements

- 8.19 There appears to be enough space within the curtilage of the site to accommodate suitable provision. However, the Environmental Services team have requested a condition to demonstrate the arrangement of the additional waste bins required for this proposed HMO. I agree with this advice and have attached the recommended waste management condition accordingly.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/7.

Highway Safety

- 8.21 The Highway Authority has raised no objection to the application on the grounds of highway safety and I agree with this advice.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.23 The proposal provides two designated parking spaces for future occupiers. There are no parking restrictions along Nuffield

Road. The level of parking is in accordance with the maximum car parking standards of the Local Plan (2006).

- 8.24 The applicant has proposed to provide seven cycle parking spaces in a secure covered area with vertical cycle storage. This is in accordance with the cycle parking standards of the Local Plan (2006).
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.26 I set out below my response to the third party representations received.

Representation	Response
Concerned with the size/ quality of the HMO	The proposed HMO would accommodate one additional occupier than what is allowed without the benefit of planning permission. I do not consider the additional occupiers would materially affect the residential amenity of the adjacent residents. All rooms have acceptable outlooks and sufficient communal areas for future occupiers.
Inadequate car parking	The existing property consists of three off-street parking spaces. As the property could be used as a 6 person HMO without planning permission, I do not consider the one additional occupier and loss of one parking space would materially affect car parking in the area.
Increase parking demands	The fall back position for the applicant is that the property could be occupied by 6 people without planning permission. Each could own a car.

	<p>However, due to the constraints on car parking in this housing development, it would, in my view, put off people from owning a car. Furthermore, the site is within accessible distance of a bus stop, the forthcoming Chesterton Road railway terminus and city centre. The site is also within walking distance of the Local Centre which contains a variety of shops and services.</p>
<p>Arrangement of rooms not suitable for HMO use.</p>	<p>The movement of occupiers from their bedrooms through the kitchen area to the bathroom would not, in my opinion, provide an unacceptable living environment for future occupiers. HMOs are commonly set up in this way and I do not consider this arrangement to be unique from other HMOs or detrimental to the living environment of future occupiers.</p>
<p>The use of the property as a HMO is an overdevelopment and not in keeping with the residential character of the surrounding area. / Increase in noise, disturbance and anti-social behaviour.</p>	<p>Again, the fall back position for the applicant is that the property could be occupied by 6 people without planning permission. The levels of people coming and going and use of this property as a seven bedroom HMO compared to a dwellinghouse or six bedroom HMO will not be so different as to adversely harm the character of the area.</p>
<p>Noise disturbance for future occupiers of former garage bedroom due to shared wall</p>	<p>See paragraph 8.7</p>

with neighbouring garage.	
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9.0 CONCLUSION

- 9.1 The proposed use of the dwelling as a seven bed (seven person) HMO is considered to be acceptable in this location and I do not consider it would have a significantly adverse impact on the residential amenity of the adjacent occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

4. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

5. The former garage bedroom hereby permitted shall be used solely in conjunction with and ancillary to 1 Nuffield Road and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

6. The house shall be occupied by no more than seven people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2006, policy 3/7)

INFORMATIVE: The use of the property as an HMO may require a licence under the Housing Act 2004. You are advised to contact Housing Standards in Environmental Health at Cambridge City Council on 01223 457000 for further advice in this regard.

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Application Number	15/1656/FUL	Agenda Item	
Date Received	1st September 2015	Officer	Mairead O'Sullivan
Target Date	27th October 2015		
Ward	Castle		
Site	Corner Of Histon Road And Huntingdon Road Cambridge Cambridgeshire CB3 0HH		
Proposal	Change of use of ground floor commercial unit from the consented A1 retail to A1 and/or A2 (financial and professional services) in the alternative.		
Applicant	C/O Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal will not conflict with planning policy</p> <p>It may help bring a vacant unit back into use.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is an A1 ground floor unit that is located on the corner of Histon Road and Huntingdon Road. The site is located in a mixed use area with a combination of commercial, office and residential uses in the vicinity.
- 1.2 The site falls within the Central Cambridge Conservation Area.
- 1.3 The site falls within controlled parking zone D.

2.0 THE PROPOSAL

- 2.1 The proposal is for a change of use of the ground floor unit from the consented A1 retail to A1 and/or A2 (financial and professional services) in the alternative.

3.0 SITE HISTORY

Reference	Description	Outcome
14/1055/ADV	Vinyl stickers to apply to the existing perimeter hoarding advertising the new student accommodation scheme and logos of our company.	PERM
14/1125/S73	S73 application to vary condition 2 of planning permission 11/0876/FUL (allowed on appeal) to permit minor alterations to the design and appearance of the elevations and minor alterations to the floorplans to co-ordinate with the elevations, including a reduction in retail A1 space.	PERM
13/1411/CAC	Demolition of all buildings, walls and structures on the site	PERM
11/0876/FUL	Erection of building for student housing	REF (Appealed and approved APP/Q505/A/11/2165210/NWF)

accommodation and retail unit together with associated new hard and soft landscaping and service lay by.

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 Plan 2006	Local	3/1 3/4 3/7 4/11, 4/13 8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The proposal would not have any significant adverse impact upon the operation of the highway network.

Urban Design and Conservation Team

6.2 There are no material conservation issues.

6.3 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:

- 261 Victoria Road

7.2 The representations can be summarised as follows:

- A commercial use such as a mini supermarket or café would be more appropriate for the area than an estate agent.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Impact on the character of the conservation area
3. Residential amenity
4. Highway safety

Principle of Development

8.2 Under application ref. 11/0876/FUL, planning permission was granted at appeal for the erection of a building on the site for student accommodation and a retail unit. The building has been constructed and the student accommodation is occupied but the retail unit is vacant.

8.3 The proposal seeks to change the use of the unit from A1 (retail) to A1 and/or A2 (financial and professional services) in the alternative. There are no planning policies resisting the change of use of A1 to A2 premises other than within the city centre (policy 6/6) or District and Local Centres (Policy 6/7). This site falls outside these areas and the proposed use would not therefore conflict with policy.

8.4 This change of use will not significantly impact on the way the unit will be used. An A2 use will not result in a significant intensification of use of the unit nor will it result in the unit being used at significantly different times than if the unit were in A1 use. The unit is currently vacant and the proposed change of use may help bring it back into use. I therefore consider that the proposed change of use will be acceptable as it will have a minimal effect of the way in which the unit will be used.

8.5 In my opinion, the principle of the development is acceptable and in accordance with policies 3/4 and 3/7 of the Cambridge Local Plan (2006).

Impact on the character of the conservation area

- 8.6 The Conservation Officer has stated that there are no material conservation issues which relate to the proposal. The proposed change of use will not alter the appearance of the unit. I therefore consider that the proposal will not negatively impact on the conservation area.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policy 4/11 of the Cambridge Local Plan (2006).

Residential amenity

- 8.8 The proposed change of use will not significantly change the amount of traffic to the site or the hours of operation. As a result I do not consider that the proposed change of use will impact on the amenity of the surrounding occupiers.
- 8.9 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 4/13.

Highway safety

- 8.10 The highway officer has stated that there will be no significant adverse effect on the highway. The change of use from A1 to A2 will not significantly change the amount of traffic which will use the site. I therefore consider that the proposal will not negatively impact on highway safety.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.12 The objection received states that a mini supermarket or cafe, as was originally planned for the unit, would be more appropriate as these uses would serve the local community and surrounding office workers. Whilst I consider that a mini supermarket or cafe would be appropriate uses for the site and may be preferable, this report explains that there is no policy

basis for refusing the proposed change. There are other A1 uses within walking distance and this change of use would also bring this prominent vacant unit back into use which would represent a positive change to the area.

9.0 CONCLUSION

I consider that the proposed change of use is acceptable. There are no policies which conflict with the change of use. The change of use will not have a detrimental impact on highway safety, the character of the conservation area or on the amenity of the surrounding residential properties.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

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Application Number	15/1580/FUL	Agenda Item	
Date Received	3rd September 2015	Officer	Mairead O'Sullivan
Target Date	29th October 2015		
Ward	Cherry Hinton		
Site	5 Braybrooke Place Cambridge Cambridgeshire CB1 3LN		
Proposal	Retrospective application for a single storey lean-to structure at the side of the house		
Applicant	Mrs Lauma Skruzmane 5 Braybrooke Place Cambridge CB1 3LN United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> It does not significantly impact on residential amenity <input type="checkbox"/> It does not have a significant detrimental impact on the appearance of the streetscape
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a detached two storey brick property. It is located in Braybrooke Place which is a residential cul-de-sac to the south of Cambridge airport.
- 1.2 The site falls within the Cambridge Airport Safeguarding Zone.

2.0 THE PROPOSAL

- 2.1 This is a retrospective application for a single storey lean-to structure attached to the side of the house. The lean-to has not yet been fully completed. The side of the house and the existing fence form the side walls of the extension; timber to match the fencing is proposed to be used for the other two walls. The roof

and guttering are in place. The roof is constructed from transparent PVC roof sheets.

This application is reported to committee at the request of Councillor Ashton. He considers that the lean-to is out of keeping with the character of the area.

3.0 SITE HISTORY

There is no planning history of relevance to this application.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1, 3/4 3/7

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
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5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.
- 6.2 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:
- 4 Braybrooke Place
- 7.2 The representations can be summarised as follows:

- The application drawings are inaccurate
- The applicant has filled in Certificate B which states they own the land which relates to the application. The guttering for the lean-to is located on no. 4's land. The roof structure also overhangs no. 4's land.
- The lean-to does not benefit from permitted development rights as it has been erected outside of the curtilage of no. 5 Braybrooke Place.
- The materials used do not respect the character of the area. This is contrary to policy 3/4 of Cambridge Local Plan 2006 and the design principles prescribed by the NPPF.
- The guttering which serves the lean-to drains onto the land of no. 4. This may cause groundwater flooding.

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity
3. Third party representations

Context of site, design and external spaces

8.2 The proposed lean-to is in place but construction has yet to be fully completed. The roof and guttering have been erected but the door and walls have yet to be added. Although there are no other existing similar structures in the area I consider that the lean-to is acceptable. The materials used on the sides and door are to be wood to match the existing fence. The roof is constructed of transparent PVC. Although this does not match the brick of the house, due to the transparent nature of the material used and its siting, set back from the front elevation of the house, it is not highly visible. I therefore consider that the proposed lean-to is acceptable in design terms and in terms of its impact on the character of the area.

- 8.3 The objection from no. 4 Braybrooke place states that the materials used in construction do not respect the local vernacular. As stated in the paragraph above the design and visual impact of the proposed extension is considered to be acceptable.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 Due to the location of the lean-to the impact will solely be on the neighbour to the west, at no 4 Braybrooke Place. The lean-to is low in height being 2.75m tall at its highest point. The roof of the lean-to slopes away from the boundary and is therefore not visually dominant when viewed from the adjoining property. It therefore does not dominate or overshadow the neighbour at no. 4.
- 8.6 The objection from the neighbours at no. 4 voices concern over the guttering stating that, as the guttering and downpipe from the lean-to drains onto their land, there may be a risk of groundwater flooding. This would not be a material planning consideration and will not be assessed as part of this application.
- 8.7 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.

Third Party Representations

- 8.8 The representation made states that the drawings submitted are inaccurate. They state that the lean-to measures 2.9m as opposed to 2.75m tall. Having visited the site and measured the structure I consider the applicant's measurements to be correct.
- 8.9 The objection, from no.4 Braybrooke Place, states that the lean-to does not benefit from permitted development rights. This is correct and as a result the applicant was invited to submit a retrospective planning application.

8.10 The owner of 4 Braybrooke Place commented that the guttering overhangs their land and that the ownership certificate had not been completed correctly. This has since been rectified and notice was served on no.4 Braybrooke Place on the 26th October 2015.

