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Cambridge City Council

Planning

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

Alternates: Councillors Bird, Holland and Holt

Published & Despatched: Tuesday, 29 March 2016

Date: Wednesday, 6 April 2016

Time: 12.30 pm

Venue: Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: Toni Birkin **Telephone:** 01223 457013

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
There are no Major Planning Applications for consideration

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

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

There may be a 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 - 32*)

To confirm the minutes of the meeting held on 3 February and 2 March 2016.

Appendix 1 for Full Details of Central Government Planning Guidance

Part 1: Major Planning Applications (10am)

There are no Major Planning Applications for this meeting.

Part 2: Minor/Other Planning Applications (12.30pm)

5 15/2113/FUL: 116 MINERVA WAY (*Pages 43 - 52*)

6 15/1932/FUL: THE PERSE UPPER SCHOOL, HILLS ROAD (*Pages 53 - 76*)

7 15/2249/FUL: 41 BIRDWOOD ROAD (*Pages 77 - 92*)

8 15/2142/NMA: 1 MILTON ROAD (*Pages 93 - 100*)

9 15/2140/FUL: 97-99 BURNSIDE (*Pages 101 - 126*)

10 16/0010/FUL 122 FOSTER ROAD (*Pages 127 - 140*)

Part 3: General Items

11 CONSIDERATION OF REVOCATION OF PLANNING PERMISSION

The public is likely to be excluded during the discussion of this item by virtue of paragraph 1, 2, 3 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

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**

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**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**

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PLANNING

3 February 2016
10.00 am - 4.31 pm

Present:

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

Officers:

City Development Manager: Sarah Dyer
Principal Planner: Lorraine Casey
Principal Planner: Tony Collins
Principal Planner: Lisa Lamb
Principal Planner: Toby Williams
Planner: Michael Hammond
Planner: Sav Patel
Planning Assistant: Mairead O'Sullivan
Legal Advisor: Victoria Watts
Committee Manager: Toni Birkin
Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

16/18/Plan Apologies

Apologies were received from Councillor Gawthrope.

Councillor Hipkin gave his apologies for the afternoon session and Councillor Holland was present as the alternate.

16/19/Plan Declarations of Interest

No interests were declared.

16/20/Plan Minutes

The minutes of the meeting of the 2nd December 2015 were agreed and signed as a correct record.

The minutes of the meeting of the 6 January 2016 would be reviewed at a future meeting.

16/21/Plan 15/1683/FUL - Department of Chemistry Lensfield Road

The Committee received an application for full planning permission.

The application sought approval for an extension to the Department of Chemistry, to provide for additional academic research space, associated landscaping, infrastructure and other works (Chemistry of Health Building).

Professor Jeremy Sanders 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 conditions recommended by the officers.

Only Members who were present for the original consideration of application 14/1905/FUL (below) were eligible to take part in take part in the deferred decision making process.

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

16/22/Plan 14/1905/FUL - 64 Newmarket Road

The Committee received an application for full planning permission. The application had been 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 application sought approval for demolition of 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.

The Committee received the additional information regarding viability as requested at the previous meeting. The additional documentation was noted.

Andrew Jones outlined the position regarding viability.

- i. The Islington Case demonstrated that land values should reflect the tone of values in the area under discussion.
- ii. There were questions around the extent to which planning obligations reflected land values.
- iii. Guidance was not straight forward.
- iv. Applicants must ensure that land values were not over bid as an argument for reducing social housing numbers.
- v. The hierarchy of policies on affordability puts profits before affordable housing requirements.

The Committee discussion is summarised as follows:

- i. Expressed satisfaction that the concerns regarding the finish to the block containing social housing had been addressed. The alternative finish proposed and corresponding planning conditions were considered acceptable.
- ii. Accepted that the proposed balconies were generous and noted that there was no policy in place offering guidance on this matter.
- iii. Accepted that the proposed road would improve connectivity for cyclists. However, it was regrettable that no funding was available to improve the junctions at either end. Officers confirmed that this was a County Council responsibility.
- iv. Accepted that a challenge on viability grounds was unlikely to succeed.
- v. Suggested that a refusal on height grounds of Block G could be supported.
- vi. Discussed the concerns around the height of this block as it would be:
 - Out of keeping with the area;
 - Would not deliver the bookend buildings envisaged by the Eastern Gate SPD.
 - Would dominate the area in both mass and height.
 - Would not enhance an already dreary streetscape.
- vii. Discussed the parking and highway issues as follows:

- Sought clarification regarding the bollarded entrance points to a road that would be adopted as public highway.
 - Suggested that parking would be difficult to control.
 - Accepted that this was not grounds for refusal of the application.
- viii. Discussed the possibility of using emerging policy regarding amenity and usable space.

The Committee considered recommendation 2

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.

On a show of hands (**3 votes to 3 – and on the Chair’s casting vote**) this recommendation was lost.

The Committee:

Resolved (3 votes to 3 – and on the Chair’s casting vote to approve the application in light of the 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) as below:

Those conditions as recommended as part of the 6 January 2016 Planning Committee Report.

- revised conditions 32 and 34 as set out on the amendment sheet to the 6 January 2016 Planning Committee.
- an additional condition (18) as set out at paragraph 0.8 of the 3 February 2016 Committee report regarding the treatment of Block H.
- revised condition 14 as set out at paragraph 0.51 of the 3 February 2016 Committee report regarding renewable energy technologies.
- An S106 agreement, including a claw-back clause, for terms as set out in the 6 January 2016 Planning Committee Report.

16/23/Plan 15/1652/FUL - Trumpington Park and Ride

The Committee received an application for Change of use (sui generis).

The application sought approval for a 150 vehicle car boot fair (second hand goods only) on Sundays on existing car park between 7.00am - 1.00pm.

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.

16/24/Plan 15/1499/FUL - Brethern Meeting Room, Radegund Road

The Committee received an application for full planning permission.

The application sought approval for a front extension to create access porch, and a detached annexe to rear of site for additional floor space/storage.

Councillor Kavanagh (Coleridge Ward County Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Points were being made on behalf of residents in streets surrounding the application.
- ii. The application would exacerbate existing traffic flow and parking issues in the area, mainly associated with commuter traffic.
- iii. Residents were supportive of the hall being used, but had concerns regarding traffic.
- iv. A banksman was in place to control traffic outside the hall, but there was a high volume of traffic and associated anti-social behaviour.
- v. There was more demand for parking spaces than the hall could provide all ready, which impacts on surrounding streets. The application would increase the existing pressure from commuter traffic.
- vi. Referred to paragraphs 8.12 and 8.13 of the Officer's report and asked for a full time banksman to be in place to control traffic outside the hall, not just when the annex was in use (if the application was approved). The banksman could also advise hall visitors of parking issues in the area, plus control vehicles going in/out of the hall.
- vii. People should be encouraged to travel to the hall using other modes of transport apart from cars eg public transport.

The Committee:

Unanimously resolved (by 6 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.

16/25/Plan 15/1879/FUL - 3 Barton Road

Councillor Dryden rejoined the Committee and took the Chair.

The Committee received an application for full planning permission.

The application sought approval for demolition of existing building and replacement with one 3 and one 2 storey building consisting of 26 post graduate student rooms plus support facilities for Darwin College.

The Planning Officer updated his report:

- i. Referred to conditions and informatives listed on amendment sheet.
- ii. In paragraph 8.36 of the Outlook section, the penultimate sentence should be replaced with:

“I do not consider the proposed development would result in a form of development that is uncharacteristic of this area.”

The Committee received representations in objection to the application from 3 local residents.

The representations covered the following issues:

- i. Barton Road had a rural identity and was the gateway to the area.
- ii. The application proposed a higher on-site density to other areas of Newnham.
- iii. Reducing the height of the application and amending the proposed materials would better suit the area.
- iv. Took issue with the Officer’s report stating the (existing) building to be demolished was “of poor design”, it was simply ‘not good’.
- v. Newnham had no bus service, so the application would increase car numbers in an all ready congested area. On-site car parking provision was inadequate.
- vi. Concerns over loss of light and outlook. Expressed safety concerns as the application was located on a school travel route.
- vii. The application provided insufficient amenity space.

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

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. The large number of representations reflected resident's concerns.
- ii. This was an important site in the area, located on an arterial city route.
- iii. The character of the area was rural on the outskirts and more sub-urban nearer the city.
- iv. The application was located near to the Newnham Conservation Area.
- v. The building proposed for demolition did not fit into the character of the area. This showed the need to have an appropriate design for any replacement.
- vi. There had been design discussions between the Applicant, residents and officers.
- vii. Proposed over-development of the site had affected the design quality.
- viii. Block A was too high at 3 storeys, 2 would have been more appropriate and addressed resident's overlooking concerns.
- ix. Block B's design and massing was out of character with the area.
- x. There was a lack of car parking and amenity space on-site.
- xi. The University were only responsible for controlling undergraduate car parking. Mature students were the expected target audience for this application, they would be the responsibility of the college.

The City Development Manager proposed an amendment to the Officer's recommendation to remove the date reference:

APPROVE subject to completion of the s106 Agreement by ~~30th May 2016~~ and the following conditions

This amendment was **carried nem con**.

Councillor Hart proposed an amendment to the Officer's recommendation to include an informative to raise the issue of amenity space access.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 5 votes to 2) 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 above.

16/26/Plan 15/2063/FUL - Land rear of 268 Queen Ediths Way

The Committee received an application for full planning permission.

The application sought approval for erection of 3.No four bed houses, internal access road, car and cycle parking and hard and soft landscaping.

The Planning Officer updated his report by referring to conditions listed on amendment sheet.

The Committee received a representation in objection to the application from a resident of Queen Edith's Way.

The representation covered the following concerns:

- i. Loss of trees. The application would be visible through gaps in the trees.
- ii. Loss of view and light for neighbours due to visually dominating design.
- iii. Street lighting would be placed on Lime Kiln Road (for the first time).
- iv. The application would be located near nature reserves and the green corridor that linked them. It could have a negative on these and the green belt.
- v. Referred to paragraph 8.5 of the Officer's report: "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".

Mr McKeown (Applicant's Agent) 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. Had no objections to developing the site in principle, but this should be done through an appropriate design in a unique area of the city.

- ii. The Planning Committee had been invited to attend a site visit prior to considering the application.
- iii. Residents still had concerns regarding:
 - a. Overlooking.
 - b. Loss of light.
 - c. Impact on local neighbour reserves.
 - d. Travel safety as the application would be located on a school travel route.
- iv. The developer had not engaged with residents. Concerns could have been addressed if this had occurred.
- v. Trees had been cleared from the site without permission.
- vi. There were 35 conditions to be met in order for the application to be built. Queried why so many were needed if the development was considered acceptable.

Councillor Smart proposed an amendment to the Officer's recommendation to remove all permitted development rights from the site.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 4 votes to 3) to reject the officer recommendation to approve the application.

The Chair adopted the adjourned decision making protocol, so the application would be brought back to the next committee.

Unanimously resolved to defer to the application to allow further discussion of a potential reason for refusal as follows:

'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 and unduly diminish the rural character of this green edge from Lime Kiln Road. The proposal therefore fails to sympathetically respond to the site context and setting of the city. 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'

The Committee also requested clarification of the relevance of the status of the 'East Green Corridor' referred to by the Ward Councillor, Councillor Ashton.

16/27/Plan 15/2235/FUL - 171 Hills Road

The Committee received an application for full planning permission.

The application sought approval for single storey rear extension, single storey side infill extension, amended first floor rear window and extension of rear dormer window (following removal of chimney). A single storey studio in the rear garden is also proposed.

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.

16/28/Plan 15/1673/FUL - 15 Whitehill Road

The Committee received an application for full planning permission.

The application sought approval for erection of a new 2 Bedroom dwelling adjoining 15 Whitehill Road, following demolition of the existing side extension.

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.

16/29/Plan 15/1686/FUL - 106 Wulfstan Way

The Committee received an application for full planning permission.

The application sought approval for erection of 1 x 3 bed dwelling house and single storey front extension to existing dwelling house.

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.

16/30/Plan 15/1421/FUL - Land Adjacent to 4 Grantchester Road

The Committee received an application for full planning permission.

The application sought approval for erection of a new dwelling following demolition of the existing garage and shed, with associated access and landscaping.

The Planning Officer updated his report by referring to the amendment sheet and stating condition no.7 should be removed.

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

The representation covered the following concerns:

- i. Increased flood risk.
- ii. Structural and environmental damage.
 - a. Access to the site by construction and future residential traffic.
 - b. Impact on wildlife.
- iii. A local architect lived in a nearby property. Asked the Committee to be mindful of the impact of the application on this property.

Mr Petter (Applicant) 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 conditions recommended by the officers.

16/31/Plan 15/1826/FUL - 56 Kimberley Road

The Committee received an application for full planning permission.

The application sought approval for an attic conversion, including a roof extension with a rear dormer and a front dormer.

The Planning Officer updated his report by referring to the amendment sheet and stated paragraph 2.4 should read "Councillor Austin" instead of Councillor Avery.

Councillor Austin (West Chesterton Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. There was a lot of local interest in the application due to the property location in a highly visible spot and Conservation Area.
- ii. The site was developed all ready. Queried how much more was reasonable.
- iii. Part of the justification for the recommendation for approval was that some properties had dormer windows all ready. There were only 3 dormer windows in the general area and none in close proximity to the site.
- iv. Dormer windows in the application would be visible in the public realm and bigger than other dormer windows in the area.
- v. Queried if the application met Design Guide criteria and if Conservation Officers had reviewed it.

The Committee:

Resolved (by 5 votes to 2) 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.

16/32/Plan 15/1848/FUL - 58 Arbury Road

The Committee received an application for full planning permission.

The application sought approval for erection of two storey house following demolition of existing garage.

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

The representation covered the following concerns:

- i. Emergency vehicle access to neighbouring Havenfield retirement home flats which share the road with the application.

- ii. Existing parking and traffic flow would be exacerbated.
- iii. Pedestrian safety.
- iv. Loss of light.
- v. Noise.

The Committee:

Resolved (by 3 votes to 2) 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.

16/33/Plan 15/1865/FUL - 317 Hills Road

The Committee received an application for full planning permission.

The application sought approval for erection of 8 No. flats following demolition of existing dwelling at 317 Hills Road.

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

This amendment was **carried nem con.**

The Committee:

Resolved (by 6 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 as amended above.

Informatives to add:

Car Club

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.

