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Cambridge City Council

Planning

Committee Members: Councillors Hipkin, Blencowe, Gawthrope, Hart, Nethsingha, Pippas, Tunnacliffe and Smart

Alternates: Councillors Bird, Holland and Holt

Published & Despatched: Monday, 23 May 2016

Date: Wednesday, 1 June 2016

Time: 10.00 am

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

Contact: Toni Birkin

9.15 to 9.55am Member Only Briefing Committee Room One
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AGENDA

1 ORDER OF AGENDA

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

- **PART ONE**
Major Planning Applications
Start time: 10am
- **PART TWO**
Minor/Other Planning Applications
Start time: 1.00pm
- **PART THREE**
General and Enforcement Items
Start time: At conclusion of Part Two

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

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

2 APOLOGIES

3 DECLARATIONS OF INTEREST

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

4 MINUTES

Minutes of the meetings of the 6 and 27 of April 2016 to follow.

Appendix 1 for Full Details of Central Government Planning Guidance

Part 1: Major Planning Applications (10am)

5 15/2350/FUL - CROSSWAYS GARDENS (*Pages 17 - 58*)

6 16/0286/S73 - 32 - 38 STATION ROAD AND ADJACENT LAND (*Pages 59 - 100*)

7 15/2271/FUL - JUPITER HOUSE, 10 STATION ROAD (*Pages 101 - 152*)

8 16/0215/FUL - ST JOHN'S INNOVATION PARK, COWLEY ROAD (*Pages 153 - 208*)

Part 2: Minor/Other Planning Applications 1.00pm

9 16/0001/FUL - LOCK HOUSE, JESUS GREEN (*Pages 209 - 232*)

- 10 **16/0002/LBC - LOCK HOUSE, JESUS GREEN** (*Pages 233 - 242*)
- 11 **16/0317/FUL - 36 NEWNHAM ROAD** (*Pages 243 - 256*)
- 12 **15/1859/FUL - 307 MILL ROAD** (*Pages 257 - 286*)
- 13 **15/0555/FUL - CASTLE COURT, CASTLE PARK** (*Pages 287 - 318*)
- 14 **16/0278/FUL - 65 ABERDEEN AVENUE** (*Pages 319 - 336*)
- 15 **16/0193/FUL - 34 LYNDEWODE ROAD** (*Pages 337 - 348*)
- 16 **16/0211/FUL - 73 SEDGWICK STREET** (*Pages 349 - 382*)
- 17 **16/0062/FUL - ADJ 150 CATHARINE STREET** (*Pages 383 - 394*)

Part 3: General and Enforcement Items
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- 18 **UPDATE REPORT ON S106** (*Pages 395 - 398*)

Meeting Information

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

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

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

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

**Local
Government
(Access to
Information)
Act 1985**

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

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

These papers may be inspected by contacting Head of Planning Services (01223 457103) in the Planning Department.

**Development
Control
Forum**

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

**Public
Participation**

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

Members of the public who want to speak about an

application on the agenda for this meeting may do so, if they have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the day before** the meeting.

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

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

Further information is available at

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

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

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

Representations on Planning Applications

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

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

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

representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

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

**Filming,
recording
and
photography**

The Council is committed to being open and transparent in the way it conducts its decision making. The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

**Facilities for
disabled
people**

Level access to the Guildhall via the Peas Hill entrance.

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

Accessible toilets are available on the ground and first floor.

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

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

**Queries on
reports**

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

**General
Information**

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

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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)

Agenda Item 5

PLANNING COMMITTEE

Date: 1st June 2016

Application Number	15/2350/FUL	Agenda Item	
Date Received	21st December 2015	Officer	Michael Hammond
Target Date	21st March 2016		
Ward	Trumpington		
Site	Crossways Gardens Cambridge Cambridgeshire CB2 9JT		
Proposal	Construction of part two and part three storey block to create ten new apartments, , including alterations to parking layout and soft landscaping works, within the existing Crossway Gardens complex.		
Applicant	C/O Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposal would not adversely impact on the amenity of neighbouring properties.- The proposal would not lead to a significant increase in on-street parking in the surrounding area.- The proposed development would respect the setting of the adjacent building of local interest and would not harm the character or appearance of the Conservation Area.- The proposal would provide a high quality living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, Crossways Gardens, is comprised of a large three-storey block of residential flats which has been recently renovated. The front (north) of the site, adjacent to Anstey Way, is formed of soft landscaping whilst the rear of the site is predominantly hardstanding car parking. The building is designed in brick with high levels of glazing and has a slate hipped roof.
- 1.2 To the west of the site lies Crossways House and the Wickets which are also three-storeys in height and serve as residential flats. There is a thatched semi-detached cottage immediately to the south of the site at 105 and 107 High Street which is a Building of Local Interest (BLI). The row of two-storey terraced properties at nos.10 to 20 Foster Road is to the east of the site with the gardens of these properties backing on to the application site.
- 1.3 The Trumpington Conservation Area is situated immediately to the south and west of the application site. The site does not fall within the Conservation Area. Nos.105-107 High Street is a BLI.

2.0 THE PROPOSAL

- 2.1 The proposal, as amended, seeks planning permission for the construction of a two-and-a-half storey building to accommodate ten new additional dwellings. The proposed layout of the building would be arranged as follows:

Floor	Number of bedrooms
Groundfloor	4
First-floor	4
Second-floor (roof space)	2

- 2.2 The proposed building would occupy a footprint of approximately 225m² in part of the rear car parking area of Crossways Gardens. The proposed building would measure approximately 5.5m to the eaves and 9.15m to the ridge at its highest point. The proposed building would be designed in a combination of heather/ grey facing brickwork and Anglesey buff brickwork. The building would have a hipped concrete tiled roof.

- 2.3 The application would also seek to return much of the space around the proposed building to soft landscaping in place of the existing hardstanding. The existing uncovered cycle racks which are situated on the northern-most car parking spaces would be removed and a new secure covered cycle shelter would be erected to the east of the proposed building. This proposed cycle store would accommodate 54 spaces and the proposed block plan demonstrates that 10 additional spaces could be provided at the front of the site for visitor parking. A detached refuse store would be provided immediately to the north-west of the proposed building.
- 2.4 The proposal has been amended from the original submission to show the following changes:
- Reduction in scale/ mass of building from three-storey to two-and-a-half storey.
 - Reduction in number of proposed units from 11 to 10.
 - Removal of second-floor balcony/ terrace
 - Introduction of angled windows and velux windows to replace regular windows on south elevation.

3.0 SITE HISTORY

Reference	Description	Outcome
12/1279/FUL	Internal alterations to create 3 additional dwellings in the roofspace (2 one bedroomed flats and 1 three bedroomed flats), external alterations and construction of new car parking spaces.	Permitted.
12/1134/FUL	Internal alterations to create 6 additional dwellings (6 studio apartments), external alterations and construction of new parking spaces	Permitted.
12/0681/CL2PD	Application for a certificate of lawfulness under Section 192 for unrestricted use as a mix of 42 separate self contained private residential flats and studio apartments (C3).	Certificate Granted

C/94/0007	Extensions to elderly persons home (direction of single-storey entrance extension in addition of pitched roof to building).	Permitted.
C/70/0628	Erection of shelter for invalid carriage in existing car park	Unknown.
C/68/0064	Erection of 3 storey building to provide 33 single and 6 double flats for elderly persons with Warden accommodation	Permitted.
C/67/0160	Erection of flatlets for old people together with commercial accommodation, Wardens flat, car parking and site works	Permitted.
C/66/0385	Erection of 10 shops with flats and 8 houses	Refused.
C/66/0181	Erection of 10 shops with flats and 8 houses - Anstey Way	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 4/4 4/11 4/12 4/13 5/1 8/2 8/4 8/6 8/10 8/16

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Trumpington Conservation Area Appraisal (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)

Original Comments (30/12/2015)

- 6.1 The applicant must provide a short Transport Statement explaining, inter alia, any changes in traffic generation (all mode) and parking demand resultant from the proposal.

Comments on Transport Statement (30/12/2015)

- 6.2 The applicant has now provided a statement regarding parking demand and, whilst this has proven generally useful it refers to residents applying for permits to park within the site.
- 6.3 As parking is free on the surrounding streets, I need to verify whether or not the permit system would act as a deterrent to a resident applying and so need to know whether there is a charge for applying or administering the permit and, if so, how much.

Comments on Parking Permits (14/01/2016)

- 6.4 The information provided addresses the Highway Authority's concerns and validates the information previously provided.

Cambridgeshire County Council (Growth & Economy Team)

- 6.5 There is no basis to seek developer contributions for; education, libraries or strategic waste. This is because the development is not expected to accommodate many, if any children and so any children that do arise from the development would be provided for through existing provisions. The development would be served by the new library at Clay Farm, and would not require expansion as a result of this development. The Council has pooled 5 S106 agreements for the Cambridge area and therefore cannot seek any further contributions to expand strategic waste provision. Any waste will be mitigated through existing provisions.

Refuse and Recycling

- 6.6 No objection.

Urban Design and Conservation Team

Original Comments (19/01/2016)

- 6.7 The submitted scheme cannot be supported in design and conservation terms. The height and proximity of the proposed block to the southern site boundary will result in overbearing and overlooking impacts to the BLI (No. 105 Trumpington High Street) and its rear garden and will notably compromise its setting. The fact that the Conservation Area is drawn around the land at 105 and 107, and that the properties themselves are BLIs, indicates an historically significant part of Trumpington which should be protected. The large expanses of brickwork and flat roofs form a poor relationship with Crossways Gardens.

Comments on Amended Scheme (04/02/2016)

- 6.8 The amendments have addressed previous concerns relating to scale and massing, overlooking and overbearing impacts to No. 105 Trumpington High Street. A shadow study should be provided in plan view to determine the level of overshadowing to the shared amenity space to the south of Crossways Gardens. The location of the cycle store should be agreed with Arboricultural and Landscape colleagues given the potential for impacts to the retained tree. Proposed boundary treatment

(separating the private thresholds) and materials should be conditioned.

Comments on Shadow Study Assessment (29/02/2016)

- 6.9 A shadow study assessment has been provided to demonstrate the level of overshadowing to the shared amenity space to the south of Crossways Gardens. Drawings 16-02 and 16-03 confirm that the proposed block would not cast shadows over the communal amenity space or existing building on the 21st March or 21st June equinox. A limited amount of overshadowing occurs on the 21st December plan (drawing 16-04), however this is limited to a small proportion of the amenity space and ground floor accommodation. The level of overshadowing is acceptable in design terms and would not result in adverse amenity impacts to existing residents within Crossways Gardens.

Senior Sustainability Officer (Design and Construction)

- 6.10 To conclude, while the general approach to renewable energy is supported further detail in relation to carbon calculations is required. I would encourage the applicant to go further in relation to some aspects of sustainable design and construction, notably in relation to water efficiency and the responsible sourcing of materials. A key area where more information is required prior to determination of the application is in relation to the Surface Water Drainage Strategy for the site. Until this information is submitted and advice sought from the Council's Sustainable Drainage Engineer, I am unable to give this application my full support. Renewable energy conditions recommended.

Cambridgeshire County Council (Lead Local Flood Authority)

Original Comments (01/03/2016)

- 6.11 We request that the applicant to provide the additional information:
- Infiltration test results (that should have been undertaken in accordance with BRE 365)

- A clearly labelled drainage layout plan showing pipe networks and any soakaways. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Second Comments (04/04/2016)

- 6.12 It is not clear from the submitted soakaway design document (S1B, dated March 2016), whether the applicant has included the 30% climate change allowance to calculate the storage volumes. It seems that the applicant has only used the 100 year rainfall data to calculate the required storage volume.
- 6.13 We request the applicant to recalculate the required storage volume, including the appropriate allowance for climate change.