9.0 CONCLUSION

9.1 The development complies with policies 3/1, 3/4 and 3/7 of the Cambridge Local Plan (2006). I therefore consider that it is acceptable.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

Application Number	15/1588/S73	Agenda Item	
Date Received	18th August 2015	Officer	Mr Amit Patel
Target Date	13th October 2015		
Ward	East Chesterton		
Site	184 Kendal Way Cambridge Cambridgeshire CB4 1LU		
Proposal	S73 Application to vary condition 2 of planning permission 14/1228/FUL to approve drawing number 15/1189/PL.01 Rev A - to permit dormer windows to front and rear and a half hip to the new roof.		
Applicant	Mr R Smyth 184 Kendal Way Cambridge Cambridgeshire CB4 1LU United Kingdom		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The design of half hipped and pitched roof would be an anomaly in the street <input type="checkbox"/> The proposal will be highly visible in the street and therefore have a detrimental impact on the character and context
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site 184 Kendal Way is located to the north of the City Centre. The area is characterised by two-storey residential dwellings with garden areas to the front and back. No. 184 is a corner plot with a wide frontage to the road which narrows to the rear of the site.
- 1.2 The site falls outside a Conservation Area. The building is not listed or a Building of Local Interest. There are no tree

preservation orders on the site. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

2.1 This application seeks to amend the scheme previously approved under planning reference 14/1228/FUL to include a front dormer, this will also involve the roof shape being altered to half hipped and a half gable end.

2.2 The rest of the scheme remains unchanged from that approved under reference 14/1228/FUL (two flats see site history section below).

2.3 The application is accompanied by the following supporting information:

1. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
14/1228/FUL	Proposed two new flats - a one bed flat on ground floor and a two bed flat on 1st floor and in the roof space	A/C
14/0084/FUL	Proposed two new flats - a one bed flat on g/f and a two bed flat on 1st floor and in the roof space on land adjacent to 184 Kendal Way, Cambridge	Withdrawn

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER				
Cambridge Plan 2006	Local	3/1	3/4	3/7	3/11	3/12
		10/1				

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Community Infrastructure Levy Regulations 2010</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Roof Extensions Design Guide (2003)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in

the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.

Head of Refuse and Environment

- 6.2 I have no comments or recommended conditions to make regarding this application.
- 6.3 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.

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:

- 186 Kendal Way

7.2 The representations can be summarised as follows:

- The addition of dormer window will not be in keeping with the character of the area
- There will be a loss of light to the kitchen to 186 Kendal Way

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity
3. Third party representations
4. Planning Obligations (s106 Agreement)

Context of site, design and external spaces

8.2 This application is an amendment to an approved scheme. Therefore, the principle of the development of the site for two flats has already been established. Comments in respect of this application have been received regarding the proposed dormer not being in keeping with the surrounding character. The proposal seeks to add a front dormer, which will involve the change in the roof form from a hipped to a part hipped and part gable roof. Having been on site and assessed the immediate area I note that there are no other developments of this nature. Although this is outside a conservation area, there is some character and uniformity to the estate. The previously approved scheme related well to this context and it was felt that the addition of a rear dormer which allowed a hipped roof was compliant with the character of the estate.

8.3 I consider that the current application, which proposes the addition of the front dormer and the change to a part hipped part gable roof, which will be highly visible in the street will not only impact on the street but also would relate poorly to the host

dwelling and I do not consider that design has responded to its immediate context contrary to policies 3/4 and 3/12.

- 8.4 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policies 3/4, and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 Representations have been received regarding the proposal impacting on the light to the kitchen window to No 186 Kendal Way. The addition of a front dormer and change in roof form will be directly opposite the front part of number 186. 186 is positioned to the east and therefore there would be some loss of light to this property, but limited to the northwest corner of number 186, and this is used as parking space and therefore the addition of the front dormer and change in the roof will not be significantly worse than the previously approved scheme and therefore I consider this acceptable.
- 8.6 There are no new windows in the side elevation proposed. I do not consider that there will be any significant loss of privacy to number 186 from the front dormer.
- 8.7 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.

Third Party Representations

- 8.8 The third party comments have been addressed in the main body of the report above.

Planning Obligations (s106 Agreement)

- 8.9 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

- 8.10 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 8.11 It is the view of officers that as there has already been an agreement that is in place and monies have been paid, it would not be reasonable to attach a further agreement to this application as it is a minor modification to the original scheme.

Planning Obligations Conclusion

- 8.12 It is my view that the planning obligation is not necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation does not pass the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The design of the half hip and half gable roof would be an anomaly in the street where there are no other forms of similar developments. The introduction of the front dormer would appear as an alien and incongruous feature and as such REFUSAL is recommended.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed front dormer window and change to a part hipped and part gable roof form fails to respond positively to the host dwelling and to immediate context of the site. By virtue of its unsatisfactory design, poor detailing and differing roof pitches the development would also be an alien and incongruous feature in an area where front dormer windows are absent, responding poorly to the immediate context contrary to policies 3/4 and 3/12 of the Cambridge Local Plan (2006), Roof Design Guide (2007) and advice provided by National Planning Policy Framework (2012).

Application Number	15/1217/FUL	Agenda Item	
Date Received	25th June 2015	Officer	Mr Rob Parkinson
Target Date	20th August 2015		
Ward	Market		
Site	Westcott House Jesus Lane Cambridge Cambridgeshire CB5 8BP		
Proposal	Proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.		
Applicant	Ms Victoria Espley Westcott House Jesus Lane Cambridge Cambridgeshire CB5 8BP United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The development proposals make efficient use of a brownfield site in order to accommodate the College's necessary growth of learning resources;</p> <p>The design is of high quality which responds to its context and respects the adjoining listed buildings, minimising its harm on heritage assets and enhancing the setting of the conservation area;</p> <p>The scheme promotes sustainability and ensures convenient and accessible walking and cycling;</p> <p>Landscaping improvements and replanting strategy outweighs the loss of established trees; and,</p> <p>The development would not have any significant impact on the amenity of</p>
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	neighbouring residents.
RECOMMENDATION	15/1217/FUL – APPROVAL subject to conditions

1.0 SITE DESCRIPTION / AREA CONTEXT

- 1.1 Westcott House is the theological college for Cambridge University, sited within an island created by Jesus Lane to the north, Malcolm Street to the west, King Street to the south and Manor Street to the east. The main pedestrian and administrative entrance is via the north through buildings adjacent (west) of the Grade I listed All Saints Church on Jesus Lane. The Westcott House Old Court courtyard is enclosed by Grade II listed buildings. Its oldest buildings are situated in the north-west corner; on the west side the original cloisters have been extended upwards to three storeys over time; to the south are the existing Westcott College Library and Chapel. The college also has a New Court to the east enclosed by a modern two-storey apartment block parallel to Manor Street.
- 1.2 Vehicular access to the college is from Manor Street, just to the north of the access to the car park at the King Street shops and flats; here there is room for c.20 parking spaces, informally parked, although there is no clear entrance to the college in this part of the site and visitors have to traverse New Court and Old Court to reach the site's offices. The application site is actually the land adjacent and to the south of the college's chapel, a Grade II listed building. The land is currently used for a cycle store shed, some of the informal area of parking, and the area behind the cycle shed next to the chapel's south elevation.
- 1.3 The southern boundary of Westcott House is a buff coloured 1.8m high brick wall, of no heritage value. Next to this wall inside the Westcott House car park are two substantial trees, a 15m sycamore tree to the west next to the cycle store, and a 11m lime tree to the east within the car park. Further west but outside the college boundary is a mid-height laburnum tree, growing adjacent to the boundary wall. All trees are protected by virtue of being within the conservation area.
- 1.4 The area is bounded predominantly by residential uses; to the west, the back of three-storey terraces on Malcolm Street, and to the south the residents of Malcolm Place. The site is within

the Central Conservation Area and the rest of the College site is a designated Special Area of Advert Control in the Cambridge Local Plan (2006). The site falls within a controlled parking zone.

- 1.5 The Malcolm Place flats form part of a five-storey block which, because of a downwards south-north slope along Manor Street, appears smaller. The whole block has ground floor parking with the King Street parade of shops above that (at ground level to King Street), and above that is a three-storey block of flats arranged in two east-west rows, each with a terrace of south-facing front gardens. These flats are accessed from a first-floor podium via steps up from King Street either adjacent to the Brewhouse pub or through an arch between the shops of King Street. The rear of flats 18-47 directly overlook the southern side of Westcott House, either the chapel (west) or car park (east). West of the flats is a surface car park courtyard and the recently-constructed rear terrace to the Brewhouse pub adjacent to and below some of the flats, overlooking the Malcolm Place car park. Some cars also park between the north wall of the King Street block and the southern boundary wall of Westcott House.

2.0 THE PROPOSAL

- 2.1 The college has identified a need to provide an extension to the library and at the same time reorganise the internal layout of the college. The proposals involve:
- i. demolition of the south boundary curtilage wall, cycle shed, two trees and the Sacristry building of the Westcott House chapel;
 - ii. erection of a basement and two-storey building with tall gables and pitch roof along the south and east sides of the college chapel, to provide: a new college entrance; new library extension and new learning rooms and an external terrace at the west end; new offices for college administration and a new office for the principal; and, create a new pedestrian link through to the Old Court from the car park;
 - iii. erection of an external lift core on the west side of the library;
 - iv. strip-out 6no. existing apartments at second floor above the library / behind the west side of the Chapel and 1no. unit at ground floor, and refurbish to provide 5no. new apartments in their place at second floor;

- v. Provide a new cloister along the south side of the Old Court, extending the existing cloister along the north side of the chapel, creating a new access to the chapel cloister and the college's administration rooms;
- vi. re-landscape the car parking area, including new tree planting;
- vii. redevelop the vehicle entrance to the site off Manor Street, part of which includes a new refuse store enclosure and new gates, and a landscaping proposal for the area along Manor Street east of the married accommodation flats; and,
- viii. provide new secure cycle storage for college residents and staff within part of the garage underneath the King Street flats, accessed from the landscaped car park by breaking through the north elevation wall and building a new wall on the inside of the garage to seal it up.

2.2 In order to deliver the above works Westcott House has arranged a land property 'swap' with Jesus College. Jesus College currently owns the Malcolm Place shops, parking and flats onto which part of the library would be extended and the boundary wall between the two would be removed. Westcott House will acquire some of the external car park land to the south of the boundary wall and lease some of the internal garaging for use as bike parking, and in turn transfer ownership of a similar sized area of its own car park over to Jesus College. Both interested parties are aware of the wider implications for their own land.

2.3 In response to a number of concerns with the initial proposals, a set of revised plans and additional information was submitted on 15th October and re-advertised for public consultation for at least 14 days from 19th October. Further representations received will be provided to the committee meeting.

2.4 The revisions / additional information comprise:

- Amended site plan area to include the bike store and street front lands;
- 0.31m reduced height of the ridge of the middle and northern-most gables, and a 0.20m reduced height of the southern-most gable ridge;
- Amended tree survey and tree implications, including retaining the Laburnam to the rear of the site.
- Additional detail on the new car park pleached hornbeam tree planting.

- Clarification over car parking strategy and loss of existing parking.
- New gates and landscaping at entrance and alongside the King Street flats, including security details.
- Details of the new cloister and access, and landscaping around it.
- Details of library windows and the means to prevent overlooking in the close relationship to neighbours.

3.0 RELEVANT SITE HISTORY

Reference	Description	Outcome
C/72/0585	Erection of single storey extension to existing dining hall and kitchens to enlarge Principal's lodge.	Approved 03.11.1972
C/86/0585	Erection of bin store, cycle store and formation of 3 car parking spaces.	Approved 18.07.1986
C/88/0371 & C/88/0370	Erection of second floor extension to provide additional student accommodation.	Approved 01.07.1988
C/89/1077	Formation of window in wall to cloister.	Approved 30.01.1990
C/93/0820	Change of use of ground floor from residential accommodation for master to student dining/kitchen rooms and erection of new roof dormers to new bedrooms.	Approved 06.04.1994
C/93/0821	Alterations to ground and first floors and roof space to convert existing masters lodge accommodation to student dining/kitchen rooms, and reprovide master's lodge.	Approved 06.04.1994
C/94/0044	Subdivision of seminar room and new access off existing internal stair.	Approved 12.04.1994
C/01/0597 & C/01/0598	Erection of a single storey extension to existing kitchen facilities and internal alterations to Grade II listed building.	Approved 24.07.2001
07/0833/LBC	Internal and external alterations to Grade II listed building.	Approved 25.09.2007
07/0866/FUL	Internal and external works to Grade II	Approved

	listed building.	25.09.2007
08/0688/LBC	Internal works to Grade II Listed Building	Approved 26.09.2008
13/0184/LBC	Rebuild boundary wall to provide bin enclosure. Existing vehicular access gates replaced with a separate pedestrian gate, all electronically operated.	Approved 09.04.2013

4.0 PUBLICITY

- 4.1 Advertisement: Yes (both apps)
 Adjoining Owners: Yes (both apps) (including revisions)
 Site Notice Displayed: Yes (both apps) (including revisions)
 All members of the public who initially commented were also written to, to be notified of the revisions.