16/34/Plan 15/2087/FUL - 3 St Margarets Square

The Committee received an application for full planning permission.

The application sought approval for a new outbuilding to provide ancillary accommodation to 3 St Margarets Square

The Committee:

Resolved (by 5 votes to 2) 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 plus additional condition and informative as set out on the amendment sheet.

16/35/Plan Decision Sheet - Major Applications

The meeting ended at 4.31 pm

CHAIR

PLANNING

2 March 2016

12.30 - 4.00 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: Lorraine Casey

Principal Planner: Lisa Lamb

Principal Planner: Toby Williams

Planner: Michael Hammond

Planner: Sav Patel

Planning Assistant: Mairead O'Sullivan

Legal Advisor: Cara De La Mare

Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

16/36/Plan Apologies

Apologies were received from Councillor Hipkin. Councillor Holland attended as the alternate.

16/37/Plan Declarations of Interest

No declarations of interest were made.

16/38/Plan Minutes

The minutes of the meeting held on 6 January 2016 were approved as a correct record and signed by the Chair.

16/39/Plan 15/2063/FUL r/o 268 Queen Ediths Way

The Committee returned to the application for full planning permission, as adjourned from 3 February 2016.

The application sought approval for erection of 3.No four bed houses, internal access road, car and cycle parking and hard and soft landscaping.

The Committee:

The Chair asked for a recorded vote.

Councillors Dryden, Hart and Holland voted to refuse the application.

Councillors Blencowe, Smart and Tunnacliffe voted to support the application.

Councillor Pippas abstained.

Councillor Gawthrope abstained as he was not present at the 3 February committee.

Resolved (3 votes to 3 – and on the Chair’s casting vote) to refuse the application contrary to the officer recommendations for the following reason:

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 and unduly diminish the rural character of this green edge from Lime Kiln Road. The proposal therefore fails to sympathetically respond to the site context and setting of the city. 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.

16/40/Plan 16/0078/FUL Report - 19 Earl Street

The Committee received an application for full planning permission.

The application sought approval for demolition of existing rear lean-to lobby, w.c. and porch, loft conversion including raising the main roof ridge with rear extension at second floor level, ground floor rear extension, first floor rear extension and insertion of new doorway to the front light well to provide access for bin storage

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.

16/41/Plan 15/2380/FUL - Report 23-25 Hills Road

The Committee received an application for full planning permission.

The application sought approval for mixed use development comprising ground floor retail (use Class A1), with non-speculative student accommodation scheme of 26No. bedrooms on the upper floors to be occupied by Abbey College, along with car and cycle parking, following demolition of existing buildings on site.

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

The representation covered the following concerns:

- i. Referred to speaking notes and photos tabled at committee.
- ii. The application failed to provide adequate off-street parking as per Local Plan Policy 3/7.
- iii. Vans could not use the covered parking area as the roof would be too low.
- iv. Vehicles would find it difficult to access the parking area and would block the street when entering/leaving it. This would lead to a conflict between traffic and pedestrians.
- v. The development would need a lot of maintenance, leading to lots of service vehicle trips and therefore parking space issues.
- vi. The application did not meet Highways Authority visibility splay requirements.
- vii. Referred to Local Plan Policy 8/9 regarding Commercial Vehicles and Servicing.

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

Councillor Walsh (Petersfield Ward County Councillor) addressed the Committee about the application.

The representation covered the following concerns:

- i. Thanked the Agent for making some amendments in response to resident's comments, but some changes were still required.
- ii. Referred to Local Plan Policies 3/7 and 8/9.
- iii. Cambridge Place is a narrow one vehicle wide access road off an arterial route.
- iv. The new development would take away a waiting area to provide a parking space.
- v. Medium and large vehicles would have difficulty accessing Cambridge Place, causing traffic flow issues.
- vi. Referred to Highways Officer comments and suggested these reflected the current situation rather than a future one with the application in place.

The Committee:

Unanimously resolved to reject the officer recommendation to approve the application.

Unanimously resolved to refuse the application contrary to the officer recommendation for the following reasons:

The use of the proposed parking area would require significant manoeuvring of vehicles within Cambridge Place and the visibility splay is restricted. This would be likely to compromise the safety of users of Cambridge Place, therefore the development is contrary to policy 8/9 of the Cambridge Local Plan 2006.

The proposed development would result in a poor entrance for future occupants in terms of conflict with servicing vehicles and in terms of the lack of a legible, safe and attractive entrance and would therefore be contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

16/42/Plan 15/2040/FUL - 559 Newmarket Road

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing single storey garage and erection of new dwelling to the land r/o 559 Newmarket Road.

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

The representation covered the following issues:

- i. Referred to the reason for refusal for the 561 Newmarket Road planning application: Access located near to a pedestrian crossing.
 - The same issue applied to the planning application for 559 Newmarket Road.
 - Suggested that Highways Authority comments were inconsistent as 559 Newmarket Road was recommended for approval.
- ii. Commented it was unfortunate the garden of 559 Newmarket Road would not adjoin Webster Terrace as it would affect his outlook.

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 conditions recommended by the officers.

16/43/Plan 15/2262/FUL - Report 55 Spalding Way

The Committee received an application for full planning permission.

The application sought approval for subdivision of existing property into two C4 dwellings with associated bin & cycle storage and boundary fencing.

The Principal Planning Officer brought the report up to date:

- i. Condition 6 amended to a standard hard and soft landscaping condition.
- ii. Referred to pre-committee amendments to recommendation:

An additional condition (No.7) should be added as follows:

Prior to the bringing into use of the development, hereby permitted, the existing access to the adopted public highway shall be permanently closed off and returned to a full face kerbed footway.

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

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

The representation covered the following issues:

- i. Raised safety concerns. The application was located near schools in an area with parking issues. Parking was pushed off-site from 55 Spalding Way onto the street and so impacted on local amenities.
- ii. The Letting Agent's description of the property was inaccurate.
- iii. Separate electrical and heating supplies were required for the two dwellings.

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.

16/44/Plan 15/0848/FUL - Report - 135A Green End Road

The Committee received an application for full planning permission.

The application sought approval for first floor side extension and amendment to roof creating 3 studio flats, 1 1-bedroom flat and 1 shop unit.

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.

16/45/Plan 15/1938/FUL - Report - 113 Ditton Fields

The Committee received an application for full planning permission.

The application sought approval for two storey side extension to form one 1-bed and one 2-bed maisonette.

The Committee received a representation in objection to the application from a resident of Ditton Fields.

The representation covered the following concerns:

- i. The application would overlook/loom over her property.
- ii. Design.
- iii. Proximity of proposed building to fence.

- iv. Increased use of side passage for access/egress by multiple tenants.
- v. Increased noise from proposed tenants and construction work.
- vi. Impact on neighbour's amenities.
- vii. Loss of car parking space and expected car usage increase in the area from the application.

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

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 conditions recommended by the officers.

16/46/Plan 15/2221/FUL Report - 104 Wulfstan Way

The Committee received an application for full planning permission.

The application sought approval for 1 No two bedroom dwelling to rear to 104 Wulfstan Way.

Ms Bylie (Applicant) 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 conditions recommended by the officers.

16/47/Plan 15/0732/FUL - Report - 2a Carisbrooke Road

The Committee received an application for full planning permission.

The application sought approval for a two storey side/rear extension to house and change of use of open amenity area to residential garden

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

The representation covered the following concerns:

- i. Conversion of public amenity land to a private enclosed garden.

- ii. The loss of trees/green space would impact on the character of the area and neighbour's amenities.
- iii. Density/design of site is more urban than suburban.
- iv. Overbearing/overshadowing would impact on neighbour's outlook.
- v. The design broke covenants affecting neighbouring properties.

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

Councillor Holland proposed an amendment to the Officer's recommendation to include an informative requesting the Applicant consider using a soft boundary treatment such as hedges when applying to discharge condition 5 (boundary treatment).

This amendment was **carried unanimously**.

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, plus the additional amendment.

16/48/Plan 15/2249/FUL - Report - 41 Birdwood Road

The Committee received an application for full planning permission.

The application sought approval for a part two storey, part single storey rear and side extension and a roof extension incorporating rear dormer.

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

The representation covered the following issues:

- i. There had been various applications to develop 45 Birdwood Road opposite her, which lead to concerns regarding loss of light and privacy.
- ii. This application (41 Birdwood Road) would raise similar concerns. Also:
 - Out of character with the area.
 - Dominant.
 - Loss of amenity.

- iii. The ground floor element of the rear extension extends 6m from the rear wall. Neighbours' properties were limited to 3m, which was inconsistent.

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

The Committee:

Resolved (by 5 votes to 2) 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.

16/49/Plan 15/2241/FUL - 37 Kinnaird Way

The Committee received an application for full planning permission.

The application sought approval for a proposed new dwelling to land rear of 37 Kinnaird Way with associated landscaping and access arrangements following demolition of existing garage.

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.

16/50/Plan 15/2362/FUL - Report - 39 Springfield Road

The Committee received an application for change of use.

The application sought approval for change of use from residential property (C3) to a bed and breakfast (C1).

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

This amendment was **carried nem con**.

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 and additional car club informative.

Informative: The applicant is encouraged to ensure all future visitors of the bed and breakfast are aware of the existing local car club service and location of the nearest space.

16/51/Plan 15/2333/FUL - Report - 31 Gunhild Close

The Committee received an application for change of use.

The application sought approval for change of use to create 3 bed house and 1 studio flat.

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.

16/52/Plan 15/2351/FUL - 121 Milton Road

The Committee received an application for full planning permission for change of use

The application sought approval for change of use from D1 surgery to A1 sandwich bar.

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

Councillor Holland proposed an amendment to the Officer's recommendation to include an informative requesting the Applicant's Representative to pick up litter during off-peak hours.

This amendment was **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 conditions recommended by the officers plus additional litter picking informative.

Informative: The applicant is encouraged to ensure that the front forecourt area outside the premises is kept tidy and to collect and dispose of any litter that arises from the use of the premises”

16/53/Plan General Item - University Arms Hotel Public Art

The Officer’s report set out details of the Public Art proposal for the University Arms Hotel following the granting of planning permission on 6 November 2013 where members sought to have the details of the Public Art once known to be brought back to Committee.

The applicants have provided a detailed Public Art Delivery Plan. The Public Art Officer has commented that this is now acceptable. In addition, Public Art Panel received a detailed update on 27 October 2015 and members of the Panel have given the project a green light rating. Informal discussions have been held with the Executive Councillor who is supportive of the new approach.

Planning Committee were recommended:

- i. To agree to the revised Public Art Delivery Plan
- ii. Not to seek a commuted sum for the remaining part of the 1% contribution, amounting to £83,000 of a total £235,000 (representing 1% of the capital construction costs) with a value of public art equivalent to £152,000 being delivered as part of the PADP, due to changes in the CIL regulations and to authorise officers to subsequently enter into a S106 deed of variation to agree this.

The Committee:

Unanimously resolved to accept the officer recommendations.

The meeting ended at 4.00 pm

CHAIR

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	15/2113/FUL	Agenda Item	
Date Received	13th November 2015	Officer	Lorraine Casey
Target Date	8th January 2016		
Ward	Kings Hedges		
Site	116 Minerva Way Cambridge Cambridgeshire CB4 2UA		
Proposal	Two storey side and rear extension to create 3 No. 2 Bed flats		
Applicant	Mr Crabb 116 Minerva Way Cambridge CB4 2UA		

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 additional residential development is acceptable <input type="checkbox"/> The proposed development would not have a significantly harmful impact on neighbour amenity <input type="checkbox"/> The development would not have a harmful impact on the character of the area <input type="checkbox"/> The Highways Authority is satisfied the development does not pose a threat to highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site comprises an end terrace two-storey brick and tile dwelling. It is situated on the northern side of Minerva Way in a small square of dwellings grouped around a central courtyard of car parking. The property has a substantial garden area that extends northwards towards Kings Hedges Road and is

bounded by a belt of trees to its northern and western boundaries. Beyond the western/rear boundary is a passageway that provides access to the rear gardens of adjacent properties and connects through to Kings Hedges Road.

- 1.2 The site does not lie within a Conservation Area. It is also outside a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks to extend the current house and to convert the extended property to form 3 no. 2-bedroom flats. The extensions would consist of a 2.95m wide 2-storey extension on the north side of the dwelling. Attached to this would be a single-storey extension wrapping around the north side and rear of the property. The property would consist of 2 flats on the ground floor and 1 flat at first-floor level.

3.0 SITE HISTORY

Reference	Description	Outcome
07/0605/FUL	Erection of a two storey side and rear extension.	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	3/7	3/11	3/14

	4/4 4/13
	5/1 5/2
	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 additional off street parking provision is made for the additional dwellings. The development is therefore likely to lead to additional parking demands upon on-street parking on surrounding streets but this would not result in an adverse highway safety impact.

Environmental Health

- 6.2 The proposal is acceptable subject to a construction hours condition.
- 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:

- 94 Minerva Way
- 102 Minerva Way
- 114 Minerva Way

- 7.2 The representations can be summarised as follows:

- Car parking is at capacity
- Cars would access the site close to neighbouring front doors
- Construction activity would harm neighbour amenity as a result of noise, dust and parking
- Provide car parking on site

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is situated within an existing and established residential area and, in my opinion, the principle of the development accords in principle with Policy 5/1.

8.3 Policy 5/2 supports the conversion of large properties into additional dwellings recognising that conversion makes a useful contribution towards housing provision. This is subject to proposals meeting the various tests set out in the policy with regard to the impact upon on-street parking, and residential amenity (of neighbours and future occupiers).

8.4 The extension of existing buildings is supported by Policy 3/14 subject to consideration of issues of visual and neighbour amenity impacts, and retention of sufficient amenity space, bin storage, and car and cycle parking.

8.5 The proposal is broadly in accordance with Policies 5/2 and 3/14 and the detailed criteria contained therein are considered further in the following sections of this report.