Third Comments (08/04/2016)

- 6.14 The additional information is acceptable. No objection to the application, subject to drainage condition.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Original Comments (19/01/2016)

- 6.15 The proposal is not supported. There is a large increase in impermeable surfacing which could potentially lead to an increase in flood risk and there has been no surface water drainage strategy submitted.

Second Comments (29/02/2016)

- 6.16 Although the use of infiltration is encouraged, there is no submitted information with regard to infiltration testing to BRE 365 that would demonstrate that this is an acceptable method of surface water disposals.
- 6.17 The location of the soakaways should also be noted on a plan as they should be located 5m away from buildings/roads and not impact on trees and the landscape.

Third Comments (05/04/2016)

- 6.18 Although the applicant has submitted information regarding the proposed drainage, the soakaway calculations do not include a factor for climate change. It should be demonstrated that there is no flooding of any building for a 1 in 100 year event plus an additional 30% for climate change.

Final Comments (08/04/2016)

- 6.19 The additional information provided is acceptable. No objection subject to drainage condition.

Head of Streets and Open Spaces (Tree Team)

- 6.20 No objection, subject to tree works condition.

Head of Streets and Open Spaces (Landscape Team)

- 6.21 No objection, subject to landscaping conditions.

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

- 6.22 The revised proposal is acceptable.

Environment Agency

- 6.23 For your information this application falls within Flood Risk Standing Advice. In line with current government guidance on Standing Advice, it will be necessary, in this instance, for your Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues. No objection subject to contaminated land condition and informative.

Anglian Water

- 6.24 No objection, subject to drainage condition.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.25 The proposed new covered cycle shelter located to the north of the existing block is appropriate if this is intended for visitors only. No objection to the application.

Environmental Health Team

6.26 No objection subject to the following conditions:

- CC63 – construction hours
- EH1 – collection during construction
- PILING – piling
- ELSUBS – Substation Noise
- Substation Informative

UK Power Network

6.27 Ideally UKPN would require vehicular access to the substation.

Consultations with Service Managers

6.28 I have consulted the following Service Managers regarding potential mitigation measures to address demands for Informal Open Space/PlaySpace, Indoor/Outdoor Sports Facilities and Community Facilities:

- Development Manager (Streets and Open Spaces)
- Recreation Services Manager
- Community Funding Development Manager

6.29 No potential mitigations measures to address demands were identified by any of the consulted service managers.

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 objection to the application:

2 Crossways Gardens	28 Crossways Gardens
41 Crossways Gardens	5 Crossways House
10 Crossways House	14 Foster Road
105 High Street	105A High Street
107A High Street	Bidwell House, Maris Lane

7.2 The representations can be summarised as follows:

Residential Amenity

- Overshadowing/ Loss of Light
- Further detail on the shadow study assessment is required.
- Visual enclosure/ dominance
- Overlooking/ loss of privacy
- Noise and disturbance from future occupants.
- Noise and disturbance during construction process.
- The proposal would not accord with the Human Rights Act, Protocol 1 Article 1.

Design/ Character

- The proposed development would ruin the setting of the BLI cottage and harm the Conservation Area.
- The proposed building is not in keeping with the surrounding area.
- The proposal could harm trees in the rear garden of Foster Road properties.
- The density of development is too high.
- The proposal would detract from the open, spacious and tranquil setting.

Refuse Arrangements

- The existing refuse area is at full capacity and could not accommodate the proposed development.
- Inadequate refuse provision.

Traffic/ Highways

- Potential damage to access road from construction traffic.

Car and Cycle Parking

- Loss of car parking/ increase in parking pressure on surrounding area.
- Inadequate car parking
- Inadequate cycle parking
- The existing cycle parking the applicant refers to does not exist.
- The existing cycle parking arrangements are inadequate.

7.3 The owner/occupier of the following address has made a representation neither objecting to or supporting the application:

- 12 Crossways House

7.4 The representations can be summarised as follows:

- The road should be repaired if any damage is caused by construction vehicles.
- Signage for Crossways Gardens resident's car parking should be in place to avoid occupants parking in the car park of Crossways House.

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

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. Renewable energy, sustainability and drainage
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking

8. Third party representations
9. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site lies in a residential area and, in my opinion, the principle of erecting a new building to accommodate additional residential development on the rear of the site is acceptable.
- 8.3 Policy 3/10 of the Cambridge Local Plan (2006) states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) Detract from the prevailing character and appearance of the area;
 - d) Adversely affect the setting of Listed Buildings or buildings or gardens of local importance located within or close to the site;
 - e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - f) Prejudice the comprehensive development of the wider area of which the site forms part
- 8.4 Section f of this policy is not relevant as it would not prejudice the comprehensive development of the wider area. Sections a and b have been assessed in the 'Residential Amenity' section of this report, whilst sections c, d and e are covered in the 'Context of site, design and external spaces (and impact on

heritage assets)' section. Subject to the detailed assessment below the proposal is considered to be compliant with these criteria, subject to conditions, for the reasons set out in the relevant chapters of this report.

- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policies 3/10 and 5/1 of the Local Plan (2006).

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

Response to context

- 8.6 The site lies within an established residential area and there is an eclectic mix of house types and styles. Crossways Gardens is a three-storey building which occupies a large but unorthodox footprint. This residential development is set back from the road and sits comfortably within the plot, with large areas of landscaping and hardstanding to the south, west and north of the main building.
- 8.7 Crossways House, situated to the west of the site, is of a similar scale and mass to Crossways Gardens but is different in its detailed design to Crossways Gardens. The footprint is that of an L-shape and the design and materials palette is far more basic and orthodox in appearance with a simple yellow brick construction and a pitched red tiled roof. These properties are served by a large communal garden space which is closed off from public view by the building itself and the dense tree and hedge planting fronting Trumpington High Street.
- 8.8 The Wickets, also to the west of the site, is another three-storey residential development. This development is relatively unique and modern in the context of the area as it has a part mono-pitched, part flat dark grey pantile roof, and designed in a combination of brick and render, with limited outdoor amenity space for the ground floor flats.
- 8.9 Nos.105-107 High Street, to the south of the site comprise a one-and-a-half storey thatched hipped roof cottage building which is designated as a BLI. There are no other properties like this in the local vicinity.

- 8.10 To the east of the site is the row of properties along Foster Road which are uniform to one another in design, scale and form. These properties are all rendered with pitched tiled roofs, as is characteristic of the vast majority of residential development to the east of the application site.
- 8.11 In assessing the surrounding context, the urban morphology, grain and pattern of development is varied and there is no overriding form of development in this area. House styles, scales and designs also range considerably and so I consider there is scope to apply a degree of flexibility to the proposed development.
- 8.12 In general, the proposed development adopts its overall form and massing from the main building of Crossways Gardens which is unsurprising given that the proposed building is within the curtilage of this site. The siting and footprint is smaller than the main building, and the height of the building has been set below the main building of Crossways Gardens to read subserviently. I believe the proposal accords with the pattern of development in the surrounding area and would not appear out of context.

Movement and Access

- 8.13 The main entrance to the proposed flats would be on the north elevation facing towards the existing flats of Crossways Gardens. The refuse store for future occupants would be less than 10m to the west of the building and the cycle store would be roughly 10m to the east of the main entrance. The main walking route out to the wider area from the proposed entrance would be to the north-west and would involve walking across the re-configured car park for a distance of approximately 18m. Whilst walking across this hardstanding is not ideal, I am not convinced that this arrangement would be dangerous or represent a poor quality entrance to future occupants. There would be a reasonable separation distance between the parking spaces to the north and the natural desire line from this entrance to the nearest pavement to the north-west. The entrance has also been recessed behind the front building line and so users of this entrance would not be stepping out immediately onto the hardstanding when leaving the building. The main entrance and cycle store would be subject to extensive levels of active frontage and surveillance from

windows on the south elevation of the existing building as well as the north elevation of the proposed building.

- 8.14 I understand that UK Power Network would ideally require vehicular access to the substation in the south-east corner of the site for maintenance purposes. However, this is considered to be a legal/ civil matter between the land owner and the UK Power Network and there is no planning reason to object to the proposal on this basis.

Layout

- 8.15 The building would be sited to the rear of the main building and would be relatively secluded from public view due to the existing built form which surrounds the site. The main communal outdoor amenity space for the future occupants would be to the south and east of the building and there would be windows at ground-floor level, as well as first-floor on the east elevation, which overlook this space to provide a degree of natural surveillance. The proposed building would read as being comfortable and not cramped within the plot and is set a sufficient distance from the existing building of Crossways Gardens to ensure the proposal does not appear as an overdevelopment of the plot. There would be ample green spaces around the building and I consider the proposal does not appear as too high a density for the site or negatively impact on the setting of the BLI in this way.

Scale and massing

- 8.16 The proposed development would be two-and-a-half storeys in scale and would be subservient in height and mass to that of the existing building at Crossways Gardens. The Urban Design and Conservation Team is supportive of the proposed building from a scale and massing perspective:

“The amended drawings describe a structure notably different to that originally proposed. Whilst the current iteration is extremely boring to look at, it is to some small extent unsurprising, as it tries to mediate between the bulk and form of the modern residential block immediately to its north, and the small, early C20th thatched cottages to its south. Crucially, from a conservation perspective, its scale has been reduced and with the introduction of a hipped roof the massing becomes

acceptable. The impact on the setting of the thatched houses is still obvious, but the magnitude of that impact has been reduced. Therefore the conservation team does not object to the proposed development.”

- 8.17 I agree with the advice of the Urban Design and Conservation Team and consider the proposed scale and massing would not appear out of context or detract from the special interest of the BLI or the character and appearance of the Conservation Area.

Open Space and Landscape

- 8.18 Each of the ground floor units would have their own private threshold/ patio space whilst the upper floor units would have access to the communal garden to the south and east of the building. The vast majority of the upper floor flats in the wider area do not benefit from their own dedicated private amenity space and so I consider this arrangement to be acceptable in the context of the area.

- 8.19 The proposed development would involve the replacement of a large quantity of the existing hardstanding with soft landscaping which is supported. The Landscape Team is supportive of the proposed open space and landscaping and has recommended conditions relating to boundary treatment and landscaping details. I agree with this advice and have recommended the conditions accordingly.

- 8.20 The Tree Protection Plan provided by the applicant demonstrates that the existing tree on the eastern part of the site, as well as trees along the boundaries of properties on Foster Road, will not need to be removed as a result of the proposed cycle storage building. The Tree Officer is satisfied with the provisional information provided and has recommended a condition to provide further details regarding works to trees.

Elevations and Materials

- 8.21 The proposed building would be designed in a combination of heather/grey facing bricks for the ground floor and Anglesey buff bricks for the first floor. The use of brick is generally supported as it is reflective of the surrounding area and the variation in brick types will help to reduce the perceived massing and provide a sense of individuality. The proposed

hipped roof is supported as it helps to break up the box like appearance of the block and forms a positive relationship with the Crossways Gardens block and transitions successfully with the smaller cottage to the south. A materials sample condition has been recommended in accordance with the advice of the Urban Design and Conservation Team.

