



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, 26 January 2016

Date: Wednesday, 3 February 2016
Time: 10.00 am
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**
Major Planning Applications
Start time: 10am

- **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 (*Pages 7 - 24*)

To confirm the minutes of the meeting held on 2nd December 2015.
January Minutes to follow.

Appendix 1 for Full Details of Central Government Planning Guidance

Part 1: Major Planning Applications (10am)

5 15/1683/FUL - DEPARTMENT OF CHEMISTRY LENSFIELD ROAD
(*Pages 35 - 78*)

6 14/1905/FUL - 64 NEWMARKET ROAD (*Pages 79 - 214*)

7 15/1652/FUL - TRUMPINGTON PARK AND RIDE (*Pages 215 - 224*)

Part 2: Minor/Other Planning Applications 12.30pm

8 15/1499/FUL - BRETHERN MEETING ROOM, RADEGUND ROAD (*Pages 225 - 236*)

9 15/1879/FUL - 3 BARTON ROAD (*Pages 237 - 280*)

10 15/2063/FUL - LAND REAR OF 268 QUEEN EDITHS WAY (*Pages 281 - 322*)

11 15/2235/FUL - 171 HILLS ROAD (*Pages 323 - 330*)

- 12** **15/1673/FUL - 15 WHITEHILL ROAD** (*Pages 331 - 344*)
- 13** **15/1686/FUL - 106 WULFSTAN WAY** (*Pages 345 - 360*)
- 14** **15/1421/FUL - LAND ADJACENT TO 4 GRANTCHESTER ROAD** (*Pages 361 - 386*)
- 15** **15/1826/FUL - 56 KIMBERLEY ROAD** (*Pages 387 - 398*)
- 16** **15/1848/FUL - 58 ARBURY ROAD** (*Pages 399 - 422*)
- 17** **15/1865/FUL - 317 HILLS ROAD** (*Pages 423 - 450*)
- 18** **15/2087/FUL - 3 ST MARGARETS SQUARE** (*Pages 451 - 458*)

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.

**Facilities for
disabled
people**

Level access to the Guildhall via the Peas Hill entrance.

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

Accessible toilets are available on the ground and first floor.

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

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

**Queries on
reports**

If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

**General
Information**

Information regarding committees, councilors and the democratic process is available at <http://democracy.cambridge.gov.uk/>

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PLANNING

2 December 2015

12.30 - 5.20 pm

Present:

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

Officers:

City Development Manager: Sarah Dyer

Principal Planner: Tony Collins

Principal Planner: Lorraine Casey

Environmental Quality & Growth Manager: Jo Dicks

Environmental Health Officer (University): Greg Kearney

Planning Enforcement Officer: Debs Jeakins

Planner: Michael Hammond

Planner: Rob Parkinson

Planner: Amit Patel

Planner: Elizabeth Thomas

Planning Assistant: Mairead O'Sullivan

Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL**15/219/Plan Apologies**

Apologies were received from Councillor Hipkin. Councillor Holland was present as the alternate.

Councillor Dryden expected to arrive late as he was attending another meeting in his role as the Mayor. Councillor Blencowe (Vice Chair) acted as meeting Chair to open the meeting.

15/220/Plan Declarations of Interest

Name	Item	Interest
Councillor Tunncliffe	15/222/Plan	Personal: Knows the Applicant's Representative.
Councillor Holland	15/225/Plan	Personal: Knows the Objector.

Councillor Blencowe	15/227/Plan	Personal and Prejudicial: Tenant of 16 Ferndale Rise. Withdrew from discussion and room, and did not vote
Councillor Smart	15/232/Plan	Personal: Knows the Applicant.

15/221/Plan Minutes

The minutes of the meeting of the 4 November 2015 were agreed and signed as a correct record.

15/222/Plan 15/1653/FUL - Dept of Chemistry

The Committee received an application for full planning permission.

The application sought approval for the relocation of the existing liquid nitrogen (LN2) tank, Denios unit and cycle parking facilities, and scheme of archaeological investigative works.

The Principal Planner referred to the amendment sheet that listed a change to the original recommendation. The revised recommendation was for approval, previously it was for refusal.

The Principal Planner tabled three documents:

- i. A memorandum from the Environmental Health Team setting out a consultation response.
- ii. A copy of the Objector's speaking notes, which the Principal Planner had been asked to circulate.
- iii. An addendum to the planning amendment sheet setting out revisions to Conditions 6, 7 and 11; plus two new/additional Conditions 15 and 16.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following specific concerns:

- i. The proposed location of the storage tank. Suggested it should be located on the other side of the present car park.
- ii. The new storage tank would displace bikes from their current location and so subject residents to noise nuisance.

- iii. Safety.
- iv. The opportunity to amend the unattractive site design had been lost as the concerns raised in Newtown Conservation Area Appraisal (published 2012) had not been addressed.

The Applicant's Representative addressed the Committee in support of the application.

The Committee:

Unanimously resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out on the amendment sheet, and subject to the conditions recommended by the officers on the amendment sheet (as amended by the additional sheet tabled at Committee).

Change of Meeting Chair

Councillor Dryden joined the Committee and took the Chair.

15/223/Plan 15/1704/FUL - 49 Barrow Road

The Committee received an application for full planning permission.

The application sought approval for a replacement dwelling on the site following demolition of the existing building.

The Committee received a representation in objection to the application from a Barrow Road resident.

The representation covered the following concerns:

- i. The property would over look his garden.
- ii. The property would be visible and overbearing.
- iii. Sense of enclosure and loss of light.
- iv. Loss of privacy.

Ms Burton (Applicant's Agent) addressed the Committee in support of the application.

The City Development Manager proposed an amendment to the Officer's recommendation that Officers would be given delegated authority to put in a condition regarding flood risk.

This amendment was **carried nem con**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the amended conditions recommended by the officers that delegated authority be added condition recommended by City Council Drainage Officer as follows:

Prior to commencement of development a Flood Risk Assessment (FRA) should be provided to and agreed in writing with the local planning authority. The FRA should include details of flood resilient construction and appropriate flood plain mitigation.

Reason: To prevent an increased risk of flooding to existing property (Cambridge Local Plan 2006 policies 8/18).

15/224/Plan 15/1194/FUL - Jubilee House 3 Hooper Street

The Committee received an application for change of use.

The application sought approval for 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.

Councillor Smart proposed an amendment to the Officer's recommendation to include a car club informative.

This amendment was **carried unanimously**.

Councillor Blencowe proposed an amendment to the Officer's recommendation that:

- Condition 5 included a Refuse Management Plan.
- An informative be added to Condition 5 regarding the needs of the occupants of Celtic House to be considered in the context of the proposed Management Plan for refuse collection.

These amendments were **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the amended conditions recommended by the officers.

Amendment of condition 5 as follows:

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 shall include a management plan for refuse collection 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.

Additional informative:

INFORMATIVE: In submitting details for discharge of condition 5, the Council expect the needs of the occupants of Celtic House to be considered in the context of the proposed Management Plan for refuse collection.

Additional informative:

CARCLU The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

15/225/Plan 15/1623/FUL - 64 Glebe Road

The Committee received an application for full planning permission.

The application sought approval for demolition of single storey dwelling and erection of 5 new dwellings.

The Principal Planner referred to amended conditions relating to the Highways Authority and access. She also said that the addresses of two people who had made representations were missing from the Officer's report, although their representations had been summarised in it.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following concerns about the application:

- i. Height.
- ii. Visual dominance.
- iii. Overlooking.
- iv. Challenged comments made by the Highways Authority.
- v. Distance between the proposed building and existing neighbours.
- vi. Bin drag distances were a previous reason for refusal. The proposed Management Plan to address concerns was unenforceable. Refuse (collection) arrangements were still a concern for existing and proposed residents, as was the agreement residents were expected to sign regarding bin collection arrangements.

Mr Hanlon (Applicant's Agent) addressed the Committee in support of the application.

Councillor Moore (Queen Edith Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Referred to a 50 signature petition reflecting local residents' concerns.
- ii. Representations summarised in the Officer's report showed concern about the proximity of the application site to neighbours.
- iii. Other specific resident concerns:
 - a. Bin collection arrangements.
 - b. Light pollution.
 - c. The proposed access would be located close to an area of development, an accident black spot and busy cycle route; which made it an additional risk to cyclists and children.

- d. Existing parking issues would be exacerbated. A Local Highway Improvement Grant had already been given to the area due to Highway Authority concerns.

The Committee:

Unanimously resolved to defer to the application enable the impact of the development on two adjacent residential annexes to be addressed.

15/226/Plan 15/1409/OUT - 55-57 Alpha Terrace

The Committee received an application for outline planning permission.

The application sought approval for the erection of three dwellings, including ancillary access arrangements, on land to the rear of nos.55 and 57 Alpha Terrace.

The Principal Planner stated the Officer’s report contained a typographical error on P125, where “not” had been omitted:

<p>Increase in cars entering/ exiting proposed access road will aggravate traffic congestion.</p>	<p>The proposal is likely to increase vehicle movement along Alpha Terrace. However, this level of intensification from the three dwellings is likely <u>not</u> to be significant enough to have a material impact on the area.</p>
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The Principal Planner proposed an amendment to the Officer’s recommendation that Condition 9 be amended as follows:

- 9. Two 2.0 x 2.0 metres visibility plays shall be provided as shown on drawing no.PL02 re A by TPA. ~~The plays 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.

This amendment was **carried unanimously**.

The Committee received a representation in objection to the application from a resident of Alpha Terrace.

The representation covered the following issues:

- i. The design was out of character with the area.
- ii. Referred to measurements in the drawing pack plan and queried if the current ones were accurate as he thought they were inaccurate in previous plans.
- iii. The proposal would exacerbate existing traffic flow, parking and access issues.
- iv. Expressed concern about bin collection arrangements.

Mr Proctor (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the amended conditions recommended by the officers.

Amendment of condition 9 as follows:

9. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on drawing no.PL02 re A by TPA. 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.

15/227/Plan 15/1518/FUL - Land Rear of 16 Ferndale Rise

Councillor Blencowe withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee received an application for full planning permission.

The application sought approval to erect a new single storey dwelling.

The Committee:

Unanimously resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

15/228/Plan 15/1245/FUL - 75 Histon Road

The Committee received an application for full planning permission.

The application sought approval for erection of 1.5 storey, 2 bedroom dwelling following demolition of existing garage to the rear of 75 Histon Road.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

15/229/Plan 15/1834/FUL - 1 Nuffield Road

The Committee received an application for change of use.

The application sought approval for change of use of dwellinghouse to a house in multiple occupation (HMO) including conversion of garage to accommodation.

Mr Smith (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Resolved (by 7 votes to 1) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

15/230/Plan 15/1656/FUL - Corner Histon Road/Huntingdon Road

The Committee received an application for change of use.

The application sought approval for 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.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

15/231/Plan 15/1580/FUL - 5 Braybrooke Place

The Committee received an application for retrospective planning permission.

The application sought approval for a single storey lean-to structure at the side of the house.

The Committee received a representation in objection to the application from a resident of Braybrooke Place.

The representation covered the following concerns regarding the lean-to:

- i. Materials out of character with the area (referred to Planning Policy 3/4).
- ii. Poor design (referred to Planning Policy 3/12).
- iii. Guttering would encroach onto neighbour's land and may lead to flooding.
- iv. Unacceptable form of development in the site context.

Mrs Skruzmane (Applicant) addressed the Committee in support of the application.

Councillor Ashton (Cherry Hinton Ward Councillor) addressed the Committee about the application.

The representation covered the following concerns:

- i. The Applicant could not see the lean-to, but it was visible from the road and out of character with the area.
- ii. The resident of 4 Braybrooke Place raised no objection to the principle of erecting a storage space, but now objected due to the design/materials used. Raised no objection previously as no design details were available.
- iii. The lean-to was erected without planning permission, then retrospective permission was sought after construction.

- iv. A poor choice of materials was used for the lean-to, which was expected to deteriorate over time, and so be further out of character with the area.
- v. Re-iterated that the resident of 4 Braybrooke Place had no objection to the principle of erecting a storage space at 5 Braybrooke Place, but objected to the design and materials used in this structure.

The Committee:

Resolved (by 4 votes to 4 and on the Chair's casting vote) to reject the officer recommendation to approve the application.

Resolved (by 7 votes to 0) to refuse the application contrary to the officer recommendations for the following reason:

By virtue of the design and materials of the extension, it would result in a form of development that would be out of keeping with the character of the existing house and harmful to the streetscene and character of the immediate area. The proposal is therefore contrary to policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan 2006.

15/232/Plan 15/1588/S73 - 184 Kendal Way

The Committee received an S73 application.

The application sought approval 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.

Mr Smyth (Applicant) addressed the Committee in support of the application.

Councillor Sarris (East Chesterton Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. The Applicant was in a difficult situation. Building work had been affected by structural difficulties that were not spotted in old plans. He was trying to accommodate his neighbour's concerns in the current application.
- ii. Amendments to aesthetics (changed from previous applications) should be acceptable. The design was similar to those given permission in neighbouring streets.
- iii. There was no objection on aesthetic grounds from neighbours, although this was the recommended reason for refusal from the Officer.

- iv. Asked the Committee to show flexibility. Building work was on hold whilst S73 permission was being sought, so the structure was open to the elements.

The Committee:

Resolved (by 6 votes to 1) to reject the officer recommendation to refuse the application.

Resolved (unanimously) to approve the application contrary to the officer recommendation. The application is for variation of condition therefore other conditions remain relevant.

Change of Meeting Chair

Councillor Dryden left the meeting to attend to Mayoral duties and Councillor Blencowe took the Chair.

15/233/Plan 15/1217/FUL - Westcott House

The Committee received an application for full planning permission.

The application sought approval for a proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. The proposal incorporated a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.

The Planner proposed the following amendments to the recommendation in his report:

- i. Amendment to condition 14, to delete text proposed in the Officer's report and replace it with revised text set out on the amendment sheet.
- ii. Additional conditions 28-30 to reflect Conservation Team comments (details below).

The amendments were **carried nem con**.

The Committee received a representation in objection to the application from a resident of Malcolm Place.

The representation covered the following issues:

- i. Took issue with the proposal to remove trees from the site.

- ii. Expressed concern about the character of the area if the Sacristry building of the Westcott House Chapel was demolished. Residents objected to the loss.
- iii. Residents did approve of the proposal to use the site in some way for teaching.

The Applicant's Representative addressed the Committee in support of the application.

Councillor Gillespie (Market Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Raised no objection to the proposal in principle, but expressed concern regarding the loss of the Sacristry building.
- ii. Referred to objections listed in the Officer's report. These did not reflect the strength of feeling about the proposal.
- iii. Residents had raised concern about loss of light, view and privacy for people in the flats. Also the proximity (to others) and height of the flats. Asked for the roof to be reduced in height, or the application be refused if this did not happen.
- iv. Felt that it would have been helpful to have more information about light levels in the Officer's report, this would have made the consultation process easier.

Councillor Bick (Market Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Welcomed the development in principle but took issue with the design.
- ii. This was an intensification of site usage in a residential area.
- iii. The proposed library building design respects the design of neighbouring historic buildings, but the flats did not.
 - a. The flats were too close in proximity to neighbours in Malcolm Place.
 - b. Took issue with the designation of rooms in the top floor of the library building.
- iv. Took issue with the proposal to remove trees and replace them with car parking spaces. Asked for the trees to be kept and a more robust Travel Management Plan to replace the car parking proposal.

- v. The Malcolm Place courtyard had existing amenity issues, these would be exacerbated by overlooking from the proposed library terrace. Westcott House should provide amenity space elsewhere.

The Committee:

Resolved (by 6 votes to 0 with 1 abstention) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers as amended below:

Amendment to condition 14, to delete that proposed and replace with the following:

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:

- (i) Details of the underground planting medium for the pleached hornbeam trees, which shall not include the use of a concrete ring for root containment, but which shall provide use of a continuous trench for planting. Where the trench runs under hard paving/parking areas, the surface parking/hard paving shall be supported with a below-ground structure to prevent compaction of the rooting area;
- (ii) Details of the planting design and precise locations of the trees in relation to New Court and car park positions;
- (iii) proposed finished levels or contours;
- (iv) means of enclosure;
- (v) car parking layouts, other vehicle and pedestrian access and circulation areas;
- (vi) hard surfacing materials;
- (vii) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
- (viii) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports);
- (ix) 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, and to ensure the loss of trees within the site is mitigated through the successful establishment of suitable replacements. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

Additional condition 28 as follows:

Prior to the removal of any existing foundations and prior to any excavation or construction of new foundations/piles, a system of monitoring the nearby listed buildings/structures for movement shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. Should movement outside the agreed parameters be detected, work on site will cease and the Local Planning Authority and structural engineers will be notified immediately. Thereafter the monitoring shall be undertaken in accordance with the agreed details.

Reason: To protect the adjacent buildings from harm (Cambridge Local Plan 2006 policy 4/10).

Additional condition 29 as follows:

No development shall commence until details of the planting screens to be provided around the first floor roof terrace hereby permitted have first been submitted to and approved in writing by the local planning authority. The proposals shall be capable of providing appropriate screening to the south and west and 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; an implementation programme; and a maintenance schedule.

Reason: In the interests of visual amenity and to ensure that suitable screening for protecting residential amenity is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12)

Additional condition 30 as follows:

Any damage caused to the listed building whilst undertaking works forming part of the development hereby permitted shall be repaired within three months in accordance with details to be first approved with the local planning authority.

Reason: To protect the listed buildings from harm (Cambridge Local Plan 2006 policy 4/10).

15/234/Plan 15/1218/LBC - Westcott House

The Committee received an application for listed building consent.

The application sought approval 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.

The Planner proposed additional conditions 6 and 7 to the recommendation in his report:

This amendment was **carried nem con**.

The Committee:

Resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the amended conditions recommended by the officers.

Additional condition 6 as follows:

Prior to the removal of any existing foundations and prior to any excavation or construction of new foundations/piles, a system of monitoring the nearby listed buildings/structures for movement shall be submitted to and approved in writing by the Local Planning Authority.

The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. Should movement outside the agreed parameters be detected, work on site will cease and the Local Planning Authority and structural engineers will be notified immediately. Thereafter the monitoring shall be undertaken in accordance with the agreed details.

Reason: To protect the adjacent buildings from harm (Cambridge Local Plan 2006 policy 4/10).

Additional condition 7 as follows:

Any damage caused to the listed building whilst undertaking works forming part of the development hereby permitted shall be repaired within three months in accordance with details to be first approved with the local planning authority.

Reason: To protect the listed buildings from harm (Cambridge Local Plan 2006 policy 4/10).

Councillor Holland left after the vote on this item.

15/235/Plan 6 Monthly Planning Enforcement Update Report

The Officer's report provided an update on the work of Planning Enforcement team.

The Committee were recommended to note the contents of the report.

The Committee:

Unanimously resolved (6 votes to 0) to accept the officer recommendation to note the contents of the report.

The meeting ended at 5.20 pm

CHAIR

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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)

Application Number	15/1683/FUL	Agenda Item	
Date Received	10th September 2015	Officer	Mr Tony Collins
Target Date	10th December 2015		
Ward	Trumpington		
Site	Department Of Chemistry Lensfield Road Cambridge CB2 1EW		
Proposal	Extension to the Department of Chemistry, to provide for additional academic research space, associated landscaping, infrastructure and other works (Chemistry of Health Building).		
Applicant	Chancellor, Masters and Scholars, University of Cambridge		

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 an extension to an existing University academic building in this location is in accordance with local plan policy <input type="checkbox"/> The scale, massing, materials and design detail of the proposal relate well to the site context <input type="checkbox"/> The replacement of an unattractive car park area by a well-landscaped courtyard would enhance the conservation area. <input type="checkbox"/> Mature trees lost will be appropriately replaced
RECOMMENDATION	APPROVAL

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 The application site itself lies to the south of the main Chemistry building, between the Centre for Molecular Informatics (CMI) to the west, and the Cambridge Crystallographic Data Centre (CCDC or 'Crystallography') to the east. The space between these two buildings has until very recently, been used as a car park.
- 1.3 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.
- 1.4 A line of trees runs along the western and northern edges of the Chemistry site. These trees are the subject of Tree Preservation Orders.
- 1.5 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.
- 1.6 The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks consent for the erection of a southward extension to the Department of Chemistry to create a Chemistry of Health Centre. The Centre would provide new specialised laboratories, analytical facilities, offices and meeting rooms. It would house the Centre for Protein Misfolding Diseases (CPMD) which would accommodate research on Alzheimer's disease, Parkinson's disease, and type II diabetes. It would enable research scientists from industrial partners and start-ups to work alongside staff from the University and collaborating institutions. It would also house a Molecular Production and Characterisation Centre, which would support in-house and UK-wide academic and industrial users.
- 2.2 The extension would occupy a large part of the area south of the main Chemistry building which is currently used for car parking. Visually, the building would be made up of two parts:
- A western laboratory section, square in floorplan, filling the full depth of the site between the delivery access route immediately south of the Chemistry building and the footway on Union Road. This section would be of three storeys with an extensive plant enclosure above this in the rear part of the site. The ground floor of this section would be clad in a brick close in appearance to that used on the CMI building to the west. The main 'box' above this on the first second floors would be clad in copper shingles.
 - An eastern section, housing offices and meeting rooms. This section would be L-shaped in footprint, abutting the 'copper box' on its eastern side, and surrounding the west and north sides of a new landscaped courtyard facing Union Road. This section would be of two storeys, with a smaller plant area above this at the rear
- 2.3 The table below shows the heights above ground of a number of key elements of the proposed building, and of elements of the surrounding buildings.

Proposed extension	
'copper box' western section	16m
western section rear plant enclosure	20m
flues and other plant protrusions	20.9m
eastern section parapet	11.6m
eastern section rear plant enclosure	15m
new oak tree at full height	13m
Existing buildings	
CMI eastern section parapet	10.2m
CMI western section parapet	14m
Crystallography parapet	15.8m
Crystallography plant enclosure	21.2m
Main Chemistry building roof	23.3m
Main Chemistry flues	30.4m
existing lime trees (approximate)	14 and 16m

2.4 All the trees within the car park area to the south of Chemistry at present, including the two large limes at the eastern edge, close to Crystallography, would be felled. The landscaping of the new courtyard would include a new large 'focus' tree at the eastern end (pin oak: *quercus palustris*) and three smaller multi-stem trees along the north edge of the Union Road footway (rowans: *sorbus aucuparia*).

2.5 The application is accompanied by a Design, Access and Heritage Statement, which includes the following supporting information.

- Arboricultural Impact Assessment
- Archaeological Assessment
- Ecology Assessment
- Drainage Statement
- Land Contamination Assessment
- Noise Impact Assessment
- Public Art Delivery Plan

- Sustainability Statement
- Transport Assessment
- Travel Plan
- Ventilation Statement
- Utilities Statement
- Retaining Structures Statement

2.6 Additional and revised information has been provided as follows.

10 th 2015	September	revised cycle parking provision
28 th 2015	September	revised Drainage Strategy (version 02)
6 th 2015	October	Transport Assessment
13 th 2015	October	further revision of the Drainage Strategy (version 03)
3 rd 2105	November	further revision to cycle parking provision
3 rd 2015	November	additional transport information
22 nd 2015	December	significant design changes, with new drawings and photomontages

2.7 The design changes submitted on 22nd December 2015 followed a review by the applicants after comments had been made on 6th and 7th October 2015 by Design Panel and the Urban Design and Conservation team. Draft design changes were submitted on 28th October 2015, and discussed with officers at a meeting on 28th October.

2.8 The December submission showed significant additional development from the draft scheme. The main changes were:

- Complete removal of the perforated screen from the south elevation of the laboratory 'box'
- Alterations to fenestration of south elevation
- Introduction of reconstituted stone coping to parapet
- Reconfiguration of entrance area, including elimination of central pillar and introduction of signage placeholders

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
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
15/1653	Relocation of liquid nitrogen tank, Denios unit and cycle parking facilities	Approved with conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 3/14 3/15 4/4 4/11 4/12 4/13 4/16 7/5 8/2 8/3 8/6 8/9 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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Planning Obligation Strategy (March 2010) Public Art (January 2010)
Material Considerations	Arboricultural Strategy (2004) Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Cambridge Walking and Cycling Strategy (2002) Cambridgeshire Design Guide For Streets and Public Realm (2007) Buildings of Local Interest (2005) New Town and Glisson Road Conservation Area Appraisal (2012)

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 comment (14th September 2015)

6.1 Requires Transport Statement.

Second comment (10th December 2015)

6.2 It is noted that the Dept. of Chemistry has 88% of staff travelling by non-car modes.

6.3 Information supplied indicates the proposal will result in an additional 105 trips in the peak hours and an additional 390 trips over the whole day. The highway authority is concerned that this will result in an increase in the already high number of collisions and resulting cyclist casualties at the Lensfield Road / Trumpington Road / Fen Causeway junction. The applicant is asked to contribute J26,925 towards the County Council's planned safety-based scheme at this junction in order to reduce collisions. A Travel Plan is also required.

Third comment (30th December 2015, following amendments))

6.4 No additional comment.

Environmental Health

- 6.5 Acceptable subject to conditions to control: construction hours, construction deliveries, construction noise, dust, contaminated land, plant insulation and lighting impact.

Urban Design and Conservation Team

First comment (6th October 2015)

Scale and massing

- 6.6 Overall approach stepping down to 3 and 2 storeys in the southeast corner around the entrance forecourt is supported. Stepped height of the building together with the setback around the edge of the forecourt maintains a degree of separation between the CMI and Crystallography buildings either side and reduces the scale of the proposed building from views looking north along Bentinck Street.
- 6.7 Overall height is acceptable but concerned that the projecting 'copper box' element may appear prominent from street level views and create a canyon effect along Union Road. Vital that the copper box appears as a lightweight element to reduce its prominence along Union Road.

Elevations and material treatment

- 6.8 Proposed palette of materials supported and has the potential to relate well to the neighbouring research buildings: red/orange facing bricks, copper cladding, grey window frames and louvre panels and colour coated steel/aluminium louver cladding for the plant level.

Laboratory projection/'copper box'

- 6.9 Concerned that the treatment of the side elevations of the 'copper box' creates a heavy and prominent appearance from oblique street level views given that it projects forward of the south elevation of the CMI and CCDC buildings either side. Further detailed design of the treatment of the 'copper box' is needed to reduce its prominence and ensure that the box reads as a lightweight addition.

- 6.10 Further details of the perforated cladding cassettes needs to be provided. Increasing the number of perforations, for example, could help the box appear more lightweight and less prominent from street level views. The treatment of the soffits/underside and fastening structure of the overhang of the 'copper box' also needs to be confirmed.

Main entrance & south elevation

- 6.11 Concerned that the orientation of the entrance at 90° to S elevation reduces the legibility of the building from Union Road. Doors should be positioned on the south elevation between the brick pillars. Details of signage placeholders required.
- 6.12 Vertical slot windows and brick recesses are supported and relate to the existing brick recesses on the CMI and CCDC buildings. Full height vertical slot windows are proposed for the 1st floor laboratory corridor. A similar approach is needed for the ground floor corridor.
- 6.13 The brick-on-edge course proposed for the roof copings is not supported. An alternative coping which relates better to the roof copings on the CMI and CCDC buildings is needed.
- 6.14 Conditions required to control details of access gates adjacent to the CCDC building and fire exit adjacent to the CMI building.

Roof access

- 6.15 Arrangements for roof maintenance must avoid the need for handrails and other 'clutter' that could undermine the simple and unbroken parapet lines.

Forecourt and landscaping

- 6.16 Width of forecourt occupies approximately half of Union Road site frontage and provides a 'green break' between proposed Chemistry of Health and CCDC buildings when looking east and west along Union Road. Position of courtyard also responds to key views looking north from Bentinck Street.
- 6.17 Welcome removal of car parking shown at pre-app stage this approach which improves the overall quality and appearance of the courtyard space.

6.18 Concerned that crane access will have an impact on the proposed single large tree in the centre of the entrance plaza; it should be relocated further west to avoid this problem.

Conclusion

6.19 Overall approach supported. However, 'copper box' element on the laboratory block has the potential to appear overly prominent from street level views. Development of design of the copper box is needed to ensure that it forms a lightweight addition.

6.20 In addition, the following are needed before officers could support the application:

- Details of underside/soffits and fastening structure of copper box;
- Repositioning of main entrance doors to south elevation to improve legibility;
- Recessed window to the ground floor laboratory corridor;
- Replacement of brick on-edge parapet copings;
- Details of roof access and maintenance arrangements;
- Relocation of courtyard tree;

Second comment (11th January 2016)

Copper box detail

6.21 The proposed amendments to the south (Union Road) elevation are supported. The bulk and prominence of the 'copper box' is reduced. The copper cladding should be conditioned and a sample panel erected on site.

6.22 Other amendments to the south elevation include moving the slot windows between the 'box' and brickwork at first floor level away from the copper box. The window is instead shown as a punched slot window within the brickwork, with a similar punched window (serving the corridor) at ground floor level. The size and spacing of the punched slot windows at ground floor level below the copper box has been reviewed in relation to the slot windows and cladding pattern above. These amendments are acceptable.

Parapet detail

- 6.23 Recon stone coping, flush with the brickwork is now proposed, which matches the coping on the adjacent CMI building. This is supported. The colour and profile of the copings will need to be agreed as part of a material condition.

Entrance detail

- 6.24 Accept the technical reasons why the entrance doors could not be relocated to the south elevation which include providing a safe means of escape from the existing transformer and substation and the location of the high voltage cable route.
- 6.25 Revised drawings propose to remove the central brick pier beneath the covered entrance and introduce a grey metal fascia (300mm deep) below the brickwork lintel to the opening. We support these amendments which improve views of the back wall and the entrance doors from Union Road and also improves circulation around the covered entrance. The introduction of the metal fascia frames the entrance opening and provides a place for signage which further improves the legibility of the building.

Tree position

- 6.26 Tree position acceptable; species needs to be agreed with landscape colleagues as part of a relevant planning condition.

Roof access and maintenance

- 6.27 Man-Safe is acceptable

Conclusion

- 6.28 The submitted amendments have addressed previous concerns; scheme is now acceptable in design and conservation terms.

Senior Sustainability Officer (Design and Construction)

- 6.29 A number of measures have been incorporated into the scheme as follows:

- While the scheme is no longer utilising the bespoke solar shading screen on the south elevation to reduce the risk of overheating, the use of deep window reveals and an enhanced glazing specification on the south elevation has been included to reduce excessive summer solar gain;
- Achievement of BREEAM 'excellent' for the scheme;
- The use of areas of green roof on the link bridge;
- The use of phase change material to act as a thermal buffer and assist with night cooling of the building, with provision made for secure night time ventilation to facilitate night cooling;
- The consideration given to climate change adaptation, and the inclusion of a Climate Resilience Study;
- The provision of natural ventilation to offices and meeting rooms within the eastern section of the building with natural ventilation louvres proposed to be incorporated into the window openings;

6.30 These measures are all supported.

6.31 The scheme uses a hierarchical approach to reducing carbon emissions, an approach which is fully supported. It is proposed to utilise photovoltaic panels for renewable energy, which will be located on the existing CMI Building. These panels are predicted to lead to a 14.87% reduction in emissions. This approach is fully supported as it exceeds the minimum requirements of Policy 8/16.

6.32 It is unclear whether the recent changes to the scheme have led to any changes in the energy strategy for the scheme. For example, whether there is a need to increase mechanical cooling to some parts of the building or whether additional lighting will be required to offset any changes as a result of the enhanced glazing specification. If it is not possible to obtain this information prior to determination, then a planning condition is suggested, which would require an updated energy strategy to be submitted.

6.33 Conditions required on renewable energy and BREEAM.

Access Officer

6.34 Good application. A platform lift on the stairs in the link corridor would be desirable.

Head of Streets and Open Spaces (Tree Team)

(Comments made at the time of application 15/1653 for enabling works)

- 6.35 15/1683/FUL, while a separate application, is part of the development proposals at the same site. This application does require the removal of all trees within the site as seen from Union Road. The loss of these trees, and especially the two mature Limes that are a prominent feature will have a significantly detrimental impact on amenity.
- 6.36 Should case officers be satisfied that there are demonstrable public benefits accruing from the proposal which outweigh the current and future amenity value of the trees and grant permission for the applications, replacement tree planting must be required as part of the landscape proposals. Accommodation must be made for the planting of at least one large tree to replace the Limes.

Head of Streets and Open Spaces (Landscape Team)

First comment (1st October 2015)

- 6.37 Green roofs on corridors will be too much in shade to be successful. Queries about tracking of service vehicles. Replacement tree in courtyard too close to line of access for vehicles. Also, conditions required to ensure appropriate tree and climber species, tree and planting pits and boundary treatment.

Second comment (26th November 2015 following amendments and additional information)

- 6.38 Scheme now supported subject to conditions.

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

First comment (6th October 2015)

- 6.39 Locating most of parking in Area 4 is problematic because it is not covered. Some spaces are too close together. It would be

better to expand cycle parking area 3. There should be more visitor spaces in the new courtyard.

Second comment (19th November 2015)

6.40 4 visitor spaces in the courtyard is inadequate. Suggest 8 spaces minimum are required off Union Road.

Cambridgeshire County Council (Flood and Water Management)

First comment (30th September 2015)

6.41 Object. No surface water strategy.

Second comment (12th January 2016)

6.42 Now acceptable. Condition required to secure implementation of surface water strategy.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

First comment (21st September 2015)

6.43 Could potentially increase flood risk by formalising currently inadequate drainage infrastructure within the car park. Cambridge Strategic Flood Risk assessment also requires a minimum of 20% reduction in peak flow leaving site (calculated on actual flows leaving the site).

Second Comment (18th January 2016)

6.44 Content with revised scheme.

Anglian Water

6.45 Requires condition to ensure acceptable surface water strategy

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.46 Previous consultation between police and architects to ensure appropriate security measures. No further comment. No objection.

Cambridgeshire County Council (Archaeology)

- 6.47 Scheme of investigation already submitted and approved. Condition necessary to ensure submission of results.

Design and Conservation Panel: Meetings of 10th June 2015 (prior to submission of the planning application) and 7th October 2015

- 6.48 The conclusions of the June Panel meeting were as follows:

Site plan and perspectives

- 6.49 The Panel commented on the lack of engagement with the site in the scheme as presented. They questioned the accuracy of the site plan provided, the poor site photographs and lack of analysis of the surroundings. There was also felt to be a lack of consistency between the easterly and westerly perspective views

Site options analysis

- 6.50 Although the Panel understand the constraints and necessary linkages in function and activity with the main Chemistry building, they queried whether a wider site search had been undertaken. The Panel asked whether the viability of the nearby car park could have been examined in greater detail as the proposed site seems very tight. With activity increasing on the West Cambridge site, the Panel also questioned whether there was sufficient flexibility built into the design to allow for a future change of use should the department re-locate. Some assurance was provided regarding these issues.

South elevation to Union Road (projecting cladding/solar shading)

- 6.51 The Panel expressed strong reservations on the design and functionality of the proposed solar shading screen. Projecting significantly over the pavement at head height, the Panel felt the cladding would create an awkward space underneath for passing pedestrians and it would likely become a litter trap. The need for solar shading at lower levels was also questioned, as was the use of copper that could be vulnerable to either accidental damage or vandalism at this level.

Unilever (CMI) and Crystallography buildings

- 6.52 These two buildings by Sorenson and Zibrandtsen are regarded as examples of exceptional architectural achievement. It was felt this new, demonstrative addition to the street needed to be more recessive to avoid crowding its crisp, well-disciplined neighbours. Whilst the courtyard configuration of the scheme appears appropriate, the building elevations appear poorly conceived for this context.

Trees

- 6.53 The Panel note that a survey to establish the value of the trees earmarked for removal is currently underway. Any loss of trees within this area would need to be justified. Specific concern was expressed regarding the proposed new mature tree to the east and the impact of a tall crane on its overhanging canopy.

Courtyard element

- 6.54 The planted courtyard is an important element along this 'urban canyon'. Opportunities to extend the route across Union Road from Bentinck Street, possibly with a pedestrian crossing, should be explored. On-going dialogue with plans for The Stephen Perse Foundation opposite is encouraged.

Conclusion

- 6.55 The Panel felt there was an absence of consideration for its context throughout the scheme. This is shown, not only in terms of the loss of trees, but with its Union Road façade appearing dominant and oppressive on a street already known for its

narrow pavements. The building, as designed, appears as a poor second to its more refined neighbours. Significant further work is needed before this proposal can be said to either preserve or enhance the character of the Conservation Area.

6.56 JUNE VERDICT – RED (5) AMBER (3)

6.57 The changes made after the June presentation, before the submission of the planning application, were broadly welcomed by the October Panel meeting. Detailed comments made were as follows:

Union Road façade scale and massing

6.58 The Panel expressed particular concern about the experience of the pedestrian walking along past this façade. Although the stepping back of the elevation to align with the CMI is an important improvement, this is still a large building on a relatively narrow street. Future development on the Perse Foundation site opposite is likely to contribute even further to an oppressive ‘canyon’ effect, particularly during the winter months. Street views into the building and an active façade at street level would be encouraged. Better street lighting is also suggested to help enliven the elevation and improve safety.

Perforated copper screen

6.59 The Panel questioned the impact of the metal screen on the streetscape. In oblique views from street level, the patterning and sense of it as a shading screen would currently be lost as it is an integrated plane to the solid form of the building. If the screen is to be appreciated as transparent, the clearer expression of its function would be, for example, to continue the perforations around the return corners. It was generally felt that this was potentially an element that could be seen as an empty gesture. The Panel would encourage the design team to reconsider both its environmental function and impact on the street frontage. A more modest solution to shading this south-facing fenestration might also mean that the new façade would better reflect the simplicity of the neighbouring buildings.

Clarity of expression

- 6.60 Seen as a relatively low key building positioned between the more demonstrative CMI and Crystallography buildings, the Panel felt the multiplicity of textures and shapes and the use of various materials to define volumes jarred with the coherence of its neighbours along Union Road. The Panel would like to call for greater clarity of architectural expression of the various elements, as it was felt that the various parts of the building struggled to tie together as a coherent single entity. The Panel also queried how dominant some of the plant elements at roof level might be when seen from the street.

Courtyard and cycle parking

- 6.61 The importance of the courtyard is central to the scheme. It will act as valuable sunlit breakout space and a welcome green insertion in a tight street environment. Further detail is needed with the emphasis on high quality, robust landscaping with minimal cycle storage.

Future adaptability

- 6.62 Particularly in the context of the potential future redevelopment of the Chemistry Faculty, this building should be designed now for adaptive reuse.

Conclusion

- 6.63 The designers have responded well to the comments made last time with considerable improvements made despite the constraints of the site. Concerns remain regarding the expression and detailing of the copper screen and the clear architectural articulation of the different volumes. Within the presentation material, the two neighbouring buildings attributed to Sorenson are described as neither listed nor noted as 'of interest' in the Conservation Area. The designers are reminded that this position could change in the future and should include this among their considerations. Qualitative improvements that need to be made that at this stage could be subject to planning conditions.

- 6.64 **OCTOBER VERDICT – GREEN (4), AMBER (4)**

Disability Consultative Panel: Meeting of 29th September 2015

- 6.65 Panel praised the high quality Access Statement submitted with the application.
- 6.66 Some re-orientation within the WC cubicle would allow for both left and right handed transfer. Communal spaces need induction hearing loops. Accessible parking bays are needed for disabled staff, students and visiting lecturers.

7.0 REPRESENTATIONS

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

33 Brookside
1 Brookside Lane
12 Panton Street
35 Panton Street
57 Panton Street
3 Pemberton Terrace
16 Russell Court
2 St Eligius Street
2 Saxon Street

- 7.2 The representations can be summarised as follows:

Principle of development

- Department should be moved elsewhere in the city
- Overdevelopment

Design and context

- Excessive mass
- Chemistry department already a blot on the landscape
- Adverse impact on the conservation area
- Detract from the terrace in Panton Street
- Dwarf Annesley House
- Tunnel effect in small street
- Will shade existing building
- Nitrogen tank should be accommodated within building
- Loss of open space

- Loss of breathable space

Highways

- Increased traffic

Environmental health

- Noise from extractors

Procedural issues

- Application should not have been separate from that for nitrogen tank
- Insufficient consultation of neighbours
- No engagement with Perse School about possible shared surface in Union Road
- No timescale for development given

Others

- May be insufficient power available
- Damage to buildings from piling
- Possible accidental release of disease

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. Public Art
4. Renewable energy and sustainability
5. Amenity of neighbouring users
6. Highway safety
7. Car and cycle parking
8. Third party representations

9. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 Policy 7/5 permits further development of University of Cambridge faculty sites in the central area if this allows improved facilities, a reduction in car parking space, improvements to the external environment and better use of land. This scheme creates new research space in an area until very recently occupied by car parking spaces. There would be a reduction in openness, but the courtyard space retained would in my view be of higher quality, and contribute more positively to the quality of the conservation area than the existing car park.
- 8.3 In my opinion, all four criteria above are met by this scheme. There is no conflict with local plan policy in the retention or expansion of the Department in this location, and the principle of the development is acceptable and in accordance with policy 7/5 of the Cambridge Local Plan 2006.

Context of site, design and external spaces (and impact on heritage assets)

- 8.4 In my view, the proposed extension, in its amended form, would respond well to its context in terms of scale, massing and materials. It would remain clearly subsidiary to the main Chemistry building; its scale would relate harmoniously to the parameters established by the neighbouring CMI and Crystallography buildings; and it would have an appropriate relationship with the street, which would be enhanced and enlivened by the quality of the proposed courtyard, and the relatively open and active frontage of the proposed extension.
- 8.5 The principal design criticisms levelled at the proposed building in representations are that it is too large for its context, that it will create a 'canyon' effect in Union Road, and that the open space which it will fill is important to the character of the area, and should not be lost. I do not consider any of these to be well-founded. The table in paragraph 2.3 shows that the scale of the building would be in line with that of its neighbours on either side (the CMI building and Crystallography), and would be very much subsidiary to the main Chemistry building when seen from Bentinck Street.

- 8.6 I accept that Union Road is a narrow street. The building opposite the proposed extension on the south side of the street has three storeys to the eaves below a substantial pitched roof. The Stephen Perse Foundation has permission to erect a new four-storey building alongside this, which would partially face the proposed building, but mainly face the CMI building. In my view, however, the narrowness of the street and its flanking by buildings of some height are part of the character of Union Road, and I do not consider these elements to create any negative impact. I do not consider that the additional visual restriction in the street created by the proposed building would be unacceptable.
- 8.7 The existing open space to the south of the Chemistry building is not attractive. It is used for car parking and it is backed by ground level plant. The Newtown and Glisson Road Conservation Area Appraisal does not identify it as making any contribution to the conservation area. In my view, the proposed new courtyard, whilst only half the size of the existing space, would make a positive contribution to the character of the conservation area, and the quality of both Union Road and Bentinck Street would be improved by the insertion of the proposed development between the street and the existing Chemistry building. The loss of the two mature lime trees, which do make a positive contribution to the townscape here, is regrettable, but in my view, this loss is outweighed by the overall benefits of the scheme, and I do not consider that the two trees should constrain this development. A large replacement tree is proposed, and it is my view that in time, the positive impact of the new tree would be greater, both in Union Road, and from Bentinck Street, than that of the two existing trees. I have sought, but not yet received, advice from the arboricultural officer on the appropriateness of the tree species, but this issue is in any case covered by my recommended condition 23.
- 8.8 The copper shingles selected to clad the laboratory 'box' section of this proposal have been selected deliberately to form a contrast to the two different red bricks used on the CMI and Crystallography buildings (The former is a darker red brick with some variegation, the latter a more uniformly coloured orange-red brick). The remainder of the elevations would be covered in a brick similar to CMI. In my view, these are appropriate choices which would give the new extension its own identity, but at the

same time lend coherence to the three buildings as a harmonious group.

- 8.9 Both Design Panel and the urban design and conservation team had serious reservations about the extent to which the perforated copper screen originally proposed for the Union Road elevation would dominate views along the street. I shared these concerns. The latest amendment to the design has removed the screen from this frontage, leaving windows set in deep reveals in a copper shingle cladding the same as that proposed on the sides of the 'box'. In my view, this amendment, which has the additional benefit of pulling the elevation further back from Union Road, is a major improvement, and addresses the reservations expressed by Design and Conservation Panel reported in paragraphs 6.58, 6.59 and 6.63 above. The urban design team's advice is that the amended version, without the screen, is an appropriate response to the context, and I concur with this view.
- 8.10 I recognize that the building would be used as an extension to the main Chemistry building, and would be accessed primarily through the main Chemistry entrance alongside the Lensfield Road car park. However, I shared the concerns of the Urban Design team that the Union Road entrance to the building should be legible. The applicants have been constrained in their response to this concern by the position of the electricity substation, but in my view, the removal of the central pillar of the south-facing undercroft is successful in opening up this area visually and providing greater legibility to the entrance. It would also increase the visibility of public art if it is located in this position as the applicants currently intend.
- 8.11 I also shared the urban design and conservation team's reservations about the brick-on-edge parapet originally proposed. In my view the revised detailing is an improvement and would respond satisfactorily to the detailing of neighbouring buildings, particularly CMI. Similarly, I concur with the urban design and conservation team's view that the revised fenestration is an improvement.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Public Art

- 8.13 Conditions are necessary to secure submission of a Public Art Strategy. In my opinion, subject to such conditions (22 and 23), 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

- 8.14 The sustainable development officer supports the application. Her advice is that the information submitted with the application shows a carbon saving well in excess of the Council's requirement. She has one reservation: that the recent amendments might result in increased consumption of energy. Her advice is that unless additional information on the impact of the amendments can resolve this concern before the application comes to Committee, a condition requiring a new energy statement is necessary. In my view, subject to such a condition (19) (or the additional information sought by the Sustainable Development Officer), and a further condition (20) to secure implementation, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.15 Disability Panel and the Access officer have both agreed that the proposal has responded well to the needs of disabled users. I recommend an informative to alert the applicants to the three minor concerns expressed by Panel. In my opinion the proposal is compliant in respect of disabled access with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Neighbour Amenity

- 8.16 The application is surrounded on three sides by existing buildings of the Chemistry Department. The Department is presumably content that any impact on the working environment of staff and students and visitors using the existing buildings is acceptable, and in this context I do not have any concern about amenity for such users. Buildings to the west along the north side of Union Road and in Panton Street would be screened from the proposed building by the mass of the CMI building, and

I do not consider that the proposal would have any impact in this direction.

8.17 The building immediately to the south of the site, on the opposite side of Union Road, which is within the Stephen Perse Foundation site, is of three storeys, with additional rooms in the roof. Rooms on the Union Road side of this building, especially on the ground and first floors, would enjoy a less open outlook were the proposed scheme to be constructed, but the application site lies to the north, so there would be no loss of sunlight. In my view, any negative impact would be relatively small, and, given that this is an educational building, not a residential one, I do not consider it would justify refusal of the application.

8.18 I have recommended conditions to limit construction hours (9), to limit construction deliveries (10) and to ensure use of a banksman for deliveries. My recommended Condition 10 prescribes slightly different delivery hours from the standard condition, in recognition of the need to minimise conflicts with school start and finish times. In my opinion, subject to these conditions, the proposal adequately respects the 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.

Highway Safety

8.19 As car parking spaces are to be removed from this area, and motor vehicles will no longer be entering the site from Union Road, there would be fewer motor vehicle movements in Union Road, and a consequent improvement in highway safety. The highway authority is of the view that increased cycle trips to the site as a result of the development would increase the risk of accidents at the Lensfield Road/Trumpington Street junction, and has therefore sought a contribution from the applicant to the improvement of junction safety here.

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

Car and Cycle Parking

- 8.21 The removal of all the existing car parking from this part of the Chemistry site is in accordance with policies 7/5 and 8/10
- 8.22 The cycling and walking officer is of the view that insufficient cycle parking spaces for visitors are provided. However, as I have stated above, the access to this building will be overwhelmingly from the main Chemistry building. Given this pattern of use, I do not consider there to be a basis for seeking to clutter the new courtyard with further cycle parking spaces. The application states that the extension is intended to provide space for existing users who are working in cramped conditions rather than to bring additional users in. Nonetheless, the proposal provides 66 additional cycle parking spaces. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

- 8.23 I have listed the issues raised in third party representations below. In the right-hand column I have either addressed the issue or indicated the paragraph in it has already been addressed.

Department should be moved elsewhere in the city	8.3
Overdevelopment	8.5
Excessive mass	8.5
Chemistry department already a blot on the landscape	The merits or otherwise of the existing building are not at issue in the determination of this application.
Adverse impact on the conservation area	8.4 and 8.6-8.9
Detract from the terrace in Panton Street	8.16
Dwarf Annesley House	8.16
Tunnel effect in small street	8.6
Will shade existing building	8.16

Nitrogen tank should be accommodated within building	A new location for the nitrogen tank has already been granted permission under 15/1653/FUL.
Loss of open space	8.7
Loss of breathable space	8.7
Increased traffic	8.19
Noise from extractors	This issue is covered by the plant insulation condition sought by the environmental health team, which I recommend be applied.
Application should not have been separate from that for nitrogen tank	There is no reason why the enabling works application should not have been considered separately from this application. The local planning authority must determine applications as they are presented.
Insufficient consultation of neighbours	There is no requirement on the applicant to carry out consultation with neighbours.
No engagement with Perse School about possible shared surface in Union Road	There is no requirement on the applicant to carry out consultation with neighbours. Any proposal for a shared surface in Union Road would be a matter for the County Council. It would be an entirely separate issue from this planning application.
No timescale for development given	The planning system does not require the submission of a timescale for development.
May be insufficient power available	This is a matter for the applicant to resolve with UK Power Networks. It is not a planning consideration, unless a new substation is required. In that case, a new planning application would be required
Damage to buildings from piling	This is a civil matter.

Possible accidental release of disease	Biosecurity is covered by other regulatory authorities.
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Planning Obligations (s106 Agreement)

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 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.

Transport

8.26 As I have indicated above, the County Council has sought a contribution to the improvement of junction safety at the west end of Lensfield Road. I have sought confirmation that this scheme will not be funded through pooled contributions from more than five sites, and I will report the County Council's advice on this point to Committee. The County Council also requires a Travel Plan. Subject to the completion of a S106 planning obligation to secure the contribution to highway safety improvements, and a condition (28) to secure the Travel Plan, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

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

9.0 CONCLUSION

9.1 In my view, the amended design responds well to its context and would enhance the conservation area. The extension of an academic department in this location is in accordance with policy and would bring wider benefits locally and nationally.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement and 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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. No construction work or demolition work shall be carried out or plant operated (apart from collections and deliveries) other than between the following hours: 0800 hours and 1800 hours on Monday to Saturday, and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of nearby occupiers and users. (Cambridge Local Plan 2006 policy 4/13)

10. Collections and deliveries to the site during the demolition and construction stages shall take place only between 0900 hours and 1530 hours and between 1700 hours and 1930 hours on Monday to Friday, and between 0800 hours and 1800 hours on Saturday. Deliveries and collections on Sundays, Bank or Public Holidays during the construction and demolition stages shall take place only where prior written approval of the local planning authority has been given for the specific day(s) and time(s) concerned.

For the purposes of this condition, 'collections and deliveries' includes vehicles waiting on the street to deliver to, or collect from the site, in any of the following streets: Union Road, Corporation Street, Bentinck Street, Bentinck Terrace, George IV Street, Panton Street, Pemberton Terrace and Lensfield Road.

Reason: To protect the amenity of nearby occupiers and users. (Cambridge Local Plan 2006 policy 4/13)

11. Deliveries to the site and collections from the site during the demolition and construction phases shall not take place without the use of a banksman.

Reason: To protect highway safety and the amenity of users of Union Road. (Cambridge Local Plan 2006 policy 8.2)

12. 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)

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. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of sound 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.

Reason: To protect the amenity of neighbouring occupiers and users. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

15. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To protect the amenity of neighbouring occupiers and users. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

16. No installation or erection of any of the following materials shall take place on site until details of that material have been submitted to and approved in writing by the local planning authority. Subsequent installation of each of the materials shall take place only in accordance with the approved details.

- (a) bricks
- (b) coping
- (c) copper shingles
- (d) joinery
- (e) plant screen louvres
- (f) fritted and other glass
- (g) cladding, infill and bridge panels

Reason: To ensure appropriate external surface materials are used. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

17. 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, type of jointing 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 the visual amenity of the Conservation Area 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 3/12 and 4/11)

18. No work shall be started on the external elevations of the building until full details of designed locations for signage for the building been submitted to and approved in writing by the local planning authority. Thereafter the development shall be undertaken in accordance with the agreed details.

Reason: To ensure appropriate locations for signage which do not detract from the design of the building or harm the conservation area. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 4/11.)

19. Prior to the commencement of development, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
- a) The total predicted energy requirements of the development, set out in Kg/CO₂/annum.
 - b) A schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme.

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

20. The approved renewable energy technologies set out in the Renewable Energy Statement shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained as and remain fully operational in accordance with the approved maintenance programme.

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

21. All non-residential buildings shall be constructed to meet the applicable approved BREEAM "Excellent" rating as a minimum. Prior to the occupation building, or as soon as practicable after occupation a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2006 policy 8/16 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

22. The building hereby permitted shall not be occupied until a scheme of public art for the site, which shall include a timetable for implementation, has been submitted to and approved in writing by, the local planning authority. The approved scheme of public art shall be implemented in accordance with the approved timetable.

Reason: To ensure appropriate public art. (Cambridge Local Plan 2006 policy 3/7)

23. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of how the Public Art will be maintained;
- How the Public Art would be decommissioned if not permanent;
- How repairs would be carried out;
- How the Public Art would be replaced in the event that it is destroyed;

The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

24. The building shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Hard landscape details shall include paving and ground surfaces, means of enclosure; and seating. Soft landscape details shall include planting plans, written specifications; 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)

25. No work on the external elevations of the building hereby permitted shall commence until there has been submitted to and approved in writing by the local planning authority a plan illustrating tree pit design for all new tree planting. These details shall include all root cell designs in section and plan so that the full extents of the area of root volume provided can be assessed. The details shall also include all other features such as irrigation methods, guying/staking, soil type and quality/quantity, drainage (where needed), tree protection methods, tree furniture, and any other features needed to ensure establishment and continued thriving of the proposed tree. Development shall be carried out in accordance with the approved details.