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 3/11 3/12 3/14 4/3 4/4 4/10 4/11 4/13 4/15 8/1 8/2 8/4 8/6 8/9 8/10 8/11

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework –
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	Planning Practice Guidance March 2014
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Public Art (January 2010)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) <u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

6.1 Cambridgeshire County Council (Highways Development Management)

Initially there was no transport statement on which to provide comments but the applicants confirmed there is a reduction in car parking spaces on site so the impact will be lessened.

6.2 Environmental Health Officer

The proposals are acceptable subject to imposing conditions on construction hours and nuisance control during construction, agreeing details of plant noise insulation such as to protect neighbour amenity, and ensuring appropriate mechanical ventilation where necessary to prevent sound disturbance to users of the development.

6.3 Urban Design and Conservation Team

- Supports the proposals as an appropriate 'domestic' treatment and approach which follows pre-application advice.
- Successful use of stepped building line and stonework detailing.
- Accepts the detailed access through the side of the library and retained fabric.
- Supports use of the atrium and glazing to maintain light to the listed building.

6.4 Head of Streets and Open Spaces (Tree Team)

Initial proposals:

- Agrees with removal of Lime (tree T1) at the entrance on Manor Street and removal of Laburnam (T8) at the rear of the site.
- The car parking layout and boundary wall design / position should be revised to retain the 11m tall Lime (T2) on the south side of the car park.
- The assessment of the group of three Himalayan birches (T4, T5, T6) to the north of the car park has undervalued their contribution and has not accounted for the full impact from the development.
- The 15m tall Sycamore (T7) has some value but is not the main feature of the site nor the predominant contributor to the conservation area. If plans are revised to retain the 11m tall T2 lime (as above), opposite the retained 14m tall T3 lime on the north side of the car park, the current setting to the site and the contribution to the conservation area will be preserved in the most part. The poor condition of this tree and its relatively short

remaining lifespan would not justify amending or constraining the development in order to preserve it.

- The scheme requires better replacement planting (both variety and locations).

Updated proposals:

No comments received at the time of writing. I will report any further comments on the amendments sheet or orally at the committee meeting.

6.5 **Head of Streets and Open Spaces (Landscape Team)**

Initial proposals:

The principle of the development and the general intentions are supportable, but more provision must be given to landscape to avoid creating an extremely hard-surfaced, urban environment around what is a predominantly a pedestrian, student-oriented space. Specifically improvements are needed to:

- The proposed pleached hornbeam hedge may not function spaced 2.5m apart to accommodate parking areas underneath unless trees are closer and not spaced around parked cars. Further, the trunks may be vulnerable to being struck by vehicles and their root areas may become compacted, so adequate space and protection must be provided, e.g. using a specific planting bed.
- The neighbouring laburnum tree should be protected during construction.
- There may be too many parking spaces to allow appropriate compensatory replacement tree planting, and root cell systems must be detailed.
- Further details are needed for the 3m area between the extension and flats.
- Further detail is needed for the area between apartments and Manor Street.
- Would prefer to see bin storage removed from the street frontage and internalised on the site.
- The study garden external roof terrace could create overlooking into the neighbouring gardens on Malcolm Street and some rear elevation windows to the King Street flats. Modification to the design and/or boundaries is required to lessen the impact of this space.
- Further detail is needed for landscaping the area around the new cloister.

Updated proposals:

1. Despite moving the hedge position and providing a guard the pleached hornbeams will still be extremely vulnerable to damage from car parking in what is a tight car park layout, and are shown to be too far apart to enable proper tight knitting of the hornbeam tree branches. To remedy this:
 - o The trees must be spaced by at least 2.5m width to accommodate a car, possibly resulting in fewer car parking spaces;
 - o Or set cars further back from the trees, but this would mean only one side of the car park could be used as reversing space becomes too narrow;
 - o The concrete ring for directing roots is not appropriate - use a tree pit instead;
 - o Planting bed spacing should be allowed for, and more space provided.
 - o Alternatively remove pleached hornbeams from the south (King St) side of the car park and instead use a wire trellis structure and climbing plants closer to the boundary and a safe distance away from cars.
2. The gap to Malcolm St gardens is too narrow and the tree is a constraint.
3. Planting in the 3m gap between the new extension and the King Street apartments will be unlikely to succeed and should be shade tolerant.
4. The gate / bin / access and frontage is much improved.
5. The roof-top study garden box hedging perimeter is not an appropriate screen nor suitable for amenity so should be replaced with a taller planter and an alternative hedging material.
6. This would currently be inconsistent with Local Plan policies 3/7 and 3/11.

6.6 Head of Streets and Open Spaces (Sustainable Drainage Officer)

The proposals represent best practice in separating foul and surface water, using infiltration where possible and using adequate treatment for run-off to ensure there is no flooding in a 1 in 100 year + 30% climate change event.

6.7 Historic England

No objections, the scheme can be assessed by LPA conservation officers.

6.8 Amenity Societies (Victorian Society / Twentieth Century Society – consultation required if works include demolition to listed buildings):

No comments received at the time of writing.

6.9 Cambridgeshire County Council (Archaeology)

This is an area of high archaeological potential being close to the Roman cemetery, and works could reveal archaeological assets. A programme of archaeological works should be agreed through a written scheme of investigation, to be required by conditions, to records and/or preserve finds.

6.10 Access officer

The car parking shall require Blue Badge parking spaces with full marking ie hatching to side and rear. Reception and teaching rooms need hearing loops. There needs to be good colour contrast throughout. Tactile signage should be provided. There could be handrails in the stepped auditorium. Double doors should be powered, or asymmetrical with one leaf having a minimum clear opening of 900mm.

6.11 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:

In support:

- 3no. Westcott House residents.
- Pembroke College, Trumpington Street.
- 113 Hills Road.
- 1 Short Street.
- Corpus Christie College.
- 21 Victoria Street.

In objection:

- 32 Manor Place.
- 17 Malcolm Place.
- 18 Malcolm Place.
- 21 Malcolm Place.
- 24 Malcolm Place.

- Councillor Oscar Gillespie.
- Churches Conservation Trust, owners of All Saints Church.

7.2 The representations can be summarised as follows:

Support:

- The street scene along Manor Street will be improved;
- The entrance to Westcott House will be improved;
- Reduce litter and remove anti-social behaviour in problematic alley, and removes the dilapidated cycle shed;
- Avenue of trees will enhance street;
- Toilets will be able to benefit visitors to All Saints Church;
- The large meeting venue space for 150 people will attract business investment and social and community uses;
- There will now be full disabled access to Westcott House;
- 'Future-proofing' college;
- Enhances College's role within the church and its ministry in the city;
- Use of brownfield site, reducing demand on greenfield sites;
- Improves functionality and efficiency of college's office and teaching;
- Sympathetic design which minimises impact on neighbours;
- Reverts staircase within the building back into intended original use;
- Optimises below-ground potential to minimise scale of building.

Objections:

- Loss of light from the roof being directly outside habitable rooms.
- Loss of outlook from the roof cutting across habitable rooms.
- Sense of enclosure and overbearing building.
- The roof terrace area will create noise, and buildings amplify the noise.
- Accumulation of noise from this and other activities, e.g. the pub.
- The roof terrace area will create overlooking and loss of privacy.
- Loss of 'buffer' between residents and the college.

- Scaffold and construction – access, noise, disturbance problems.
- Proximity of building causes loss of airflow / breeze to flats.
- Thin separation exacerbates existing crime and anti-social behaviour.
- Loss of laburnum and sycamore trees causes loss of outlook, colour, biodiversity, bird habitat, screening and soft landscaping feeling.
- Tree removal is not justified to provide non-essential roof terrace.
- Inefficient use of land and layout when building could be positioned away from residential neighbours.
- Loss of library's architectural assets (e.g. arched window removal) and masking of the library facade instead of refurbishment.
- Design does not respect character or context.
- Such a new building would be more appropriate at New Court to enclose the courtyard.
- Considerate student use can not be guaranteed.
- Replacement trees are at the wrong end of the site to adequately compensate for losses.
- Access at the rear / north of 18-47 Malcolm Place becomes too thin for access by emergency vehicles.
- There is no assessment of the impact from traffic, including construction.

7.3 Additional representations have been received in response to the revisions / amendments made; these are from:

- 17 Malcolm Place
- 20 Malcolm Place
- 24 Malcolm Place
- 21 Victoria Street

These comprise:

Support:

- The amendments are generally an improvement and reaffirm the advantages and quality of this project, both for Westcott House and for the surrounding neighbours.

New objections (i.e. those which do not repeat the previous concerns):

- If the Laburnum tree does deteriorate, there should be a decent-sized 'replacement' planted in that corner, otherwise the area will look very stark, and the loss of wildlife habitat would also be an issue.
- The "pleached" trees do not give us a natural look nor are they particularly wildlife-friendly... Would regular maintenance (with noisy power tools) be needed?
- The Loss of up to 12 Car Parking Spaces for Local Businesses is a very serious issue. This number will not be easily replaced.
- The Arboricultural Report is too dismissive of some trees' value and still provides no justification for removal. The Laburnum tree, T8, in the SW corner is also being unnecessarily maligned, perhaps with a view to later felling / large-scale pruning, and rating it as being within "Terminal decline" seems a harsh view - and the tree has been lovely and given pleasure (and supported wildlife) for many years.
- The proposed damage to the listed building is contrary to the original intentions and aspirations of the College founder, Bishop Westcott.
- The proposals contradict Bishop Westcott's affection for trees.
- Removing the trees reduces CO2 absorption and building cooling.
- There could be a depreciation in property values.
- The proposals are not consistent with Westcott House's 2011 Ministry Council's Inspection Report which advocates protecting the site.
- Expanding teaching and the mission can be achieved by other means.
- Adjustments have not been extensive enough.
- A flat roof with a fascia gable would be more appropriate instead.

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. Any further comments received after the time of writing will be reported to Members in the amendment sheet or orally at the meeting.

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 including impact on heritage assets;
2. Context of site, design and external spaces;
3. Residential amenity;
4. Highways, cycling, walking and refuse arrangements;
5. Third party representations.

Principle of Development

8.2 A need to expand the library and learning resource rooms has been demonstrated in an era when many colleges find themselves in the same position and in need of modernisation; if handled sensitively from a design and amenity perspective, the innovative development of this underused area will ensure appropriate reuse of a brownfield site, and provide a much improved entrance to the college and contribution to the conservation area. However, these benefits must be balanced against the impacts on the listed building, amongst other considerations.

8.3 The proposals will make a very significant difference to the views of the listed building in that the east façade and the southern elevation of the chapel and library will be concealed from external views by the extensions. There are also some areas of intervention into the historic fabric but these are sensitively handled and minimal in their extent; both are discussed in further detail below. In NPPF terms these proposals amount to ‘less than substantial harm’ to the listed building, which can only be justified if the public benefits of the proposal are seen to outweigh the harm caused.

8.4 In this respect I consider the expansion of the College’s teaching facilities to be necessary and of benefit to each of the College, its residents and the city’s educational offer and economy. The improved quality of the 5no. refurbished apartments at second floor will help maintain high housing standards and retain students on site, being more spacious and able to meet the demands of students than the existing six

second-floor and single ground floor bedsit rooms, so justifying the loss of two small bedsits. The landscaping and holistic approach will improve conditions for visitors and residents including the families on site, and the new and expanded library and learning resource rooms in a high quality bespoke facility will help release other rooms in the College to revert to either their original or intended use (e.g. the staircase area), and provide more room for future developments in what is a very constrained college environment.

- 8.5 As such I consider this scheme to provide sufficient public benefit to outweigh the harm caused to the listed building. Further, I consider that the conservation area as a heritage asset will be enhanced through the development, because the site's relationship to the public realm and views into this part of the conservation area will be much improved.
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with Local Plan policies 3/1, 3/6 and 7/5, the NPPF principles in respect of listed building 'harm' and related public benefit, and to consider this proposal favourably would be to do so in accordance with the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building and its setting or any features of special architectural or historic interest, as well as preserving and enhancing the character of the conservation area.