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

Renewable energy, sustainability and drainage

- 8.23 Policy 8/16 of the Local Plan requires at least 10% of the development's total predicted energy requirements to be obtained from renewable energy sources. The application proposes to implement photovoltaic panels to meet the 10% requirement, although the calculations and information provided for this is relatively limited. The Council's Sustainability Officer is agreeable to this further information and calculations to be provided by way of condition rather than prior to determination. I agree with this advice and consider the proposed use of photovoltaic panels to be acceptable in principle, subject to further detail being provided through condition.
- 8.24 The Council's Sustainability Officer initially objected to the proposal due to the lack of a drainage strategy and measures to deal with water efficiency, although the Officer did state they would be supportive if the Council's Sustainable Drainage Engineer was satisfied with any additional information provided.
- 8.25 The Council's Sustainable Drainage Engineer and the Lead Local Flood Authority objected to the application as submitted due to the lack of a drainage strategy and further information was requested. The applicant has since submitted additional information and calculations which both of these consultees are now satisfied with, subject to a condition to provide a full management and maintenance plan for drainage. It is noted that Anglian Water have also requested a similar worded condition be applied and so this has been incorporated into the aforementioned condition. The Environment Agency has not raised an objection to the application subject to a contaminated land condition and informatives regarding water run-off and

drainage. This condition and informatives have been recommended accordingly.

8.26 In my opinion, subject to the conditions, the proposal is in accordance with Cambridge Local Plan Policies 3/1, 4/13, 8/16 and the Sustainable Design and Construction SPD 2007.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.27 The main considerations from a residential amenity impact perspective are the potential impacts on the following surrounding properties:

- Crossways Gardens Flats (to the north)
- Crossways House Flats (to the north-west)
- The Wickets Flats (to the west)
- Nos. 105a – 107 High Street (to the south)
- Nos. 10 – 20 Foster Road (to the east)

8.28 I have assessed the impact on each of these properties in turn below.

Impact on Crossways Gardens Flats

8.29 The proposed development will be clearly visible from the south facing flats of Crossway Gardens. The flats on the west, north and east elevation will be unaffected from a visual perspective in respect of their orientation facing away from the proposed development.

8.30 In terms of overlooking, concerns have been raised from some of these flats due to the views out from the proposed development onto these properties. There would be windows at ground-floor and first-floor level on the north elevation which would face directly towards these neighbouring properties. At ground-floor level, the proposed windows would serve the bedrooms of the studio flats and would be separated over 19m from the windows of Crossways Gardens directly opposite. There would also be a row of parked cars and low level landscaping from this line of sight which would provide a degree of privacy buffering. Furthermore, the main outlooks for these studio rooms would be on the west and east elevations

respectively and these alternative outlooks are served by large glazed patio doors which lead onto each of the studio flats outdoor private thresholds. At first-floor level the relationship is similar with the main outlooks for the first-floor studio rooms out to the west and east and a comfortable separation distance of over 19m window-to-window between the existing and proposed development. I believe the separation distance and layout of these rooms is sufficient to prevent any significant loss of privacy to Crossways Gardens flats.

- 8.31 The west and east projecting wings of Crossways Gardens are positioned closer to the windows of the proposed development, with the nearest distance being roughly 11m. However the position of the windows on the east, west and north elevations of the proposed dwellings in comparison to these nearby flats would mean that the views would be relatively oblique and would not offer a direct line of sight towards these neighbours.
- 8.32 The proposed development would be visible from the south facing apartments of Crossways Gardens and so consideration as to whether the proposal would visually overbear these properties needs to be made. Again, the proposed development would be situated approximately 19m from these neighbouring windows opposite which is considered to be a modest separation distance. Furthermore, the eaves height of the north elevation is where the development is at its lowest at roughly 5.35m in height which would help to alleviate the visual presence of the building from these views. It is appreciated however that the ridge height on the north elevation is the point where the roof would be at its greatest height of 9.15m. Nevertheless, the apex of this ridge line would be sited over 24m from these windows as it slopes away from Crossways Gardens. Also the eastern-most and western-most sides of the building are set back considerably from the northern building line which will help to reduce the visual massing. In light of the above assessment, I am of the opinion that the proposed development would not appear visually overbearing from Crossways Gardens.
- 8.33 The position of the eastern and western wings of Crossways Gardens and orientation of the windows of these specific flats facing away from the proposed building is sufficient to ensure these outlooks are not visually enclosed. I do not doubt that the proposal will be visible from these flats when looking to the

south-east and south-west respectively, but, the natural line of sight from these outlooks is directly out to the south where the proposal will only be noticeable in peripheral vision. The proposed cycle store will be visible from the south facing windows of the ground-floor flat of the east wing of Crossways Gardens. The cycle store would be situated approximately 6.4m from the edge of this neighbouring properties private patio, and so slightly further than this when measured from the ground-floor south facing window. The proposed cycle store would be approximately 2.5m to the eaves with a ridge height of 3.6m and designed with a hipped roof. Whilst I appreciate that the proposed store would be noticeable from this patio and south-facing window, I am not convinced that it would be so visually oppressive as to harm this neighbour's amenity. There are currently already two car parking spaces immediately adjacent to this private patio, which already partially enclose this outdoor space. Furthermore, the cycle store walls would be designed with steel rails rather than a solid brick or render wall which is less visually obtrusive in my opinion. In addition to this, at 2.5m in height to the eaves with the roof sloping to the south, I judge that this would not harmfully enclose this neighbour's outlook and is on balance acceptable.

- 8.34 In respect of overshadowing, this is a key factor in assessing the impact on the amenity of the south facing apartments of Crossways Gardens due to the orientation of the proposed building directly to the south of the existing building. The applicant has submitted a shadow study to demonstrate the likely impacts on Crossways Gardens. This shadow study demonstrates that during the June equinox there would be no overshadowing of these neighbouring properties due to the position of the sun at its highest point and the subsequent minimal shadow the building would therefore cast. At the March equinox, the shadow study portrays that there would be no harmful overshadowing during the morning (09:00), midday (13:00) or afternoon (17:00) times of the day. There may be a small shadow cast over the eastern wing of Crossways Gardens in the afternoon. Nonetheless, this overshadowing would be relatively minimal and would only be for a very brief period of the day. The most obvious impact from an overshadowing perspective would be at the Winter equinox where the sun is at its lowest point and so the levels of shadow cast are typically greater than other times of the year. The shadow study demonstrates that during the morning the

western-most apartments of Crossways Gardens would be overshadowed by the development, at midday the central apartments and outdoor communal space would be overshadowed, and in the afternoon the east wing would experience some loss of light. In light of the above, it is inevitable that the proposed development is going to have an impact on some of the south facing flats at various periods of the day. Nevertheless, I am not persuaded that the impact would be so great as to significantly harm these neighbour's amenities to such an extent as to warrant refusal. The levels of light reaching each of these respective flats will remain as is for roughly two-thirds of the day and any overshadowing will be limited to a small period of the day. Furthermore, the levels of light reaching these adjacent flats throughout the remainder of the year will largely be unaffected.

- 8.35 I do not anticipate the noise and disturbance from comings and goings would be significantly worse than that at present for these neighbours. The site of the proposed building is currently occupied by car parking and the level of car parking would not be increased as a result of the proposed development. Therefore, I do not believe the movement of people coming and going to the proposed building would be significantly different than the existing vehicular movements in the car park. The use of the private outdoor thresholds or communal spaces would not, given the limited number of bedrooms, give rise to any harmful noise or disturbance from people using these outdoor spaces.

Impact on Crossways House Flats

- 8.36 The nearest windows on the east elevation of Crossways House would be over 40m from the proposed building. At this distance, I am confident that the proposal would not appear visually overbearing from these outlooks, or harmfully overshadow these neighbouring flats to the west of the site. The views from the west elevation of the proposed building out towards Crossways House would not lead to a harmful loss of privacy at these neighbouring properties due to the extensive separation distance involved.
- 8.37 Given that the proposed car parking is not increasing, I do not believe that there will be an increase in vehicular movements along the private road to such an extent as to harm these

neighbour's amenities. Similarly, pedestrian and cycle movements would not be significantly different to that of present and so I am content that movements up and down the private road to the car park will respect the amenities of these neighbouring properties.

Impact on The Wickets Flats

- 8.38 The Wickets is comprised of a three-storey block of flats situated approximately 40m to the west of the proposed development. This distance is considered to be sufficient as to ensure that there will be no significant loss of light or sense of enclosure experienced from the outlooks on the east elevation of these flats. The views from the west elevation of the proposed building towards these flats would not compromise the privacy of these nearby flats as the separation distance involved would prevent any harmful overlooking. The proposal is not deemed likely to give rise to any noise or disturbance for these neighbouring properties.

Impact on No.105a High Street

- 8.39 No.105a High Street is a detached property situated to the south-west of the proposed building. As this neighbour is situated south-west of the proposal, I am confident that there will be no harmful loss of light experienced at this neighbouring property. In terms of visual enclosure, I judge that the separation distance of over 45m between the rear (east) windows of this neighbour are far enough way to avoid being visually enclosed. This neighbour's garden would be within 12m of the proposed building, but, given the orientation of the proposed building to the north-east of this garden and the large size of this neighbour's garden, I am of the opinion that the proposal will not appear overbearing from this outdoor space. The views out to the west of the proposed building would allow for oblique views across this neighbour's garden but I believe that the natural line of sight from these windows will ensure that the privacy of this neighbour is not compromised. The proposal is not considered to give rise to any noise or disturbance for this neighbour. The communal garden is situated on the south-east corner of this site, away from this neighbour's garden.

Impact on no.107 High Street

8.40 No.107 High Street is comprised of the southern half of the semi-detached cottage to the south of the application site. There will be no loss of light experienced due to the position of this neighbour to the south of the application site. The proposed development has been designed so that the windows on the south elevation are angled facing to the south-east rather than directly south to limit the extent of overlooking of the neighbouring properties to the south. Whilst I acknowledge that this would allow for a view over this neighbour's garden, I consider that the angle and separation distance is sufficient to ensure that only the latter half of the garden would be overlooked and the privacy of this neighbour would be retained. There are also large trees along the boundary of no.107 and no.105 which would help screen the views from these proposed windows. There would be velux windows in the roof plane but these would be positioned at a height of over 1.5m above floor level. This would restrict views out to the south and prevent any harmful outlooks down towards this neighbour's garden. The proposed building would be over 23m from the garden of this neighbour and would only be visible when looking northwards. The remainder of the views out to the north-east, east and south-east would be unaffected by the proposed development. The use of the outdoor communal amenity space would not lead to a significant noise disturbance to this neighbour as the proposed communal garden would be used in a residential manner, similar to the existing context of the area.

Impact on no.105 High Street

8.41 No.105 High Street is the northern half of the semi-detached cottage situated to the south of the application site. Again, given the orientation of this neighbour to the south, I am confident there will be no overshadowing cast over this adjacent property. Similar to the preceding paragraph, the position of rooflights 1.5m above floor level is considered to be acceptable. It is acknowledged that the rear first-floor windows of the proposal would be within 6m of this neighbour's garden. However, as they would be angled so they face towards the latter half of this neighbour's garden, I am of the opinion that this neighbour would still have a sufficient level of private outdoor amenity space and that the level of privacy for this neighbour would still be acceptable.