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)

26. The building hereby permitted shall not be occupied until:

either, a scheme of surface water drainage in accordance with the Ramboll document 'Chemistry of Health Drainage Strategy' revision 03, by Sujal Parikh, dated 5th October 2015 has been implemented in full,

or, an alternative scheme of surface water drainage for the site, which has been submitted to and approved in writing by the local planning authority, has been implemented in full.

Reason: To ensure satisfactory drainage of surface water from the site. (Cambridge Local Plan 2006 policy 4/16)

27. The building hereby approved shall not be occupied until the approved scheme of archaeological work (including codification, summary, submission to the County Council and publication of results) has been completed.

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

28. The building hereby approved shall not be occupied until a Travel Plan for users and visitors has been submitted to and approved in writing by the local planning authority. The provisions of the approved Travel Plan shall be implemented prior to occupation and maintained thereafter.

Reasons: To ensure no adverse impact on the transport network, and to limit pollution. (Cambridge Local Plan 2006 policies 3/1, 4/13 and 8/2)

INFORMATIVE: Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

INFORMATIVE: The application should take into account British Standard BS7258: 1994 Laboratory Fume Cupboards which sets out heights that are required for adequate dispersion.

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: 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.

INFORMATIVE: The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

INFORMATIVE: Electricity substations are known to emit electromagnetic fields. The Radiation Protection Agency has set standards for the release of such fields in relation to the nearest premises. The applicant should contact The National Grid EMF unit on 0845 702 3270 for advice regarding the electric/magnetic fields that are associated with electric substations.

INFORMATIVE: The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/land-pollution.en>. Hard copies can also be provided upon request.

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

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

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Application Number	14/1905/FUL	Agenda Item	
Date Received	5th December 2014	Officer	Mr Toby Williams
Target Date	6th March 2015		
Ward	Market		
Site	64 Newmarket Road Cambridge CB5 8DZ		
Proposal	Demolition of existing buildings and erection of a mixed used development comprising 84 dwellings, circa 152m ² A1-A3 commercial space, and associated access, car and cycle parking, and public realm enhancement		
Applicant	Mr Stephen Walsh		

Update Report: 64 Newmarket Road, 14/1905/FUL

0.0 Introduction

- 0.1 This application was reported to the 6 January 2016 Planning Committee with an officer recommendation of approval. During the consideration of the application, Members of the Committee raised a number of concerns about the proposal. The Committee voted not to accept the officer recommendation of approval and a decision on whether to approve or refuse the application was subsequently deferred because the Adjourned Decision Protocol (ADP) was triggered. The Committee agreed a motion that they were minded to refuse the application for a number of reasons. The City Development Manager advised the Committee that the ADP applied because the risks of refusing planning permission on the basis of the areas of concern expressed by Committee members was greater than low and further investigation of the issues was required. The Committee agreed that a report should be brought back to the next committee meeting to help inform making a decision. This report includes at appendix 1, an update report from BPS Chartered Surveyors (the Council's Viability Consultant) which provides further guidance in relation to the relevance of a recent appeal decision at Islington, land value and comparable sales values.
- 0.2 To ensure safe decision making, members of the planning committee absent from the previous discussion should not take part in the resumed debate. The purpose of the resumed

debate is for Committee to determine if their original minded-to-resolution is still appropriate, should be amended, or whether the original officer recommendation should be followed.

- 0.3 Further analysis is therefore required to understand the policy framework for the potential issues and possible reasons for refusal, to consider any relevant legal advice, relevant appeals and any other guidance available to members to help inform a decision. Officers have also had an opportunity to discuss the issues with the applicants, who have provided a short letter, which summarises their response. This is attached as appendix 2. As part of this assessment, where certain issues are considered capable of becoming reasons for refusal and being defended at appeal, draft reasons for refusal are suggested.

Key Issues

- 0.4 The following issues were raised by Members of the Planning Committee as potentially forming the basis for detailed reasons for refusal:
1. The affordable housing block is, by virtue of its external treatment which contrasts with the rest of the development, not 'tenure blind'.
 2. There is a lack of amenity space/play space to serve the affordable housing units and the development more generally.
 3. Block G is too high in the context of the height of surrounding buildings.
 4. The scheme does not deliver 40% affordable housing.
 5. The renewable energy provisions do not extend to the affordable housing units.
 6. The development is contrary to the Eastern Gate SPD on the basis that it does not provide 'connectivity' with the surrounding parts to the SPD area.
- 0.5 Officers also advise that if Committee are minded to refuse the application, an additional reason for refusal should be added to the decision to address the fact that the necessary mitigation measures have not yet been secured via a section 106

Agreement. The applicant has agreed to enter into such an agreement and it is anticipated that in the event of an appeal it would be possible to negotiate a suitably worded Agreement to address the reason for refusal. Delegated authority would be needed for this. A suggested refusal reason is set out at paragraph 0.55.

Affordable Housing not 'Tenure Blind'

- 0.6 Block H is proposed to be the location of the affordable housing and is shown on the plans as being constructed from a blue glazed brick (variety Das Baksteen) which reflects the use of glazed tiling used on the nearby Co-Operative Society building. Officer's view was that this would provide a high quality and distinctive façade. The use of this brick was not an issue raised by the Council's Housing Officer or the Urban Design and Conservation Team, who were satisfied with the justification for its use. This is an expensive choice of material, would make a bold statement and would not appear as an inferior material to the gault brick proposed in Blocks A-G. The applicants and officers are keen to retain the brick.
- 0.7 However, members of the Planning Committee were not convinced of the arguments for the affordable housing to solely be finished in the blue glazed brick. Adopted policy 3/7, criterion g, states that a factor in creating successful places is the integration of affordable and supported housing in ways that minimise social exclusion. The Council's Affordable Housing SPD (2008) in the design section at paragraph 25 states:

'Design standards for affordable housing should be no lower than for market housing, and the affordable housing should not be visually distinguishable from market housing by its external appearance'.

- 0.8 The affordable housing is to remain solely in Block H. I am of the view that the choice of brick finish of the block could be conditioned to exclude the blue glazed finish. There would be

support for this through policy 3/7(g) and the SPD. Any such condition could read:

‘Notwithstanding the approved plans for Block H, the proposed blue glazed brick Das Baksteen does not form part of the approved materials. Prior to the construction of Block H, revised material details for the proposed brick and a sample board with accompanying mortar mix (to be provided on-site and retained for the duration of works to Block H) to ensure the brickwork is of a similar finish and appearance to Block G, shall be submitted to and approved in writing by the Local Planning Authority. The approved material shall be used in accordance with the approved details.

Reason: To ensure that the provision of Affordable Housing is tenure blind to minimise social exclusion (Cambridge Local Plan policies 3/7 (g) and advice on design within the Council’s Affordable Housing SPD (2008) paragraph 25)’.

0.9 Therefore, in light of the use of a possible condition to tackle the brick finish, I do not recommend that a reason for refusal is advanced for this issue. The applicants are in agreement with this approach. I have asked the applicants to provide a revised image of the scheme with an alternative gault brick finish to show how Block H could otherwise look.

Lack of Amenity Space/Play Space

0.10 All units, whether private or affordable, have been designed with private external amenity space for future occupants.

Above Ground Floor

0.11 Members of Planning Committee specifically raised an issue with regard to the occupants of Block H not being provided with any ground floor or roof level communal external amenity space. This contrasts with future occupants of Blocks F and G, who have access to a communal roof top garden which sits on-top of Block F via a joint circulation core.

- 0.12 Private roof top gardens are also proposed on-top of Blocks A, B, C and E for a limited number of the residents of the market units of the upper floors of these or adjacent blocks. However, the majority of the private units above ground have access only to external balcony spaces of between 6-7sqm, which is a relatively generous sized balcony and would allow meaningful use, such as the provision of a small table and chairs for sitting out.
- 0.13 By comparison, every affordable unit has access to an external space of between 6-7sqm. Amendments to the scheme were specifically carried out to provide more balconies to the affordable units to ensure a parity of provision with the majority of the private accommodation.
- 0.14 Whilst there is no rooftop communal garden proposed for Block H, it would be very difficult to argue that one should be provided, when the majority of units across the site (63%) do not have access to a roof garden. The Council does not have any adopted external space standards that it can rely on that are embedded in either existing adopted or emerging policy. For the affordable units, a good level of usable private external space for the upper floor flats is provided which is directly comparable with the majority of the market provision. The external balcony space provided is in excess of what many other schemes approved in the City have provided, which is often in the form of shallower balconies of typically 1.5m depth and more limited width. For example, the typical depth of balconies on the Cambridge City Football Club site (12/1211/FUL) is 1.5m and the typical area is just below 4sqm. For the application site, the depth of a typical balcony on one of the affordable units is 2m and the typical area between 6 and 7sqm.

Ground Floor Private Space

- 0.15 Nine of the ground floor market units have access to private gardens of various (some limited) depths on the eastern side of Blocks A-G. There is also limited communal private garden space at the rear of these blocks, but it is constrained in depth and narrow.

- 0.16 There is one ground floor unit in Block H. This has access to a semi-private external garden space of 19sqm. There are no other affordable units at ground floor level in Block H because this is mostly taken over by ground floor car parking, cycle parking and circulation space. This contrasts with Blocks A-G which utilise a basement car park which frees up space at ground floor level for apartments.
- 0.17 For Block H, at ground floor level, there is therefore little further opportunity to provide any meaningful semi-private ground floor space of any quality – either private or communal - because of the arrangement of ground floor uses and space is limited. The Council does not have any adopted or emerging private external space standards that it can rely on. The extent of provision for Block H, at ground floor level, could not be reasonably improved. There is not a disparity of treatment between private and affordable provision at ground floor level.

Overall Amenity Space Provision and Play Space

- 0.18 This is a constrained and relatively narrow city centre brownfield site. As noted above, the Council does not have any adopted or emerging external amenity standards that it can rely upon in relation to private space. Neither does policy 3/8 of the adopted local plan and accompanying appendix A *require* either on-site informal space or on-site play space provision. Such provision is dependent upon:
- The size and character of the proposed development
 - The character of the surrounding area
 - The location in relation to existing open space
 - Opportunities for creating or improving provision for children and teenagers nearby (play space only)
- 0.19 It follows, therefore, that the Council is not in a position to specify what level of private amenity space or public amenity/play space provision should be provided.
- 0.20 In order to provide a new street that is actively surveyed by habitable rooms and entrances, the orientation of built form is, as a necessity, onto Severn Place. This has led to limited private amenity spaces to the rear but has helped create a new, high quality and enhanced public realm which improves connectivity in this part of the City. Members should note that

the width of Severn Place (at its widest 12.8m) itself is increased and the space attractively landscaped, which will be of benefit to existing and future residents. It is nevertheless not abundantly wide. There would still be vehicular access available through it (albeit limited) such as to Block H and for refuse collection. It would also serve as a cycle and pedestrian through-route. Together with landscaping, my view is that Severn Place would not be suitable for the provision of play equipment. I have discussed the potential for Severn Place - which is currently adopted highway and which it is proposed to be extended and widened as adopted highway - to incorporate play equipment with the County Council Highways Officer. He has orally indicated to me that play equipment provision within the highway would not be supported as it would not fulfil a highway function. The Highways Officer also expressed doubt that a play area could be safely provided adjacent to a route which would occasionally have refuse collection vehicles using it.

- 0.21 It is also worth examining the issue of informal/play space provision in relation to the Council's Open Space and Recreation Strategy (2011). The site is within Market Ward and the Strategy demonstrates that this ward has ample provision of public open space, including play spaces, compared to other wards. This includes a series of large parks and gardens including Midsummer Common, Parker's Piece, Jesus Green and Christ's Pieces, all of which are a relatively short distance from the application site. Midsummer Common could be accessed via a pelican crossing opposite the site over Newmarket Road. It is only 220m away. Jesus Green and Christ's Pieces both contain play space provision. St Matthew's Piece, off Sturton Street to the southeast, is approximately 350m away by foot and provides informal open space and a play area. It is accessible via the Newmarket Road underpass or via the pelican crossing opposite the Crown Court.

Summary

- 0.22 The provision of on-site private amenity space and member's concerns specifically in relation to Block H but also more generally across the site cannot reasonably be defended on appeal because of the absence of policy support. The lack of provision of informal open space, including play space, does not stand-up well to scrutiny because of generous off-site provision

in close proximity to the site and also because of the low anticipated number of children likely to be living at the site (3 primary and 2 secondary school children) as advised by the County Council. Being able to demonstrate harm through lack of on-site provision for future occupants would be very difficult. Adopted policy 3/8 is of little practical help in specifying what, if anything, should be provided.

- 0.23 I do not recommend that a reason for refusal is advanced for this issue.

Block G Height

- 0.24 Paragraphs 8.26 – 8.38 of the officer report deal with the issue of height, including the height of Block G at 8 storeys (27.8m). Cllr Hipkin expressed concern that this block was not a ‘bookend’ to Parker’s Piece and there was insufficient justification for the height proposed. It is noted that the site is not on the corner of the Elizabeth Way roundabout, unlike Compass House or National Tyres.

- 0.25 The officer report also sets out the findings of the Design and Conservation Panel meeting of 11 June 2014; their most recent assessment of the proposal which specifically considered the issue of height. They stated that:

‘The Panel were most appreciative of the detailed assessment of the tall buildings context in Cambridge and the alternative design approaches explored to evidence the case for the proposed heights of Blocks D and G. The Panel were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. However, despite the presentation of alternative strategies to reduce the building mass of Block D some doubts remained as to its visual impact and prominence.

Conclusion

The Panel accepted the principle of an 8 storey Block G (subject to modifications designed to reduce its mass) and that by a majority vote it was concluded that Block D should be reduced to 6 storeys.’

- 0.26 Notwithstanding officer and D&C Panel advice and the fact that Block G was 'trimmed' to reduce its visible mass and Block D reduced in height, this issue is a matter of opinion and subjective judgement. At the Planning Committee meeting Cllr Hipkin appeared to be more concerned with the immediate impact of Block G rather than longer distance impacts, such as from Midsummer Common. This impact would be seen more generally from East Road, close to the Crown Court.
- 0.27 Cross-sections of the scheme show that Block G (at 27.8m high) would be higher than Compass House which is 15.2m high by a further 12.6m and the Crown Court which is mainly 18.3m high by 9.5m. It would also be higher than the nearby Vue Cinema and significantly higher than adjacent Marino & Florian apartment blocks which are approximately 14.8m high.
- 0.28 The Eastern Gate SPD 2011 (page 45) envisages the Compass House site adjacent to be capable of accommodating between 4 to 6+1 storeys (the +1 being a recessive storey from the pavement edge/shoulder of the main building or alternatively contained within the roof-space). The application site is within the Eastern Gate area but is not specifically referenced in the SPD in terms of its redevelopment potential (page 9). The top floor of Block G does have large cut-out sections forming a part upper floor loggia but it is not recessive from an intervening 'shoulder'.
- 0.29 The site is not within a Conservation Area and harm to the Conservation Areas adjacent, particularly from Midsummer Common, is limited. Nevertheless, if members were minded to pursue this issue, a reason for refusal could be put forward along the following lines:

'The height of Block G, when seen in context with nearby buildings from East Road and its approach roads, would appear excessively dominant in terms of its height, design and subsequent massing. Not being on the corner of Elizabeth Way Roundabout, nor forming a 'bookend' site or properly amounting to a site suitable for a landmark building, the proposed height and its design and massing is therefore unjustified in townscape terms. The proposed upper floors are not recessive and the height is at least two storeys above

the envisaged 'shoulder' height proposed as acceptable in the Eastern Gate Development Framework SPD (20011) for Compass House. The height of Block G would neither form a continuation or reduction of height from the nodal point of Elizabeth Way roundabout either in the current context or proposed future context as set out in the Eastern Gate Development Framework SPD (2011) in the event that the Compass House adjacent was to be redeveloped. The proposed height, design and massing of Block G would be significantly taller than its neighbours and would appear as an anomaly in the street-scene. In so doing Block G would fail to respond positively to its existing context and the proposed development is contrary to policies 3/4, 3/12 and 3/13 of the Cambridge Local Plan (2006).

- 0.30 In summary, if members of Planning Committee are in agreement, a reason for refusal could be reasonably advanced regarding the height of Block G on the basis that there is some policy justification for a refusal of planning permission on this ground. It would be possible to provide some evidence to justify this reason at appeal, therefore the risk that the Council would lose a costs claim are relatively low.

Delivery of 40% Affordable Housing and its Location

- 0.31 Paragraphs 8.3 to 8.18 of the officer report deal with the issue of viability. 21 of the 84 residential units are affordable. This equates to a provision of 25%. The council's affordable housing target is 40%. The NPPG advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. At 40%, the Committee is advised that the scheme is not viable.

- 0.32 Policy 5/5 of the Cambridge Local Plan states:

'Housing developments on sites of 0.5 hectares or more and all developments including an element of housing which have 15 or more dwellings will only be permitted if they provide an agreed mix of affordable housing types to meet housing needs. The Council will seek as affordable housing 40% or more of the dwellings or an equivalent site area. **The precise amount of such**

housing to be provided on each site will be negotiated taking into account the viability of the development, any particular costs associated with the development and whether there are other planning objectives which need to be given priority. The occupation of such housing will be limited to people in housing need and must be available over the long term. Provision will be made on site unless otherwise agreed.'

(My highlights)

0.33 Adopted policy therefore allows for viability issues to be taken into account.

0.34 The Affordable Housing SPD sets out at paragraphs 41 – 45 the circumstances under which a lower level of affordable housing may be justified. The proposal has followed the required steps of the SPD. An independent review by BPS Chartered Surveyors has concluded that a lower level of affordable housing is justified. The Council's Housing Services department has accepted this advice. A 'clawback' clause would be applied to any S106. Members have been independently briefed by Andrew Jones of BPS Chartered Surveyors, who was present at the last Committee meeting and provided advice consistent with his written assessment.

0.35 The NPPF 2012 states:

'Ensuring viability and deliverability

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. **To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'**

(My highlights)

0.36 Viability is therefore a clear material consideration for members of the Planning Committee that must be taken into account.

0.37 Members should also be mindful that this is a brownfield site. The NPPG (paragraph: 026, Reference ID: 10-026-20140306) advises that local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land) and that they should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable. This application is clearly a redevelopment opportunity on a brownfield site.

0.38 The NPPG - which amounts to guidance for the interpretation of the NPPF - also advises on how viability of planning obligations should be considered in decision-taking. It states:

‘In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance...’

(Paragraph: 019, Reference ID: 10-019-20140306)

0.39 Members of Planning Committee did not refer to any alternative evidence to question the viability conclusions flowing from the independent advice provided by BPS Chartered Surveyors at the 6 January 2016 meeting. However, subsequent to the

committee meeting, Cllr Smart has raised two issues. The first concerns the relevance of an appeal decision at Islington Council and purchase land value. The second relates to comparable residential site values, particularly the Brunswick Site and Parkside Place. Further advice from BPS Chartered Surveyors was provided on 18 January 2016 in relation to these issues. This is attached at Appendix 1. The advice note reiterates that in this case, the land value is underpinned by the existing high commercial land value of the site and site assembly given that the land is in multiple ownership. It concludes that the scheme has been fairly priced by reference to relevant market evidence.

0.40 I attach a recent Appeal Decision which considers in the detail how the issue of viability is considered by Inspectors.

0.41 My view is that Members have no reasonable grounds to pursue a reason for refusal based upon the level of affordable housing provision sought.

Other Affordable Housing Matters

0.42 One member of Committee suggested in the meeting that Block H could be increased in height. I have discussed this issue with the applicants. Their reaction is that this would make the scheme less viable and that if this block was to increase in height it would be likely to raise issues of height and also overshadowing issues to Marino House. In any event, it would require a fresh application and members of Planning Committee are being asked to decide on the current application, not an alternative to it.

0.43 Some members of Committee raised concern in the meeting, that the affordable block should not be separately located and that its location was disadvantageous compared to Blocks A-G. There was also some concern that the number of units contained within it was too great.

0.44 The Council's Affordable Housing SPD (2008) sets out, at paras. 23-24, two different approaches to the layout of affordable housing to minimise social exclusion: pepper-potting and clustering. Clustering is referred to the development of affordable housing in groups of between 6 and 25 dwellings. It suggests that for flatted schemes, no more than 12 affordable

dwelling should normally have access from a common stairwell or lift. The advice states that clustering is the usual approach that is followed in Cambridge and affordable housing should be provided in prominent parts of a site to aid integration.

0.45 As set out in the committee report, 21 affordable units are proposed in Block H over 5 storeys. This is less than the maximum cluster size of 25 permitted by the Affordable Housing SPD. Block H only has one stairwell/lift core. The suggested cap of 12 affordable units accessed from a common stairwell/lift has not been rigorously adhered to as part of many new build schemes approved by this Planning Committee, such as the affordable block on the Homerton site 13/1250/FUL or former Cambridge City FC site 14/0790/FUL. The Council's Housing team have not raised an objection to the number of affordable units that would be accessed from the common stairwell and I consider it unlikely that an RSL would see this as an obstacle to the management of the block. Block H is provided in a prominent position on the site. It is subject to the same noise constraints and the same noise mitigation as for Block G adjacent. Its position, on this tightly constrained site, is no more or less disadvantageous than the private blocks.

0.46 Notwithstanding officers' view on the appropriateness of the position of Block H for affordable housing, I have also discussed with the applicants whether all or part of the affordable housing provision could be moved to other parts of the scheme. They have indicated that this would not be fair or reasonable to insist upon and they could not, in any case, alter the location of the affordable housing within the current design because it would give rise to issues of land transfer for a future RSL. The applicants state that this is because an RSL would typically look for a freehold title rather than leasehold and that leasehold arrangements would apply to Blocks A-G because of the underground car park servicing them. I have spoken to Housing Services about this issue and they have confirmed that leasehold arrangements are not necessarily an obstacle to RSL engagement and that it depends on the terms of the lease. I have also discussed whether the basement car park would be likely to give rise to unaffordable service charges for an RSL. The advice I have received is that this would not necessarily be the case. Affordable blocks on CB1 have, for example, been delivered with basement car parking provision and the

affordable housing block on the Homerton site is provided on a 125 year leasehold arrangement.

0.47 However, it is not open to members of the Committee to amend the location for the affordable housing without the agreement of the applicant. In this case the applicant wishes the location of affordable housing units to be in Block H. Officer advice is that this location is not contrary to adopted policy or relevant SPD advice.

0.48 My view is that Members have no reasonable grounds to pursue an increase in height of the affordable block or to pursue a reason for refusal based upon the location of affordable housing relative to the private blocks.

Renewable Energy Provisions

0.49 The applicants have confirmed that all of the units (private and affordable) will be served by the proposed combined heat and power system. I also note that the affordable block (Block H) has a solar pv array shown on the plans on top of its roof. The submitted Sustainability Appraisal confirms this provision.

0.50 The applicants have also checked their full Stage D report, on which the Sustainability Appraisal is based. The report confirms that:

‘The development is proposed to be served by a central heating system which serves all apartments, common areas and amenity areas from a central energy centre. The energy centre will comprise a gas fired Combined Heat and Power unit (CHP).....heat will be distributed throughout the site in the form of low temperature hot water (LTHW) via pipework risers and floor branches to hydraulic interface units within each apartment’.

0.51 It is therefore proposed that all 84 apartments are to be served by the CHP installation. Block H will therefore be connected to and benefit from the CHP system. For the purposes of clarity, I therefore propose to alter condition 14 to read:

‘Prior to the installation of the gas fired combined heat and power system, which for the avoidance of doubt shall serve all 84 units, further information shall be

submitted to and approved in writing by the local planning authority in relation to its technical specification, including emissions standards. The proposed on-site renewable and low carbon technologies shall then be fully installed prior to the occupation of any approved building and remain fully operational and maintained as such. The development shall be carried out in accordance with the submitted Sustainability Statement and Checklist dated 5 December 2014.

Reason: In the interests of sustainability, reducing carbon dioxide emissions and to protect human health (Cambridge Local Plan 2006 policies 3/1, 4/14 and 8/16)'

- 0.52 The applicants have indicated that they are in agreement with this approach. I do not consider there are any grounds to pursue a reason for refusal regarding the proposed renewable energy provision.

Eastern Gate SPD and Connectivity

- 0.53 One member of Committee raised an issue that the proposed development was contrary to the Eastern Gate SPD on the basis that it did not provide 'connectivity' with the surrounding parts to the SPD area.
- 0.54 Severn Place does not currently provide a direct through-route to Newmarket Road. The proposal makes this connection and facilitates pedestrian and cycle access via an enhanced public realm. This accords with the general principles of re-connecting streets and the movement and circulation strategy set out in section 3.2 of the SPD and also adopted policies 3/7 and 8/4.
- 0.55 I recognise also that the SPD identifies 5 projects, including the remodelling of the Elizabeth Way roundabout (project 1) and a remodelling of the St Matthew's Street junction (project 3) to improve pedestrian and cycle movement/safety within the Eastern Gate Area. However, none of the projects have been identified within the current tranche of City Deal projects. There is therefore no certainty that the projects will be delivered and no evidence that a contribution is necessary to grant permission. None of the projects are costed, so they could not

be apportioned to different funding streams or the application proposal. The SPD identifies a broader stream of funding for delivery than just S106 contributions. Notwithstanding viability issues, given the scale of the projects, the developer could not fund a whole project and it would not be reasonable to ask for this. The County Council Transport Team has not requested any funding for any of the SPD projects arising from this development.

- 0.56 I do not consider there are any grounds to pursue a reason for refusal regarding conflict with the Eastern Gate SPD or adopted policy regarding connectivity.

Failure to enter into a S106

- 0.57 In the event that the Committee decide to refuse the application a reason for refusal would have to include provisions relating to S106 matters. These are set out in the original committee report. The reason for refusal would read.

‘The proposed development fails to secure: education contributions to mitigate primary and secondary school impacts arising from the development; contributions towards community facilities and open space requirements/mitigation arising from the occupation of the site; provisions to secure an appropriate amount of affordable housing, including a claw-back mechanism; provisions to ensure land assembly to deliver affordable housing; provisions to secure off-site mitigation of the adjacent restaurant in terms of odour and noise affecting future occupants; provisions to secure a travel plan and relinquishment of parking permits. As such, the proposal is considered contrary to policies 3/8, 5/5, 5/14, 8/2, 8/3 and 10/1 of the Cambridge Local Plan 2006; Cambridge City Council Affordable Housing SPD (2008); Cambridge City Council Planning Obligation Strategy (2010).’

- 0.58 In the event of an appeal, delegated authority is sought to agree a S106 to overcome this reason for refusal.

Recommendation

0.59 It is open to members to consider either:

1: To **APPROVE** the application in light of this further advice and the additional/amended conditions recommended plus those set out in the original officer report and amendment sheet, together with a S106 agreement (including a claw-back clause).

or

2: To **REFUSE** the application for any or all of the issues as set out above and highlighted in the table below. In considering refusal reasons, members should be mindful of the officer advice and the potential for a costs award against the Council should the decision be subject to a planning appeal. If minded to pursue issues 1, 2, 4, 5 or 6 as refusal reasons, members should be clear exactly which policies the proposed development would be contrary to and the harm that would arise;

and/or

3: Additionally or separately, put forward any **FURTHER REASONS FOR REFUSAL** with clear policy reasons and the harm identified.

Issue	Recommendation
1: Not tenure 'blind'.	No reasonable grounds to pursue refusal. Additional condition recommended at paragraph 0.7.
2: Lack of amenity space/play space	No reasonable grounds to pursue refusal.
3: Block G too high	Grounds could be advanced which may have some chance at appeal if there is member agreement on this issue. Suggested reason for refusal at paragraph 0.28

4: 40% affordable housing not provided	No reasonable grounds to pursue refusal.
5: Renewable energy	No reasonable grounds to pursue refusal. Additional condition recommended at paragraph 0.49.
6: Contrary to Eastern Gate SPD	No reasonable grounds to pursue refusal.
7: Lack of S106	Reasonable grounds could be advanced if members agree to refuse the application for other grounds. Suggested reason for refusal at paragraph 0.55.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed buildings are acceptable in terms of scale, massing and design and are in line with the aims of the Eastern Gate Development Framework.</p> <p>The application would secure mitigation measures to ensure that all impacts of the development are dealt with independently and through legal agreement with adjoining owners.</p> <p>The proposals accord with the relevant Local Plan Policies and the NPPF.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located on the southwest side of the Elizabeth Way roundabout at the western end of the area known as Eastern Gate. The site fronts Severn Place to the west, Sun Street/Newmarket Road to the north and East Road to the south.
- 1.2 To the east of the site lies the 3-storey pitched roof office block called Compass House, whilst to the south of the site lies the 5-storey Crown Court on the opposite side of East Road and 4 storey Grafton Shopping Centre and car park 'drum'.
- 1.3 The existing site accommodates four 2-storey pitched roof industrial and warehouse buildings dating from the mid-20th Century (Atrium Fitness Club and retail showroom) as well as a car park adjacent to Sun Street. The western site of the site, on the opposite side of Severn Place is occupied by four 2 storey semi-detached houses (Nos. 1-7 Severn Place).
- 1.4 A number consented and recently constructed residential developments are located immediately to the west of the site on the opposite side of Severn Place including Marino House

(09/0292/FUL), and Florian House (12/0113/FUL) (constructed) and land adjacent to 5 Wellington Court (09/0819/FUL).

- 1.5 The site is located within the study area defined by the Eastern Gate Development Framework Supplementary Planning Document (Oct 2011). The vision for the Eastern Gate study area is articulated through a number of high level strategies (Chapter 3 'Strategies for Change') which consist of 4 key themes: Movement and Circulation; Open Space, Land Use and Activity; Built Form, Scale and Massing, and; Public Art.
- 1.6 The site lies outside of the Central conservation area but the boundary of the site borders the Central Conservation Area on the north side of Newmarket Road. The site lies within the Air Quality Management Area and outside of the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposals seek full planning permission for the demolition of the existing buildings and erection of a mixed used development comprising 84 dwellings, circa 152m² A1-A3 commercial space, and associated access, car and cycle parking, and public realm enhancement.
- 2.2 The proposed scheme seeks to demolish all of the existing building on the site and construct a series of 8 residential blocks fronting Severn Place. Blocks A-G (private) form a series of adjoining blocks with staggered footprints and heights and are located on the east site of Severn Place with a full basement level below.
- 2.3 Block H (affordable) forms a separate block on the west side of Severn Place and occupies the site of the existing 2 pairs of semi-detached houses (Nos. 1-7 Newmarket Road).
- 2.4 There are two ground floor commercial units proposed within Block A and G fronting Sun Street/Newmarket Road to the north and East Road to the south.

2.5 The proposed 84 units results in a site density of 168dph based on a site area of 0.498 hectares. The dwelling mix is as follows:

- 27 x 1 Bed Units
- 45 x 2 Bed Units
- 12 x 3 bed Units

2.6 There are two ground floor commercial units, one at Sun Street which would be 35 sqm and the other at East Road which would be 116.7 sqm.

2.7 The development is split into blocks (A-G) on the eastern side of the development and these vary in height with the lowest block heights being at the Sun Street/Newmarket Road and rising through the site to East Road. Block H is physically separate to the other blocks on the western side of the site and is the affordable housing block.

Block	Height (storey)	Height (metres)	Unit Mix
A	2/3 storey	11.575	1x3B5P, 2x2B4P (3 units total)
B	2/3 storey	10.225	3x2B4P Maisonette (3 units total)
C	5 storey	17.675	2 x 1B2P, 6x2B4P, 1x3B6P (9 units total)
D	6 storey	21.325	1x1B2P, 7x2B4P, 1x3B6P, 1x3B6P Maisonette (10 units total)
E	4 storey	14.45	1x1B2P, 5x2B4P, 1x3B6P (7 units total)
F	5 storey	17.675	10x1B2P, 5x2B4P (15 units total)
G	8 storey	27.815	5x1B2P, 5x2B4P, 6x3B6P (16 units total)
H	5 storey	17.825	8x1B2P, 8x2B3P, 4x2B4P, 1x3B5P (21 units total)

Parking

- Blocks A-G have basement car parking below which is accessed from Sun Street.
- Block H - detached block to the west of the site (5 residential floors internally – some parking at ground floor level)
- Overall there would be 51 Parking spaces and 158 Cycle Spaces provided to serve the development.

2.8 The removal of the existing buildings on the site has also created the opportunity to reconnect Severn Place with Sun Street providing a cycle/pedestrian route between East Road and Sun Street/Newmarket Road avoiding the busy Elizabeth Way roundabout. This area includes landscaping and paved courtyard/circulation spaces. The pedestrian route varies in width from 6.2m at its narrowest point, to 12.8m.

2.9 The application is accompanied by the following information:

- Plans
- Planning Statement
- Design and Access Statement
- Transport Assessment
- Noise Assessment
- Tree Survey
- Overshadowing Study
- Ecological report
- FRA
- Waste Strategy
- Sustainability Statement
- Landscape proposals
- Viability Assessment (Confidential)

2.10 Since the original submission the following amendments have been made to the scheme:

- Re-location and amendments to type of cycle spaces to meet cycle officer's specification;
- Re-location and re-orientation of bins to ensure all are accessible and removable individually;
- In order to increase the visibility of the apartment entrance at GF level in Block H and to meet the recommendations of Cambridge Constabulary Architectural Liaison Officer, the porch size was reduced and the entrance door moved south and closer to East Road;
- Low level external landscaping features have been added to the ground floor plan adjacent to Block H of the development on either side of the vehicular entrance (see drawing 2348_A_GA_00_0101). This serves to remove the point of conflict from the building egress point;
- The design of ground floor external doors has been amended in the revised ground floor plan (see ABA drawing 2348_A_GA_00_0101) and now the doors open inwards (as opposed to outwards) which would eliminate the risk of

pedestrians and cyclists in the shared space within Severn Place colliding with outward opening doors;

- Proposed cycleway on East Road frontage has been amended to a shared surface. The shared surface with no delineation would, by mixing cyclists and pedestrians in a common space, act to encourage cyclists to select a suitable speed for the environment amongst pedestrian users. This should also be less daunting for vulnerable users such as the visually impaired who would now be free to use all the space within the site, without risk of straying into a dedicated cycle route where cycles may be travelling at higher speed;

2.11 The following additional information/clarification has been provided:

- Updated site location plans to clarify the extent of land ownership
- Theoretical zone of visual influence plans
- Updated CGI of the proposals to include the recently constructed flats
- The Applicant has confirmed that they are agreeable to voluntary relinquishing the rights of the site to visitor permits;
- The Applicant has confirmed agreement to carry out enhancement works to the Orchid restaurant's extract system (subject to planning permission for these works and for this application being granted).

2.12 The Council has also secured an independent review of the viability assessment submitted with the application by BPS Chartered Surveyors and this review forms part of the application information and this information is public.

3.0 SITE HISTORY

There is a long and complex planning history to the site relating to its commercial uses, the most relevant planning history relating to applications for residential development of the site are outline below:

Reference	Description	Outcome
07/0081/FUL	Erection of 3 storey mixed use development, ground floor A1 and residential units above (4no.	PERM dated 04.05.2010

	1 bed flats).	
06/1115/FUL	Erection of five storey mixed use development, ground floor A1, A2, A3, A4 or A5 use, and residential units above (8 No. 1 bed flats)	REFU 07.12.2006
C/01/0744	Erection of a 3-storey mixed use development (ground floor retail and residential on the first and second floors)	APC dated 13.05.2002

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	DC Forum (meeting of)	No
	Design & Conservation Panel	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 3/3 3/4 3/5 3/6 3/7 3/8 3/10 3/11 3/12 3/13 3/15 4/4 4/11 4/13 4/14 4/15 4/16 5/1 5/6 5/9 /510 5/14 6/5 6/6 6/8 7/1 7/2 7/3 8/1 8/2 8/3 8/4 8/5 8/6 8/9 8/10 8/16 8/18 10/1

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

<p>Central Government Guidance</p>	<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>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
	<p><u>City Wide Guidance</u></p> <p>Central Conservation Area Appraisal (2011).</p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p>

	<p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cambridge Sub-Region Culture and Arts Strategy (2006)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>The Cambridge Shopfront Design Guide (1997)</p> <p>Modelling the Costs of Affordable Housing (2006)</p>
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	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:</p> <p>Newmarket Road Suburbs and Approaches Study (October 2011)</p>
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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 are of relevance

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Initial comments dated 22.01.2015

- 6.1 CCC submits a holding objection to the planning application – subject to further clarification being provided.

Additional comment No 1

- 6.2 Holding objection maintained: additional comments provided.
- 6.3 The principle of the new pedestrian cycle link between East Road and Newmarket Road is supported. The introduction of bollards at the southern end of Severn Place is not. The

bollards located beyond the current extend of Severn Place and the egress towards Sun Street car park is acceptable in principle. The location and type of bollards needs to be agreed with the County Council.

- 6.4 The permissive right of way for cyclists and pedestrians with through access for service vehicles for the remaining length between the existing public limit of Severn Place and Sun Street car park is acceptable in principle. Appropriate parking regulations will need to be introduced.
- 6.5 Further clarification is required in respect of how the occupancy figures have been calculated from Appendix D. Clarification is also required as to whether the 5 Parking spaces in Block H will be used by the occupants of Block H or Marino Place. If used by residents of Block H then parking for this block is split between two locations, further information is required to explain how this will be managed.
- 6.6 The provision of car parking at a rate of 0.61 spaces per dwelling is agreed as appropriate based on the 2011 Census car occupancy figures for Market Ward.
- 6.7 The analysis of the existing conditions and travel characteristics is broadly acceptable. The speed limit on Newmarket Road should be cited as 20 and not 20mph. Clarification is required as to the survey data supplied in Appendix D concerning whether it was taken in term time and whether the correct location on Newmarket Road has been assessed. Data in tables 4.3 and 4.2 cannot be agreed until further clarification regarding the TRICS data is received.
- 6.8 TA needs to identify distribution of pedestrian and cycle trips generated by the proposed development and to assess the ability of the local pedestrian and cycle networks to accommodate these trips. Tables 7.3 and 7.4 need further clarification.
- 6.9 Travel Plan Framework – request a condition to secure submission of residential travel plan framework.

Additional Comment No 2

- 6.10 The vehicular access to the western block provides no visibility on egress between drivers and pedestrians and cyclists. This could be overcome by provision of landscaping features or street furniture to move the point of conflict away from the building egress point. Several doors are shown as opening outwards.
- 6.11 The applicant should be required to show the extent of the public highway. The cycle lanes lack differentiation from the surrounding landscape surfacing and would be confusing to those unfamiliar with the layout. The cycle land should be in a different surface finish.
- 6.12 During pre-application discussions the developer has been asked to confirm whether they would voluntarily relinquish right of the site visitor permits as well and responded positively, confirmation of this is absent within the submitted documentation.

Additional Comment No 3 (dated 2/09/15).

- 6.13 The Transport Assessment Team can remove its holding objection subject to securing suitable conditions in respect of a residential travel plan and construction management.

Head of Refuse and Environment

Initial comments

- 6.14 Based on the current information refusal of this application is recommended due to waste and recycling concerns as outlined in detail below.

Construction/demolition pollution

- 6.15 Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, I therefore recommend a demolition, construction environmental management plan (DCEMP) condition. The discussed WSP assessment below provides general good practice and recommendations

concerning demolition/construction noise/vibration. A full report will be required.

Noise

- 6.16 WSP have provided a noise impact assessment dated 27/11/14. Each aspect within the report is discussed below.

Traffic

- 6.17 The monitoring period for the Newmarket road façade (MP1) occurred between 25/9/13 1200hrs and 26/9/13 at 0700hrs and obtained a daytime LAeq of 61 dB. The monitoring period did not include the busy morning period of 0700-1000hrs. However, 61 dB at 15m from Newmarket road is representative of the traffic noise climate reported in previous noise assessments on other Newmarket road sites. Section 5.2.8 of the WSP assessment advises on glazing performance. The proposals are reasonable Section 5.2.12 advises that Newmarket Road and East road facade habitable rooms will be provided with MVHR. The installed MVHR units will be required to provide comfort/summer.

Ventilation

- 6.18 Where windows are required to be kept closed to achieve acceptable noise levels inside, a ventilation system is required to provide sufficient comfort ventilation to enable occupants adequate ventilation rates without the need to open windows due to external noise. During warmer weather the ventilation system needs to be able to cope with the need for increased ventilation. This necessitates an increase control for the occupier which may result in elevated noise levels. Acoustic treatment of the extract system needs to be taken into consideration in these cases. It is important to note this is not a request for air conditioning. It is a requirement of adequate ventilation without opening windows due to the local noise climate. It is important to note that Part F requirements for ventilation are separate to the amenity requirements for comfort ventilation. Purge ventilation is generally used for the rapid removal of pollutants such as when painting or in the case of burning food and in many cases is achieved by opening windows Ventilation strategy reports that have been assessed in previous planning applications to appease amenity

requirements recommend 4 air changes per hour within living rooms and at least 2 within bedrooms to achieve comfort ventilation during warmer weather. This is not to be confused with Part F requirements for purge ventilation, as discussed above.

External amenity areas

- 6.19 Section 5.3 of the WSP report advises on external amenity areas and predicted noise levels. It is understood that winter gardens will be provided for units on the East road and Newmarket road facades. This is acceptable.

Site Plant noise

- 6.20 Section 8 of the WSP assessment details noise emission limits for plant. The limits within table 8.1 are acceptable. As residential units are present on site, to protect amenity the plant noise limit will also have to be achieved as measured at habitable room windows. Full details of the plant on site will be required in accordance with the plant condition.

Nearby commercial plant

- 6.21 The site description within section 2.1.2 of the WSP assessment advises that the nearby noise sources include building plant noise. It is required that this is investigated further to assess the impact of nearby commercial plant on the development site. It is requested that a noise assessment be carried out to assess nearby plant in accordance with the principles of BS4142:2014 Methods for rating and assessing industrial and commercial sound or similar. Recommendations in the report to protect the amenity of the proposed residential units from noise associated with the plant should form part of a noise insulation scheme to be submitted for approval and this should be conditioned. If the commercial plant noise precludes the opening of windows to achieve standards including WHO night noise guidelines and BS8233:2014 internal noise levels, mechanical ventilation will be required. It would also be recommended that non-openable windows are incorporated into the facades overlooking the plant. If windows can be opened, even with the provision of mechanical ventilation, future occupants are entitled to instigate statutory nuisance complaint investigations. It would be unacceptable to permit a

development which would allow harm to future amenity of its occupants.

However, should the recommendations include mitigation works to the existing plant which is not in control of the applicant; this may need to be secured by way of a section 106 agreement. The control of noise is preferable more easily achieved at source.

Conclusion

- 6.22 It is recommended that plans are produced indicating the noise affected units/balconies and which will be installed with the MVHR systems and upgraded glazing. Full specification, noise and air change calculations are required for the proposed MVHR systems. I recommend the noise insulation scheme condition to request a full building envelope and ventilation scheme is provided to achieve the above recommendations.

Commercial units A1 A3

- 6.23 The application specifies uses classes A1 A3. This includes shops, hairdressers, profession/financial services and restaurants and cafes.

Opening hours and deliveries

- 6.24 Opening and delivery hours should be restricted to reasonable hours to protect local amenity. I have suggested hours to be controlled by conditions.

Plant noise

- 6.25 Plant noise limits are discussed above within the noise section and will be conditioned via the aforementioned plant noise insulation condition.

Odour

- 6.26 A3 use class includes restaurants and cafes. Odour from the cooking process at the application site has the potential to adversely affect the amenity if not controlled with a carefully designed extract system with various layers of filtration depending on the type/frequency of cooking and proximity to receptors. It is recommended that details are provided in

accordance with Annex B and C of DEFRA guidance on the control of odour and noise from commercial kitchen exhaust systems. Use class A1 includes dry cleaners and hairdressers which may also require odour/fume filtration/extraction I recommend that conditions and informatives to control this be attached to any permission granted.

Contaminated Land

- 6.27 The proposed scheme is for a mixed use development, residential with retail space, with associated facilities (including landscaped areas). The planning application includes a basement car park. Intrusive investigations undertaken at the nearby former Marino House as part of a residential development (ref: 12/0113/FUL) identified increased carbon dioxide concentrations (up to 6.1% v/v); gas mitigation measures were incorporated beneath the buildings.

Phase I Desktop Study

- 6.28 A review of historic maps recorded multiple former and existing industrial units on and off the site including a Bus Depot, a Car Workshop, Engineering Works, Gas Works and Dry Cleaners. Possible presence of a boiler and a storage tank was also noted during the site walkover. Records from the County Council Petroleum Officer also indicated the former presence of petrol tanks offsite in 1939 and 1940. A site-specific conceptual model was constructed in the report. We consider it acceptable. The report confirms that an intrusive investigation should be undertaken, including ground gas monitoring, to assess the possible contamination issues on the site. The scope of works, which would normally form part a) of the contaminated land condition, was not presented.

Additional Comments

- 6.29 It I noted that the application includes a basement. The applicant should be made aware of the possible implications to the design of the basements if the intrusive investigation confirms the presence of ground gases and the need for gas mitigation measures.

Conclusions

- 6.30 The Phase I report has recognised the potential contamination issues on the site and recommends that an intrusive investigation is required to assess the ground conditions. All these issues can be dealt through the contaminated land condition which should be attached to the application if planning permission for the development is granted.

Air Quality

- 6.31 The application is for 84 residential units, 2 commercial units and basement/off street parking with 51 cars (26 more than currently provided). The traffic model indicates some increases in local traffic an additional 328 daily on parts of Newmarket Road and an additional 110 daily on parts of East Road, presumably near the site access points. These figures seem reasonable. An Air Quality Assessment, Severn Place redevelopment 64-66 Newmarket Road, dated 27th November 2014 and produced by WSP has been provided in support of this application.

Operational Phase

- 6.32 The site is in the Air Quality Management Area. The modelling reported in the air quality assessment predicts a small increase in annual mean concentrations, 0.1 microgrammes per cubic metre, of Nitrogen Dioxide at roadside locations in the vicinity of the application site. The modelling did not predict a measureable increase in Particulate Matter. The proposed development itself is set back from both Newmarket Road and East Road, so the impact of levels of nitrogen dioxide on potential residents at the site are not of concern.
- 6.33 However, there is a small impact on air quality in the Air Quality Management Area, which is contrary to Local Plan Policy 4/14. The cumulative impact of small increases in emissions from new developments and intensification of use in central Cambridge has a negative impact on public health; mitigation is required to offset or reduce this impact. No mitigation is proposed in the Air Quality Assessment, although I note that the number of car parking spaces is less than maximum permitted

- 6.34 The Transport Assessment has one relevant mitigation proposal a Residential Travel Plan. A Residential Travel Plan delivered by a proactive Travel Plan Manager is proposed to reduce car travel and increase travel choices for the development; this should be secured via planning condition and be in place prior to first occupation. The Residential Travel Plan recommends Car Club Scheme is considered. This is an ideal site for a car club it is recommend that an allocated parking space is provided for a car club vehicle and that this should be secured by condition.
- 6.35 It is recommended that an appropriate level of S106 funding is secured towards local infrastructure improvements that will have a positive impact on air quality and public health.

Waste Strategy

- 6.36 On page 18 of the Waste Strategy the document, point 4.5.4 states "In order to allow each waste container to be individually accessed and removed by residents, a clear space will be provided between and around containers and walls." This needs clarifying as residents cannot remove these bins. It should be possible to remove any individual bin without removing any other bin(s).
- 6.37 Rationale for using 660 litre bins for recyclables and 360 bins for compostables is not understood. Recommend using 1100 litre bins for recyclables as then fewer will be needed. The 360 litre bins do not appear to be correct within the plans in terms of size and orientation.
- 6.38 More detail is required regarding access for the vehicles and tracking is required for the site.
- 6.39 The sizes of the bins for block A and B look different from the bins drawn for block B. The sizes require checking.
- 6.40 The plan does not include a designated area for the collection of the basement bins. This needs to be added and a check made that there is sufficient space for all refuse bins one week and then all recyclables and compostable waste the following week. Provision needs to be made for the larger space required. It is recommended the outstanding waste details are provided prior

to determination of this application. If this is not achievable then refusal of this application is recommended until the waste concerns can be addressed.

Revised Comments dated 27/08/15

Waste strategy

Original comments from waste strategy, and revised comments in bold:

- 6.41 On page 18 of the Waste Strategy the document, point 4.5.4 states "In order to allow each waste container to be individually accessed and removed by residents, a clear space will be provided between and around containers and walls." This needs clarifying as residents cannot remove these bins. It should be possible to remove any individual bin without removing any other bin(s).

Bins moved around to address this

- 6.42 The rationale for using 660 litre bins for recyclables and 360 bins for compostables is not clear. Recommend using 1100 litre bins for recyclables as then fewer will be needed. The 360 litre bins do not appear to be correct within the plans in terms of size and orientation.

1100 litre bins added. Acceptable

- 6.43 More detail is required regarding access for the vehicles and tracking is required for the site.

Tracking doc supplied and agreed

- 6.44 The sizes of the bins for block A and B look different from the bins drawn for block B. The sizes require checking.

Bin size is acceptable

- 6.45 The plan does not include a designated area for the collection of the basement bins. This needs to be added and a check made that there is sufficient space for all refuse bins one week and then all recyclables and compostable waste the following week. Provision needs to be made for the larger space required.

There is a new plan with a designated area for bins – to be brought up from the basement by concierge

Commercial noise

- 6.46 There are still have concerns regarding the commercial noise presence in the area. The planning agent has been contacted and agreed to contact the acousticians WSP to identify/clarify the surrounding commercial noise sources and to recommend mitigation, if necessary. To date this information has not been received and the deadline for comments has expired. Therefore, advice remains as per memo 9/1/15 comments.
- 6.47 The presence of commercial sound sources that cannot be adequately mitigated may require non habitable rooms to be relocated on the noise affected façade. This is the purpose for the request for commercial noise assessment/clarification prior to determination of this application in the event the floor plans require change and/or agreements need to be made between the applicant and local businesses for acoustic mitigation.

Revised comments dated 09/11/15

- 6.48 I refer to my previous memo dated 27th August 2015. Concerns regarding the Orchid restaurant next door were stated. Since that memo, extensive discussions with the applicant/consultants have occurred including a site visit with the planning officer. See comments below.

Commercial noise

- 6.49 The submitted WSP Plant noise assessment dated 11 September 2015 was assessed and discussed in length with its author Toby Lewis. It was agreed via email dated 2nd October 2015 from Toby Lewis that the noise affected rooms in close proximity to the plant on the roof of Orchid restaurant; 70 Newmarket Road would have non openable windows overlooking the plant (east façade). These rooms were C201, C301 and C401. This is acceptable.
- 6.50 However, if new extraction equipment is to be installed to abate the odour concerns discussed below, sound levels may change and require re-assessment.

Odour

- 6.51 The site was visited the site with the planning officer on 9th October 2015 to establish the level of odour abatement at the Orchid restaurant and the potential harm to amenity of future occupiers of the proposed development. The site visit did not establish any level of odour abatement other than high level discharge and standard grease filters within the cooking canopy. Whilst this very low standard of odour abatement may be currently operating without complaint due to the existing distance to receptors and height of discharge, the proposed application site will place residential windows/balconies at a greater height than the current discharge and in a close proximity. This is highly likely to expose the future residents to unacceptable levels of cooking odour, with the restaurant operating its current kitchen extraction system.
- 6.52 In the email from Toby Lewis stated above, it was confirmed that the applicant would be willing to enter a s106 obligation/agreement to improve/upgrade the current kitchen extraction/odour abatement system at the Orchid restaurant to protect amenity of the future occupants of the proposed development. This is very dependent on the acceptance and cooperation of the Orchid Restaurant. It is likely that a written legal agreement will be required between the applicant and restaurant ensuring that the abatement system will receive an acceptable upgrade to its kitchen extract system. It will be the planning department's decision to ensure the agreement is deliverable, enforceable and meets all the necessary planning tests. Until an agreement or similar mechanism is in place to guarantee and secure these off site works (preferably prior to commencement of any approved development), in the absence of this support cannot be offered for this application.
- 6.53 It is recommended that the upgrade of the kitchen extraction/odour abatement system at the Orchid restaurant is in accordance with DEFRA document: Guidance on the control of odour and noise from commercial kitchen exhaust systems. It is recommended to aid odour dispersion that the extraction termination is not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen. If this cannot be complied with then the termination point shall discharge no less that 1m above the roof eaves or

dormer window of the building housing the commercial kitchen. Lower discharges will require an exceptionally high level of odour control.

Urban Design and Conservation Team

Initial comments

- 6.54 The submitted scheme is broadly acceptable in design and conservation terms and the proposed linked blocks will help create a high quality, contemporary development. However assurance that the proposed north-south link can be delivered on highway land is required, as we understand that the Sun Street car park and Severn Place lie outside of the ownership of the site.
- 6.55 A number of amendments and further clarification is required as outlined below before we are able to fully support the application.
- Introduce spandrel panels/transparent glazing to the bottom section of the full height bedroom, bathroom and en-suite windows on the east elevation if not already proposed;
 - Provide further details of the cycle parking provision for the maisonettes within Block B;
 - The 7 cycle parking spaces associated with Block D are located to the rear of Block E. These spaces are less convenient and do not relate to the units in which they serve. The Sheffield stands should be located at the rear of Block D;
 - Provide further details of the cycle storage associated with Block F which is located to the north of Block H in respect of enclosure and access. Locating the cycle parking for the ground floor units of Block F in horizontal lockers in front of the units would improve access for intended users;
 - Provide details of the waste management strategy;
 - Clarify the boundary treatment surrounding the garden associated with Unit H001;
 - No rear doors are shown on the east elevation of Unit B001 at ground floor level, this appears to be a drawing error and so should be corrected and re-submitted. .

Revised comments dated 9 July 2015

6.56 The following is response to the boundary to the amenity space for unit H001 within Block H:

6.57 Thank you for clarifying the height of the proposed boundary treatment surrounding the garden associated with Unit H001. As noted in your email the proposed boundary comprises of a 600mm brick retaining wall, with a 1100mm high metal railing above with a planted zone between the cycle path and amenity space. This arrangement is acceptable in design terms, the height of the boundary (1700mm high from within the amenity space and 1330mm high from the road), together with the proposed planting will prevent direct overlooking of this amenity space and will go some way to reduce the impact of traffic noise from East Road.

6.58 The detailed design of the railings will be conditioned should the application be approved.

Final Urban Design comments dated 30/10/2015

6.59 The Urban Design Team previously provided commented on draft amendments in our response dated 10th June 2015. The 14/1905/FUL Consultation Response Statement (July 2015) has been submitted and provides a response to the representations made to the previous draft comments. The comments below are based on the submitted information contained within Appendix B of the Consultation Response.