Context of site, design and relationship to listed buildings

- 8.7 The design of the new library facility has been carefully considered to link into the site and respect the listed buildings of the chapel and existing library. By becoming the new entrance to the college the building presents to the east and its new landscaped courtyard approach, and has a strong façade in the form of three gables, the southernmost being slightly smaller and set-back from the main building line to give the impression of subservience. The three-gabled roof form was welcomed at pre-application stage and by English Heritage (as was) as a way to preserve the original gable of the chapel and reduce the overall scale and sense of mass, whilst offering a contrast to the form of the adjoining old court.

- 8.8 Materials are a high quality reflection of those already found at the site and in views from the rest of the conservation area should tie-in nicely. These can be reaffirmed by conditions but include warm-red handmade brick gable facades in Flemish bond and lime mortar (to match Westcott House), and window and door surrounds and gable peaks from yellow/cream sandstone.
- 8.9 The plain, functional east elevation gable and the more decorative south elevation of the listed building will be screened by the new development along the majority of its length. However, the original building fabric is not lost from view, because the proposals extend onto the building and respect its adjacency. The ground floor uses are aligned around the preserved building and the new corridor which links through the new administrative block directly into Old Court will help people engage with the listed building more readily. At the first floor, the teaching rooms are arranged around a floor-to-ceiling atrium area stood off the chapel, and a door to the chapel's first floor balcony offers access to that part of the listed building. The designs use both the full-length glazed roof and the atrium space to maintain light reaching into the chapel itself, meaning the existing stained glass windows can be retained and appreciated.
- 8.10 The actual loss of historic fabric is minimal. The sacristy room to be demolished is a modern addition and serves little function currently. The main intervention comes from creating a ground floor access link from the existing listed library, through a window into the new extension, and removing a small window within the cloisters into an archway. The proposals have dealt with these constraints by detailing retention of the stone surrounds and re-use of windows where appropriate, for example the cloister window and its stone surround are proposed for reuse in the lobby of the extension. Replacement architraves and arches will be in sandstone to be in keeping with the original listed building. Despite these alterations, the overall impact on the significance of this Grade II listed building is however limited.
- 8.11 The scheme also includes a new lightweight material stand-off cloister to Old Court and a proposed lift core to give level access to all floors, sited at the rear of the existing library on the west elevation, to be clad in lead / zinc. Doing so retains the

integrity of the listed building by minimising intrusion into original fabric, and uses a complementary material which will not be overbearing to neighbours to the west.

- 8.12 By removing the existing boundary wall the extension fills the space which currently attracts antisocial behaviour, and the maintenance strip between buildings will be gated-off on the southern elevation. Although the existing neighbouring staff car parking area adjacent to the King Street apartments will remain permeable through either the lower-ground undercroft car park and an alley on King Street, the gates along the southern elevation prevent further access into the college and new windows will ensure appropriate natural surveillance, reducing the potential for this space to continue to attract anti-social behaviour.
- 8.13 The new secure cycle store has a visual link with the main development by re-cladding the relevant parts of the King Street building's north façade with a brick-weave treatment in matching brick, with materials to be agreed.
- 8.14 In my opinion, subject to fulfilling conditions to require careful choice of materials and detailing, for example, the proposals are acceptable in responding to the site context and character of the area, in accordance with Local Plan policies 3/4, 3/7, 3/11, 3/12, 3/14, 4/10, and 4/11.

Trees and landscaping

- 8.15 There are 7no. trees within the development site, none of which have TPO designation but are protected by virtue of being within the conservation area. In views from the publicly accessible part of the conservation area, on Manor Street, three trees dominate; the most prominent and second-largest of all is a Category B 14m-tall Lime to the north of the car park (T3), which remains unaffected and the centrepiece of the site with parking arranged carefully around it. However, the tallest, a Category C 15m-tall sycamore and a Category B 11m-tall lime tree (T2) along the southern boundary are both proposed for removal which has led to concerns amongst some residents and the tree officer.
- 8.16 The sycamore has up to 20 years expectancy and the T2 lime tree 20-40 years. Both trees are rather unwieldy and currently

compromise the amenity of some of King Street apartments by blocking north-facing windows. Although they could be managed through pruning, in particular the lime, their nesting and biodiversity value would remain low.

- 8.17 The loss of the sycamore is necessary for the footprint of the building and could not be accommodated by a redesign if the visual harmony and symmetry of the new extension is to be retained; in any case its contribution to the conservation area is less valuable than the setting created by the two nearby limes in the car park, which effectively screen most of this sycamore tree anyway. The concern amongst residents is understandable given its stature but with less than 20 years expectancy and making only a limited contribution to the conservation area, I do not consider its removal to be unacceptable if the rest of the development can adequately compensate for the loss.
- 8.18 The 11m-tall lime tree T2 is removed for aesthetic and management reasons, being undesirable in a car park environment and already being too close to the flats, and proving awkward to arrange the new parking layout around. Despite its potential longevity the tree is not widely viewable within the conservation area and is not individually protected, whereas the replacement hornbeams will offer more biomass and a more dramatic and effective entrance into the site, and be more appropriate for the residential amenity of its neighbours. Given the intention of the landscaping strategy, the loss of these two sizeable trees is not considered unacceptable on balance.
- 8.19 Within the site, the group of 3no. young Himalayan birch trees in the New Court garden would also be removed (T4, T5, T6); whilst these are considered Category C due to their asymmetric growth they have 40+ years lengthy remaining growth but are likely to be dramatically affected by the new building and construction thereof, so would be compromised. They appear to have been planted deliberately as part of a landscaping scheme for New Court, and as their value is less important to the conservation area than for the residents (being obscured by the tall lime T3), it is acceptable for them to be replaced with a single tulip tree of semi-mature stature.

- 8.20 Additionally, the Lime (T1) at the eastern end next to Manor Street is virtually dead and should be removed regardless of development proposals. The Laburnum tree (T8) at the rear of the site is diseased but still flowering and of some amenity value; although originally proposed for removal it is outside the development site and the applicant's control and is now proposed for retention, despite being in terminal decline, so will need to be protected during construction to continue to offer some years of visual amenity.
- 8.21 Various forms of replacement planting are proposed. The car park will be bordered by a row of new pleached hornbeam trees long both the north and south boundaries of the site; the landscape officer remains concerned that there may not be enough growing room for these, and they may be vulnerable to damage, despite the applicant providing new details of tree pits and planting specifications. In principle, the hornbeams are considered more beneficial than a single lime and sycamore; they are a native species, adaptable, robust and resilient to pruning management. The applicant is willing to provide further revised details for the Landscape Officer to hopefully address the outstanding concerns, and these will be presented and reported to Members within the committee meeting; if the rows of new semi-mature pleached hornbeams can be planted in an appropriate underground medium, with appropriate drainage, irrigation, surface protection and stem guards, they should be appropriately defended and able to prosper, and provide greater biomass, screening and habitat than the existing trees do. Further comments from the landscape officer will be sought in advance of the meeting.
- 8.22 To the south these new trees will provide substantial screening from the King Street apartments and soften the concrete facade. To the north such hedging offers a new and effective boundary to New Court, creating a natural enclosure to the courtyard which has to date been open to the car park; in combination with the link through the new building to Old Court the residents around New Court will have much more privacy and amenity for their apartments facing into the landscaped space and play area. In a practical sense the hornbeams are individually easier to maintain than the lime and sycamore, and are also more user-friendly for car parking.

- 8.23 Other planting includes low-level planting within the area between the extension and the King Street building, new planting alongside Manor Road, the semi-mature tree in New Court, new planting around the cloister in Old Court, and box hedging around the perimeter of the first floor study garden. The latter, proposed as a screen and natural buffer setting to the first floor study garden, is also subject to concern of the landscape officer; again, the applicant is seeking to address this by proposing alternatives for the meeting.
- 8.24 In revising the car park the materials include granite block pavers across the central car park area, with car park bays identified. The main surface will remain loose gravel within a containment grid, and an identifiable walkway of larger slabs, although some revision may be needed to ensure a level pathway of solid material is available to those with restricted mobility. Precise details of all the landscaping will be agreed by condition, as will appropriate arboricultural method statements to confirm the precise details of the tree protection and methods of construction around the trees. Landscaping and bird and bat box conditions will ensure appropriate quality and stature of replacement planting to enhance biomass and the variety of planting across the whole site, and encourage further wildlife. Subject to these conditions the scheme will offer more biodiversity and biomass than what the existing site contains, and for a longer lifespan than would be currently expected, and will improve the range of biodiversity. As such I consider the proposals to be in accord with Local Plan policies 3/4, 3/7, 3/11, 3/12 and 4/4.

Residential Amenity

- 8.25 The development will infill the space between the existing chapel and library and the north elevation of the King Street apartments. The chapel is currently 10.50m north of the windows, with an eaves height of 7.50m, roughly half-way up the lowest of the residential windows facing the site. The proposals will leave the extension's closest wall 3.05m from the apartments; the eaves are 5.20m high, level with the bottom of neighbouring windows, but the revisions have reduced the overall height of the ridges by 20-31cm, to be 7.80m high and 5.30m away from- and level with- the base of the middle window of the three levels of residential apartment windows. This arrangement has raised concerns for neighbouring

residents over the potential loss of view to the north, loss of daylight, interrupted air flow, increase in noise, and potential for overlooking. Concerns from loss of natural vegetation and biodiversity are addressed above.

- 8.26 The development is basement level with two storeys above, although the pitched gable roof is relatively steep as a result of the 3-bay symmetry of the building, and the separation distance of only 3.05m between the two buildings is very close. However, the design has been carefully arranged such that eaves height and activity levels are sensitively positioned. The eaves of the south wall are level with the cills of the north-facing windows of the King Street apartments, which prevents any direct overlooking and avoids a sense of overbearing neighbouring buildings. However, the roof pitch rises to 5.20m from ground level, positioned 5.30m to the north of the eaves, which creates an angle of 25 degrees above the bottom of the closest King Street windows. Although the roof cuts across the entire height of the lower non-residential window, and results in a degree of loss of existing near-distance outlook and views from these lowest residential windows, I consider the relationship of building form and proximity to its neighbours to be acceptable, on balance.
- 8.27 Prior to the revisions the angle was 27 degrees, which was far from ideal, but the revised 25 degrees is an accepted angle for maintaining the necessary levels of light and outlook to these north-facing windows. Further, the effect is lessened by using traditional roofing materials which blend in with the surroundings rather than proposing a contemporary material which might otherwise appear jarring and more obvious. As a result, whilst the concerns are understandable, the effect is not unacceptable in planning terms and will not cause a significant detrimental impact.
- 8.28 It is also necessary to consider the function of the King Street apartments whose rooms might be affected. These north-facing windows do not serve principle habitable rooms as most appear to be bedrooms or studies, for which outlook and light is less important, rather than the south-facing front rooms overlooking the apartments' gardens. A number of the rooms are already obscured by trees.

- 8.29 Overlooking between the two uses is minimised by designing-out such potential. At first floor level the library study desks are positioned away from windows and the south-facing windows are obscured at the top half, to prevent upwardly-angled views. Similarly the students receive appropriate light but do not feel overlooked.
- 8.30 Concerns over noise arise from the potential use of the rear (west) first-floor roof terrace / study garden. This is understandable given the proximity, but in practice the opportunities for the space to become more than a study area are limited; the terrace is accessible only from the first floor of the extension, which itself is only open during staffed study hours, so the roof terrace will be used only between 0900 – 1800 Monday – Friday as an extra study area. Whilst students need an external area for breaks from study, the terrace use will still be controlled through appropriate conditions which ensure the terrace is used for study only and as a result would maintain an acceptable degree of privacy between uses.
- 8.31 Further protection to residential amenity shall be secured through conditions to restrict construction hours and agree dust, piling and noise control measures, and agree details of the plant and noise insulation methods.
- 8.32 Overall, the difference in site levels alongside the King Street apartments, and the position of the flats at third-storey level to the south means there is an acceptable neighbourly relationship between the two buildings and differing uses. This is further improved by the details of the interior uses, and techniques used for removing direct views to residential windows. As such I consider the proposals to be in accord with Local Plan policies 3/14, 4/13 and 4/15.