8.42 It is acknowledged that this neighbour has raised concerns regarding the visual presence of the proposed building from their main outlooks. From my site visit at this neighbouring property, I consider this to be the key matter for assessment. The proposed development has been designed so that the south elevation is relatively low, with an eaves height of 5.6m which then slopes up to a ridge height of 8.4m in an attempt to reduce its visual prominence from this neighbouring property. This neighbour does have side (north) windows at ground-floor (kitchen) and dormer level (bathroom). The proposal would be over 12m to the north-east of these outlooks. Whilst I appreciate that 12m is not a significant separation distance, I believe the proposed building would be in the peripheral view of these windows by virtue of the position of the building to the north-east and so not in the main line of sight from these windows. Similarly, the proposal would be over 14m to the north-east of the nearest rear (east) facing windows of this neighbour. At ground-floor level there is a living room window and at dormer level a bedroom window. The main outlook for these windows out to the east would not be directly interrupted by the proposed development and the view of the proposal would be a more oblique view from these windows. As a result, while I do not dispute the proposed development would be visible from these windows, I am satisfied that the proposal would not visually enclose any of the windows of this neighbouring property to such an extent as to significantly harm this neighbour's amenity. The proposed building would be just over 6m to the north of the garden boundary of this neighbour. I acknowledge that the proposal will be clearly visible when looking out to the north from this garden, but again, I am not convinced that the visual presence will dominate or enclose this neighbour's garden. There would be a degree of soft landscaping buffering along the boundary of the application site to help soften the visual presence of the building. Furthermore, the main views out from this large garden to the east and south, which receive direct sunlight, would not be affected and I consider these outlooks to be more beneficial to this neighbour's amenity than the view out to the north. Consequently, on balance, I do not consider the proposed development would harmfully overbear or enclose this neighbour's key outlooks to such an extent as to warrant refusal of the application.

8.43 Given the presence of other residential gardens in the wider area, I deem the noise and disturbance arising from the communal garden and outdoor amenity area use would not be harmful to the amenity of this neighbour. The reduction in hardstanding car parking would arguably be an improvement in terms of reducing vehicle movements and subsequent revving of cars and car doors opening and shutting.

Impact on Nos.10-20 Foster Road

8.44 Nos.10-20 Foster Road is a row of six terraced properties situated to the east of the application site. The proposed development would be over 11m from the rear boundary of these neighbour's gardens and 35m from the rear windows of these properties. There are large trees at the end of some of these neighbour's gardens, as well as on the eastern side of the application site, which would help to buffer views of the proposed buildings from these gardens. Nevertheless, given the separation distance involved, I judge that the proposal will not visually enclose the gardens or windows of these neighbours. The proposed cycle store would be situated close to the garden boundaries of nos. 12 and 14 Foster Road. Nonetheless, the eaves height of this cycle store at 2.5m and ridge height of 3.6m is not considered to be of such a scale as to adversely enclose the views out to the west from these gardens.

8.45 In terms of overshadowing, I do not believe the likely impact on the gardens of these neighbours would be so great as to harm these neighbour's amenities. There may be a very slight increase during the winter months in the very late afternoon but this would be limited to an acute amount of garden area and would only be for a very short period of time. In respect of the separation distance and scale of the proposed building, I am of the opinion that there will not be a harmful loss of light experienced at these neighbouring properties.

8.46 With respect to overlooking, there would be views across to these neighbouring properties from the east elevation of the proposal. However, these views would be limited to the latter half of these neighbour's gardens and I do not consider this relationship would be significantly worse than that of the existing mutual inter-overlooking between neighbouring gardens along this terrace. Therefore, I do not deem the views would compromise the privacy of these neighbours.

8.47 The likely levels of noise and disturbance associated with future occupants using the communal garden or accessing the cycle storage building is not considered to be so great as to warrant refusal. The site is situated in a residential context and I do not anticipate the use of either of these functions would adversely disturb the tranquility of the gardens of properties along Foster Road.

Car Parking/ Pressure on Surrounding Streets

8.48 Planning permission was granted under planning references 12/1134/FUL and 12/1279/FUL for additional car parking at the rear of Crossways Gardens, replacing some of the existing landscaping. The latter of these permissions (12/1279/FUL) proposed a total of 27 car parking spaces. However the level of car parking physically on site at present does not accord with either of the previous permissions and is significantly higher than that which permission was granted for. There are currently 49 car parking spaces on-site. However, four of these car parking spaces are not available for use as they are occupied by cycle stands and so the actual usable number of car parking spaces is 45.

8.49 The application would return much of this unlawfully developed car parking back to soft landscaping and reduce the car parking on site down to 29 spaces, two greater than that previously approved. The proposed cycle store would also eliminate the need for the cycle stands which occupy four of the existing spaces and so these four spaces would be brought back into use. Nevertheless, there would be a net loss of 16 car parking spaces on-site and so the impact of car parking on the surrounding streets needs to be taken into account.

8.50 The applicant has provided a transport statement which explains that as of 5 January 2016, only 17 of the 51 flats use parking permits, and so approximately 33% of the car parking spaces are occupied on a regular basis. The site is considered to be highly sustainable in that it is well served by bus routes along Trumpington Road, is close to the guided bus stop and there are good cycle routes into the City Centre. The site is also within walking distance of the Trumpington Local Centre which is less than 100m from the site. The proposed increase in provision and quality of cycle storage will also encourage future

occupants, as well as those of the existing flats, to store cycles which will help to alleviate parking demand. The Local Plan (2006) has maximum parking standards and so there is no requirement for this development to provide any additional car parking. Overall, whilst I acknowledge that the number of car parking spaces will be decreasing and the number of residential units will be increasing, I am not of the opinion that the proposal would lead to an adverse impact on car parking pressures on the surrounding streets. This is because the site is in a highly accessible location, there would be improved cycle storage provision and sufficient evidence has been demonstrated in the transport statement to justify the proposed car parking arrangements.

Construction activities

- 8.51 The Environmental Health Team has recommended conditions relating to construction hours, collection times and piling. Given the context of the site and close proximity to residential properties, I agree with the imposition of these conditions to protect the amenities of neighbouring properties.
- 8.52 In my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Amenity for future occupiers of the site

- 8.53 Each of the proposed units would have an internal floor area of approximately 48m². The ground floor flats would each have their own private patio area of approximately 3.8m² and the recommended boundary treatment condition would ensure there is some form of landscaping to separate these from the large communal garden. The communal garden would be over 200m² and would provide ample outdoor amenity space for the occupants of the upper floor flats. All of the flats would be one-bedroom and so the dependency on providing outdoor amenity space is significantly less than that of a family dwellinghouse and so I am content that this proposal provides acceptable levels of outdoor amenity space. All habitable rooms would have acceptable visual outlooks. The Environmental Health Team has recommended a condition to require details of the noise emitted from the nearby electronic substation, and any

subsequent mitigation measures to the proposed building as a result of this, to be provided prior to commencement of development. I agree with this advice and consider that subject to meeting this condition, the proposal would provide a high quality living environment for future occupants.

- 8.54 A refuse store and cycle store would be provided for the proposed dwellings and the storage capacities of both of these stores are in accordance with the recommended levels and easily accessible. The site is within walking distance of services and facilities provided by the Trumpington Local Centre, and there would be suitable access to the city centre by way of public transport and cycle links.
- 8.55 In my opinion, subject to condition, 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

- 8.56 The proposal would provide a dedicated refuse store for the proposed building. The Waste Team are satisfied with the refuse arrangements proposed and I agree with this advice.
- 8.57 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.58 The proposal does not involve any works to the public highway. The Highway Authority has raised no objection to the application on the grounds of Highway Safety and I agree with this advice.
- 8.59 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.60 Paragraphs 8.62 – 8.64 of the report set out the current and proposed car parking arrangements. For the reasons set out in these aforementioned paragraphs, the proposed car parking

arrangements are considered acceptable. A car club informative has been recommended.

- 8.61 The original 42 flats of Crossways Gardens were formally used as elderly care accommodation and were then later used as independent dwellings, as regularised by planning reference 12/0681/CL2PD. As a result, there was never a requirement to provide any cycle parking for these residential flats. The additional nine flats developed within the Crossways Gardens building under planning references 12/1134/FUL and 12/1279/FUL were required to provide eleven cycle spaces for these new flats. The cycle parking for these two implemented permission was never carried out in accordance with the approved plans, which both proposed a detached secure covered cycle store. At present, cycle storage is provided on the parking hardstanding in the form of uncovered cycle stands. There appears to be more than the eleven required spaces for these additional flats but it is not clear precisely how many there currently are on site. It is evident however from visiting the site and from the representations received that these cycle racks are frequently used and there is very limited spare capacity for future occupants.
- 8.62 The application proposes to remove these existing uncovered cycle stands and replace them with a secure covered cycle store to provide 53 cycle spaces, and a smaller cycle shelter at the front of the site to provide 10 visitor cycle spaces. The quality and quantity of this provision would be a drastic improvement on the existing cycle parking arrangements and provide for both the existing and proposed dwellings on site. The Cycling and Walking Officer is supportive of the proposed cycle store and I agree with her advice. Whilst the number and location of the 10 visitor spaces have been shown, there are no details as to the proposed type of enclosure and cycle stands. Therefore, a condition has been recommended for this information to be provided prior to the occupation of the proposed development.
- 8.63 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.64 The third party representations have been addressed in the below table.

Comment	Response
Overshadowing/ Loss of Light Visual enclosure/ dominance Overlooking/ loss of privacy Noise and disturbance from future occupants. Noise and disturbance during construction process.	See paragraphs 8.27 – 8.52
Further detail on the shadow study assessment is required.	The level of detail provided in the shadow study is considered to be sufficient to make an informed assessment of the likely shadowing impacts on neighbouring properties.
The proposal would not accord with the Human Rights Act, Protocol 1 Article 1.	This part of the Act relates to an individual's right to peaceful enjoyment of their property. I have considered the potential amenity impact of the proposed development and consider that no significant harm would arise.
The proposed development would ruin the setting of the BLI cottage and harm the Conservation Area. The proposed building is not in keeping with the surrounding area. The proposal could harm trees in the rear garden of Foster Road properties. The density of development is too high. The proposal would detract from the open, spacious and tranquil setting.	See paragraphs 8.6 – 8.22
The existing refuse area is at full capacity and could not accommodate the proposed	The proposed dwellings would have their own dedicated refuse store and would not interfere with

development. Inadequate refuse provision.	the existing refuse arrangements of Crossways Gardens. The proposed refuse provision is considered satisfactory.
Potential damage to access road from construction traffic. The road should be repaired if any damage is caused by construction vehicles.	The access road is a private road and does not form part of the public highway. This is a civil/legal matter and not a planning consideration.
Loss of car parking/ increase in parking pressure on surrounding area. Inadequate car parking	See paragraphs 8.48 – 8.50
Inadequate cycle parking. The existing cycle parking arrangements are inadequate.	See paragraphs 8.61 – 8.63
The existing cycle parking the applicant refers to does not exist.	The Local Planning Authority is aware that the siting of this cycle store on the existing site plan is an error and not reflective of the existing cycle parking arrangements.
Signage for Crossways Gardens resident's car parking should be in place to avoid occupants parking in the car park of Crossways House.	The parking of vehicles in parking spots allocated for Crossways House is a civil/ legal matter and this signage is not considered necessary.

Planning Obligations (s106 Agreement)

8.65 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.

- 8.66 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 8.67 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have confirmed that there is insufficient evidence to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

Education

- 8.68 The County Council has confirmed that no contributions are sought from this project as the proposal would be for studio and one-bedroom dwellings generating very low numbers of child occupiers. The development would also be served by the new library at Clay Farm which would not require expansion as a result of the proposed development.

Waste

- 8.69 The County Council has confirmed that no contributions are sought from this project towards strategic waste as any waste would be mitigated through existing provisions.