Urban Design Team original comments (dated 5th January 2015)	Consultation Response (July 2015)	Urban Design Team comments relating to proposed amendments
A Introduce spandrel panels/transparent glazing to the bottom section of the full height bedroom, bathroom and en-suite windows on the east elevation if not already	Translucent glazing is proposed to all en-suite windows (up to a clear fan-light) and secondary return windows to bedrooms on the East facing elevation. Primary bedroom windows will retain full-	The proposed translucent glazing (up to fan-light window) to the en-suites is acceptable in design terms. Windows on the return faces of the east elevation are

	proposed;	height clear glazing to ensure wheelchair users can enjoy a view. The detail design of the railings will ensure they provide adequate privacy by being more opaque up to 800mm Above Finished Floor Level (AFFL) and more open between 800mm-1100mm AFFL.	proposed to be translucent. This approach is acceptable in design terms. Primary bedroom windows with inward opening doors are proposed with full height clear glazing. The indicative design of the railings shows wider balustrades up to a height of 800mm AFFL. This approach is acceptable and improves privacy to these bedrooms. The detailed design of the balustrades should be conditioned should the application be approved.
B	Provide further details of the cycle parking provision for the maisonettes within Block B;	A low wall in front of Block B to allow 2 cycles to be locked to the wall using a wall bar will be provided. This allows the covered decked area facing Severn Place to be used as amenity space for tables chairs etc if the cycle spaces are not in use. (Sheffield Stands would prohibit this) Cycle parking will therefore be on-plot, secure, sheltered, well-lit and easily accessible to ensure maximum uptake by residents	This arrangement is acceptable in design terms.
C	The 7 cycle	We have taken more of	This arrangement is

	<p>parking spaces associated with Block D are located to the rear of Block E. These spaces are less convenient and do not relate to the units in which they serve. The Sheffield stands should be located at the rear of Block D;</p>	<p>the cycle spaces into the building footprint (+2 spaces between the cycle and refuse stores in each of blocks C, D and E) and provided 4 Sheffield Stands (8 spaces) under an extended roof canopy to the rear for Block D. This solution has been agreed with CCC's Cycling and Walking Officer (Clare Rankin) via email.</p>	<p>acceptable in design terms.</p>
D	<p>Provide further details of the cycle storage associated with Block F which is located to the north of Block H in respect of enclosure and access. Locating the cycle parking for the ground floor units of Block F in horizontal lockers in front of the units would improve access for intended users;</p>	<p>10 Sheffield Stands are provided in this location (20 cycle spaces) which is secured with a locked gate, which could open automatically with a residents fob key. The area will therefore be secured, well-lit, overlooked and sheltered by the balconies above.</p> <p>“As long as the balconies provide shelter for the bikes and there is a minimum of 1m aisle width from the back of the bikes to the wall then I think this is a good compromise solution – certainly better than having two-tier racks” - Response from Cycle Officer (CCC's Cycling and Walking Officer (Clare Rankin)</p>	<p>This arrangement is acceptable in design terms. Boundary treatments and gates should be conditioned should the application be approved.</p>
E	<p>Provide details of the waste</p>	<p>In order to ensure all the bins are accessible and</p>	<p>This arrangement is acceptable in design</p>

	<p>management strategy;</p>	<p>removable individually we have relocated some of the bins within the refuse stores. Compost and recycle-able waste align opposite walls. Also we have relocated and increased in width (to 1500mm) the external doors in blocks C, D and E to improve the accessibility to the bins for refuse collection.</p> <p>We have reviewed and corrected the size and orientation of the 660L and 360L bins and the number of bins in general and specifically within blocks A and B.</p>	<p>terms.</p> <p>The submitted waste vehicle tracking diagram confirms that the route through the site does not compromise the proposed basement collection point. Bins are located clear of the existing highway and within the ownership boundary now occupied by the Kitchen Showroom.</p> <p>The submitted plans show that waste taken from the basement storage in Block G will be taken to the waste collection point by concierge and returned to the basement following collection.</p>
<p>F</p>	<p>Clarify the boundary treatment surrounding the garden associated with Unit H001;</p>	<p>Revised drawing submitted showing planted buffer with low retaining wall and steel railings to units H001's amenity space.</p>	<p>The proposed boundary surrounding the garden associated with Unit H001 comprises of a 600mm brick retaining wall, with a 1100mm high metal railing above with a planted zone between the cycle path and amenity space (as agreed via email on the 9th July 2015).</p> <p>The proposed arrangement of the</p>

			<p>boundary is acceptable in design terms, the height of the boundary (1700mm high from within the amenity space and 1330mm high from the road), together with the proposed planting will prevent direct overlooking of this amenity space.</p> <p>The detailed design of the railings will be conditioned should the application be approved.</p>
G	<p>No rear doors are shown on the east elevation of Unit B001 at ground floor level, this appears to be a drawing error and so should be corrected and re-submitted.</p>	<p>The submitted drawing (2348_A_GA_00_0101) accurately elected the ground floor plan when cut at 1.5m AFFL. We have amended the cut-plane locally to show the rear, raised ground floor of the maisonettes (as below) and will re-submit this drawing to the Planning Portal.</p>	<p>The amended drawings now show these rear doors and is acceptable in design terms.</p>

Conclusion

6.60 The submitted Consultation Response Statement (July 2015) has addressed previous comments raised in relation to the draft amendments reviewed in July 2015. The application is therefore acceptable in design terms. The changes proposed within the Consultation Response Statement have been carried through to the submitted Current Planning Drawing Set (01/10/15). Suggested conditions are requested.

Comments relating to Theoretical Zone of Visual Influence dated 30/1/2015

- 6.61 A Theoretical Zone of Visual Influence (ZTV) has been submitted (requested by Toby Williams at the meeting of the 12th August 2015) to determine the visibility of Blocks D (6 storeys) and G (8 storeys) from Midsummer Common. The ZTV have been produced using 3D data available in Google Earth Pro (3D trees and buildings) and a 3D model of the proposed scheme. Each of the ZTV's (one for Block D and G) have been produced from views looking towards the Common from the parapet of Blocks D and G. The red line, drawn in the perspective views, indicates the fixed roof line, beyond which Midsummer Common is seen and defines the forward edge of the ZTV from the Common irrespective of season.
- 6.62 The submitted ZTV perspective views and plans for Blocks D and G show that the visibility from Midsummer Common would be limited to the northwest corner of the Common, to the north and east of Victorian Road. Block G would be more visible over a larger portion of the Common given its increased height over that of Block D. The trees along the south eastern edge of the common would significantly reduce the visibility of both Blocks when in leaf. The visibility of the Blocks to the west of Victoria Road would be negligible given the existing mature trees either side of Victoria Road.

Conclusion

- 6.63 The visibility of Blocks D and G from Midsummer Common is acceptable in design terms. We previously noted (see comments dated 5th January 2014) that the proposed scale of development was acceptable, the stepping of building heights responds to the different characters of East Road and Sun Street/Newmarket Road and also helps to articulate the roofline and break down the overall length and mass of the blocks.

Senior Sustainability Officer (Design and Construction)

- 6.64 In accordance with the requirements of Policy 3/1 of the Local Plan, the applicant has submitted a Sustainability Statement and Checklist to demonstrate how the principles of sustainable design and construction have been integrated into the scheme. Further information is also provided within the Design and

Access Statement. A variety of measures are proposed including: Green roofs are to be provided over a significant area of roofspace. These will have multiple benefits, including surface water attenuation, biodiversity enhancement and helping to reduce internal cooling loads. The combined use of photovoltaic panels with green/brown roofs beneath is also supported as the living roofs will help to create a more stable microclimate around the panels, helping them to work more efficiently.

- 6.65 The targeting of level 4 of the Code for Sustainable Homes for all units. The screening of balconies with opaque brick piers to help reduce solar gain, as well as creating privacy and helping to reduce noise; Use of responsibly sourced materials including local sourcing of materials where possible to minimise transportation related carbon emissions
- 6.66 The specification of water efficient appliances and sanitary ware to achieve potable water use of 105 litres/head/day. All of these measures are supported.

Renewable Energy Provision

- 6.67 Policy 8/16 of the Local Plan 2006 requires major developments to provide at least 10% of their energy requirements through the use of on-site renewables, with the contribution calculated in terms of carbon reduction. As part of the Sustainability Statement, the applicant has included a Thermal Design and Sustainability report, which outlines the range of technologies that have been considered and the carbon calculations to demonstrate compliance with the 10% requirement. It also outlines the hierarchical approach to reducing energy demand and associated carbon emissions, an approach which is supported. In terms of meeting the requirements of Policy 8/16, the preferred technologies are the use of photovoltaic panels and gas fired Combined Heat and Power (CHP), which has been sized to meet base thermal loads with the provision of a thermal store. Electricity generated by the CHP is to be used within communal areas and within the basement car park. The CHP unit is to be located in the basement of block F. While CHP is a low carbon as opposed to renewable technology, its use in meeting the requirements of policy 8/16 is supported in the Councils Sustainable Design and Construction SPD. Calculations have been submitted that show a predicted carbon

reduction of 23,994.34 Kg/CO2/annum attributable to the CHP, with a reduction of 6,242.43 Kg/CO2/annum associated with the use of photovoltaic panels. Combined these technologies lead to a level of carbon reduction that slightly exceeds the 10% requirement, and as such their use is supported. One area where clarification would be welcomed is in relation to whether the CHP will be connected to all blocks. From looking at the plans for Block H, there is no reference to a heat interface unit or plant room that would enable these units to connect to the CHP, so clarification would be welcomed, although this does not impact on my support for the approach being taken in relation to renewable/low carbon energy provision.

Conclusion

- 6.68 To conclude, the approach being taken to sustainable design and construction and meeting the requirements of Policy 8/16 in relation to renewable energy provision is supported.

Head of Streets and Open Spaces (Tree Team)

- 6.69 No objection to the proposals subject to conditions relating to tree protection measures.

Head of Streets and Open Spaces (Landscape Team)

Proposed Landscape Scheme

- 6.70 The illustrative landscape plan for the scheme is considered a very interesting and dynamic streetscape. Detailed plans, to scale, are however required to fully assess the proposals. Furthermore, a large proportion of the proposed public realm improvements are on Highway Land, including Severn Place, the Sun Street car park and southern end of the development on East Road. Whilst the landscape proposals are generally supported, the deliverability of this scheme, in terms of land ownership, is questionable. Confirmation is required that this is possible and supported by the Highway Authority.
- 6.71 The creation of a pedestrian and cycle friendly link between East Road and Newmarket Road is welcomed and in line with the aspirations of the Eastern Gate Development Framework SPD. This new route provides a great connection to Midsummer Common though the Brunswick Site. The question is how will

this be facilitated over Newmarket Road? A direct crossing point between these two sites would be the ideal. The verified views demonstrate that the proposed development is not visible from Midsummer Common. It would however be very interesting to see a view from the Brunswick Site of the proposed development, to illustrate the visual and physical connection across Newmarket Road.

- 6.72 The enhancement of the Sun Street car park is welcomed, subject to the retention of the Plane Trees, as per the City Council Tree Officer's advice.
- 6.73 The proposed paving pattern/layout is considered a creative solution to calm traffic through the lane. Furthermore the proposed Porphyry pavers we considered a high quality solution for this area of public realm.
- 6.74 The proposed planters and pots are considered an appropriate solution to greening the street and defining thresholds between public and private space. The inclusion of trees along this laneway will provide some much needed softening within a very hard environment. However, they should only be planted if sufficient room is provided above and below ground from the tree to mature properly. An automated irrigation system should also be provided. Replacement of the trees/shrubs within planters should be provided for in the Management Plan.
- 6.75 The proposed green roofs are a welcomed addition to the proposed scheme in terms of increasing amenity and ecological values, as well as reducing rainwater runoff.
- 6.76 Details of the proposed boundary fences/walls, street furniture and lighting are requested as conditions.

Amenity

- 6.77 The proposed amenity spaces for each of the units are considered of a functional size. The communal gardens are a welcomed addition to the amenity provision on site. Furthermore the cast shadow analysis indicates that at least half of the amenity spaces to the rear of Blocks A-G and the roof terraces are likely to receive the recommended minimum of 2 hours continuous sunlight on the 21st March, in accordance

with the BRE Site Layout Planning for Daylight and Sunlight: A guide to good practice, 2011 Second Edition.

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

- 6.78 The principle of providing a section of cycleway to improve the cycle route from Wellington St to East Road and remove the pinch point on the corner is very much welcomed. However, more detail is needed as is further design amendments to improve the proposed link.
- 6.79 The cycle parking is at ground level which is welcomed but the change in approach has resulted in the parking being fitted in as an after-thought with rather ad-hoc provision some of which is poorly related to the dwellings they serve.
- 6.80 Access to the cycle parking requires negotiating at least 2 doors. The doors to the outside area and to the cycle parking should open automatically to reduce the difficulty of access.
- 6.81 The cycle parking for block D is not acceptable. 6 of the spaces are difficult to use double decker racks, 2 spaces are in a locker which is inconveniently located away from the foyer entrance and 7 of the spaces are at the back of block E. All of the cycle parking should be convenient to access and easy to use.
- 6.82 Locating some of the cycle parking for block F in the proposed location could be acceptable if it is secured with a locked door, preferably which opens automatically with a fob key. However, I would agree with Urban Design comments that lockers should be provided at the front of block F for the ground floor dwellings.
- 6.83 Having part of the cycle parking for block C outside and part inside is not ideal and further consideration should be given to amalgamating the spaces into one area within the building.
- 6.84 2 or 3 racks for visitor and staff parking should be provided at the front of block A.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.85 The application is fully supported. There is a significant amount of green roof coverage and the proposals reduce the amount of surface water discharge from the site compared to the existing. The proposals also separate out a combined sewer into foul and surface water sewers which reduces the risk of pollution to the environment.

Anglian Water

- 6.86 No objection and request a condition relating to construction of hard surfaces should planning permission be granted.

Cambridgeshire Constabulary (Architectural Liaison Officer)

Initial comments

- 6.87 The site is within the busy Market Ward that the level of crime is the highest in the City. Pedal cycle crime being particularly high. Pre planning discussions took place with the architects with a view to the development overall achieving the security standards outlined by Secured by Design (SBD) in terms of doors/windows/glazing/access control and mail delivery. There is mention on page 7 of the guide of the 2010 guide; this has now been superseded by the 2014 guide. One area to highlight is mail delivery. SBD does not allow trades buttons. However this could be acceptable if accompanied with an access code. During the consultation it was outlined that some of the entrance doors were recessed, this is not normally advised within the SBD guidance. The recesses and the angle of view would be wide enough to ensure a caller was in view from other flats within Severn Place. It is unclear whether the entrance door to the ground floor affordable flat of Block H would be wide enough there were good open views of the door from East Road. A scheme at CB1 allowed visitor parking within the basement car park. Logistically this has been a problem in terms of visitors gaining the necessary permission.
- 6.88 This development does not allow visitor parking as a matter of course. Provided that this development meets the physical security standards outlined within the Secured by Design new

Homes 2104 document there are no objections to what is proposed. Once planning is approved that the applicants should engage with the Architectural Liaison Officer at an early stage.

Revised comments dated 20/08/15:

- 6.89 The points raised in respect of crime prevention have been adequately addressed.

Cambridgeshire County Council (Education)

- 6.90 No response received.

Cambridgeshire County Council (Archaeology)

- 6.91 Our records indicate that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site relating to multi-period occupation and industry. This includes 12th-13th century middens associated with Barnwell Priory excavated at Cambridge Regional College (Historic Environment Record reference ECB3333) and a fishpond (MCB5624). Residual Neolithic worked flint and Post-Medieval quarry pits were also investigated. Between East Road and Newmarket Road a number of breweries were established in the 19th century, which include Star Brewery (MCB16525), Auckland Brewery (MCB17310), Shakespeare Brewery (MCB17308), Priory Brewery (MCB17304). Britannia Ironworks, the last surviving 19th century foundry/smithy buildings in Cambridge (MCB16546) was located to the south of East Road and associated terrace housing of Britannia Place to the immediate south east of the application area, north of which was a 19th century Brush Works. We are anticipating considerable truncation of the archaeological record in this area but consider this to be of significance in relation to the historic industrial usage of the site.
- 6.92 No objection to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition.

Cambridgeshire Fire and Rescue Service

- 6.93 Should the Planning Authority be minded to grant approval the Fire Authority would request adequate provision is made for fire hydrants which may be by way of a S106 agreement or planning conditions.

Housing Officer

Affordable Housing Mix

- 6.94 40% Affordable Housing (AH) has not been achieved on site. 25% AH is proposed with 21 Affordable Housing units planned, from a total of 84 dwellings. This is not in accordance with Cambridge City Council's Affordable Housing Supplementary Planning Document, January 2008 (AHSPD). The viability assessment has proven a reduced requirement of Affordable Housing, therefore this application is considered acceptable
- 6.95 The application indicates 14 (66.6%) social rented units, and 7 (33.3%) shared ownership units. Although below the 75% / 25% split required within the AHSPD the viability assessment has defined this change in levels and is therefore seen as acceptable.
- 6.96 There are 3 houses planned on site, with the remaining 81 units being flats. Therefore it is considered acceptable that 100% of the Affordable Housing is provided as flats.
- 6.97 Within the Planning Statement a schedule of current household sizes on Homelink, the Choice Based Lettings system, is cited as evidence for the need for smaller units. However, this is a snapshot in time and the Strategic Housing Market Assessment is a far more inclusive assessment of need, accounting for population growth, household changes and changes in population demographics. None of which are taken account of in the Homelink numbers.
- 6.98 The percentages of size of dwellings are shown in Table 1. The AH mix does not meet the AHSPD guidance on mix of size of dwellings. However, the AH does largely mirror the market

housing. If there was one less 1 bed unit and one less 2 bed unit, and two more 3 bed units this mix would be wholly supported. As the mix stands it is considered acceptable.

Unit Size	Total Number of Units	Affordable Housing		Market Housing	
		Number	Percentage	Number	Percentage
1 Bed	27	8	38%	19	30%
2 Bed	45	12	57%	33	52%
3 Bed	12	1	5%	11	17%
	84	21	100%	63	99% due to rounding

Table 1: Size of unit by tenure

Affordable Housing Siting

6.99 The cluster size of block H at 21 units is in accordance with the AHSPD guidance. To clarify a statement made in the Design and Access Statement, section 4.5 Design development following Pre-App advice, point 7, it was proposed by the architects to officers that Block H would be the AH block. The siting of the AH is considered acceptable. If the viability assessment proved that more Affordable Housing could be provided on site this should be delivered in the row of blocks A to G.

Design

6.100 Good sized balconies have been provided for every AH dwelling, which is supported.

6.101 The AHSPD requires the AH not to be distinguishable from the private housing in design terms. The design of the flats is considered tenure blind, with a design justification for using a glazed brick on the AH block (Block H).

6.102 There is one core for the whole of Block H, which serves 21 units. The AHSPD recommends no more than 12 AH dwellings have access from a common stairwell. It has previously been recommended to the applicants to seek the advice from a Registered Provider of AH to ensure the effective management of this scheme, and in particular this element.

6.103 The application is not clear whether or not the AH tenants/owners will have access to the roof top communal gardens. Access for all tenures would be strongly advised to ensure the scheme is truly tenure blind.

6.104 The proposal for all dwellings to meet level 4 of the Code for Sustainable Homes is welcomed. Especially as this will be applied across all dwellings, which will aid tenure blindness.

6.105 It is also welcomed that all units will be designed to the Lifetime Homes standard and that 15% of dwellings will be designed to wheelchair accessible housing standards. Again, this is especially welcomed as it will be delivered across all tenures.

Summary

- The Affordable Housing element of this application is supported by Housing Development subject to the viability assessment proving the need for a reduced level of Affordable Housing. If the viability assessment does not prove a reduced amount of Affordable Housing is required this application is not supported.
- The AH dwelling size mix is considered acceptable.
- The tenure split between rented and intermediate housing has not been provided therefore this cannot be commented upon.
- The design of the AH and private units is considered tenure build.

Recreation Services Manager

OUTDOOR SPORTS - £40,574

6.106 The following outdoor facilities would experience pressure arising from the proposed development:

- Abbey Sports Centre
- Logans Meadow
- Chesterton Rec
- Chesterton Outdoor Bowls
- Chesterton Secondary School
- Cantabrigian Rowing

6.107 The development will be a mix of properties mainly 1 & 2 bedroom accommodations and likely to be students or young professionals. Analysis of sporting need has been based on this and the Sport England Market segmentation categories of the current population characteristics.

The dominant sporting demand from this new set of accommodations will be for use of the adult football pitches for games, training and recreational use, along with tennis and cycling which are also sporting preferences in these groups

6.108 If some of the anticipated population is expected to be from Anglia Ruskin University then the university does have it's own sports ground but that is at the top North end of the City at Howe's place off Huntingdon Road which is directly on the City Boundary and falls in South Cambs by a matter of feet. This site is also going through the planning process to upgrade the site and provide new artificial pitches, pavilion and community space, therefore it is likely that any leagues games will be played at this site rather than at the Abbey Coldhams common or the Chesterton pitches.

6.109 The site will generate a need for recreational football activities both for training and general kick-about. Residents and other local players are more likely to use Jesus Green or Chesterton Rec along with other local green spaces for recreation games and training rather than travel to designated areas such as Coldhams Common or Howe's place.

6.110 Tennis is also a popular sport amongst these categories of proposed residents and the local areas near this development are well served for Tennis with 6 courts at Jesus Green and 4 courts at Christ's Pieces all within a 5 minute cycle ride from the development, and all are free public use

Project Identified for S106 contribution for outdoor recreation:

6.111 Chesterton Playing Fields - all prices currently estimated

- 3x Cricket Nets and an Artificial Wicket - £42,000
or
- Long Jump/ Triple Jump Pit
- 100m Sprint track
- Outdoor exercise equipment hub and trim trail – £42,000

INDOOR SPORTS - £35,864

6.112 The following indoor facilities would experience pressure arising from the proposed development:

- Abbey Sports Centre & Gym
- Cambridge Parkside Pools & Gym
- Chesterton Community School Sports Centre
- Chesterton Indoor Bowls Club
- Kelsey Kerridge Sports Centre
- Private Gyms – DW's, Nuffield Health & YMCA

6.113 The development will be a mix of properties mainly 1 & 2 bedroom accommodations and likely to be students or young professionals. Analysis of sporting need has been based on this and the Sport England Market segmentation categories of the current population characteristics. There are three main segments occupying the surrounding residential properties all of them in the younger market categories. The dominant sporting demand from this new set of accommodations will be for use of gyms and exercise class based facilities, particularly those with swimming pools.

6.114 The facility being developed is an old fitness gym and studio (The Atrium) and since its closure has put more localised demand on the existing facilities, so with new and additional demands from the new residents on local facilities already nearing capacity, it will be fitting to see the contributions going into sports facilities for extra provision of gym and group exercise classes.

6.115 There is also a large student population from Anglia Ruskin University (ARU) living in and around the vicinity along with lecture halls and rooms at the neighbouring site in Compass House, so again can be envisaged that a lot of the potential

residents from the development will have some form of ties with the university. ARU already has a partnership arrangement with Kelsey Kerridge sports centre and have recently (Jan – May 2015) invested small capital amounts into improving some areas for use by their student based sports clubs. This current working relationship would mean that with the close proximity of the main Anglia Ruskin Campus being 5 minutes' walk away from both Parkside and Kelsey Kerridge, these will probably be the two most used centres by any potential residents.

6.116 Chesterton Gym and Pool is also very close but is on a non-direct route heading out of the main city centre, and Abbey Pool and Gyms are also very close to the proposed development and are more easily accessible off one of the main arterial roads in and out of the City.

6.117 It is therefore anticipated that residents would be attending more activities within these four sites and therefore the demand on these centres will be growing especially for indoor sports hall team games at Kelsey Kerridge, along with additional demands for gym and exercise class based activities at all the sites.

Project Identified for S106 contribution for indoor recreation:

6.118 Kelsey Kerridge – all prices currently estimated

- Function or aerobics space provision from unused area - £35,000

**Community Funding and Engagement Officer
Community Facilities: £50,000.**

6.119 The following facilities are likely to experience increased demand arising from the development and are in close proximity to the site.

1. Memorial Unitarian Church Emmanuel Rd, CB1 1JW
2. Michael House Centre St Michael's church, Trinity Street, CB2 1SU
3. St Andrew's Street Baptist Church & the Stone Yard 43 St Andrew's Street CB2 3AR

6.120 The Memorial Unitarian Church is current open approximately 80% of the time for community uses and turns down bookings once a week due to capacity issues. The Michael House

Centre, St Michaels Church is open 100% of the time for community uses and turns down bookings on a monthly basis due to capacity issues. St Andrew's Street Baptist Church & the Stone Yard are open approximately 50% of the time for community uses and turn down bookings once a month due to capacity issues.

6.121 The facilities are in need of the following works to improve capacity and to be in a position to offer better community facilities.

- Heating and toilet facilities
- Storage/flooring & painting & decorating
- Replace kitchen & painting and decorating

6.122 The estimated cost of delivering these specific projects to provide improvements is a total of £50,000

Design and Conservation Panel (Meetings of 15 January 2014 and 11 June 2014)

The conclusions of the Panel meeting of 15 January 2014 were as follows:

The Panel appreciated the opportunity to view a model of the scheme. The Panel's comments are as follows:

- Response to immediate and wider context.** The architect's site and context assessment was accepted. In addition, the proposal to develop a series of individual buildings of differing heights to create a varied skyline and roof-scape and the general site massing principles are not contested. However, it was felt that an insufficient case had been made to justify the eight storey G building and seven storey D building within the site's immediate and wider context of the City's historic core. Within the site's immediate context the G block would be a new marker building and exceed the height of the County Court (on the opposite side of East Road) building by three storeys. Although various distant verified views had been generated and examined by officers, concerns were expressed that blocks of 7 and 8 storeys would be setting an unwelcome precedent for high rise buildings in Cambridge.
- Movement and access.** The removal of existing buildings on the site and the creation of a pedestrian and cycle link from Severn Place through to Newmarket Road and thereby avoiding

Elizabeth Way and the introduction of basement parking are supported in principle. However, it was felt that further development and detail was needed to assess the extent to which a safe and dynamic streetscape in the form of a shared surface along Severn Place could be realised, and that the basement car-parking accessed via a ramp from Sun Street could be delivered. Would the car-park access appear as an unwelcome dark hole in the Newmarket Road elevation?

- **Configuration of buildings.** The Panel noted the innovative way in which issues of overlooking and overshadowing had been resolved. However, it was felt that further development was necessary in relation to: a) the overshadowing by C and D blocks of Compass House, b) a general concern at the impact on the living spaces at street level and c) on the quality of some communal garden spaces.
- **Materials and aspects of detailed design.** The Panel were comfortable with the proposal to utilise brick as a primary material with subtle differences in colour shade and texture between blocks.

In the next stage of design development it is hoped that each block will be enriched by the detailing of windows, openings and the public and private spaces.

Conclusion

Conceptually, the Panel acknowledge that the proposed scheme is aspirational, well designed and contemporary. Such a scheme would set the quality bar higher for development in the area. However, there are some concerns about certain elements and on the deliverability of the scheme. A more convincing case for the height of the proposed D and G blocks needs to be made, or their height reduced. In addition, an effective collaboration with adjoining landowners and public agencies is necessary so as to be able to incorporate key parcels of land needed to realise the scheme's full potential.

VERDICT:AMBER (6), GREEN (3) RED (1) – due to height of Blocks D and G

The conclusions of the Panel meeting of 11 June 2014 were as follows:

The Panel were most appreciative of the detailed assessment of the tall buildings context in Cambridge and the alternative design approaches explored to evidence the case for the proposed heights of Blocks D and G. The Panel were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. However, despite the presentation of alternative strategies to reduce the building mass of Block D some doubts remained as to its visual impact and prominence.

Conclusion.

The Panel accepted the principle of an 8 storey Block G (subject to modifications designed to reduce its mass) and that by a majority vote it was concluded that Block D should be reduced to 6 storeys.

6.123 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 Councillor Gillespie provided the following comments in respect of the proposals:

- The consultation in respect of the site has been inadequate several people nearby have not been contacted about it.
- The height of the development is out of character, it is a ridiculous proposal and should be roughly 50% of the size that has been proposed maximum. The traffic that it will add to Newmarket Road is also alarming, this is a road that frequently has tailbacks all the way along it back to East Road roundabout.
- I live a minutes walk away from the sit and I don't believe Auckland Road residents were asked for their comments on it.

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

Ascham Road (2 letters)
Cavendish Road
Cambridge Cycling Campaign

12A Brooke House, Kingsley Walk
33 Brooke House, Kingsley Walk (2 letters)
11 Darwin House, Kingsley Walk (2 letters)
12 Darwin House, Kingsley Walk
15 Darwin House, Kingsley Walk
37 Keyes House, Kingsley Walk
34 Marlowe House, Kingsley Walk (2 letters)
39 Marlowe House, Kingsley Walk
42 Marlowe House, Kingsley Walk
43. Marlow House, Kingsley Walk
3 Newton Court, Kingsley Walk
50 Newton Court, Kingsley Walk
9 Sherbourne Court
52 St Andrews Road
Green Pea Property Management on behalf of numerous owners of Byron House, Wellington Street
Cintra Ltd 8 Wellington Street

7.3 The representations can be summarised as follows:

General Comments

- Support for the provision of a pedestrian/cycle link
- No objection to the redevelopment of the site as a matter of principle.
- Public art on Marino House has been ignored and will be hidden by the new development.
- The 3D plans do not give a true impression of the site as Florian House has been missed off and a mature tree shown in its place – this is misleading.
- A site visit should be undertaken by Officers and Members before a decision is made in respect of the proposals.
- The third party comments have generally been ignored.
- The consultations were not carried out widely enough

Design & character of area

- Block H due to its scale and design would be unacceptable and harmful to the character of the area.
- The opportunity is missed to link Wellington Street with the new pedestrian route of Severn Place. The scheme turns its back on this area which has become more residentially based in the past few years.
- The proposed height of block G (8 stories) is too high and will be over-bearing. Currently the Crown Court building is visible and block G will occlude this view.
- Block G is angular and will appear at odds with the Crown Court Buildings.
- All other buildings in the vicinity of the site are smaller scale, 5 stories down to 2 storey.
- The design appears ugly and close to the worst of the Marke.
- Block D is too high at 6 stories.
- The finish to block H (Glazed brick) being different to the rest of the development seems incongruous.
- The fenestration detailing to block H with vertical proportions is inappropriate.
- The different treatment of block H will stigmatise the occupants.
- The whole scheme is too high and overdevelopment which is out of character with the surrounding area.
- The height should be capped at 4 floors and should be uniform throughout the development.
- The gates to the underground car park seem very industrial and will not help to re-invigorate the area. Something more visually pleasing should be designed.
- Overcrowding the area is very tightly packed already and is already over-developed.
- Shared community/meeting space should be provided on the ground floor.
- Cambridge has maintained its unique city environment and the scale of buildings do not dwarf church steeples or university/college buildings. This development should not be so high.
- There are tall buildings in Cambridge but this is not an appropriate location for another one.
- The floor heights are out of scale with the surrounding residential properties and the overall height of the building should be assessed rather than just the number of floors. This is particularly the case with the top floors of blocks D & G

Traffic/Parking Issues

- Traffic congestion - the development will increase vehicle movements on Newmarket Road which is already very congested.
- Traffic already queues to the Grafton Quarter car park and additional vehicle movements will exacerbate this.
- There is uncertainty as to whether the reinstatement of the north/south link could be realised because of Severn Place and Sun Street being County Council Highway Authority land.
- Parking issues - there are current 8 parking spaces in Sun Street between the proposed development and Newmarket Road. It is not clear whether these are to be retained. If they are to be lost this will put pressure on parking. Additional parking requirement arising from the new occupants
- There are not enough visitor parking spaces proposed.
- Retail space at ground floor level will lead to more parking and traffic problems.
- Concern about lack of consideration for southbound cycling traffic both in the application and by the County and City Council's on assessing it.
- The junction between Severn Place with East Road makes no provision for cycles to proceed south-west along East Road or to St Matthews's Street. There are limited pedestrian facilities at the junction, but it is not remotely suitable for use by cyclists. There is, plenty of space at the junction to insert a cycle route. There should be some requirement placed on the developer to provide for such movements presumably by modifying the signal installation at the very least. Otherwise the cycle facility between Newmarket Road and East Road will be utterly useless as far as southbound cyclists are concerned.
- There is a small parcel of land which is currently used as a private car park for January's, it is not clear if this land forms part of the proposals.
- 1 parking space per flat should be provided.
- Car sharing and zip cars are needed with a development offering this level of parking.
- Increased traffic volumes will put pedestrians and cyclists at risk. What will happen when the currently vacant Compass House is re-occupied?

Amenity

- Noise and air pollution – arising from the demolition and construction phase of the development.
- The scheme will introduce overlooking (Particularly Kingsley Walk) where there is currently none.
- Block H due to its bulky design and unsympathetic scale would have a significant detrimental impact on the amenity areas (front balconies) of Byron House. It would also create shading throughout the year to the primary and sole windows to the apartments fronting Wellington Street in Byron House.
- Loss of daylight/sunlight to Marino House, Florian House and Byron House.
- Noise and disturbance to existing residents through vehicle movements and general residential and commercial occupation of the site.
- The scale of the buildings and unbroken mass would be overbearing and oppressive and create an intimidating outlook onto the existing occupants. The Newmarket Road existing residents have been considered but this is not the case for the Severn Place residents.

Housing mix/type

- The proportion of affordable housing is too low.
- Too many apartments in new developments are unoccupied and serve as only investments.

7.4 Two copies of a petition containing 19 Signatures in total from the manager/owners of the following properties; Flats 2, 3,4 ,9, 10, 12 Byron House, flats 1-8 Florian House, Flats 1-4, 74 Newmarket Road, Jess Polish Supermarket 72 Newmarket Road, Navadhanya Indian Restaurant 73 Newmarket Road, EC English 57-61 Burleigh St, EC English Kite House Adam and Eve St, Urban Hairdresser 42 Burleigh St, World Study Solutions 43 Burleigh Street Charlie's Café 44 Burleigh St.

The petition raises the following issues:

- The scheme should be refused as the amount of construction for such a narrow street is excessive and too ambitious.
- The developer is seeking financial benefit and is not considering the future well-being of existing residents and future inhabitants.
- Reference is made to the Accordia development, but Accordia differs significantly from this scheme distance between the

blocks are greater, the style of height, massing, volume and density is not like Accordia.

- NPPF core principles have not been met
 - o Emphasise enhancing and improving the places in which people live their lives
 - o Seek to secure a high-quality of design and good standard of amenity for occupants
 - o Manage development to make full use of public transport, walking and cycling.
- The development would increase footfall in the area circa 306 people, including excluding guests and visitors.
- In the event of fire there will be too many people using escaping in one area. Access/escape for a catastrophic fire or explosion should be in place.
- Such high density of people could lead to public unrest and need for police intervention.
- The design is monolithic with no gaps to provide respite. The other buildings will become totally obscured and insignificant. The buildings are not welcoming to the new pedestrianised area.
- The materials are inappropriate.
- There is a lack of natural surveillance.
- The affordable block will not have any access to ground floor spaces for them to enjoy.
- Marino House and Florian house will be in the shade for much of the day. Lounge areas are of the east façade and have no other windows, the impact on these windows will be significant. There will be no views of the sky to these properties as the buildings opposite them will obscure this view due to their height.
- Overlooking
- The road surface seems to consist of a variety of treatments – how will this be maintained and at who's expense?
- Loss of free parking on Severn place and how will parking for the shops be managed?
- How will waste lorries access the existing and new development? There are no designated parking places or passing places for vehicles of this nature.
- How will increased cycle traffic egress onto East Road safely?
- The scale model shows how the existing 3 blocks will be dwarfed by the excessive overdevelopment.
- Block G which is the tallest and most prominent block reflects the Marque tower on the corner of Hills Road/Cherry Hinton

Road. A prominent landmark building should be interesting and elegant.

- The solar panels have been specified but have not been shown on the drawings and this will add a further 1-2m in height and will require a guard rail to the perimeter for maintenance. These will be visible and so should be shown.
- The public art on Merino House will not be as visible when block H partially blocks the view. This used public funds and views of it should be protected.
- Careful consideration should be given to the proposed blue brick to Block H which is totally out of keeping with anything else in the vicinity. With such a strong colour this will not compliment or harmonise with the other buildings on East Road or to the rear of this block down Severn place.
- The increase in commercial and residential activity will result in the loss of parking bays on Newmarket Road.
- The 3D drawing does not accurately reflect the current buildings on site and is excessively out of date. This should be updated before the application is determined.
- Officers and Committee members should visit the site before a decision is made.

7.5 The petition did not request a Development Control Forum to be held.

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

8.0 ASSESSMENT

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

1. Principle of development
2. EIA
3. Viability
4. Affordable Housing
5. Context of site, design and external spaces
6. Public Art
7. Renewable energy and sustainability
8. Disabled access
9. Residential amenity

10. Refuse arrangements
11. Highway safety
12. Car and cycle parking
13. Landscaping
14. Third party representations
15. Planning Obligation Strategy

Principle of Development

- 8.2 The application site is not within a protected industrial commercial or retail area and the most recent use of the majority of the site was a 'The Atrium' gym, the majority of the site is currently vacant. Consequently the proposals fall to be assessed for acceptability as a matter of principle under Policies 5/1 and 5/5 (Housing Provision).
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/5 and the details of the proposals will be assessed under the relevant section headings to the report below.

Environmental Impact Assessment

- 8.4 Having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the opinion of the local planning authority is that the development, when looked at in the context of its surroundings, cumulatively with other uses/proposals, its existing use and the accompanying documentation to be submitted with an application, it is not likely to result in significant environmental effects. Officers are of the opinion that the documentation provided as part of a formal planning application is sufficient to enable us to assess the sensitive impacts arising from this development. The development is also below the threshold where an ES would be required.

Viability

- 8.5 The applicant's submitted a viability assessment with the application which concluded that the site was unviable by a substantial figure and consequently reduced the level of affordable housing offered within the scheme.
- 8.6 In line with Affordable Housing SPD which sets out at paragraphs 41 – 45 the circumstances under which a lower

level of affordable housing may be justified an independent review of the viability assessment (paid for by the applicants') has been conducted by BPS Chartered Surveyors.

8.7 The independent review of the viability assessment by BPS Chartered Surveyors concluded that the site is unviable and that a lower level of affordable housing is justified at this site.

8.8 In the light of these conclusions by a specialist adviser, I am of the opinion that the viability of the site can be used in this instance to justify a lower level of affordable housing. (see specific discussion below).

Affordable Housing

8.9 The council's affordable housing target for a scheme of this size is 40% as required by policy and as set out in the Affordable Housing SPD (2008). It is proposed that 21 of the 84 residential units are affordable. This equates to a provision of 25%. All 21 of the affordable units would be accommodated in Block H.

8.10 The mix of affordable units comprises 21 units with the following tenure mix

- 7 shared ownership (33% of affordable housing units) and:
- 14 social rented (66% of affordable housing units).

8.11 All of the units are provided in Block H and the size of the units are as follows:

- 8x1Bedroom 2 Person units,
- 8x2Bedroom 3 Person units
- 4x2Bbedroom 4 Person units,
- 1x3Bedroom 5 Person units

8.12 The affordable Housing SPD sets out that there should be a mix of housing types and tenures, in this case all of the affordable units will a mix of shared ownership and social rented which is considered acceptable and there is also mix of housing sizes. I consider that the type and tenure of the proposed affordable housing is acceptable. The Housing Officer is supportive of the scheme and concurs with my conclusions.

8.13 Some concern has been raised with regard to the separation of the affordable units (in block H) from the rest of the

development and also concerns have been raised about the external treatment of this block. I am of the opinion that the clustering of the affordable units like this is in line with the advice in the current adopted affordable Housing SPD (para 23). The materials are a glazed brick and this is an expensive choice of material, which will make a bold statement at the Nelson Close end of the site. Again, this is in line with the aspirations of the Affordable Housing SPD Design section (paragraphs 25 – 28). I am satisfied that the siting and design of the affordable units are compliant with the Affordable Housing SPD, the general issues of design and context will be picked up in detail in the relevant section to this report.

- 8.14 I am also mindful that the Affordable Housing SPD sets out at paragraphs 41 – 45 the circumstances under which a lower level of affordable housing may be justified. I am of the opinion that these proposals have followed the required steps set out in the SPD and an independent review of the viability assessment has concluded that a lower level of affordable housing is justified at this site and consequently the current proposals comply with the requirements of the SPD.
- 8.15 Given the background information submitted in relation to the viability of the site and the conclusions of the independent review of this by BPS Chartered Surveyors, I am of the opinion that the number and mix of the affordable units would in this case, be justified at the lower provision offered with the scheme. I am also of the opinion that it will not be possible, under the circumstances, to secure additional affordable housing as part of the current proposals. That said, the affordable housing offered can be secured as usual through a S106 legal agreement and a 'clawback' clause inserted so that should the site appreciate in value, or the build costs fall so that a profit is made, then the Council can recoup monies on lieu of affordable housing provision.
- 8.16 Agreement has also been sought from the applicants to ensure that there is written confirmation that they wish to proceed with the development of the site notwithstanding the viability issues identified. In addition to this, agreement in relation to entering into an unconditional contract with a registered provider to deliver the affordable housing is sought. If agreement to these provisions is secured then I am of the opinion that the Council stands the best possible opportunity of securing the affordable

housing offered with the scheme, notwithstanding the viability issues of the site. Subject to these agreements, a S106 agreement to secure the affordable units and a 'clawback' clause to recoup any profit should the site become viable between grant of planning permission and completion of works I am satisfied that the affordable units offered at the site can be secured.

8.17 The Housing Officer is supportive of the scheme and is satisfied with the level and type of provision and tenure split. The Housing Officer has clearly stated that if the viability assessment proving the need for a reduced level of affordable housing is key to the support for the scheme, and I am satisfied that the review of the viability assessment by BPS Chartered Surveyors has demonstrated this. The detail of the Affordable housing scheme can be secured through a Section 106 Agreement.

8.18 In my opinion, if the offered level of affordable housing is taken in isolation there is a clear conflict with policy 5/5. However, in the light of NPPF guidance, the Affordable Housing SPD and the conclusions of the independent review of the viability of the site together with an overall and balanced view the wider benefits of re-using the site, providing additional housing and the creation of a new pedestrian thoroughfare, I am of the opinion that on balance, the proposal is compliant with Cambridge Local Plan (2006) policy 5/5 and the Affordable Housing SPD (2008)

Context of site, design and external spaces

8.19 The development comprises 84 dwellings, A1-A3 commercial space, and associated access, car and cycle parking and public realm enhancement.

8.20 A series of 8 residential blocks fronting Severn Place are proposed. Blocks A -G are arranged on north-south axis from Sun Street to East Road. These are all private blocks arranged in a series of staggered footprints and heights. They are located on the eastern side of Severn Place with a full car parking basement level below. On the western side of Severn Place is Block H, the affordable block, which would sit opposite Block G facing East Road.

- 8.21 Pedestrian and cycle access for most of the blocks would be from Severn Place into a series of vertical circulation cores. These would also provide access and a visual connection to the rear of Blocks C, D and E to a series of communal and semi-private garden areas. Block A, at the northern extreme of the site facing onto Sun Street, incorporates a commercial unit on its corner, a pedestrian access point and a vehicular access point into the underground basement car park. The basement level stretches the length of the eastern block arrangement and provides access upwards into the different cores. Parking is provided for Block H (affordable block) within this basement and is secured via a condition.
- 8.22 The scheme seeks to provide an extended and newly paved and landscaped public realm to Severn Place, which would be a significant improvement on its existing look and feel. It would extend to Sun Street/Newmarket Road thereby providing a new through-route in this part of the City which accords with the aspirations of the Eastern Gate SPD. It would be wider than at present, ranging from 6.2m to 12.8m, being approximately 11.1m wide across from Marino House. It would be a pedestrian and cycle friendly environment, with bollards positioned at either end. The scheme provides double height access points, generous recessed balconies/habitable rooms, porches, raised ground floor planters and roof top gardens facing onto Severn Place. Activity, surveillance and vibrancy to Severn Place would be created. Together with a new through-route to Newmarket Road, the public realm would be improved. This would be of significant benefit to existing and future residents.
- 8.23 The scheme would consist mainly of brick facades. Blocks A to G are not only staggered in footprint and height but are also proposed to be constructed in different brick types which are individually specified in the Design and Access Statement. This would reinforce the difference between the blocks and provide variation in texture, colour and ultimately greater visual interest to the scheme. Block H is proposed to be constructed from a blue glazed brick (variety Das Baksteen) which reflects the use of glazed tiling used on the nearby Co-Operative Society building. My personal view is that this would provide a high quality and distinctive façade.
- 8.24 Windows have concrete sills and are metal lined to provide deep reveals. Winter gardens to mitigate noise issues from

East Road are shown and a series of roof-top gardens are proposed across the tops of Blocks A - G. Balconies are deeply recessed and are typically 5-7sqm. Block G, the tallest block at 8 storeys, is terminated at its top with a loggia, providing visual depth to the façade. My view is that the facades are well articulated and would provide a dynamic form and appearance to the development.

- 8.25 In terms of the overall design, I note that the Council's Urban Design and Conservation Team have reviewed the scheme together with its amendments and find it to be acceptable. Setting aside height as an issue, I also note that the Design and Conservation Panel also accept the design response to the immediate and wider context, including the concept of proposed individual buildings of differing heights and materials. The Panel describe the scheme as 'aspirational, well-designed and contemporary'. I do not disagree with this assessment. In my opinion, subject to conditions to seek to secure the detail proposed, the scheme would be of a high quality and would respond successfully to its immediate surroundings.

Height

- 8.26 The proposed scheme is varied in height from lower 2/3 storey buildings adjacent to Sun Street on the northern portion of the site (Block A) to 8 storeys on the East Road side, on the southern portion of the site (Block G). Between Blocks A – G, the height is staggered. Block H (the affordable block), which sits opposite Block G, is 5 storeys.
- 8.27 When the application was first reported to the Design and Conservation Panel, prior to the formal application being made, the Panel concluded that 'an insufficient case had been made to justify the eight storey G building and seven storey D building within the site's immediate and wider context...' . The Panel noted that Block G exceeded the height of the County by three storeys. The Panel was concerned that an 'unwelcome precedent' would be set and required a more convincing case for the height of Blocks D and G to be made.
- 8.28 The scheme was subsequently amended and reported back to the Design and Conservation Panel. The focus of the Panel discussion was a detailed assessment of the height of the proposal in relation to Blocks D and G. Following this, the Panel

expressed a view that they were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. They remained concerned regarding the visual impact and prominence of Block D seeking a reduction from 7 to 6 storeys.

- 8.29 The applicants response was to narrow the form of Block G to make it more slender and to take a storey off Block D to reduce its height to 6 storeys, in line with the Panel's advice. The current planning application was submitted on this basis.
- 8.30 The Council's Urban Design and Conservation Team have also considered the issue of height very carefully. They advise that the proposed scale and massing has been informed using verified views and 3D modelling in order to assess the visual impact from both long and short distance views and that the application is accompanied by a skyline assessment in relation to adopted policy 3/13 (Tall Buildings and the Skyline).
- 8.31 The proposed site lies within an area of differing building heights and scales ranging from 2 and 3 storey residential, retail and office accommodation on Newmarket Road to larger 4 and 5 storey buildings on East Road (Grafton Centre and the Crown Court building). The Urban Design and Conservation Team state that variation in scale between the 8 individual blocks has been developed to reflect their immediate surrounding context. Blocks A and B are 2 and 3 storeys and reflect the smaller more domestic scaled buildings on Sun Street/Newmarket Road. Blocks G and H (8 and 5 storeys respectively) front East Road and respond to the height of nearby larger scale buildings (including the Crown Court, Grafton Centre, ARU young Street Campus). The 8 storey height of Block G and the 8 storey Parkside Place development at the southern end of East Road, in effect, will form bookends of similar height to the buildings along East Road.
- 8.32 The Urban Design and Conservation Team advise that Block G forms an appropriate landmark building on East Road and can support a "gateway" style proposal. They advise that it would not be out of character with this built up, commercial part of the city and would also not compromise the function of any future development on the site of Compass House. They advise that the proposed scale of development is acceptable and that the

stepping of building heights responds to the different characters of East Road and Sun Street/Newmarket Road.

- 8.33 In order to support this conclusion, the application is accompanied by a series of verified views which are set out in the Design and Access Statement. This shows that the scheme is visible from a range of different viewpoints. In particular, the top floor accommodation of Blocks D and G are visible from long distance views from Midsummer Common (view 18). This view shows the top storey of Block D and the top 1½ storeys of Block G to be visible.
- 8.34 The verified views show that the scheme is hidden by existing buildings and trees in closer views from Midsummer Common and hidden behind existing buildings from views taken along Maids Causeway. It is visible from the Elizabeth Way Roundabout/Tyre Depot and opposite No. 42 Newmarket Road.
- 8.35 Further to the verified views set out in the Design and Access Statement, a Theoretical Zone of Visual Influence (ZTV) was requested and submitted as additional information to determine the visibility of Blocks D and G from Midsummer Common. Views from Blocks D and G have also been produced looking towards the Common from roof level.
- 8.36 The further information shows that the visibility of the scheme from Midsummer Common would be limited to the northwest corner of the Common and to the north and east of Victoria Road. Block G would be more visible over a larger portion of the Common given its increased height over that of Block D. The trees along the south eastern edge of the common would significantly reduce the visibility of both blocks when in leaf. The visibility of the blocks to the west of Victoria Road would be negligible given the existing mature trees either side of Victoria Road.
- 8.37 The Urban Design and Conservation Team conclude that the visual impact of Blocks D and G is acceptable. Given the detailed level of assessment and limited visual impact highlighted, I share this view. Even though the skyline is partially broken, I do not consider the longer distance views of the tops of Blocks D and G to be harmful to the character or appearance of the Conservation Area. There is minimal visual impact closer to the site due to the built-up nature of the

surroundings. When visible, particularly Block G, the impact of the scheme in terms of height, combined with the high quality design, is appropriate to its context.

Overall

8.38 This is a high quality scheme that is well thought out in terms of its design and layout. My view is that it accords with policies 3/4, 3/7, 3/11 and 3/12 of the adopted Local Plan. More specifically, the staggered footprint and height of the scheme - culminating in an 8 storey block at its southern end - combined with the high quality design and significant public realm improvements, mean that it would enhance the character and appearance of the Conservation Area and its immediate surroundings. The proposal therefore also accords with policies 3/13 and 4/11 and with the Eastern Gate Development Framework SPD (2011).

Disabled access

8.39 The new public realm will provide level access to all of the dwellings, with slopes not exceeding 1:40. 7 disabled car parking bays of a total 46 spaces are provided within the basement area around each core. This level of provision exceeds the local plan requirement of 5%.

8.40 Policy 5/9 of the Local Plan requires the development to provide 15% of its units as designed to be suitable for people with disabilities to meet long-term housing needs. The proposed scheme accords with this policy, providing 15% of the units as wheelchair accessible. Communal lifts are provided to all the blocks apart from Block A, which is two storeys in height. The Design and Access Statement confirms that all of the dwellings will be designed to Lifetime Home standards.

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

Public Art

8.42 The applicants have submitted a Public Art Strategy. Its aspiration is the delivery of public art on site. Artist's brief and proposals for engagement with local stakeholders are included. I note the third party comments in relation to the public art already in situ at Merino House and I am of the opinion that the

new public art need not conflict with the existing installation and there may be scope to build on this with the new installation. I note also that the third party representations raise concerns about the existing public Art being obscured. Having visited the site to assess this issue, there is a bike storage shelter immediately adjacent to the south of Marino house, which already partially obscures the artwork at the lower level. This bike store will remain in-situ and I am satisfied that the upper parts of the existing artwork will remain visible as is currently the case. I am satisfied that this can be adequately controlled via conditions.

8.43 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

8.44 The proposals incorporate photovoltaic panels and CHP to power the communal areas (eg lighting to the car parks and stairwells). The sustainability statement outlines that the proposals would achieve just over the 10% renewable energy requirement. The Senior Sustainability Officer has supported the proposals and I concur with this view.

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

Residential Amenity

Impact on amenity of existing neighbouring occupiers

Overlooking

8.46 The proposed blocks A – G would create a new ‘street’ and would front onto existing residential blocks to the west of the application site.

8.47 Blocks A & B have been designed so as their main outlook/amenity space is at third floor level to the west elevation with brown roofs to the east, which has the effect of ‘setting back’ the development from the properties to the east and restricting outlook to the lower levels. The second floor also has

no outlook to the east. This means that the only outlook afforded to the east is from the ground and first floor levels. Given that the residential units to the east are sited above ground floor commercial units, I am satisfied regarding the relationship to the properties to the east of the site in terms of overlooking.

- 8.48 With regard to the impacts of Blocks A&B in relation to the properties on Dukes Court, the Blocks would be sited with a separation distance of approximately 15m. In addition to this, the new Blocks has been designed to 'step back' the main building and to incorporate amenity spaces to the western elevation with strong boundary treatments to these areas. This will reduce the impact of window to window overlooking and I am satisfied that this arrangement, with the separation distances to the amenity spaces is acceptable.
- 8.49 Block C is set at an oblique angle to Florian House and significantly to the north of Marino house and I am satisfied that there would not be any significant adverse impacts arising from block C in terms of overlooking.
- 8.50 Blocks D &-E would impact on Marino House and Florian House as they are sited directly opposite these blocks at a distance of between 20m and 14m. Blocks D & E both contain units with habitable rooms and balcony/amenity areas which would look onto the existing apartment blocks. I am of the opinion that whilst this relationship will have an impact on the existing apartments, there is still sufficient separation distance between the blocks for the town centre location.
- 8.51 Blocks F and G are sited to the south of Marino House and are directly opposite Block H, I do not consider that there are any impacts arising from this block in relation to existing properties.
- 8.52 Block H is sited to the south west of the site and, Marino House and Byron House would be the most affected properties, and to a lesser extent properties on Wellington Court. With regard to Marino House, there are no windows on the southern elevation to the apartment block which serve principal rooms, I am satisfied therefore that the windows serving the main habitable rooms to Block H and the balcony/amenity areas would not create an unacceptable sense of overlooking or loss of privacy to the occupants of Marino House. Byron House is sited at a

distance of 18m to the north-west of Block H at an oblique angle and again I am satisfied that the relationship between these units would be acceptable.