Highways impacts, cycling, walking and refuse arrangements

- 8.33 The proposals do not include additional residential accommodation for students but does include additional teaching and lecture hall floorspace, so there will be some additional demand on the local transport network. As this is a highly accessible site with numerous bus routes along King Street, it is not necessary to provide additional on-site car parking linked to the increased floorspace. In fact, the

proposals result in a net reduction in number, and an improvement in quality of, car parking at the site.

- 8.34 The existing car park provision has room for 21 cars but has no identified disabled parking provision and no delineated spaces. Often an additional 7 cars are parked in an ad hoc fashion in unintended places so the arrangement is haphazard and encourages ad hoc parking in undesirable locations such as alongside the windows to the family apartments facing Manor Street. This makes the site entrance uninviting and potentially hazardous, and compromises features like bin stores and visitor cycling stands.
- 8.35 The revised car park arrangement with 13 spaces and 2 additional disabled spaces greatly improves this situation by formalising layout and excluding cars from certain areas, to the benefit of residential amenity. The Manor Street frontage is re-landscaped with planters for residents and a new boundary treatment, the refuse store has a bespoke area with convenient access, and cars are arranged along the southern boundary only, with convenient access to the building and the cycle stores. There is a net reduction of 8 cars on site, but addition of two dedicated disabled spaces and a much improved access to the college.
- 8.36 Such loss of on-site parking is considered acceptable; the controlled parking zone prevents on-street parking, there are public car parks close by, and the college will have access to other local college parking areas for any essential users overspill. To further lessen the demand the College will be required by condition to implement their Green Travel Plan which encourages public transport, cycling and walking amongst residents, staff and visitors alike. I consider the new policy-compliant 40-bike cycle store in the King Street garages with direct access into the site will offer much improved convenience and security to residents and reduce reliance on private cars, and a condition will secure its long-term use. The 8no. visitor cycle stands (16no. cycles) at the site entrance will also be of great benefit in encouraging sustainable travel to the lecture hall and library.
- 8.37 The improved design of the entrance gates and boundary treatments provides a safe segregated pedestrian route into the site, keeps vehicles out of the highway, and a condition will

require the gate design to be part of their public art strategy and help provide an attractive setting to the site and conservation area.

- 8.38 The extent of the building footprint to the south and the associated realigned boundary and land-swap deal with Jesus College means that at least 5 formal parking spaces would be lost from the parking area around the King Street flats (although up to 10 cars have been seen to squeeze into the same space). These are all spaces used by staff of King Street shops, not deliveries which are from King Street, and are rented from Jesus College. This is a private matter and an issue of convenience of accessing the workplace.
- 8.39 As such the improved entrance, cycling and walking environments, more formal and convenient parking layout, and reduction in general car parking availability at the site makes the scheme sustainable, promotes non-car travel and provides a better relationship to the area and its conservation setting. As such I consider the proposals comply with Local Plan policies 3/1, 3/7, 3/12, 3/14, 8/1, 8/2, 8/3, 8/4, 8/6, 8/9, 8/10.

Disabled access

- 8.40 The car parking revised layout includes appropriate disabled parking, and a condition can be used to ensure materials and signage are able to identify the spaces and their clearance. The new lift ensures level access is possible at ground, basement and first floor level, with internal links to the rest of Westcott House, but the constraints of the listed building preclude any new direct connection being provided from the lift to second floor of the existing Westcott House. One of the benefits of the new cloister on the south of Old Court is that it creates new covered level access between the college's administrative function and the existing chapel cloister, removing temporary ramps.
- 8.41 The Access Officer has recommended a number of additional features be provided within the new development; these suggestions should be able to be accommodated in the new build but would depend on the detailed designs and specific requirements of Building Regulations, and be more appropriately controlled through those processes. It is proposed that an Informative Note can adequately outline the

suggested content of an Accessibility Plan for introduction when final interior details are worked up.

- 8.42 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Public Art

- 8.43 The newly-refurbished entrance to the site provides the development with an opportunity to provide details within the new gates and boundary walling, which can be imaginatively designed to provide elements of public art. The applicant has agreed this could be progressed through conditions.

- 8.44 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Renewable energy and sustainability

- 8.45 The development creates slightly less than the 1000sq.m. floorspace required to provide on-site renewable energy. Nevertheless the scheme is energy efficient in its overall design; in my opinion the proposal is in accordance with the Sustainable Design and Construction SPD 2007.

Drainage

- 8.46 The proposals include a sustainable drainage strategy which includes appropriate measures for infiltration and reducing flood risk to an acceptable level. Conditions should be used to require installation of the surface water drainage scheme prior to first use of the development. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

Archaeology

- 8.47 The proposal could easily unearth some archaeological remains and a permission can use conditions to ensure archaeological assets are investigated, recorded and preserved as appropriate. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/9.

Third Party Representations

8.48 I have addressed the issues raised in representations, as listed below, in the paragraphs indicated in the following table.

Objections raised:	Paragraphs:
Loss of light to habitable rooms.	8.25 – 8.28.
Loss of outlook.	8.29.
Sense of enclosure and overbearing building design.	8.25 – 8.26.
Loss of air flow and ventilation to neighbouring flats.	The extension is not close enough to create this concern.
Roof terrace area noise, overlooking and loss of privacy.	8.30 and conditions.
Loss of buffer between uses.	This is not a concern as the design is appropriate.
Access to flats during construction.	Access will be maintained.
Construction noise, dust and disturbance.	8.31 and conditions.
Crime and anti-social behaviour could increase.	8.12 – 8.13.
Loss of trees causes loss of outlook, colour, biodiversity, habitat, screening and soft landscaping.	8.15 – 8.20.
Tree removal is not justified and the proposed replacements are not adequate nor in the right place.	8.15 – 8.24.
Inefficient use of land and layout and other locations could be better, away from residential neighbours, and at New Court it could enclose the courtyard.	8.2 – 8.6. The proposal in this location must be considered on its own merit.
Loss and masking of library's architectural assets.	8.3 and 8.10.
Design does not respect character or context.	8.7 – 8.14.
Considerate student use cannot be guaranteed.	This is not a planning matter but conditions will help.
Access at the rear / north of 18-47 Malcolm Place becomes too thin for access by emergency vehicles.	The access is sufficient both through the King Street building and new car park.

Traffic impacts have not been assessed.	The reduction in vehicle parking and therefore movements is acceptable.
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Regarding the amendments (responses to new issues only):

Concerns raised:	Response:
What is the precise change to the extensions?	The extension remains as close to the Malcolm Place residents as was previously shown, but the height of the roofs is reduced by a 0.31m reduced height of the ridge of the middle and northern-most gables, and a 0.20m reduced height of the ridge of the southern-most ridge (ie closest to King St).
If the laburnum tree dies in the future can a replacement be provided?	This is not in the applicant's control but the tree should be protected during the work and the planting within the site is more than adequate for all the trees being lost.
Do pleached hornbeams require frequent power tools?	No, their maintenance needs care and hand tools to enable shaping the growth.
Loss of parking for businesses.	See paragraphs 8.36 and 8.38.
Disagreement with the valuations of the tree survey and the tree impacts.	The tree survey amendments have been accepted by the tree officer and the likely impacts are minimised where possible or losses are adequately replaced. See paragraphs 8.15 – 8.24.
The proposals are not consistent with the original aims of Bishop Westcott when he founded the College.	Listed building and tree issues are addressed above. The College business plan is not a planning consideration.
The proposals are not consistent with Westcott House's 2011 Ministry Council's Inspection Report which advocates protecting the site.	Listed building issues are addressed above. The College business plan is not a planning consideration.
Loss of CO2 absorption potential.	CO2 absorption should increase overall.

Depreciation in property values.	Not a material planning consideration.
Expanding teaching and the mission can be achieved by other means.	The application can only be considered on its own merits, not by comparison to possible hypothetical alternatives.
Adjustments are not extensive enough.	The revisions have improved the scheme.
A flat roof with a fascia gable would be more appropriate instead.	The proposal must be considered only on the basis of the current design proposed, the listed building and amenity impacts of which are acceptable on balance.

9.0 CONCLUSION

- 9.1 The development proposal represents an innovative response to the site constraints and an effective solution to underused and unsightly brownfield land. The design successfully preserves the vast majority of fabric of the listed building and makes sensitive and complementary additions which also allow its assets to be appreciated from within the development. The scale and mass maintains an appropriate relationship to the neighbours and uses careful techniques to minimise the impact on amenity to an acceptable level. Further, by taking a holistic approach to the way the site is experienced, impact from the loss of significant trees within the site is more than outweighed by the replacement planting and refurbishment of the site area.
- 9.2 Overall, the scheme meets the objectives of the National Planning Policy Framework and complies with the relevant policies of the 2006 Cambridge Local Plan, and as there are no significant material considerations felt to outweigh the benefits of the plans, the proposals should be approved subject to the recommended conditions.

10.0 RECOMMENDATION

10.1 APPROVE planning application 15/1217/FUL at Westcott House, Jesus Lane, Cambridge, CB5 8BP, and grant planning permission subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall take place 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)

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. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

6. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

7. No rainwater goods shall be installed until full details of the means of rainwater collection and disposal have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details. Discharge of this condition may require the submission of materials samples as well as large-scale drawings.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

8. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

9. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

10. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of nearby properties
(Cambridge Local Plan 2006 policy 4/13)

11. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge
Local Plan 2006 policy4/13

12. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by 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)

13. No development shall commence until there has been submitted to and approved in writing by the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and in combination with the entrance details shown in plan PA09-P-121 Rev A, such details to include brick and mortar types and bonding, and the proposed planting of the reinforced beech hedge behind, and the form of art to be included within the architectural detail of the gate and railings.

Reason: To ensure an appropriate boundary treatment is implemented, to enhance the appearance of the conservation area, provide an appropriate setting to the listed building, and promote public art within the designs. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12).

14. 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)

15. No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

16. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

17. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

18. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

19. 22. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for including integral nesting boxes and bat roosting facilities as may be possible to accommodate within the building, and the development shall be provided in accordance with these details.

Reason: To provide biodiversity enhancements to complement the tree hedging rows and to compensate for the loss of potential nesting habitat within existing trees. (To improve biodiversity in accordance with the guidance within the National Planning Policy Framework).

20. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

21. No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The proposed facilities be based on the approved details seen within the cycle store details in Figure 2 of page 5 of the Planning Response document dated October 2015, and the store shall be fitted with residents and staff-only secure access. The details shall include means of cladding the north elevation of the King Street building and infilling the internal south wall of the garage area within the same building, to a high quality of design with materials to be agreed.

The development shall be completed in accordance with the approved details, the facilities shall be made available for use upon the earlier of either the first occupation of the new bedroom accommodation or the first use of the new resource centre, and shall be retained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and secure a high quality of design appropriate to the conservation area. (Cambridge Local Plan 2006 policy 8/6, 3/11, 3/12).

22. No development shall commence until details of facilities for the parking of visitor's bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The details shall be based on the proposed visitor cycle storage numbers and locations shown in the landscape plan PA09/P/120/RevA. The development shall be completed in accordance with the subsequently approved details, and these shall be made available for use on commencement of the use of the resource centre, and shall be retained as such thereafter.

Reason: To ensure appropriate provision for the convenient and accessible secure storage of visitor bicycles. (Cambridge Local Plan 2006 policy 8/6).

23. No use or occupation of the development shall take place until the details of providing necessary means of mechanical ventilation to the development, and acoustic insulation thereof, sufficient to prevent sound disturbance to users of the development and neighbouring users, have first been submitted to and approved by the local planning authority. The development shall be completed with these approved features.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

24. Before the development hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Full details of the plant will be required prior to use/occupation of the buildings associated with this application, including calculations to prove the plant noise limits are achieved.

Sound levels from plant and equipment associated with the application requires assessment to ensure local amenity is protected. It is required that the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

25. Upon first use of the development the College shall implement the Green Travel Plan received October 2015 and make a copy of the Plan available to all residents and staff.

Reason: To promote and encourage sustainable travel options (Cambridge Local Plan 2006 policy 8/2, 8/3, 8/4).

26. The first floor roof terrace study garden hereby permitted shall only be used between the hours of 0900 and 1800 Monday to Friday, and there shall be no use of the space on Saturdays, Sundays, Public or Bank Holidays. Further, the terrace garden shall only be used in association with the activities of the learning resource centre hereby approved.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity. (Cambridge Local Plan 2006 policies 3/7, 3/12, 3/14).