Planning Obligations Conclusion

- 8.70 It is my view that planning obligations are not required in this case as there is no evidence to demonstrate where planning obligations will contribute towards and so the pooling of contributions would not pass the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 In conclusion, I consider the proposed development would not detract from the special interest of the BLI or the adjacent Conservation Area, would respect the amenities of neighbouring properties and would provide a high quality living environment for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

6. Electricity Substation (for existing substations affecting new residential)

Part A

Prior to the commencement of refurbishment/ development works, a noise report including a low frequency noise analysis and the provisions of British Standard (BS) 4142:2014 (Method for rating industrial noise affecting mixed residential and industrial areas) that considers the impact of the substation noise upon the proposed development shall be submitted to and approved in writing the local planning authority.

Part B

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

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

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

7. Prior to commencement and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: In the interests of visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2006 policy 4/4).

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

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

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

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

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

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

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

12. No development shall take place until details of the maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To prevent environmental and amenity problems arising from flooding (Local Plan 2006 policy 4/13)

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

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

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

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

15. No development shall commence until details of facilities for the covered, secured parking of bicycles for visitor parking 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)

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

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

INFORMATIVE: The 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.

INFORMATIVE:

Surface Water Drainage:

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Foul Water Drainage:

Foul drainage from the proposed development should be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.

Pollution Prevention:

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Works to Ordinary Watercourses. Under the Flood Water Management Act 2010 Cambridgeshire County Council has been responsible for Ordinary Watercourses Regulation in this area. Any works to an ordinary watercourse, including culverting, may require prior written consent from the County. Please contact them at: FloodAndWater@Cambridgeshire.gov.uk (Tel: 01223 699155).

Agenda Item 6

PLANNING COMMITTEE

Date: 1st June 2016

Application Number	16/0286/S73	Agenda Item	
Date Received	23rd February 2016	Officer	Lisa Lamb
Target Date	24th May 2016		
Ward	Trumpington		
Site	32 - 38 Station Road And Adjacent Land Cambridge Cambridgeshire CB1 2JH		
Proposal	Minor Material Amendment by variation of condition 2 attached to planning permission reference 15/0906/FUL to allow for removal of lower basement and retention of single basement to provide 79 car parking spaces and 384 cycle parking spaces, internal alterations, provision of refuse store and management suite and 248 cycle parking spaces at ground level and alterations to elevations, landscaping and roof plant.		
Applicant	C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The application allows for amendments to the approved development which are minor in nature.</p> <p>The revised building design is appropriate to its context within the Conservation Area</p> <p>The amendments will not give rise to any harmful impacts in terms of residential amenity or other environmental effects</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site forms part of a larger area which is the subject of the CB1 Station Area Redevelopment proposals for which outline planning permission was granted in April 2010. Specifically the application relates to Block I2 of the Masterplan.
- 1.2 To the south of the site are the Warren Close housing development and the Ceres housing development which also formed part of the CB1 development. There is an art workshop currently occupying the ground floor commercial unit in the Ceres complex. A six storey block of flats at Warren Close sits behind the western half of the site and a public square and a seven storey block of flats sits behind the eastern half. To the west the site is bounded by the access road serving Warren Close beyond which are office buildings. To the east is Murdoch House a three storey office block with undercroft which fronts the Station. To the north the site is bounded by Station Road beyond which lies the former Red House site where there is a hotel under construction. There is also a site which is currently under development as an office building (One the Square).
- 1.3 The site is within the Station Area Redevelopment Framework Boundary and within the Central Conservation Area No.1. The Station buildings are grade II listed. There are several trees on the site including trees on the Station Road frontage, which are subject to protection by virtue of their location in the Conservation Area. The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 Permission is sought for a variation of condition 2 of the full permission for 50/60 Station Road (15/0906/FUL). The application relates to a Minor Material Amendment (MMA) to this permission. If permission is granted for the MMA this will lead to a change to condition 2 and will result in a fresh planning permission being granted.

Condition 2 reads as follows:

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.

The approved plans which will need to be listed on the revised decision notice will now be:

Location Plan A02_1001 Rev P1
Site Plan A02_1003 Rev P3
Upper Basement A03_1001 Rev P6 (17.03.2016)
Ground Floor Plan A03_1002 Rev P6 (20.04.2016)
Floor Plan Level 01 A03_1003 Rev P5 (17.02.2016)
Floor Plan Level 02 A03_1004 Rev P3 (12.02.2016)
Floor Plan Level 03 A03_1005 Rev P3 (12.02.2016)
Floor Plan Level 04 A03_1006 Rev P3 (12.02.2016)
Floor Plan Level 05 A03_1007 Rev P3 (12.02.2016)
Floor Plan Level 06 A03_1008 Rev P3 (12.02.2016)
Floor Plan Level 07 A03_1009 Rev P3 (12.02.2016)
Floor Plan Level 08 A03_1010 Rev P3 (12.02.2016)
Roof Plan A03_1011 Rev P3 (12.02.2016)
North Elevation A06_1001 Rev P5 (17.03.2016)
South Elevation A06_1002 Rev P6 (20.04.2016)
East Elevation A06_1003 Rev P5 (17.03.2016)
West Elevation A06_1004 Rev P4 (12.02.2016)
Section AA A07_1001 Rev P4 (12.02.2016)
Section BB A07_1003 Rev P4 (12.02.2016)
Management Office Elevation A06_1005 Rev P (22.04.2016)

2.2 The variation of condition 2 would allow revised plans to be approved which show the following changes to the building:

Basement

- Removal of lower basement.

Ground floor

- Refuse store to be provided to the east of the basement access ramp.
- Amendments to glazing and entrance door in the northern elevation.

- Relocation of ventilation grille to run along the eastern elevation.
- The internal changes to the building have reduced the extent of the retail space and introduced 'tenant space' on the Station Road and eastern frontage.

Roof level

- Building Maintenance Unit (BMU) removed and facade maintenance strategy updated.
- Boiler room enclosed with roof decking material. Overall height reduced from 3.5m to 3.0m.
- Boiler room flue moved more centrally to be less visible from ground level.
- Brise Soleil removed from northern facade.

Northern elevation

- Cladding alignment adjusted.
- Entrance door relocated.
- Planter box at Level 02 removed to enable maintenance access to the roof of the 'pod'.

Southern elevation

- Amendments to the substation door louvre.
- High level hand rail added for roof access.

West elevation

- Amendments to the elevational treatment of the western core.

I have assessed the implications of making these changes in the Assessment section below.

2.3 The application is accompanied by the following supporting information:

1. Transport Technical Note
2. Air Quality Statement
3. Operational Waste Management Strategy
4. Landscaping Details.

2.4 Since the original submission of the application additional/revised information has been provided in respect of the application relating to landscaping, bin storage, arrangement of cycle parking and location of management

suite. These changes are considered minor, although the description of the development has been changed to reflect accurately the cycle parking numbers.

3.0 SITE HISTORY

08/0266/OUT	CB1 Station Area Redevelopment	A/C
12/1600/CAC	Demolition of 'CityRoomz' building (former Sleeperz Hotel), and former railway offices to north	A/C
12/1608/FUL	Demolition of existing buildings (City Roomz Hotel and former railway offices) and construction of a new office building comprising:14,326 sq.m office floorspace (Class B1a) and 1,205 sq.m of retail/cafe and restaurant floor space (Class A1/A3/A4/A5),	A/C
14/1060/NMA	Non Material Amendment	A/C
15/0906/FUL	The demolition of 32-38 Station Road and the construction of a new office building comprising 17,245.6 sqm (GIA) of office floorspace (Class B1) and 339.5 sqm (GIA) of retail/ cafe and restaurant (Class A1/A3), including ancillary accommodation/facilities with an additional double level basement and up to 124 car parking spaces, with associated plant, up to 612 internal and external cycle parking spaces, and hard and soft landscaping.	A/C

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 3/12 3/13 3/15 4/4 4/11 4/12 4/13 4/14 4/15 6/10 7/2 8/2 8/3 8/4 8/5 8/6 8/9 8/10 8/11 8/13 8/16 8/18 9/1 9/9 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy Public Art
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Biodiversity Checklist Cambridge City Nature Conservation Strategy

	<p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan Cambridgeshire Quality Charter for Growth Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm Air Quality in Cambridge – Developers Guide Cambridge Shopfront Design Guide Cambridge Cluster at 50 The Cambridge economy: retrospect and prospect Final report to EEDA and partners March 2011</p>									
	<p><u>Area Guidelines:</u> Southern Corridor Area Transport Plan</p> <p>Buildings of Local Interest</p> <table border="0"> <tr> <td>Station</td> <td>Area</td> <td>Development</td> </tr> <tr> <td>Framework/Station</td> <td>Area</td> <td>Conservation</td> </tr> <tr> <td>Appraisal</td> <td></td> <td></td> </tr> </table> <p>New Town and Glisson Road Area Conservation Appraisal</p>	Station	Area	Development	Framework/Station	Area	Conservation	Appraisal		
Station	Area	Development								
Framework/Station	Area	Conservation								
Appraisal										

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 No comments

Cambridgeshire County Council (Growth and Economy)

6.2 The car parking levels are a reduction compared to the previous application from 124 car parking spaces to 78 car parking spaces. According to the Technical Note this results in 1 space

per 227sqm which is comparable to that for 20-22 Station Road and how Mott MacDonald operate at their current building on Station Road.

- 6.3 Reduced levels of parking at employment sites can have a direct influence on car use to and from a site where parking is also restricted or prevented on surrounding streets and where effective Travel Plans are implemented. Therefore it is important that the off-site parking monitoring and Travel Plan for the site be secured.
- 6.4 The details of the visitor parking management should be detailed and secured as part of a cycle management strategy as part of the Travel Plan for the site.
- 6.5 The following to be secured through a S106 agreement:
- A Travel Plan prior to occupation
 - A contribution towards the costs incurred in implementing a residential controlled parking scheme.
 - Contribution of J500,000 to Cambridgeshire County Council towards delivery of the Chisholm Trail (Link between CB1 and Mill Road); and
 - Implementation of Station Road proposals based on the principles identified in the approved CB1 outline planning approval but with all elements and details to be agreed with the County Council through the normal highways approvals.

Waste Services

- 6.6 No response received.

Urban Design and Conservation Team

Comments on original submission

- 6.7 Concerns relating to the location of the bin store and its impact on the public realm, the rhythm of the mullions to the first floor, the removal of the stall riser to the retail unit and the high level hand rail for roof access were raised. Changes and additional information were requested.

Comments in response to additional information/amended plans

Ground floor

- 6.8 The ground floor of the building has been reconfigured to internalise the bin store and so remove the potential impact on to the 'ante chamber'. A management suite has been introduced which has the potential to introduce increased surveillance of the ante chamber and create a sense of activity along this edge. The proposed changes are therefore supported in design terms.
- 6.9 The use and function of the space to the east elevation has been clarified by the applicant and allays previous concerns about the potential function of this space adjacent to the street.

High level hand rail for roof access

- 6.10 It is now proposed that a lie flat rail system will be specified and when folded flat they will not be visible. This change is acceptable in design terms.

Changes to the upper floor

- 6.11 The axonometric drawings have clarified the arrangement and setbacks of elements at the upper floor. The difference noted was in the presentation of the information on the submitted elevations. Accordingly the glazed walkway will be well set back into the volume of the building and will not result in the apparent coalescence that was a concern with the previously submitted MMA information. Accordingly our concerns have been allayed.

Stall riser to retail unit

- 6.12 These are now shown for sections of the south elevation and accordingly acceptable in design terms.

Rhythm of mullions to first floor

- 6.13 These have been changed back to the rhythm on the approved scheme and are acceptable in design terms.