Context of site, design and external spaces

- 8.6 The proposal is to extend the side and rear of the house with a part two-storey and part single-storey extension and to convert the extended house into 3 no. two-bed flats. The two-storey element will be the same depth and height as the current house, whilst the single-storey extension would be subservient in form and set back from the front elevation. In my opinion the extensions are in scale and character with the existing dwelling and would not have a significant adverse impact on the character of the area.
- 8.7 I also consider that the proposal, whilst resulting in a more intensive use of the site, would not be visually intrusive as the site is fully enclosed and well screened by trees and boundary fences.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 5/2.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposed two-storey extension would project 2.95 metres to the north of the existing side elevation. No.94 Minerva Way to the north-east has a blank gable facing the site as does No.13 Augustus Close to the north-west, with the main private garden area of the latter property extending southwards. In my opinion, the proposed two-storey element would be positioned sufficiently far from these neighbouring properties (15m to No.94 and 8m to No.13) to ensure the occupants would not suffer any significant loss of amenity by reason of loss of light or outlook. The proposed single-storey addition extends to within 1.5 metres of the boundary with No.13 Augustus Close. Given its low height and that the roof is hipped away from the boundary, I consider that this element would not result in an undue loss of light or outlook to this adjacent property.
- 8.10 I consider that the increased number of units and occupiers using the communal garden space would not result in unacceptable noise disturbance to adjacent residents given that the site is currently in residential use and benefits from a good level of boundary screening.

- 8.11 With regard to overlooking issues, no first floor windows are proposed in the rear elevation of the new two-storey element, and the development would not therefore give rise to overlooking of the main private garden space of 13 Augustus Close. A condition preventing the insertion of any further first floor openings in this elevation unless fitted with fixed obscure glass up to at least 1.7m above the internal first-floor level should be added to any planning permission in order to prevent future overlooking of this neighbour's main garden. First-floor bedroom and kitchen windows are proposed in the north elevation of the extension but these look over the shared garden space rather than neighbouring properties and are therefore acceptable.
- 8.12 The owner of No.114 Minerva Way has expressed concern regarding noise and disturbance that would arise from the increased number of vehicles passing close to the front of the property. As this property already faces onto the existing courtyard parking, I consider the proposal would not give rise to a significant adverse impact in this respect.
- 8.13 The area is residential in character and construction activity could result in noise and disturbance to adjacent residents. In accordance with the Environmental Health Officer's comments, a construction hours condition is recommended should planning permission be granted.
- 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, 3/7, 3/14 and 5/2.

Amenity for future occupiers of the site

- 8.15 The application proposes 3 no. generously proportioned 2-bedroom flats with a sizeable communal garden area, measuring approximately 16m in depth x 22m in width, on the north side.
- 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, 3/14 and 5/2.

Refuse Arrangements

- 8.17 The application provides no details regarding the proposed bin storage arrangements. However, given the size of the site, there would be ample space to accommodate bins for the 3 flats. A condition requiring the submission of details and implementation prior to occupation of any of the flats should be added to any permission.
- 8.18 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/14 and 5/2.

Highway Safety including car and cycle parking issues

- 8.19 A number of local residents have objected to the application on the grounds that the proposal makes no provision to increase off-street parking provision for the property and that this would therefore exacerbate existing on-street parking problems.
- 8.20 The site presently has one off-street parking space that would be retained and does not propose any additional off-street parking provision to meet the needs of the two additional units proposed within this application. 'Whilst I acknowledge that the garden is sizeable and has the potential to accommodate two extra spaces, to achieve this without either impinging on the spaces in the courtyard parking area or resulting in a tandem form of parking (which is not a suitable arrangement for flats) would take up a large part of the garden to the potential harm of the amenities of the adjacent residents. Although the proposal may result in vehicles parking within nearby streets, the Highways Authority has made it clear that a highway safety objection could not be substantiated on such grounds.
- 8.21 The site lies in a highly sustainable location and is situated close to local amenities and public transport links. Whilst the proposal does not include any details of cycle parking, the accompanying Design and Access Statement includes a commitment to providing sufficient cycle storage for the new dwellings and this can be secured by way of planning condition. Given these factors, I consider the proposal to create 3 flats

(namely 2 additional properties) without any extra off-street parking provision would be acceptable in this location.

- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Third Party Representations

- 8.23 The representations raised have been addressed in the main body of the report

9.0 CONCLUSION

- 9.1 In conclusion, I consider the proposed development is acceptable and 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. 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. 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 3/14, 5/2 and 4/13)

6. 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 commencement of occupation of the flats hereby permitted.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policies 3/14, 5/2 and 8/6)

7. Notwithstanding the provisions 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 windows other than those expressly authorised by this permission shall be constructed at and above first floor level in the rear/west elevation of the two-storey extension, hereby permitted, unless fitted with fixed, obscure glass up to a minimum height of 1.7 metres above the internal finished floor level

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policy 3/4)

Agenda Item 6

PLANNING COMMITTEE

Date: 6TH APRIL 2016

Application Number	15/1932/FUL	Agenda Item	
Date Received	12th October 2015	Officer	Michael Hammond
Target Date	31st December 2015		
Ward	Queen Ediths		
Site	The Perse Upper School Hills Road Cambridge Cambridgeshire CB2 8QF		
Proposal	Install 6 floodlight columns (to be sited around an artificial grass hockey pitch proposed in application 15/1857/FUL).		
Applicant	Mr Gerald Ellison The Perse School, Hills Road Cambridge Cambridgeshire CB2 8QF United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><input type="checkbox"/> The proposed lighting would not result in a development which will have a significantly detrimental impact on the amenity of neighbours.<input type="checkbox"/> Conditions can be applied to ensure the hours of use of the lighting are restricted.<input type="checkbox"/> The proposed development would not have a harmful impact on the appearance and character of the local area or its wildlife;
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, the Perse Upper School, is comprised of a large school including playing fields and sports facilities situated

on the west side of Hills Road. The area of proposed development relates to part of the existing playing fields situated on the west side of the site. Residential gardens of properties along Sedley Taylor Road border the site to the west and Long Road runs perpendicular from east to west further to the south of the site. There is a large hockey pitch and an existing tennis and netball court immediately to the south of the area of the proposed development; neither of these are currently lit by floodlights.

- 1.2 The site is designated as a Protected Open Space in the Cambridge Local Plan (2006). There are TPO trees immediately adjacent to the site within the rear gardens of properties along Sedley Taylor Road.

2.0 THE PROPOSAL

- 2.1 The proposal as submitted seeks planning permission for the installation of six free-standing 13m-high lighting columns, and 18x (3 per column) low-glare luminaire lights situated around the perimeter of a recently-approved (not yet implemented) new artificial grass all-weather pitch.
- 2.2 The lighting is proposed to be sited around the approved pitch, which will occupy a space of approximately 7680m² with a 3m – 4.5m high fence enclosing the pitch. Although the associated pitch construction application and the location plan of this proposal includes a 720m² rectangular shaped warm up area immediately adjacent to the south-west of the proposed pitch, this is not proposed to be illuminated in this application.
- 2.3 The closest column to the west boundary (along the rear gardens of Sedley Taylor Road) is 25m away, and with gardens of c. 70m length, the columns will be at least approximately 90m from the rear-facing windows of the houses on Sedley Taylor Road.
- 2.4 For the purposes of construction only, an access route is proposed to the new hockey pitch from Long Road to the south of the site, as a spur off an existing drive.
- 2.5 The lighting is proposed to be used only between the hours of 09:00 and 19:00 Monday - Saturday and not on Sundays or Public Holidays. The pitch is proposed to be used between

08:00hrs – 19:00 Monday – Friday and 09:00 – 19:00 on Saturdays.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Lighting Specifications and Institute of Lighting guidance
3. Plans and elevations
4. Landscape and boundary trees assessment
5. Letter in response to public comments
6. Letter to describe revised use, hours and illumination of floodlights
7. Calculux light strength and spread assessment.

3.0 RELEVANT SITE HISTORY

Reference	Description	Outcome
16/0389/S73	S73 application to vary condition 7 (hockey use only) of permission ref: 15/1857/FUL to read 'The use permitted shall be for the playing and training of hockey and also other sports.'	Pending consideration.
15/1857/FUL	Construction of new artificial grass all-weather pitch	Approved 25.01.2016

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	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 Sustainable development 3/4 Responding to context 3/7 Creating successful places 3/11 The design of external spaces 4/2 Protection of open space 4/3 Safeguarding features of amenity or nature conservation value 4/4 Trees 4/9 Scheduled Ancient Monuments/ Archaeological Areas 4/13 Pollution and amenity 4/15 Lighting 6/1 Protection of leisure facilities 6/2 New leisure facilities 8/2 Transport impact

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)
City Wide Guidance	Cambridge City Council (2011) - Open Space and Recreation Strategy

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 There are no highways impacts from this development.

Environmental Health

6.2 Initial queries on the technical specifications and lighting impacts have been answered satisfactorily with additional technical data. I can support the application and support the hours of use for the lighting as specified within R Scriveners letter dated 14th December 2015, 0900-1900hrs mon-sat only, with a 10min after curfew one column light for safety. These hours are recommended to be conditioned.

Landscape Officer

6.3 The revised technical details of the illumination clarifies the points raised in initial comments. The reduction in overall lux levels and the inclusion of light spill and surface luminance diagrams give us confidence that the impact of the lights on nearby housing will be minimal. It is also noted that the times that the lights will be on will not exceed 19:00pm M-Sat with no use on Sundays and Bank Holidays which is acceptable.

6.4 The tree survey provided of the boundary trees is very helpful in assessing the strength of the buffer planting. Conditions should

be used to secure appropriate screen planting along the boundaries: Due to the loss of trees 124 and 131, we require replacement planting of large growing species, preferably Hornbeam or Acer campestre or similar. We also feel that additional buffer planting on the school side of the boundary should be provided between trees 124 and 125 and between 130 and 131. Again, native medium-sized to large-sized trees such as Hornbeam, Acer campestre, Lime or Wild Cherry.

Nature Conservation Officer

- 6.5 The proposals are unlikely to significantly affect bats as the illumination does not extend to the surrounding tree belt boundaries used for foraging. Subject to hours of use being conditioned to follow the times proposed, the scheme is acceptable.

Cambridgeshire County Council (Archaeology)

- 6.6 No objection – but the historic significance of the possible archaeology on the site requires precautionary measures by condition.

Sport England

- 6.7 Supports the application to install floodlighting to the pitch, as floodlighting allows year-round use of the facility and promotes the wider community use of the pitch.

Cambridge Airport

- 6.8 No objection. Lighting should be controlled to avoid pilot' confusion with aeronautical ground lights. Lighting should not be excessive above the horizontal line, and should be adaptable to adjust the beam angle if distraction is caused.
- 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 Councillor Moore has commented on this application. Councillor Moore's comments have been summarised below:

- The floodlights will enable the pitch to be used for longer periods of time which will result in more noise to neighbouring properties.
- Potential light pollution.
- The location of the pitch would result in noise disturbance to neighbouring properties.

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

- 7 Tamara House, 30 Queen Ediths Way
- 238, 254 Hills Road
- 9, 13 and 15, Long Road
- 19, 26, 27, 28, 29, 30, 31, 32, 34 Sedley Taylor Road.
- 39 St Philips Road

7.3 The representations can be summarised as follows:

In objection:

1. The pitch and its lights should be located closer to the school.
2. More risk of safety concerns from hockey balls flying into gardens.
3. The separate pitch and lighting applications should have been considered in one proposal and are misleading.
4. Lighting should only allow pitches to be used by the school.
5. The lights should be used at the school's new Abington site.
6. Trees including TPOS should be protected during the works.
7. The sense of isolation and darkness would be disturbed in this low ambient light area.
8. Loss of wildlife and birds.
9. Noise will increase from the increased use of the pitched into the early night and be even closer to homes.
10. Loss of privacy and light pollution will spread into gardens because the light spread boundary crosses into boundaries and the horizontal lux is not directed down enough.

11. Proximity of the columns is too visible, both during day and night, and they are out of keeping with the area (78m is the predicted distance).
12. Hours of use should prevent lighting after 6pm and no use on Sat/Sun.
13. A wall should be constructed along the edge of the site or residential boundaries to keep the light inside the pitch area.
14. If the Sedley Taylor Road streetlights are turned off from April, the floodlights behind the houses will make the street seem even darker.
15. Short term individual pupil benefits shouldn't outweigh the long-term impact on the established residential community.
16. An approval now on the terms proposed will enable use in the future for longer hours or by more varied groups.

In support:

17. There is a shortage of such facilities – there are only two other floodlit pitches in Cambridge.
18. There will be little impact on neighbours as the time of the use is short.
19. Access to sports facilities through the dark months of winter is invaluable.
20. Wildlife is generally not present during the winter months when the lights are expected to be used.

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

8.0 ASSESSMENT

From my assessment of the site, its context and the representations received, I consider the following matters to form the assessment:

- Principle – impact on the protected open space and new facilities.
- Context – visual appearance in this setting
- Residential amenity – light disturbance and hours of use
- Wildlife, archaeology and tree protection

Principle of Development

Policy 4/2 - Protection of Open Space

- 8.1 The proposed lighting columns around the approved new pitch would be situated on land designated as protected open space and so policy 4/2 of the Local Plan (2006) is relevant. This policy states that development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.
- 8.2 The site is identified as SPO 37 in the Open Space and Sport Recreation Strategy (2011) and is defined as a site of both environmental and recreational importance with a quality percentage rating of 97.14% and an overall area of 8.58ha. It is also identified as a private open space as opposed to a public open space.
- 8.3 The new synthetic pitch would be built over an existing natural pitch, but the loss of the playing field is not a matter for this application, and the principle of the development of this part of the Protected Open Space is already established by the recent permission 15/1857/FUL. The quantum of space required for these lighting columns is negligible and within the site of the approved pitches, so loss of the space to sports uses is already accepted. Sport England has supported the lighting proposal and has approved of the all-seasons design of the pitches, and as a result I do not consider the recreational importance of the site will be lost or significantly harmed by the proposed development.
- 8.4 The site is noted for its environmental importance and is bounded by significant tree belts. None of the trees on-site or adjacent to the site will be harmed by the proposed lighting. The site of the proposed pitches is not highly visible in the street scene as the site is a considerable distance from any public viewpoints and is generally (with the exception of a short gap) well screened from Long Road. As such I do not consider the height or shape or colour of the six columns to be likely to increase the visual presence of the pitches from Long Road to the south, because of the distance and the substantial screening in place along the road.

- 8.5 However, I acknowledge that the illumination could draw attention to the otherwise unlit open space, especially in the months when the trees are out of leaf. Nevertheless such a window of time is relatively small and I consider the hours of proposed lighting use (paragraph 2.4 above) are such that illumination will not detract from what might be considered the late night sky. Although the lights may be needed on gloomy days the distance and the small number of lights facing south towards the road means the proposal results in only a very small noticeable difference on any day, particularly if the trees are still in some leaf because the short gap in the tallest screening offers only a small direct view across the fields. As a result, I consider the proposed lighting will cause some small degree of harm to the character of the open space, but this would not be significant enough to warrant refusal.
- 8.6 In conclusion, I consider the proposal is acceptable under policy 4/2 of the Local Plan (2006).