27. There shall be no amplified noise played on the first floor roof terrace study garden at any time.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity. (Cambridge Local Plan 2006 policies 3/7).

INFORMATIVE: The applicant and developer are advised that an Accessibility Plan for the development will help achieve the necessary and high quality accessibility to all. Such details to improve the access to the college and the development for persons of restricted mobility and/or ability could include but not be restricted to: Means to identify disability spaces within the car park and accesses thereto; reception and teaching rooms to include hearing loops; considerate use of colour contrast throughout; tactile signage where possible; handrails in the stepped auditorium; double doors should be powered, or asymmetrical with one leaf having a minimum clear opening of 900mm.

INFORMATIVE: The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

INFORMATIVE: The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE 3. To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

Application Number	15/1218/LBC	Agenda Item	
Date Received	25th June 2015	Officer	Mr Rob Parkinson
Target Date	20th August 2015		
Ward	Market		
Site	Westcott House Jesus Lane Cambridge Cambridgeshire CB5 8BP		
Proposal	Listed building consent for proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.		
Applicant	Ms Victoria Espley Westcott House, Jesus Lane Cambridge Cambridgeshire CB5 8BP United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The design is of high quality which responds to its context and respects the adjoining listed buildings, minimising its harm on heritage assets and enhancing the setting of the conservation area.</p>
RECOMMENDATION	15/1218/LBC – APPROVAL subject to conditions

NOTE: In the interests of brevity, the report below simply repeats the relevant sections of the committee report for the associated full planning application, ref. 15/1217/FUL. This report does not provide further discussion nor material changes to the assessment, save for the concluding recommendation to approve the application subject to specific conditions differing from those of the full application.

1.0 SITE DESCRIPTION / AREA CONTEXT

- 1.1 Westcott House is the theological college for Cambridge University, sited within an island created by Jesus Lane to the north, Malcolm Street to the west, King Street to the south and Manor Street to the east. The main pedestrian and administrative entrance is via the north through buildings adjacent (west) of the Grade I listed All Saints Church on Jesus Lane. The Westcott House Old Court courtyard is enclosed by Grade II listed buildings. Its oldest buildings are situated in the north-west corner; on the west side the original cloisters have been extended upwards to three storeys over time; to the south are the existing Westcott College Library and Chapel. The college also has a New Court to the east enclosed by a modern two-storey apartment block parallel to Manor Street.
- 1.2 Vehicular access to the college is from Manor Street, just to the north of the access to the car park at the King Street shops and flats; here there is room for c.20 parking spaces, informally parked, although there is no clear entrance to the college in this part of the site and visitors have to traverse New Court and Old Court to reach the site's offices. The application site is actually the land adjacent and to the south of the college's chapel, a Grade II listed building. The land is currently used for a cycle store shed, some of the informal area of parking, and the area behind the cycle shed next to the chapel's south elevation.
- 1.3 The southern boundary of Westcott House is a buff coloured 1.8m high brick wall, of no heritage value. Next to this wall inside the Westcott House car park are two substantial trees, a 15m sycamore tree to the west next to the cycle store, and a 11m lime tree to the east within the car park. Further west but outside the college boundary is a mid-height laburnum tree, growing adjacent to the boundary wall. All trees are protected by virtue of being within the conservation area.
- 1.4 The area is bounded predominantly by residential uses; to the west, the back of three-storey terraces on Malcolm Street, and to the south the residents of Malcolm Place. The site is within the Central Conservation Area and the rest of the College site is a designated Special Area of Advert Control in the Cambridge Local Plan (2006). The site falls within a controlled parking zone.

- 1.5 The Malcolm Place flats form part of a five-storey block which, because of a downwards south-north slope along Manor Street, appears smaller. The whole block has ground floor parking with the King Street parade of shops above that (at ground level to King Street), and above that is a three-storey block of flats arranged in two east-west rows, each with a terrace of south-facing front gardens. These flats are accessed from a first-floor podium via steps up from King Street either adjacent to the Brewhouse pub or through an arch between the shops of King Street. The rear of flats 18-47 directly overlook the southern side of Westcott House, either the chapel (west) or car park (east). West of the flats is a surface car park courtyard and the recently-constructed rear terrace to the Brewhouse pub adjacent to and below some of the flats, overlooking the Malcolm Place car park. Some cars also park between the north wall of the King Street block and the southern boundary wall of Westcott House.

2.0 THE PROPOSAL

- 2.1 The college has identified a need to provide an extension to the library and at the same time reorganise the internal layout of the college. The proposals involve:
- i. demolition of the south boundary curtilage wall, cycle shed, two trees and the Sacristy building of the Westcott House chapel;
 - ii. erection of a basement and two-storey building with tall gables and pitch roof along the south and east sides of the college chapel, to provide: a new college entrance; new library extension and new learning rooms and an external terrace at the west end; new offices for college administration and a new office for the principal; and, create a new pedestrian link through to the Old Court from the car park;
 - iii. erection of an external lift core on the west side of the library;
 - iv. strip-out 6no. existing apartments at second floor above the library / behind the west side of the Chapel and 1no. unit at ground floor, and refurbish to provide 5no. new apartments in their place at second floor;
 - v. Provide a new cloister along the south side of the Old Court, extending the existing cloister along the north side of the chapel, creating a new access to the chapel cloister and the college's administration rooms;

- vi. re-landscape the car parking area, including new tree planting;
- vii. redevelop the vehicle entrance to the site off Manor Street, part of which includes a new refuse store enclosure and new gates, and a landscaping proposal for the area along Manor Street east of the married accommodation flats; and,
- viii. provide new secure cycle storage for college residents and staff within part of the garage underneath the King Street flats, accessed from the landscaped car park by breaking through the north elevation wall and building a new wall on the inside of the garage to seal it up.

2.2 In order to deliver the above works Westcott House has arranged a land property 'swap' with Jesus College. Jesus College currently owns the Malcolm Place shops, parking and flats onto which part of the library would be extended and the boundary wall between the two would be removed. Westcott House will acquire some of the external car park land to the south of the boundary wall and lease some of the internal garaging for use as bike parking, and in turn transfer ownership of a similar sized area of its own car park over to Jesus College. Both interested parties are aware of the wider implications for their own land.

2.3 In response to a number of concerns with the initial proposals, a set of revised plans and additional information was submitted on 15th October and re-advertised for public consultation for at least 14 days from 19th October. Further representations received will be provided to the committee meeting.

2.4 The revisions / additional information comprise:

- Amended site plan area to include the bike store and street front lands;
- 0.31m reduced height of the ridge of the middle and northern-most gables, and a 0.20m reduced height of the southern-most gable ridge;
- Amended tree survey and tree implications, including retaining the Laburnam to the rear of the site.
- Additional detail on the new car park pleached hornbeam tree planting.
- Clarification over car parking strategy and loss of existing parking.
- New gates and landscaping at entrance and alongside the King Street flats, including security details.

- Details of the new cloister and access, and landscaping around it.
- Details of library windows and the means to prevent overlooking in the close relationship to neighbours.

3.0 RELEVANT SITE HISTORY

Reference	Description	Outcome
C/72/0585	Erection of single storey extension to existing dining hall and kitchens to enlarge Principal's lodge.	Approved 03.11.1972
C/86/0585	Erection of bin store, cycle store and formation of 3 car parking spaces.	Approved 18.07.1986
C/88/0371 & C/88/0370	Erection of second floor extension to provide additional student accommodation.	Approved 01.07.1988
C/89/1077	Formation of window in wall to cloister.	Approved 30.01.1990
C/93/0820	Change of use of ground floor from residential accommodation for master to student dining/kitchen rooms and erection of new roof dormers to new bedrooms.	Approved 06.04.1994
C/93/0821	Alterations to ground and first floors and roof space to convert existing masters lodge accommodation to student dining/kitchen rooms, and reprovide master's lodge.	Approved 06.04.1994
C/94/0044	Subdivision of seminar room and new access off existing internal stair.	Approved 12.04.1994
C/01/0597 & C/01/0598	Erection of a single storey extension to existing kitchen facilities and internal alterations to Grade II listed building.	Approved 24.07.2001
07/0833/LBC	Internal and external alterations to Grade II listed building.	Approved 25.09.2007
07/0866/FUL	Internal and external works to Grade II listed building.	Approved 25.09.2007
08/0688/LBC	Internal works to Grade II Listed Building	Approved 26.09.200

		8
13/0184/LBC	Rebuild boundary wall to provide bin enclosure. Existing vehicular access gates replaced with a separate pedestrian gate, all electronically operated.	Approved 09.04.2013

4.0 PUBLICITY

- 4.1 Advertisement: Yes (both apps)
 Adjoining Owners: Yes (both apps) (including revisions)
 Site Notice Displayed: Yes (both apps) (including revisions)
 All members of the public who initially commented were also written to, to be notified of the revisions.

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 3/11 3/12 3/14 4/3 4/4 4/10 4/11 4/13 4/15 8/1 8/2 8/4 8/6 8/9 8/10 8/11

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014
Supplementary Planning	Sustainable Design and Construction (May 2007)

Guidance	<p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2006)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

6.1 Urban Design and Conservation Team

- Supports the proposals as an appropriate ‘domestic’ treatment and approach which follows pre-application advice.
- Successful use of stepped building line and stonework detailing.

- Accepts the detailed access through the side of the library and retained fabric.
- Supports use of the atrium and glazing to maintain light to the listed building.

6.2 **Historic England**

No objections, the scheme can be assessed by LPA conservation officers.

6.3 **Amenity Societies (Victorian Society / Twentieth Century Society – consultation required if works include demolition to listed buildings):**

No comments received at the time of writing.

6.4 The above responses are a summary of the comments that have been received from relevant consultees invited to make representations on the listed building consent application. 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:

In support:

- 3no. Westcott House residents.
- Pembroke College, Trumpington Street.
- 113 Hills Road.
- 1 Short Street.
- Corpus Christie College.
- 21 Victoria Street.

In objection:

- 32 Manor Place.
- 17 Malcolm Place.
- 18 Malcolm Place.
- 21 Malcolm Place.
- 24 Malcolm Place.
- Councillor Oscar Gillespie.
- Churches Conservation Trust, owners of All Saints Church.

7.2 The representations can be summarised as follows:

Support:

- The street scene along Manor Street will be improved;
- The entrance to Westcott House will be improved;
- Reduce litter and remove anti-social behaviour in problematic alley, and removes the dilapidated cycle shed;
- Avenue of trees will enhance street;
- Toilets will be able to benefit visitors to All Saints Church;
- The large meeting venue space for 150 people will attract business investment and social and community uses;
- There will now be full disabled access to Westcott House;
- 'Future-proofing' college;
- Enhances College's role within the church and its ministry in the city;
- Use of brownfield site, reducing demand on greenfield sites;
- Improves functionality and efficiency of college's office and teaching;
- Sympathetic design which minimises impact on neighbours;
- Reverts staircase within the building back into intended original use;
- Optimises below-ground potential to minimise scale of building.

Objections:

- Loss of light from the roof being directly outside habitable rooms.
- Loss of outlook from the roof cutting across habitable rooms.
- Sense of enclosure and overbearing building.
- The roof terrace area will create noise, and buildings amplify the noise.
- Accumulation of noise from this and other activities, e.g. the pub.
- The roof terrace area will create overlooking and loss of privacy.
- Loss of 'buffer' between residents and the college.
- Scaffold and construction – access, noise, disturbance problems.
- Proximity of building causes loss of airflow / breeze to flats.

- Thin separation exacerbates existing crime and anti-social behaviour.
- Loss of laburnum and sycamore trees causes loss of outlook, colour, biodiversity, bird habitat, screening and soft landscaping feeling.
- Tree removal is not justified to provide non-essential roof terrace.
- Inefficient use of land and layout when building could be positioned away from residential neighbours.
- Loss of library's architectural assets (e.g. arched window removal) and masking of the library facade instead of refurbishment.
- Design does not respect character or context.
- Such a new building would be more appropriate at New Court to enclose the courtyard.
- Considerate student use can not be guaranteed.
- Replacement trees are at the wrong end of the site to adequately compensate for losses.
- Access at the rear / north of 18-47 Malcolm Place becomes too thin for access by emergency vehicles.
- There is no assessment of the impact from traffic, including construction.