Details of the bin store

- 6.14 The change to the management suite is supported. The details shown on submitted drawing A06_1005 Rev P are acceptable and it is assumed that the materials will match the main building. Materials have been conditioned as part of the wider scheme (15/0906/FUL).

Walking and Cycling Officer

- 6.15 No Response received

Refuse Officer

- 6.16 No response received

Access Officer

- 6.17 Due to the reduction in parking spaces and thus Blue Badge parking spaces I would oppose this.

Streets and open Space (Landscape)

Comments on original submission

- 6.18 Landscape is not prepared to offer support until clarity on the tree planting has been achieved.

Comments in response to additional information/amended plans

- 6.19 Landscape officer supports the application.

Drainage Engineer

- 6.20 The amendment does not have any drainage implications

Lead Local Flood Authority

- 6.21 Proposals do not have any impact on drainage and consequently have no comments to make.

Environment Agency

- 6.22 The Agency has no objection in principle to the proposed variation of Condition 2 provided that adequate provision is made for any necessary amendment to the surface water drainage and pollution control regime.

Anglian Water

- 6.23 No response received

Police Architectural Liaison Officer

- 6.24 No comments to make

7.0 REPRESENTATIONS

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

106 Mawson Road (2 letters)
17 Clarendon Road

- 7.2 The representations can be summarised as follows:

Traffic/parking issues

- Increase in traffic.
- Bike slots should be outdoors and are unsightly.
- There will be excessive traffic.

Design/scale/visual impact

- Overdevelopment of the site.
- The trees have been cut back already and this has a negative visual impact
- This planning application is part of a bigger project and overall in some respects should be considered jointly.
- The building planned is too large and overshadows the area.
The exterior of the building is not in keeping with the old context of Cambridge. The shop fronts will take away from the character of Cambridge.

- The design of the new building with the basement is not good but mundane.
- More hedges and green areas are needed.
- The whole development of this building in Station Road does not improve the special character of Cambridge
- The development is not of a scale and nature appropriate to the area.
- The old and the new to remain together in one location to bring character to the area.
- The plans are detrimental in this area close to the station and need further investigation and redrawing.
The plans do not do justice to this position on a road used by so many visitors to Cambridge.
- This development has been poorly planned and not in concordance in a comprehensive way with the character of Cambridge.
- The urban design does not take account of the important context of the location of the Victorian houses.
- No consideration has been given to the BLI.
- The proposals are contrary to the Tall Buildings and the Skyline SPD and Policy 3/13.
- The alterations to the planters from 5 to 4 highlights the fact that the building is one mass rather than two separate blocks.

Residential Amenity

- Loss of light, overlooking and overshadowing will be experienced by the residents of Warren Close.
- Roof terraces on levels 7 and 8 will lead to noise, disturbance and loss of privacy.
- Deliveries and late opening hours to the ground floor commercial units (which include takeaways, bars and restaurants) will cause noise and disturbance.

Other issues

- Can I request the council compulsorily purchase these properties to save Cambridge's heritage and character in the station area? The houses are of local interest being the last four Victorian houses in that area.
- The community has not been properly engaged who live around this area or those who regularly use this station, many are unaware of what is taking place and so have not had a chance to comment.
- The local plan seeks to have public engagement, but planning laws are obscure to most and this one needs to be known by those beyond persons the ones who normally take an interest in planning laws.
- Impact on tourism with the loss of the houses and offer student accommodation
- Although the Inspector gave permission for 2 buildings on this site of Wilton Terrace, he did not give permission for 1 massive office block and yet these plans show an enormous edifice which is so monumentally colossal that it will clearly dominate the road and the Conservation Area in an unacceptable way.
- The buildings are larger in terms of footprint and height than that allowed at appeal.
- Inaccuracies in the previous officer report for 15/0906/FUL for the September 2015 Planning Committee in respect of the heights of the building para 6.17 states 34.1m when it is actually 37.3. Also inconsistencies in the floor space calculations.
- What will the mix of uses should be clarified at the next planning committee.
- This application should be reviewed by another Inspector.
- Station road will become a dark canyon.
- No EIA has been completed.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Impact on Heritage Assets
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Planning Obligation Strategy

Principle of Development

- 8.2 The principle of development has been established by the Outline Planning consent for the wider CB1 development. The details of the development have been agreed under the full planning application (application ref. 15/0906/FUL).

Context of site, design and external spaces

- 8.3 The impact of the office building on the context of the site, its design and the external spaces that were to be constructed were fully considered under application reference 15/0906/FUL. It is therefore appropriate to focus the determination of this application on the proposed amendments.
- 8.4 The Urban Design and Conservation Team in their initial comments supported most of the proposed changes but did raise some specific concerns. Further information was submitted and changes made to the proposals and as outlined in paragraphs 6.8 to 6.14 the Urban Design Team are now content with the amendments to the scheme from a design and visual impact perspective. I agree with this advice.
- 8.5 I have noted the third party comments in relation to the removal of one planters from the northern elevation. This change is to allow access to the pod roof for maintenance and I am of the opinion that this change is not so visually significant as to warrant refusal of this application.
- 8.6 I am of the opinion that the amendments as currently submitted are compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Impact on the Heritage Assets

- 8.7 The application for full planning permission was supported by a Heritage Statement as required by the NPPF. Officers in the Urban Design and Conservation Team did not raise any concerns about this analysis. English Heritage do not raise any objections on the grounds of impact on the setting of the listed Station building or the wider Conservation Area.
- 8.8 Detailed conditions were recommended for the full planning application which I have repeated in my recommendation to ensure that the finished building is of the highest quality and that they will preserve and enhance the amenities of the Conservation Area.
- 8.9 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 4/11 and guidance provided by the NPPF.

Public Art

- 8.10 There are no public art proposals as part of this submission. The provision of public art is secured via the s106 Agreement associated with the Outline Planning Consent. The s106 Agreement includes a clause which binds the Agreement to any subsequent application under section 73 of the Planning Act e.g. the current application for a Minor Material Amendment.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

- 8.12 The renewable energy strategy is not affected by the proposed amendments.
- 8.13 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.14 The arrangements for access for disabled people are unchanged by the MMA.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The closest residential units are the flats on Warren Close development to the south of the site of 50 Station Road. A single block accommodates numbers 130 to 153 Warren Close. This block sits approximately 9 metres off the site boundary at its closest point and will be 21 metres from the main body of the office building. Car parking which serves the flats sits adjacent to the boundary. The principal outlook from the flats is toward the open space to the south but there are some secondary windows and the stair core on the north elevation facing the application site. I am of the opinion that the changes are minor in nature and will not have an impact beyond that of the original planning permission (15/0906/FUL) for this part of the CB1 Development.

Noise and disturbance

- 8.17 The Environmental Health Officer (EHO) has recommended conditions relating to construction activities, opening times, plant noise and odour which I have included in my recommendation. Given that the bin store has been re-sited within the building I am satisfied that there would be no additional noise and disturbance arising, over and above the existing approved scheme.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Refuse Arrangements

- 8.19 The arrangements for storage and consequent impact on location of the collections of refuse are considered acceptable. I have recommended the same conditions as were applied to approval reference 15/0906/FUL in respect of waste management.

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

Highway Safety

8.21 The Highways Engineer has not raised any concerns about highway safety in relation to the amendments. I have recommended the same informatives as were applied to approval reference 15/09006/FUL.

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

Car and Cycle Parking

8.23 The arrangements for car parking are reduced through the removal of the lower basement level from 124 car parking spaces to 78 car parking spaces. The Technical Note submitted with the application outlines that this results in 1 space per 227sqm. This level of provision is comparable to that for 20-22 Station Road and how Mott MacDonald operate at their current building on Station Road. This provision is also below the CB1 maximum standard of 1 space per 125 sqm. No objection has been raised in respect of the reduced level of parking provision by the Highway Authority, and given the extremely accessible location I consider this level of provision to be acceptable. I have recommended the same conditions as were applied to approval reference 15/0906/FUL.

8.24 I note the Access Officers comments in relation to the loss of disabled parking spaces. Although there is a drop of 3 disabled spaces, the 4 spaces proposed to be provided in the revised scheme represents 5% of the overall parking spaces, which is in line with the level of disabled parking required for the original full planning permission (15/0906/FUL). A condition was imposed on the previous permission (condition 48) which required 5% of the parking spaces to be suitable for, and reserved for disabled users. I have recommended that this condition is re-imposed on the current scheme. In the light that there is no objection in principle to the reduction in parking and given that the ratio of disabled parking remains the same as the previous scheme, I am of the opinion that the car parking provision is acceptable.

- 8.25 Cycle parking provision changes from 612 spaces in the approved scheme to 632 in total for the amended scheme comprised of 384 at basement level and 248 at ground floor level. This represents an increase of 20 cycle spaces over the previously approved scheme.
- 8.26 I am satisfied that the provision is acceptable in terms of overall numbers and also in terms of its location and useability. I have proposed a condition to secure the details of the external finish of the cycle stores.
- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Planning Obligations

- 8.28 This is a MMA to a full planning approval and necessary mitigation measures are already secured via the Planning Obligation for the wider CB1 development. I have noted the comments of the Highway Authority (Growth and Economy) and I am satisfied that the existing S106 will deliver the required transport mitigation as this includes a clause which binds the Agreement to any subsequent application under section 73 of the Planning Act e.g. the current application for a Minor Material Amendment.

Third Party Representations

- 8.29 The issues raised in the third party representations are noted however, the issues raised relate mainly to the principle, scale and massing, transport impacts, impact on trees and loss of the Victorian terrace. As outlined at paragraphs 8.2 and 8.3 of this report, the principle and detailed design have already been fully considered during the determination of 15/0906/FUL, this application can only deal with the changes to the scheme and cannot re-visit the principle, scale and massing and transport impacts. I have summarised the reposes below, particularly in relation to the issues raised by third parties under the 'other issues' heading:

Issue	Response or paragraph number where addressed.
Design/scale and massing	8.2 – 8.7
Transport issues and parking	8.21 – 9.21
Residential amenity	8.14 – 8.16
Compulsory purchase of Wilton Terrace.	There is no justification to pursue this.
The community has not been properly engaged and have not had a chance to comment.	The Council has carried out the required neighbour consultations, posted site notices and advertised the development in the local press. I am satisfied that adequate consultations have been carried out.
Impact on tourism with the loss of the houses and offer student accommodation	This is a 'principle' issue which has already been established through the grant of outline and full planning permission for the site.
The scheme differs from that allowed by the Appeal Inspector	The appeal related to the outline consent which did not contain full detail of the proposed buildings. A subsequent application (15/0906/FUL) was granted at the site, which set out the detail of the buildings. I accept that the current scheme differs from that allowed at appeal but again, this has been determined through the planning process.
Inaccuracies in the officer report for 15/0906/FUL for the 2 September 2015 Planning Committee in respect of the heights of the building para 6.17 states 34.1m when it is actually 37.3. Also inconsistencies in the floor	Para 6.17 relates to the comments provided by UDC where 34.1m is referenced, this is the correct height of the occupied part of the building. Para 8.20 includes a table setting out the heights on the parameter plans for both

space calculations.	occupied floorspace heights and full heights of the actual buildings including including plant/lift overrun. 36.1m is clearly stated as the full height including plant and overrun.
This application should be reviewed by another Inspector.	Planning applications are not reviewed by Inspectors unless an appeal is lodged against refusal of planning permission.
Station road will become a dark canyon.	I have no reason to believe that this will be the case.
No EIA has been completed.	The outline application (08/0266/OUT) was the subject of an EIA and the minor nature of the changes proposed here means that a further EIA is not required.
Building heights do not comply with SPD or Policy 3/13	The heights of the building have been permitted under planning application reference 15/0906/FUL

9.0 CONCLUSION

- 9.1 The amendments to the approved development which are minor in nature and the amended building design is compatible with other parts of the Station Area redevelopment and will not give rise to any harmful impacts in terms of residential amenity or other environmental effects

10.0 RECOMMENDATION

APPROVE and subject to the following conditions:

1. The permission hereby approved shall be implemented 3 years from the date of the grant of application number 15/0906/FUL.
2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

9. Piling or any other foundation designs and investigation boreholes using preventative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure protection of groundwater (Cambridge Local Plan policy 4/13)

10. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the local planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure protection of the water environment (Cambridge Local Plan policy 4/13)

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

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Prohibition of the burning of waste on site during demolition/construction.
- d) Site lighting.
- e) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- f) Screening and hoarding details.