- 8.53 Given the location and current use of Compass House (office building) I am satisfied with regard to the impacts on this property arising from the proposals.

Dominance/sense of enclosure

- 8.54 Blocks A and B would be 11.7 and 10.2m in height respectively. These blocks are sited to the northern end (Newmarket Rd/Sun Street) of the development. I am satisfied that these building heights would relate well to the properties above the commercial units fronting onto Newmarket Road/Sun Street and also to those at Dukes Court.

- 8.55 Block C is sited opposite Wellington Passage and would be 17.6m in height. This block is sited approximately 12m from Florian House at an oblique angle with block D being directly opposite Florian House. Florian House is a modern block of 8 apartments and is approximately 15m high to its highest point. Block C would be approximately 2.6m higher than the existing apartment block and I consider this scale to be acceptable.

- 8.56 Block D is 21.3m high and would be set away from Florian House and Merino House by approximately 20m. Merino House also is a modern block of 11 one bedroom studios and is approximately 14m to its highest point, this block is physically attached to Marino House. Block D would exceed the height of the existing apartments by 7m, although with a separation distance of 20m I am satisfied that it would not appear overbearing or overly dominant. In addition to this, I note that there are balconies to Merino House which actually obscure the view upwards from the lower properties and so I do not consider that these will be significantly adversely affected. In addition to this, the existing buildings are closer to the existing apartment buildings, and whilst I accept that these are a smaller scale, I consider that the increased separation at distance at ground floor is beneficial in public realm terms.

- 8.57 Block E is 14.5m high and would be set at a distance of approximately 10m from Merino House and is to the south of Florian House. Given that this Block would be of a similar scale

to the existing apartment blocks I am satisfied that this relationship would be acceptable. I also consider that the staggered building heights would give some 'relief' when viewed from these existing apartments.

8.58 Blocks F and G would be 17.6 and 27.8m high respectively however, these blocks are set to the south of both Florian House and Merino House and block G fronts onto East Road. I am satisfied that there would not be any undue overbearing impact from these blocks on any existing residents given the proposed layout.

8.59 Block H would be 17.8m high and is set at a distance of approximately 13m from the southern elevation of Merino House and at an oblique angle to Byron House and at a distance of 18m at its closest point. Considering that Block H would be just under 4 m higher than Merino House when coupled with the separation distance between the blocks I do not consider that this Block will be unduly dominant or create an unacceptable sense of enclosure.

8.60 I have considered the impacts on the properties at Wellington Court and I am of the opinion that these properties are set sufficiently far away and to some extent are screened by the existing apartments at the site so as the proposed buildings (particularly the highest blocks D, H & G) will not have an adverse effect in terms of dominance or enclosure.

8.61 Compass House is to the east of the site and again, I am satisfied that the impacts of the development would be acceptable in relation to this property given the separation distance and its position on a busy arterial road and roundabout.

Loss of daylight/sunlight

8.62 An overshadowing study has been provided as part of the submitted skyline assessment (criterion 4: Amenity and Microclimate page 104 of the submitted D&A Statement) and forms a summary of the overshadowing study undertaken by WSP which accompanies the application. The content of this study has been reviewed by the Urban Design and Conservation Team who have provided the following detailed comments

- 8.63 *The results are presented as shadow plots for the equinox (21st March), halfway between the equinox and mid-summer (7th August) and halfway between the equinox and mid-winter (7th November) at 9:00am, 11:00am, 1:00pm, 3:00pm, 5:00pm and 7:00pm. The buildings assessed for overshadowing impacts were Compass House (office accommodation), Marino House (11 one-bed studios) and dwellings on Wellington Street.*
- 8.64 *The results of the shadow study for the equinox (21st March) indicate the proposed scheme will result in additional overshadowing of the east elevation of Marino House and dwellings within Wellington Street at 9:00am (but does not cast shadows by 11:00am). The south facing façade of Marino House is in shadow in the morning until 3:00pm (due to the location of Block H), however the south elevation of Marino House does not contain any principal windows (windows limited to en-suite bathrooms and as such are less sensitive). Additional overshadowing of Compass House occurs from 3:00pm onwards but is limited to the car parks to the northeast and southeast. Compass House is in full shadow at 5:00pm in the existing and is not overly increased by the proposal.*
- 8.65 *The results for the halfway point between the equinox and mid-summer (7th August) are similar to the equinox results above. The proposal results in overshadowing of the east façade of Marino House until 9:00am (but free from overshadowing by 11:00am). The south façade of Marino House remains in shadow until 3:00pm. Overshadowing of Compass House occurs from 3:00pm onwards but this is predominantly limited to the western 'wing'. The results show that dwellings within Wellington Street are not affected by the proposed development during this period.*
- 8.66 *The results from the halfway point between the equinox and mid-winter (7th November) indicate the east facing façade of Marino House is in shade until 9:00am in the existing. Overshadowing of the south façade of Marino House increases by the proposed development between 11:00am and 1:00pm (and is already in full shadow from 3:00pm onwards due to the arrangement of existing buildings). Overshadowing to Compass House increases marginally in the afternoon from 1:00pm onwards, but is already in full shadow from 3:00pm onwards in the existing condition. Overshadowing to the dwellings within*

Wellington Street is marginally increased at 9:00am by the proposed scheme. From 9:00am onwards these dwellings are in shadows cast by the Grafton Centre car park 'drum'.

8.67 *In conclusion, the submitted shadow studies indicate the proposed scheme will result in limited overshadowing of the east façade of Marino House in the morning but more significant overshadowing to the south elevation. However given the windows on the south elevation serve en-suite bathrooms the overshadowing impact is less significant. Overshadowing of Compass House is predominantly limited to the car parks and western 'wing'. Overshadowing of dwellings in Wellington Street is marginally increased by the proposal in the morning. The level of overshadowing resulting from the proposed scheme is acceptable.*

Impacts on Florian house (consented scheme 12/0113/FUL)

8.68 The submitted shadow analysis included in the *Skyline Assessment* (Criterion 4: Amenity and Microclimate page 104 of the D&A Statement) and *Overshadowing Study* produced by WSP indicate the overshadowing impacts to the residential development located immediately to the north of Marino House and south of Wellington Passage (application ref: 12/0113/FUL). The results are presented as shadow plots for the equinox (21st March), halfway between the equinox and mid-summer (7th August) and halfway between the equinox and mid-winter (7th November) at 9:00am, 11:00am, 1:00pm, 3:00pm, 5:00pm and 7:00pm.

8.69 *The results of the shadow study for the equinox (21st March) indicate that overshadowing to the east façade of the 12/0113/FUL flat block will be limited to the early hours (9AM) but is free from overshadowing by 11AM. The shadow plots for the afternoon (1PM, 3PM and 5PM) show that the east elevation of the flat block is overshadowed from the block itself.*

8.70 *The results for the halfway point between the equinox and mid-summer (7th August) are similar to the equinox results above. The proposal will result in overshadowing of the east façade of the 12/0113/FUL development at 9AM (but free from overshadowing by 11AM). The shadow plots for the afternoon (1PM, 3PM, 5PM and 7PM) show that the east elevation of the flat block is overshadowed from the block itself.*

- 8.71 *The results for the halfway point between the equinox and mid-winter (7th November) indicate the east elevation of the flat block is in shadow at 9AM in the existing and proposed, but is free from shadow at 11AM. The shadow plots for the afternoon (1PM and 3PM) show that the east elevation of the flat block is overshadowed from the block itself.*
- 8.72 *In conclusion the proposed scheme would result in minor additional overshadowing impacts to the east elevation of the 12/0113/FUL development in the morning, but will be free from overshadowing by 11AM. Due to the minor nature of overshadowing a full BRE assessment would not be required nor has it been requested. Accommodation within the 12/0113/FUL development is arranged so that habitable rooms (living, kitchen and dining rooms) are located towards the rear (west) side of the block. Windows on the east elevation facing Severn Place are limited to the communal hallway and bedrooms and are therefore less sensitive to overshadowing impacts.*
- 8.73 Having reviewed the comments from the Councils Urban Design and Conservation Team I concur with the conclusions, that whilst there would be some impacts, these would be acceptable and would not be so significant as to justify a refusal of planning permission.

Noise and Disturbance (from residential and commercial uses proposed)

- 8.74 The proposed residential units would be sited directly opposite Florian House, Merino House and properties on Dukes Court. Currently the area to the east of these existing units is largely vacant and vehicular traffic can enter the site from Nelson Close/East Road onto Severn Place. The previous uses were retail and leisure and although the site is currently vacant, these uses could re-commence without the need for planning permission. I am of the opinion that a residential use, in terms of noise and disturbance would be more compatible with the existing residential uses to the west of the site.
- 8.75 In addition to this, the proposals would mean that Severn Place would be closed to vehicular traffic and a new through route created for pedestrians and cycles from Newmarket Road to Nelson Close/East Road (which is currently not possible). I

consider that this would reduce vehicular noise and disturbance in the immediate vicinity of the surrounding residents and would create an active pedestrian and cycle route which would enhance the living conditions.

8.76 The scheme also incorporates two ground floor commercial units (A1/A3 uses), one at the Sun Street end of the development which would be 35 sqm and the other at East Road end of the site which would be 116.7 sqm.

8.77 Given the central location of the development and also coupled with the fact that these would be 'new build' commercial units, I am satisfied that it would be possible to suitably extract the units so as not to cause a noise/odour issue for the existing residents. Signage and any lighting would require planning permission and/or advert consent in their own right and would be assessed separately. I have noted the Environmental Health Officer's comments relating to opening hours of the units and again, I am satisfied that this can be controlled by suitably worded conditions.

Loss existing of parking provision

8.78 Third party representations have been received relating to the loss of existing on street car parking particularly in relation to Merino House and Florian House. From my site inspection it appeared to me that this is 'informal' on street parking which is unrestricted and cost free, it is also available on an 'ad hoc' basis with no guarantee of a parking space being available. I am of the opinion that access to free and unrestricted parking such this is unusual for a town centre location of this nature and that the loss of this, whilst it would have an impact on the occupants of these properties, it would not amount to a loss of any allocated or assured parking for the residents of the surrounding area. When the loss of parking is balanced against the provision of the pedestrian/cycle thoroughfare and the introduction of a residential use to replace the existing leisure/retail uses (and re-use of the largely vacant site) I consider that this impact would be acceptable.

8.79 The proposals will have an impact on the amenity of the existing residents to the area. The question though, is not whether there would be *any* impacts but rather *whether these impacts would be acceptable*. Having considered the issues outlined

above, I am of the opinion that given the location of the properties, the context of the existing potential leisure and retail uses re-commencing and the creation of a pedestrian through route, and removal of the parking/vehicular traffic, that on balance, the impacts would be acceptable in this case.

- 8.80 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

Overlooking

- 8.81 The relationship between the new units themselves has been designed so as to minimise the overlooking between the new units and I am satisfied that this relationship is acceptable. I also consider that the separation distances are appropriate for the context.

Daylight/sunlight

- 8.82 A Daylight/sunlight analysis has been submitted in support of the application and the Council's Urban Design and Conservation Team have commented the cast shadow analysis indicates that at least half of the amenity spaces to the rear of Blocks A-G and the roof terraces are likely to receive the recommended minimum of 2 hours continuous sunlight on the 21st March, in accordance with the BRE Site Layout Planning for Daylight and Sunlight: A guide to good practice, 2011 Second Edition. I consider that as the analysis demonstrates that the proposals would comply with the BRE guidance that the scheme is acceptable in this regard.

Amenity Space

- 8.83 The Council's Urban and Conservation Design Team have commented that the proposed amenity spaces for each of the units are considered of a functional size. The communal gardens are a welcomed addition to the amenity provision on site. I concur with this view and consider that given the size of the units proposed and their central location that there is adequate access to sufficient amenity space for all of the units.

The amended proposals have also strengthened the boundary treatments to ensure maximum screening from the surrounding traffic noise.

Noise and disturbance (existing residential and proposed commercial at ground floor level)

- 8.84 The proposed residential units would be sited directly opposite Florian House, Merino House and properties on Dukes Court. The area to the front of the properties would become a pedestrian/cycle through route from Sun Street/Newmarket Road to Nelson Close/East Road. I am of the opinion the residential occupation of the site would be compatible with the existing residential uses.
- 8.85 I am mindful that the site occupies a busy location and that there is likely to be noise arising from traffic movements in the area. However, given the central location of the units I consider that this would be acceptable and would not be unduly harmful to the overall level of amenity enjoyed by the future occupiers of the site.
- 8.86 The scheme also incorporates two ground floor commercial units (A1/A3 uses), one at the Sun Street end of the development which would be 35 sqm and the other at East Road end of the site which would be 116.7 sqm.
- 8.87 Considering the central location of the development and also coupled with the fact that these would be 'new build' commercial units, I am satisfied that it would be possible to design suitable fume extraction units so as not to cause a nose/odour issue for the new or existing residents should these be required. Signage and any lighting would require planning permission and/or advert consent in their own right and would be assessed separately. I have noted the Environmental Health Officer's comments relating to opening hours of the units and again, I am satisfied that this can be controlled by suitably worded conditions.

Noise and disturbance and odour (existing commercial uses)

- 8.88 There are existing commercial uses to the north east of the application site which front onto Sun Street/Newmarket Road. One of these units is a restaurant (the Orchid) which currently

has an extract system at high level and has been in operation/use for some time.

8.89 The proposals would introduce a significant number of sensitive receptors into the area and the restaurant currently extracts in a way that the impacts arising from noise and odour would be not acceptable with so many new residential units in close proximity to the site, and sited at a higher level. Clearly when the extraction equipment was installed, it responded to the context of the site at that time, and it would not be reasonable to serve an abatement order on the Orchid Restaurant after granting planning permission for a significant number of sensitive new receptors, knowing that the extraction system currently in place would not adequately mitigate impacts for the new residents. The Council's Environmental Health Officer has raised concerns that a significant number of properties would be adversely affected and that the impacts arising from noise and odour should be mitigated at source, rather than relying on mechanical extraction for the new units which would affect the amenity of the new occupiers and would not address the use of outside spaces. I concur with this view.

8.90 In order to mitigate the impacts at source (eg to improve the extraction system in terms of odour abatement and reduce the noise), this would require the existing system to be assessed and any improvements to be carried out at the Orchid restaurant prior to works commencing on the application proposals. There are two potential ways to achieve this:

- To enter into a S106 agreement with the owners of the Orchid restaurant to undertake works required prior to commencement of the development (subject to securing planning permission for the works as appropriate).
- To apply for planning permission for the works and to implement this prior to commencement of the development.
- Both of these options will require a report to be produced and for the mitigation to be agreed by the LPA.

8.91 I am of the opinion that either of these options would satisfactorily mitigate the impacts of the existing commercial use and would adequately treat the noise and odour at source prior to the commencement of the development to ensure that the living conditions of the new occupants are acceptable.

- 8.92 The applicants have indicated their agreement to pursue either the S106 or planning permission to address the issues and which course is appropriate will depend on the owners of the Orchid restaurant and the findings of the reports into the existing extraction at the site.
- 8.93 The applicant's have agreed to waive the right to visitor parking permits for the new occupants of the flats and this will have an impact on the new residents of the scheme. However, I am of the opinion that any future occupants will be aware of this restriction prior to occupation and also given the town centre location of the site, that the impacts arising from this will be acceptable.
- 8.94 In my opinion subject to conditions and either a S106 agreement to secure works to the Orchid restaurant or the works being implemented on site (prior to commencement of works for this scheme) I am satisfied that the impacts relating to noise and odour from existing businesses can be adequately mitigated at source. Subject to this, I am of the opinion that the proposal would provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.95 The refuse arrangements have been subject to amendment since the scheme was originally submitted and the latest comments from the Waste Manager indicate that the initial concerns relating to the bin sizes, manoeuvrability of the bins and vehicle tracking data indicate that all of these concerns have been addressed. On this basis, I consider that there is adequate provision made for bin storage and collection at the site and the proposals would therefore, be acceptable in this regard.
- 8.96 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.97 The proposals would incorporate a new vehicular access to the northern end of the site which would provide an 'in' and 'out'

access to the basement car parking. Following clarification since the original submission of the application the vehicular access is now considered safe and functional by the Highway Authority and I concur with this view.

8.98 The Highway Authority have also reviewed the Transport Assessment and have accepted both the baseline data and anticipate trip generation and impact on the highway. This is also deemed to be acceptable and again, notwithstanding the concerns raised in the third party representations, I concur with this conclusion.

8.99 There is no objection to the principle of the creation of a pedestrian/cycle thoroughfare through the site and conditions relating to the surface treatments (cycle lanes) and the standard of construction (to adoptable standards) can be adequately controlled by conditions.

8.100 The third party representations have raised concerns about conflict between cyclists and vehicles in using the access to parking and also in relation to cyclists wishing to travel south-west along East Road or to St Matthews's Street from the junction between Severn Place with East Road. However, this issue has not been raised as a concern by either the Highway Authority, or the Walking and Cycling Officer and as such there are no grounds to resist the proposals on this basis.

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

Car and Cycle Parking

8.102 The car parking provision at the site is 51 spaces in total. 46 of these are provided at basement level under blocks A-G and a further 5 spaces are provided in the undercroft to Block H. The spaces are allocated as 13 for the affordable units and the remaining 38 for the other private units. I consider that this split can be secured and implemented by way of a suitably worded condition.

8.103 The Highway Authority have accepted this parking ratio of 1:60 as acceptable for the central location. I concur with this view and consider that the level of parking provision is appropriate. The parking standards set out maximum provision levels and I

am satisfied that given the central location of the development that the level of parking is acceptable.

8.104 The overall level of cycle parking for the site is 157 spaces, these are allocated as 129 residents spaces and 28 additional visitor/customer spaces.

8.105 The level of cycling provision has been accepted by the Walking and Cycling Officer as acceptable and I agree that in terms of quantum the proposals are acceptable. The proposed arrangement of the cycle parking has been amended since the original submission of the scheme and is now considered acceptable by the Walking and Cycling Officer. I concur with this view and consider that provision can be adequately secured by way of a condition.

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

Landscaping

8.107 A landscape strategy has been submitted with the scheme and the general approach of this is supported by the landscape officer, as is the inclusion of brown roofs. I agree with the conclusions of the landscape officer and consider that the details of these elements can be adequately controlled via conditions.

Third Party Representations

8.108 The third party representations have been addressed in the main body of the report and/or in the table below:

Issue	Response or paragraph reference
Design issues <input type="checkbox"/> Scale and Bulk - height <input type="checkbox"/> Materials <input type="checkbox"/> Density <input type="checkbox"/> Design	8.19 – 8.38
Increased vehicle movements/congestion	8.97 – 8.101
Parking provision	8.102 – 8.106
Loss of existing parking	8.78

Cycle provision & cyclists safety	8.102 – 8.106, 8.100
Highway Safety	8.97 – 8.101
Affordable housing provision is too low	8.9 – 8.18 & S106 agreement
Amenity issues (noise & disturbance, overlooking, daylight etc)	8.46 – 8.80
New developments dominated by investment properties	This is not a planning matter and cannot be afforded weight in the determination of the application.
Existing public art obscured	8.42, 8.43
Noise and disturbance in construction phase	Controlled by condition.
Increased use of area and associated noise and disturbance to existing occupants	8.74
Fire escape route	No objection from Fire Authority.
Overcrowding and antisocial behaviour and lack of natural surveillance	Police matter if materialises, there is nothing inherent in the design to indicate that this will occur. The police liaison officer has not raised any concerns relating to this issue after assessing whether the scheme is 'secure by design'.
Consultations not carried out widely enough	The application was advertised by way of a press and site notice and the owners/occupiers of the properties with a boundary that adjoins the application site were directly notified. The statutory requirements for consultation have been met.
The public consultation organised by the developers was poorly attended and poorly advertised.	This cannot be given significant weight in the determination of the application, the minimum requirements for public consultation by the developer have been met.
3d Plans are misleading and do not show Florian House	Revised plans submitted to update this.

Site visit should be undertaken by Officers and Members prior to a decision being made	The site has been visited by Planning Officers as is standard practice for all applications. There is no formal requirement for members to attend site.
Third party comments have been ignored	The third party comments are summarised in the report and have been addressed.
Shared/community space should be provided on the ground floor	There is no policy basis on which to require this.
Can the pedestrian link be realised – it is on highways land?	It is intended that the link will be adopted.
Developer is seeking financial benefit and is not considering the future well-being of existing residents.	Financial gain cannot be considered as part of the assessment and the development is assessed in terms of its impacts on existing residents. (paras 8.46 – 8.80)
How will waste lorries access the site	Swept path analysis submitted and deemed acceptable.

Planning Obligation Strategy

Planning Obligations

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

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing

Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.110 The development is required to make provision for open space and the request for specific projects to improve outdoor and indoor facilities is set out at paragraphs 6.113 – 6.125 via a financial contributions. I am satisfied that the projects and sums requested would meet the CIL tests and that the detail of this provision can be secured through a Section 106 Agreement.

Community Development

8.111 The development is required to make provision for community facilities and the request for specific projects to improve the provision of community facilities is set out at paragraphs 6.126 – 6.129 via a financial contribution of £50,000 above. The detail of the scheme can be secured through a Section 106 Agreement. I am satisfied that this request meets the CIL tests.

Education

8.112 I am in the process of liaising with service managers to establish whether there are deficiencies in the provision of education provision in the local area. If this can be established then there would be grounds for seeking commuted payments to secure improvements to these facilities. This process will take some time to resolve therefore I would request delegated authority from Committee to conclude discussions with service managers and to negotiate with the applicants and either:

- a) Secure commuted payments towards appropriate projects to mitigate the impacts of the development on local infrastructure

Or

- b) Accept that it is not appropriate to seek commuted payments towards some or all of the local infrastructure categories in this case because such contributions would not be compliant with the CIL Regulations.

Affordable Housing

8.113 The development is required to make provision for affordable housing and I have assessed the proposals for affordable housing in paragraphs 8.11 to 8.19 above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement.

8.114 Subject to the completion of a S106 planning obligation to secure the requirements of the Affordable Housing SPD (2008), I am satisfied that given the submission of the viability assessment and its subsequent independent review by BPS Chartered Surveyors that the level of provision is appropriate for the scheme. In my opinion it would not be possible to secure additional affordable housing provision through the current scheme and therefore, the proposal accords with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

Other S106 requirements/or confirmation required before completing the S106

8.115 The following issues will need confirmation and/or inclusion in the S106 agreement.

- A negatively worded clause to ensure that the development does not commence until the developers have a freehold interest in the land at 1-7 Severn Place to ensure that the scheme and affordable element can be delivered.
- The noise and odour issue relating to the Orchid Restaurant will either need to be resolved before the grant of planning permission or a tri-party agreement entered into to secure the required works via the S106 agreement with an appropriate trigger point for the works to be completed (eg before commencement of the development)

- The inclusion of a 'clawback clause' within the S106 in the event that the scheme becomes profitable.
- Relinquish the visitor parking permits and to meet the costs of doing so.
- Residential Travel Plan

Planning Obligations Conclusion

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

Other Matters

Land Ownership

8.117 Currently the site is only partially assembled in the applicant's ownership. Two semi-detached properties to the south east of the site (1-7 Severn Place) currently lie outside of the applicant's ownership and will need to be acquired by the applicants to deliver the scheme.

8.118 It is accepted that land ownership cannot be given significant weight in the determination of the application and is essentially a civil matter that the Council cannot compel the applicants to purchase the site. Planning permission also relates to the land and not the individual applying for permission which is how site which have not been fully assembled can be the subject of a planning application.

8.119 However, as this is a major application and as all of the affordable units are located in block H which would occupy the area which currently outside of the applicant's ownership it is considered a negatively worded clause in the S106 agreement to prevent commencement of development until the developer has a freehold interest on the land and can realise the development is appropriate. It would not be reasonable, in my opinion to complete a S106 agreement and issue planning permission without such a clause to ensure that the site has been acquired and the scheme is capable of being delivered in its entirety, including the affordable housing element (see also S106 requirements section above).

9.0 CONCLUSION

- 9.1 In the light of the preceding discussion it is concluded that this is a challenging site and that there are still issues that need to be resolved before the development of the site can be realised. The viability issues with the site and been independently reviewed and verified and I accept these findings. The impacts of the development and the benefits of the scheme are balanced, and I am of the opinion having weighed all of the factors that the proposals would be acceptable subject to conditions and S106 obligations being secured. Consequently the application is recommended for approval.

10.0 RECOMMENDATION

- 1) **APPROVE** subject to completion of the s106 Agreement, and imposition of the following conditions:

1. Start Date

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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

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

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.
- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- i) Maximum vibration levels.
- j) Dust management and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - supplementary planning guidance 2014
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.

- s) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

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

10. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area.
(Cambridge Local Plan 2006 policy 4/13)

11. Noise assessment and mitigation - plant near new development

Part A

Prior to the commencement of refurbishment/ development works a noise report that includes the provisions of British Standard (BS) 4142:2014, Methods for rating and assessing industrial and commercial sound, which considers the impact of noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Part B

Following the submission of a noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area Cambridge Local Plan 2006 policy 4/13

12. Opening hours for commercial units

The opening hours to members of the public for the proposed commercial units shall only be between 07.00 hrs and 23.00 hrs Monday to Saturday and between 08.00 hrs and 22:00 hrs Sundays and Bank Holidays. The commercial units shall not be open to members of the public outside of these permitted times.

Reason: In order to safeguard residential amenity (Cambridge Local Plan policy 4/13)

13. Deliveries to Commercial Units

Collections and deliveries to the commercial units shall only be between the hours of 07.00 hrs and 21.00 hrs Monday - Saturday and 09.00hrs and 13.00 hrs on Sundays and Bank Holidays. The commercial units shall not be open for collections or deliveries outside of these permitted times.

Reason: In order to safeguard residential amenity (Cambridge Local Plan policy 4/13)

14. Renewables

Prior to the installation of the gas fired combined heat and power system, further information shall be submitted to and approved in writing by the local planning authority in relation to its technical specification, including emissions standards. The proposed on-site renewable and low carbon technologies shall then be fully installed prior to the occupation of any approved building and remain fully operational and maintained as such. The development shall be carried out in accordance with the submitted Sustainability Statement and Checklist dated 5 December 2014.

Reason: In the interests of sustainability, reducing carbon dioxide emissions and to protect human health (Cambridge Local Plan 2006 policies 3/1, 4/14 and 8/16)

15. Archaeology

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).

16. Fire Hydrants

No development shall commence until a scheme for the provision and location of fire hydrants to serve the development has been submitted to and approved in writing by the local planning authority. The development shall take place 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 policies 3/7, 3/12, 8/18 and 9/3).

17. Sample Panels

Before starting any brick 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, type of jointing 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 the 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 policy 3/12).

18. Non-masonry walling systems

Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the LPA prior to their installation. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

19. Windows and doors

Full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA prior to their installation. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

20. Boundary Treatment

The development shall not be occupied until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

21. Cycle Parking

The development shall not be occupied until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

22. Surface Water Strategy

The drainage works shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy of 20 November 2014.

Reason: To prevent environmental and amenity problems arising from flooding (NPPF 2012).

23. Within six months of the commencement of development, a Public Art Delivery Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of the Public Art and artist commission;
- Details of how the Public Art will be delivered, including a timetable for delivery;

- Details of the location of the proposed Public Art on the application site;

- The proposed consultation to be undertaken with the local community;

The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved details and timetable.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

24. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of how the Public Art will be maintained;

- How the Public Art would be decommissioned if not permanent;

- How repairs would be carried out;

- How the Public Art would be replaced in the event that it is destroyed;

The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

25. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area 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)

26. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual flats shall be provided. 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 the commencement of the use hereby permitted, the on-site storage facilities for commercial waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be set up and provided and shall include provision for a minimum of 50% recycling/organic capacity. 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

28. 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)

29. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

30. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with 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 ensure that the trees in the vicinity of the site are adequately protected in accordance with Policy 4/4 of the Cambridge Local Plan 2006.

31. The following details in respect of the new pedestrian and cycle through route shall be submitted to and approved in writing prior to surfacing works commencing on the of the route:

- details of all surfacing materials (to be to an adoptable standard)
- Street furniture (including but not limited to bins, lights, benches, planters etc)

Works shall then be completed in accordance with the approved plans prior to the first occupation of the development and shall thereafter be retained as such.

Reason: to ensure that the development has a satisfactory visual appearance and to ensure that the street can be completed to an adoptable standard in accordance with Policies 3/7, 3/4, 3/11 and 8/4.

32. 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)

33. 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)

34. 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)

35. The Construction Management Plan should be submitted and agreed prior to commencement of development and should include, travel plan measures for construction workers.

Reason: In the interests of Highway safety and neighbour amenity (Cambridge Local Plan Policies 3/4, 3/7, 8/3)

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

INFORMATIVE: No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.

INFORMATIVE: The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/land-pollution.en>. Hard copies can also be provided upon request.

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

- 2) **Delegated Authority to negotiate and complete S106 requirements as detailed above.**
- 3) **In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**

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64 - 68 Newmarket Road CB5

Update Report

18 January 2016



Introduction

BPS was appointed to provide an independent assessment of viability of development proposals at the above address.

Further to our most recent report of 2 November 2015 we have been asked to provide additional clarity in respect of a number of points raised by Councillors following the recent decent decision by the Planning Committee to consider a decision to refuse this scheme on various grounds one of which relates to viability.

This note seeks to address the points raised with the questions summarised and set out in italics in order to provide a coherent document.

Has recent advice issued to LB Islington by Government Lawyers acting on behalf of the S o S for CLG provided additional clarity concerning the land value and the need for developers to fully reflect planning policy when bidding for development land?

The advice referred to was provided in a letter to LB Islington in connection with a request by the Council to judicially review an Inspectors decision in connection with the following appeal 65-69 Parkhurst Road N7 0LP APP/V5570/A/14/2227656.

BPS acted for Islington Council on this appeal.

The appeal was dismissed but the Council objected to the Inspectors ruling in which he confirmed he was satisfied that the landowner was entitled to receive market value for the property even if this effectively meant that there was no effective margin from which to fund affordable housing. He regarded the key test being that the proposed land value was not in excess of market value and not that the developer should have made provision for providing affordable housing.

The Governments lawyers would not give the council leave for the review stating amongst other grounds that the Council would have the right to re-run these viability arguments again through another application given the appeal was dismissed. The following is an extract from the letter sent to the Council in which the Council's complaint is considered:

- i. The Inspector erred in his approach to PPG because he failed to “understand and / or give lawful effect to the requirement that site value should reflect policy requirements”. On its face this alleges simply that the Inspector’s reasoning, taken as a whole, fails to give effect to the statement in PPG that in all cases land or site value “should reflect policy requirements and planning obligations ...”. That, of course, is the Secretary of State’s own unambiguous policy position in the PPG itself, to which the Inspector himself referred. An argument about the Inspector’s reasons in this case is just as likely to involve an argument about what the Inspector’s reasons were, and whether he *applied* PPG correctly, as it is to involve a serious argument of principle about what the PPG actually requires. It is impossible to see how the court could be satisfied that this gives rise to any clear issue of legal principle, divorced from the facts and reasoning in the case, on which it could give meaningful guidance.

It can be seen that the position regarding the need to reflect planning policy is referred to in PPG. The Inspector accepted that planning policy, in this instance the provision of affordable housing could, taking into account viability, result in provision of between 0% and 100% affordable housing. This is because policy accepts the principle that obligations are capable of reduction to reflect viability and Islington’s target of 50% provision was borough wide and it is implicit that some sites would deliver more and others less than this target. Therefore a 0% affordable housing provision could theoretically therefore be considered compliant if there was an adequate case to prove that this reflected scheme viability and that land value was not considered in excess of market value.

In this context the Inspector was concerned to ensure the land value did not represent an overbid.

We do not consider the Government lawyers statement serves to introduce new opinion but simply further restates the SoS established position on viability. It certainly does not state that land value should reflect policy compliance with plan targets. The extent to which a developer should “price” in planning obligations when buying land is in our view really no clearer from this statement and further clarity is needed.

In the subject case the land value is underpinned by two factors:

- a) High commercial land values which provide a solid basis for suggesting a minimum land value outside of residential use.
- b) Site assembly is a special case where land is in multiple ownerships. Without access to compulsory purchase as a means of assembly, developers are constrained to negotiate the best outcome possible and inevitably as the site becomes more and more assembled the remaining owners see themselves as having a ransom position. We have worked on an appeal in Chiswick for Hounslow Council where the Inspector accepted the principle of raised land costs in such situations and accepted developers were entitled to profit for undertaking an essentially risky process. Such profit has not been incorporated into the land assembly costs in this instance.

We remain of the view that the land value is potentially understated.

BPS has not considered recent more relevant new build schemes when considering scheme pricing of the private residential units and should look again at more local schemes.

We have considered market sales values on two separate occasions in May and October 2015.

We always accept that viability is a moving position and views on viability for planning purposes should reflect current costs and values. To this end we have again considered local schemes to see if these indicate grounds for updating our sales value estimates in relation to the subject scheme.

New Build Schemes

There are a number of new build schemes which have been suggested to us as potentially providing more relevant and local sales information. When using sales evidence we seek to ensure that where possible as many aspects of the sale are known to us in to provide as complete an analysis as possible. These include floor areas, number of beds, amenity, parking provision and specification. Not all this information is currently available in respect of the additional suggested comparators.

1-5 Midsummer Place, Auckland Road

This scheme will comprise semi-detached 2 and 3 bed houses. Consequently we would expect this scheme to achieve sales values in excess of flatted schemes.

The scheme has not yet come to the market and will be offered in February for terms as yet un-finalised but anticipated to be in the region of £550,-£600,000 for 2 bed units. This suggests rates of £650-£750 per sq ft.

There are a range of units value applied to the subject scheme two bed units but typically values are £520-£530,000. Though it should be noted ground floor 2 beds maisonettes are priced at over £900- £1,000,000 with other 2 bed flats priced at £600-£700,000 dependent on location. The proposed values from the subject scheme compare well to this scheme.

101 New Street opposite Occupation Road

This new build terraced house sold for £450,000 in March 2015. No further details are readily available but the figure broadly equates to the lower priced 1 bed units in the subject scheme.

Unit 9 Evening Court/Newmarket Road

This modern terraced unit first sold in 1997 and has now achieved values in excess of £1m as at June 2015. This is broadly in line with the value for the 2 bed maisonettes in the subject scheme, though more valid analysis would be possible with floor areas and the number of beds available to us.

Parkside Place

This property is available as self-catered serviced apartments, typically available for rent for period of 2 days to 1 week minimum stay depending on the level of advance booking. These schemes typically generate values much more closely allied to hotel development than residential sales.

House Price Index

A variety of sources provide estimates of house price growth in Cambridge and across the county. Land Registry places growth over the last 6 months in the City at 6% and running at 12% for the last 12 months. This contrasts with the Land Registry's estimates of 3.5% growth over the last 6 months for the county as a whole

By contrast Zoopla places a lower level estimate of 3.4% as the rate of price growth for this area of the City, but is inevitably working from a smaller sample size as it attempts to provide more local analysis.

Conclusion

We remain of the view that the scheme has been fairly priced by reference to relevant market evidence.



Geraint John Planning

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15th January 2016

Toby Williams / Lisa Lamb
Planning Services
Environment Department
PO Box 700
Cambridge
CB1 0JH

Dear Sir / Madam

14/1905/FUL: Application for the demolition of existing buildings and erection of a mixed use development comprising 84 dwellings, circa 152m² A1-A3 commercial space, and associated access, car and cycle parking, and public realm enhancement at 64-68 Newmarket Road, Cambridge, CB5 8DZ

Post-January Planning Committee Note

Preface

This Note has been prepared in support of the above planning application providing a response to the key issues raised by Members when the application was reported to Planning Committee on 6th January 2016 with a recommendation for approval.

The Note provides further clarification on aspects of the planning application in relation to the issues raised by Members. The Note follows and has had regard to engagement and dialogue with Officers which occurred post the January Planning Committee, and, in combination with the detailed assessment previously undertaken and reported is considered to allow the proposals to be viewed favourably and acceptably.

Applicant's Response

Issue Raised	Applicant Response
Form of affordable housing provision - Block H (comprising the affordable housing units), is not tenure blind as a result of locating the AH units in a	<u>Finishing Materials</u> Despite the glazed blue brick specified being more expensive in cost terms when compared with the other facing bricks, and Officers stating (on 02/10/2015) that they are 'happy with the glazed brick choice on Block H as there will be a number of other brick colours on the other private blocks', and (within the Committee Report) that the brick 'reflects the use of glazed

separate block and by virtue of the treatment and finish of the block, and it doesn't accord with the SPD / relevant planning guidance in force accordingly (in respect to pepper-potting etc.).

tiling used on the nearby Co-Operative Society building', the Applicant is happy to accept a condition specifically controlling the choice of materials on this block.

We will be generating an updated image to reflect the proposed amendment to the finish.

In any case, it is considered that the materials, treatments and finishes to be utilised on Block H can be capably controlled to meet the specification desired by the LPA via Condition 17 proposed within the Officer's report – which required sample panels to be submitted to, and approved by, the LPA.

Distribution

It is acknowledged that the Affordable Housing SPD (January 2008) states that *'the layout of developments should integrate affordable and supported housing with the open market housing in ways that minimise social exclusion'*. One approach suggested by the SPD to achieve this goal is through *'clustering, which is the development of the affordable housing in multiple groups normally of between 6 and 25 dwellings depending upon the size and design of the development and the nature of the affordable housing'*. The proposal, being 21 units, is considered to comply and be in accordance with the SPD accordingly.

The applicant has long experience of providing affordable housing within its developments and can advise that Housing Associations prefer the units to be provided in small blocks, as shown on the layout, since more widespread "pepper-potting" contributes to the financial burden placed on RSLs in terms of costs and problems of maintenance and management. Moreover, providing the single cluster in Block H provides the only opportunity for a freehold disposal to the RSL, as the other areas of the development are located above communal parking areas. This contributes to the deliverability of the affordable housing provision.

There are numerous recent examples in Cambridge where it has been considered acceptable for affordable housing to be clustered in separate blocks, such as the CB1 development, the Marque, the former Cambridge University Press site, the fire station site at Parkside. Pertinent Committee Report extracts considering this issue, and outlining the acceptability of such arrangements are shown below:

LPA Ref.	Site / Location	No. of Clustered Affordable Units	Officer Report Extracts
14/1648/REM	Homerton Business Centre, Purbeck Road	27	"In principle Strategic Housing has no problem with a cluster of 27 affordable homes together. It makes sense to have the entire block as affordable housing as the affordable provider can manage rents and service charges better."
06/1026/REM	The Marque	34	"The affordable housing has been located in independent blocks G and H... The Enabling and Development Officer from Community Services has commented on the proposal in light of the affordable housing provision. Many of the comments have related to the layout of the proposed units such as the need for a lift in each of the blocks, car parking and the treatment of some of the patios. The Officer also commented that the relationship between the private and affordable units is satisfactory."

It should also be noted that there is no reference to "pepper-potting" as a means of promoting inclusive and mixed communities in the National Planning Policy Framework.

Notwithstanding this, the development proposes significant public realm improvements creating a street which provides for social interaction as well as facilitating movement. The creation of a 'place' which can accommodate all sorts of activities, formal or informal, planned or spontaneous will facilitate integration between all residents of the development and the

	<p>wider community.</p> <p>The proposed distribution would be consistent with the objective in the NPPF of delivering a wide choice of quality homes and the creation of sustainable, inclusive and mixed communities. This benefit would extend beyond the development site to the wider community.</p>																																																																																																														
<p>Lack of amenity & open space - albeit it is not clear whether this is a point made generally regarding the scheme i.e. overall, or whether just a deficiency perceived for Block H - this was a query raised in committee by Sarah Dyer (to obtain clarity for Officers) but which was not ultimately clarified to our understanding.</p>	<p>All dwelling units have been designed to follow the Lifetime Homes Design Guide with private, external amenity space for all residents. The level of private amenity space provided within the affordable housing provision is consistent with that of the open-market units. The specification of each unit in terms of unit size, and amenity space provision is set out in the table below:</p> <table border="1" data-bbox="502 481 1300 1108"> <thead> <tr> <th>Unit Ref.</th> <th>Unit Type</th> <th>GIA (m²)</th> <th>Amenity Space</th> <th>Amenity Area (m²)</th> </tr> </thead> <tbody> <tr><td>H001</td><td>3B5P</td><td>106.56</td><td>Garden</td><td>18.77</td></tr> <tr><td>H101</td><td>2B3P</td><td>65.93</td><td>Projecting Balcony</td><td>6</td></tr> <tr><td>H102</td><td>2B4P</td><td>74.16</td><td>Projecting Balcony</td><td>6</td></tr> <tr><td>H103</td><td>1B2P</td><td>59.74</td><td>Recessed Balcony</td><td>6.59</td></tr> <tr><td>H104</td><td>1B2P</td><td>53.07</td><td>Recessed Balcony</td><td>7.05</td></tr> <tr><td>H105</td><td>2B3P</td><td>65.04</td><td>Recessed Balcony</td><td>6.98</td></tr> <tr><td>H201</td><td>2B3P</td><td>65.93</td><td>Projecting Balcony</td><td>6</td></tr> <tr><td>H202</td><td>2B4P</td><td>74.14</td><td>Projecting Balcony</td><td>6.98</td></tr> <tr><td>H203</td><td>1B2P</td><td>59.74</td><td>Recessed Balcony</td><td>6.59</td></tr> <tr><td>H204</td><td>1B2P</td><td>53.07</td><td>Recessed Balcony</td><td>7.05</td></tr> <tr><td>H205</td><td>2B3P</td><td>65.04</td><td>Recessed Balcony</td><td>6.98</td></tr> <tr><td>H301</td><td>2B3P</td><td>65.93</td><td>Projecting Balcony</td><td>6</td></tr> <tr><td>H302</td><td>2B4P</td><td>74.16</td><td>Projecting Balcony</td><td>6.98</td></tr> <tr><td>H303</td><td>1B2P</td><td>59.74</td><td>Recessed Balcony</td><td>6.59</td></tr> <tr><td>H304</td><td>1B2P</td><td>53.07</td><td>Recessed Balcony</td><td>7.05</td></tr> <tr><td>H305</td><td>2B3P</td><td>65.04</td><td>Recessed Balcony</td><td>6.98</td></tr> <tr><td>H401</td><td>2B3P</td><td>65.93</td><td>Projecting Balcony</td><td>6.04</td></tr> <tr><td>H402</td><td>2B4P</td><td>74.16</td><td>Projecting Balcony</td><td>6.98</td></tr> <tr><td>H403</td><td>1B2P</td><td>59.74</td><td>Recessed Balcony</td><td>6.59</td></tr> <tr><td>H404</td><td>1B2P</td><td>53.07</td><td>Recessed Balcony</td><td>7.05</td></tr> <tr><td>H405</td><td>2B3P</td><td>65.04</td><td>Recessed Balcony</td><td>6.98</td></tr> </tbody> </table> <p>In addition to private amenity space, the scheme also enables Severn Place to be used as an active area of public realm / open space. Severn Place will be a controlled shared surface, which combined with drop bollards at either end, and a series of street trees and landscaping and raised planters will ensure the street is active, visually rich, safe, mews-like and suitable for play.</p> <p>The combination of private raised decks and shared areas provide an enjoyable, intimate and elegant space for private residents and the public. Communal seating will be located away from windows and the green infrastructure of tree and shrub planting will offer shade and attractive environment for users of the area. These are illustrated below:</p>	Unit Ref.	Unit Type	GIA (m ²)	Amenity Space	Amenity Area (m ²)	H001	3B5P	106.56	Garden	18.77	H101	2B3P	65.93	Projecting Balcony	6	H102	2B4P	74.16	Projecting Balcony	6	H103	1B2P	59.74	Recessed Balcony	6.59	H104	1B2P	53.07	Recessed Balcony	7.05	H105	2B3P	65.04	Recessed Balcony	6.98	H201	2B3P	65.93	Projecting Balcony	6	H202	2B4P	74.14	Projecting Balcony	6.98	H203	1B2P	59.74	Recessed Balcony	6.59	H204	1B2P	53.07	Recessed Balcony	7.05	H205	2B3P	65.04	Recessed Balcony	6.98	H301	2B3P	65.93	Projecting Balcony	6	H302	2B4P	74.16	Projecting Balcony	6.98	H303	1B2P	59.74	Recessed Balcony	6.59	H304	1B2P	53.07	Recessed Balcony	7.05	H305	2B3P	65.04	Recessed Balcony	6.98	H401	2B3P	65.93	Projecting Balcony	6.04	H402	2B4P	74.16	Projecting Balcony	6.98	H403	1B2P	59.74	Recessed Balcony	6.59	H404	1B2P	53.07	Recessed Balcony	7.05	H405	2B3P	65.04	Recessed Balcony	6.98
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It should further be noted that the site is well located in terms of wider community open space provision, being within easy, safe and convenient walking distance of Midsummer Common, Parkers Piece and St Matthews Piece.

A series of communal podium gardens and a communal rooftop garden are provided for occupants of the scheme. All occupants of Blocks F and G have access to the communal rooftop garden – which equates to approximately 37% of units.


Having regard to the LPA's calculation (as set out in an email from Education Officers dates 30/12/15) which confirms that the development is anticipated to generate three primary school children and two primary school children, it is considered unsustainable to provide any formal Local Areas for Play (LAPs) on site.

In regards to amenity space, the Officer's Committee Report states the following at Paragraph 8.83:

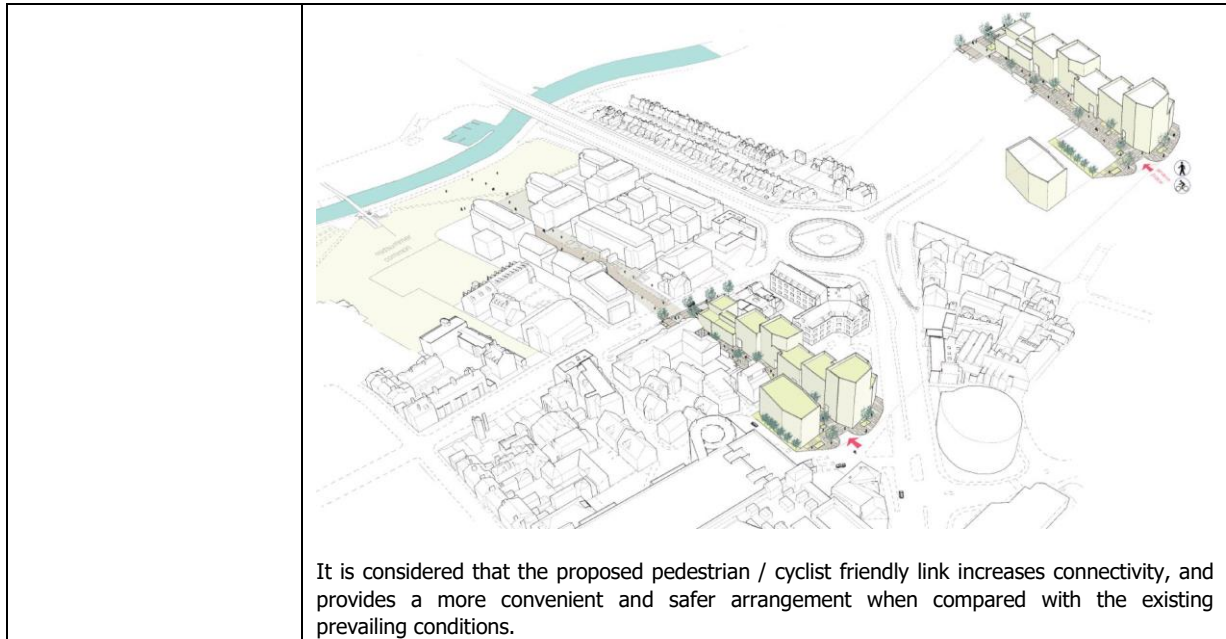
"The Council's Urban and Conservation Design Team have commented that the proposed amenity spaces for each of the units are considered of a functional size. The communal gardens are a welcomed addition to the amenity provision on site. I concur with this view and consider that given the size of the units proposed and their central location that there is adequate access to sufficient amenity space for all of the units. The amended proposals have also strengthened the boundary treatments to ensure maximum screening from the surrounding traffic noise."

Height - concern regarding Block G, and the need to reduce this by a storey: given its relative height in

Cambridge City Council Design & Conservation Panel (11/06/2014) have 'accepted the principle of an 8 storey Block G'. 'The Urban Design and Conservation Team advise that Block G forms an appropriate landmark building on East Road and can support a "gateway" style proposal. They advise that it would not be out of character with this built up, commercial part of the city

<p>its immediate/surrounding context, as opposed to its possible visibility/impact in a wider visual and a landscape sense.</p>	<p><i>and would also not compromise the function of any future development on the site of Compass House'.</i></p> <p>Given that no concerns have been raised regarding the height of all other blocks, it is considered that the height of Block G should be evaluated in the context of the other proposed blocks.</p> <p>The eight distinct building blocks have been appropriately scaled to reflect their immediate surroundings. Block A (2/3 storeys reflects the existing building heights facing Newmarket Road. Blocks G and H (8/ 5 storeys respectively) respond in height to the larger buildings facing East Road, such as the Crown Court, the Grafton Centre, the ARU accommodation at Young Street and Parkside Place. Block G will play a townscape role given its height and its relationship to the Elizabeth Way roundabout and to East Road. The taller section of Block G contains an open arcade at its base. Deeper reveals, taller vertical openings and open corners at the building's top provide relief and visual interest and help to reduce its mass.</p> <p>Verified View 12 Occupation Road, adjacent to Elizabeth Way Roundabout (Easting 546195.909, Northing 258832.968) is included below to illustrate the height of Block G in relation to its immediate/surrounding context.</p>  <p>Further justification of the height of Block G in the context of its immediate/surrounding context will be provided under separate cover and in due course.</p>
<p>Level of provision of affordable housing - whether the scheme, notwithstanding the viability assessment and independent review findings, should provide for the targeted 40% provision.</p>	<p>The National Planning Policy Framework (at Paragraph 111) sets out a core planning principle that in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land). Paragraph 173 of the NPPF states that <i>'pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking'</i>. The National Planning Policy Guidance (NPPG) states that <i>'to incentivise the bringing back into use of brownfield sites, local planning authorities should ... take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable'</i>. CLP 2005 Policy 5/5 states that <i>'the precise amount of such [affordable] housing to be provided on each site will be negotiated taking into account the viability of the development, any particular costs associated with the development and whether there are other planning objectives which need to be given priority'</i>.</p> <p>A number of recent appeal decisions support and confirm the approach to affordable housing provision –stating that if the requirement for affordable housing means that the development is not economically viable, the application must be dealt with so that it becomes viable. Example appeal references are included below for reference:</p> <p>APP/U1105/S/15/3129438 –allowed on 21st December 2015 APP/A5840/S/15/3121484 – allowed on 24th November 2015 APP/C5690/S/15/3032527 – allowed on 4th September 2015</p>

	<p>APP/J3015/S/15/3019494 – allowed on 17th August 2015</p> <p>Through the Applicant’s submission of the viability assessment (which has been independently verified and accepted by the District Valuer) it has been demonstrated to the satisfaction of the LPA that a planning obligation of the 40% provision targeted by CLP 2006 Policy 5/5 would cause the development to be unviable. Indeed the viability assessment demonstrated that the 21 units offered are significantly in excess of the number of units which the viability assessment can justify. It has accordingly been demonstrated that the level of provision of affordable housing is entirely justified and acceptable.</p>
<p>Renewable energy provision - the lack of integration of Block H into the overall sustainability solution for the site – contrary to the Eastern Gate SPD.</p>	<p>As confirmed in the Applicant’s email to the Authority (dated 13/01/2016) the Sustainability Appraisal submitted in support of this application makes clear that all 84 apartments are served by the CHP installation irrespective of which block they are in. Accordingly, Block H will be connected to the proposed CHP installation.</p> <p>It is considered that the LPA’s enforcement of this can be capably controlled via Condition 14 proposed within the Officer’s Report – which requires information of the renewable energy provision to be submitted to, and approved by the LPA prior to its installation.</p>
<p>Lack of connectivity - throughout the site and to surrounds etc.</p>	<p><u>Existing Connectivity</u></p> <p>The pedestrian network surrounding the site is of a good quality and well maintained footpaths and street lighting on both sides of Newmarket Road. Located immediately to the east of the site is a signalised roundabout; pedestrian subway access is provided to all arms of the roundabout. The subway appears to be clean, lit and well maintained. Approximately 70m to the north west of the site a zebra crossing is located; this can be used to access Midsummer Common on the north side of Newmarket Road and eastbound bus stops. The zebra crossing incorporates a central refuge with guard railing. To the east of the junction with Auckland Road on Newmarket Road, a Toucan crossing is located approximately 200m east of the development site. Located to the north-east of the site is Walnut Tree Avenue; the latter provides a pedestrian route underneath Elizabeth Way, following the southern bank of the River Cam.</p> <p>There is currently no through-access from East Road in the south to Newmarket Road in the north. It is therefore considered that the current arrangement stifles permeability in this locality. Consequently, the Eastern Gate Development Framework has identified that opportunities exist in and around the site to create new links between communities.</p> <p><u>Proposals</u></p> <p>The proposed development enables Severn Place to act as a pedestrian and cyclist through route between East Road and Newmarket Road creating a comfortable and simplified pedestrian and cyclist environment. Accordingly, the development is considered in line with CLP 2014 Policy 22 through the provision of improved connectivity, and the re-establishment of historic routes.</p> <p>The development will facilitate access to the cycle path to the south of the site on East Road, and enhance the character of the area promoting walking and cycling accessibility in line with CLP 2006 Policy 8/4 and CLP 2014 Policy 80. This is shown on the below drawing which illustrates the proposed increased permeability and urban connections:</p>



Conclusion

Having regard to the considerations outlined, the applicant respectfully contends that the application is acceptable, and planning permission ought to be granted.

Should you require further information, please do not hesitate to contact me.

Yours faithfully,



Geraint John
Director
Geraint John Planning Ltd.