Policy 6/1 - Protection of Leisure Facilities

- 8.7 Policy 6/1 of the Local Plan (2006) sets out criteria for ensuring open space which is lost is either replaced within the new development or mitigated by provision elsewhere. I consider this has already been established.

Policy 6/2 - New Leisure Facilities

- 8.8 Policy 6/2 of the Local Plan (2006) states that development for the provision *or improvement* of a leisure facility will be permitted if:

- A) It improves the range, quality and accessibility of facilities;
- B) It is of an appropriate scale for the locality; and,
- C) It would not have a negative impact upon the vitality and viability of the city centre including the evening economy.

- 8.9 At present although there are other synthetic pitches adjacent to this, none have lighting and the new pitch approved by permission 15/1857/FUL will improve the range and nature of the facilities available. The lighting proposal around the new pitch will ensure the overall quality and accessibility of sports facility is improved by some measure (re criteria A).

- 8.10 I also consider the columns are an appropriate scale (criteria B): the design has used the lowest possible column height to achieve acceptable lighting, and although tall in comparison to a residential property, even those columns closest to the residential boundaries of Sedley Taylor Way are still set apart from the houses by at least 90m from the back of the rear elevations. The sense of their scale in views from the gardens is also reduced by the substantial tree belts along that boundary. These attributes of the design and setting means the proposal satisfies criteria A and B of policy 6/2, and criteria C is not relevant to this proposal.
- 8.11 In my opinion, in weighing up the principle of the development one has to balance the impacts of the limited harm caused to the environmental character of the public open space against the appropriate scale of the infrastructure and the benefits the lighting proposal will bring.
- 8.12 Part of assessing the benefit of the development is in considering the users and the proposed hours of use, which are 08:00hrs to 1900hrs Monday to Friday; and 09:00hrs to 1900hrs Saturdays; and no use on Sundays / Public Holidays. The Design and Access Statement submitted by the applicant states that the proposed pitch will only be used for school sport (matches, practice, training and curriculum). Even with relatively limited hours of use as proposed, and accounting for the intended school use of the site and restriction to just hockey use as required by condition on permission 15/1857/FUL, the proposal will still bring significant improvement in terms of quality and accessibility of such a pitch in comparison to a non-illuminated version and/or grass pitches, as is noted by the Sport England comments. I have noted above how the environmental harm is limited. Therefore, I consider the current proposal has significant additional benefit which outweighs the limited environmental harm caused and would not be detrimental to the character of the protected private open space.
- 8.13 As previously stated, there is a previous permission on this site (15/1857/FUL) for the hockey pitch itself without floodlighting. This previous permission does not have a condition which prevents the pitch from being used by other users outside of the school. The applicant has explained in the design and access

statement that the intention of the hockey pitch is for school use only. I believe that this use would largely be dictated by the restricted hours of use the pitch is available to be used, whereby the majority of its available use time is within the school day. I appreciate that the hours of use until 19:00hrs would allow for the pitch to be used after school hours by users outside of the school on weekdays and on Saturdays. However, it is noted that there are no restrictions on the use of the adjacent tennis courts or playing fields to be used outside of school hours. The Environmental Health Team has raised no objection to the application on the grounds of noise or disturbance and I do not see what material difference there would be between school use or wider community use, provided the end user does not use the pitch outside of the conditioned hours of use. Therefore, I do not consider it would be consistent or reasonable to impose a condition which restricts the use of the pitch to just the school.

- 8.14 In summary, I consider this a finely balanced assessment but that the limited harm caused to the private protected open space is outweighed by the overall benefits of the facility in improving sports provision, as required by policy 6/2, and as such is considered acceptable in principle.

Context of site, design and external spaces and tree boundaries

- 8.15 The proposed pitch as approved would be orientated immediately adjacent to the other artificial pitches and enclosures and in itself would not be prominent or highly visible from any public viewpoints. The columns are placed at each corner and in the middle on the two long sides, and I consider the 13m height is still low enough to be screened from the majority of views along both Long Road and from gardens on Sedley Taylor Road. In addition, a muted colour which can be agreed by condition, will reduce their visual appearance and presence and help make them appear discreet.
- 8.16 The residential area is classed as an 'E2 zone', meaning there is currently low ambient light, so a fair degree of darkness. The reduced illumination levels are accepted as being appropriate to the area. At night when the lights are in use the screening from the boundaries, and the specific down-light designs, will combine to minimize the outward escape of light, and the

technical information provided has shown that light will not reach the perimeter of the protected open space. Even when the trees are out of leaf the thick trunk and branch mass of the trees, and the distance to the Long Road boundary, all combine to prevent the lighting being harmful in views from the public realm.

- 8.17 As such the columns proposed have an appropriate scale and design in the context of the site and its surroundings, and their impact is not considered harmful to the character of the wider area, nor would it erode the character of the residential area or reduce any sense of isolation or prevailing darkness of the site.
- 8.18 The archaeology condition suggested by the Historic Environment Team has been recommended accordingly, to protect the historic interest of the site, and the tree belts are unlikely to be affected by the works, but can be protected by condition. The Landscape Officer has recommended conditions to secure appropriate screen planting along the boundaries and I agree with this advice.
- 8.19 The reduced power and shorter field of illumination minimizes the impact on wildlife and hedgerow / tree belt habitat. There is anecdotal evidence of bats using the tree belt but the ecology officer has accepted the proposal based on the hours of use proposed. Further, the use during winter seasons coincides with reduced wildlife activity.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.21 Initially the proposal sought lighting levels of 500 lux, which would meet the expected level for national-level 'top grade' matches. In light of the resident's concerns, the applicant has subsequently agreed to reduce the light levels down to 350 lux, which is the second-tier of hockey grades.
- 8.22 The columns have been designed to be a low / short as practicably possible without needing to tilt the hoods upwards more to gain a wider reach of light and then causing more

horizontal impact to neighbours. Using fewer lights at the same heights without raising the hoods would result in unworkable and potentially unsafe central zone of lower light inside the center of the pitch, and therefore not be feasible for use.

- 8.23 The spread of light towards the boundary has been a concern to residents; for comparison purposes 2 lux is deemed to be the strength of moonlight. The proposals originally did show some crossing of the garden boundaries at 5 lux levels, but the revised illumination means the 5 lux spread is now well within the playing field boundary, and is not considered to create a harmful impact to amenity.
- 8.24 The hours of use proposed clearly indicate the aim is to use the pitches through the winter, because summer / spring / autumn seasons would generally allow the pitches to be used without lighting, and the school wouldn't use the lights if they didn't need to. As such the illumination is not generally going to be experienced when the gardens are most in use.
- 8.25 The school has said they are not adverse to providing more planting along the boundary, including to the identified gaps. However the landscape assessment information provided has not been able to quantify the additional screening benefits offered by planting within the various gardens themselves, only those trees on the school grounds.
- 8.26 The closest column to the boundary is 25m away, and with gardens of c. 70m length, the columns will be at least approximately 90m from the rear-facing windows of the houses on Sedley Taylor Road.
- 8.27 I do not consider there to be a safety issue from lighting due to the distance between the columns and the neighbours gardens, as well as the likely hours of use in the evening where gardens are unlikely to be occupied. The hockey pitch would be enclosed by a perimeter fence which would prevent stray balls from exiting the pitch.
- 8.28 The location plan indicates than an access route would divert from the existing access off Long Road to the south of the site and wrap around the side of the existing tennis and netball courts to the proposed pitch. After discussions with the applicant it was established that this access route would only be

for the purposes of construction of the pitch and not for day-to-day use following the completion of the development. A condition has been attached to ensure that this access is only used during the construction period as the comings and goings of people adjacent to the residential boundaries of properties could be harmful to neighbour amenity.

- 8.29 The hours of use of the floodlighting would be from 09:00 – 19:00hrs Monday – Saturday. The hours of use of the pitch itself would be limited to 08:00 - 19:00hrs Monday – Friday and 09:00 – 19:00hrs on Saturdays. The Environmental Health team does not consider that these hours of use or floodlighting are unreasonable. The Environmental Health team considers that there would be no significant noise and disturbance from the use of the pitch within these hours. A condition has been attached to control the hours of use. The applicant has agreed to this, and accepts the matches will have to end in advance of the 7pm shut-down for people to leave, e.g. not have any 'extra time'. There will still need to be some low level lighting for safe egress, and this is proposed on just the southern-most column for just 10 minutes after shut-off.
- 8.30 A perimeter fencing striker board has been proposed to help provide a degree of acoustic impact dampening which the Environmental Health Team are content with, subject to the suggested limitation of the hours. The proposed pitch would be used for hockey which would introduce a different type of noise compared to that of the existing rugby pitch. The Environmental Health Team has acknowledged this but consider the fencing board and hours of use sufficient to ensure that the proposed pitch would not adversely impact the amenity of nearby residential properties. A condition has been attached to ensure that the perimeter fencing striking board is installed and retained thereafter.
- 8.31 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 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

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

Archaeology

- 8.34 The site lies in an area of high archaeological potential largely relating to Roman occupation extending between Luard Road and the school playing field, including burials within the proposed development area. In addition, the section of the Roman road between Cambridge and Haverhill, known locally as the *Via Devana*, can be projected through the application area and is likely to be encountered. The site should be subject to a programme of archaeological investigation secured through condition, to secure the preservation of the archaeological interest of the area either by record or *in situ* as appropriate.
- 8.35 The same requirement is in place on the hockey pitch permission, but I consider applying the same condition in this instance gives protection to the heritage asset in the unlikely event this is pursued separately, and if they proceed in tandem the same information need to be supplied anyway, so is considered reasonable and not onerous.
- 8.36 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/9.

Third Party Representations

- 8.37 The third party representation raised have been addressed in the table below.

Representation	Response
1. The pitch and its lights should be located closer to the school.	With regards to points 1, 2 and 4 the position of the pitches and their use is not an issue for this application and has been established and at the time did pay regard to the
2. More risk of safety concerns from hockey balls flying into gardens.	

<p>4. Lighting should only allow pitches to be used by the school.</p>	<p>proposed intention to provide floodlighting; amenity is protected appropriately by design and conditions to reflect these concerns over proximity, and the safety measures in place with the pitches permission will reduce the risk to resident's safety from wayward balls.</p>
<p>3. The separate pitch and lighting applications should have been considered in one proposal and are misleading.</p>	<p>The applicant is within their right to propose separate schemes; each and any future applications would need to be considered on their own merits and in light of the prevailing circumstances at the time.</p>
<p>5. The lights should be used at the school's new Abington site.</p>	<p>The pitch at the Abington site does not form part of this application and so is not relevant to the assessment of this application.</p>
<p>6. Trees including TPOS should be protected during the works.</p>	<p>The application would involve the removal of two trees on the site of the Perse School, although as none of these trees are specifically protected the removal of these trees does not require the permission of the local planning authority. The protected trees in the rear gardens of properties along Sedley Taylor Road have not been proposed to be removed or pruned as a result of the proposed works. Therefore, I do not consider point 6 needs to be addressed specifically.</p>
<p>7. The sense of isolation and darkness would be disturbed in this low ambient light area.</p>	<p>Point 7 has been addressed in paragraphs 8.16 – 8.17 of this report.</p>
<p>8. Loss of wildlife and birds.</p>	<p>Point 8 has been addressed in</p>

	paragraph 8.19 of this report.
9. Noise will increase from the increased use of the pitched into the early night and be even closer to homes.	This has been addressed in paragraphs 8.29 – 8.30. Whilst the use of the pitch after school, most likely between the hours of 16:00-19:00hrs, will be different to that of present, this additional three hours of use is not considered to be so significant as to adversely impact on neighbour amenity in terms of noise.
10. Loss of privacy and light pollution will spread into gardens because the light spread boundary crosses into boundaries and the horizontal lux is not directed down enough.	Point 10 has been addressed in paragraphs 8.22 – 8.23 of this report.
11. Proximity of the columns is too visible, both during day and night, and they are out of keeping with the area (78m is the predicted distance).	Point 11 has been addressed in paragraphs 8.15 – 8.17
12. Hours of use should prevent lighting after 6pm and no use on Sat/Sun.	Point 12 has been addressed in paragraphs 8.29 – 8.30 of this report.
13. A wall should be constructed along the edge of the site or residential boundaries to keep the light inside the pitch area.	I do not consider the construction of a wall is needed to keep light inside the pitch area. The information provided demonstrates that light would be retained within the boundary of the site. Additional buffering has been proposed along the boundary of the site to provide a softer boundary to screen the site and this would be dealt with through condition.
14. If the Sedley Taylor Road streetlights are turned off from April, the floodlights behind the houses will make the street	I do not consider the floodlights would be readily visible from the street of Sedley Taylor Road,

<p>seem even darker.</p>	<p>regardless of whether the street lights are turned off or on. There would be a distance of over 100m between the street of Sedley Taylor Road which is sufficient to ensure that they would not be prominent in the street scene. Furthermore, the height of the columns at 13m is not considered to be excessively tall and I believe that this will further reduce the visual prominence of the lights.</p>
<p>15. Short term individual pupil benefits shouldn't outweigh the long-term impact on the established residential community.</p>	<p>The application has been assessed based on the relevant planning policies and is not deemed to have an adverse impact on the amenity of residential properties in the surrounding area.</p>
<p>16. An approval now on the terms proposed will enable use in the future for longer hours or by more varied groups.</p>	<p>I do not consider the approval of the scheme would result in the pitch being used in the future for longer hours or by varied groups. The hours of use would be controlled through a planning condition which would prevent the pitch being used outside of the hours stated in paragraph 2.5 of this report.</p>

9.0 CONCLUSION

- 9.1 The principle of replacing the existing rugby pitch with a hockey pitch is considered to be acceptable and compliant with policies 6/1 and 6/2 of the Local Plan (2006).
- 9.2 The impact on the protected open space would be minimal and not significant enough to harm the character or environmental importance of the designation.