- g) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- h) External safety and information signing and notices.
- i) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

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

12. 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)

13. 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)

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

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

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

15. 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

16. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope (having regard to the building fabric, glazing and ventilation) shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice".

The approved scheme shall be fully implemented and a completion report submitted prior to the occupation of the noise sensitive development and shall thereafter be retained as such.

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

17. Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such..

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

18. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13

19. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

20. Before the development hereby permitted is commenced, details of the location of associated duct work, for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved ductwork shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of nearby properties and to ensure that the visual impact of the ductwork is acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/11 and 4/13)

21. The units in A1 and A3 use shall not be open outside the hours of 07:00 and 23:00 hrs.

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

22. Deliveries to both 50 and 60 station road and to the units in A1 and A3 use shall not be made outside the hours of 0700-2300hrs on Monday to Friday, 0800-1300hrs on Saturday or at any time on Sundays or public holidays.

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

23. Prior to demolition a method statement for the controlled demolition of the building, the salvaging of materials of construction [bricks, slates, etc.], architectural details [joinery, flooring, stained glass, carved and/or moulded work, door furniture, chimney pots, decorative metalwork, etc.] and structural timber, etc. and the sustainable recycling of these materials shall be submitted to and approved in writing by the LPA. The local planning authority shall then be supplied with written proof of the successful recycling of the materials.

Reason: In the interest of retention of materials of construction/architectural details (Cambridge Local Plan policy 4/12)

24. No development shall take place until a full photographic record and survey by measured drawing and salvage of samples has been made depicting the exterior and interior of the building (including any parts to be demolished) and a copy deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.

Reason: To foster understanding of the building's importance in the national and Cambridge context, and to ensure proper recording of any aspects of the building's special interest which are to be lost or altered. (Cambridge Local Plan 2006, policy 4/12)

25. No stonework, artificial or natural, (including columns, strings, quoins, lintels, sills, copings, plinths or kneelers) is to be erected until details of the source, colour, texture, coursing, mortar mix design, joint type and thickness and pointing technique, have been submitted to, and approved in writing by the local planning authority in the form of large-scale drawings and/or samples. If so required by the local planning authority, the latter may need to be submitted as a panel, which must be retained on site for comparative purposes until the development is completed. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

26. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of all coping to the walls shall be submitted to and approved in writing by the local planning authority. Large-scale cross-sectional drawings may be appropriate for depicting some details. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

27. Prior to the commencement of development, with the exception of below ground works, full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale

drawings and/or samples. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

28. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of glass type(s) to be used in curtain walling/windows/doors or other glazed features shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

29. Prior to the commencement of development, with the exception of below ground works, full details of all external joinery [whether of metal, timber or hybrid construction] including frames, thresholds, mullions, transoms, finishes, colours, etc., shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

30. No metal-clad or other non-traditional roofs shall be erected until full details of such roofs including materials, colours, surface finishes and relationships to rooflights or other rooftop features have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

31. Full details of the proprietary roof glazing system including material(s), edge and flashing methods, etc. to be submitted to and approved in writing by

the local planning authority. Large-scale cross-section drawings may be appropriate to show details. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

32. Full details of the design and installation of the renewable energy source(s) including plant, mounting frames/brackets etc., screening systems, etc. to be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

33. No rooftop plant shall be constructed on until such time as full details, to a large scale, of any rooftop plant screening systems to be installed, where relevant, have been submitted to and approved in writing by the local planning authority. This may include the submission of samples of mesh/louver types and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

34. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

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

Reason: To ensure that the appearance of the external surfaces is appropriate in the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

36. Full details of the cycle store adjacent to the car park ramp shall be submitted to and approved in writing by the local planning authority prior to commencement of works to provide the cycle store. The development shall be implemented and maintained in accordance with the approved details

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

37. Prior to the commencement of occupation, a lighting plan including details of the height, type, position and angle of any external lighting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented and maintained in accordance with the approved plan.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

38. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of the external treatment to the car park ramp shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

39. Prior to the commencement of works to the roof, full details of the gantry window cleaning system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building is appropriate to its setting. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

40. Prior to commencement of occupation a signage strategy for use in association with the occupation of 50 and 60 Station Road and the units in A1 and A3 use shall be submitted to and approved by the local planning authority in writing. The approved signage strategy shall thereafter be retained and all external signage shall conform to the strategy unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

41. 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)

42. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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

43. All management and maintenance of ecology shall be carried out in accordance with the approved Ecology Report by RPS dated April 2015. Prior to the commencement of development, with the exception of below ground works, a full specification and details of the proposed location of the kestrel box shall be submitted to and approved by the local planning authority in writing. The kestrel box shall be installed prior to occupation of the block to which it is attached and shall thereafter be retained unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory arrangements are in place to ensure the proper management and maintenance of ecology (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/8, 3/11, 4/2, 4/3, 4/4 and 9/9).

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

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

45. The approved renewable energy technologies to meet the approved carbon emissions shall be fully installed and operational prior to first occupation and shall thereafter be maintained and remain fully operational in accordance with an approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

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

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

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

47. The drainage system shall be implemented in accordance with the Foul and Surface Water Drainage Strategy dated May 2015 revision E and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure satisfactory arrangements are in place to ensure the proper management and maintenance of foul and surface water. (National Planning Policy Framework 2012).

48. 5% of all parking spaces shall be suitable for, and reserved for, people with disabilities.

Reason: To ensure an appropriate level of car parking provision for people with disabilities (Cambridge Local Plan policy 8/10 and appendix C).

49. Prior to the commencement of first occupation full details of the security arrangements to provide for safe use of the basement car and cycle park, shall be submitted to and approved by the local planning authority in writing. The approved provisions for safe use of car/cycle parking facilities shall be provided prior to the first occupation and retained thereafter.

Reason: To provide convenient and safe access to car/cycle parking. (Cambridge Local Plan policy 8/6)

50. Prior to the commencement of development, with the exception of below ground works, a Travel Plan and Cycle Parking Management Plan shall be submitted to and approved by the local planning authority in writing. The approved Travel Plan and Cycle Parking Management shall thereafter be first implemented upon first occupation and shall be maintained and implemented unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory arrangements are in place to secure work place travel planning and the management of cycle parking.(Cambridge Local Plan 2006 policies 8/2, 8/3 and 8/6).

INFORMATIVE: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

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

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

INFORMATIVE: To satisfy the odour/fume filtration/extraction condition, details should be provided in accordance with Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at:<http://www.defra.gov.uk/environment/quality/noise/research/kitchenexhaust/documents/kitchenreport.pdf>

INFORMATIVE: As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team of the Refuse and Environmental Service at Cambridge City Council on telephone number (01223) 457890 for further information.

INFORMATIVE: A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays

- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email Licensing@cambridge.gov.uk for further information.

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

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

INFORMATIVE: In some circumstances planning permission will be needed for the erection of ductwork/extract flues. Advice should be sought from the City Council in advance of the submission of details for discharge of condition 20 .

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

INFORMATIVE: To satisfy the backup generator condition the noise level from the generator associated with this application should not raise the existing background level (L90) by more than 5 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Note: Only in exceptional circumstances where the applicant has shown that the above cannot be achieved and the need is for real emergencies (e.g. hospital operating theatre or emergency services) the following standard may be used

To satisfy the emergency generator condition the noise level from the emergency generator associated with this application should not raise the existing background level (L90) by more than 10 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

In submitting information to discharge the condition relating to the Travel Plan the applicant should make reference to the availability of car club spaces and electric charging points and the availability of pool cycles.

INFORMATIVE: Highways - The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

INFORMATIVE: Highways - Buildings footings or basements must not extend out under the public highway except in the case of basements with the express permission of the Highway Authority and under licence. Adopted areas should also exclude areas under balconies except under licence (Section 177 of the Highways Act 1980)

INFORMATIVE: Highways - Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

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

INFORMATIVE: The applicant is encouraged to provide the following to meet the needs of disabled people:

Glazing manifestation and good colour contrast throughout.

Dropped height counter in reception areas/retail units.

Hearing loop

Seating of various heights with arms and without.

Application Number	15/2271/FUL	Agenda Item	
Date Received	16th December 2015	Officer	Lisa Lamb
Target Date	16th March 2016		
Ward	Trumpington		
Site	Jupiter House 10 Station Road Cambridge Cambridgeshire CB1 2JD		
Proposal	The demolition of Jupiter House and the construction of a new office building comprising 5,654 sqm (GIA) of Class B1(a) floorspace including ancillary accommodation/facilities with a single basement of 1,715 sqm (GIA) providing 37 car parking spaces, with associated plant and new sub-station, 193 cycle parking spaces at street level and two options for provision of access to the development and for hard and soft landscaping.		
Applicant	C/o Agent United Kingdom		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed building is of a scale, massing and design which are appropriate to its setting within an Area of Major Change and of a sufficiently high quality to respond well to the immediate context.</p> <p>The Outline consent for the Station Area development is a very significant material consideration and the development accords with that consent in all regards with the exception of building footprint.</p> <p>The application includes mitigation measures to ensure that all of the impacts of the development are dealt with both independently and as part of the wider</p>
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	Masterplan.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site forms part of a larger area which is the subject of the CB1 Station Area Redevelopment proposals for which outline planning permission was granted in April 2010. Specifically the application relates to Block J4 of the Masterplan.
- 1.2 10 Station Road is sited to the western end of Station Road. Kett House is sited immediately to the west of the site which is a 5 storey office building. Properties fronting onto Hills Road back onto the south western boundary of the site. Directly opposite the site lies Salisbury Villas which are three storey substantial Victorian properties, these are outside of CB1 Masterplan area.
- 1.3 The site is within the Station Area Redevelopment Framework Boundary and within the Central Conservation Area No.1. The Station buildings are grade II listed. There are several mature trees in the vicinity of the site, including trees on the Station Road frontage, which are subject to protection by virtue of their location in the Conservation Area. The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposals seek full planning permission for the demolition of Jupiter House and the construction of a new office building comprising 5,654 sqm (GIA) of Class B1(a) floorspace including ancillary accommodation/facilities with a single basement of 1,715 sqm (GIA) providing 37 car parking spaces, with associated plant and new sub-station, 193 cycle parking spaces at street level and two options for provision of access to the development and for hard and soft landscaping.
- 2.2 The adjacent site (20 Station Road) has two separate access options approved under two different planning permissions (15/0865/FUL & 15/0864/FUL). Therefore, the current application also seeks permission for two proposed basement layouts and two proposed landscaping schemes to be finalised

when the access arrangements are implemented. The options are as follows:

- Option A: includes an 'exit' ramp from the basement car parking immediately to the east of 10 Station Road. The 'entrance' ramp to the basement car parking would be immediately to the west of the now constructed 22 Station Road. The basement car parking to serve 10 Station Road (and all other J Blocks) would therefore be accessed via the entrance ramp adjacent to 22 Station Road with circulation throughout the basement serving the four blocks providing access to the dedicated car parking for all four Blocks and to the exit ramp to the east of 10 Station Road.
- Option B: shows no ramp to the east of 10 Station Road and this space is therefore incorporated into the landscaping scheme for the proposal (two landscaping schemes have also been submitted along with two basement layouts). In this option the basement of the four J Blocks, including 10 Station Road, will be served by a double entrance and exit ramp between 20 and 22 Station Road utilising the single ramp that has already been constructed to serve 22 Station Road with a further single ramp proposed immediately to the east of 20 Station Road to create the double ramp.