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Appeal Decision

Hearing held on 27 October 2015

Site visit made on 26 October 2015

by John Felgate BA(Hons) MA MRTPI

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

Decision date: 24 November 2015

Appeal Ref: APP/A5840/S/15/3121484

Land at 2-2A Crystal Palace Road, East Dulwich, London SE22 9HB

- The appeal is made under Section 106BC of the Town and Country Planning Act 1990 against a refusal to modify a planning obligation.
 - The appeal is made by Crystal Palace Road Limited against the decision of the Council of the London Borough of Southwark.
 - The development to which the planning obligation relates is "*The demolition of the existing building, and the erection of a part 3, part 4-storey building, comprising 22 residential units, together with basement car parking, landscaping and works incidental to the development*".
 - The planning obligation is contained within an agreement dated 13 February 2015, between the Mayor and Burgesses of the London Borough of Southwark, and Crystal Palace Road Limited.
 - The application Ref 15/AP/1251, dated 18 March 2015, was refused by notice dated 6 May 2015.
 - The application sought to have the planning obligation modified by the removal of the requirement to provide affordable housing.
-

Decision

1. The appeal is allowed. For a period of three years from the date of this decision, the planning agreement identified above shall have effect subject to the modifications set out in the Schedule appended to this decision.

Costs applications

2. Applications for costs have been made by both the Appellants and the Council, against each other. Those applications are the subject of a separate decision.

Procedural matters

3. Prior to the hearing, I prepared a Pre-Hearing Note (PHN), which was sent to the Council and Appellants on 2 October, seeking clarification and further information on various matters, including full disclosure of all written communications between the parties during the original application stage. The parties helpfully responded with the information requested. This documentation has informed my decisions on the appeal and costs applications.
4. As part of their response to the PHN, the Appellants also submitted an updated version of their Affordable Housing Viability Statement, dated October 2015, including an updated 'Argus' appraisal, dated 8 October 2015. The Council objected to the submission of this additional evidence. At the hearing, the Appellants agreed not to contest the point. I have therefore disregarded the October 2015 statement and appraisal.

5. Prior to the hearing, the Council requested that the appeal be dealt with by way of a public inquiry. That request was refused by the Planning Inspectorate in an email dated 25 August 2015. Subsequently the Council made a further written request for an inquiry. At the opening of the hearing, I sought further comments on the choice of procedure. The Council stated that it was now content to continue with the hearing procedure, albeit with some reluctance. I acknowledge the Council's misgivings. However, having read all of the evidence, and having heard the submissions made at the hearing, I am satisfied that I now have all that I need to be able to determine the appeal.

The legal basis relating to S.106BC appeals

6. The legal basis for determining the appeal is set out in the Act¹. Section 106BA(3) states that if the requirement for affordable housing (AH) means that the development is not economically viable, the application must be dealt with so that it becomes viable. In any other case, the AH requirement must continue to have effect. Section 106BC(6) provides that the same provisions apply in respect of an appeal.
7. Section 106BA(8) also states that in making any determination of such an application, regard must be had to guidance issued by the Secretary of State. Again, the same applies to appeals.

Government guidance

8. The current guidance for S.106BC appeals is dated April 2013². By way of context, the guidance states (at paragraph 2) that unrealistic S.106 agreements are seen as an obstacle to house building; the Government is said to be keen to encourage development to come forward, both to provide more homes, and to promote construction and economic growth.
9. The test of viability is whether the cost of building out the whole development would enable the developer to sell the open market units and make a competitive return to both the developer and landowner (paragraph 10). The burden of proof for showing the lack of viability is placed on the applicant (11). Alternative proposals should be brought forward, to deliver the maximum viable level of AH (12).
10. The developer should submit clear, up-to-date and appropriate evidence. This should be in the form of an open-book review of the original viability appraisal (13), which should be the starting point for reassessing the development's viability (16). A revised appraisal should be prepared in the same form and using the same methodology, based on current market conditions (17/18).

Main issues

11. In the light of the above, and all the matters raised by the parties, I consider that the main issues in the appeal are as follows:
- i) Whether the proposed development, with the AH requirement as it currently stands, has been shown to be not economically viable;
 - ii) Whether the evidence produced by the Appellants for the purposes of the appeal is consistent with their submissions made during the application process, and accounts for any differences;

¹ The Town & Country Planning Act 1990

² 'Section 106 affordable housing requirements: review and appeal', DCLG April 2013

Reasoning

(i) Whether the proposed development has been shown to be non-viable

Background

12. The original planning application, submitted on 23 June 2014, was put forward by the Appellants (or the applicants, as they then were) on the basis that no AH should be required, for reasons of viability. The Appellants' case was set out in an AH Viability Statement, by BNP Paribas (BNPP), dated June 2014. Appended to the statement was an 'Argus' spreadsheet-based financial appraisal, plus a list of sales prices for comparable residential properties, and a quantity surveyors' cost estimate report by Bruce Shaw Partnership (BSP). In response to queries raised by the Council, further supporting evidence was submitted by the Appellants during July – October 2014, which included additional evidence on residential selling prices, ground rent yields, professional fees, developer profit levels, industrial rental levels and industrial yields. This evidence was intended to support the Appellants' original argument for nil AH provision.
13. On 8 October 2014, the applicants changed their position, by stating that, although their view was still that the development could not afford any AH, they were now minded to make a 'without prejudice offer' of 35 per cent on-site AH provision. At the Council's request, some further information was submitted, including two further Argus appraisals dated 5 and 28 November, but no further Viability Statement. Planning permission was then granted, and the S.106 agreement entered into, on the basis of 35% provision.
14. The application to modify the agreement was accompanied by an updated AH Viability Statement by BNPP, dated March 2015. The statement also included a new Argus appraisal dated 13 March 2015, and updated evidence on residential sales values, industrial rents and yields, an updated building costs report, and a spreadsheet-based site valuation based on the existing industrial use.
15. The March 2015 Viability Statement follows the same format and methodology as the original June 2014 version, and thus allows a ready comparison between the two. In a number of cases, where figures have changed from that original version, the differences are explained and accounted for. The March 2015 statement therefore incorporates a review of the original, as well as forming a revised appraisal in its own right. To my mind, the evidence contained in it is clear, up-to-date, and appropriate, as required by the relevant guidance. In the circumstances, it seems to me that the March 2015 report should be the main focus of my consideration in this appeal.

General methodology

16. The methodology of the viability statement involves establishing a 'Benchmark Value' (BV), which is based on the site's existing use value, plus a landowner's premium. It then compares this to the 'Residualised Price' (RP), which is effectively the residual land value. The RP is derived from the proposed development's 'Net Realisation' value, less all relevant development costs. The latter include construction costs, fees, and the developer's target profit.
17. The method suffers from some disadvantages in terms of clarity. In particular, the Argus spreadsheet makes the Residualised Price appear as an input, rather than as the end product, which is what is required for planning purposes. And the calculation of the Benchmark Value is carried out separately, so that there

is no facility for comparing the RP and BV directly within the Argus appraisal. But the method is not objected to by the Council. And despite the drawbacks of the Argus spreadsheet, the end result is made sufficiently clear in the Viability Statement.

Benchmark Value

18. The Appellants' valuation of the existing industrial building is based on a floorspace of 12,394 sq ft (1,151 sq m). The Council disputes this. Both parties' figures are said to be based on actual measurements taken on site. However it is agreed that the Appellants' figure accords with that used by the District Valuer for rating purposes. I see no reason to depart from this.
19. The Appellants assume a rental value of £11.00 per sq ft. This is supported by a schedule of the rental levels said to have been achieved in 12 other industrial lettings in the area. None of the units cited is identical to the appeal site, but that could hardly be expected. The examples appear to span a reasonable range of sizes, types and quality of building, and different types of location. All the sites are within the general area of inner south-east London. And all the transactions were concluded within the 12-month period immediately prior to the date when the evidence was submitted. I see no reason to doubt the accuracy of any of this information, but in any event if the Council had any doubts on that score, they have had ample time to undertake any necessary checks. There is an absence of any more detailed information, such as the length of leases and other detailed terms, but to my mind requiring that kind of information would be disproportionate.
20. Consequently, in my view, the information provided by the appellants is sufficient to provide a general overview of industrial rents in the area, and serves as a reasonable basis for assessing the value of the appeal site. This evidence shows an overall range of rental levels from just over £6 to well over £20 per sq ft, with the majority clustered in a narrower central band of around £11 - £13 per sq ft. The appeal site is not in a prime location. It has residential properties for neighbours on two sides, and its access is from a residential street. I agree these will all have some effect. I also note that the Council suggested one additional comparator building, which was said to have been let at £9.22 per sq ft. But nevertheless, in the context of all the evidence as a whole, I consider that the Appellants' assumption of £11 is reasonable.
21. The Appellants suggest that this rent should be capitalised based on a yield of 8 per cent. A schedule is produced showing the yields derived from five recent industrial investment purchases. These range from 2.5% to 8.25%. The level suggested for the appeal building is towards the upper end of this range, and is thus a relatively cautious assumption in terms of its effect on the capitalised value. The Council questions the Appellants' assumption, but has not produced any counter-evidence. I accept that the Appellants' examples are net initial yields, which exclude the effect of future rent reviews, but to my mind this does not invalidate them. I therefore find no reason to disagree with the Appellants' proposed yield figure of 8%.
22. Based on the above inputs, the Appellants calculate that the existing site value, net of fees and stamp duty, is £1,381,000. The mathematics of this calculation are not disputed, and I see no reason to disagree.
23. The Appellants then add a 'landowner's premium' of 20%. This is disputed by the Council, but the DCLG guidance notes the importance of allowing for a

competitive return to the landowner as well as the developer. In this context, it seems to me that the principle of a landowner's premium is reasonable, because without some element of financial return to the owner, over and above the existing use value, there would be little or no incentive to make the site available for development. I also note that the RICS Guidance³, which was referred to by both parties at the hearing, acknowledges the possible need for such an incentive. The evidence before me does not show whether such a premium was in fact included in the price paid by the present appellants; but that is not relevant, because the viability exercise is essentially a theoretical one, which is independent of the particular circumstances of the parties currently involved. In the light of all the evidence before me, the proposed level of 20% for the landowner's premium seems to me to be reasonable.

24. Based on all of the above, the Appellants propose that the BV should be taken to be £1,657,200. Again, the mathematics are not in dispute. Having found all of the above inputs to be acceptable, I see no reason to disagree with this benchmark figure.

Residual land value

25. On the 'Revenue' side of the appellants' appraisal, the March 2015 Viability Statement shows a total sales value of £12,699,320. This is based on all 22 units being for open market sale, and is therefore effectively a 'best case' scenario. The Council disputes the sales values, and suggests alternative values on a per sq ft basis, which are some 7-8% above those adopted by the appellants.
26. However, the appellants' case is supported by a schedule listing the asking prices of 24 comparable residential units within the local area. Those prices show an overall range equating to around £370 - £710 per sq ft. The figures adopted by the appellants for the appeal development, at £630 - £690 per sq ft, are close to the top of this range. As such, I see no basis on which the appellants' assumptions can be said to be unduly pessimistic.
27. I appreciate that these comparables cited by the appellants are all second-hand properties, and a new development such as that now proposed would be expected to achieve slightly higher values, on a like-for-like basis. But the Council has not identified any other relevant new developments in the area. And in any event, to my mind, the price differential is taken into account, by projecting sales values above the middle of the range. I accept that actual selling prices may differ from the asking price, but this merely reinforces my view that the appellants' assumptions appear reasonable.
28. The Council refers to research undertaken by Lambert Smith Hampton (LSH), but this has not been produced, and no details have been made available. Little weight can be given to unsupported assertions. Some property details from the 'Zoopla' website were referred to at the hearing, but the appellants had not had an opportunity to examine these previously, and I have therefore given little weight to this evidence.
29. I therefore find that the appellants' assessment of the total sales value has been adequately substantiated. The question as to ground rent yields is no longer contested, nor are any other elements of the gross or net development

³ 'Financial Viability in Planning': Royal Institution of Chartered Surveyors, 2012

- value. On this basis therefore, I find no reason to disagree with their Net Realisation figure of £12,825,714.
30. On the 'Outlay' side of the appraisal, the appellants' building costs are based on the cost estimates report by BSP. The Council disputes the need for a 'design development' allowance in addition to the sum for contingencies, and I agree that there may be some overlap between these two items, which are both geared towards unforeseen eventualities. However, even when they are combined on a cumulative basis, they equate to only about 8% of the building cost. To my mind that is not unusually large, especially here, given the evidence regarding the need to build over the Effra sewer. I accept that ultimately it is quite possible that neither of these sums might need to be spent, but that is not the point; the issue is whether it is reasonable for a developer to make an allowance on this scale, to cover the uncertainties of construction. In my view, the design development and contingency sums in the March 2015 appraisal are self-evidently reasonable in the context of the development proposed at the appeal site.
31. The Council questions the sum budgeted for professional fees. However, the Viability Statement gives a detailed breakdown of the various professional fees, totalling around 12% of the building cost, and this evidence has not been seriously challenged. I find no reason to doubt the appellants' figures on this item.
32. Finally, the Council also queries the developer's target profit, which the appellants treat as a cost input, at a rate of 20% of the gross development value. The appellants support this figure on the basis that this is the rate usually required by lenders; whereas the Council contends that other developments have gone ahead at around 17%. Neither of these arguments is supported by any hard evidence. However, I am mindful of the fact that the Guidance seeks to ensure a competitive return, and in that light, it seems to me that the question is what rate of return is likely to be necessary, to encourage a prudent developer to go ahead with the development. In the present case, it is significant that most of the proposed 22 residential units would be comprised in a single block, limiting any opportunities for phased completions to assist cash-flow. In those circumstances, it seems to me that a return of less than 20% might well be perceived as insufficient to justify the risks of undertaking the scheme. I therefore find the appellants' target profit figure preferable to the Council's
33. None of the other cost inputs are disputed, nor are the mathematics. On this basis, it follows that the residualised land price, or RP, is £383,157 as shown in the March 2015 appraisal.

Overall viability

34. Based on the above figures, the residual value falls well short of the Benchmark Value, indicating that the proposed development is not economically viable. I conclude that the appellants have satisfactorily demonstrated a lack of viability.

(ii) Whether the evidence is consistent with the submissions made during the application process

35. Unsurprisingly, the figures contained in the appellants' updated Viability Statement and appraisal dated March 2015 differ from those in the original June 2014 version, including some which have gone down, as well as others that have increased. For the most part, these changes are within the range of variation that might be expected over the intervening period of 8 or 9 months, and where the differences are significant, they are accounted for within the Statement. Overall, the updating between these two versions does not alter the outcome of the exercise. In the present appeal therefore, nothing turns on any comparisons with the June 2014 Statement, and the Council does not suggest otherwise.
36. Instead, the Council's argument is that the figures in the March 2015 version differ from those in the Argus spreadsheet submitted on 28 November 2014, and in subsequent emails between then and the Planning Committee meeting on 3 February 2015. In essence, the Council argues that this evidence demonstrates that the development would be viable with 35% AH. I appreciate the Council's strength of feeling on this point. However, having reviewed the extensive correspondence that passed between the parties during the period in question, and all of the submissions before me, my view is that the Council's interpretation is not supported by the evidence.
37. The original June 2014 Viability Statement presented the appellants' case as to why the inclusion of any AH would not be financially viable. The early exchanges between the parties contained nothing to contradict that position. When the appellants changed their position on 8 October 2014, their letter and covering email of that date both stated that the proposal for 35 % AH was made on a without prejudice basis, in return for ensuring an early committee date. The letter also confirmed the appellants' continuing view that the development could not afford any AH.
38. At that point however, it appears that the Council's position also changed: from previously maintaining that the development must provide AH, to now seeking evidence that such provision could be made viable. On more than 20 occasions between 8 October and 19 December 2014, and at two meetings during this period, the Council sought further detailed financial information to 'justify' the 35% AH offer. On a similar number of occasions, the appellants provided the requested information, which was then on some occasions disputed by the Council. Given that 35% was in line with the maximum that the Council had sought, and was agreed to be policy-compliant, this was an extraordinary turn of events. Accordingly, it seems to me that the ensuing exchanges between the parties can only be viewed in this context.
39. On 28 November, after several such exchanges, the appellants' agents, DP9, submitted an Argus spreadsheet appraisal, with various input figures changed, and an RP of just over £1.07m. However, there was no accompanying viability statement, and no indication as to the level of the BV, which would have been needed in order to establish viability. Furthermore, the appellants' covering email stated that, based on this appraisal, the 35% AH offer would need to be conditional upon the Registered Social Landlord supporting certain minimum values, but this point does not seem to have been explored further by either party. As far as I can see, nothing in the 28 November appraisal, or the

- covering email, sought in any way to represent that the development with 35% AH included would be financially viable.
40. The exchanges of correspondence continued over the next few weeks, and again in none of this correspondence does it seem to have been suggested by the appellants that the scheme, with the AH included, was viable. Indeed the tone of the correspondence makes it fairly clear that this was not the appellants' view. On 12 December, in an email copied to the Council, BNPP set out the revised assumptions incorporated in the 28 November appraisal. The writer commented that, although the appellants had attempted to achieve a compromise position, some of these changes were "*not currently acceptable to the market*". To my mind this email made it evident that the appellants were not representing the 28 November appraisal as evidence that the scheme was viable, still less were they seeking to persuade the Council of any such proposition.
 41. On 17 December, the Council raised further points of dispute regarding various matters arising from the 28 November appraisal. Their email then said: "*However, notwithstanding this, if you could simply confirm that you are now adopting a benchmark value of £1m... we can proceed on this basis,... given that the scheme would then be viable at a RLV of £1.072m*". In reply, the appellants acknowledged that they would adopt a lower benchmark figure than previously, but they declined to comment on the specific figure of £1m, or on the question of whether the scheme would then become viable. When pressed again by the Council on the same point, on 19 December, the appellants conceded a BV of £1m, but commented that this could only be justified by assuming a rental level lower than the comparable evidence. The Council's contention that the 28 November appraisal showed the 35% AH scheme to be viable, and that the appellants sought to persuade the Council of that fact, hangs on this one email. In the light of the above sequence of events, that contention does not bear scrutiny.
 42. For completeness, I note that the other appraisal submitted by the appellants during this process, on 5 November 2014, is not relied on by either of the parties, and indeed both have agreed that I should disregard it. I have therefore done so, except to note that the covering email on 5 November again stated that the appraisal was without prejudice.
 43. Having regard to this correspondence as a whole, I find nothing to support the Council's central contention that the appellants have changed their position on the underlying issue of whether the inclusion of AH in the scheme is viable. The 28 November 2014 appraisal and subsequent correspondence did introduce some different figures and assumptions from those contained in either of the June 2014 or March 2015 versions. However, it is clear that those changes were made only because of the Council's insistence that the scheme should still be justified in viability terms, even after it had been amended to be policy compliant. This put the appellants in the impossible position of being required to provide evidence for a proposition that they had already rejected, and which they continued to reject. As such, it seems to me that little weight can be attached to either the 28 November appraisal or any of the correspondence that followed from it.
 44. I appreciate that the DCLG Guidance refers in paragraph 13 to the 'original appraisal' as the one that was most recently agreed by the authority and the

developer. However, due to the circumstances detailed above, the 28 November appraisal does not seem to me to fit that category.

45. I conclude on this issue that the Viability Statement and related Argus appraisal prepared for the S.106BA application in March 2015 are broadly consistent with the earlier submitted versions, and account adequately for the differences since the application was submitted. This reinforces my view that the March 2015 statement comprises an appropriate basis for determining the appeal, and that it demonstrates that the proposed development is not economically viable.

Other matters

46. I have considered whether there is any prospect that the proposed development could be made viable by deleting only part of the AH requirement, rather than the whole. But the evidence appears to show that the scheme has negative viability even without any AH.
47. In the light of that point, the Council draws attention to the requirement in S.106BA(3)(a), that the appeal must be dealt with so that the development becomes economically viable. Based on the present evidence, it appears that allowing the appeal would not be sufficient to produce that result at present. However, the appellants contend that, over the 3-year period allowed by S.106BC(13), there is a prospect that the development, without the AH, could achieve viability, due to the upward trend in house prices. Having regard to the underlying purpose of these provisions, of helping to increase the early delivery of housing and stimulate the construction industry, it is clear that these aims would not be advanced by dismissing the appeal. Even if there is no certainty that the scheme will become fully viable within 3 years, it must have a better chance of being started without the AH requirement than with it.
48. I accept that the few weeks between the grant of planning permission and the submission of the S.106BA application was not a long enough period on its own to show that the development had stalled, and nor was it long enough for changes in the housing market to have been a compelling factor. But the case advanced here does not rely on any such considerations. Rather, the question is whether the scheme was sufficiently profitable to bear any AH in the first place. The evidence suggests that it was not. Consequently, as long as it remains encumbered by the AH requirement, there is every reason to expect that the development would be stalled in the future.
49. The Council observes that on other sites in the area, the land values anticipated in viability assessments have subsequently been exceeded in actual transactions. However, I can only decide the appeal on the basis of the evidence relating to this site and this scheme.
50. I note the Council's contention that, without the AH, planning permission for the proposed development might have been refused for other reasons. However, I can find no basis for that argument. The officers' report to the Committee meeting on 3 February 2015 makes it clear that there were no planning grounds for objecting to the scheme. Whilst the density was said to exceed the Core Strategy guidelines, the report shows that this was not seen as a valid reason for refusal. No harmful impacts were identified in relation to the effects on neighbours or the street scene, and the design was considered to

be of a high standard. Consequently, if the AH had not been required, there would have been no reason why permission should have been refused.

Conclusion

51. In the light of all the above, and having considered all the other matters raised, I conclude that the existing planning obligation should now be modified, by deleting the requirement for affordable housing. The appeal is therefore allowed, in the terms set out below.

John Felgate

INSPECTOR

**SCHEDULE OF MODIFICATIONS TO THE EXISTING S.106 AGREEMENT,
BETWEEN CRYSTAL PALACE ROAD LIMITED AND THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK,
DATED 13 FEBRUARY 2015**

Clause 1.1 (Definitions)

Delete: "Affordable Housing", "Affordable Housing Units", "Approved Affordable Housing Mix", "Habitable Rooms", "Registered Provider", "Registered Provider Mortgagee's Duty", "Remaining Units", "Shared Ownership Housing", "Shared Ownership Terms", "Shared Ownership Units", "Social Rented Housing", "Social Rented Units", "South East London Partnership", "South East London Housing Partnership Boroughs", and "South East London Shared Ownership Priorities", and their definitions, in their entirety.

Amend: "Wheelchair Accessible Affordable Housing Units" shall become "Wheelchair Accessible Housing Units"; and in the related definition, the word "Affordable" shall be deleted wherever it occurs.

Clause 7

Delete: Sub-clauses 7.1.1, 7.1.2, 7.1.4, 7.1.5 and 7.1.6 in their entirety.

Schedule 2

Delete: Delete Paragraph 1.1 and Paragraph 1.2 (headed Affordable Housing) in their entirety

Amend: In Paragraph 2.1 (Wheelchair Accessible Housing Units), the word "Affordable" shall be deleted.

Schedule 6 (Approved Affordable Housing Mix)

Delete: Delete Schedule 6 in its entirety

Schedule 7 (Approved List of Registered Providers)

Delete: Delete Schedule 7 in its entirety

Schedule 8 (The Registered Provider's Mortgagee's Duty)

Delete: Delete Schedule 8 in its entirety

APPEARANCES

FOR THE APPELLANT:

Mr Chris Goddard, MRICS MRTPI	DP9 Planning Consultants
Mr Anthony Lee, MRICS MRTPI	BNP Paribas Real Estate
Mr Andrew Gillick	Crystal Palace Road Ltd
Ms Christine Hereward	Howard Kennedy Solicitors
Mr Patrick D'Arcy, BSc MRICS	Bruce Shaw Partnership

FOR THE LOCAL PLANNING AUTHORITY:

Mr Rob Bristow, MRTPI MCMI	Group Manager, Major Applications
Mr Peter Barter, MRICS	Principal Surveyor, Corporate Property Team
Mr Stephen Ashworth	Dentons Solicitors
Ms Michele Vas	Dentons Solicitors
Ms Wing Lau, BA(Hons) MA MRTPI	Senior Planner
Mr Toby Sowter	Corporate Property Team
Ms Alison Squires, BA MA MRTPI	Planning Officer
Mr John Gorst, LLB	Solicitor, Legal Services

OTHER INTERESTED PERSONS:

Mr Mark Treasure	Local resident
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Application Number	15/1652/FUL	Agenda Item	
Date Received	10th September 2015	Officer	Lisa Lamb
Target Date	5th November 2015		
Ward	Trumpington		
Site	Trumpington Park And Ride Site Hauxton Road Cambridge		
Proposal	Change of use (sui generis) for a 150 vehicle car boot fair (second hand goods only) on Sundays on existing car park between 7.00am - 1.00pm		
Applicant	Sherman And Waterman Associates 1A Tavistock Court The Piazza Covent Garden London WC2 E8BD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>There will be no significant harm to the amenities of neighbours.</p> <p>There are no highway safety or parking issues arising.</p> <p>The proposed use of the park and ride site as a boot fair would not have a detrimental visual impact.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Trumpington Park and Ride site is on the southern fringe of the city immediately west of Hauxton Road. The proposal site is located to the far north-eastern corner of the Park and Ride site occupying 150 car parking spaces of the 1,350 spaces provided across the wider site.

- 1.2 The site is not within a Conservation Area. There are no listed Building or Buildings of Local Interest within, or affected by the proposals. There are no tree preservation orders on the site

2.0 THE PROPOSAL

- 2.1 This application seeks temporary permission for a change to a sui generis use at the site to allow for a 150 car boot fair (for second hand goods only) on Sundays between the hours of 7:00am and 1:00pm.
- 2.2 The application is a renewal of 13/0722/FUL.
- 2.3 The application is accompanied by the following supporting information:
1. Plans
 2. Planning Statement
- 2.4 Since the application was originally submitted, the applicants have provided further information relating to their enquiries to the Highway Authority concerning the possibility of re-locating the car boot fair to another location either within the Trumpington park and ride site or further afield.

3.0 SITE HISTORY

Reference	Description	Outcome
Reference 13/0722/FUL	Description Change of use (sui generis) for a 150 vehicle car boot fair (second hand goods only) on Sundays on existing car park between 7.00am - 1.00pm	Outcome A/C
09/0889/FUL	Change of use (sui generis) for a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am and 1:00pm.	A/C
09/1094/FUL	Change of use for mobile car valeting service covering existing park and ride site.	A/C
09/0303/FUL	Change of use (sui generis) for	W/D

a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am to 12.30pm.

06/0857/FUL	Re-site a mobile mammography unit presently based at Tesco, Fulbourn to Trumpington Park & Ride site at request of Addenbrooke's NHS Trust.	A/C
05/0804/TELDET	15 metre mobile telecommunications tower, 3 no. antennae within a GRP shroud, equipment cabinet, electricity cabinet and development ancillary thereto.	A/C
C/00/0315/FUL	1500 space Park and Ride car park, erection of a one storey amenity building creation of 2 new vehicular accesses and a bus only access.	A/C

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, 3/11, 3/7, 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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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 objection to the renewal of the temporary permission

Environmental Health

6.2 No objection subject to conditions.

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:
34 Foster Road

7.2 The representations can be summarised as follows:

- No objection to the car boot fair in principle but planning permission should only be given if it is not to the detriment of other users of the site.
- In its present location the car boot fair blocks, sometimes wholly and sometimes partially the pedestrian and cycle route to the southern part of the site.
- The blocking of this route means that users with buggies, wheelchairs or bulky luggage (which is not uncommon given that the park and ride site is served by many long distance routes) are inconvenienced.
- This route is the recommended 'safe route to school' for Trumpington Meadows Primary School and whilst the school is not open at the weekend, the community facilities are.
- Safety is important every day of the week and because this affects Sunday's only, it should not be overlooked.
- A revised plan which excludes all public paths should be provided.

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 Visually the proposed use will not result in a visual impact outside of the site that is uncharacteristic or significantly different to that of its primary and permanent use as a car park. Therefore, in my opinion, the proposal is compliant with the Cambridge Local Plan (2006) policies 3/4 and 3/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.2 The previous permission (reference 13/0722/FUL) was granted on a temporary basis to allow time to:

'allow the Car Boot Fair operators time to explore alternative sitings within the park and ride site for a permanent boot fair which would not be in such close proximity to residential uses. (Cambridge Local Plan 2006 policies 3/4, 3/11)'

- 8.3 The applicants have confirmed during the consideration of the application that the Highway Authority has been approached to assess whether there are any more suitable locations for the car boot sale either within the Trumpington Park and Ride site, or further afield.
- 8.4 With regard to noise and disturbance, it is accepted that the Trumpington Meadows development to the north of the site is in close proximity. However, it is considered that the unpacking of vehicles and setting up of stalls would not give rise to an unacceptable level of noise in addition to the usual vehicle movements. Conditions restricting the use of public address systems can be imposed to ensure that the residents of the new housing development to the north of the site, particularly Spring Drive, do not experience amplified noise.
- 8.5 With regard to overlooking and loss of privacy, it is considered that there is sufficient distance between the park and ride site and the houses. The exit road to the park and ride site and the parking areas serving Spring Drive sit between the dwellings and the boot fair site. I consider that there would not be people in closer proximity to the dwellings than would be the case with the normal use of the park and ride site. It is not considered therefore, that there would be undue overlooking or loss of privacy should the boot fair be granted.
- 8.6 In my opinion the impacts of the development are acceptable and would comply with Policies 3/1, 3/4, and 3/7 of the Cambridge Local Plan (2063).

Highway Safety

- 8.7 The previous permission (13/0722/FUL) was granted on a temporary 3 year basis to allow the consideration of other sites. The Highway Authority has not raised any objections to the proposals on highway safety grounds.
- 8.8 The car boot fair has been in operation in excess of 6 years now, and the Highway Authority has not expressed any concern relating to parking provision in the wider area. Since the original application was granted, a license arrangement is now in place with the Highway Authority and this means that peak periods such as Christmas can be controlled via the terms of the license agreement. It is not considered that there are any highway safety or parking issues in respect of the boot fair. Given that the Highway Authority are licensing the site, and have expressed concerns about moving the car boot fair either within the Trumpington Park and Ride site or further afield it is considered that the proposals would be acceptable in highway safety terms. It is also considered that conditions relating to highways matters and parking would not be required.
- 8.9 I have also noted the Highway Officers comments dated 15 October 2015, which expand upon the 'no objection' response received on the 13 October 2015. From this correspondence it is clear that some dialogue has taken place between the applicants and the Highway Authority concerning the re-location of the car boot fair within the park and ride site (as set out in the previous reason for the temporary permission). The Highway Authority have made it clear that a relocation of the car boot fair would not be acceptable in terms of access to parking or in highway safety terms. Given the advice of the Highway Authority I am of the opinion that re-siting of the car boot fair is not possible within the Trumpington Park and Ride site due to highway Safety concerns.
- 8.10 The comments from the Highway Authority dated 15 October 2015 also acknowledge that there has been one reported issue with a footpath being blocked by the car boot fair. The Highway Authority also indicate that the issue was rectified speedily by the operators. The accessibility of the footpath to the south of the site, which also affords access to the Trumpington Meadows Primary School has been raised in the third party representation. Footpaths and their accessibility fall within the

remit of the Highway Authority to regularize and enforce against (if necessary) and given that the site also requires a license from the Highway Authority I am satisfied that this issue is adequately covered by other legislation and as such, it would not be appropriate to impose conditions relating to this.

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

Third Party Representations

Issue	Response or relevant paragraph in report
No objection to the principle of a car boot sale	Noted
The use of the car boot should not be to the detriment of others.	All conditions imposed seek to protect the amenities of the surrounding residents.
The car boot fair sometimes partially or wholly blocks the pedestrian footpath to the south of the site.	8.10
A revised plan excluding all footpaths should be provided.	It is not possible to require this under the planning legislation.
The route is a 'safe route' to school for Trumpington Meadows Primary School.	8.10
The community facilities at the school operate at weekends.	8.10

9.0 CONCLUSION

9.1 In the light of the preceding discussion it is concluded that the proposals would comply with the provisions of the relevant Development Plan and that the operation of the use can be adequately controlled via conditions to ensure that the amenity of the surrounding residents is protected.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The sui generis Car Boot Fair use hereby approved is for a temporary period of 2 years from the date of this permission, following which time the use shall cease.

Reason: To accord with the terms of the application submitted and to allow the impacts on the surrounding residents to be re-assessed. (Cambridge Local Plan 2006 policies 3/4, 3/11)

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 sui generis use hereby permitted shall only operate between the hours of 0700hours and 1300 hours on Sundays, with the site returned to its use as a car park by no later than 1400 hours on each Sunday that the car boot fair functions.

Reason: To control its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7 and 8/2)

4. The sui generis use of part of the Park and Ride site shall be used for a second-hand car boot fair only and for no other purpose (including any other purpose in sui generis use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because use of the use of the site for any other purpose would require re-examination of its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7 and 8/2)

5. The use and operation of a Public Address System and/or Amplified music within the site is prohibited.

Reason: In the interests of preserving the amenities of the surrounding residents in accordance with Policy 3/4 and 3/7 of the Cambridge Local Plan (2006).

Application Number	15/1499/FUL	Agenda Item	
Date Received	31st July 2015	Officer	Mr Sav Patel
Target Date	25th September 2015		
Ward	Coleridge		
Site	Brethren Meeting Room Radegund Road Cambridge CB1 3RH		
Proposal	Front extension to create access porch. Detached annexe to rear of site for additional floor space/storage		
Applicant	Meeting Hall		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The proposal adequately respects the character and appearance of the surrounding area. -No harm to residential amenity would arise. -If any additional traffic is generated by the proposed annex building, conditions would be in place to manage drop-off and pick-up arrangements.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located north of Radegund Road and backs onto the rear gardens of the properties in Hobart Road. The west (side) boundary of the site abuts the side boundary of no.1a Radegund Road and then the rear boundaries of the properties on Coleridge Road.
- 1.2 The site consists of a two storey (room in the roof) pitched roof building, which is set back from the highway. The rest of the site is covered with hardstanding and used mainly as a car park to serve the building which is in community use (D1). The building is currently being used mainly by the Muslim community as a

place of worship including associated classes some of which serve the wider community.

- 1.3 The site is located within a predominantly residential area characterised by two storey post war housing.
- 1.4 The site is not located within an area of development constraint such as a Conservation Area or within the setting of a Listed Building.

2.0 THE PROPOSAL

- 2.1 The proposal is for a single storey extension to the front of the building to provide an entrance lobby area and a detached annex building along the rear boundary to provide additional floor space and storage to serve the existing building.
- 2.2 The proposed front extension would project off the front elevation by 2.1 metres and be 6.3 metre wide. The proposed annex would be 5.8 metres wide and 11.4 metres in length.

3.0 SITE HISTORY

Reference	Description	Outcome
14/0585/FUL	Extension to front with reroofing of existing to accommodate first floor additional assembly area. Rear extension for managers accommodation on ground floor. New vehicle access to Radegund Road	WITHDRAWN
C/94/0588	INSTALLATION OF AIR CONDITIONING PLANT AND ACOUSTIC SCREEN AT EXISTING PLACE OF WORSHIP (D1) RESUBMISSION OF C/0348/94.	APPROVED
C/84/0551	USE OF LAND AS CAR-PARK (IN CONJUNCTION WITH EXISTING MEETING HALL)	APPROVED

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4, 3/7, 3/12, 3/14 5/12 8/2, 8/3, 8/4

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)

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 significant adverse effect upon Public Highway would result from the proposal.

Environmental Health

- 6.2 The proposal 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:

- 9 Radegund Road
- 9a Radegund Road

- 7.2 The representations can be summarised as follows:

- Loss of car parking spaces within the site which is already inadequate and would put pressure upon on street parking;
- Radegund Road gets very congested due to on street parking;

- Hazard for cyclists

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
2. Context of site, design and external spaces
3. Use and Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

Principle

8.2 The proposal seeks to improve the existing community facility, which falls under use class D1, in the form of an extension and a new annex. Policy 5/12 sets out to support the development or extension of existing community facilities where there is a local need. Subject to need and adequate measures to control access and egress from the site, I am satisfied that the principle of what is being proposed is acceptable. I discuss the need for the extension and annex building further below.

Context of site, design and external spaces

8.3 The proposal has two elements; the single storey front extension and detached single storey annex. I set out below my assessment of these elements.

Front Extension

8.4 The site is located within a row of two storey houses. The hall building is gabled fronted and sits subserviently within its context with its low eaves and limited detailing in the front elevation. Having assessed the context, it is noticeable that one

of the main architectural features of dwellings within this part of Radegund Road is two storey projecting gables.

- 8.5 The front elevation is flat with a central double door entrance. The proposed extension would project off the front elevation by 2.1 metres but would be set in from the sides and lower at the ridge of the original building. This would give the extension a subservient and proportionate appearance whilst maintaining the gable fronted feature.
- 8.6 In my view, the proposed front extension would add architectural interest to an otherwise bland elevation. This element of the proposal is considered to be acceptable as it would enhance the existing appearance of the building without appearing disproportionate or out of character.

Annex

- 8.7 The proposed annex would be located adjacent to the rear boundary of the site and project 11.4 metres along the rear boundary at 3.8 metres to the ridge. The building is unlikely to be entirely visible from Radegund unless the gates at the front; to the side of the hall are open. Nevertheless, as the annex is proposed to be constructed of dark stained cladding with a slate roof, it would not be prominent when the gates are open. The annex would appear as a subservient building to the main hall and would provide ancillary storage and additional floorspace. In terms of the visual appearance of the annex, I am satisfied that it would not have any adverse impact on the character of the area due to its distance from the highway, ancillary scale and proposed materials. Both elements of the proposal are therefore compliant with policies 3/4, 3/7, 3/12 and 3/14 of the local plan.

Use and Residential Amenity

- 8.8 In terms of its use, the building is proposed to be subdivided into three rooms; 1 room for additional storage and the other two rooms are proposed to be used to provide overspill education from the main hall. The applicant has confirmed that the proposed annex would be used to decant small groups of children between the ages of five and sixteen from the main building to be taught without interference from children at different stages of their education. The annex is proposed to be

used for this purpose between the hours of 9:45am and 2pm on Saturdays and Sundays. Following my site visit and in light of this explanation, I am satisfied of the need for the annex and that its intended use and impact would be limited.

- 8.9 The applicant has confirmed that there is no intention to increase the current number of people that use the site. The Council does not have any planning control over intensification of use of the existing hall, so no conditions could reasonably be applied to this part of the site as the main hall and its use does not form part of the proposal. The applicant has stated that the annex would help the applicant to better manage the current level of activities on the site. I have no reason to doubt this.

Impact on amenity of neighbouring occupiers

- 8.10 The proposed front extension would not have any adverse impact on the residential amenity of the adjacent neighbours either side and opposite due to its scale and distance from the surrounding dwellings. I am therefore satisfied that the proposed front extension is acceptable in this regard.
- 8.11 The proposed annex would also not have any adverse impact on the surrounding neighbours due to its single-storey scale, location within the site and distance from the neighbouring properties. The rear boundary is defined by a row of conifer trees and so the annex would be hidden from views from the dwellings in Hobart Road. Nevertheless, due to depths of the rear gardens, the annex would not appear dominant or overbearing even if the boundary was open.
- 8.12 Concerns have been raised regarding the potential increase in people entering and leaving the site as a result of the annex development. It must be noted that the use of the existing hall is unrestricted in terms of the number of people that can use it and at what times. Therefore, it is not possible to control the use of the main hall through this application. However, in terms of traffic movements, the applicant does currently operate a traffic management system (similar to a banksman) for vehicles entering and leaving the site, at their own accord. I do not think that it would be unreasonable, given the narrowness of the access point, to condition the continuation of this operation for when the annex building is in use.

8.13 I terms of ensuring residential amenity is protected. I therefore recommend the following conditions:

- A condition to link the use of annex to the main hall to avoid it from being used separately;
- A condition to restricted the use of the annex to Saturdays and Sundays only (except for storage);
- A condition requiring a banksman to manage vehicles entering and leaving the site at times when the annex is in use;
- A condition to ensure that only the two areas identified on the plan are used for teaching and that the other area remains for storage.

8.14 I am satisfied that subject to the above conditions, the use of the annex and general movements associated within the site will be satisfactory.

8.15 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, 3/12, 3/14 and 5/12.

Refuse Arrangements

8.16 The applicant is proposing to provide a dedicated bin storage area adjacent to the rear of the main hall building.

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

Highway Safety

8.18 The Highway Authority has raised no concerns with the proposal in terms of highway safety. Subject to a traffic management condition as suggested above, I am in agreement with this advice.

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 existing 24 car parking spaces on the site will be retained (three of which would be for disabled parking). I have no concerns with this proposed arrangement.

Cycle parking

8.21 The proposal includes a dedicated area for cycle parking for 10 cycles. No specific details have been provided. I have therefore recommended a cycle parking condition to have the precise details can be agreed.

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

Third Party Representations

8.22 I set out my response to the issues raised in the third party representations:

Representations	Response
Loss of car parking spaces within the site which is already inadequate and would put pressure upon on street parking;	The proposal would not result in the reduction of car parking within the site and existing arrangements are not inadequate. In my view, existing and proposed on-going parking arrangements are more than satisfactory.
Radegund Road get very congested due to on street parking;	I recognise that there is pre-existing congestion along Radegund Road. The proposal would not, in my view, exacerbate this any further. I recognise also that the traffic safety measures on the highway and lack of double yellow lines at pinch points is a cause of the traffic congestion but this is not a fault of the applicants.

	The applicant currently manages traffic entering and leaving the site at peak times to minimise the impact on passing traffic. I have recommended a site traffic management condition to ensure this is provided when the annex building is in use. The condition also includes contact details for local residents in case issues arise.
Hazard for cyclists	The proposed development would not cause a hazard to cyclists and the highway safety officer has not raised an objection in this regard.

9.0 CONCLUSION

- 9.1 The proposal is for a front extension to provide a lobby area and a detached single storey annex along the rear boundary of the site. Having carefully assessed the proposals, I am satisfied that they would not have a detrimental impact on the character of the area or on the residential amenity of the surrounding neighbours. This is mainly due to their ancillary scale and distance from neighbouring properties.
- 9.2 I have recommended conditions to ensure the use of the annex is linked to the main hall and not used separately from it. I have also recommended a traffic management condition. I am of the view that these conditions will ensure the impact from the use of the annex will not exacerbate the existing traffic congestion issue along Radegund Road, particularly during peak times.

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. 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)

5. The annex hereby approved shall only be used in connection with the use of the main hall and for no other purpose.

Reason: To ensure the use of the annex is appropriate to the use of the site as a whole and to ensure traffic and wider amenity impacts are appropriate (Cambridge Local Plan policies 3/4, 4/13, 8/2, 8/3, 8/4 and 5/12).

6. The annex building shall only be used on Saturdays and Sundays only (except for storage) and not for any use before 7am or after 11pm on either of these two days.

Reason: To ensure the impact on residential amenity is appropriate (Cambridge Local Plan policies 3/4, 4/13 and 5/12).

7. Prior to the use of the annex, details of a traffic management plan (including the use of a banksman or suchlike) to be put in place for when it is intended to be used or for peak periods of use, shall be submitted to and approved in writing by the Local Planning Authority.

The management plan shall include:

- Arrangements for controlling vehicles entering and leaving the site;
- Measures to encourage sustainable modes of transports for users of the hall;
- Contact details for local residents in case of an emergency or issues arising.

The management plan shall be implemented in accordance with the approved details.

Reason: To ensure the impact on residential amenity and highway impact is appropriate (Cambridge Local Plan policies 3/4, 4/13, 5/12, 8/2, 8/3, 8/4).

8. The area identified on the plan for storage shall only be used for this purpose and the areas identified for teaching in connection with the use of the hall shall only be used for this purpose.

Reason: To ensure the impact on residential amenity is appropriate (Cambridge Local Plan policies 3/4, 4/13 and 5/12).

Application Number	15/1879/FUL	Agenda Item	
Date Received	16th October 2015	Officer	Mr Sav Patel
Target Date	11th December 2015		
Ward	Newnham		
Site	3 Barton Road Cambridge CB3 9JZ		
Proposal	Demolition of existing building and replacement with one three and one two storey building consisting of 26 post graduate student rooms plus support facilities for Darwin College		
Applicant	Mr David Sykes 1 Lowman Way Hilton Business Park Hilton DE65 5LJ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed design and scale of development would assimilate into the site without appearing as an intrusive form of development. - The proposed development would not have a significant adverse impact on the residential amenity of the existing occupiers. - The proposed development would make effective and efficient use of the site and remove a building which detracts and is of poor design.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No 3 Barton Road is currently occupied by St Johns Ambulance whose regional headquarters are housed within a bespoke building constructed approximately thirty years ago. The existing building is set back from Barton Road and fronts both Hardwick and Newnham Croft Streets with limited parking accessed from Newnham Croft Street. The main parking area

accommodates approximately ten vehicles to the north of the site adjacent to Barton Road and accessed off Hardwick Street.

- 1.2 The site lies on the north westerly corner at the junction of Hardwick Street and Barton Road with Cherwell Court. The site is bounded by a three storey block of residential flats to the east. The Red Bull Public House and car park lies across the road from the site, to the west. The site is 'U' shaped with its longest elevation onto Hardwick Street.
- 1.3 The site falls within the Central Conservation Area (Newnham Croft) and is outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of existing building and replacement with one three and one two storey building consisting of 26 post graduate student rooms plus support facilities for Darwin College.
- 2.2 The proposals comprise two blocks of accommodation (Block A and B) with their main frontages and entrances onto Hardwick Street. Block B also has a secondary entrance facing onto Newnham Croft Street. The two blocks would be separated by a central covered bike and bin store with gated access from Hardwick Street and rear access from within the site.
- 2.3 Block A would be three storeys in height and would be approximately 7.2m to the eaves. The design would be of a three storey building with a pitched gable ended roof form and traditional style windows. The building is slightly stepped down to its northern end where it fronts onto Barton Road. To the rear there is a two storey lean-to element which incorporates student rooms and a storage area. This block would provide a total of 12 student rooms.
- 2.4 Block B would be two storeys in height and would be 'L' shaped with a gable fronting onto Derby Street. This building would have a pitched gable ended roof form with chimney detailing and traditional style windows. To the rear (east) of this block there is further visitor cycle provision together with a parking space accessed from Derby Street. This block would provide a total of 12 Student rooms.

2.5 There is a small grassed area provided to the side/rear of block A. 1 Parking space would be provided at the site and 38 cycle spaces.

2.6 The application is accompanied by the following information.

- Plans
- Design & Access Statements
- Demolition Statement
- Heritage Statement
- Travel Plan
- Transport & Servicing Statement
- Drainage Strategy
- Recycling & Waste Strategy
- Sustainability and Construction Statement

2.7 Since the original submission of the application the scheme has been amended as follows:

- Visibility splays for the car parking space along with its dimensions have been added as requested by Highways.
- Ground floor layout reconfigured to provide two DDA compliant rooms (No's 5 and 6) along with DDA compliant access to these rooms.
- Two additional 360 litre bins - bringing the total number of bins now provided to 4. The bins shown are not the domestic 240 litre bin sizes but the much larger 360 litre sizes.
- Materials revised as requested by Design and Conservation
- Revised landscape layout to all areas surrounding the proposed buildings- specifically to the rear of the smaller of the two blocks at its interface with Cherwell Court.
- Chamfered ground floor corner at the Hardwick and Newnham Croft Street junction.
- Green roof to the bike park between the two buildings

3.0 SITE HISTORY

Reference	Description	Outcome
15/1462/FUL	Demolition of existing building and replacement with one three and one two storey building consisting of 28 post graduate	WDN dated 27.08.2015

student rooms plus support facilities for Darwin College

05/0464/FUL	Installation of 5 air conditioning condenser units in rear service yard	WDN dated 22.06.2005
05/0885/FUL	Installation of 5 air conditioning condenser units in rear service yard with associated pipework associated pipework.	PERM dated 06.10.2005
C/85/1017	USE OF OFFICE AS DOCTORS SURGERY.	APC dated 04.12.1985
C/78/0582	Erection of No. 12 residential flats and 12 No. private garages	PERM
C/78/0450	Erection of 12 residential flats and 12 private garages,	REFU
C/78/0169	Erection of 12 residential flats and 12 garages.	WDN
C/75/0388	Erection of 12 residential flats and St. John Ambulance Bridgade Headquarters site, ancillary garages and parking facilities	PERM
C/73/1038	The erection of 10 flats and St. Johns Ambulance Society H.Q.	PERM
C/70/0613	Demolition of existing buildings and redevelopment for residential purposes	PERM

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 3/11 3/12 4/4 4/11 4/13 4/15 5/1 5/14 7/7 8/1 8/2 8/3 8/4 8/5 8/6 8/9 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) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Cambridge City Council (2011) - Open

	<p>Space and Recreation Strategy</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Buildings of Local Interest (2005)</p>
	<p><u>Area Guidelines</u></p> <p>Newnham Croft Conservation Area Appraisal (2013)</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 (Highways Development Management)

- 6.1 The development may impose 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.

- 6.2 The proposal will require alteration of the existing Traffic Regulation Order controlling on-street parking. The amendment of the Order to remove the existing on-street parking space must be a Condition of any permission that the Planning Authority is minded to grant in regard to this application.
- 6.3 If, following provision of the above, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, please add conditions and informatives to any permission that the Planning Authority is minded to issue in regard to this application.

Environmental Health

- 6.4 The proposed development is acceptable subject to the following conditions and informatives:
- Construction hours;
 - Collection during construction;
 - Construction/demolition noise/vibration and piling
 - Dust
 - Waste arrangements
 - Noise assessment/insulation scheme
 - Artificial light

Urban Design and Conservation Team

- 6.5 Revised comments dated 4 December 2015: The proposed amendment to remove the red brick base course at ground floor level and replace the reconstituted stone detail with red brick string detail (level with the cills at ground and 2nd floor) is acceptable in design and conservation terms. The previously proposed red brick lintels (shown above the windows) have also been replaced with recon stone lintels. These amendments are acceptable in design and conservation terms and form an improved relationship with the existing Victorian terrace houses in Hardwick Street.
- 6.6 The full length doors introduced for the cycle and refuse stores are acceptable in design terms.

- 6.7 Revised elevations propose a brick corbeled chamfered corner on Block B which has been introduced at the request of local residents to improve the visibility when turning from Hardwick Street onto Newham Croft Street. This corner detail is acceptable in design and conservation terms and relates to the corner detail of the house and Post Office on the corner of Derby Street/Newham Croft Street.
- 6.8 The proposal to replace the pyramid roof above the cycle parking area with a flat green sedum roof is acceptable in design and conservation terms.
- 6.9 Landscape, amenity space and boundary treatments: The revised site plan now incorporates a 500mm wide, 600mm high beech and hawthorn hedge around the periphery of Block A (fronting Barton Road). This amendment is acceptable in design terms and helps to softening the appearance of the building and improves privacy at ground floor.
- 6.10 We support the proposal to retain the low wall fronting Barton Road. The proposed 300mm high reclaimed brick wall with 450mm painted cast iron railings proposed on the Hardwick Street frontage is acceptable in design terms. All boundary treatments should be conditioned should the application be approved.
- 6.11 Area to the north of Unit 10 and east of Units 6-8 - Revised plans now incorporate a 500mm wide x 600mm high beech and hawthorn hedge adjacent to the eastern site boundary of Units 6 and 7. Essentially the hedge and proposed Building B forms the western boundary to the amenity space associated with Cherwell Court. This arrangement is acceptable in design terms.
- 6.12 The area to the north of Unit 10 now forms a small grassed area and is enclosed with a new 1.8m high reclaimed brick wall with painted timber gate. Whilst the introduction of the wall and gate is supported and controls access to this space, the proposed grass is unlikely to survive given the level of enclosure. A hard paved/gravelled area should be specified.

- 6.13 Refuse storage: The revised drawings amend the bin storage provision and propose four 360 litre wheelie bins. The size and arrangement of the bin store means removing and manoeuvring wheelie bins could be awkward. The size of door to the bin store should be modified to improve access.
- 6.14 Conclusion: The submitted amended drawings have addressed concerns raised in our original application comments (dated 9th November 2015). The proposed grassed area to the north of Unit 10 should be hard paved/gravelled. The bin store doors should be modified to improve access/egress of wheelie bins.

Senior Sustainability Officer (Design and Construction)

- 6.15 It is noted that the application falls below the threshold for the application of policies 3/1 (Sustainable Development) and 8/16 (Renewable Energy in Major New Developments) of the Cambridge Local Plan 2006. Nevertheless, the following measures have been integrated into the design of the proposals:
- The installation of energy efficiency appliances and fixtures and fittings;
 - Improved insulation specifications that go beyond Building Regulations requirements;
 - Reduction in water consumption through the use of aerated taps, non-power showers and low-flush WCs with a cistern capacity of 6 litres or less.
 - Proposals to use local labour and local stock brickwork to reduce transport related emissions;
 - The implementation of measures to reduce construction waste and to maximise recycling of any construction waste; and
 - The specification of external hard landscaping to be rainwater permeable (note that I will leave detailed comments on the drainage strategy for the site for the Council's Sustainable Drainage Engineer).
- 6.16 These measures are supported. The issue of water stress is of particular relevance to Cambridge given the level of water stress faced by the area, and as such the approach to reducing water consumption is welcomed. The Council is looking to introduce a new planning policy requirement for all new development to achieve a level of water consumption of 110

litres/person/day based on the requirements set out in the optional national technical requirements set out in Part G of the Building Regulations, 2015 edition. While this is not yet an adopted policy requirement, I would encourage the applicant to give consideration to implementing the maximum fittings specification set out in Table 2.2 of this document.

- 6.17 I would also encourage the applicant to give further consideration to the wider responsible sourcing/environmental performance of construction materials with reference to the BRE's Green Guide to Building Specification and certification schemes such as FSC or PEFC for timber.

Access Officer

- 6.18 I cannot see 2 accessible rooms designed to BS8300. Therefore this does not meet the Local Plan, will not meet Building Regulations and should be refused until a detailed access plan is submitted showing how they meet BS8300.