7.3 Additional representations have been received in response to the revisions / amendments made; these are from:

- 17 Malcolm Place
- 20 Malcolm Place
- 24 Malcolm Place
- 21 Victoria Street

These comprise:

Support:

- The amendments are generally an improvement and reaffirm the advantages and quality of this project, both for Westcott House and for the surrounding neighbours.

New objections (i.e. those which do not repeat the previous concerns):

- If the Laburnum tree does deteriorate, there should be a decent-sized 'replacement' planted in that corner, otherwise the area will look very stark, and the loss of wildlife habitat would also be an issue.

- The "pleached" trees do not give us a natural look nor are they particularly wildlife-friendly... Would regular maintenance (with noisy power tools) be needed?
- The Loss of up to 12 Car Parking Spaces for Local Businesses is a very serious issue. This number will not be easily replaced.
- The Arboricultural Report is too dismissive of some trees' value and still provides no justification for removal. The Laburnum tree, T8, in the SW corner is also being unnecessarily maligned, perhaps with a view to later felling / large-scale pruning, and rating it as being within "Terminal decline" seems a harsh view - and the tree has been lovely and given pleasure (and supported wildlife) for many years.
- The proposed damage to the listed building is contrary to the original intentions and aspirations of the College founder, Bishop Westcott.
- The proposals contradict Bishop Westcott's affection for trees.
- Removing the trees reduces CO2 absorption and building cooling.
- There could be a depreciation in property values.
- The proposals are not consistent with Westcott House's 2011 Ministry Council's Inspection Report which advocates protecting the site.
- Expanding teaching and the mission can be achieved by other means.
- Adjustments have not been extensive enough.
- A flat roof with a fascia gable would be more appropriate instead.

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. Any further comments received after the time of writing will be reported to Members in the amendment sheet or orally at the meeting.

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 to this listed building consent application are:

1. Principle of development including impact on heritage assets;
2. Context of site, design and external spaces;
3. Third party representations.

Principle of Development

- 8.2 A need to expand the library and learning resource rooms has been demonstrated in an era when many colleges find themselves in the same position and in need of modernisation; if handled sensitively from a design and amenity perspective, the innovative development of this underused area will ensure appropriate reuse of a brownfield site, and provide a much improved entrance to the college and contribution to the conservation area. However, these benefits must be balanced against the impacts on the listed building, amongst other considerations.
- 8.3 The proposals will make a very significant difference to the views of the listed building in that the east façade and the southern elevation of the chapel and library will be concealed from external views by the extensions. There are also some areas of intervention into the historic fabric but these are sensitively handled and minimal in their extent; both are discussed in further detail below. In NPPF terms these proposals amount to ‘less than substantial harm’ to the listed building, which can only be justified if the public benefits of the proposal are seen to outweigh the harm caused.
- 8.4 In this respect I consider the expansion of the College’s teaching facilities to be necessary and of benefit to each of the College, its residents and the city’s educational offer and economy. The improved quality of the 5no. refurbished apartments at second floor will help maintain high housing standards and retain students on site, being more spacious and able to meet the demands of students than the existing six second-floor and single ground floor bedsit rooms, so justifying the loss of two small bedsits. The landscaping and holistic approach will improve conditions for visitors and residents including the families on site, and the new and expanded library and learning resource rooms in a high quality bespoke facility will help release other rooms in the College to revert to either their original or intended use (e.g. the staircase area), and

provide more room for future developments in what is a very constrained college environment.

- 8.5 As such I consider this scheme to provide sufficient public benefit to outweigh the harm caused to the listed building. Further, I consider that the conservation area as a heritage asset will be enhanced through the development, because the site's relationship to the public realm and views into this part of the conservation area will be much improved.
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with Local Plan policies 3/1, 3/6 and 7/5, the NPPF principles in respect of listed building 'harm' and related public benefit, and to consider this proposal favourably would be to do so in accordance with the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building and its setting or any features of special architectural or historic interest, as well as preserving and enhancing the character of the conservation area.

Context of site, design and relationship to listed buildings

- 8.7 The design of the new library facility has been carefully considered to link into the site and respect the listed buildings of the chapel and existing library. By becoming the new entrance to the college the building presents to the east and its new landscaped courtyard approach, and has a strong façade in the form of three gables, the southernmost being slightly smaller and set-back from the main building line to give the impression of subservience. The three-gabled roof form was welcomed at pre-application stage and by English Heritage (as was) as a way to preserve the original gable of the chapel and reduce the overall scale and sense of mass, whilst offering a contrast to the form of the adjoining old court.
- 8.8 Materials are a high quality reflection of those already found at the site and in views from the rest of the conservation area should tie-in nicely. These can be reaffirmed by conditions but include warm-red handmade brick gable facades in Flemish bond and lime mortar (to match Westcott House), and window and door surrounds and gable peaks from yellow/cream sandstone.

- 8.9 The plain, functional east elevation gable and the more decorative south elevation of the listed building will be screened by the new development along the majority of its length. However, the original building fabric is not lost from view, because the proposals extend onto the building and respect its adjacency. The ground floor uses are aligned around the preserved building and the new corridor which links through the new administrative block directly into Old Court will help people engage with the listed building more readily. At the first floor, the teaching rooms are arranged around a floor-to-ceiling atrium area stood off the chapel, and a door to the chapel's first floor balcony offers access to that part of the listed building. The designs use both the full-length glazed roof and the atrium space to maintain light reaching into the chapel itself, meaning the existing stained glass windows can be retained and appreciated.
- 8.10 The actual loss of historic fabric is minimal. The sacristy room to be demolished is a modern addition and serves little function currently. The main intervention comes from creating a ground floor access link from the existing listed library, through a window into the new extension, and removing a small window within the cloisters into an archway. The proposals have dealt with these constraints by detailing retention of the stone surrounds and re-use of windows where appropriate, for example the cloister window and its stone surround are proposed for reuse in the lobby of the extension. Replacement architraves and arches will be in sandstone to be in keeping with the original listed building. Despite these alterations, the overall impact on the significance of this Grade II listed building is however limited.
- 8.11 The scheme also includes a new lightweight material stand-off cloister to Old Court and a proposed lift core to give level access to all floors, sited at the rear of the existing library on the west elevation, to be clad in lead / zinc. Doing so retains the integrity of the listed building by minimising intrusion into original fabric, and uses a complementary material which will not be overbearing to neighbours to the west.
- 8.12 By removing the existing boundary wall the extension fills the space which currently attracts antisocial behaviour, and the maintenance strip between buildings will be gated-off on the southern elevation. Although the existing neighbouring staff car

parking area adjacent to the King Street apartments will remain permeable through either the lower-ground undercroft car park and an alley on King Street, the gates along the southern elevation prevent further access into the college and new windows will ensure appropriate natural surveillance, reducing the potential for this space to continue to attract anti-social behaviour.

- 8.13 The new secure cycle store has a visual link with the main development by re-cladding the relevant parts of the King Street building's north façade with a brick-weave treatment in matching brick, with materials to be agreed.
- 8.14 In my opinion, subject to fulfilling conditions to require careful choice of materials and detailing, for example, the proposals are acceptable in responding to the site context and character of the area, in accordance with Local Plan policies 3/4, 3/7, 3/11, 3/12, 3/14, 4/10, and 4/11.

Trees and landscaping

- 8.15 There are 7no. trees within the development site, none of which have TPO designation but are protected by virtue of being within the conservation area. In views from the publicly accessible part of the conservation area, on Manor Street, three trees dominate; the most prominent and second-largest of all is a Category B 14m-tall Lime to the north of the car park (T3), which remains unaffected and the centrepiece of the site with parking arranged carefully around it. However, the tallest, a Category C 15m-tall sycamore and a Category B 11m-tall lime tree (T2) along the southern boundary are both proposed for removal which has led to concerns amongst some residents and the tree officer.
- 8.16 The sycamore has up to 20 years expectancy and the T2 lime tree 20-40 years. Both trees are rather unwieldy and currently compromise the amenity of some of King Street apartments by blocking north-facing windows. Although they could be managed through pruning, in particular the lime, their nesting and biodiversity value would remain low.
- 8.17 The loss of the sycamore is necessary for the footprint of the building and could not be accommodated by a redesign if the visual harmony and symmetry of the new extension is to be

retained; in any case its contribution to the conservation area is less valuable than the setting created by the two nearby limes in the car park, which effectively screen most of this sycamore tree anyway. The concern amongst residents is understandable given its stature but with less than 20 years expectancy and making only a limited contribution to the conservation area, I do not consider its removal to be unacceptable if the rest of the development can adequately compensate for the loss.

- 8.18 The 11m-tall lime tree T2 is removed for aesthetic and management reasons, being undesirable in a car park environment and already being too close to the flats, and proving awkward to arrange the new parking layout around. Despite its potential longevity the tree is not widely viewable within the conservation area and is not individually protected, whereas the replacement hornbeams will offer more biomass and a more dramatic and effective entrance into the site, and be more appropriate for the residential amenity of its neighbours. Given the intention of the landscaping strategy, the loss of these two sizeable trees is not considered unacceptable on balance.
- 8.19 Within the site, the group of 3no. young Himalayan birch trees in the New Court garden would also be removed (T4, T5, T6); whilst these are considered Category C due to their asymmetric growth they have 40+ years lengthy remaining growth but are likely to be dramatically affected by the new building and construction thereof, so would be compromised. They appear to have been planted deliberately as part of a landscaping scheme for New Court, and as their value is less important to the conservation area than for the residents (being obscured by the tall lime T3), it is acceptable for them to be replaced with a single tulip tree of semi-mature stature.
- 8.20 Additionally, the Lime (T1) at the eastern end next to Manor Street is virtually dead and should be removed regardless of development proposals. The Laburnum tree (T8) at the rear of the site is diseased but still flowering and of some amenity value; although originally proposed for removal it is outside the development site and the applicant's control and is now proposed for retention, despite being in terminal decline, so will need to be protected during construction to continue to offer some years of visual amenity.

- 8.21 Various forms of replacement planting are proposed. The car park will be bordered by a row of new pleached hornbeam trees long both the north and south boundaries of the site; the landscape officer remains concerned that there may not be enough growing room for these, and they may be vulnerable to damage, despite the applicant providing new details of tree pits and planting specifications. In principle, the hornbeams are considered more beneficial than a single lime and sycamore; they are a native species, adaptable, robust and resilient to pruning management. The applicant is willing to provide further revised details for the Landscape Officer to hopefully address the outstanding concerns, and these will be presented and reported to Members within the committee meeting; if the rows of new semi-mature pleached hornbeams can be planted in an appropriate underground medium, with appropriate drainage, irrigation, surface protection and stem guards, they should be appropriately defended and able to prosper, and provide greater biomass, screening and habitat than the existing trees do. Further comments from the landscape officer will be sought in advance of the meeting.
- 8.22 To the south these new trees will provide substantial screening from the King Street apartments and soften the concrete facade. To the north such hedging offers a new and effective boundary to New Court, creating a natural enclosure to the courtyard which has to date been open to the car park; in combination with the link through the new building to Old Court the residents around New Court will have much more privacy and amenity for their apartments facing into the landscaped space and play area. In a practical sense the hornbeams are individually easier to maintain than the lime and sycamore, and are also more user-friendly for car parking.
- 8.23 Other planting includes low-level planting within the area between the extension and the King Street building, new planting alongside Manor Road, the semi-mature tree in New Court, new planting around the cloister in Old Court, and box hedging around the perimeter of the first floor study garden. The latter, proposed as a screen and natural buffer setting to the first floor study garden, is also subject to concern of the landscape officer; again, the applicant is seeking to address this by proposing alternatives for the meeting.

8.24 In revising the car park the materials include granite block pavers across the central car park area, with car park bays identified. The main surface will remain loose gravel within a containment grid, and an identifiable walkway of larger slabs, although some revision may be needed to ensure a level pathway of solid material is available to those with restricted mobility. Precise details of all the landscaping will be agreed by condition, as will appropriate arboricultural method statements to confirm the precise details of the tree protection and methods of construction around the trees. Landscaping and bird and bat box conditions will ensure appropriate quality and stature of replacement planting to enhance biomass and the variety of planting across the whole site, and encourage further wildlife. Subject to these conditions the scheme will offer more biodiversity and biomass than what the existing site contains, and for a longer lifespan than would be currently expected, and will improve the range of biodiversity. As such I consider the proposals to be in accord with Local Plan policies 3/4, 3/7, 3/11, 3/12 and 4/4.