- 9.3 The proposed floodlighting is considered acceptable and is supported by the Environmental Health Team. The floodlighting is not considered to cause any harm to the amenity of nearby residential properties. The floodlighting and its hours of use would be controlled through 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 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. The floodlighting hereby approved shall be installed in accordance with the floodlighting information document prepared by SJB Floodlighting LTD dated 10/09/2015 (SJB15007), and drawing no. SJB15-007-01 Rev C dated 10/09/2015. The floodlighting shall be retained thereafter in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

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

6. The floodlighting hereby permitted shall only be used between the hours of 0900 to 1900hrs Monday to Friday and 0900 to 1900hrs on Saturday. It shall not be used at any other time including on Sundays, bank or other public holidays unless otherwise agreed in writing by the Local Planning Authority.

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

7. The use hereby permitted (artificial grass all-weather pitch and warm up area) shall only be used between the hours of 0800 to 1900hrs Monday to Friday and 0900 to 1900hrs Saturday. It shall not be used at any other time including on Sundays, bank or other public holidays unless otherwise agreed in writing by the Local Planning Authority.

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

8. The use hereby permitted shall be for the playing and training of hockey only.

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

9. The perimeter fencing to the pitch and warm up area shall be installed in accordance with the submitted Sports Construction Consultancy Fencing construction details drawing, dated July 2015 SCC/TPS/P2-07. The fencing shall include a 200 x 50 carpet faced striker board as detailed which shall extend entirely around the perimeter fencing to the pitch and shall be comprised of a 12mm prefabricated rubber shock pad material covered with grass matting similar to the playing field artificial surface or similar as detailed in the Sports Construction Consultancy Fencing letter dated the 20th November 2015. The fencing and carpet faced striker board shall be retained thereafter.

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

10. The access route identified on drawing no.Scc/TPS/P2-01 shall only be used during the construction period of the proposed works and shall not be used at any time following the completion of the proposed works unless otherwise agreed in writing by the Local Planning Authority.

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

11. No development shall take place within the area indicated until the applicant, or their agents 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 secure the preservation of the archaeological interest of the area either by record or in situ as appropriate
(Local Plan 2006 policy 4/9).

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 (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)

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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

INFORMATIVE: It is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Cambridge Airport. For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/policy-campaigns/operations-safety/).

There is a need to ensure that the lighting is shielded from excessive light pollution above the horizontal and hence distracting pilots. If, after the lighting is in place there should be the ability, at Cambridge Airport's request, to be able to adjust the angle of the lighting if it becomes evident that a distraction to pilots is being caused.

Application Number	15/2249/FUL	Agenda Item	
Date Received	4th December 2015	Officer	Mairead O'Sullivan
Target Date	29th January 2016		
Ward	Coleridge		
Site	41 Birdwood Road Cambridge Cambridgeshire CB1 3ST		
Proposal	Part two storey part single storey rear and side extension and roof extension incorporating rear dormer		
Applicant	Mr Max Bautin 133 warren close Cambridge cambridgeshire cb2 1le United Kingdom		

Update Report: 41 Birdwood Road, 15/2249/FUL

0.1 This application was brought before Planning Committee on 2nd March 2016 with an officer recommendation of approval. Members will recall that the neighbour at 43 Birdwood Road made oral representations to the Committee concerning the impact of the scheme on her residential amenity. Despite the objection, Members voted to accept the officer recommendation and to approve the scheme. However, following the March Planning Committee, it has come to my attention that a side kitchen window in the side elevation of No.43 Birdwood Road was not expressly considered in my assessment of the proposal. As such, I have determined that the most appropriate course of action is to provide an update report specifically considering the impact on this window prior to a decision being issued. I apologise for this earlier oversight but consider it necessary and reasonable to undertake this course of action. Both the applicants and the objectors have been informed of my intention to bring the application back to Planning Committee for these reasons.

0.2 In reaching my previous recommendation, I confirm that I was aware of the kitchen window on the side elevation from my site visit. The side window is also shown on the submitted floor plans. Based on the plans and from my site visit, it is clear that the kitchen of No. 43 Birdwood Road is served by two windows;

one which faces north east looking down the rear garden and one on the side elevation which faces west.

- 0.3 I have addressed the impacts of the scheme on the rear facing kitchen window facing the garden in paragraph 8.8 of my original report.
- 0.4 The kitchen window on the side elevation faces towards a side passageway. The proposal would result in the proposed side elevation of No.41 moving closer to the boundary with No.43 and loss of late afternoon angled sunlight from the northwest through this particular window. However, the proposed side extension is subservient to the main ridge and will not, when considering the layout of the kitchen, the separate and unaffected dining room adjacent and the alternative kitchen window looking down the garden, cause any significant harm.
- 0.5 The proposed extension would be visible from the side kitchen window and a degree of enclosure could be expected on the outlook from here. However, I do not consider that this would be so harmful as to warrant a refusal of permission, as the window in question has a relatively poor outlook onto the side passage and the proposed window in the rear elevation of the kitchen affords an arguably greater sense of amenity for the occupants, as it reveals views down the substantial garden, which will remain unaffected.
- 0.6 In specifically considering this impact, my recommendation to Planning Committee remains unchanged and is to approve the scheme as set out at paragraph 10 of the officer report.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal will not be harmful to the character of the area</p> <p>The proposal will not significantly impact on the amenity of the surrounding occupiers.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a two storey part brick part render semi-detached property on the north western end of Birdwood Road.
- 1.2 Birdwood Road is a predominantly residential area characterised by semi-detached family homes.
- 1.3 There are no site constraints

2.0 THE PROPOSAL

- 2.1 The proposal is for a part two storey, part single storey rear and side extension and a roof extension incorporating rear dormer.
- 2.2 The rear extension has been amended since the original submission to reduce the length of the first floor element.
- 2.3 The ground floor element of the rear extension extends 6m from the rear wall. It is set away from the common boundary with No. 39 Birdwood Road by 0.4m. It has an eaves height of 2.45m with a roof which slopes away from the boundary. The highest point of the ground floor extension is 3.2m.
- 2.4 The first floor element of the proposal extends 4m from the rear wall of the property. It is 6.9m at its highest point with a pitched roof which drops to 5m at the eaves. The first floor extension

extends to the side for a length of 2.7m and then drops down to ground floor level where the proposal continues to the front wall.

2.5 A roof extension which involves a change from hip to gable with a rear dormer window is also proposed.

2.6 The application has been called in to Planning Committee by Councillor Owers on the grounds that it is contrary to policy 3/14.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0340/CL2PD	Application for a Certificate of Lawfulness under Section 192 for external wall insulation finished with red brick slips.	Certificate granted

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 3/14 4/16 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)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comments

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.2 The Development is acceptable subject to the inclusion of a condition relating to flood resilient construction (Condition 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:

- 21 Fox Rd Balsham (on behalf of 39 Birdwood Rd) x3
- 43 Birdwood Rd x2

7.2 The representations can be summarised as follows:

Representation	
Residential amenity	
1	The first floor element will dominate and overshadow No.39.
2	A smaller extension at No.45 was refused on amenity grounds. Other developments pre-date the Local Plan
3	The extension will move the property closer to No.43. The new aspect will be a featureless brick wall which will dominate the view from the kitchen and result in a loss of light.
4	The proposal will overlook the garden of No. 43 resulting in a loss of light and a loss of privacy
Drawings	
5	There are no elevation drawings provided for the westerly elevation, which may better show the view from the rear of No.39 (adjoining) property perspective.
6	There is no inclusion on any of the drawings of the conservatory at the rear of No. 39
7	The boundary wall is marked incorrectly/there is ambiguity in relation to the location of the boundary
Design	
8	The scale of the proposal is out of character
Civil matters	

9	The drawings do not leave space for the guttering. This cannot overhang.
Construction Hours	
10	Time scales and work schedules would need to be discussed to minimise disturbance of the adjoining occupants.
11	Construction will cause noise and disruption from dust. These properties have single skinned solid walls on the party wall. Could there be a provision for sound proofing these walls of the existing properties?

Revised Drawings

Representation	
Residential amenity	
1	The effects of the proposal would be overpowering and would cause overshadowing
2	The proposal will result in a loss of light to the conservatory at No.39.
3	A smaller extension at No. 45 was refused on amenity grounds
4	The proposal is contrary to policy 3/14
5	Concerned it will set a precedent which will impact on the landscape and privacy of the neighbourhood
Design	
6	Only minor amendments have been made which do not address the fundamental issues
7	The proposal is excessive and increases the ground floor footprint by 100%
8	It is out of character
9	The footprint remains unchanged from the previous drawings
10	The proposal should be limited to 3.1m to the rear and single storey only.
Construction	
11	Concerned about dust and noise disruption from construction

- 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 heritage assets)
2. Residential amenity
3. Highway safety
4. Third party representations

Context of site, design and external spaces

8.2 The proposed roof extension and side extension would be visible from the street scene. It is not uncommon for semi-detached properties to be extended in this fashion. The first floor extension is subordinate in scale. The ridge height is not increased and the extensions would be finished to match the existing house in matching bricks and tiles. A number of other properties in the area have visible side and roof extensions. As a result, I do not consider that the proposal would negatively impact on the character of the area. It is acceptable in terms of design.

8.3 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

No.39 Birdwood Road

8.4 The ground floor element of the rear extension is marginally set away from the common boundary with No.39 and has a low eaves height of 2.45m which slopes away at a shallow pitch from the boundary. This element is 6m in depth and encroaches into the 45 degree line taken from No.39's rear dining room window. As a result, it may lead to some loss of light and outlook. However, I do not consider that it would significantly overshadow or unduly dominate the neighbour at No.39 given its dimensions and that any loss of light would be for a limited time in the mornings.

- 8.5 The first floor element of the rear extension is set away from the neighbour's boundary at No.39 by 2.7m. This element has been amended and the length has been reduced from 6m to 4m which is typically an acceptable depth of extension for a semi-detached property of this period. I consider the reduction in length to be acceptable as it will result in the proposal appearing less dominant when viewed from both neighbouring properties.
- 8.6 The proposed first floor element would not obstruct the 45 degree angle from the first floor bedroom window at No.39. The pitch of the 2 storey element would be subservient in height to the main ridge and set away from the common boundary with No.39. No 39 is located to the north west of the proposal site and the proposed extension may result in some loss of light in the mornings but this would be for a limited time and I do not consider this to be significant enough to warrant a refusal.

No.43 Birdwood Road

- 8.7 The proposal extends past the side elevation by 1.2m which will bring the property line closer to that of the neighbour at No.43. A set back of approximately 1m remains between the proposal and the common boundary, with a further 1.8m between the building line of No.43 and the common boundary. The application originally proposed a first floor element projecting to a depth of 6m from the rear elevation. This has since been reduced to a depth of 4m, which allows for an unobstructed line of sight from the upper floor bedroom and ground floor kitchen of No.43. I therefore consider the 2m reduction in length of the upper floor element to be acceptable and consider that it will not appear unduly dominant when viewed from No. 43
- 8.8 The ground floor element of the proposal remains unchanged. This element will be set away from the common boundary by 1m with a low eaves height. The proposal does not break the 45 degree rule and will allow for an unobstructed line of view from the kitchen window at No.43. As a result of the set away and the low pitched roof I consider that this element will not overshadow or visually enclose the neighbour at No.43 to an unacceptable degree.

- 8.9 There are a number of rooflights proposed for the side elevations. Condition 4 will be imposed to control the height of these windows to prevent any possible issues relating to overlooking. This ensures that they will not be set any lower than 1.7m from the finished floor level.
- 8.10 The proposed roof extension rear dormer does not break the ridge line. It is similar in size to that which could be developed under the remit of permitted development. As a result I consider that this element would be difficult to resist and is acceptable.
- 8.11 In my opinion the proposal, as amended, 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 3/14.

Highway Safety

- 8.12 The Highway Officer does not consider there to be any issues in relation to highway safety. I share this view.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

Original drawings

Representation		Response
Residential amenity		
1	The first floor element will dominate and overshadow No.39.	The length of the first floor element has been reduced. I consider this to be acceptable. See paragraph 8.5
2	A smaller extension at No.45 was refused on amenity grounds. Other developments pre-date the Local Plan	Every application is assessed on its own merits. The application at No.45 was flat roofed and ran hard against the boundary with the attached neighbour.
3	The extension will move the property closer to No.43. The	I have addressed this in paragraph 8.6

	new aspect will be a featureless brick wall which will dominate the view from the kitchen and result in a loss of light.	
4	The proposal will overlook the garden of No. 43 resulting in a loss of light and a loss of privacy	There are existing upper floor windows facing the rear garden from the rear elevation. I therefore do not consider that the proposal will result in any significant further overlooking. I have addressed loss of light in paragraphs 8.7 and 8.8.
Errors/ambiguity in drawings		
5	There are no elevation drawings provided for the westerly elevation, which may better show the view from the rear of No.39 (adjoining) property perspective.	An elevation was missing from the original plans. The amended plans include all 4 elevations
6	There is no inclusion on any of the drawings of the conservatory at the rear of No.39	The conservatory is not shown in the drawings but I am aware of the location from my site visit
7	The boundary wall is marked incorrectly/there is ambiguity in relation to the location of the boundary	This is a civil matter
Design		
8	The scale of the proposal is out of character	See paragraph 8.2
Civil matters		
9	The drawings do not leave space for the guttering. This cannot overhang.	This is a civil matter
Construction		
10	Time scales and work schedules would need to be discussed to minimise	A construction hours condition (Condition 6) will be added to the

	disturbance of the adjoining occupants.	decision notice.
11	Construction will cause noise and disruption from dust. These properties have single skinned solid walls on the party wall. Could there be a provision for sound proofing these walls of the existing properties?	Sound proofing would be a civil matter

Revised Drawings

Representation		Response
Residential amenity		
1	The effects of the proposal would be overpowering and would cause overshadowing	See paragraphs 8.4-8.11
2	The proposal will result in a loss of light to the conservatory at No.39.	See paragraph 8.4
3	A smaller extension at No. 45 was refused on amenity grounds	Every application is assessed on its own merits. I have assessed this in the previous table as a response to point No.2.
4	The proposal is contrary to policy 3/14	I have assessed the application in terms of design and impact on amenity in paragraphs 8.1-8.11 and consider that the application is compliant with policy 3/14
5	Concerned it will set a precedent which will impact on the landscape and privacy of the neighbourhood	Each application is assessed on its own merits.
Design		
6	Only minor amendments have been made which do not address the fundamental issues	The amendments made reduce the depth of the first floor element. I consider that

		this addresses the dominant appearance of the original proposal.
7	The proposal is excessive and increases the ground floor footprint by 100%	The proposal has a large footprint however it is located on a large plot. I have assessed design and amenity issues and consider it to be acceptable.
8	It is out of character	See paragraph 8.2
9	The footprint remains unchanged from the previous drawings	The footprint remains unchanged but much of the bulk from the upper floors has been removed which I consider to be acceptable.
10	The proposal should be limited to 3.1m to the rear and single storey only.	I can only assess the application as proposed
Construction		
11	Concerned about dust and noise disruption from construction	A construction hours condition will be added

9.0 CONCLUSION

9.1 The proposal will not have a harmful impact on the character of the area. I do not consider that the proposal will have any significant impact on the amenity of the adjoining properties at No.39 and 43 Birdwood Road. I acknowledge that the revisions to the proposal have not fully overcome the objections that have been made and that there would be some impact in terms of both enclosure and light, but I do not consider that it would be significantly harmful as to justify a refusal of planning permission. As a result I consider that the proposal will be acceptable.