Head of Streets and Open Spaces (Tree Team)

- 6.19 The Tree Officer's comments have not been received to date. I will therefore either update the amendment sheet or report the officer's comment orally at Committee.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.20 The proposal is acceptable subject to a surface water drainage condition.
- 6.21 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:
- o Barr Architects, The Studio, Newnham Croft Street
 - o 2 Barton Road

- o Cambridge Past, Present & Future
- o 11 Cherwell Court, Derby Street
- o 12 Cherwell Court, Derby Street
- o 5 Clare Road
- o 22 Derby Street
- o 15 Grange Road
- o 5 Grantchester Street
- o 16 Grantchester Road
- o 33 Gwydir Street
- o 2 Hardwick Street
- o 4 Hardwick Street
- o 8 Hardwick Street
- o 12 Hardwick Street
- o 15 Hardwick Street
- o 20 Hardwick Street
- o 22 Hardwick Street
- o 33 Hardwick Street
- o 37 Hardwick Street
- o 38 Hardwick Street
- o 8 Merton Street
- o 4B Millington Road
- o 9 Millington Road
- o 20 Millington Road
- o 30 Millington Road (2 letters)
- o Unstated House Number Millington Road
- o Unstated house number - Merton St
- o Newnham Croft Conservation Group
- o Newnham Croft Primary School
- o 40 Owlstone Road
- o PACED Ltd 49 -53 Regent Street
- o Relocate Cambridge
- o 10 Summerfield,
- o 6 The Brambles
- o 4 West View

7.2 The representations can be summarised as follows:

Scale & Design

- The 'mass and density' is too great.
- The building will have a dominating effect being 3 storeys high it is out of scale particularly in terms of height with its surroundings.

- This is a key corner site and the building should ‘turn the corner’ and face Barton Road rather than present a blank elevation to the main arterial road.
- An alternative scheme has been provided by residents to reflect what residents consider would be acceptable in this location.
- The site is in a Conservation Area and the proposals are out of scale.
- The height should not exceed the height of the existing residential properties.
- The blank elevations and long walls are not in keeping and would be vandalised.
- The building should be pulled back from Hardwick Street.
- The pitch of the slate roof should be lower.
- The current St John’s building is only one storey high.
- The building lacks style or substance resulting in a derivative design, fails to reflect the character of the conservation area and is too large for the site
- It reads as a large solid block of building that sits on three elevations with little variation or break in views
- The height of the building should be reduced to respect the adjacent Cherwell Court and Victorian terraces
- The existing site is very open and allows through views of St Mark’s Church (BLI) and Red Bull pub, an historic undesignated heritage asset
- The building includes numerous false windows and fake chimneys resulting in neither a traditional nor contemporary design
- The use of reclaimed materials is inappropriate as the building will be new and new materials are recommended. Reclaimed is more appropriate for repairs or work to historic buildings
- The adjacent Cherwell Court, whilst modern, is of interest as the architecture is distinct and ‘of its time’
- It is important to ensure the existing low brick wall along Barton Road, continuing around Hardwick Street is maintained for continuity.

Materials

- Materials – the proposed materials are inappropriate, there are many buildings in Newnham which are rendered and there is a mix of character and finishes in the area in keeping with the arts and craft style.

- There is a recent tendency to build only in brick and this is not in keeping with the tradition of the area.
- The building should be yellow brick and slates.

Parking/Cycling provision

- Newnham is under extreme pressure with parking and this scheme would exacerbate the situation.
- This is the only area with no parking controls and it is having a negative impact.
- There is not enough parking provision to service the scheme.
- Not enough provision for off street storage of bikes.
- The proposed parking provision does not reflect that of other nearby schemes.

Waste

- 26 Units will create an industrial amount of waste. The bins should be located at the back of the development for health & safety reasons. There should be strict controls on the collection of waste. There is not enough provision for development.
- Additional bins should be provided in the same location or off Newnham Croft Street, reflecting current practice where the bins are put out.

Amenity space/landscaping

- Amenity and Landscaping – there is some landscaping to the front but if the buildings were truly separate then much more open space could be accommodated.
- There is not enough landscaping and more trees are needed.
- The amenity spaces is small and inaccessible for the number of students and will not be used given the proximity of Barton Road.

Residential Amenity

- There should be a legal restriction to control noise levels as the Public House does.
- A large HMO would impact on residential amenity of surrounding occupiers.
- Having a transient student population would create noise, disturbance and overlooking.

- This is a residential area characterised by family terraces and this use is inappropriate in a family occupied area.
- There are lounge windows that look out onto the development site and this will result in loss of view
- There will be overlooking to existing properties.

Use/Control of the building

- The college should not use the accommodation out of term time for conference goers or visiting academics unless on-site parking provision is provided.
- If the development goes ahead there should be a dated guarantee that there will not be a change of use of the site from undergraduate student accommodation.
- Student car ownership is a grey area and it seems that undergraduate students could be eligible to own a car.
- How will the building units be maintained, managed or cared for?

Other issues:

- A green roof should be incorporated.
- The scheme does nothing to attract wildlife and the accommodation/amenity space ratio is unbalanced.
- The current buildings on site are not appropriate.
- The amendments do not address the key concerns.
- The Council allow plans that ignore the Conservation Area status entirely.
- Numbers 33,31,29 & 27 Gwydir Street are served by a back alley – how will this arrangement be preserved/managed.
- Building regulations and fire regulations should be complied with.
- The Urban Design and Conservation Team commented on 9 November 2015, it would have been more professional if they took account of residents views before responding.
- Loss of views – the scheme affect available views from Cherwell Court looking westward. The views from Hardwick Street will be severely restricted to the east and north east.
- The plans do not show an existing silver birch tree – this should be retained.
- The proposal was not presented to the City's Design and Conservation Panel affording it further review to address shortcomings

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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Flood risk
9. Trees
10. Third party representations
11. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The site is the former regional headquarters for St John's Ambulance, which constitutes a community facility. Policy 5/11 is therefore pertinent. Policy 5/11 of the Cambridge Local Plan (2006) states that development leading to the loss of community facilities will only be permitted if it can be demonstrated that a) the facility can be replaced to at least its existing level and quality within the new development; or b) the facility is to be relocated to another appropriate premises or site of similar accessibility for its users; or c) there is no longer a need within the local community for the facility or that the need can be adequately met at an alternative facility of similar accessibility for its users.

8.3 The existing facility has been relocated to a site with new facilities at 3-4 The Business Centre, Church End in Cherry Hinton. Whilst the facility is located outside Newham, the facility provided a city wide service. Having consulted with the Policy Team on this during pre-application discussions, they are satisfied that subject to information being provided on the new

facility, the proposed loss of a community facility would be acceptable. Therefore in my opinion, the relocation of a community facility from this site to another appropriate premise with similar accessibility would comply with part c) of policy 5/11 of the Local Plan.

- 8.4 This is not an allocated site. The principle of development for student accommodation would be in accordance with development plan policy provided that clauses in a Section 106 agreement were in place to restrict occupancy to full-time students of Darwin College and to restrict the students from keeping/owning cars. Darwin College has confirmed their agree to enter into such an agreement, although it has not yet been completed.
- 8.5 Policy 7/7 (College and University of Cambridge Staff and Student Housing) is also relevant. The policy states that planning permission will be granted for windfall and student hostel sites subject to:
- a) Amenity considerations;
 - b) Their proximity to the institution they serve;
 - c) Supervision, if necessary, is provided as appropriate to their size, location and the nature of the occupants; and
 - d) They do not result in the loss of family residential accommodation.
- 8.6 I set out below my assessment of the proposal in relation to the above policy criteria.
- a – Amenity considerations
- 8.7 The site is located within a residential context with traditional terrace housing to the west and south of the site. To the east is a three storey block of flats and to the north opposite Barton Road is a sports field. Therefore the proposal for student housing in this location would be compatible with the existing context. The proposal is to provide post graduate accommodation for students attending Darwin College.
- 8.8 The proposed development has been carefully designed and laid out to ensure the amenity of surrounding residents is not adversely affected in terms of overlooking or overbearing. Whilst there will be some degree of impact from the proposed

buildings, the degree of harm is not considered to be significant enough to warrant refusal.

- 8.9 The proposed accommodation would provide students with high quality living environment within a sustainable location. Each room would have an en-suite and have access to a shared communal kitchen/common room located at both ends of the site and on each floor. The proposal also includes secure and covered cycle parking.
- 8.10 I am therefore satisfied that the design of the proposed student accommodation building has given appropriate consideration to the amenity of surrounding residents and future occupiers.

b – proximity to institutions

- 8.11 The site is located within a 10 minute walk and 4 minute cycle ride from Darwin College which is on Silver Street. I am therefore satisfied that the site would be reasonably located from the associated institution.
- 8.12 The site is also located within close proximity to the local shops on Grantchester Street and reasonable walking and cycle distance from the city centre. There is a bus stop directly opposite the site on Barton Road.

c – Appropriate management

- 8.13 The proposal does not include an onsite manager/porter. Due to the close proximity of the college buildings to the site, the college is proposing to handle porter services from the main building on a 'as and when' required basis. The students will be postgraduates and it is therefore expected that the accommodation will provide academic year round occupancy. In relation to car park space management, this can be controlled via the Management Plan and s106 obligations. The s106 obligation can ensure that with the exception of disabled students the occupiers of the building cannot keep a car in the City. The Management Plan can also control the way in which students access their accommodation at the beginning and end of term. The ground floor plan show car parking area off Newnham Croft Street. The use of this parking space will be managed by allocating time slots for each person arriving or leaving, so as to avoid conflict. The Highway Authority has requested a Traffic Regulation Order to remove the existing on

street parking space associated with the previous use. I have recommended an informative requesting the applicant to ensure the TRO is completed. I am therefore satisfied that this part of the policy can be complied with subject to condition/planning obligations.

d – Loss of family residential accommodation

- 8.14 The redevelopment of the site would not result in the loss of family housing.
- 8.15 In terms of students who are disabled, the proposal includes two accessible rooms (5 and 6) on the ground floor.
- 8.16 In my opinion, subject to an appropriate legal agreement to restrict occupancy, the principle of the development is acceptable and in accordance with policies 5/11 and 7/17 of the Cambridge Local Plan 2006.

Context of site, design and external spaces and impact on heritage assets

Response to context

- 8.17 The site is located within a residential context, which is characterised by two storey terrace housing in Hardwick Street and Barton Road, which is an arterial route into and out of Cambridge. The built form along Barton Road varies but adjacent to the site it is characterised by either converted or purpose built flats such as Cherwell Court (three storey) and Maitland House (two storey and is a Building of Local Interest); both to the east of the site. To the west, on the opposite site of Hardwick Street is The Red Bull public house, which is two storey. Beyond this is a detached two S storey dwelling/building on the corner of Barton Road and Millington Road. Opposite the site is an open playing field bound by a privet hedge. Therefore, there are two distinct contexts within which the site sits; the close knit, domestic scale of terrace housing in Hardwick Street and the suburban scale, multifaceted built form of Barton Road.
- 8.18 The applicant has taken the approach of breaking up the development into two forms in order to respond to each context. The northern element (Building A) is a three storey pitched roof block which addresses the corner plot of Barton Road and

Hardwick Street and responds to Cherwell Court and other three storey blocks on Barton Road. The southern element (Building B) which is a two storey pitched roof block relates to the terrace housing typology of Hardwick Street. Both elements are distinctly different in scale but similar in design.

- 8.19 It is important that any development on this site, particularly adjacent to Barton Road, makes a positive contribution to the street scene. Currently the site on which Building A would be located is a car parking area and so is open from Barton Road and provides views across the site into Hardwick Street and also of the existing flat roof building on the site. The Newnham Croft Conservation Area Appraisal makes specific reference to the site and existing building. It states, on page 19, that a key negative feature of Barton Road is the “*highly visible*” car parking area and “*poorly design ambulance station*”. The Appraisal also identifies the ambulance station and Cherwell Court as “*Buildings which Detracts*”. The site is also referred to as a key negative feature in the Hardwick Street section. It states “*The modern St John’s Ambulance building on the east side is completely out of character to the rest of the street being bulkier and much lower than the houses*”. Therefore the proposed development would improve this identified negative feature by removing the existing unattractive building and replacing it with a high quality form of development that responds to the site context.

Building A

- 8.20 The applicant has proposed a traditional architectural approach to repair the appearance of the site whilst respecting the setting and character of Hardwick Street and Barton Road. Building A, which is three storey, would have a projecting gable element facing onto Barton Road and contrast architecturally with Cherwell Court. The northern elevation that faces Barton Road is simple in its appearance but of a scale which announces itself to Barton Road without being unduly dominant or intrusive. The projecting gable, which is 3.5 metre in depth, would be stepped down slightly from the main ridge and be set back 2.7 metres from Barton Road behind a low boundary wall.
- 8.21 The eastern arm of Cherwell Court would be located closer to Barton Road than Building A. The eastern elevation has a two storey lean-to element which appears as an ancillary element

attached to the main building. This element would consist of two rooms and be set off the boundary with Cherwell Court by 3.2 metres. The three storey element would be 6.75 metres off the boundary with Cherwell Court. This element in my view helps to give the building a domestic scale by reducing the three storey appearance of the main building. The combination of these elements (set back from Barton Road and Cherwell Court, stepped gable and lean-to element simple fenestration arrangement) would introduce a building on the site which improves the appearance of the site from Barton Road without appearing out of context or dominant. There are many blocks of flats along Barton Road, including Cherwell Court, which are of poor design and fail to address Barton Road in a positive manner. By comparison, the proposal would introduce a form of development that respectfully addresses Barton Road and responds sympathetically to its surroundings.

- 8.22 The western elevation (front) facing Hardwick Street, would entirely face The Red Bull public house and its car parking area. This elevation is again simple in its articulation and the shadow line and lowered second floor would, in my view, help to reduce the horizontal and vertical mass and scale of this three storey building from Hardwick Street. This section of the development then transitions to the two storey element. In my view, the three storey element successfully and positively addresses the corner of Barton Road and Hardwick Street. The proposal is a significant improvement on the existing appearance of the site. The building is proposed to be set back from the footpath by 500mm. This space is proposed to be filled with a soft landscape strip either side of the main entrance and set behind a low wall (300mm) with iron railings (450mm) above. This frontage feature helps to ground the building and gives a threshold space for ground floor windows and recessed main entrance.
- 8.23 Chimneys are also a strong and visible feature within Hardwick Street. The proposal has incorporated chimneys into the roofscape. Whilst these are false chimneys, they will be used to incorporate service vents and pipes so that they do not appear on exterior of the buildings.
- 8.24 In my view, Building A is of high quality design which responds to the site context and of a scale that is appropriate for this corner plot. The proposed building would introduce a form of

development that is a significant improvement on a site which is highly visible and adjacent to a building which detracts.

Building B

- 8.25 Building B would replace most of the existing building on the site, which is of poor design. The proposed building has been carefully designed to ensure its scale and appearance assimilates into the character of the area and fixes the street scene of the eastern side of Hardwick Street. The fenestration detailing has been simply articulated without trying to incorporate too many of the existing architectural features such as bay windows. This is to avoid pastiche reproduction and give the development its own identity whilst respecting the existing design and scale typology. Building B would also provide a sensitive transition from the site to the existing terrace houses on the opposite side of Newnam Croft Street. The proposed building would sit lower at the ridge than the existing terrace and so would read as a sympathetic and subservient terrace. The proposed building would also turn the corner into Newnam Croft Street with a subservient two storey wing which is synonymous. Newnam Croft Street is a connecting back street, which links Hardwick Street to Derby Road and Grantchester Street. There are no buildings which front onto it.
- 8.26 This section of the proposal (Building B), in terms of context, responds to the local built form and would sympathetically integrate into the site without appearing as an intrusive form of development. The proposal is considered to be of a high quality design and domestic scale which is appropriate for this location. I am therefore satisfied with this element of the proposal.
- 8.27 Overall therefore, the proposed development in my view would significantly improve the appearance of the site with a form of development that responds appropriately to all aspects of the site and is respectful to the existing built form. In these terms, therefore, the proposed development would enhance the character and appearance of the Conservation Area by introducing a high quality form of development on a site with a building that has been identified as being poor design. This is a view that is supported by the Urban Design and Conservation Team who consider the proposal to be acceptable in design and conversation terms, subject to conditions on materials and boundary treatment.

8.28 In terms of external space, the main grassed area is provided around the Building A. A paved area is also proposed to the rear of Building B. Due to the narrow and irregular shape of the site I am of the view that the proposed outdoor space is acceptable. The site is also located within close proximity to Sheeps Green/Lammas Land which is a large area of public open space. The external space around the building is limited but the proposal makes best use of the space to provide outdoor space for the future occupiers and ancillary provisions such as an off street parking space and visitor cycle storage.

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

Disabled access

8.30 The applicant has proposed to provide two accessible rooms (rooms 5 and 6) which are closest to the main entrance to allow ease of access and movement.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

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

Overlooking

8.33 The proposed development has been designed so that all the windows that serve the students rooms mainly face onto Hardwick Street. There are room windows that face Barton Road and windows that overlook the garage block off Newnham Croft Street. The windows in the east elevations are landing windows. The proposed development would introduce windows that face the existing terrace opposite on Hardwick Street. However, whilst the outlook from the existing properties in

Hardwick Street would be materially different, I do not consider there would be any adverse overlooking or loss of privacy issue. Building B would integrate into the site by replacing a building that is out of character with a form of development that respectfully mends the street scene of this part of Hardwick Street.

8.34 The southern elevation of Building B contains a first floor room window that would face the rear garden of no.11 Hardwick Street. I have recommended an obscure glazing condition to prevent overlooking from this window over the garden of neighbouring property. Room 22 has two windows; one in the east elevation and one in the south elevation. There the occupier of this room would still have a clear window to look out of. I have also recommended a condition so that the first floor and second floor (of Building A) landing windows, which face Cherwell Court, are obscure glazed to a height of 1.7 metres in order to prevent direct overlooking. Subject to these windows being obscurely glazed, I do not consider Building A or B would result in any adverse levels of overlooking such that would warrant refusal.

8.35 Building A would face directly towards the public house and its car park opposite. There would be no overlooking impact from this relationship. I have recommended a condition to obscurely glaze to a height of 1.7 metres the first and second floor landing windows. Aside from this, I do not consider Building A would cause any adverse overlooking issues.

Outlook

8.36 The proposed development would result in a material change to the appearance of the site. The housing terrace opposite in Hardwick Street would face Building B. Building B would be similar in height to the terrace and so would not appear imposing on the existing. Whilst the outlook would change from the existing, the proposed development would result in a pattern and form of development that is similar to the existing terraces to the south of the site along Hardwick Street. I do not consider the proposed development would result in a form of development that is characteristic of this area. Building A would be offset from the existing terrace opposite and so the whilst it would be visible, it would not in my view have an adverse impact on outlook of existing occupiers.

8.37 In terms of the impact on the occupiers of Cherwell Court, it is important to understand the separation distances. The occupiers that face the application (in the west, north and south elevations) would be affected by the proposed development as currently they over a car park. Building A would be set between 7 metres at its nearest (two storey lean-to), 10.5 metres (to the three storey element) and 15.5 metres from the west elevation of Cherwell Court. In my view, having visited some of the flats that face the application site, I have come to the view that in this context, whilst the proposal would have an impact on the outlook from the existing flats, particularly at ground floor, I do not consider the degree of impact would on balance be significant enough to warrant refusal of this application. The benefits of the redevelopment of the site in the form proposed would outweigh the negative impact on existing occupiers in Cherwell Court. The outlook of the occupiers of the flats which face north would not be significantly affect in my view as the proposal would not shut down views north. Also many of the flats are double aspect and so the living/dining is served by two windows. Therefore, whilst Building A would be visible from the windows in the western elevation, it would be unreasonable to argue this should warrant refusal given many of the flats are double aspect. I am therefore satisfied that Building A would not, on balance, have a significantly detrimental impact on the outlook of the occupiers in Cherwell Court.

8.38 Concerns were raised regarding the potential impact on the residents in Cherwell Court in terms of daylight. The applicant was requested to submit a 25 degree plan showing what impact the proposed development would have from the ground floor of Cherwell Court. On 16th December 2016 a 25 degree was received. The plan showed that the two storey element (in section DD) would clip the roof of Building B. Whilst there is likely to be a degree of harm due to the height of the proposed development, I am satisfied that the proposal would not have a significantly adverse impact on the residential amenity of the existing occupiers such that it would override the benefits of the proposal.

8.39 Building B would cover most of the footprint of the existing building. Therefore, the issue is whether the additional over and above the existing would have a detrimental impact on the outlook of the existing occupiers in Cherwell Court. Again, most

of the flats have a double aspect and so the windows that face the development are not the only windows that would serve the flats. Building B would be set 8.9 metres from the western elevation. Some relief from the proposed development would be provided by the gap between Building A and B and also to the flats in the southern elevation. The gap between Building A and B would serve a cycle storage area and have a flat roof. I am therefore satisfied that the proposed development would not have a significantly detrimental impact on the residential amenity of the occupiers of Cherwell Court in terms of enclosure of outlook.

- 8.40 The site is located to the west of Cherwell Court and the impact from overshadowing is unlikely to be significant enough to warrant refusal. The impact from the proposed development is likely to be felt in mid to late afternoon as the sun begins to set. I therefore do not consider the proposal would cause significant overshadowing of the existing built form.

Noise and disturbance

- 8.41 The proposal would introduce 26 post graduate students to the site and area. All the rooms would have windows that face out onto Hardwick Street, Barton Road or Newnham Croft Street. Nevertheless, in order to mitigate any 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 treatment.
- 8.42 Whilst the proposed development would increase the level 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/deliveries to the site and dust control. I have also applied a Considerate Contractor informative.
- 8.43 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

- 8.44 The proposed development would in my view provide a high quality form of living accommodation within a constrained site. Each room would provide between 16 and 17.5 sqm of internal space and each floor would have access to a common room.
- 8.45 In terms of external space, the proposal includes a dedicated area of communal garden at the northern end of the site. Whilst there are no policies prescribing the amount of amenity space that needs to be provided with these types of schemes, I have set out below how the amount of amenity space compares to other similar schemes and how much amenity space would be provided per student.

Site	Number of rooms	Area of approved usable amenity space (sq.m)	Usable amenity per student (sq.m)
3 Barton Road 15/1879/FUL	26	125	4.8
156-160 Chesterton Road 14/2051/FUL	41	227.8	5.6
91-93 East Road 14/0764/FUL	33	76	2.3
100 Histon Road 12/1576/FUL	71	329	4.6
1 Milton Road 14/1938/S73	211	168	1.86
7-9 Abby Street 11/1430/FUL	24	194	8.08
73 Humberstone Road 13/0415/FUL	15	67	4.46

Texaco Site 11/0876/FUL	98	45	0.46
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8.46 The above table demonstrates that the level of amenity space for the proposed development is comparable to other recent similar schemes. In light of this, I consider that the scheme is still acceptable in terms of the ratio of outdoor amenity space per student and would therefore provide a high quality living environment for future occupiers. It should also be noted that the site is located a short walk to Sheeps Green/Lammas Land, Darwin college and local shops and services.

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

Refuse Arrangements

8.48 The proposal includes a dedicated bin store which is located within the covered cycle store and accessible from Hardwick Street. The bins will be collected by Darwin College's waste management team. However no specific details have been provided about this. I have therefore recommended a waste management condition.

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

Highway Safety

8.50 The applicant has demonstrated that they can provide sufficient visible splays for the car parking space to access onto Newnham Croft Street. Other than this there are no specific highway safety issues or concerns that have been raised by the Highway Authority which cannot be dealt with by conditions and/or informatives.

8.51 The applicant has chamfered the southern corner of Building B to allow better pedestrian visibility at this corner location.

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

Car and Cycle Parking

Car parking

- 8.53 The proposal includes one car parking space which is accessed via Newnham Croft Street. The car parking space will be used to manage students moving in and leaving. The college has confirmed that it will apply restrictions on car ownership/parking by students. I have recommended a management plan condition so that details of how the college intends to control car parking restrictions amongst other matters. I have also applied the car club informative in case students require access to a vehicle for their studies.

Cycle Parking

- 8.54 The proposal includes 28 cycle parking spaces for the students within a dedicated cycle store located between Building A and B. The proposal also includes 9 visitor spaces adjacent to the car parking space at the southern end of the site. This is above the requirements of the Cycle Parking Standards which seeks 2 spaces per 3 bedspaces and 1 visitor space per 5 bedspaces. The proposal provides one space per room.
- 8.55 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Trees

- 8.56 There are two mature Birch trees within the Cherwell Court that are close to and overhang the site boundary. Both trees are approx. 10 metre in height and proposed to be retained. In order to achieve this would require some crown work and clearance and foundation carefully constructed. This is according to the applicant's Tree Survey. I have recommended Tree Protection Plan condition to ensure the tree is protected during construction.
- 8.57 I have not, to date, received comments from the Tree Officer on the potential impact on the trees from the proposed development. However, whilst the site is within a Conservation Area, the trees are not protected by a Tree Preservation Order, if the tree were to become significantly damaged or dies then I

do not consider it is of such significant amenity value to frustrate this development from coming forward. The applicant is also proposing a tree adjacent to the northern boundary with Barton Road. I feel that the benefits of the redevelopment of the site and replacement tree planting would outweigh any negative impact on the existing tree. The Birch at the southern end of the site is unlikely to be significantly affected due to the scale of Building B.

8.58 I will report the Tree Officer's comments on the amendment sheet or orally at the Committee meeting.

Third Party Representations

Issue	Response or paragraph where covered in the report
Design, scale, mass and bulk	See para 8.17 to 8.28
Response to context & Impact on Conservation Area	See para 8.17 to 8.28
Materials	The applicant has agreed to use the materials that have been suggested by the Urban Design Team. Nevertheless, I have recommended a materials condition so that samples are provided for consideration. I have also proposed a sample panel condition to ensure the mortar mix and pointing is
Parking and cycle provision	See para 8.52 to 8.53
Waste	See para 8.47
Amenity Space/Landscaping	See para 8.22, 8.28 and 8.44
Residential Amenity	See para 8.32 to 8.46
Use/Control of building	The college will control the use of the building.
Other Issues	
A green roof should be incorporated.	Officers are unable to insist that this is included.
The plans do not show an existing silver birch tree – this should be retained.	All trees on site are proposed to be retained. I am aware of this tree and have made a note of it on the plan.

Loss of views – the scheme affect available views from Cherwell Court looking westward. The views from Hardwick Street will be severely restricted to the east and north east.	See para 8.37 to 8.39
The Urban Design and Conservation Team commented on 9 November 2015, it would have been more professional if they took account of residents' views before responding.	The Urban Design and Conservation Team are consulted as a specialist consultee and they respond accordingly. It is the role of the Planning Officer to taken into account the residents views, not he Urban Design Team.
Building regulations and fire regulations should be complied with.	This is separate legislation and the applicants will need to comply with all relevant legislative requirements, this does though, fall outside the scope of what can be considered as part of this planning application.
Numbers 33,31,29 & 27 Gwydir Street are served by a back alley – how will this arrangement be preserved/managed.	
The Council allow plans that ignore the Conservation Area status entirely.	Development is allowed in Conservation Areas and each case is judged on its own merits.
The amendments do not address the key concerns.	Noted
The current buildings on site are not appropriate.	Noted
The scheme does nothing to attract wildlife and the accommodation/amenity space ratio is unbalanced.	In this urban environment it would be difficult for any new development to attract wildlife, particularly within close proximity to a busy road such as Barton Road. Amenity space, see table in 8.43
How will the property be manages and controlled?	The building will be managed by Darwin College. I have recommended a management

	plan condition so that details of how car parking will be restricted, waste managed and any nuisance controlled.
The proposal was not presented to the City's Design and Conservation Panel	It was not considered necessary for this scheme to be presented to the Design and Conservation Panel. The proposal does not fall within the 'major' application category.

Planning Obligations (s106 Agreement)

Planning Obligations

8.59 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.

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

8.61 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.

8.62 Having reviewed the proposals I am mindful that the proposals are within walking distance of the facilities at Darwin College, and also the public open space at Sheeps Green/Lammas Land. Given the scale of the development (26 units of student

accommodation), I am of the opinion that there is no justification in seeking a contribution in this instance.

9.0 CONCLUSION

- 9.1 The proposal is to redevelop the existing St John's Ambulance site for student accommodation serving Darwin College. St John's Ambulance has relocated to a new site in Cherry Hinton where they are able to provide a better service in a bigger, modern facility.
- 9.2 The proposed development is broken into two buildings; Building A and Building B. The buildings are detached from each other by a covered cycle store. The site is an irregular and narrow shape and located on the corner of Barton Road and Hardwick Street. The site has a different context at the northern end to the southern end. The northern end of the site which is currently a car parking area, faces onto Barton Road which is a busy arterial road into and out of Cambridge. Many of the taller buildings are located fronting Barton Road. Cherwell Court is a good example of this. There are other examples of three storey post war buildings further (west) along Barton Road. Therefore, development on the northern end of the site would be the location for a focal point building. The southern end of the site relates more to the scale of development in Hardwick Street which is characterised by two storey terrace housing. Both buildings (A and B) have been designed to respect the context within which they are located in my view. The three storey scale of Building A is not out of character as it would read in context with Cherwell Court. The simple fenestration arrangement, stepped projecting gable and lower second floor are features that help to assimilate the building into the site without appearing intrusive or alien to the area. Building B is similar in terms of its simple but effective detailing which responds to the terrace housing opposite and to the south. I am therefore satisfied that the proposed development would make a positive contribution to the site and locality in terms of design, scale and making effective use of this site and remove a building which is detached and is poorly designed. The proposal would also repair the street scene within Hardwick Street with a form of development that is in keeping and appropriate.
- 9.3 The narrow site and uneven layout of Cherwell Court are the main constraints of this site. Therefore, in terms of the

relationship with Cherwell Court, I have taken the view that whilst the proposal will have a degree of impact on the residential amenity of the existing occupiers, particularly those in the ground floor, in terms of outlook, I do not consider the impact would be significant enough to outweigh the benefits of redeveloping the site. Therefore, on balance, I do not consider the proposed development would have a significantly adverse impact on the residential amenity of the existing occupiers.

- 9.4 For the reasons set out above, I recommend the proposed development for approval subject to conditions and completion of a S106 agreement.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 30th May 2016 and 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. 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)

5. 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)

6. 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)

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. 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)

9. 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)

10. 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)

11. 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)

12. 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

13. Prior to the commencement of the development, full details and plans for the on-site storage facilities for waste and 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, or any other means of storage will be stationed to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details should include the on-site storage facilities for waste, including waste for recycling and the arrangements for the disposal of waste detailed; these arrangements shall subsequently be provided and shall include provision for a minimum of 50% recycling/organic capacity. 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

14. Prior to the commencement of development/construction, a noise assessment of external and internal noise levels and a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced externally and internally at the residential units as a result of high ambient noise levels in the area (predominantly traffic noise from Barton Road) shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

If the internal noise limits can only be achieved with closed windows then alternative means of both whole dwelling and passive background / purge ventilation should be provided to allow residents to occupy the properties at all times with windows closed.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2006 policy 4/13)

15. Prior to the commencement of use (or prior to the installation of any artificial lighting) an external artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken (horizontal / vertical isolux contour light levels and calculated glare levels) . Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The artificial lighting scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

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

16. 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.

17. 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).

18. 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.

19. 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.

20. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

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

21. 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.

22. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel (wherever possible all such parking should be within the curtilage of the site and not on street),

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles (wherever possible all loading and unloading should be undertaken off the adopted public highway)

v) movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

Thereafter the development shall be undertaken in accordance with the approved details.

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

INFORMATIVE: The applicant is reminded that they will need to apply to Cambridgeshire County Council for a Traffic Regulation Order in order to amend the existing on street parking space on Newnham Croft Street in front of the proposed access to the off street parking space. A copy of the approval notice from the County Council shall be submitted to and approved in writing by the Local Planning Authority.

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

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 noise insulation condition for the building envelope as required above, the Council expects the scheme to achieve the internal and external noise standards recommended in BS8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice".

Internal noise standard shall be achieved in habitable rooms with external windows / doors open and closed. Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer comfort acoustically treated mechanical or passive free area ventilation may also need to be considered within the context of this internal design noise criteria.

The external amenity area of the northern ground floor common room may also be exposed to high levels of traffic noise from Barton Road. If this external amenity space is the only one available and if it is an intrinsic part of the overall design, the acoustic environment of this space should be considered so that it can be enjoyed as intended. For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. If these levels cannot be achieved then an acoustic barrier may be required around this amenity area.

INFORMATIVE: The Residential Team within Environmental Health, Cambridge City Council have an agreed set of "Amenity and Safety Standards for Accommodation Owned or Managed by Providers of Further or Higher Education", which can be accessed via www.cambridge.gov.uk/guide-for-landlords.

The purpose of this guidance document is to establish an agreed set of standards between the council and educational establishments, in order to minimise the level of intervention by the council including potential enforcement action. The document sets out advisory standards, which are acceptable to the council, to ensure the health and safety and wellbeing of occupiers.

In addition to the grant of planning permission the development should be in accordance with these standards and if any further information / clarification and advice is required please contact the ward officer within the Residential Team, Claire Adelizzi via e-mail: claire.adelizzi@cambridge.gov.uk / tel: 01223 457724.

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.

PLANNING COMMITTEE

3rd February 2016

Application Number	15/2063/FUL	Agenda Item
Date Received	4th November 2015	Officer Mr Sav Patel
Target Date	30th December 2015	
Ward	Cherry Hinton	
Site	Land Rear Of 268 Queen Ediths Way Cambridge CB1 8NL	
Proposal	Erection of 3.No four bed houses, internal access road, car and cycle parking and hard and soft landscaping.	
Applicant	Dudley Developments	

SUMMARY	<p>The development accords with the Development Plan for the following reason:</p> <p>-The previous refusal reason has been overcome through amendments to the scheme for three houses which have increased garden depths and building distances from adjacent gardens and removed inter-looking issues between proposed plots. On this basis and in light of previous officer recommendations and committee decisions, approval is recommended.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located in the south-eastern corner of the City, on the southern side of Queen Edith's Way, close to the junction with Lime Kiln Road, which inclines from Queen Edith's Way. The site was a former chalk pit, which has been partly back-filled at the southern end of the site from spoil and fill from the construction of Addenbrooke's Hospital.

- 1.2 Queen Edith's Way is characterised as a suburban residential area consisting mainly of two storey detached and semi-detached dwellings with deep rear gardens and a good level of spacing between. The application site is located to the side

(north-east) and rear (south) of No.268, which is a two storey detached dwellinghouse set back from the road. The site also adjoins the rear gardens of nos.252 to 266 Queen Edith's Way, which are two storey semi-detached dwellings with deep gardens. The garden depths of the dwellings that adjoin the site range from 71 metres (no.252) to 16 metres (no.268).

- 1.3 To the east is Lime Kiln Road which is a narrow rural road with limited footpaths and dense green verges on either side. There is no development along Lime Kiln Road. It is very much an exit and entry route into and out of the City from the south. The application site plays an important role in people's perception of having left the city and entering the countryside beyond.
- 1.4 The application site boundaries are defined by established tree and dense shrub planting which limits views into the site from Lime Kiln Road and Queen Edith's Way, particularly during summer months. Within the site, it is generally unmaintained and left to nature. Recently some of the trees within the site have been removed. There is also a wide opening at the south end of the site from the top of Lime Kiln Road which allows uninterrupted views into the site. Access is restricted into the site from here by a metal fence.
- 1.5 The application site is not designated within any site constraint or formally allocated. However, part of the designated Green Belt runs along the southern boundary. To the south of the application site is a caravan park, which is located within the Green Belt and designated as an area of Protected Open Space (POS), and also within a 'Site of Special Scientific Interest' (SSSI). To the east is Lime Kiln Road and to the east of this is Cherry Hinton Pit, which is designated as a SSSI, Local Nature Reserve (LNR), POS and is also within the Green Belt. To the north of Cherry Hinton Pit (and north-west of the application site) is an area of land known as Lime Kiln Close (also known as East Pit) which is designated as an area of POS, LNR, and is within the Green Belt.
- 1.6 The site contains several individually protected trees made up of two group tree protection areas. The group protection areas are located along the eastern boundary with Lime Kiln Road and at the southern end of the site. There are eight individually protected trees, which are located in the northern and southern sections of the site.

2.0 THE PROPOSAL

- 2.1 The proposal seeks full planning permission for the erection of 3.No four bed houses, internal access road, car and cycle parking and hard and soft landscaping.
- 2.2 The proposed houses would be arranged in a linear form within the plot with a vehicular access to the east of the site serving all of the properties from Queen Edith's Way. Gardens to the new dwellings would be to the west of the site.
- 2.3 The proposed houses are of a modern design and are part two / part three storeys in height with a sunken lower ground floor level. All houses have 2 parking spaces at the lower ground floor level and all have a green roof on the lower two storey element of the houses with solar/PV panels on the higher flat roofed element. The materials proposed are brick and horizontal zinc cladding. Cycle storage and bin storage is also incorporated at the lower ground floor level.
- 2.4 The proposal is a resubmission of a refused planning application (15/0596/FUL) that was presented to Planning Committee in October 2015 with a recommendation of refusal. After some debate, the application was refused for the following reason:
1. *The proposal would, by virtue of the louvered screens on plots 1 and 2, angle views over the rear gardens of plots 2 and 3 which would result in inter-overlooking. In conjunction with the proposed modest rear gardens, this would also result in a poor quality living environment for future residents. For these reasons, the proposed development conflicts with policies 3/7 and 3/12 of the Cambridge Local Plan (2006).*
- 2.5 Committee's decision not pursue other officer recommended reasons for refusal under 15/0596/FUL (i.e. relating to design and urbanising impact on the rural qualities and setting of the site) is material to the consideration of this application.
- 2.6 The application is accompanied by the following information:
- 1 Plans
 - 2 Planning Statement

- 3 Ecology Report
- 4 Environmental Report
- 5 Flood Risk Assessment
- 6 Landscaping details
- 7 Heritage Asset Assessment
- 8 Tree Survey
- 9 Transport Assessment
- 10 Utility Statement

3.0 SITE HISTORY

Reference	Description	Outcome
14/1382/FUL	Erection of a residential development consisting of 1 x 5 Bedroom House and 6 x 4 Bedroom Houses, along with internal access road, car and cycle parking and hard and soft landscaping.	REFU dated 16.02.2015
15/0596/FUL	Erection of 3No. five bed houses, internal access road, car and cycle parking and hard and soft landscaping.	REFU dated 02.11.2015
06/0475/TELDET	Installation of a 11m mock telegraph pole with associated ground based cabinets and the antennae enclosed within a shroud at the top of the mast.	REFU dated 30.06.2006
07/0191/TELDET	Installation of 12m telegraph pole with 3 antenna in a shroud and equipment cabinet and ancillary development.	REFU dated 11.04.2007

4.0 PUBLICITY

4.1	Advertisement:	No
	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 3/2 3/3 3/4 3/7 3/8 3/11 3/12 4/1 4/2 4/3 4/4 4/6 5/1 8/4 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> Arboricultural Strategy (2004) 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 given any significant weight. For example, those emerging policies referenced by objectors, such as policy 8, which references the setting of the city, are equally covered through adopted policy 3/2.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The junction and access details are the same as for applications 14/1382/FUL and 15/0596/FUL, but for reduced usage. They are therefore acceptable subject to the imposition of the same conditions.
- 6.2 The road is neither to an adoptable standard nor serves enough dwellings to justify requirement of same and so will remain as a private Access way. The applicant should be made aware of this.

Environmental Health

- 6.3 The proposals are acceptable subject to conditions and informatives being imposed on the following:

- Contaminated land;

- Construction hours
- Piling
- Site investigation informative
- Remedial works informative
- Materials chemical testing informative

Refuse and Recycling

6.4 No response received to date.

Urban Design and Conservation Team

- 6.5 The submitted application follows on from a previous scheme (15/0596/FUL) for 3 No. units which despite being supported by all consultees was refused at committee on the 7th October 2015. The reasons cited for refusal related to the potential overlooking into adjacent plots within the development site and the limited amount of amenity space provided to each dwelling.
- 6.6 The revised submitted scheme amends the layout and form of the units; all units are now the same and arranged as simple interlocking rectangular forms. Accommodation at first floor level has also been reconfigured to prevent overlooking from the rear elevations. The only windows on these elevations serve bathrooms and en-suites and are shown to include obscured glazing on the submitted floor plans. We support this approach which has addressed previous reasons for refusal.
- 6.7 Plots 1 and 2 are now aligned with the access road and eastern site boundary, matching the alignment and position of Plot 3. As a result the depth and size of the rear gardens associated with Plots 1 and 2 have increased from approximately 109m² (Plot 1) and 129m² (Plot 2) to approximately 188m² (as measured from the submitted site plan). The rear gardens of Plots 1 and 2 are therefore approximately 72% (Plot 1) and 45% (Plot 2) larger compared to the previous refused scheme. We support this approach, the larger rear gardens associated with Plots 1 and 2 have addressed previous reasons for refusal.
- 6.8 The submitted site plan (drawing P-01 Rev K) shows that the external stairs to the side of Plot 2 leading up to the rear garden of Plot 1. We assume that this is a drawing error; the boundary separating these rear gardens needs to be adjusted so that the stairs do not provide access to the rear garden of Plot 1.

Conclusion

- 6.9 The changes incorporated within the revised submitted application are supported in design terms and have addressed previous reasons for refusal cited for application 15/0596/FUL. The arrangement of the boundary separating the rear gardens of Plots 1 and Plot 2 needs to be adjusted so that the external staircase to the side of Plot 2 does not provide access to the rear garden of Plot 1.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.10 The proposed development is acceptable subject to condition on surface water drainage.

Head of Streets and Open Spaces (Tree Team)

- 6.11 No comments received to date. I will report any comments on the amendment sheet or orally in my presentation to Committee.

Head of Streets and Open Spaces (Landscape Team)

- 6.12 The proposal is supported subject to conditions on hard and soft landscaping, landscape maintenance and management plan and boundary treatment.

- 6.13 General principle:

By rotating the buildings to a more parallel layout with the access road the amenity space for each house has become larger and more usable.

Tree removal

There is reasonable justification for the loss of the existing trees and TPO trees as identified. The tree planting strategy is acceptable subject to minor changes to the species which can be addressed under condition.

Landscape

The landscape strategy is supported subject to few minor concerns regarding species which can be addressed under condition.

The proposed gabion wall to support the embankment which has been a consistent concern and overcome concerns due to the proposed ground lifting, no-dig and careful root pruning which will aid the retention and continued longevity of the existing trees. This is now supported. The new trees planted on the embankment will infill gaps created by tree loss. Again, species can be addressed under condition.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.14 The proposed site is adjacent to The Cherry Hinton Pits SSSI and Limekiln LNR and Protected Roadside verges. Together these designations form an important ecological network within the chalk edge landscape. The proposals recognise potential impacts on these sites and seek to address them by not raising site levels and retaining the tree screen along Limekiln Road. The Ecology Report prepared by Applied Ecology (dated Oct 2015) makes a number of ecology recommendations I would like to see secured through conditions such as bat boxes and lighting design strategy for light-sensitive biodiversity.

Natural England

- 6.15 No objection. The proposed development will not damage or destroy the interest features for which Cherry Hinton Pit has been notified and the Site of Special Scientific Interest (SSSI) does not represent a constraint in determining this application.

Green Infrastructure

The site is located within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Natural England encourages the incorporation of GI into this development.

Protected Species

The proposal should be assessed in accordance with the Standing Advice on protected species.

Bio-diversity enhancements

The application represents an opportunity to incorporate features into the design that are beneficial to wildlife such as roosting opportunities for bats or bird nest boxes.

Landscape enhancements

The application represents an opportunity to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefit for the local community. The proposal should make a positive contribution in terms of design, form and location to the character and functions of the landscape and avoids any unacceptable impacts.

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 application:

- o Ainslea Cottage, The Street, Newmarket
- o 119 Coleridge Road
- o 21 The Meadows, Romsey
- o Netherhall School, Queen Ediths Way
- o 262 Queen Ediths Way (2 letters)
- o 234 Queen Ediths Way
- o 254 Queen Ediths Way
- o 256 Queen Ediths Way
- o 258 Queen Ediths Way
- o 260 Queen Ediths Way (2 letters)
- o 266 Queen Ediths Way

7.2 The representations can be summarised as follows:

Principle:

- The interpretation of 'white land' does not promote development;
- The proposal is contrary to policy 3/2 (Setting of the City) – degradation of the urban edge;
- Sites such as this should be preserved;
- There is no need for this type of housing in Cambridge;
- Contrary to Local Plan (2006) and policy 8 of emerging Local Plan

Design, scale and layout

- Modern design is out of keeping with other houses nearby;
- Potential for these proposed dwelling to increase to 3 or 4 storey houses in the future;
- If the proposal goes ahead it would allow development to further encroach into the Paddock to the south of the site;
- Box design of the building is alien to the surrounding properties;
- The proposed mass of the dwellings is out of context;
- The proposed development has only made some cosmetic modifications;
- The proposal development would form a wall and dominate the back gardens of no.268 and no.266.
- The revised layout has reduce the width of the access for passing traffic

Residential amenity

- Gardens will be overlooked;
- Overbearing presence;
- Loss of privacy and noise disturbance;
- Impact on the outlook from the gardens of existing residents
- Detrimental impact on the amenity of no.268 by being hemmed in;
- The amenity of future residents would be affected in terms of overshadowing from retained trees;
- Pressure on future residents to remove, prune or pollard trees, particularly the trees on the embankment;

- The rear gardens of the properties in Queen Ediths Way are not all the size of cricket pitches, particularly those nearest the no.268;
- Rear gardens are very small and would receive very little natural light;

Impact on the character of the area and wildlife

- The proposal does not respond to the character and context of the surrounding area;
- Loss of a unique rural location and vista on the edge of the city;
- Loss of wildlife habitat;
- Light pollution will have detrimental impact on wildlife;
- The proposal would completely change the character of the area;
- The proposal would appear overbearing
- This border site should be protected from urban creep
- The site is unsuitable for housing development on this scale
- The proposal neither conserves or enhances the urban edge
- Houses would be clearly visible from Lime Kiln Road
- The development would result in the loss of open space rather than create it;
- Half the site would be changed from plant land to developed land;
- Proposed tree and hedge planting is inferior to the trees and plant species on site and increase visibility of the houses;
- The proposal would be contrary to policy 3/2 (Setting of the City);
- Damage to tree roots from excavation works;
- The proposal would urbanise and degrade the city edge and the Eastern Green Corridor into the city;
- Rural character of Lime Kiln Road will be damaged;
- The proposal would set a precedent and lead to further development along Lime Kiln Road;
- Urbanisation of the site will cause a reduction in the quality of contact with the natural environment;
- The proposed 1.8 metre boundary fencing around the site and 2 metre steel fence around East Pit will create a barrier for larger mammals on both sides of the corridor;
- The site is corridor for a number and variety of animals;
- Loss of trees along the site boundaries;

- The land to the south of the site is sealed off and the applicant has not stated how this land will be used in the future;

Highway safety and traffic

- Creation of an additional traffic access onto a busy highway adjacent to the junction with Lime Kiln Road;
- The proposal new access would create a highway safety issue particularly during peak times;
- The proposed development would increase the chances of tragedy occurring;
- Risk to cyclists and pedestrian from vehicles existing and entering the access during peak times;

Other issues:

- The proposed development caters for the rich end of the market and will do nothing to ease the housing crisis;
- The proposal is not a single issue case;
- Three dwellings would result in large scale excavation works to accommodate the proposal which is contrary to the applicant's commitment not to excavate the in-filled land;
- The applicant has not engaged with neighbours on this application;
- Committee members should visit the site to understand the impact of the proposed development;
- The proposed development is not a 'single issue' application;
- The plot 1 has two stairs up to the garden area whereas plot 2 does not;

7.3 The owners/occupiers of the following addresses have made representations: supporting the application:

- o 21 The Meadows, Romsey
- o 28 Missleton Court

7.4 The representations can be summarised as follows:

- The developer has taken great care in the positioning of the houses.
- As seen by the neighbours the houses will appear as two storey dwellings.

- The density of the development is low and appropriate for the area.
- The development is set well away from the neighbouring properties and has been orientated so as to minimise overlooking.
- The design of the dwellings is such that the visual impact is minimised.
- Some trees are dead and/or in poor condition.
- The proposed works will safeguard the existing trees and will stabilise the bank with additional planting. This will reinforce the green boundary to the site.
- I fully support the development and believe that this is the best way to reserve the garden area for the future.

7.5 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.

Development Control Forum

7.6 The planning application also received a petition for a Development Control Forum (DCF). The DCF was held on 20 January 2015 at the Council Offices.

7.7 The DCF was also attended by Members of the Planning Committee (Cllr Blencowe, Cllr Smart and Cllr Pippas) and local ward Members (Cllr Ashton and Cllr Moore).

7.8 The petitioners wanted to discuss the following matters:

1. Road safety;
2. Protection of urban edge of the City;
3. Loss of amenity.

7.9 The minutes of the DCF contain the main areas that were discussed. However, I set out below the main points put forward by the petitioners as areas of amendments/consideration:

- o Concerned with the highway safety of the proposed junction being located close to a busy junction and within an area used by school children;
- o Concerns have been raised by the Head of Netherhall School on location of the access;

- o To reduce the scale of the dwellings from 3 storey to 2 storey to make them less visible from Lime Kiln Road and rear gardens of the dwellings in Queen Edith's Way;
- o To rotate the dwellings to avoid any overlooking of existing gardens;
- o To restrict any external lighting within the site to prevent further light pollution/leakage;
- o To introduce a dedicated cycle lane within the site to Netherhall School;
- o To introduce bio-diversity improvement and plant native trees/plants;
- o Not to disturb the land profile;
- o Members were encouraged to visit the site before Committee;

7.10 Having discussed these with the applicant they have decided not to amend the scheme as they do not consider the proposal would have adverse impact on the character of the area or on the residential amenity of the existing residents and they believe some of the issues raised can be dealt with by condition.

7.11 I have reconsulted with the Highway Authority on the proposed access in light of concerns by the school and timescale for the planned cycle path along Queen Edith's Way and whether the proposed access would affect this.

7.12 The Highway Authority does not consider the proposal would increase risk to highway users such that it would have a severe impact or undermine planned cycleways along this stretch of Queen Edith's Way given the number of existing accesses.

7.13 In terms of the other issues, the applicant is not willing to reduce the scale of the proposed dwellings particularly as the scale, design and layout has raised no objection from the Urban Design Team, Landscape Officer, Ecology Officer and Natural England, subject to conditions.

7.14 The proposal would not contain any habitable room windows that would cause overlooking. The windows in the north-west elevation would serve bathrooms and therefore would be obscurely glazed.

7.15 In terms of lighting, I have applied a lighting condition as recommended by the Environment Services Team.

- 7.16 In terms of bio-diversity, I have recommended conditions on bat and bird boxes to be provided to maintain and encourage wildlife within the site. I have also consulted with the Council's Nature Conservation Officer on whether there are any other areas bio-diversity improvement works that could be incorporated into the site. I will report any recommendation on the amendment sheet.
- 7.17 I would also encourage Members to visit the site to understand its character and context as an edge of city site.

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 The site is located on the edge of the city boundary with the Green Belt to the east and south, and Site of Special Scientific Interest and Local Nature Reserve to the east on the other side of Lime Kiln Road. The site itself is undesignated and has been left to nature as it has become overgrown and unmaintained. The site is located in an important location between the urban and rural edge. It is an important buffer that enables the gradual transition between the two environments. It is therefore important that any development maintains this sense of place, openness and rural character. Therefore, as the site is located within the city boundary and bound on the western side by housing, officers are of the view that, as it has not been designated for any particular use and subject to conditions, the principle of some form of high quality, sensitive and sympathetic residential development would be acceptable.

- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006)

Context of site, design and external spaces

Response to context

- 8.4 I have, in paragraphs 8.5 to 8.12 of my previous Committee Report (for refused planning application ref: 15/0596/FUL at October 2015 Planning Committee), set out my assessment of the merits of the proposal in terms of site context and the important features/designations that surround the site and how the site contributes to these landscape feature/designations. I therefore do not consider it necessary to reiterate that assessment here.
- 8.5 The site context and designations have not changed since the previous refused application. Therefore, whilst the proposal has been amended by orientating the layout of the dwellings so they are parallel to each other and have been pulled away from the rear boundaries of the properties in Queen Edith's Way to increase the gardens in each plot, these amendments have not, in my view, overcome the concerns I raised in previously regarding the scale, design and layout of the proposed dwellings. The design and scale of the proposed dwellings have not changed. Therefore, my professional opinion remains that the proposed development would have a significant detrimental impact on the character of this unique edge of city site.
- 8.6 However, notwithstanding my position, Members of the Planning Committee for the previous application, resolved not to accept the first refusal reason, which I have set out below for reference. My first recommended refusal reason was on the grounds the proposal would have a significantly detrimental impact on the character and setting of this edge of city site and surrounding rural context.

First refusal reason for 15/0596/FUL:

1. The proposed development would, by virtue of its unsympathetic scale, bulky design and loss of trees, have a significantly detrimental impact on the character and setting of this edge of city site and surrounding rural context. The

proposed development would result in an alien form of development that would appear incongruous from the rear gardens of the properties in Queen Edith's Way and unduly diminish the rural character of this green edge from Lime Kiln Road. The proposal fails to sympathetically respond to the site context. For these reasons the proposed development conflicts with policies 3/2, 3/4, 3/12 and 4/4 of the Cambridge Local Plan (2006) and government guidance contained in the National Planning Policy Framework 2012.

- 8.7 Whilst each application is considered on its own merits, it would, for fairness and for consistency of decision making, now make the decision making context – given the extremely similar design and layout of the revised scheme - very difficult for members to adopt an alternative position in considering issues of character and setting, as the decision on the previous proposal is a clear material consideration that has weight.
- 8.8 Given also that no objection is provided by either the Urban Design and Conservation Team, Landscape Officer, Ecology Officer or Natural England, subject to conditions, it could be considered unreasonable if members were now to consider issues of setting, character and design to be problematic.
- 8.9 Therefore, in view of the history, I do not consider that the proposed development should be refused regarding issues of city setting, rural character, design or issues of tree loss as per adopted policies 3/2, 3/4, 3/7, 3/12 or 4/4 of the Cambridge Local Plan (2006), government guidance contained in the National Planning Policy Framework 2012 or emerging policies, particularly policy 8 (setting of the city).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 As with the site context issue, Members of the Planning Committee for the previous application did not consider the proposal would have a significant adverse impact on the residential amenity of existing occupiers due to the separation distances. Members dismissed part of my recommended second reason for refusal. However, the revised layout of the dwellings and revised internal layout, particularly for the first floor set back element which now proposes two bathroom

windows in each plot facing the rear boundary of existing properties, would reduce any direct overlooking of existing gardens. The bathroom windows are proposed to be obscure glazed and I have recommended an obscure glazing condition to ensure this glazing remains.