Third Party Representations

8.25 I have addressed the issues raised in representations relevant to the listed building consent, as listed below, in the paragraphs indicated in the following table.

Objections raised:	Paragraphs:
Loss and masking of library's architectural assets.	8.3 and 8.10.
Design does not respect character or context.	8.7 – 8.14.

Regarding the amendments (responses to new issues only):

Concerns raised:	Response:
What is the precise change to the extensions?	The extension remains as close to the Malcolm Place residents as was previously shown, but the height of the roofs is reduced by a 0.31m reduced height of the ridge of the middle and northern-most gables, and a 0.20m reduced height of the ridge of the southern-most ridge (ie closest to King St).
The proposals are not consistent	Listed building and tree issues are

with the original aims of Bishop Westcott when he founded the College.	addressed above. The College business plan is not a planning consideration.
The proposals are not consistent with Westcott House's 2011 Ministry Council's Inspection Report which advocates protecting the site.	Listed building issues are addressed above. The College business plan is not a planning consideration.
Adjustments are not extensive enough.	The revisions have improved the scheme.
A flat roof with a fascia gable would be more appropriate instead.	The proposal must be considered only on the basis of the current design proposed, the listed building impacts of which are acceptable.

9.0 CONCLUSION

9.1 The development proposal represents an innovative response to the site constraints and an effective solution to underused and unsightly brownfield land. The design successfully preserves the vast majority of fabric of the listed building and makes sensitive and complementary additions which also allow its assets to be appreciated from within the development. The scale and mass maintains an appropriate relationship to the neighbours and uses careful techniques to minimise the impact on amenity to an acceptable level. Further, by taking a holistic approach to the way the site is experienced, impact from the loss of significant trees within the site is more than outweighed by the replacement planting and refurbishment of the site area.

9.2 Overall, the scheme meets the objectives of the National Planning Policy Framework and complies with the relevant policies of the 2006 Cambridge Local Plan, and as there are no significant material considerations felt to outweigh the benefits of the plans, the proposals should be approved subject to the recommended conditions.

10.0 RECOMMENDATION

10.1 APPROVE planning application 15/1217/FUL at Westcott House, Jesus Lane, Cambridge, CB5 8BP, and grant planning permission subject to the following conditions:

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to secure a high quality of development with minimal and acceptable intervention on the listed buildings.

3. No new windows shall be constructed in either the extension or in the existing listed building, nor shall existing windows be altered, until drawings at a scale of 1:10 of details of new or altered sills, lintels, jambs, transoms, and mullions have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building. (Cambridge Local Plan 2006, policy 4/10).

4. The new access link through the existing window from the library into the new extension hereby permitted shall be created and finished in accordance with drawing PA09-DD-SK08 date: August 2015 "New Library Entrance" received 20/08/15, together with information on page 16 of the submitted Design & Access Statement.

Reason: To minimise harm to the special interest of the listed building and to ensure a high quality new development. (Cambridge Local Plan 2006, policy 4/10).

5. The new access link through the existing cloister arch into the new cloister extension hereby permitted shall be created and finished in accordance with drawing PA09-P-125 Revision A date: October 2015 "New Cloister Opening", and in accordance with the sample details of stone surround materials and detailed design to a scale of 1:10, to be first submitted to and approved in writing by the local planning authority. Further, the window and surround removed from the arch shall as far as is practicable be relocated and reused within the development in accordance with details to be first agreed in writing by the local planning authority.

Reason: To minimise harm to the special interest of the listed building and to ensure a high quality new development. (Cambridge Local Plan 2006, policy 4/10)

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 02/12/15

WARDS: ALL

PLANNING ENFORCEMENT REPORT UPDATE

SUMMARY	Planning Enforcement update
RECOMMENDATION	That the Committee notes the information contained in the report

1 INTRODUCTION

This report provides an update on the work of Planning Enforcement team.

2 PLANNING POLICY, LEGAL AND OTHER CONSIDERATIONS

2.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

2.2 National Planning Policy Guidance states:

Para 17b-003: 'There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control'.

2.3 Officers investigating breaches of planning control are mindful of, and comply with the Planning Enforcement Policy and the City Council's Corporate Enforcement Policy.

2.4 In recommending and pursuing enforcement action, officers give consideration to the Human Rights Act 1998 and to the Equality Act 2010.

3 STATISTICS RELATING TO PERFORMANCE TARGETS

3.1 The Planning Enforcement Policy sets out the categories of complaints that are dealt with by the Planning Enforcement team.

3.2 The targets for the team to assess whether there is a breach and advise the complainant of their intended actions are:

- Category 1: Target for site visit within 3 working days from receipt of the complaint.
- Category 2: Target for site visit within 5 working days from receipt of the complaint.
- Category 3: Target for site visit within 15 working days from receipt of the complaint.

3.3 **Statistics for 2015 (1st January to 31 October)**

In the period between 01/01/2015 and 31/10/2015, a total of 343 complaints were received by the Planning Enforcement Team 222 of which have been investigated and closed.

A further 107 pre - existing investigations have been closed in this time period.

Target response times

71% of Category 1 complaints were visited within the 3 working day target.

59% of Category 2 complaints were visited within the 5 working day target.

62% of Category 3 complaints were visited within the 15 working day target.

- 3.4 Officers responded to with 64 Premises Licence applications and 36 requests for information about proposed alterations by tenants to Cambridge City Council properties.

Officers also checked Building Control applications and licences issued by Environmental Services for any works or changes of use that may require planning permission.

3.5 Enforcement Notices served

Enforcement Notices	
Operational Development	5
Material Change of use	3
Breach of Condition	1
S215 condition of land	1

3.6 Intended Entry Notices served

Notice of Intended Entry	
To gain entry to a property	2

3.7 Planning Contravention Notices (PCNs) served

PCNs	
Notices requiring information	15

3.8 Enforcement Notices that have been complied with June to Oct

Officers have confirmed that the following enforcement notices which have been complied with between 01/06/15 and 31/10/15:

Operational Development

Land to the rear of 91/93 Burnside

Section 215 Notice

49 Woodlark Road

3.9 Results of Appeals against Enforcement Notices

43 Aberdeen Avenue - dismissed

591 Newmarket Road – dismissed

4 UPDATE ON ENFORCEMENT CASES

4.1 The following case summaries have been compiled to provide members with information and updates on investigations where formal enforcement action has been initiated.

4.2 Material change of use of 136 Perne Road

On 11 September 2014 East Area Committee authorised the service of an enforcement notice for the creation of a separate residential planning unit and the stationing of a mobile home for permanent residential use at 136 Perne Road.

On appeal the Inspector found the enforcement notice to be flawed and invited the City Council to withdraw the notice and reissue it under s. 171B (4)(b) TCPA 1990.

On 16 July 2015 the Council's urgency powers were used to withdraw the enforcement notice.

On 7 October 2015 Planning Committee authorised the service of a revised enforcement notice in respect of 'the material change of use of the land to a mixed use comprising a single dwellinghouse and land used for purposes incidental thereto and use for the stationing of a mobile home occupied as a separate unit of residential accommodation'.

On 13 November 2015 the enforcement notice was served on the owner of 136 Perne Road and all those with an interest in the land.

4.3 Material change of use of 4 Laburnum Close

On 20 February 2002 an enforcement notice requiring the owners of the land to stop using a caravan that had been brought onto the land for residential accommodation and to remove the dividing fence in the garden of 4 Laburnum Close.

In August 2010 a second caravan was brought onto the land which then became used for residential occupation (instead of the original caravan).

In 2014 the original caravan was removed from the land, therefore the enforcement notice had been partially complied with. Although the dividing fence remained in place, it benefits from permitted development rights and therefore compliance with this requirement was not pursued.

On 10 September 2012 a further enforcement notice was served requiring the land owner "To remove the residential caravan that was brought onto the Land on 20/08/10 permanently from the Land."

On 4 June 2015 Cambridge Magistrates Court the owners of the land pleaded guilty to the offence of failing to comply with an enforcement notice under Section 179 of the Town and Country Planning Act 1990 (as amended).

Officers have confirmed that the residential caravan that was brought onto the Land on 20/08/10 remains in place and in use.

On 14 October 2015 letters were sent to the owners of the land advising that a prosecution for the continuing offence of failing to comply with the Enforcement Notice under section 179(6) is being considered by Cambridge City Council.

4.4 Operational Development at 8 Richard Foster Road

On 16 September 2013 members of the South Area Committee refused a retrospective planning application to 'Provide roof and roof lights over upper floor terrace, convert car port to playroom and provide storage in entrance lobby (retrospective)' at 8 Richard Foster Road on the Accordia site.

On 7 May 2014 the Planning Enforcement Service used their delegated authority to serve an enforcement notice in relation to works which have failed to gain approval by means of a retrospective application for Planning Permission.

Officers noted that there had been an error made in relation to the process followed in issuing the planning enforcement notice and so on 15 October 2014 the Notice was withdrawn by the Council.

Officers intended to take further formal enforcement action in respect of the works to the car port and roof terrace at 8 Richard Foster Road.

4.5 Breach of condition at 107 Darwin Drive

In August 2006 planning approval was granted for 'Change of use from single family residential space to community house for the Bangladeshi community, including residential space for key worker.' Reference 06/0473/FUL.

Planning Enforcement received allegations that the condition restricting number using the premises was not being complied with and following confirmation of the breach a Breach of Condition Notice was served on 23 June 2010.

Officers have undertaken monitoring of the Community House during key periods throughout 2011, 2012, 2013, 2014 and 2015 to check compliance with condition 5 and the other conditions attached to the planning permission for the property.

Officers have not witnessed any breaches of condition that would warrant formal enforcement action.

In September 2015 officers advised the complainant and the Shah Jalal Islamic Centre that they were considering closing the investigation.

Further alleged breaches of planning control have been reported to the Council and the case currently remains open.

4.6 Condition of land at 49 Woodlark Road

A Section 215 (S215) notice requiring improvements to be made to the condition of the land and property at 49 Woodlark Road, Cambridge was served on 19 November 2014. The notice was not complied with as required and a report requesting authority to prosecute for non-compliance with the notice was granted at the Planning Committee in March 2015.

In June 2015 Planning Committee agreed that prosecution proceedings be delayed in light of the improvements that had been made to the property.

On 25 September 2015 officers visited the property and noted that further improvements to the condition of the land had taken place and a further site meeting has been arranged for 25 November 2015 to check the condition of the land.

Officers will provide a verbal update to members on the findings of that visit.

4.7 Illegal advertisements on Kings Parade

On 5 November 2014 Planning Committee delegated authority to officers to serve notices under Section 225 and 225A of the Town and Country Planning Act 1990 (as amended) to remove illegally displayed signs and the associated structures (flag banners) used for the display of the signs for punt tours on Kings Parade.

The legislation provides that Notices served under Section 225 and 225A of the Act only relate to specific signs and structures. Once the relevant notices had been served and effective, officers removed the specified signs and structures.

Officers are aware that since the removal of the flag banners, further, different types of signs advertising punt tours are being displayed illegally in the Kings Parade area. As the Notices specified the signs and referenced them pictorially, the Notice does not give powers to remove the more recently displayed (different) signage.

In the light of this, officers are mindful that the use of the powers under Section 225 and 225A of the Act may not be the most effective measures to address the advertisements currently displayed illegally on Kings Parade in the long term. Officers are working with other Council departments to address the problem of illegal punt tour signage in the central area. The City Centre Accessibility Study will

also look at an integrated approach to tackling signage in the central core area of the City Centre.

5 RECOMMENDATIONS

5.1 That the Committee note the contents of this report.

6 IMPLICATIONS IN RELATION TO THE RECOMMENDATION

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - None
- (c) **Equal Opportunities Implications** - None
- (d) **Environmental Implications** - None
- (e) **Community Safety** - None
- (f) **Human Rights** – None.

APPENDICES: None

BACKGROUND PAPERS: Planning Enforcement Policy and the City Council's Corporate Enforcement Policy

The contact officer for queries on the report is Deborah Jeakins on extension 7163.