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. The rooflights hereby approved shall be 1.7m above the finished floor level.

Reason: To protect the amenity of the surrounding occupiers in accordance with Cambridge Local Plan 2006 policy 3/4 and 3/14

5. Prior to commencement of development details of flood resilient construction employed should be submitted to and approved in writing by the local planning authority.

Reason: In accordance with policy 4/16 of the Cambridge Local Plan 2006

6. 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)

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Application Number	15/2142/NMA	Agenda Item	
Date Received	16th November 2015	Officer	Ms Lorna Gilbert
Target Date	14th December 2015		
Ward	West Chesterton		
Site	1 Milton Road Cambridge Cambridgeshire CB4 1UY		
Proposal	Non material amendment on application 14/1938/S73 to allow for a sliding door on the Milton Street (front) elevation of the approved convenience store which comprises part of "Block B"		
Applicant	c/o Agent		

SUMMARY	The proposed replacement customer door at the retail unit from a swing door to a sliding door is considered to be a non-material amendment.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on Mitchams Corner, at the junction of Milton Road and Victoria Road, with frontages on Milton Road, Victoria Road and Corona Road. The surrounding area is mixed in character with the Staples site opposite to the south; residential properties adjacent to the site on Victoria Road to the west; commercial and residential properties adjacent to the site on Milton Road to the north; and residential properties adjacent to the site on Corona Road to the north. The Portland Arms Public House lies to the south.
- 1.2 Planning permission has been granted on the site for the erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated

infrastructure (14/0543/FUL). The approved student accommodation and retail unit are currently under construction.

- 1.3 The site lies within the Castle and Victoria Conservation Area. The Portland Arms Public House adjacent to the site is a Building of Local Interest (BLI).

2.0 THE PROPOSAL

- 2.1 The proposed development seeks a non-material amendment to planning permission reference 14/1938/S73. This Section 73 is an amendment to the original planning permission reference 14/0543/FUL for the '*Erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated infrastructure*'. The accommodation is intended to be used by Anglia Ruskin University students and the retail unit is to be occupied by Sainsbury's Supermarkets Ltd.

- 2.2 The purpose of the current Non-Material Amendment application is to allow for the installation of a sliding door to the retail unit to the eastern elevation. The approved scheme shows double entrance doors that open inwards, however the operational requirements of Sainsbury's Supermarkets Ltd are for an automatic sliding door.

2.3 Accompanying documents

- Approved drawings:*
365-B-02-Rev02 (Detailed Elevations- Block B South) of permission 14/1938/S73
- Existing drawings provided as part of this application: 200, 201, 202, 204, 205,
- Amended drawings provided as part of this application: 203, 206, 207

- 2.4 The application is brought before Planning Committee as it was called in by Councillor Robertson. See paragraph 7.2 for full reasons.

3.0 SITE HISTORY

Reference	Description	Outcome
14/0543/FUL	Erection of student accommodation comprising 211 student rooms (following demolition of existing buildings) and a commercial unit to be used for Class A1 food retail purposes, together with bicycle and car parking and associated infrastructure.	Approved subject to conditions.
14/1938/S73	Section 73 application to vary condition 2 of application 14/0543/FUL for substitution/addition of plans to permit amendments to be made to the scheme.	Approved subject to conditions.
15/1827/S73	S73 application to vary condition 2 of approval 14/1938/S73 for substitution/addition of plans to permit the erection of a single storey projection to the entrance to Block A.	Pending
15/2133/ADV	Installation of a fascia on elevation A (internally illuminated), a fascia on elevation B (side) (non illuminated) and a projecting sign on elevation A (front) of the building (internally illuminated).	Approved subject to conditions

4.0 PUBLICITY

4.1 This application is for a non-material amendment and there is no requirement to carry out any formal consultations for this type of application.

Advertisement: No
Adjoining Owners: No
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	3/4 3/6 3/7 3/11 3/12 3/14 3/15 4/11 4/12 4/15 6/7 6/8 6/10 8/2 8/4 8/5 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
Material Considerations	<u>City Wide Guidance</u> Cambridgeshire Design Guide For Streets and Public Realm (2007) The Cambridge Shopfront Design Guide (1997) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012) Mitcham’s Corner Area Strategic Planning

	and Development Brief (2003)
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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

Urban Design Team

- 6.1 It is considered that there are no material Urban Design issues with this proposal.

Conservation Team

- 6.2 It is considered that there are no material Conservation issues with this proposal.

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 third party representations have been received.
- 7.2 Councillor Robertson called in the application to committee. His comments are provided below:

At the August 2014 meeting which approved 14/0543 I pointed out the problem which will exist if the deliveries to the store are to a doorway on the right side of the store frontage. It is my belief that there should have been a dedicated delivery bay beside the store and that delivery in front of the store would be a problem. As that concept was however accepted, it is very important that as vans can only park facing north in the delivery bay, that goods transfer from the back of those vans immediately into the store and that means the delivery bay should be located on the left and not the right as shown on the plans attached to this new application. There is a risk that lorries will attempt to park at the far (north) end of the bay and block the pavement, because it will be so inconvenient to deliver from the back of the van to the far end of the front of the store.

7.3 *With regard to the bollards, we need to find a way to allow the shop to unlock them for deliveries and the wording of the meeting minutes does not appear to allow for that when they say “retained in perpetuity”. The wording should be very clear however that it will be a requirement that the bollards are re-erected and locked in place immediately after the delivery van has left.*

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

8.0 ASSESSMENT

8.1 The proposal is to replace two inward opening customer entrance doors at the ground floor retail unit, with an automatic sliding door. The double doors were approved as part of a planning permission reference 14/0543/FUL and the subsequent approved permission 14/1938/S73. The retail unit is part of a new student accommodation block at 1 Milton Road. The surrounding area is predominantly a mixed-use residential and commercial area with the Portland Arms public house adjacent to the site.

8.2 The proposed door would measure 1.5m wide and comprise of a single pane of glass. The Conservation and Urban Design Team considers there to be no Conservation and Urban Design material issues with the application.

- 8.3 Customers can access the convenience store via the main entrance off Milton Road. The store's service access is also off Milton Road, with a service drop off zone in front of the store.
- 8.4 Councillor Robertson has raised concerns with this application. He has requested that delivery vehicles only park facing north in the delivery bay and that goods transfer from the back of those vans immediately into the store. Councillor Robertson would prefer that the delivery bay be located on the left and not the right as shown on the plans. He has concerns that lorries will attempt to park at the far (north) end of the bay and block the pavement, because it will be inconvenient to deliver from the back of the van to the far end of the front of the store.
- 8.5 In response to Councillor Robertson's concerns, there are no conditions on the previous approvals (references 14/0543/FUL and 14/1938/S73) that specify the direction delivery vehicles should park in the delivery bay or that goods should be transferred immediately into the store. This application is a non-material amendment application and therefore its purpose is to consider whether the proposed amendment for the sliding doors is a material change or not. Whilst the concerns of Councillor Robertson are noted, the layout of the delivery bay has been agreed previously in permissions reference 14/0543/FUL and 14/1938/S73, and cannot be considered here.
- 8.6 The request that the bollards be re-erected and locked in place immediately after the delivery van has left is again noted. However, this suggested amendment would not fall within the scope of this non-material amendment application for the proposed sliding door.
- 8.7 I consider the proposal can be considered a non-material amendment as it is a minor alteration to the scheme approved under planning permission reference 14/0543/FUL and the subsequent approved permission 14/1938/S73, because it will not have a visual impact on the scheme and would not harm nearby residential amenities or highway safety.

9.0 CONCLUSION

- 9.1 It is considered that the proposed replacement of the inward opening customer entrance doors to an automatic sliding door is a non-material amendment because, it will not have a visual impact on the scheme and would not harm nearby residential amenities or highway safety.

10.0 RECOMMENDATION

APPROVE the proposed post-decision changes as non-material.

Application Number	15/2140/FUL	Agenda Item	
Date Received	16th November 2015	Officer	Michael Hammond
Target Date	11th January 2016		
Ward	Romsey		
Site	97 - 99 Burnside Cambridge Cambridgeshire CB1 3PA		
Proposal	Construction of 2 semi-detached dwellings following the demolition of existing garages		
Applicant	Mr & Mrs T Mullan Rivy Hill Barn Balsham Road Linton Cambridgeshire CB21 4LE United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is not considered to harm the character of the Conservation Area. - The proposal is not considered to harm the amenity of neighbouring occupiers. - The proposal is not considered to pose a threat to highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is comprised of land to the rear of nos.97-99 Burnside. There are currently two detached single-storey garages on the land and an access drive wraps around the application site to the rear of no.109 Burnside. The site is predominantly hard standing and is used for as parking by the existing dental practice which operates from nos.97-99 Burnside. The road of Burnside runs diagonally in a south-east

direction, parallel to the Cherry Hinton Brook. To the north and east of the site, properties are staggered in terms of their building line and distance from the road, whilst to the west of the site properties are orientated inwards facing onto the cul-de-sac of Natal Road. The surrounding area is predominantly residential in character with the majority of properties being two-storeys in height and semi-detached or terraced, although nos.57 and 58A Natal Road are distinctively different to this as they are single-storey bungalows.

- 1.2 The site falls within the Central Conservation Area
The site falls within Flood Zone 2.
The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the construction of two semi-detached dwellings following the demolition of the existing garages.
- 2.2 The proposed development would occupy a total footprint of approximately 84m². The proposed dwellings would be mirrored in terms of their internal layout and external appearance. The proposed dwellings would be designed on the north elevation with a steep sloping mono pitched roof, measuring 3.5m in height at its lowest point and 7m to the ridge. The south elevation would have a dual pitched roof measuring 4.8m to the eaves and 7m to the ridge.
- 2.3 The proposed north elevation would have ground floor kitchen windows and first-floor velux roof windows serving a bedroom/home office. The side elevations would act as the main entrances for each of the dwellings and there would be obscure glazed first-floor windows to serve each staircase. The south elevation would have French doors at ground floor level and French doors, incorporating Juliet balconies, at first-floor level.
- 2.4 The proposed dwellings would be designed in a combination of facing brickwork, cedar cladding and render. Each dwelling would have one dedicated parking space, cycle storage and bin storage. Each dwelling would have access to their own private garden measuring approximately 33m². An area of dedicated parking would be retained for the dental practice.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1142/FUL	Construction of two semi-detached dwellings following the demolition of existing garages	Withdrawn.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/11 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	Sustainable Design and Construction (May 2007)

Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The access way is not wide enough at the entrance to allow two motor vehicles to pass and this may result in vehicles waiting upon the public highway, or being forced back onto the public highway to allow another vehicle to egress.
- 6.2 Ideally the developer should widen the entrance to provide a 5 metre width for the first 10 metres of the access way (and this would appear feasible), however the existing use of the access has potential to generate similar levels of traffic to that proposed.
- 6.3 The Highway Authority therefore does not consider that the proposal would result in demonstrable significant detriment to highway safety, subject to conditions.
- 6.4 However, the access arrangements are less than ideal and so the Planning Authority may wish to consider whether this has an impact upon the amenity of future residents.

Environmental Health

- 6.5 No objection, subject to conditions.

Urban Design and Conservation Team

- 6.6 The application is not supported.
- 6.7 The layout of the pair of semi-detached houses does not respond to the local context. The existing pattern of development is of two storey properties facing Burnside with long, thin plots of land to the rear. Where there are structures in those rear gardens, they are generally garages, sheds or extensions which are ancillary to the main house. The character of the eastern end of Natal Road, which is outside the conservation area but adjacent to the site, differs in character in that there are single storey dwellings which fan out from a turning head.

- 6.8 The proposal for these dwellings is for them to be sited in the garden of nos. 97-103 and face north. This does not conform to the pattern of development and therefore the character of the conservation area or Natal Road and is therefore not supported.
- 6.9 Conservation comments on the previous application stated that if we were to support anything in this location it would need to conform to the pattern of development in the area and be of modern design over one and a half storeys. The proposal for the site is now one and a half storeys on the north elevation, but rising to a full two storeys to the rear. In form and materials it does not have the character of an outbuilding/studio as suggested in previous Conservation comments and therefore is not supported.
- 6.10 The smooth render for the walls is not a feature of the conservation area and therefore is not considered to be part of its character. To achieve an out building/studio character, it is suggested that a suitably positioned building would be constructed from brick, possibly with timber cladding under a slate roof.

Drainage Officer

- 6.11 The application is supported, subject to condition.

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

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations in objection to the application:

- 75 Burnside
- 95 Burnside
- 58 Natal Road

- 7.2 The representations can be summarised as follows:

- Increase in noise pollution
- Concerns regarding management of construction traffic.
- Impact on Highway safety

- Overdevelopment
- Overshadowing
- Overlooking/ Loss of Privacy
- Increase in noise and disturbance from use of properties
- Light pollution
- Increase in noise and disturbance during construction phase.
- Increase in traffic pressure
- Access by emergency services
- Concerns regarding waste disposal/ arrangements.
- Increase in off-street parking from visitor parking
- The ownership of the access drive is not clear.
- The proposal is contrary to Cambridge Local Plan (2014) policies 56, 57, 59 and 82.
- The proposal is situated within the Cambridge Airport Public Safety Zone which does not permit development which will increase the number of people living in this zone.
- The proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development.

7.3 The owner/ occupier of the following address has made a representation in support to the application:

- 30 Park Road, Chesterfield
- 93 Burnside
- 91 Burnside

7.4 The representation can be summarised as follows:

- The garden of no.95 Burnside is already overshadowed by this neighbours large trees and fence.
- The extension of no.95 may not be permitted development.
- The proposal will not overshadow no.95.
- The proposal will not overlook no.95.
- The Conservation Team's comments are not reasonable.
- Cambridge is in need of additional housing.