8.11 Therefore, on balance and subject to conditions, the proposed development would not have a significant adverse impact on the residential amenity of the existing occupiers in Queen Edith's Way in terms of overlooking, the perception of overlooking, enclosure or loss of light. I have recommended a hard and soft landscaping and boundary treatment condition to ensure the sensitive boundaries of the site are carefully landscaped and planted up with native plants to mitigate the visual impact of the proposed development. In terms of wildlife, I have recommended conditions for details of bat and bird boxes to be provided to encourage and foster wildlife as part of this proposal which addresses some of the issues raised in the DCF.

8.12 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 and 3/12.

Amenity for future occupiers of the site

8.13 Members of the Planning Committee resolved to refuse the previous application solely on the basis that the louvre panels in plots 1 and 2 would direct views over the rear gardens of plot 2 and 3 and caused inter-overlooking which in conjunction with the size of the gardens would result in a poor quality living environment for future residents.

8.14 The applicant has amended the scheme by removing the louvre panels and pulling the dwellings away from the rear boundaries to increase the size of the rear gardens. The proposed dwellings would now not overlook each other and the garden sizes are considered to be appropriate for the type of dwellings proposed.

8.15 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is

compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.16 The proposed refuse arrangements have not changed from that proposed in the previous scheme, which were considered to be acceptable. The proposal includes a bin collection point within 10 metres of the public highway. The bins will be collected from the proposed dwellings and taken to the collection point each week by the site management company.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.18 Concerns have been raised regarding highway safety as a result of the proposed access. The Highway Authority is of the view that the access would be one of many accesses along this side of Queen Edith's Way and would serve three dwellings. Vehicles associated with the three dwellings would also be able to enter and leave the site in forward gear and therefore, whilst the additional access will incrementally increase risk to highway users, it would not be considered such an increase that it could be considered as having a severe impact.
- 8.19 In my opinion, in light of this context and expert advice, which I have sought re-assurance from, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2. I have no evidence before me that the access would compromise any future plans for the cycleway improvements on Queen Edith's Way.

Car and Cycle Parking

- 8.20 There is no change to the car and cycle parking provision from the previous scheme, which was considered to be acceptable.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.22 I set out below my response to the issues raise in the third party representations:

Objections	Response
The interpretation of 'white land' does not promote development;	The site is not located within an area of development constraint and within the city boundary.
The proposal is contrary to policy 3/2 (Setting of the City) – degradation of the urban edge;	See paragraphs 8.4 to 8.9
Sites such as this should be preserved;	There are no Local Plan designations on site that would restrict development of it. The type, scale and form of development needs to be carefully considered.
There is no need for this type of housing in Cambridge;	This site would not be appropriate to accommodate high density housing due to the site constraints. However, this is a low density scheme and would still meet identified housing need that would come from a windfall site.
Contrary to Local Plan (2006) and policy 8 of emerging Local Plan	The emerging Local Plan has limited weight. The adopted Local Plan is still relevant and takes precedent. Policy 3/2 sets out to protect the setting of the city.
Modern design is out of keeping with other houses nearby;	The modern approach is considered to a positive contrast to the existing 1930s built form. National policy does not allow for design style to be dictated.
Potential for these proposed dwelling to increase to 3 or 4 storey houses in the future;	Separate planning permission would be required to increase the size of the proposed dwellings. Each application would be considered on its own merits.

If the proposal goes ahead it would allow development to further encroach into the Paddock to the south of the site;	Each planning application is considered on its own merits.
Box design of the building is alien to the surrounding properties;	The alternative design approach is a positive contrast with the existing 1930s built form.
The proposed mass of the dwellings is out of context;	The proposed dwellings have been designed to integrate into the site contours without appearing unduly dominant.
The proposed development has only made some cosmetic modifications;	The changes are set out in the committee report.
The proposal development would form a wall and dominate the back gardens of no.268 and no.266.	The proposed dwellings have been set further away from the rear boundaries of no.268 and no.266 than the previous scheme.
The revised layout has reduce the width of the access for passing traffic	The width of the access road is sufficient to serve three dwellings. It is between 4.9 and 5.2 metres wide. This is enough to allow vehicles to pass if needed.
Residential amenity	
Gardens will be overlooked;	None of the gardens would be overlooked by habitable room windows. The first floor windows would serve bathrooms and so would be obscure glazed. I have recommended an obscure glazing condition.
Overbearing presence;	The proposed dwellings would be set further away from the rear boundaries of the existing properties and with the first floor set-backs would not appear overbearing or create an adverse sense of enclosure.

Loss of privacy and noise disturbance;	Three dwellings would be located a significant distance from the existing houses and further away from gardens such that it would be difficult to argue they would be adversely affected by noise disturbance or loss of privacy.
Detrimental impact on the amenity of no.268 by being hemmed in;	No.268 would maintain a generous curtilage and would not be adversely affect by the addition of three additional dwellings.
The amenity of future residents would be affected in terms of overshadowing from retained trees;	The proposed layout reduces the pressure that was previously raised about future occupiers needing to remove or prune existing trees as the gardens are bigger and would not be significantly overshadowed.
Pressure on future residents to remove, prune or pollard trees, particularly the trees on the embankment;	As above.
The rear gardens of the properties in Queen Ediths Way are not all the size of cricket pitches, particularly those nearest the no.268;	Noted but they are generous.
Rear gardens are very small and would receive very little natural light;	The revised layout has increased the size of the gardens which are considered to be more appropriate to the size of the dwellings.
Impact on the character of the area and wildlife	
The proposal does not respond to the character and context of the surrounding area;	The proposal is unique in its design and appearance to the existing built form but has some features such as grass screens and grass roofs to enable it to integrate into the site. See paragraphs 8.4-8.9

Loss of a unique rural location and vista on the edge of the city;	See paragraphs 8.4-8.9 and previous assessment 15/0596/FUL.
Loss of wildlife habitat;	Ecology Officer and Natural England do not consider the proposal would have a significant detrimental impact on the site or surrounding designations. See conditions re bat/bird boxes
Light pollution will have detrimental impact on wildlife;	As above. I have recommended a lighting condition.
The proposal would completely change the character of the area;	See paragraphs 8.4-8.9. It is for members to weigh-up whether the change in character would be harmful in light of previous recommendations, decisions and the current proposal.
The proposal would appear overbearing	The proposal would not appear overbearing on any of the adjoining neighbours due to the level of separation.
This boarder site should be protected from urban creep	The principle of development is acceptable.
The site is unsuitable for housing development on this scale	The proposed development is of an appropriate scale for this site.
The proposal neither conserves or enhances the urban edge	See paragraphs 8.4-8.9.
Houses would be clearly visible from Lime Kiln Road	The proposal includes boundary enhancement which will be controlled by condition to ensure native species are used where possible.
The development would result in the loss of open space rather than create it;	The site is bound on all its sides by vegetation and there is no public access into it.
Half the site would be changed from plant land to developed land;	The amount of hardstand has been reduced from the previous scheme and with further landscaping enhancements the built form will blend into the site.

<p>Proposed tree and hedge planting is inferior to the trees and plant species on site and increase visibility of the houses;</p>	<p>The proposed trees and planting over time will screen the development from surrounding vantage points. However, I accept the development will be partly visible in approaches into and out of the City and the character of the site will alter as a result. Whether this change is harmful is something that has to be considered in light of previous recommendations, decisions members have made and material changes to the current proposal from that considered previously. See paras 8.4 - 8.8 and officer report for 15/0596/FUL.</p>
<p>The proposal would be contrary to policy 3/2 (Setting of the City);</p>	<p>This issue has been dealt with in paras 8.4 to 8.8.</p>
<p>Damage to tree roots from excavation works;</p>	<p>The Landscape Officer has not raised any concerns with the impact on tree roots from excavation works.</p>
<p>The proposal would urbanise and degrade the city edge and the Eastern Green Corridor into the city;</p>	<p>The proposal would incorporate development into the site but within the urban edge. This issue has been dealt with in paras 8.4 to 8.8.</p>
<p>Rural character of Lime Kiln Road will be damaged;</p>	<p>The rural character of Lime Kiln Road would be largely maintained as the boundary enhancements would soften the development from public vantage points albeit I accept the character of the site is altered and the buildings would be partially visible.</p>
<p>The proposal would set a precedent and lead to further development along Lime Kiln Road;</p>	<p>Each planning application is considered on its own merits. I do not accept the precedent argument.</p>
<p>Urbanisation of the site will cause a reduction in the quality of contact with the natural environment;</p>	<p>I have recommended conditions to improve bio-diversity within the site.</p>

Highway safety	
Creation of an additional traffic access onto a busy highway adjacent to the junction with Lime Kiln Road;	See para 8.17
The proposal new access would create a highway safety issue particularly during peak times;	See para 8.17
The proposed development would increase the chances of tragedy occurring;	See para 8.17
Risk to cyclists and pedestrian from vehicles existing and entering the access during peak times;	See para 8.17
Other issues	
The proposed development caters for the rich end of the market and will do nothing to ease the housing crisis;	Not material.
The proposal is not a single issue case;	Noted but previous decisions on similar applications are a material consideration for members
Three dwellings would result in large scale excavation works to accommodate the proposal which is contrary to the applicant's commitment not to excavate the in-filled land;	Not objectionable in terms of planning policy.
The applicant has not engaged with neighbours on this application;	This is noted but does not alter my recommendation.

Committee members should visit the site to understand the impact of the proposed development;	Noted.
The plot 1 has two stairs up to the garden area whereas plot 2 does not;	This has been amended to provide separate access to the garden of plot 2.

Planning Obligations (s106 Agreement)

8.23 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.

8.24 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.

8.25 It is not appropriate to seek commuted payments towards some or all of the local infrastructure categories in this case because such contributions would not be compliant with the CIL Regulations and I have not been advised of any specific projects towards which any monies could be spent.

9.0 CONCLUSION

- 9.1 The proposed development is for three 3 storey detached dwellings with vehicular and pedestrian access on an area of land to the rear of 268 Queen Edith's Way. The application site is naturalised green space that forms part of the rural setting of the City and which is bound by established and mature trees and vegetation. The site provides an important transition from the adjacent SSSI, Local Nature Reserve and Green Belt to the residential development on Queen Edith's Way.
- 9.2 Members should note my previous reservations on the refused application regarding issues of character, design and setting. However, they should also be mindful of their own decision and the differences between that proposal (15/0596/FUL) and the one now put before them as a material consideration. In particular and in light of the previous refusal reason, which the applicant has addressed in this application, the proposed development is considered to be acceptable. I have not reached this recommendation lightly or without reference to the considerable objections raised to it, including the DCF. However, I note that proposals for the redevelopment of this site have moved on significantly from the original application for seven units and even, when considering the changes from the last scheme which was refused by Committee, the amendments have been meaningful and significant. I have recommended a series of conditions to mitigate the visual and material impact of the proposed development. In my view, the revised scheme has addressed the previous refusal reason and should be approved.

10.0 RECOMMENDATION

APPROVE subject to completion of 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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. 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)

10. 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)

11. 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)

12. Full details of all solar panels [water pre-heat, etc.] and/or photovoltaic cells, including type, dimensions, materials, location, fixing, etc., to be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved plans.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

13. 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)

14. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.
15. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with 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.

16. Prior to the commencement of development a long term arboricultural management plan will be submitted for approval. The plan will be aimed at enhancing the tree stock in the public areas of the site. The approved plan will be adopted and adhered to.

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. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

21. Prior to the occupation of the building, a scheme for the type and location of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To improve the bio-diversity contribution of the site (Cambridge Local Plan 2006 policy 3/1).

22. Prior to occupation, a "lighting design strategy for biodiversity" for the proposed buildings, gardens and access road shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used for foraging.

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of visual amenity and to ensure that the development will not result in unacceptable light pollution (Cambridge Local Plan 2006 policies 3/11, 4/13 and 4/15).

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 the results of the assessment provided to the local planning authority. The system should be design 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. Where a sustainable drainage scheme is to be provided, the submitted details shall:

1. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to greenfield run off rate and volume and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2. include a timetable for its implementation; and

3. provide 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 to secure the operation of the scheme throughout its lifetime

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

24. The windows identified as having obscured glass on drawing number P-02 rev L shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) 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. 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.

26. 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).

27. 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.

28. 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.

29. 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.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

32. 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.

33. 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

34. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B 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 new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

35. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

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.

INFORMATIVE: The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

INFORMATIVE: Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

Application Number	15/2235/FUL	Agenda Item	
Date Received	17th December 2015	Officer	Lisa Lamb
Target Date	11th February 2016		
Ward	Queen Ediths		
Site	171 Hills Road Cambridge CB2 8RJ		
Proposal	Single storey rear extension, single storey side infill extension, amended first floor rear window and extension of rear dormer window (following removal of chimney). Single storey studio in rear garden.		
Applicant	Mr Lewis, Jemma & Linda Herbert & Little 171 Hills Road Cambridge CB2 8RJ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The scale and design of the proposals are acceptable and would not have significant adverse impacts on the character of the area or the adjacent occupiers.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises a semi-detached bay fronted dwelling 2/3 storey in height and finished in a mixture of brick and render. To the north of the property lies ‘Helen Hotel’, which has been significantly extended to the rear. To the south of the property is the attached neighbour (No 173 Hills Road). There is a driveway to and parking area to the front of the site. To the rear the property has a gable ended single storey element and a pitched roof conservatory immediately adjacent to the boundary with number 173 Hills Road. There are strong boundary treatments to the rear garden with a rendered wall denoting the boundary to ‘Helen Hotel’ and timber fences on all other sides.
- 1.2 The site is not subject to any allocations in the Cambridge Local Plan (2006) and does not lie within a Conservation Area or within the controlled parking zone.

2.0 THE PROPOSAL

2.1 The proposals seek full planning permission for a single storey rear extension, single storey side infill extension, amended first floor rear window and extension of rear dormer window. A single storey studio in the rear garden is also proposed.

2.2 Rear extension/alterations: The alterations to the rear of the property include removal of existing single storey element and conservatory and their replacement with a single storey extension which would extend the entire width of the rear of the property and wrap around the two storey outshot to the rear. The extension would extend just under 5 m from the rear of the original house. The extension would have an asymmetrical roof form which would be 3m at the lowest point rising to approximately 3.9m at the ridge.

The other alterations include an altered window to the rear of the two storey outshot at first floor level and the installation of two rooflights.

An altered box dormer is also shown at third floor level which increases the size of the dormer and includes different window treatment.

2.3 Studio: The proposed 'studio' would be sited to the rear of the garden to the property and would be set approximately 1.1m from the rear boundary to the site. The studio would be sited approximately 1.3m from both the side boundaries to the site. In terms of scale, the proposed studio would be 4.2m Deep (east to west) and 4.2m wide (north to south). The height to eaves would be approximately 2.2m and 3.6m to the highest point. The roof is a pitched, hipped form. Half glazed double doors and two windows are shown on the western elevation. The materials proposed are Swedish redwood shiplap cladding for the walls and grey slate roof tiles.

2.4 The application is accompanied by the following information.
1. Plans

2.5 The application is reported to planning committee for determination as the applicant is a Councillor.

3.0 SITE HISTORY

Reference	Description	Outcome
11/1491/FUL	New single storey extension to rear to provide shower/wc facilities.	PERM dated 03.02.2012

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, 3/12, 3/14 , 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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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 comments

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 No representations have been received.

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

Context of site, design and external spaces

8.2 Extension: The proposed alterations and extension to the main house is sited to the rear of the property and so it would not have any impacts on the wider character of the area or on the

street scene. I am of the opinion that the asymmetrical design of the extension and the other alterations to the windows would respond positively to the host dwelling and are acceptable in terms of scale, design and materials proposed.

- 8.3 Studio: Given the siting, materials proposed and scale of the studio building I consider that the visual impacts will be acceptable and would not detract from the character of the wider area or from the host dwelling itself.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Residential Amenity

- 8.5 Extension: The existing extension and conservatory extend approximately 4m from the rear of the original dwelling with a height of 3m to eaves and 4m to ridge. The proposed extension would have a rear projection of approximately 5m and would be a similar height in terms of eaves and ridge height (3m and 3.9m respectively). The adjoining neighbour at Number 173 Hills Road is extended to the rear and I am of the opinion that the rear extension would not have an adverse impact on this neighbour in terms of light or sense of dominance.
- 8.6 Rear Windows: The alterations to the first floor window and third floor dormer would in my opinion be acceptable as these represent changes to existing windows. Whilst the windows would be larger in both cases, it would not introduce any new overlooking and I am satisfied that this degree of interlooking would not alter the prevailing situation and would not be unduly harmful.
- 8.7 Studio: The proposed studio would be sited to the rear of the garden to the property, approximately 24m to the north east of the main dwelling. The adjacent neighbour at number 173 Hills Road also has a lengthy rear garden and I am satisfied that the separation distance is acceptable in this instance. I am also of the opinion that the 'Helen Hotel' is unlikely to be affected. Properties on both Rathmore Road and Elsworth Place are visible from the rear garden however, given the scale of the proposed studio, and its incidental residential use I am satisfied that the building or its use would not give rise to any adverse impacts in respect of surrounding residents.

- 8.8 Other Issues: With regard to the wrap around element to the northern elevation. I am satisfied that the small scale of this element would not adversely impact upon 'Helen Hotel to the north of the site due to its relatively small scale and the fact that there are high level windows and rooflights only to this elevation. I am also satisfied that the removal of the chimney would be acceptable visually and that the replacement flue would not give rise to an undue level of pollution given the fact that it is proposed to serve a domestic log burner.
- 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 3/7.

Highway Safety

- 8.10 The driveway to the front of the property would remain unaltered and as such I am satisfied that there would not be any highway safety issues arising in respect of this application.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

9.0 CONCLUSION

- 9.1 In the light of the preceding discussion it is concluded that the proposals would comply with the provisions of the relevant Development Plan Policies and as such is recommended for approval.

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. The studio building hereby approved shall only be used for purposes incidental to the occupation of the main dwellinghouse and shall at no time shall it be used for sleeping purposes or be independently occupied.

Reason: If the studio were to be slept in or used as separate unit of accommodation it could give rise to harm to adjoining residential amenity and provide a poor level of amenity for its intended occupiers (Cambridge Local Plan 2006 policies 3/4 and 3/12).

5. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14)

6. The Studio hereby approved shall be constructed from the following materials:

Walls - Swedish Redwood Shiplap cladding
Roof - Grey Slates

To accord with the details submitted with the application and to ensure that the studio is in keeping with the surrounding character. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

Application Number	15/1673/FUL	Agenda Item	
Date Received	14th September 2015	Officer	Mr Sav Patel
Target Date	9th November 2015		
Ward	Abbey		
Site	15 Whitehill Road Cambridge CB5 8LT		
Proposal	Erection of new 2 Bedroom dwelling adjoining 15 Whitehill Road, following demolition of existing side extension.		
Applicant	Mr Tim Dean		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -It would adequately respect the character of the surrounding area -It would not have a harmful impact on residential amenity
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of no.15 Whitehill Road which is a two storey, hipped roof semi-detached dwelling located on the corner of Elfleda Road which is to the south and Whitehill Road to the west. The property has a single storey flat roof extension on the side (south) and a single storey flat roof double garage adjacent to the eastern boundary. The site is located within a residential area characterised mainly by two storey hipped roof semi-detached dwellings with deep rear gardens.

- 1.2 To the north is the rear garden of no.13 and to east is no.60 Elfleda Road which is a two storey semidetached dwelling.

- 1.3 The site not located within a Conservation Area and there are no listed buildings or buildings of local interest within close proximity to the site.

2.0 THE PROPOSAL

- 2.1 The proposal is for two storey attached dwelling which would be located on the side elevation of host property. The proposed dwelling would be set back from the front of the host property and set below the main ridge.
- 2.2 The proposed dwelling would benefit from a rear garden which also provides bin and cycle storage.
- 2.3 The proposal has been altered to increase the rear garden of the host property by incorporating the area of land north of parking space 1.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0513/FUL	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, and creation of new access off Elfleda Road.	WITHDRAWN
15/1021/FUL	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, Cambridge and creation of new access off Elfleda Road.	APPROVED

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Cambridge Local Plan 2006

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 Responding to context 3/10 Subdivision of existing plots 3/11 The design of external spaces 3/12 The design of new buildings 5/1 Housing provision 8/6 Cycle parking

5.3 Supplementary Planning Documents

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

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

5.4 Emerging 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.

5.5 Material Considerations

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Whilst the proposal is unlikely to result in any significant adverse impact on highway, the additional car parking demand upon on street parking may impact the residential amenity.

Environmental Health

- 6.2 The proposal is acceptable subject to condition on construction hours. The consultation memo does refer to a standard construction noise condition but after seeking clarification, this condition is not necessary.

Refuse and Recycling

- 6.3 There is adequate storage space for 3 x wheelie bins and that access to the kerbside is in line with the requirements of RECAP (Recycling for Cambridgeshire and Peterborough) Design Guide.

Landscaping

- 6.4 The proposal is acceptable subject to condition of hard and soft landscaping and boundary treatment.
- 6.5 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:
- 13 Whitehill Road
 - 34 Elfleda Road
- 7.2 The representations can be summarised as follows:

- The proposal would be overdevelopment of the site, appear out of keeping with other properties and does not provide enough car parking;
- The proposed house would be an overbearing building, which is not in keeping with the neat row of semi-detached dwellings. No off road parking which is required for permission of a 3 bedroom dwelling on land rear of no.15.
- The proposal would also result in too many occupants living in a confined space.

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 (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There is an existing dwelling standing on the site, and the site is within a predominantly residential area. Therefore, the principle of a replacement dwelling is acceptable.
- 8.2 Paragraph 14 of the NPPF is also important. It states that there should be a presumption in favour of sustainable development running through the decision making process. This means approving development proposals that accord with the development plan without delay unless any adverse impact would significantly and demonstrably outweigh the benefits.
- 8.3 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.
- 8.4 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.

- 8.5 The principle of residential development in this location is considered to be acceptable as it would be a use that is compatible with surrounding uses. However, to assess the proposed subdivision of the existing garden to create the additional residential plot, policy 3/10 is relevant. I set out below my assessment of the proposal in relation to policy 3/10.
- 8.6 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).
- 8.7 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.
- 8.8 I set out in the sections below my assessment of the proposal in relation to the above.
- 8.9 Subject to compliance with the criteria of Policy 3/10, which are assessed below, the principle of the new residential development is compliant with Cambridge Local Plan policies 5/1 and 3/10 and objective of the National Planning Policy Framework.

Context of site, design and external spaces

- 8.10 The area of the proposed dwelling is currently occupied by a single storey flat roof extension and detached outbuilding. The proposal dwelling has the appearance of a two storey side extension to the host property due to it being set back from the front elevation and with a lower ridge line. The proposed

dwelling would maintain the hipped roof feature of the host dwelling which is also common in this location. Therefore, whilst the proposed extension would close down the space between the dwelling and highway, I do not consider the scale of the development would have a significantly detrimental impact on the character of the area. Also, many of the dwellings in Elfleda Road have been extended in a similar way.

8.11 In terms of design, the proposed dwelling has incorporated some of the existing features of the host dwelling and would appear ancillary to it. The lower ridge, set back and hipped roof are considered to be features which gives the proposed dwelling its ancillary appearance. I therefore consider the design of the proposed dwelling acceptable in this context and it would not appear unduly overbearing from the street scene.

8.12 The proposed dwelling would benefit from a rear garden which would be created through the subdivision of the rear of the host dwelling. The main entrance to the proposed dwelling would be located in the southern elevation and include a gate in the southern boundary to allow access to the rear garden. The proposal also includes bin and cycle storage within the rear garden. The boundary with the host property would be defined by a 1.8 metre boundary close boarded fence. The amenity space is considered to be of an acceptable size to support the proposed two bed dwelling (5.5 wide and 8.5 metres in depth). Whilst the rear garden space for the host property would be reduced, it would result in a garden which is between 8.6 and 5.2 metres in depth and 5.3 metres wide. The host property would also maintain access to the front garden area and a car parking space which can be access via the rear garden.

Garden area for host dwelling (excluding front garden area and car parking space)	50sqm
Garden area for proposed dwelling	46.75sqm

8.13 In my view the subdivision of the curtilage to accommodate an additional dwelling would provide both host and proposed dwellings with adequate garden space without appearing as a cramped form of development.

- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 The proposed dwelling would not have any adverse impact on the residential amenity of the adjoining or adjacent occupiers in terms of overlooking or cause any adverse sense of enclosure issues. There are no habitable room windows at first floor that would face south, other than a landing window, which would affect the residential amenity of the occupiers of no.17 Whitehill Road and 34 Elfleda Road. Planning permission (15/1021/FUL) has been granted for a detached dwelling within the rear garden of no.15. However, this has not been built. Nevertheless, if it is constructed, the proposed dwelling would be no closer to it than the host dwelling. The distance between the two would be 23.7 metres. I am satisfied that the relationship between the surrounding existing dwellings and approved dwelling would be acceptable.
- 8.16 The proposed dwelling has been designed to appear as an ancillary two storey side extension to the host dwelling. Therefore, the lower ridge and hipped roof would not appear overbearing from the dwellings to the south, particularly as they would be between 14.4 and 15.5 metres from the proposed dwelling. The applicant has also produced CGIs showing how the proposed dwelling would appear from within street scene.
- 8.17 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 and 3/10

Amenity for future occupiers of the site

- 8.18 The proposed dwelling would provide adequate amenity space for future occupiers within a modest 2 bed dwelling in a location that is within reasonable walking and cycling distance of local shops/services and bus stops.
- 8.19 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, 3/10 and 3/12

Refuse Arrangements

- 8.20 Suitable and convenient provision for refuse storage has been proposed for both the existing and proposed dwellings.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.22 The proposal would not have any adverse impact on highway safety.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.24 The proposed dwelling does not include any off street car parking. However, there is provision for on street parking within Elfleda Road and on Whitehill Road. The proposed two bed dwelling is unlikely to create significant levels of car parking such that it would have a detrimental impact on the area or residential amenity of existing residents.

Cycle parking

- 8.25 There is enough space within the curtilage of the existing dwelling to accommodate cycle parking. Three cycle spaces are proposed for the proposed dwelling within an enclosed structure.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.27 I set out below my response to the issues raised in the neighbouring consultation process.

Representation	Response
The proposal would be overdevelopment of the site,	The proposed subdivision of the curtilage of no.15 would provide adequate levels of amenity space for each dwelling without appearing a cramped form of development.
Appears out of keeping with other properties;	The proposed dwelling would appear as a two storey side extension and would be similar in appearance to the two storey side extension on the properties nearby. I therefore do not consider the proposal would appear out of keeping in this location.
Does not provide enough car parking;	No car parking is proposed. However, there is unrestricted on street parking nearby. The level of car parking associated with the proposed dwelling is unlikely to have a materially adverse impact on the residential amenity of the local area.
The proposed house would be an overbearing building, which is not in keeping with the neat row of semi-detached dwellings.	The proposed dwelling would not appear overbearing as it would read as a two storey side extension to the host dwelling. Whilst the proposed dwelling would close down the space at the side of the dwelling. This area is already occupied by an extension and so the additional infilling of this space would not in my view result in an overbearing form that would appear adversely out of keeping.

The proposal would also result in too many occupants living in a confined space.	The proposed development would make effective and efficient use of space.
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9.0 RECOMMENDATION

9.1 The proposed subdivision of the curtilage of no.15 Whitehill Road to create a new residential curtilage consisting of a two storey 2bed dwelling is considered to be acceptable and would make efficient use of the curtilage. The proposed dwelling has been designed and laid so that it would not have an adverse impact on the residential amenity of local residents and would provide future residents with a high quality living accommodation and environment.

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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 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. 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)

6. 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)

7. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B 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 new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

9. Notwithstanding the provisions of Schedule 2, Part 1, 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), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

10. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

Application Number	15/1686/FUL	Agenda Item	
Date Received	23rd September 2015	Officer	Mr Sav Patel
Target Date	18th November 2015		
Ward	Queen Ediths		
Site	106 Wulfstan Way Cambridge CB1 8QJ		
Proposal	Erection of 1x 3 bed dwelling house and single storey front extension to existing dwelling house		
Applicant	Mr Ke Xie 106 Wulfstan Way Cambridge CB1 8QJ		

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 integrate into the street scene without appearing out of character. -The design, scale and layout of the proposed dwelling would not have an adverse impact on the residential amenity of the adjoining neighbours. -The proposed dwelling has also been revised to mitigate the impact on the adjoining occupier. The depth of the two storey rear projecting element has been reduced and there are no habitable room windows that would cause overlooking.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site consists of a two storey semi-detached dwelling, which is set back from the road. To the rear (west) of the site is Hulatt Road. The area is characterised by two storey semi-detached dwellings, which are set back from the road.

1.2 No.106 is set back from no.104a by 1.8 metres. No.104 has also been extended to the side to create a new dwelling.

1.3 The site is not located within any designated area of development constraint such as a Conservation Area.

2.0 THE PROPOSAL

2.1 The proposal is for a 3 bed dwelling to the side of no.106. The proposed dwelling would be formed by two storey side extension with lean-to extension across the frontage of the extension and part of the original dwelling. The proposal would include the subdivision of the rear garden to serve the proposed dwelling. Two car parking spaces would be provided at the front of the proposed dwelling and at the front of the host dwelling.

2.2 The proposal has been revised following concerns with the depth of the two storey extension. The depth has now been reduced so that the extension does not project beyond the 45 degree line from the ground floor window.

3.0 SITE HISTORY

Reference	Description	Outcome
C/01/1094	Erection of a bungalow with access from Hulatt Road	REFUSED
11/1086/FUL	Conversion of garage for temporary accommodation – retrospective	REFUSED

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	3/4 3/7 3/10 3/11 3/12, 3/14 5/1 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 Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
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 consideration	<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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The proposal should no significant adverse impact on the public highway subject to the following conditions/informatives:

- No unbound material;
- No gates;
- Access constructed first;
- Access free from obstruction;
- Offence to carry out works to highway without consent;
- No overhanging of the highway;
- Public utility

Environmental Health

6.2 The proposed development is acceptable subject to the following conditions/informative:

- Construction hours;
- Piling;
- Contaminated land.

Drainage

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

6.4 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:

- 58 Wulfstan Way
- 104 Wulfstan Way (Support)
- 106 Wulfstan Way
- 5 Gunhild Way
- 81 Gunhild Way

7.2 The representations can be summarised as follows:

Objections:

- Profit making;
- The host dwelling is rented and there is a lot of mess outside;
- The proposed dwelling is far too big for the site
- The existing house appears to be used as a HMO;
- Suitable bin and cycle storage needs to be provided;
- Storage at the front would create an eye-sore

Support:

- Support the application;
- The dwelling and front garden has always been kept clean and tidy;

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)

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.

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 In my opinion, the principle of the development is broadly acceptable and in accordance with policy 5/1. The site is not near a listed building or BLI, would not affect protected trees/wildlife features and would not prejudice the comprehensive development of the area. Issues relating to residential amenity impacts and the character of the area, as set out in Policy 3/10, are assessed in further detail below.

Context of site, design and external spaces

- 8.5 Policy 3/10, part c, of the 2006 Local Plan states that residential development within the garden area of existing properties will not be permitted if it will detract from the prevailing character and appearance of the area.
- 8.6 The surrounding area is extremely varied in character, in terms of the scale and design of dwellings and pattern of development in the area. The properties in Wulfstan Way are predominantly two-storey brick dwellings fronting the road. No.104 has recently been extended on its south side to create an additional dwelling (No.104a). The east side of Hulatt Road comprises a mixture of single-storey and two-storey buildings, all of differing design, sited in close proximity to the road. These include a semi-detached two-storey dwelling and bungalow located adjacent to No.98 Wulfstan Way, for which planning permission was granted in 1999. Directly to the north of this, planning permission was granted at Planning Committee earlier this year (contrary to Officer's recommendation) for the erection of two new 6m high dwellings to the rear of 90 and 92 Wulfstan Way. These have not yet been constructed but, as this is an extant permission, represents a material consideration in the determination of this application. On the west side of Hulatt Road are single-storey, two-storey, and 1 1/2 storey properties that are predominantly sited in close proximity to the road frontage.
- 8.7 The proposed dwelling would appear as a two storey side extension to the host property with the two storey rear element set below the ridge line. The front lean-to would bring the proposed dwelling and part of host dwelling in line with no.104a but set back from no.104 and set forward of no.108. The proposals would not appear out of character or have a detrimental impact on the site context given that similar proposal has been built and recently approved. I am therefore satisfied that in this context, the proposal is acceptable.
- 8.8 In my opinion, the proposal is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 (criterion c) and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The original proposal projected 5.6 metres past the rear elevation of no.104a at two storey and within 1 metre of the side boundary. The scheme was revised following concerns with the potential impact on the occupiers of no.104a. The two storey element has been reduced in depth and no longer cuts across the 45 degree line from the ground floor patio doors of no.104a. The revised depth is considered to be acceptable in terms of its relationship with the neighbouring property. I do not consider the proposed two storey extension would appear unduly overbearing such that it would create an adverse sense of enclosure.
- 8.10 The proposed development would be located south of no.104a. Therefore, the proposal is likely to cause a degree of overshadowing. The main two storey bulk would face the gable of no.104a. Therefore, as the proposal is also set off the boundary and been reduced in depth, I do not consider the degree of overshadowing would be significant enough to warrant refusal.
- 8.11 The residential amenity of the host occupier would not be significantly impacted as the proposed extension would be located to the north and therefore would not cause any overshadowing and due to the reduction in the depth would not appear overbearing in my view.
- 8.12 There are no habitable rooms that would cause direct overlooking of neighbours gardens. All habitable room windows face the rear garden. There is a small window at first in the northern elevation which would serve a bathroom. I have recommended this window to be obscure glazed with restricted opening.
- 8.13 The single storey lean-to front extension would not have any adverse impact on the occupier of no.104a as it would be in line with its front elevation. It would also not adversely impact the occupier of no.108 as it would be located 4.4 metres from the side boundary.

- 8.14 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

- 8.15 The proposed dwelling would provide future occupiers with a high quality level of living accommodation and generous rear garden. I have recommended a condition to ensure the curtilage for the new dwelling is provided prior to occupation.
- 8.16 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, 3/10 criterion (a) and 3/12.

Refuse Arrangements

- 8.17 The proposal refuse arrangement is for the host dwelling and proposed dwelling to have bin stores at the front of the properties. The bin store for the host dwelling would be located on the side of the front extension, as they would not have access to the rear from the side. The bin store for the proposed dwelling would be located between the front elevation and car parking space. No details of the type or size of the bin store have been provided. I have therefore recommended a waste storage condition to ensure details of the precise location and type of enclosure are provided for consideration.
- 8.18 In my opinion the proposal, subject to condition, is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.19 The proposal would not have any adverse impact on the public highway and would provide the proposed and host dwelling with two off street car parking spaces per dwelling. As such, the development would not result in the loss of parking provision for the existing dwelling and, in my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.20 Adequate car parking provision is shown for the proposed for the proposed dwelling and host dwelling.

Cycle parking

8.21 No details for cycle parking have been provided. However, the proposed layout plan does show each dwelling would be provided with a shed and access to the Hulatt Road. It would appear the cycle parking would be located within the shed. Regardless, each plot would contain enough space accommodate cycle parking.

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 third party representations.

Representation	Response
Profit making;	Not a material planning issue.
The host dwelling is rented and there is a lot of mess outside;	Not a material planning issue.
The proposed dwelling is far too big for the site	The proposed dwelling which has been reduced in depth is considered to be of an appropriate size for this plot and would not appear as a cramped form of development.
The house appears to be used as a HMO;	The existing dwelling can be used as HMO for up to 6 residents without planning permission. Above this and planning permission would be required.
Suitable bin and cycle storage needs to be provided;	I have recommended a bin storage condition to ensure suitable provision is made which is appropriate for the site and does not have a negative impact on the area. There appears to be

	enough space within each plot to accommodate cycle parking in a safe and secure area.
Storage at the front would create an eye-sore	Subject to suitable storage provision, I do not consider any storage at the front would have an adverse impact on the area.

9.0 CONCLUSION

- 9.1 The proposed replacement dwelling would integrate into the street scene and area without appearing out of character. The design, scale and layout of the proposed dwelling is considered to be in keeping with the character of the area and would not have an adverse impact on the residential amenity of the adjoining neighbours.
- 9.2 The proposed dwelling has also been revised from its original inception to mitigate the impact on the residential amenity of the adjoining occupier. The depth of the two storey rear projecting element has been reduced from the original scheme and there are no habitable room windows that would cause overlooking.

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 extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 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. 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)

6. 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)

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. 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 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).

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 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.

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

Reason: In the interests of highway safety.

13. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

14. The window on the north elevation 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 occupation 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).

15. No additional windows or openings shall be inserted into the first floor of the northern elevation.

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

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.

INFORMATIVE: If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future

Application Number	15/1421/FUL	Agenda Item	
Date Received	3rd August 2015	Officer	Michael Hammond
Target Date	28th September 2015		
Ward	Newnham		
Site	Land Adjacent To 4 Grantchester Road Newnham Cambridge		
Proposal	The erection of a new dwelling following demolition of the existing garage and shed, with associated access and landscaping.		
Applicant	Mr & Mrs John Petter		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed dwelling is of a relatively modest scale and design and is sensitive to the importance of the adjacent listed buildings by way of its subservient scale and appearance compared to these listed buildings. - The proposed dwelling would not adversely overlook, visually dominate or overshadow any neighbouring properties. - The proposal would not harm the adjacent Site of Local Nature Conservation Importance or the County Wildlife Site.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is comprised of a wedge-shaped parcel of land situated between no.4 and no.2 Grantchester Road. To the north of the site are nos.2 and 2b Grantchester Road which are both Grade II listed buildings and separated from the application site by a mature hedge along the boundary. To the south of the

site lies no.4 Grantchester Road which is a two-storey dwelling. Bolton's Pit Lake is situated to the west of the application site. The surrounding area is predominantly residential in character and is formed of detached and semi-detached properties set back from the edge of Grantchester Road.

- 1.2 The site falls within Flood Zone 2.
The site falls within a Smoke Control Order Area.
Bolton's Pit Lake to the west of the site is a County Wildlife Site and Site of Local Nature Conservation Importance.

2.0 THE PROPOSAL

- 2.1 The proposal, as amended, seeks planning permission for the erection of a single-storey dwelling and associated access and landscaping, following the demolition of the existing garage.

- 2.2 The proposed dwelling would be designed with a flat roof measuring 4.65m to the ridge of the roof lantern. The proposed dwelling would have two-bedrooms, bathrooms, a study and a kitchen/ sitting room. A covered bike and bin store would be sited at the front of the proposed dwelling and would measure 2.5m to the ridge with a flat roof. One car parking space would also be provided at the front of the site. The proposed dwelling would be designed in gault brick with an English cross bond and a Green roof with a lead flat roof to the lantern and porch.

- 2.3 The application is accompanied by the following supporting information:

1. Design Statement
2. Heritage Statement
3. Ecology Report
4. Arboricultural Report
5. Drainage Information
6. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
C/84/0425	ERECTION OF SINGLE-STOREY DWELLING UNIT AND GARAGE (AMENDED BY LETTER AND DRAWINGS NO. 984:01A and B DATED 31ST MAY, 1984)	Refused – Appeal Allowed
C/94/0824	ERECTION OF BUNGALOW WITH GARAGE.	Permitted.

A copy of the Inspector's Decision letter in relation to the appeal is attached.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/3 4/4 4/6 4/7 4/10 4/13 5/1 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 No objection subject to conditions.

Environmental Health

6.2 No objection, subject to conditions.

Urban Design and Conservation Team

6.3 The application is supported as it will not affect the character or special interest of the listed buildings. Therefore it complies with policy 4/10 of the Cambridge Local Plan 2006, subject to condition.

Head of Streets and Open Spaces (Landscape Team)

6.4 No objection, subject to conditions.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.5 No objection, subject to condition.

Natural England

6.6 No comment

Environment Agency

6.7 No objection, subject to completion of sequential test. Condition recommended.

Wildlife Trust

6.8 No objection, subject to condition.

Nature Conservation Projects Officer

6.9 No objection, subject to conditions.

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 Grantchester Road	2A Grantchester Road
4 Grantchester Road	8 Grantchester Road
16 Grantchester Road	29 Grantchester Road
73 Barton Road	75 Barton Road
Boltons Pit Company Ltd	

7.2 The representations can be summarised as follows:

Design/ Impact on heritage assets

- The proposal would detrimentally harm the setting of the adjacent listed building at no.2 Grantchester Road.
- The proposal is contrary to policy 4/10 of the Local Plan (2006).
- Out of character with surrounding area.

Drainage/ Flooding

- Increase in flood risk
- Increased pressure on drainage

Construction Process

- Potential damage to foundations of neighbouring properties from proposed basement.
- Noise and disturbance during construction.
- Potential damage to listed building during construction from vibrations.
- How will elderly and retired people deal with noise and disturbance of construction on a daily basis?

Highway Safety/ Parking

- Impact of access on highway safety
- Increase in parking pressure on Grantchester Road
- How will contractor vehicles access the site through the narrow access?
- How would fire engines use the narrow access?

Ecology/ Wildlife

- Potential harm to the adjacent nature conservation area during construction.
- What is the anticipated effect of light pollution from the roof lantern on wildlife?

Pollution

- Smoke pollution to neighbouring properties from use of chimney.
- Light pollution from skylights/ lantern.
- Will light shine into bedrooms disturbing sleep?

Other

- Who will be responsible for rectifying any structural problems that arise immediately or in the future?
- Which construction company has experience excavating and drilling at close proximity to a concrete listed house of this unique construction?
- Who will underwrite any damage and will subsequent cost be borne by owners?
- Is the flat roof lower than the existing building when taking into account the roof lantern?
- What is the total height of the proposed building?
- Is the previous granting of planning permission relevant taking into account the listing of 2 and 2a in 2000?
- How will straw bales be sufficient to protect the lake when the working site area is so tight?
- Is a party wall agreement required?
- No consideration of underground kilns/ clay has been made.
- The covenant on the applicants land means they need to gain the approval of the Bolton Pit Company for any development.

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. Flooding
5. Ecology
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The principle of residential development in this location is considered to be acceptable and accords with policy 5/1, as it would be a use that is compatible with surrounding uses. The principle of developing this site for residential development has been established by the previous permissions on this site (C/84/0425 & C/94/0824).

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces (and impact on heritage assets)

Response to context

8.4 The application site is situated outside the Conservation Area but is within close proximity to nos.2 and 2A Grantchester Road which are both Grade II listed buildings situated immediately to the north of the application site. As a result, consideration as to

the impact on the setting of these listed buildings needs to be undertaken.

- 8.5 No.2 and No.2A were originally built from between 1961-1964 with No.2A being purely residential whilst no.2 was also used as a house with a studio for use by Professor Sir Colin St John Wilson, the architect of the buildings. These properties were the first houses in Britain built of ferro-concrete blocks and are reflective of the functional and austerity based principles of the post-war modernism movement. The buildings are designed externally with concrete columns with the ground-floor being recessed behind the building line of the first-floor.
- 8.6 To the east and south of the site, residential properties are typically two-storeys in scale and designed with either pitched or hipped roofs. The surrounding area is relatively eclectic in terms of detailed design as properties are designed in a range of brick types and renders, and some properties are orientated with the gable end facing towards the road whilst others are set perpendicular to this.
- 8.7 The Conservation Team has been consulted in respect of the impact on the setting of the adjacent listed buildings. In their response, they have explained how the northern boundary of the site is very clearly defined on historic mapping as never being part of the curtilage of the listed buildings and that the existing structure have no connection to the listed buildings. They also state that the low level of the building, its position within the site and design are not considered to detract from the character or special interest of the listed buildings and therefore is not considered to have a negative impact on their setting. When viewed from the street, the listed buildings would dominate and draw the eye, and from the lake looking towards the buildings, the gardens to nos.2 and 2A do not go to the lake and therefore any views from there towards the developments would not be unduly affected by the new dwelling.
- 8.8 I agree with the reasoning provided by the Conservation Team and consider the proposal to respect the setting of the adjacent listed buildings.

Movement and Access

- 8.9 Cycle and bin storage would be sited to the front of the site in a secure covered outbuilding with a logical route to the public highway for ease of access.
- 8.10 One car parking space would be provided at the front of the site and this means of access and general arrangement is characteristic of properties along this road.

Layout

- 8.11 The proposed dwelling has been recessed behind the main building line of properties along this side of Grantchester Road and projects relatively deep into the garden due to the narrowness of the plot. I consider that positioning the dwelling behind the established building line is acceptable in this instance due to the mitigating effect it has on its impact on the adjacent listed buildings. The proposed dwelling would be less prominent in the street scene than a proposal which was level or proud of the building line and helps the proposed development to read as sensitive and subordinate to the listed buildings. The additional depth into the garden would not, in my opinion, detract from the character of the area due to the lack of visibility of this element of the proposed works from public viewpoints.
- 8.12 The proposal is unorthodox in terms of its internal layout and orientation as the main windows and visual outlook are situated on the west side of the property rather than towards the front of the site. However, given that the proposed dwelling is set back from the road and the natural vista out towards the Lake is set to the west, the orientation of the property seems appropriate for this location.

Scale and massing

- 8.13 The proposed dwelling would be single-storey in scale and would be of a relatively unobtrusive level in terms of visual mass when observed from the street scene due to the constrained width of the plot. Whilst the proposal is noticeably smaller in height compared to that of properties along Grantchester Road, I do not perceive this as being detrimental to the character of the area or to the adjacent listed buildings.

The proposal has been purposefully designed to be of a subservient scale and mass compared to the listed buildings so as to ensure that the view of the listed buildings from public viewpoints is not drawn away or diverted by the proposed dwelling. In this circumstance I consider the proposed approach to scale and massing to be appropriate for the site and surrounding area and not harmful to the character of the wider area.

Open Space and Landscape

- 8.14 The proposal would involve the removal of four trees on-site and two areas of dense vegetation. The vast majority of trees to the west of the proposed dwelling would be retained and the more prominent tree situated along the front boundary would also be retained. The hedgerows along the south and north boundaries would also be retained. As none of the existing trees or other plantings on site are protected, I do not consider the loss of these features to warrant refusal as they could be removed without the benefit of planning permission or any other consent. The retention of the hedgerow boundaries with neighbouring properties is supported as it helps to retain a level of privacy between neighbouring properties and a suitable green buffer between the site and the listed buildings.

Elevations and Materials

- 8.15 The proposed pergola at the front of the dwelling and the integrated bins and cycle storage would be designed with oak posts with weatherboarding and a lead flat roof. As the proposed pergola and storage is relatively modest in scale and mass and would be set back from the street, I consider the proposed materials for this element of the proposed works to be appropriate.
- 8.16 The proposed dwelling would be designed with a flat green roof which helps to alleviate the proposed loss of vegetation on the site and provide green views for the upper floors of the adjacent listed building at no.2A. Gault brick with an English cross bond would be used on the walls with plinth details and parapet wall cappings to be constructed with simple stone details. Again, the street is relatively heterogeneous in terms of materials and the two buildings either side of the site contrast one another. The proposed use of gault brick would not appear out of character

with the surrounding area and the implementation of a green roof would help alleviate the impact of building over this densely vegetated site when viewed from the adjacent listed building.

- 8.17 The fenestration of the elevation appears residential in character, particularly the west elevations where the rhythm of the long-glazed windows divided by the columns of the rear porch element provide a distinct residential sense of character. As described in the layout section of this assessment, the front elevation of the proposal could be argued to lack an active frontage and be fairly plain in its detailing. Nevertheless this modest approach to elevation treatment is outweighed by the benefit of the vast outlook to the west and the overall need for the site to be sensitive and inconspicuous when viewed against the adjacent listed buildings.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/10.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.19 The main consideration is the impact of the proposed development on the two adjacent properties at nos.2A and 4 Grantchester Road

No.2A Grantchester Road

- 8.20 No.2A is situated immediately to the north of the application site and is comprised of a two-storey residential property with rear (west) facing ground and first-floor level windows, as well as ground and first-floor level windows on the rear return element which face toward the application site.
- 8.21 In respect of potential overlooking, I do not consider the proposed dwelling would have any harmful visual outlooks across to this neighbour. The only window on the north elevation of the proposed dwelling would be a groundfloor level bedroom window which would only look out onto the boundary treatment between the two properties and would not have expansive views into the garden or windows of this neighbour.

- 8.22 The proposal will not be perceived as visually dominant from the amenity space and rear windows of this neighbouring property. The upper section of the proposed dwelling and the roof lantern will likely be visible from this neighbouring property. The proposed dwelling would be set over 3m from the nearest window of no.2A and is generally fairly respectful in terms of its height as the main mass of the house would be no greater than 4m in height (excluding the roof lantern).
- 8.23 Similar to the aforementioned paragraph, the general mass and scale of the proposed development is not likely to cause a significant degree of overshadowing over this neighbouring property. There is already a high level of boundary treatment between the two sites and the additional scale and mass from the proposed dwelling will not exacerbate the levels of overshadowing to such a degree as to warrant refusal of the application.

No.4 Grantchester Road

- 8.24 No.4 Grantchester Road is comprised of a two-storey detached property situated to the south of the site. This neighbour does have several north facing windows which face towards the site although these do not appear to serve habitable rooms as the main outlooks for this neighbour are to the east and west.
- 8.25 The proposed dwelling would have three windows which face out towards this neighbouring property, but these windows all serve as means of light for the corridor and entrance of the dwelling and so there would not be any harmful overlooking caused by these windows.
- 8.26 The proposed dwelling would likely be visible from the rear habitable windows of no.4. However, as the proposed dwelling is single-storey in scale and the hedge line between the two properties would be retained, I am of the opinion that the proposal would not be perceived as visually dominant from this neighbouring property.
- 8.27 No.4 is situated to the south of the proposed dwelling and so I do not consider there will be any harmful overshadowing cast over this neighbouring property.

- 8.28 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

- 8.29 The proposal would provide a two-bedroom dwelling with adequate outlooks for all habitable rooms and a generous provision of outdoor amenity space for future occupiers. The site is within close proximity of nearby bus stops and cycle routes into the city centre from Barton Road to the north of the site. Sufficient cycle parking has been proposed and the site would provide one parking space for the new dwelling.
- 8.30 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.

Flooding

- 8.31 It is noted that representations have been made in relation to the potential flooding and drainage pressures that the proposal could cause.
- 8.32 The Drainage Officer and Environment Agency had both originally raised objections to the applications due to the absence of a sequential test which is required as the application site falls within a flood zone. Following the submission of the sequential test the Drainage Officer was satisfied with the proposed information, subject to condition. In respect of this consultee's expert advice in this area, I am minded to agree with this and consider that the likely increase in flooding and drainage pressures caused by the proposal will not be so great as to warrant refusal, subject to the implementation of a condition.

Ecology

- 8.33 It is noted that concerns have been raised from neighbouring properties regarding the potential impact of the proposed dwelling on the Barton Road Pool County Wildlife and Site of

Local Nature Conservation Importance, in particular the light pollution from the roof lantern. The proposed dwelling would be over 25m from the edge of these adjacent wildlife and nature sites.

- 8.34 An ecology report has been submitted with the application and this has been considered by both the Wildlife Trust and the Nature Conservation Projects Officer. The proposed roof lantern would be well shielded from the adjacent lake by the existing mature trees, and the separation distance and domestic use of the proposed dwelling means it is unlikely to cause any harm to the nature or wildlife sites. The Wildlife Trust and the Nature Conservation Projects Officer are both supportive of the proposal, subject to a condition requiring the implementation of the mitigation measures listed in the ecology report. The Nature Conservations Project Officer has also requested a condition requiring details of the internal bat roost features to be provided and this has been recommended. A condition to restrict external lighting along the boundary of the Barton Road Pool County Wildlife Site has also been suggested to avoid harm to bats and this has been recommended accordingly.
- 8.35 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 4/3, 4/6 and 4/7.

Refuse Arrangements

- 8.36 The refuse arrangements appear satisfactory in both the type and level of provision proposed.
- 8.37 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.38 It is noted that objections have been received in relation to the potential highway safety conflict between cars entering and exiting the site and the adjacent footpath. However, as the vast majority of other properties along Grantchester Road are accessed in this manner, I do not consider this arrangement will be any worse than at present. Furthermore, the Highway Authority has raised no objection to the proposal on the grounds of highway safety, subject to a traffic management plan condition, and I am minded to agree with this advice.

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

Car and Cycle Parking

8.40 The proposal would provide one car parking space which is in accordance with the maximum parking standards of the Local Plan (2006). I do not consider that the additional pressures on on-street parking caused by the proposed development will be so great as to adversely impact on neighbour amenity. The proposal would only provide two bedrooms and would provide one off-street parking space which is in accordance with the maximum parking standards.

8.41 Two cycle parking spaces would be provided in a secure covered location, in accordance with the cycle parking standards of the Local Plan (2006).

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

Third Party Representations

8.43 The third party representations have been addressed in the table below:

<u>Comment</u>	<u>Response</u>
The proposal would detrimentally harm the setting of the adjacent listed building at no.2 and 2A Grantchester Road.	These points have been addressed in paragraphs 8.4-8.18 of this report.
The proposal is contrary to policy 4/10 of the Local Plan (2006).	
Out of character with surrounding area.	
Increase in flood risk	See paragraphs 8.31 – 8.32.
Increased pressure on drainage	
Potential damage to foundations of neighbouring properties from proposed basement.	This is a building regulation/ civil matter and is not a planning consideration.

Noise and disturbance during construction.	A construction hour's condition has been included to ensure that works do not take place during unneighbourly hours.
How will elderly retired people deal with noise and disturbance of construction on a daily basis?	
Potential damage to listed building during construction from vibrations.	This is a building regulation/ civil matter and is not a planning consideration.
Impact of access on highway safety.	See paragraph 8.38
Increase in parking pressure on Grantchester Road	See paragraph 8.40
How will contractor vehicles access the site through the narrow access?	The movement of contractor vehicles will be managed through a Traffic Management Plan condition.
How would fire engines use the narrow access?	This is a building regulation matter and is not a planning consideration.
Potential harm to the adjacent nature conservation area during construction.	See paragraphs 8.33 – 8.34.
What is the anticipated effect of light pollution from the roof lantern on wildlife?	
Smoke pollution to neighbouring properties from use of chimney.	The proposed dwelling would be domestic in use and would not result in levels of light or smoke pollution significantly greater than that of other residential properties in this area.
Light pollution from skylights/lantern.	
Will light shine into bedrooms disturbing sleep?	
Who will be responsible for rectifying any structural problems that arise immediately or in the future?	This is a legal/ civil matter and not a planning consideration.
Which construction company has experience excavating and drilling at close proximity to a concrete listed house of this unique construction?	This is not a planning consideration.
Who will underwrite any damage and will subsequent cost be borne by owners?	This is a legal/ civil matter and not a planning consideration.