7.5 Councillor Baigent has made a representation in objection to the application. The representation can be summarised as follows:

- The backland development is an overdevelopment of the site and is intrusive on the surrounding houses.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 states, 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 and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).

8.5 The remaining criterion of policy 3/10 state that 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;

E) adversely affect trees, wildlife features or architectural features of local importance within or close to the site.

8.6 I consider that the proposal complies with the four criteria set out above 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)

Movement and Access

8.7 The only route to and from the site would be through the private road which wraps around the rear of properties between nos.97 – 109 Burnside. The western-most dwelling proposed, hereafter referred to as property no.1, would be accessed from the west side with the front door situated immediately adjacent to the proposed parking space. The eastern-most dwelling proposed, hereafter referred to as property no.2, would be accessed along the east side. The parking space proposed for this dwelling would be in the south-west corner of the site but there would be a gate which allows a more direct access from this parking space into the garden of this property. This would avoid the need for future occupiers to walk all the way back around the site to access the property.

8.8 The two properties proposed would have clear and logical routes out to each respective rear garden and would have their

own distinctive private outdoor space, as is characteristic of properties in this area. Cycle parking would be provided in the rear garden of each property and there would be straightforward routes of access out to the road of Burnside.

Layout

8.9 In justifying their objection to the proposed scheme, the Conservation Team has stated:

“The layout of the pair of semi-detached houses does not respond to the local context. The existing pattern of development is of two storey properties facing Burnside with long, thin plots of land to the rear. Where there are structures in those rear gardens, they are generally garages, sheds or extensions which are ancillary to the main house. The character of the eastern end of Natal Road, which is outside the conservation area but adjacent to the site, differs in character in that there are single storey dwellings which fan out from a turning head.”

8.10 In studying the context of the site, I do not agree with the reasoning provided by the Conservation Team and consider the proposal acceptable from a layout perspective. I set out my reasoning below.

8.11 Firstly, in studying the existing properties along Burnside, whilst I accept that these properties are set facing towards the road, I do not consider the building line or positioning of these dwellings is uniform in these respects. For example nos. 89 – 95 are set within 2-4m of the face of the street, while further to the south at nos.101 – 109 these properties are set between 12-30m back from the edge of the road. As a result, I do not consider there is a defined character in determining how far properties should be set back from the road.

8.12 Secondly, the properties of nos.1-3 Budleigh Close to the south of the application site are set at a right angle to the street which demonstrates that there is not a consistent approach to the orientation of properties in this area.

8.13 Thirdly, immediately to the west of the application site lies no.58a Natal Road which is comprised of a single-storey bungalow which is set a considerable distance from the road

itself and is effectively in isolation from the street scene. Whilst I note that this adjacent backland development is not within the Conservation Area boundary, I do not believe that this adjacent dwelling can be looked at independently when assessing the proposed dwelling given its proximity to the site and presence when studying the context. It is not reasonable to only compare the application proposal to that of the other properties along Burnside and disregard the more divergent character immediately adjacent to the site.

8.14 Finally, the application site, similar to no.58a Natal Road, would be relatively discreet in terms of its visual presence when viewed from public viewpoints. Given that the majority of the views from Burnside would be screened by the existing two-storey mass of properties along Burnside, I am not persuaded that the backland development layout would be harmful to the character of the area due to its limited visibility from public viewpoints.

8.15 To summarise, while I acknowledge that the development is at odds with the general layout of properties along Burnside, I consider the pattern of development in this area to be mixed and lacking a defined character, and that therefore it would not be harmful to the character of the Conservation Area.

Scale and massing

8.16 The Conservation Team is also unsupportive of the overall scale and massing of the scheme:

“The proposal for the site is now one and a half storeys on the north elevation, but rising to a full two storeys to the rear. In form and materials it does not have the character of an outbuilding/studio as suggested in previous Conservation comments and therefore is not supported.”

8.17 I believe that the site is situated in a transitional position in relation to built-form, whereby it has single-storey buildings to the south and south-west, and two-storey buildings to the east and north-east. In my opinion, the approach taken by the applicant in this case is a sensitive and modulated attempt to respond to these two contrasts by providing a building which rises from one-and-a-half storeys up to a two-storey form. The one-and-a-half storey form would be set to the north of the site,

where the building would be most visible from oblique views next to the existing access drive from Burnside, whilst the two-storey form would culminate further to the south where it is more discreet and shielded by the two-storey mass of the existing properties along Burnside.

- 8.18 In consideration of the above, I am of the opinion that the proposed scale and mass would not appear out of character with the area, due to a combination of the overall design approach and the sites limited visibility from the public realm of the site.

Open Space and Landscape

- 8.19 The existing garage building and hard-standing/ gravel on-site is not considered to be a positive characteristic in the area. The proposal would replace a reasonable proportion of this hardstanding/ gravel with turfed gardens which I consider would be an improvement in terms of increasing the levels of greenery in this area. The drainage officer has recommended a condition relating to surface water drainage and this has been attached accordingly.

Elevations and Materials

- 8.20 The proposal has been deliberately designed to be subservient and conservative in its design with render brickwork and cladding. This has been done so as to reduce its visual prominence from the street and soften its impact on the character of the area. Consequently, the appearance of the building itself would not be conspicuous due also to its position at the rear of the site.
- 8.21 The proposed building does provide a degree of active frontage along the access road from the proposed north facing kitchen windows at ground-floor level. The velux windows serving the north-facing bedrooms would provide users of the access road with the perception of active surveillance, although in practical terms the views from these windows down below would be limited due to the position of these windows in the plane of the roof. The proposed building would have a pitched roof and does have the appearance of being residential in its function due to the rhythm of windows and position of entrance doors on the sides of the building.

8.22 The upper-floors of the dwellings would be designed in cedar cladding and would help reduce the visual massing of the proposal when viewed from the limited views along Burnside. It is acknowledged that the Conservation Team has raised concerns with the proposed use of smooth render which they consider to be out of keeping with the character of the area. In studying the materials in the surrounding area, I can confirm that there are no other instances of render in the general vicinity. However, for the reasons set out in the preceding paragraphs of this report, I do not consider the proposed dwellings need to necessarily conform to the buildings in the wider area. The proposal is clearly unique and detached from the defined character of the properties along Burnside and so I believe that there is scope to use alternative materials in this instance. If, however, the proposal was set facing the street and more prominent within the street scene then I think it would be expected for the proposal to take characteristics from those properties immediately adjacent. As this is not the case, I am of the opinion that the use of render combined with other materials is acceptable in this circumstance.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.24 From the third party representations and in the studying the site context, I consider that the properties most likely to be affected by the proposed development are nos.95 – 103 Burnside and 58a Natal Road. I have assessed the impact on each of these properties in turn below.

Impact on no.95 Burnside

8.25 No.95 Burnside is comprised of a two-storey semi-detached property situated immediately to the north-east of the application site. This neighbour has rear (west) facing windows at both ground and first-floor which all serve habitable rooms and need to be considered. This neighbour also has its garden immediately to the north of the site, with a separation distance of just under 6m between the north wall of the proposed

building and the boundary of this neighbour's garden. This neighbour has raised objections concerning loss of light and loss of privacy. Other concerns have been raised but these have been addressed later in this report.

8.26 Firstly, in terms of loss of privacy, I do not believe the proposed dwellings would harmfully overlook this neighbouring property. At ground-floor level, there would be kitchen windows which face out to the north towards this neighbour. However, the views from this window would be looking onto the fence of no.95 and would not have a clear view into the garden or rear ground-floor windows of this neighbour. The views from these windows out towards the first-floor window of no.95 would be oblique due to the position of this neighbour's first-floor window set away further to the east. The proposed velux rooflights in the roof would be set above 1.5m from the floor level of the first-floor bedrooms. Provided these rooflights are higher than 1.7m from floor level, the proposed bedrooms would not harmfully overlook the garden or rear windows of this neighbour. Therefore, I have recommended a condition to require that these windows are set 1.7m above finished floor level which, in my opinion, would prevent any direct overlooking of this neighbour.

8.27 Secondly, in terms of visual enclosure and dominance, I consider the proposal will not appear overbearing from the garden or rear windows of this neighbour. No.95 is orientated at a right angle to the proposed building and so the existing views directly out to the west from these windows will not be interrupted by the proposed development. There will be oblique views of the proposal from the ground-floor windows of no.95, but, given that the centre of these windows will be over 6m from the physical built form of this development, and face out away from the direction of the application site, I do not deem that the proposal will be visually dominant. The proposal would be visible from the peripheral view from the rear-first floor window of no.95. However, as the view out to the west of this window would remain as is, and the proposal is set over 11m at an angle away from this window, I do not consider the outlook would be harmfully enclosed. The view out to the west from the garden would not be affected by the proposed development. When looking out to the south from this neighbouring garden, the proposal would clearly be visible due to its one-and-a-half to two-storey form and distance from the boundary. Nevertheless,

the roof form would be at its lowest height of 3.5m closest to this neighbour's garden and would then gradually slope away to its peak height of 7m further away from the neighbour's garden. As a result, I do not consider the outlook from this garden would be significantly enclosed by the proposed development.

- 8.28 Finally, in consideration of overshadowing, the proposal is situated immediately to the south of this neighbour's garden and so an assessment as to the impact of overshadowing needs to be made. The applicant has provided shadow diagrams with the application to demonstrate the likely effect of overshadowing. I have assessed each equinox in turn below:

Winter equinox (December 21st)

- 8.29 In the winter, when the sun is at its lowest point, a fair amount of no.95's garden would already be in shadow due to a combination of the existing single-storey building on the site and the 1.9m high fence of this neighbour's boundary. There would be some increase in shadows cast over the latter half of the garden around 10:00hrs, as well as some overshadowing of the nearest rear ground-floor window between roughly 14:00 – 15:40hrs. At around 12:00hrs, the shadow cast over the garden is unlikely to be significantly different to that already caused by the garden fence along the boundary of this neighbour.

Vernal equinox (March 21st)

- 8.30 The levels of light reaching this neighbour during the vernal equinox would remain for the vast majority of the day largely unaffected. There may be a slight increase of overshadowing over the rear ground-floor window of this neighbour but this would not be significantly different to that of present.

Summer equinox (June 20th)

- 8.31 The levels of shadow cast during the summer months would not impact on the amenity of this neighbour due to the height of the sun's path during this equinox cycle.

Autumn equinox (September 22nd)

- 8.32 The levels of overshadowing predicted during the autumn equinox is anticipated to be similar to that of the vernal equinox.

8.33 In conclusion, I consider that the only noticeable difference that will likely be experienced at this neighbour would be during the winter equinox where there would likely be a degree of overshadowing of the main rear windows in the afternoon hours. Therefore, in assessing the impact on this neighbour, I do not believe the levels of light lost would be so significant as to warrant refusal of the application. The overshadowing caused by the proposed development would be limited to a relatively limited period of time and the amount of light received at this neighbouring property for the vast majority of the year would not be detrimentally impacted by the proposal.

Impact on nos.97-99 Burnside

8.34 Nos. 97-99 is comprised of a two-storey dental surgery practice situated immediately to the east of the application site.

8.35 In terms of overshadowing, I am confident that the proposal will not harmfully overshadow this neighbour. There would only be a very minor loss of light over the rear car park area in the late afternoon hours during the winter months.

8.36 There would be a separation distance of over 15m between the rear wall of this business and the proposed dwelling and so I am of the opinion that the proposal will not be perceived as visually enclosing from this adjacent business.

8.37 There would be no overlooking opportunities out towards this neighbour and so I do not consider there will be any loss of privacy experienced as a result of the proposed scheme.

Impact on nos.101-103 Burnside

8.38 Nos.101-103 Burnside are comprised of a semi-detached and terraced property situated to the south-east of the application site.

8.39 There would be a separation distance of over 18m from wall-to-wall between the proposed building and these neighbouring properties and I consider the proposal will not visually dominate outlooks from these neighbouring properties. In addition to this, as these neighbours are situated to the south-east of the site, I am also confident that there will not be any significant levels of light lost at either of these neighbours.

8.40 In terms of overlooking, there would be views facing out to the south at first-floor level from the Juliet balconies of the proposed bedrooms which would offer oblique outlooks of the latter part of these neighbours gardens. However, given the limited angle of these views, I do not believe the views across this garden would be any worse than the existing rear outlooks of nos. 101-103 where there is a mutual sense of overlooking between gardens.

Impact on no.58a Natal Road

8.41 No.58a Natal Road is formed by a single-storey bungalow situated directly to the west of the application site. The only windows on the side (east) elevation serve non-habitable rooms and do not have any meaningful outlook to the east due to the high fence which blocks views out in this direction. The main outlooks for this neighbour are situated on the south, west and north elevations. As a result, I do not believe the proposal will have any harmful impact on this neighbouring property.

Noise and disturbance

8.42 In terms of comings and goings, I do not consider that an additional two vehicles entering and leaving the site from Burnside would increase levels of noise and disturbance to such an extent as to adversely impact neighbour amenity. The site is situated in a residential area and the proposed gardens would back onto the existing gardens to the south along Burnside. Therefore, I do not consider that people using this outdoor space would be of a significantly greater noise than that of present.

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, 3/7, 3/10 and 3/12.

Amenity for future occupiers of the site

8.44 The proposal would provide 2no. two-bedroom dwellings each with approximately 33m² of garden space and all habitable rooms would have adequate outlooks. Each dwelling would have secure cycle storage and one car parking space. The site is situated in a sustainable location and is close to cycle routes

into the city and the nearby Mill Road District Centre to the west.

- 8.45 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

- 8.46 The application indicates that waste storage would be situated on the north side of the building with a relatively straightforward route out to Burnside on collection days. I consider this approach to refuse arrangements to be acceptable.
- 8.47 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.48 The existing access road is relatively narrow but is already in use by other properties along Burnside. I do not consider the additional two vehicles regularly using this would be significantly worse than the vehicle movements of present. The Highway Authority has not raised any objection to the application, subject to conditions, and I agree with this advice.
- 8.49 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.50 Each dwelling would have one car parking space which is in accordance with the maximum parking standards of the Local Plan (2006). There would still be space at the rear of nos.97-99 for staff parking for the dental surgery which could accommodate up to four car parking spaces, similar to that of present.
- 8.51 Each dwelling would have access to two cycle parking spaces which would be provided in a secure covered store in each of the gardens which is considered acceptable and in accordance with the minimum standards of the Local Plan (2006).