Is the flat roof lower than the existing building when taking into account the roof lantern?	The height of the proposed building would be higher than the existing garage building when taking into account the roof lantern.
What is the total height of the proposed building?	The overall height to the ridge of the roof lantern is 4.65m.
Is the previous granting of planning permission relevant taking into account the listing of 2 and 2a in 2000?	The site history is relevant regardless of the date nos.2 and 2A were listed.
How will straw bales be sufficient to protect the lake when the working site area is so tight?	The Wildlife Trust and Ecology Officer are satisfied with the mitigation measures, including the straw bales.
Is a party wall agreement required?	This is a legal/ civil matter and not a planning consideration.
No consideration of underground kilns/ clay has been made.	This is a building regulation matter and not a planning consideration.
The covenant on the applicants land means they need to gain the approval of the Bolton Pit Company for any development.	This is a civil/ legal matter and not a planning consideration.

Planning Obligations (s106 Agreement)

8.44 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.

8.45 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.

8.46 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.

8.47 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 dwelling would not detrimentally harm the setting of the adjacent listed buildings at nos.2 and 2A Grantchester and would not harm the character of the wider area.

9.2 The adjacent wildlife and nature conservation sites would not be adversely impacted by the proposed development.

- 9.3 The proposed dwelling would provide one off-street car parking space and would not drastically increase the pressure on on-street parking in the surrounding area.
- 9.4 The proposal would not adversely impact the amenity of neighbouring properties.
- 9.5 The proposed dwelling would provide a high quality living environment for future 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. 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)

5. 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)

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

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.

8. 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.

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 demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (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.

Reason: in the interests of highway safety

11. 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)

12. 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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

13. 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

14. 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

15. Prior to commencement of development a scheme for the disposal of surface water drainage shall be submitted to and approved in writing by the local planning authority. The submitted information shall include details of the acceptance of the scheme by Anglian Water. The drainage scheme shall be implemented and maintained throughout the development in accordance with the approved details submitted to the Local Planning Authority and shall not be altered unless otherwise agreed in writing by the local planning authority.

Reason: To minimise flood risk.

16. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) July 2015, Peter Brett Associates LLP (Ref:32213 FRA Final) and the following mitigation measures detailed within the FRA:
 - a). Finished floor levels are to be raised to 10.70m Ordnance Datum Newlyn (ODN).
 - b). Flood Storage Compensation volume will be no smaller than 1.61m³.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

17. Prior to commencement of the development full details of the internal bat roost features shall be submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of making adequate provision for the protection of bats, Cambridge Local Plan policy 4/7

18. No external or artificial lighting shall be used along the western boundary of the site adjacent to the County Wildlife Site at any time, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the foraging habitats for bats and other species, Cambridge Local Plan policy 4/7.

19. The mitigation and biodiversity enhancement measures listed on pages 6 and 7 of the Ecology Report dated 12.10.2014 submitted as part of this application (Project no. AEL0941 / Version no. 1.0) shall be fully implemented and maintained thereafter and not altered unless otherwise agreed in writing by the local planning authority.

Reason: To avoid harm to the County Wildlife Site and Site of Local Nature Conservation Importance (Cambridge Local Plan policies 4/3, 4/6 and 4/7)

INFORMATIVE: If during the works, contamination is encountered, works should immediately cease and the LPA should be informed. Contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent will need to satisfy themselves as to the condition of the land and its proposed use, to ensure development is not prejudicial to health.

INFORMATIVE: 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.

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 applicant's 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.

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.

Application Number	15/1826/FUL	Agenda Item	
Date Received	28th September 2015	Officer	Michael Hammond
Target Date	23rd November 2015		
Ward	West Chesterton		
Site	56 Kimberley Road Cambridge CB4 1HJ		
Proposal	Attic conversion including roof extension and front dormer.		
Applicant	Mr S Clifton		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed front dormer is of a modest scale and design and would not harm the character of the Conservation Area. - There is a prevailing character of box type dormers in the surrounding area and the proposed rear dormer would not appear out of context with the surroundings or harmful to the Conservation Area. - The proposed dormers would not adversely overlook any neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.56 Kimberley Road, is comprised of a two-storey end-of-terrace property situated on the east side of Kimberley Road, immediately adjacent to the crossroad junction with Aylestone Road. The rear, side and front elevations of this property are all visible from public viewpoints. The surrounding

area is residential in character and is formed of similar sized terraced properties set linear to the pattern of the road.

- 1.2 The site falls within the De Freville Conservation Area.
The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal, as amended, seeks planning permission for an attic conversion, including a roof extension with a rear dormer and a front dormer.
- 2.2 The proposed rear dormer would be a box type dormer with part of the dormer being set in from the side of the roof and up from the eaves of the roof. The proposed dormer would be designed in either slate, grey zinc, or cladding.
- 2.3 The proposed front dormer would be designed in a pitched roof style, set well in from the eaves and width of the roof. The proposed front dormer would be designed in natural slate to match the existing roof.
- 2.4 The application has been called in to committee by Councillor Avery due to concerns regarding the impact of the front dormer on the character of the Conservation Area.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0132/FUL	New roof and fenestration to existing kitchen.	Permitted.
10/0005/FUL	New roof and new fenestration to existing garden room.	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 Plan 2006	Local	3/1 3/4 3/7 3/14 4/11

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 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

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 objection.

Urban Design and Conservation Team

6.2 The design of the rear dormer has been altered to take it back from the eaves at the gable end. This would lessen its impact on the rear roof slope which can now be more easily read. There are a number of box dormers to the rear of the properties in Kimberley Road. Due to their proliferation in this area, the proposals for no. 56 are considered acceptable. The front dormer now has solid sides which is more appropriate for traditional dormers in Cambridge.

6.3 The reduction in size of the rear dormer has reduced its scale and massing. Although it is still a full height box dormer where it meets that of the adjacent property, it is reduced in scale where it will be most visible from Aylestone Road. The Conservation Team comments on the front dormer remain, it is of appropriate scale for this building, and lines up with the windows below in the traditional manner. Now that the glazed sides have been removed from the scheme, subject to details, this addition is supported.

6.4 The fenestration in the rear dormer has been reduced and is now divided by glazing bars. This has reduced the impact when

compared to the original application drawings. The materials for the rear dormer are to be lead or zinc. This should be agreed by condition. The drawings do not give any details of the now solid sides to the front dormer. Large scale drawings of this should be submitted so that the details can be agreed. This should include the proposed materials.

6.5 The application is supported, subject to conditions.

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:

- 17 Aylestone Road
- 51 Kimberley Road
- 54 Kimberley Road
- 62 De Freville Avenue
- 63 De Freville Avenue
- 65 De Freville Avenue
- 72 De Freville Avenue

7.2 The representations can be summarised as follows:

- The proposed rear dormer would be detrimental to the character of the Conservation Area.
- The proposed front dormer would be detrimental to the character of the Conservation Area.
- The granting of permission for the front dormer would set a precedent for front dormers along the road, with no control over the materials proposed.
- The site is situated in a prominent and noticeable location which would exacerbate the harm to the character of the area.
- Overlooking/ Loss of privacy

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 (and impact on Conservation Area)
2. Residential amenity
3. Third party representations

Context of site, design and external spaces (and impact on Conservation Area)

8.2 The application site is situated in a highly visible and prominent location as it is situated at the junction between Aylestone Road and Kimberley Road with all elevations visible from the street scene. This report will set out the context of the surrounding area in relation to both rear and front dormers and assess the respective impact of both of these aspects on the character of the Conservation Area.

Proposed Rear Dormer

8.3 In studying the context of the site and its surroundings, it is established that there is a high proportion of properties in this area that have undertaken rear roof extensions. The vast majority of these rear roof extensions are box type dormers. The following properties in the surrounding area are identified as having rear roof dormers:

48 Kimberley Road	49 Kimberley Road
50 Kimberley Road	51 Kimberley Road
52 Kimberley Road	53 Kimberley Road
54 Kimberley Road	55 Kimberley Road
58 Kimberley Road	62 Kimberley Road
64 Kimberley Road	72 Kimberley Road
76 Kimberley Road	78 Kimberley Road
80 Kimberley Road	84 Kimberley Road

8.4 The assessment of the surrounding area clearly identifies a strong presence of rear dormers in this area, and in particular, box type dormers.

- 8.5 The proposed rear dormer would be partially set in from the eaves and width of the roof closest to Aylestone Road. This design shares characteristics in its design to that of no.54 Kimberley Road on the opposite side of the road as it allows for a small portion of the original rear roof plane to remain legible when viewed from the street.
- 8.6 The Conservation Team has explained that the proposed rear dormer is acceptable as it has been reduced in scale where it will be most visible from Aylestone Road. The Conservation Team has also explained that due to the proliferation of box dormers in this area, the proposals for no.56 are considered acceptable. The majority of the rear roof extensions identified in the table above at paragraph 8.3 are visible from the street, albeit at a greater distance from the street than the application site. However, given that no.54 has a similar style of rear dormer and has an analogous relationship to Aylestone Road as the application site, I do not consider that the high visibility of the site from the street scene would result in any significant harm to the character of the Conservation Area. Overall, I do not consider the proposed rear dormer would significantly harm the character of the Conservation Area. Conditions relating to further details of the joinery, materials and construction of the dormer, and the walling systems, have been recommended by the Conservation Team. I agree that the suggested conditions are necessary to ensure there is no harm to the special interest of the Conservation Area.

Proposed Front Dormer

- 8.7 It is noted that the majority of the concerns raised by neighbouring properties regarding the potential harm to the Conservation Area related to the proposed front dormer.
- 8.8 In studying the surrounding area, it is acknowledged that there are no front dormers along either row of terraced properties to the south of the Aylestone Road crossroad junction. There are examples of front dormers on the terrace rows to the north of the Aylestone Road crossroad at nos. 21, 45 and 52 Kimberley Road.
- 8.9 The proposed front dormer has been designed with a pitched roof with the dormer window aligning with the central first-floor window and central ground-floor bay window of the property.

The proposed dormer is noticeably more subservient in its scale and mass compared to that of the proposed rear dormer, and other rear dormers in the surrounding area. Nevertheless, I note the concerns from residents in the surrounding area regarding the lack of precedent for this type of roof extension and how this would harm the character of the Conservation Area.

8.10 The Conservation Team is supportive of the proposed front dormer as they consider it would line up with the windows below in a traditional manner and that the proposed solid sides of the dormer give the proposal more of a traditional feel, relatable to the other dormers further to the north along Kimberley Road.

8.11 In taking the neighbour representations and consultee advice, I consider that the proposed front dormer would not be harmful to the character of the Conservation Area. The proposed front dormer has been sensitively designed to relate to the existing fenestration on the property and this would help the dormer to relate successfully to the building when viewed from the street scene. The proposed front dormer would enable a large proportion of the original roof to be read and would be designed in matching slate which would allow the proposal to be read as a subservient and sensitive addition to the dwelling, rather than a visually bulky or out of scale extension. I agree with the advice of the Conservation Team and do not consider it reasonable to argue that the context of the site is unaltered or harmonious in its roof form due to the presence of the other front dormers along Kimberley Road. Front dormers in Conservation Areas can be acceptable subject to detailed design and there is not a set presumption against this type of roof extension. Overall, I consider the proposed front dormer to be acceptable and not harmful to the character of the Conservation Area.

8.12 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.13 The proposed dormers, by virtue of their position on the roof slope of the property and subservient overall ridge height, will

not visually enclose or overshadow any neighbouring properties.

- 8.14 It is acknowledged that a concern has been raised regarding overlooking from the proposed dormers. However, as there is already a strong sense of mutual overlooking between the rear gardens of properties in this area, and the proposed dormers would have similar views to the existing first-floor windows on both elevations, I do not consider the privacy of neighbours would be severely compromised by the proposed dormers.
- 8.15 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

- 8.16 The majority of the concerns raised have been addressed in the main body of this report.
- 8.17 In response to the concern regarding precedent and lack of control over materials, I do not consider the proposed development would result in either of these scenarios. If an application were submitted for a front dormer in the surrounding area it would be assessed on its own merits and the detailed design of this dormer. The approval of this application does not automatically set a precedent for other dormers in this area. With respect to the control of materials, the granting of this permission does not mean that the local planning authority will not have any control over the proposed materials of any future dormers. Again, each proposal is assessed on its own merits and the local planning authority would have to assess whether the materials proposed are harmful to the character of the Conservation Area.

9.0 CONCLUSION

- 9.1 In conclusion, I consider the proposed works to be acceptable and not harmful to the character of the Conservation Area.
- 9.2 There is a strong presence of rear box type dormers in the surrounding area and the proposed rear dormer is comparable in mass and design to these other dormers. The proposed rear

dormer corresponds with the design of no.54 Kimberley Road and would relate positively to the surrounding area in this respect.

- 9.3 The proposed front dormer is set in significantly from the eaves and width of the roof and has been purposefully designed to align and cohere positively with the existing fenestration of the dwelling. The detailed design of the dormer is considered to be subservient to the overall form of the dwelling and sensitive to the character of the wider Conservation Area.

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. No dormers shall be constructed until full details, at a scale of 1:10, showing the construction, materials, rainwater disposal and joinery of the dormers, including their cheeks, gables, glazing bars and mouldings, have been submitted to and approved in writing by the local planning authority. Dormers 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)

5. Prior to the commencement of development, with the exception of below ground works, full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area. (Cambridge Local Plan 2006 policy 4/11)

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Application Number	15/1848/FUL	Agenda Item	
Date Received	20th October 2015	Officer	Michael Hammond
Target Date	24th December 2015		
Ward	West Chesterton		
Site	58 Arbury Road Cambridge CB4 2JE		
Proposal	Erection of two storey house following demolition of existing garage.		
Applicant	Mr D Evans 58 Arbury Road Cambridge CB4 2JE		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would not harm the amenity of neighbouring properties. - The proposal would not detract from the character of the area. - The proposal would provide a high quality living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.58 Arbury Road, is comprised of a two-storey end-of-terrace property situated on the east side of Arbury Road and situated on the corner of the private road which runs to the Havenfield retirement flats. The site has a rear garden with a single-storey garage at the end of the garden. To the north-east of the site lies the Havenfield retirement flats which is comprised of a large three-storey building and associated hardstanding for parking. The surrounding area is residential in character and properties are generally two-storeys in height.

1.2 There are no planning constraints.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the erection of a two-storey dwelling and the sub-division of the garden of no.58 Arbury Road.
- 2.2 The proposed dwelling has been designed with a sloping mono-pitched roof measuring 6.2m at its highest point at the ridge and 2.5m to its lowest point at the eaves. The proposed dwelling has been designed with two-bedrooms on the first-floor and a rear garden of approximately 11m². There would be space for waste storage and cycle parking, and one designated car parking space.
- 2.3 The proposed dwelling would be designed in brick on the ground-floor and render on the first-floor with a slate roof.

3.0 SITE HISTORY

Reference	Description	Outcome
C/85/0356	ERECTION OF DOUBLE GARAGE (SECTION 53 DETERMINATION).	Permitted.

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 3/10 3/11 3/12 4/13 5/1 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 development may therefore impose 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.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.3 No objection, subject to condition.

Landscape Team

- 6.4 No comments received to date.

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:

MAS Environmental, 14 South Road, Impington	1 Havenfield
3 Havenfield	4 Havenfield
7 Havenfield	8 Havenfield
10 Havenfield	14 Havenfield
17 Havenfield	18 Havenfield
20 Havenfield	21 Havenfield
23 Havenfield	24 Havenfield
26 Havenfield	28 Havenfield
31 Havenfield	32 Havenfield
34 Havenfield	35 Havenfield
36 Havenfield	37 Havenfield
40 Havenfield	41 Havenfield
42 Havenfield	44 Havenfield
45 Havenfield	46 Havenfield
48 Havenfield	52 Havenfield
53 Havenfield	54 Havenfield
55 Havenfield	56 Havenfield
57 Havenfield	59 Havenfield
61 Havenfield	62 Havenfield
63 Havenfield	64 Havenfield
66 Havenfield	67 Havenfield

7.2 The representations can be summarised as follows:

- The proposed building is not in keeping with layout of the surrounding area.
- Loss of light/ overshadowing
- Disruption to and blocking of access to Havenfield private driveway during demolition and construction.
- Loss of single pavement access from demolition/ building.
- Increase in parking pressure on Havenfield car park from future occupiers of proposed dwelling.
- Noise and disturbance during construction.
- The applicant does not have permission from the owner of the private road to interfere with the private access/ road.
- Loss of large fir tree.
- The proposal is not in keeping with the character of the area.

- No dimensions are detailed on the block plan.
- The proposal does not have right of access to public sewers for drainage purposes.

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 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.

8.3 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.

8.4 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).

8.5 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.

8.6 I consider that the proposal complies with the three criteria set out in policy 3/10 for the reasons set out in the relevant sections of this report.

Context of site, design and external spaces (and impact on heritage assets)

Response to context

8.7 The residential properties in this area are typically two-storeys in overall height although there is a degree of variance in terms of roof forms, materials and layout of dwellings.

8.8 The row of terraced properties which the application site backs onto are two-storeys in scale and designed with predominantly pitched roofs. There is no uniformity in terms of materials as some properties are rendered whilst others are formed in brick. The roofs of these dwellings are tiled but there is variation in the colour of these tiles.

8.9 Nos. 72-78 Arbury Road are distinctively different in terms of their architectural characteristics to that of the application site, in that the buildings are set further back from the road with

larger front gardens and are diverse in consideration of the materials and roof forms of these nearby dwellings.

- 8.10 To the north-west of the site there are residential properties along Maio Road which meanders around to the rear of nos. 72-78 Arbury Road. These properties are relatively similar to one another with regards to their overall scale, form and design. The most noticeable difference between the application site and these properties along Maio Road is that some of these surrounding properties are set perpendicular to the general building pattern along Arbury Road, in that the active frontage is orientated facing to the south-east rather than the west.
- 8.11 The retirement flats of Havenfield are situated immediately adjacent to the application site. This building is an anomaly in terms of its relationship the character of the area as it is three-storeys in height, has an irregular form and layout and is by nature far more dense than the residential properties in the surrounding area.

Movement and Access

- 8.12 The main entrance to the proposed dwelling would be situated on the south side of the dwelling, facing onto the private access road. One car parking space and bin and bike storage would be positioned on the north-east side of the site which has a relatively legible and straightforward access out towards Arbury Road. I consider this arrangement to be appropriate for this development.

Layout

- 8.13 It is acknowledged that objections have been received in relation to the layout of the proposed development and how the sub-division of the plot is out of keeping with the character of the area. I do not agree with these objections. The proposed dwelling would be the first case of residential sub-division of this row of terraced properties. However, I do not consider that there is a consistent layout and grain of development in this area. The Havenfield flats represent a development which is alien in terms of its relationship to the surrounding properties, and there is a degree of variance in the built form when studying aerial mapping from the layout of dwellings along Maio Road. The proposed dwelling would be situated over 40m from the nearest

public viewpoint along Arbury Road and so I do not consider the proposed residential sub-division would appear out of context or significantly detract from the character of the area in this respect.

Scale and massing

- 8.14 The proposed dwelling is subservient in terms of its overall height and footprint compared to that of the dwellings in the surrounding area. The main bulk of the dwelling has been shifted away from the boundary with the Havenfield flats to the north-east by way of a steeply sloping mono-pitched roof which appears to have been proposed so as to help prevent the dwelling from harmfully overshadowing or visually enclosing these flats.
- 8.15 The overall scale and massing proposed is utilitarian as opposed to ornamental in nature as it is designed to read unassertively from the oblique public views that it is visible from and to avoid harm to neighbour amenity. In the context of the site and lack of visibility from public viewpoints, I consider the approach to scale and massing to be sensible and not harmful to the character of the area.

Open Space and Landscape

- 8.16 The proposal includes a rectangular 11m² area of garden land for future occupiers which would benefit from surveillance from the ground-floor living area and first-floor bedroom windows which overlook this space. It is indicated on the plans that a hedgerow would be sited along the boundary of the site adjacent to the Havenfield flats. Whilst the principle of this boundary treatment is supported, a condition has been attached to ensure that this boundary treatment is implemented and maintained correctly, as recommended by the Landscape Team.
- 8.17 It is acknowledged that a concern has been raised with regards to the potential loss of the large fir tree on the site. However, as this tree is not protected and could be removed without the need for any consent to be obtained from the local planning authority, I do not consider it reasonable to resist the loss of this tree. Furthermore, the tree is not highly visible from the street

scene and so I do not deem this tree to have a significant contribution to the character of the area.

Elevations and Materials

- 8.18 The proposed dwelling is unique in terms of its form as it is designed with a steep sloping mono-pitched roof with an in-set dormer extension coming out from this roof. It is noted that there is some variance in terms of roof forms in this area as there are hipped, pitched and flat roofs. Whilst, I appreciate that this proposed roof form is distinctive in that there are no other mono-pitched roofs in the vicinity of the site, I do not judge this unusual roof form to be harmful to the character of the area. As previously stated, the proposed dwelling would not be prominent from the street scene and so I regard there to be scope for a unique design form in this location.
- 8.19 The proposed dwelling has been designed with the main habitable windows facing out towards the south-west which would maximize the levels of sunlight reaching these windows. The elevation that would be most visible from the street would be designed with a relatively consistent window rhythm and generally appears residential in character. The less aesthetically pleasing features of the proposal such as the cycle and bin store and parking has been positioned to the rear of the dwelling and will not be visible from public viewpoints. Overall I consider the proposed elevation and orientation of functional spaces to be acceptable.
- 8.20 The proposed dwelling would be designed in a combination of brick, render and slate. As there is not a uniform palate of materials in this area, I do not consider the varied approach to materials to be harmful to the character of the area.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 The main consideration is the impact on the neighbouring properties at nos.58-62 Arbury Road and the communal space of Havenfield flats.

Impact on nos.58-62 Arbury Road

- 8.23 Nos.58-62 Arbury Road are three terraced properties situated to the south-west of the application site. These properties generally have rear ground floor and first-floor windows which face out towards the application site. At its closest point, the proposed dwelling would be over 15.5m away from the rear of no.62 which is the closest of the three dwellings to the application site.
- 8.24 As the proposed dwelling is set subservient to the much larger built form at Havenfield to the east, the proposed dwelling is unlikely to overshadow these neighbouring properties in the morning hours. Furthermore, at 6.2m with a sloping roof, the proposed mass and scale is not considered to be likely to adversely overshadow the rear gardens of these neighbours as the period of overshadowing will be for a small portion of the day and will not be so significant as to warrant refusal.
- 8.25 The distance from the main outlooks of properties along this neighbouring terrace and the relatively modest scale is also considered to be sufficient as to prevent any harmful levels of visual enclosure.
- 8.26 The proposed dwelling would have views across the rear gardens and rear elevations of these neighbouring properties from the proposed first-floor windows. However the distance from wall-to-wall of over 15.5m is considered to be satisfactory so as to prevent any harmful loss of privacy for the rear windows of these neighbouring properties. The views across the rear gardens of these neighbours would be similar to the existing mutual sense of overlooking between the gardens of these properties.

Impact on Havenfield Flats

- 8.27 It is acknowledged that there have been several concerns regarding the loss of light that the proposed dwelling would cause onto the communal living area for residents of this flat. This communal living area is a sizable open plan room which benefits from two large windows which face out towards the south-east. The communal room also has a large window facing

out towards the south-west and a smaller window set further along the south-west elevation.

- 8.28 The proposed dwelling would be set approximately 6m from the large south-west facing window of the communal area. The proposed dwelling would be 2.5m in height to the eaves at its closest point to this neighbouring and it would gradually increase in height to 6.2m. This 6.2m ridge would be sited roughly 13.5m from this adjacent window.
- 8.29 Having visited the site and taking these neighbour representations into account, I do not consider the proposed dwelling would adversely overshadow this neighbouring communal room. The communal room benefits from substantial levels of light reaching this room from the south-east facing window. These windows will not be impacted by the proposed development. The south-west facing window will still benefit from light reaching this window at midday as the proposed dwelling is sited further to the south-west of this neighbouring window. There will inevitably be a degree of overshadowing cast over this south-west facing window and smaller window of the Havenfield flats in the afternoon hours. However, given that the overall height is at 2.5m at its closest point to this boundary and is set 6m from these windows, I do not consider the levels of overshadowing will be so significant as to warrant refusal. Furthermore, as the main bulk has been set 13.5m away from this window, I consider this will help ensure that the residents of the Havenfield flats retain an acceptable level of direct sunlight for this room.
- 8.30 For the same reasons, as set out in the preceding paragraph, I consider the proposal will not visually enclose this neighbouring property. The proposal has been carefully designed so as to shift the main mass and height of the dwelling away from these neighbouring windows. In addition to this, neighbouring communal space is a double aspect room and is set away from the building outline of the proposed dwelling. As a result, I do not consider the proposed dwelling would harmfully enclose this neighbouring room.
- 8.31 No windows are proposed on the north-east or side elevations facing towards these neighbouring flats and so the privacy of these neighbours will be retained.

- 8.32 A construction hours condition has been attached to ensure that all construction/ demolition works are only carried out during reasonable hours of the day. A considerate contractors informative has also been attached.
- 8.33 The proposal would provide one car parking space for future occupiers and this in accordance with the maximum parking standards of the Local Plan (2006). I consider this level of parking to be reasonable and unlikely to exacerbate the levels of on-street parking along Arbury Road and surrounding areas to such an extent as to significantly harm neighbouring amenity. The site is well served by bus routes and cycle routes into the city, and is within 250m of the Arbury Road/ Milton Road Local Centre, which reduces dependency on private car to be necessary for this development
- 8.34 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

- 8.35 The proposal would provide a two-bedroom dwelling in a suburban location with one car parking space and a small private garden. The site is situated within walking distance of the Arbury Road/ Milton Road Local Centre and would have a secure space for cycle storage. The site would be well served by public transport links which would enable ease of access to the city centre and to the wider area. All habitable rooms would have large windows which would provide acceptable outlooks.
- 8.36 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.37 The proposal would provide a bin storage area behind the proposed parking space. There appears to be adequate room to move bins past this parking space as the parking space would be roughly 2.8m wide which should provide a relatively

straightforward access out for collection days. The proposal has not indicated how the bins would be arranged in this shared storage area or where the bins would be collected from. However, I consider that this could be dealt with through condition and so this has been included accordingly.

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

Highway Safety

- 8.39 The highway authority has raised no objection to the proposal on the ground of highway safety. It is acknowledged that residents of the Havenfield flats have raised concerns with the disturbance and blocking of the private road and footpath during the construction and demolition phase. In order to protect the amenity of users of this private road and path, a construction management plan condition has been recommended. This condition will cover issues such as the movement and control of muck away lorries and deliveries, as well as contractor parking.

- 8.40 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.41 The proposed car parking space is acceptable and this level of provision is in accordance with the maximum standards of the Local Plan (2006).

- 8.42 The proposal includes a designated cycle storage area but no details as to the provision and type of cycle storage have been submitted. However, I consider that there would likely be sufficient room to accommodate the two cycle spaces required for this development and so a condition has been attached requiring these further details.

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

Third Party Representations

- 8.44 The majority of the concerns have been addressed in the main body of this report.

- 8.45 The concerns regarding the private road/ path are legal/ civil matters and not planning considerations.
- 8.46 A construction hours condition has been attached to prevent any works taking place outside neighbourly hours.
- 8.47 The plans are to scale and are deemed to be accurate. The drawings do not have to label the dimensions on them in order to be valid.
- 8.48 The point regarding the rights of access to sewers for drainage purposes is a building regulation/ legal matter and not a planning consideration.

Planning Obligations (s106 Agreement)

- 8.49 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.

- 8.50 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.

- 8.51 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.
- 8.52 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 In conclusion, the proposed dwelling is not considered to pose any significant harm to the amenity of neighbouring properties and would not detract from the character of the area. Approval is recommended.

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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. 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)

10. 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)

11. 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

12. Prior to commencement of development a scheme for the disposal of surface water drainage shall be submitted to and approved in writing by the local planning authority. The submitted information shall include details of the acceptance of the scheme by Anglian Water. The drainage scheme shall be implemented and maintained throughout the development in accordance with the approved details submitted to the Local Planning Authority and shall not be altered unless otherwise agreed in writing by the local planning authority.

Reason: To minimise flood risk.

13. 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)

14. 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

15. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

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

INFORMATIVE: The demolition phase may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from:

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

https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.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: The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

INFORMATIVE: Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

INFORMATIVE: The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/land-pollution.en>. Hard copies can also be provided upon request.

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Application Number	15/1865/FUL	Agenda Item	
Date Received	6th October 2015	Officer	Mairead O'Sullivan
Target Date	1st December 2015		
Ward	Queen Ediths		
Site	317 Hills Road Cambridge CB2 0QT		
Proposal	Erection of 8 No. flats following demolition of existing dwelling at 317 Hills Road, Cambridge		
Applicant	Mr Hossein Majidi 3 Alwyne Close Cambridge CB1 8RR		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal will not negatively impact on the amenity of the surrounding occupiers</p> <p>The proposed development is in keeping with the character of the area</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a two storey 1930s detached residential property on Hills Road. The property is located adjacent to the Addenbrookes Roundabout
- 1.2 The prevailing pattern of development in this area is detached family homes.
- 1.3 The site is not located within a Conservation Area or Controlled Parking Zone
- 1.4 The site falls within Character Area 2 of The Cambridge Suburbs and Approaches Hills Road (including Babraham Road) 2012.
- 1.5 There are 8 TPOs to the front of the property. There are a further two TPOs in 317a Hills Road which run close to the boundary with No. 317.

2.0 THE PROPOSAL

- 2.1 The proposal is to demolish the existing dwelling and erect a new property consisting of 8 No. flats.
- 2.2 The proposed development is a 2.5 storey property with basement.
- 2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Tree Survey
3. Cambridge Speed Survey
4. Arboricultural Method Statement
5. Arboricultural Impact Assessment
6. Root Protection Plan
7. Topographical Survey
8. Plans
9. Elevations
10. Shadow study
11. Further information – Urban Design Team
12. Further information – Walking and cycling officer

3.0 SITE HISTORY

Reference	Description	Outcome
C/00/0867	Erection of single storey rear extension.	Approved with conditions
C/02/0815	Erection of two storey side extension, front fence and gate.	Approved with conditions
C/63/0091	Erection of dwelling house and garage.	Approved with conditions
C/66/0137	Erection of flatlet	Refused
C/89/0536	CHANGE OF USE FROM RESIDENTIAL TO GUEST HOUSE.	Refused
C/90/0931	CHANGE OF USE FROM RESIDENTIAL HOME FOR THE ELDERLY. (AMENDED BY	Refused

C/91/0561	CHANGE OF USE OF EXISTING DWELLING TO RESIDENTIAL HOME FOR THE ELDERLY AND ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION.	Refused
C/91/0562	THINNING OF THE LIME TREES TO HILLS ROAD FRONTAGE.	Approved with conditions
C/99/0903	Erection of a detached double garage.	Approved with conditions

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 3/2 3/3 3/4 3/7 3/11 3/12 4/4 4/9 4/13 5/1 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) Arboricultural Strategy (2004)
	<u>Area Guidelines</u> Hills Road Suburbs and Approaches Study (March 2012)

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 Officer notes the removal of one of the access points to the site but has no objection. The officer also notes that there may be an increase in the demand for on-street parking as there are so few parking spaces provided as part of the application. The Highway Officer supports the proposal subject to the inclusion of a number of conditions and informatives.

Environmental Health

- 6.2 The Environmental Health Officer considers that the proposal is acceptable subject to a number of conditions.

Urban Design and Conservation Team

- 6.3 The Urban Design Team requested further information in relation to the proposed bin store. Once this information was provided the Urban Design Officer supported the proposal subject to condition.

Landscape

- 6.4 The Landscape Officer supports the proposal subject to the imposition of two conditions.

Streets and Open Spaces (Tree Team)

- 6.5 The Officer has no objections to the development proposed subject to the imposition of conditions.

Cambridgeshire County Council (Archaeology)

- 6.6 The Historic Environment Team have recommended the inclusion of a condition. This is to ensure that the site is subject to a programme of archaeological investigation before development begins.

Cycling and Walking Officer

- 6.7 The Walking and Cycling Officer notes that the access to the cycle parking uses the space which could potentially be blocked by a wheelchair user getting in and out of their vehicle. She recommends that something be put in place which keeps the vehicles either side within the space. The Walking and Cycling Officer also recommends moving the two angled cycle racks back 150 – 200mm as the space here is tight.
- 6.8 Further information was provided in relation the Walking and Cycling Officers comments. She has stated that the amended plans are satisfactory.
- 6.9 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 319 Hills Road
- 317A Hills Road
- 45A Nightingale Avenue

- 7.2 The representations can be summarised as follows:

Highway safety/ Parking

- The development will enhance traffic congestion. There are an inadequate number of car parking spaces.
- The proximity of the development to Addenbrookes could hinder the movement of emergency vehicle/doctors/nurses.

- The development is on a blind corner which has a high volume of traffic. Traffic generation and the manoeuvring of vehicles will have an adverse effect on highway safety. The proximity of the development to the roundabout is hazardous. The speed survey shows speed of over 30MPH. The highway officer has also stated that the speed surveys are substandard.
- Cyclist lanes are on the footpaths which are under pressure from parking. There has been an increase in cyclist and pedestrian traffic from hospital staff/visitors/patients and students to the language school and MRC.
- The development is said to be accessible but none of the parking bays are wide enough for wheelchair access. There are also no pathways to accommodate wheelchair use in the garden.
- Page 5 of the Design and Access Statement misrepresents the distance between the development and the roundabout.
- The grass verge outside the property is likely to be used as parking by trade vehicles. This is a safety hazard given the proximity to the busy roundabout. Also concerned about damage to the grass verges.
- There is not sufficient manoeuvring space on site which may lead to vehicles trying to reverse out of the site.
- The footpath entrance bays are to be gravel. This may be pulled onto the road and is a hazard.

Residential amenity

- There are windows which open onto the side and back of 317A which will impact on privacy
- The proposed balconies will overlook the garden of 319 Hills Road. They will result in a loss of privacy through overlooking.
- There is potential for a great increase in noise from 8 flats in a quiet neighbourhood of private family homes.

- There have been 10 applications proposed for the property over the past 30 years. A number of these have been refused due to adverse effect on amenities such as disturbance, increased noise, overlooking and loss of privacy.
- The shadow survey does not go past 1500 hours. 319 gets sun in the rear garden up to 1900 hours in the summer.
- It appears that flat F5 and F8 do not have a kitchen.
- Concerned about air flow and extraction.
- Concerned about roof height and the height of the PVs panels which will sit on the roof.
- Two chimneys are shown. Presume these are aesthetic rather than functional.

Design and context

- Properties around major entry points to the city should preserve the character of Cambridge. The properties shown in the character examples are all family homes
- The proposal is massively oversized.
- Concerned about the height and appearance of the bin store.

Trees

- The plans do not suggest any form of mature tree screening. This could help screen the surrounding properties from view. The trees and shrubs shown in many of the drawings are a misrepresentation. The conifers shown along the boundary of 319/317 were removed approx. 3 years ago.
- Concerned about Cherry Tree which is in close proximity to the entrance as 317. This may be damaged by large machinery entering the site.

Civil matters

- Concerned about the excavation to form the basement. This may lead to subsidence.

Drainage

- Have the sewers been upgraded to cope with the new development. A previous application in 1966 was rejected on this basis.

Construction process

- Concerned about the coordination of the project and interested in the management plan
- Concerned about management of the dust environment as there are young children and elderly people living next door.

Other

- A lamp post is currently positioned where the proposed driveway is to be. Where will this be repositioned? Concerned that if it is moved it will obstruct vision from the drive of 319.
- Not opposed to a building on the site but something of a reduced scale. 4 luxury flats would be more appropriate.

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. Trees
8. Third party representations

Principle of Development

8.2 The site is currently occupied by a single dwellinghouse. The proposal involves the demolition of this property and the

replacement with 8 no. flats. The site is in a sustainable location that is close to Addenbrookes Hospital, which is a large source of employment, and is well connected by bus and cycle infrastructure. There are no policies which resist the demolition of the dwellinghouse and replacement with 8 no. flats. I therefore consider the development to be acceptable in principle.

- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.4 The proposed development is of a larger scale than the existing 1930s property which occupied the site. However the style of the proposed new building picks up on a number of the characteristics of the area, such as, bay windows and a hipped roof form. While the proposal is large in style it mimics the proportions of the surrounding buildings. I therefore consider that the proposal is acceptable in terms of design as it will be in keeping with the Hills Road area.
- 8.5 The proposal is of a larger scale than the existing building. The 1930s property which currently occupies the site is 2 storeys while the proposed new development is to be 2.5 storeys over a half basement. However the proposal property is set down below the level of the surrounding road and footpath which lessens the impact of the increased height on the streetscene.
- 8.6 The proposed materials are brown/red brick with a dark red tile and timber boarding or rendered panels to be used on some of the detailing such as the bay windows and car port. No. 319 Hills road and the existing dwelling at 317 Hills Road are currently rendered. However a number of properties on Hills Road have a brick finish including No. 317A. I therefore consider that the materials used are likely to be acceptable subject to condition (conditions 3 and 4).
- 8.7 The proposed garden space is to be shared and open plan. No details of pathways and few details in relation to planting are provided. The Landscape Officer is however satisfied with the proposed landscaping subject to condition (conditions 6 & 7). I concur with this view.

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

Residential Amenity

8.9 The proposed development is of a larger scale than the existing property on the site. However as the proposal has been moved forward in line with No. 319 Hills Road this mitigates much of the increase in length to the property. The existing property is 13.8m in length while the proposal is 20m. However as the proposal is set forward of the original building line by 2.5m the proposal will only extend 3.7m further into the rear garden space.

8.10 The proposed development is taller than the existing dwelling. However the proposed new development is broken down with the height dropping down at both sides. The existing property is 8.25m tall while the central gable of the proposal is to be 9.5m but this will drop down to 8.7m at either side. A shadow study has been submitted as part of the application which shows that the proposed development will not result in any significant overshadowing of either of the neighbouring dwellings

8.11 Both neighbouring properties have made representations which express concern over amenity issues. One of the concerns relates to windows on the side elevations of the property. All windows on the side elevation are to be obscure glazed. There are also roof lights provided. These can be conditioned to be at least 1.8m above floor level. There is also a dormer in the roof which faces onto No.317A. However I do not consider that this will cause any significant overlooking as it is facing corner or the front garden which is not usable garden space given the noise disturbance from passing traffic.

8.12 The representations have raised concerns in relation to overlooking from the proposed balconies. The proposed balconies are to be recessed with lapping oak timber screens which will mitigate much of the overlooking issues. A condition will be imposed to control the material to be used (condition 25). The existing dwellinghouse has large upper floor windows. While the balconies will result in a more significant amount of overlooking than the existing windows they are set away from

the sides of the property and set back into the building which will mitigate much of the impacts.

- 8.13 The representations make reference to an increase in noise from the proposal. As mentioned above the balconies are recessed and screened. This will help reduce some of the impact of noise from the use of balconies. The environmental health officer has stated that the noise insulation scheme submitted is satisfactory. There may however be an increase in noise from the use of the garden which is to be shared by all 8 flats. However I do not consider that this will significantly impact on the amenity of the surrounding properties.
- 8.14 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

- 8.15 The proposed development provides good quality living accommodation with satisfactory outlook. Four of the eight apartments have access to private amenity space; F3, F6 and F8 have access to private balconies while F1, the basement unit has access to a patio. There is also a large shared private garden which will provide quality private amenity space to the occupiers.
- 8.16 One of the representations notes that unit F5 and F8 do not appear to have a kitchen. I consider that as these are small units it is likely that the kitchen is to be part of an open plan living space which I consider to be acceptable.
- 8.17 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12

Refuse Arrangements

- 8.18 The proposal provides a bin store to the front of the property. Further information was submitted in relation to the bin store.

The Urban Design Team were satisfied with the details provided but requested the imposition of a condition to control materials to be used in the proposed store (condition 5). The bin store will not be visible from the public realm. It is adequately placed to allow for the dragging of bins for collection. I therefore consider that the proposal adequately addresses refuse arrangements.

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

Highway Safety

8.20 The Highway Officer has notes that visibility splays to the north are marginally sub-standard but on balance considers them to be acceptable and does not consider that these will have a significant adverse effect on the public highway.

8.21 The Officer notes that due to the lack of parking there may be additional demand for parking on the surrounding street. The Officer does not consider that this will result in any significant impacts to the public highway.

8.22 The Highway Officer considers that the proposal is acceptable subject to the imposition of a number of conditions and informatives. I agree with this advice.

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

Car and Cycle Parking

8.24 The Highway Officer and a number of the representations make reference to the lack of car parking spaces provided. There are only 5 spaces provided for 8 apartment units. The Car Parking Standards do not set any minimum car parking requirements. The site is located within close walking distance of the Addenbrookes bus stop and is well served by cycling infrastructure. Given that the development is linked to the city by cycles and public transport links I consider that an adequate number of parking spaces are provided.

8.25 13 Cycles spaces are to be provided as part of the development. These are designed in accordance with Cycle Parking Guide for New Residential Developments. Additional

visitor cycle parking is also to be provided. 13 spaces will allow for 1 cycle space per bedroom. This accords with the Cycle Parking Guide for New Residential Developments. Further visitor parking is provided to the front of the development in line with the above mentioned guidance.

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

Trees

8.27 There are a number of protected trees to the front of the site. An arboricultural study was submitted with the proposal. The trees officer is satisfied with the proposal subject to conditions (conditions 22, 23 & 24).

8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4

Third Party Representations

8.29 Please see the below table for my responses to the representations made.

Comment	Response
Highway safety	
The development will enhance traffic congestion. There are an inadequate number of car parking spaces. There is the possibility of there being up to 26 residents but only 5 parking bays; less than 1 bay per unit. This will lead to an encroachment onto green spaces in the area. The local side roads are already congested with parking from Addenbrookes staff and visitors. There is no visitor parking provided.	The Highway Officer is satisfied that on balance the proposal is acceptable and has no objection to the proposal on highway safety grounds.
The proximity of the development to Addenbrookes could hinder the movement of emergency vehicle/doctors/nurses.	The Highway Officer notes that demand for on-street parking may have a potential impact on residential amenity. There is an existing demand for on-street parking in the area and I do not consider that the proposed development will significantly add to this demand.

<p>The development is on a blind corner which has a high volume of traffic. Traffic generation and the manoeuvring of vehicles will have an adverse effect on highway safety. The proximity of the development to the roundabout is hazardous. The speed survey shows speed of over 30MPH. This translates to 1 second travel time between the roundabout and the proposed development. The highway officer has also stated that the speed surveys are substandard.</p>	
<p>Cyclist lanes are on the footpaths which are under pressure from parking. There has been an increase in cyclist and pedestrian traffic from hospital staff/visitors/patients and students to the language school and MRC.</p>	
<p>The grass verge outside the property is likely to be used as parking by trade vehicles. This is a safety hazard given the proximity to the busy roundabout. Also concerned about damage to the grass verges.</p>	
<p>Page 5 of the Design and Access Statement misrepresents the distance between the development and the roundabout.</p>	<p>It is the plans which are to be approved rather than the Design and Access Statement. I consider the plans to be acceptable.</p>
<p>The development is said to be accessible but none of the parking bays are wide enough for wheelchair access. There are also no pathways to accommodate wheelchair use in the garden.</p>	<p>The Access Officer did not comment on the application.</p>
<p>There is not sufficient manoeuvring space on site which may lead to vehicles trying to reverse out of the site.</p>	<p>The Highway Officer considers the manoeuvring space on site to be acceptable. A condition (condition 17) is recommended to ensure the manoeuvring space is</p>

	laid out according to the approved plans.
The footpath entrance bays are to be gravel. This may be pulled onto the road and is a hazard.	The highway officer has recommended a condition to control this element (condition 13)
Residential amenity	
There are windows which open onto the side and back of 317A which will impact on privacy	This is covered in par. 8.12
The proposed balconies will overlook the garden of 319 Hills Road. They will result in a loss of privacy through overlooking.	This is covered in par. 8.13
There is potential for a great increase in noise from 8 flats in a quiet neighbourhood of private family homes.	This is covered in par. 8.14
There have been 10 applications proposed for the property over the past 30 years. A number of these have been refused due to adverse effect on amenities such as disturbance, increased noise, overlooking and loss of privacy.	Each application is assessed individually. From my assessment of the site above I do not consider that the proposed development will negatively impact on the amenity of the adjoining properties.
The shadow survey does not go past 1500 hours. 319 gets sun in the rear garden up to 1900 hours in the summer.	An amended shadow study has been provided which I consider to be acceptable.
It appears that flat F5 and F8 do not have a kitchen.	This is covered in par. 8.17
Concerned about air flow and extraction.	The Environmental Health Officer is satisfied with the proposal.
Design and context	
Properties around major entry points to the city should preserve the character of Cambridge. The properties shown in the character examples are all family homes	While the proposed development is of a larger scale than the surrounding properties it picks up on many of the features that are characteristic in the area such as bay windows, chimneys and dormer.
The proposal is massively oversized.	This is covered in par. 8.4 & 8.5

Concerned about the height and appearance of the bin store.	Further information was requested by the Urban Design Team in connection with the bin store. The Urban Design Team are satisfied with this element subject to a condition to control the materials (condition 5)
Concerned about roof height and the height of the PVs panels which will sit on the roof.	I do not consider that the PV panels will significantly add to the height of the building.
Two chimneys are shown. Presume these are aesthetic rather than functional.	As no fireplaces are included in the floor plans I consider that this element is purely decorative. Chimneys are a characteristic of the area and this element helps tie in the design of the new development with existing properties in the area.
Trees	
The plans do not suggest any form of mature tree screening. This could help screen the surrounding properties from view. The trees and shrubs shown in many of the drawings are a misrepresentation. The conifers shown along the boundary of 319/317 were removed approx. 3 years ago.	The Tree Officer is satisfied with the proposal subject to the inclusion of a number of conditions (conditions 22, 23 & 24).
Concerned about Cherry Tree which is in close proximity to the entrance as 317. This may be damaged by large machinery entering the site.	
Civil matters	
Concerned about the excavation to form the basement. This may lead to subsidence.	This is a civil matter and not a material planning consideration. As a result this cannot be assessed as part of this application.

Drainage	
Have the sewers been upgraded to cope with the new development. A previous application in 1966 was rejected on this basis.	The drainage Team have not commented on the application
Construction process	
Concerned about the coordination of the project and interested in the management plan	Condition 8, 9 & 20 relate to the management of the construction process
Concerned about management of the dust environment as there are young children and elderly people living next door.	The Environmental Health Officer has recommended a condition to control dust (condition11)
Other	
A lamp post is currently positioned where the proposed driveway is to be. Where will this be repositioned? Concerned that if it is moved it will obstruct vision from the drive of 319.	This does not form part of the application and cannot be assessed here as a result.
Not opposed to a building on the site but something of a reduced scale. 4 luxury flats would be more appropriate.	I can only assess the application at hand.

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.

8.31 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.

- 8.32 This application was received prior to the High Court ruling of 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
- 8.33 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.
- 8.34 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 I consider that the proposed development will not negatively impact on the amenity of the surrounding occupiers as it will not result in any significant overlooking, overshadowing or be visually dominant. I consider the proposal to be in keeping with the character of the Hills Road suburbs area. I consider that the

proposed development would provide good quality accommodation with private amenity space in a well-connected location. As a result I consider the proposal to be acceptable subject to conditions.

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. Full details of all windows and doors, as identified on the approved drawings, including design, materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

5. No development shall take place until samples of the materials to be used in the construction of the bin store 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 policy 3/4)

6. 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)

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 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)

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. 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)

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. The noise insulation scheme and ventilation requirements as stated within the dpa architects design and access statement dated September 2015 shall be fully implemented, maintained and not altered.

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

13. 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 8/10)

14. 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 8/10)

15. 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 8/10)

16. 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 policy 8/10)

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

Reason: In the interests of highway safety (Cambridge Local Plan policy 8/10)

18. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway (Cambridge Local Plan policy 8/10)

19. 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 8/10)

20. 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 policy 8/2)

21. 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)

22. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

Reason: To protect the trees on site (Cambridge Local Plan policy 4/4)

23. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection. These locations and specifications will then be agreed in writing by the Local Planning Authority.

Reason: To protect the trees on site (Cambridge Local Plan policy 4/4)

24. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with 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 trees on site (Cambridge Local Plan policy 4/4)

25. Full details of the balcony screens, as identified on the approved drawings, including design, materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

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: The Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS

INFORMATIVE: 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.

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.

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	15/2087/FUL	Agenda Item	
Date Received	9th November 2015	Officer	Mairead O'Sullivan
Target Date	4th January 2016		
Ward	Coleridge		
Site	3 St Margarets Square Cambridge CB1 8AP		
Proposal	New outbuilding to provide ancillary accommodation to 3 St Margarets Square		
Applicant	Mr Menon 3 St Margarets Square Cambridge CB1 8AP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal does not significantly harm the amenity of the surrounding occupiers</p> <p>The proposal does not negatively impact on the character of the area</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is the rear garden of 3 St Margaret’s Square. The main dwelling is a two storey semi-detached house. St Margaret’s Square is a residential cul-de-sac to the south of Cherry Hinton Road.

- 1.2 The site does not fall within a conservation area or controlled parking area

2.0 THE PROPOSAL

- 2.1 The proposal is for a new outbuilding to provide ancillary accommodation to 3 St Margaret’s Square. The outbuilding is 14.8m long x 3m wide. It measures 2.6m to the eaves and 3.5m to the ridge. It incorporates two doors and a number of south facing windows into the garden of the host property. Internally the plan shows two toilets with showers and a sink. There is a

dividing wall which splits the building into two sections, the most easterly of which is stepped off the boundary by 445mm.

2.2 This is a retrospective application in as much of the structure is in place.

2.3 This application has been called in to planning committee by Councillor Owers on the grounds that it is contrary to policy 3/14 of the Cambridge Local Plan 2006.

3.0 SITE HISTORY

3.1 No site 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, 3/14 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)

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 officer stated that no additional off-street car parking provision is made for the additional residential

accommodation, the layout of which would allow it to be occupied as households independent of the main dwelling.

Environmental Health

- 6.2 The Environmental Health Officer considers the proposal to be acceptable subject to the imposition of a number of condition and informatives. (conditions 4 & 5)
- 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 St Margaret's Square
 - 4 St Margaret's Square
- 7.2 The representations can be summarised as follows:
- Will overshadow a large area of the garden of No.2
 - A further residential unit is inappropriate for the character of the area.
 - Does not respect the context of the site and surrounding area.
 - Concerned about loss of privacy
- 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. Highway safety
 5. Car and cycle parking

6. Third party representations

Principle of Development

- 8.2 The principle of the proposed development is acceptable. The applicant has provided a statement of use. This states that the outbuilding is for recreational purposes and will be used as an exercise/workout/gym and games/music room for the family. I consider this to be acceptable and given the narrowness of the building and its orientation into the garden, I consider it unlikely that it will be used as separate living accommodation. Notwithstanding that the Council must determine the application on the basis of the intended use, I recommend condition 2 be appended to any permission to prevent the outbuilding having a separate residential use.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/4, 3/7 and 3/14

Context of site, design and external spaces (and impact on heritage assets)

- 8.4 At the time the site visit was conducted the outbuilding was in place making this a retrospective application.
- 8.5 The proposal is to the side of the host dwelling and will therefore be visible from the street scene. However, the outbuilding is set-back significantly from the public footpath by a distance of 24m. As a result it is not highly visible.
- 8.6 A number of other properties on St Margaret's Square have rear outbuildings which are visible from the public realm. While the proposal is of a larger depth than most of the other outbuildings in the area, I consider it to be acceptable as it is not highly visible, does not negatively impact on the character of the area and is relatively low in height
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The outbuilding is set back significantly from the neighbour at 4 St Margaret's Square. As a result I do not consider that the outbuilding impacts on the amenity of the occupiers of No 4 through visual dominance or sense of enclosure.
- 8.9 The outbuilding runs very close to the common boundary with no. 2 St Margaret's Square, its latter section being stepped off the boundary by 445mm. The neighbour at no. 2 also has an outbuilding against the common boundary but it is of a smaller scale being lower in height and shorter in length than the proposed outbuilding in question. While the proposal is of larger scale, I do not consider that it has any significantly harmful impact on the neighbouring property at no.2. The eaves height is relatively low at 2.6m and the pitch to the roof shallow. Under the permitted development regulations, the applicants could in fact erect a building in this proximity up to a height of 2.5m without planning permission. As such, it is mainly the roof section that requires permission for the scheme to be sought and as this is of itself shallow and relatively low, I do not think the Council could substantiate a refusal of planning permission, even given the length of the building and its orientation to the south of no.2. I do not consider there would be any harmful enclosure or harmful overshadowing to the adjacent garden space, particularly as this is a single storey structure.
- 8.10 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 and 3/14.

Highway Safety

- 8.11 The Highway Officer notes that no additional parking is provided. As the applicant has stated that the outbuilding is to be used as an ancillary space to the host dwelling I do not consider that any further parking is required.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.13 The applicants have stated that the building is to be used by members of the family as an exercise/workout/gym and games/music room. I have no cause to doubt this and consider the proposed ancillary use to be acceptable.
- 8.14 There are a number of outbuildings which are visible from the streetscene on St Margaret's Square. As a result I do not consider the outbuilding to be out of character.
- 8.15 Whilst there are windows to the side of the outbuilding I do not consider that these will impact on the privacy of the adjoining occupiers as the outbuilding is single storey and the windows are shielded from both neighbouring properties by a fence.

9.0 CONCLUSION

- 9.1 The outbuilding does not impact on the character of the area. The outbuilding does not have any significant impacts on the amenity of the adjoining occupiers. As a result, I consider it to be acceptable subject to condition.

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.

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

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

3. 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)

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)