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

Third Party Representations

8.53 The table bellows provides a response to the relevant third party representations raised:

Point	Response
Increase in noise pollution Increase in noise and disturbance from use of properties Increase in traffic pressure	See paragraph 8.42. The site is situated in a residential area and would be used in a residential manner. I do not consider the movement of people going to and from the site, given the level of development proposed, to be so great as to be significantly worse than that of present. I do not consider an additional two-vehicular movements would drastically increase traffic pressure in the area.
Concerns regarding management of construction traffic.	The Highway Authority has recommended a traffic management plan condition to manage construction traffic.
Impact on Highway Safety	See paragraph 8.50
Overshadowing	See paragraphs 8.28 – 8.33
Overlooking/ Loss of Privacy	See paragraph 8.26
Increase in off-street parking from visitor parking	The level of car parking is in accordance with the maximum standards of the Local Plan (2006). The site is situated within close proximity to public transport and cycle routes and I do not believe the future occupiers will be dependent on private car as the sole means of transport to and from the site.
Light pollution	I do not believe that lighting

	from windows will be a significant threat to neighbour amenity due to the residential use of the site.
Access by emergency services	This is a building control matter and not a planning consideration. Given the distance from the public highway it is understood a sprinkler system would need to be installed in the rear garden.
Concerns regarding waste disposal/ arrangements.	A condition has been recommended to control the waste arrangements.
The ownership of the access drive is not clear.	This is not a planning consideration and is a legal/ civil matter.
The proposal is contrary to Cambridge Local Plan (2014) policies 56, 57, 59 and 82.	See paragraph 5.4.
The proposal is situated within the Cambridge Airport Public Safety Zone which does not permit development which will increase the number of people living in this zone.	The proposal is situated to the south of this zone and is therefore not within this zone. This is not applicable to this application.
The proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development.	This national policy is no longer used in the determination of planning applications and was superseded by the NPPF (2012).

Planning Obligations (s106 Agreement)

8.54 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.

- 8.55 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.
- 8.56 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, I consider the proposal would not harm the amenity of neighbouring occupiers and would not detrimentally impact on the character of the Conservation 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. 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 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

7. Prior to commencement of development details of flood resilient and resistant measures are to be supplied to and agreed in writing with the local planning authority and the finished flood level of the development shall be set no lower than 8.610m A.O.D. The development shall be carried out in accordance with the approved details and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To minimise flood risk.

8. 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

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

Reason: In the interests of highway safety.

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

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

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

Reason: To prevent surface water discharging to the highway.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

14. 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

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

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Application Number	16/0010/FUL	Agenda Item	
Date Received	5th January 2016	Officer	Michael Hammond
Target Date	1st March 2016		
Ward	Trumpington		
Site	122 Foster Road Cambridge Cambridgeshire CB2 9JP		
Proposal	Conversion of dwellinghouse to two flats; single storey rear and side extensions; roof extension; rear dormer Juliet Balcony and demolition of existing outbuilding.		
Applicant	Mr A McIlmoyle 122 Foster Road Cambridge Cambridgeshire CB2 9JP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would not adversely impact on the amenity of neighbouring properties. - The proposal would provide a high quality living environment for future occupiers. - The proposal would not harm the character of the area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.122 Foster Road, is comprised of a two-storey terraced property situated on the east side of Foster Road. The site has two on-site parking spaces at the front of the site and there is a covered side passage which leads out onto a long rear garden. The surrounding area is residential in character and is formed predominantly of two-storey semi-

detached and terraced properties set linear to the pattern of the road.

1.2 There are no site constraints.

2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for the sub-division of the existing dwelling house into two flats. The proposal also seeks planning permission for the following works:

- Single storey rear extension, projecting 7.5m out to the rear with a pitched roof measuring 2.5 to the eaves and 3.75m to the ridge. There would also be a small open courtyard area adjacent to the original house.
- Roof extension incorporating a dual pitched type dormer including a juliet balcony.
- Demolition of the existing outbuilding.

2.2 Each proposed flat would have its own entrance, with flat no.1 being accessed along the side passage and flat no.2 accessed from the front door. Cycle and bin storage would be provided externally down the side passage for flat no.1, whilst flat no.2 would have internal cycle storage, with bins kept outside the front of the property. Flat no.1 would occupy the vast majority of the ground-floor and would have two bedrooms. Flat no.2 would be situated on the first and second floors with two bedrooms. The garden would be sub-divided so that each dwelling has their own private outdoor amenity area.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1048/FUL	Conversion of dwelling house to 2 flats; single storey rear and side extension; roof extension; rear dormer; juliet balcony and demolition of existing out building.	Withdrawn.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes

Site Notice Displayed: No

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14 4/13 5/1 5/2 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 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 condition.
- 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:

- 120 Foster Road
- 124 Foster Road

7.2 The representations can be summarised as follows:

- Concerned that the dormer roof may not be sound proof or watertight.
- Concerned about the outbuilding being altered and making good of this.
- The house is better suited for a young family and not residential flats.
- The approval of this would set a precedent for other similar developments along Foster Road.
- Insufficient parking for future occupiers
- Loss of light
- Noise and disturbance
- Construction noise and disturbance.

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

8.0 ASSESSMENT

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 Policy 5/2 of the Local Plan (2006) states that the conversion of single residential properties and the conversion of non-residential buildings into self-contained dwellings will be permitted except where:

- a) The residential property has a floorspace of less than 110 square metres;
- b) The likely impact upon on-street parking would be unacceptable;
- c) The living accommodation provided would be unsatisfactory;
- d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
- e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.4 Each of the criteria of this policy has been addressed in turn below:

a) The residential property has a floorspace of less than 110 square metres

8.5 The combined floor area of the application site is well above 110m².

b) The likely impact upon on-street parking would be unacceptable

8.6 It is acknowledged that a concern has been raised regarding the lack of car parking available to future occupiers. The existing parking arrangements would not be altered as a result of the proposed works. Each dwelling would have one car parking space available on-site. This is in accordance with the maximum of parking standards of the Local Plan. I do not consider that the proposed change of use would drastically increase levels of on-street car parking to such a degree as to harm residential amenity in the wider area. There is a bus stop less than 50m to the north of the site and the Trumpington guided busway stop is less than 250m to the east. Each dwelling would have sufficient cycle storage and so given the sustainable transport credentials of the site in relation to public transport and cycle routes, I consider the dependency on car parking will be reduced. Overall I do not consider the impact upon on-street parking would be unacceptable.

c) The living accommodation provided would be unsatisfactory

- 8.7 All habitable rooms of each proposed dwelling would have acceptable outlooks and each dwelling would be afforded approximately 100m² of private outdoor amenity space. The Trumpington Local Centre would be within 600m to the west of the site and there would be excellent public transport and cycle routes into the city centre. Each dwelling would have access to sufficient car parking and cycle storage. To summarise, I consider the living accommodation for future occupiers would be satisfactory.

d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking

- 8.8 Flat no.1 would have two cycle spaces outside the side entrance but these spaces would be hidden from public viewpoint. Flat no.2 would have three cycle spaces internally which is supported. These levels meet the minimum standards of the Local Plan. However, no details as to the type of storage to be used have been provided. Therefore a condition has been recommended to ensure that these cycle spaces are secure and lockable.

- 8.9 Bin storage for flat no.1 would be provided outside the side entrance with a clear and legible route out to the front of the property for collection days. Bin storage for flat no.2 would be positioned outside the front of the building. There are other properties along this street with refuse storage visible from the street scene and so I do not consider this arrangement will appear out of character with the area.

e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

- 8.10 The site is situated in a residential area and so I do not consider the nearby land uses or site itself would result in an unsatisfactory level of residential amenity for future occupiers of the proposed dwelling.
- 8.11 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/2 of the Local Plan (2006).

Context of site, design and external spaces

- 8.12 The proposed physical works for the extensions and alterations would all take place on the rear and side elevations and so would not be visible from Foster Road. The proposed works would be visible from long views along the footpath which runs to the rear of the site.
- 8.13 The proposed single-storey rear extension, by virtue of its modest scale and design, is not considered to be out of character with the surrounding area. There are several other examples of single-storey rear and side extensions along Foster Road and I do not consider this will appear visually prominent or out of keeping with the wider area.
- 8.14 The proposed roof extension and dormer would be designed with a dual pitched roof appearance which would help break up its visual massing. There is also a full width box-type dormer at no.120 Foster Road immediately to the south of the site. As the site is not within the Conservation Area, a full width box type dormer in this location would not normally require planning permission and the proposed design is only marginally outside these limits. Therefore, I do not consider the proposed roof extension and dormer would harmfully detract from the character of the area and is acceptable.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The main consideration from a residential amenity perspective is the impact on the two adjacent properties at nos.120 and 124 Foster Road.

Impact on No.120 Foster Road

- 8.17 No.120 Foster Road is comprised of a two-storey terraced property situated immediately to the south of the site. This neighbour currently shares an outbuilding with the application site and half of this outbuilding would be demolished as a result of the proposed works.

8.18 The existing outbuilding to the rear of no.120 effectively blocks any outlook from rear ground-floor windows out towards the application site, due to its mass and positioning, and so I do not consider the proposed works would visually enclose this neighbour. The position of this neighbour directly to the south of the site also prevents any harmful loss of light. The views across the garden of no.120 from the rear dormer windows of the proposal would be relatively similar to that of the existing first-floor rear windows. As a result, I do not consider the privacy of this neighbour would be compromised by the proposed development.

8.19 In terms of noise and disturbance, I do not consider the movement of people along the side passage would be so frequent as to cause a significant noise disturbance to this neighbour. There are no habitable windows facing directly onto the side passage from no.120. The movement of people going out into the gardens would be predominantly blocked by the single-storey outbuilding of no.120.

Impact on no.124 Foster Road

8.20 No.124 Foster Road is comprised of a semi-detached property which is situated immediately to the north of the site.

8.21 Firstly, in terms of overlooking, I do not consider the proposal would compromise the privacy of this neighbour. The views from the dormer across the garden would be relatively similar to that of the existing rear first-floor windows and so I consider this to be acceptable.

8.22 Secondly, in respect of visual enclosure, while I appreciate that the proposal will be visible from the garden and adjacent rear ground-floor window of no.124, I do not consider its visual appearance would be so great as to be overbearing. The proposed extension has been carefully designed so that the first 2.4m of the extension is set away from the boundary to create an internal courtyard area. I consider that this would give the perception of a degree of space between the proposed extension and the adjacent ground-floor window, sufficient enough to prevent this outlook from being hemmed in. The applicant has also provided a drawing to show the comparison between an extension which could be undertaken under the

applicants permitted development rights and that of the proposed scheme. This demonstrates that a sizeable extension immediately adjacent to this neighbour's window could take place which would arguably be more oppressive than that of the proposed scheme. In my opinion, I believe the use of the internal courtyard successfully avoids the scheme harmfully enclosing this outlook. The latter part of the extension would be visible from the garden, but, as this garden has an open outlook out to the east and north which would be uninterrupted, I do not consider the remainder of the extension would dominate the garden outlook. Furthermore, the eaves of the extension would be 2.5m high which is not considered to be a significantly high eaves level for an extension. In addition, the roof would be pitched to create a gable end which would have a ridge height of 3.75m which would then slope down on each side to 2.5m. This would help break up the massing when viewed from the garden and rear window.

- 8.23 Thirdly, concerns have been raised from this neighbour regarding the potential loss of light that the proposal would cause. The proposed extension is situated immediately to the south of this neighbour and so the impact of overshadowing needs to be assessed. The proposed extension will inevitably lead to a degree of overshadowing in the late morning hours over the garden. However, the levels of light reaching the neighbouring living window will, in my opinion, not be significantly affected by the proposed extension. The internal courtyard will still allow a reasonable amount of the existing light that this neighbour received to filter through to this window, and given the modest eaves height and use of pitched roof, I consider that the impact will not be so harmful as to warrant refusal of the application.
- 8.24 Finally I do not consider the proposal would lead to a significant increase in noise and disturbance to this neighbouring property over and above the existing residential occupation. The gardens would remain in use in a residential capacity and there would be no frequent movement along the boundary of this neighbour.
- 8.25 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

- 8.26 All habitable rooms of each proposed dwelling would have acceptable outlooks and each dwelling would be afforded approximately 100m² of private outdoor amenity space. The Trumpington Local Centre would be within 600m to the west of the site and there would be excellent public transport and cycle routes into the city centre. Each dwelling would have access to sufficient car parking and cycle storage. A condition has been attached to ensure that the parking space outside the front of bedroom no.1 of flat no.1 on the ground-floor is only used by this property. This would prevent the occupier of this bedroom being disturbed by car lights entering and exiting this car parking space as it would only be used by the same occupier. To summarise, I consider the proposal would provide a high quality living environment for future occupiers.
- 8.27 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Refuse Arrangements

- 8.28 The proposed refuse arrangements are considered acceptable for the reasons set out in paragraph 8.9 of this report.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

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

Car and Cycle Parking

- 8.32 For the reasons set out in paragraph 8.6 of this report, the approach to car parking is considered acceptable.

8.33 For the reasons set out in paragraph 8.8 of this report, the approach to cycle parking is considered acceptable, subject to condition.

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

Third Party Representations

8.35 The majority of the concerns have been addressed in the main body of this report.

8.36 In response to the concern regarding construction noise, a construction hours condition has been recommended to control the hours of construction.

8.37 The concerns regarding the sound and water proofing of the dormer is a building control matter and not a planning consideration.

8.38 The concern regarding the making good of the outbuilding wall following demolition is a building control/ civil matter and not a planning consideration.

8.39 There is no policy to control the end user of the house and there is no requirement for this house to be solely available for a young family.

8.40 The approval of this permission would not set a precedent and any future application for a similar type of project would be assessed on its own merits.

Planning Obligations (s106 Agreement)

8.41 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.

- 8.42 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.

- 8.43 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 I believe the proposed sub-division of the existing property would provide a high quality living environment for future occupants and would not significantly harm the amenity of neighbouring properties. 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. 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 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)

5. The car parking space labelled '2' on drawing no.3318/05A, shall be used solely by the future occupants of the ground floor flat (flat no.1) hereby approved by this permission. The car parking space shall be retained for use by the future occupants of this new dwelling unless otherwise agreed in writing by the local planning authority.

Reason: To provide a high quality living environment for future occupiers (Cambridge Local Plan policies 3/4 and 3/14).