2.3 The key differences between the current proposals and those set out in the parameter plans are as follows:

The footplate of the building is extended by:

- 2m to the north (front elevation towards Station Road)
- 4.5m to the south (rear elevation towards Warren Close)
- 3.5m to the west (side elevation) immediately adjacent to the rear of Kett House, and;
- 8m to the west (side elevation) immediately to the rear of the extension at the Centennial Hotel.
- 0.5m to the east (adjacent to the other CB1 buildings)

2.4 The application is accompanied by the following supporting information:

- Acoustic Report
- Air Quality Assessment
- Archaeology Statement
- Daylight/Sunlight Assessment
- D&A Statement
- Ecology Report
- BREEAM Assessment
- Energy Strategy
- Heritage Statement
- Transport Statement
- Waste Management Strategy
- Landscape Management Plan

2.5 Since the original submission the following additional information has been submitted:

- Plans showing the current scheme against the parameter plans.
- Sections through the site.
- Technical information in respect of drainage
- Daylight/sunlight addendum
- Transport information/clarification

3.0 SITE HISTORY

08/0266/OUT	CB1 Station Area Redevelopment	A/C
12/1600/CAC	Demolition of 'CityRoomz' building (former Sleeperz Hotel), and former railway offices to north	A/C
12/1608/FUL	Demolition of existing buildings (City Roomz Hotel and former railway offices) and construction of a new office building comprising:14,326 sq.m office floorspace (Class B1a) and 1,205 sq.m of retail/cafe and restaurant floor space (Class A1/A3/A4/A5),	A/C
14/1060/NMA	Non Material Amendment	A/C

15/0906/FUL The demolition of 32-38 Station Road and the construction of a new office building comprising 17,245.6 sqm (GIA) of office floorspace (Class B1) and 339.5 sqm (GIA) of retail/ cafe and restaurant (Class A1/A3), including ancillary accommodation/facilities with an additional double level basement and up to 124 car parking spaces, with associated plant, up to 612 internal and external cycle parking spaces, and hard and soft landscaping. A/C

4.0 PUBLICITY

4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notice Displayed: Yes
 Public meeting/exhibition No
 DCF Yes

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 3/12 3/13
	4/4 4/9 4/11 4/13 4/14 4/15
	7/1 7/2
	8/2 8/3 8/4 8/5 8/6 8/9 8/10 8/11 8/13 8/16
	8/18
	9/1 9/9
	10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy Public Art
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Biodiversity Checklist Cambridge City Nature Conservation Strategy Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan Cambridgeshire Quality Charter for Growth Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm Air Quality in Cambridge – Developers Guide Cambridge Cluster at 50 The Cambridge economy: retrospect and prospect Final report to EEDA and partners March 2011
	<u>Area Guidelines:</u>

	Southern Corridor Area Transport Plan Station Area Development Framework/Station Area Conservation Appraisal New Town and Glisson Road Area Conservation Appraisal
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Either of the access options is acceptable to the Highway Authority.

Cambridgeshire County Council (Growth and Economy)

Comments provided on original submission

- 6.2 Submit a holding objection pending further information.

Comments in relation to additional information

- 6.3 The County Council is now content to remove its holding objection on transport matters subject to the following requirements which should be secured via either planning obligation or condition:
- A Travel Plan should be secured for the site which should include, inter alia, details of how cycle parking will be managed;
 - As with other CB1 applications, there should be an obligation requiring off-site parking surveys to be undertaken using a methodology to be agreed with the County Council; in the event that the surveys reveal a need to measures to be introduced then the applicant will fund consultation and implementation of a parking management scheme for impacted roads up to a total cost of £75,000;
 - A payment of £300,000 should be made to the County Council towards delivery of the Station Gateway Digital Wayfinding Project.

Environmental Health

- 6.4 No objection subject to the imposition of conditions relating to construction hours, deliveries, dust, noise, contaminated land and an emergency generator.

Refuse and Recycling

- 6.5 The applicant's Waste Management Strategy is sufficient in the proposed quantities for refuse and recycling provision. Whilst the design of the bin store is adequate the linear nature can lead to problems of use (cramped & hard to reach containers) which may impinge effective and efficient waste separation by staff.
- 6.6 The system for presentation of containers by contractors, at street level is adequate assuming competent building management is available at the unsocial hours that waste collection companies operate.
- 6.7 It seems unfortunate that the "Temporary Bin Storage" area at street level involves crossing the basement access ramp and being located next to the building's reception as whilst waste contractors start early in the morning/night it is feasible that collection may not occur until later in the day.

Urban Design and Conservation Team

Comments based on original submission

- 6.8 The Urban Design and Conservation Team have advised that the proposals are acceptable subject to detailed conditions relating to the external materials and the treatment of other external features including glazing, cycle stores, retaining walls, measures to protect Clifton Villa gate pier etc. No concern in relation to the daylight/sunlight study

Comments based on revised information

- 6.9 No further comments to make

Senior Sustainability Officer (Design and Construction)

- 6.10 The outline permission for the CB1 development set a requirement for all non-residential elements to achieve a minimum of BREEAM 'excellent'. As this is a full application, the scheme is not bounded by the conditions attached to the outlined permission. Nevertheless this application still proposes to construct to the BREEAM 'excellent' requirement.
- 6.11 With regards to the BREEAM requirement, a BREEAM pre-assessment report has been submitted that shows that the office space is capable of achieving the BREEAM 'excellent' requirement, with a targeted score of 70.20%, with the recommendation that additional credits are targeted to provide a 4-6% margin. This approach is supported.
- 6.12 Other sustainable design and construction features that are being incorporated into the scheme includes the use of green/brown roofs beneath the proposed photovoltaic panels. Green and brown roofs have multiple benefits, including surface water attenuation, biodiversity enhancements, reducing internal cooling loads and providing a more stable microclimate around photovoltaic panels helping them to operate more efficiently. As such, their use on this scheme is fully supported.
- 6.13 Other measures being incorporated into the scheme include:
- Reference to the collection of rainwater/greywater collection in the basement with this used for landscape irrigation and WC

and urinal flushing. This approach to reducing potable water consumption is supported;

- The use of solid panels, vertical fins and solar control glazing to reduce unwanted summer time solar gain. Reference is also made to the provision of moderate levels of thermal mass within the building to help regulate temperatures. While this approach is supported, the use of thermal mass will need to be coupled with a secure night time ventilation strategy to allow for night purge. It is also noted that mechanical ventilation with heat recovery is to be specified, and while this is again supported from an indoor air quality perspective, it will be important to ensure that the system has a summer bypass mode so that it does not inadvertently contribute to unwanted internal heat gains in the summer.

Renewable Energy Provision

- 6.14 Policy 8/16 (Renewable Energy in Major New Development) requires all development over a threshold of 1,000 square metres to provide at least 10% of the developments predicted energy requirements from on-site renewable energy. The proposed development can also be viewed against the context of the plans for the redevelopment of the CB1 area as a whole, albeit this is a full planning application that is not bounded by the conditions attached to the outline application. The masterplan for the site contains the ambition for the development to exceed Part L of the Building Regulations by 10% and to achieve a 15% abatement of carbon emissions from renewable energy systems. It should be noted that since the outline permission was granted, changes to Part L of the Building Regulations have included more stringent carbon reduction targets for both residential and non-residential development, with a focus on encouraging a hierarchical approach to reducing carbon emissions.
- 6.15 The submitted Energy Strategy, prepared by Hilson Moran, sets out that by taking a hierarchical approach (passive design measures, fabric improvements, energy efficiency, and the use of renewable and low carbon technology) carbon reduction of 31.74% compared to a Part L 2013 compliant baseline for regulated emissions is predicted to be achieved. This approach is supported. In terms of renewable energy provision, a 100m²

photovoltaic panel array is proposed, which it is predicted will reduce carbon emissions by around 7.3 tonnes CO₂/annum, which equates to a 7% reduction. While this is slightly below the 10% requirement set out in policy 8/16, when one considers the overall level of carbon reduction being achieved as a result of the hierarchical approach to reducing carbon emissions, the approach taken for this scheme is supported.

Conclusion

- 6.16 To conclude the overall approach to sustainable design and construction and renewable energy provision is supported.

Access Officer

- 6.17 A sliding door would be preferable to a revolving door. Hearing loops are required at desks

Head of Streets and Open Spaces (Landscape Team)

- 6.18 Landscape can offer support for the application subject to the imposition of conditions

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

- 6.19 No response received

Cambridgeshire County Council (Flood and Water Management)

Comments based on original submission

- 6.20 Although the applicant has taken a sustainable approach, we require the additional information and clarification on the below before we are able to provide our comment:

- On page 4 of the surface water and foul drainage strategy the applicant has proposed that the geocellular storage will accommodate rainfall up to the 1 in 100 year storm event. However, the calculations demonstrate there is a potential 18.5m³ of water that will not be stored within the tank during this

event. It is not clear if the applicant proposes for the water to be discharged into the existing drainage network on Station Road.

- The drawing does not detail where the overflow pipe will connect to the system or what the proposed discharge rate will be for the 1 in 100 year rainfall event (including allowance for climate change)
- This drawing details the pipe 'node numbers' however this has not been referred to in the network calculations.

Comments based on revised information

- 6.21 The applicant has demonstrated that surface water can be dealt with on site by using permeable paving, geocellular storage and linear drainage channels. The applicant proposes to discharge into Anglian Water's surface water sewer at 5l/s. We are content with the proposal and request to **remove our objection**.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Comments based on original submission

- 6.22 The application is unacceptable and should be refused as not all of the water for a 1 in 100 year event + climate change is stored within the attenuation which will result in flooding.

Comments based on revised information

- 6.23 The development proposed is acceptable subject to the imposition of conditions.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.24 No response received

Historic England

- 6.25 Historic England does not object to the demolition of Jupiter House and the construction of a replacement office building. In the event that the application is to be approved we request that conditions are imposed to control the final materials and

detailing of elements such as glazing brickwork etc. Landscaping should also be controlled.

Environment Agency

6.26 No response received

Anglian Water

6.27 Records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

6.28 The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre that will have available capacity for these flows.

6.29 Development may lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine proposed pumped rates for the basement foul water discharge. A condition requiring the drainage strategy covering the issue(s) to be agreed is requested.

6.30 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

6.31 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

6.32 The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.33 In principle there are no objections.

6.34 The only observation is in respect of the security elements of the basement parking proposals. There are two options still being considered and there are no objections to either proposal. However, this submission does not clearly state how security of users and their vehicles will be achieved.

6.35 Unauthorised access into the basement parking area should be prevented.

Normally, this would include the fitting of security gates or roller shutters using electronic access control features. As two parking access options are still possible, then it may be prudent for to consider the imposing a condition relating to securing for the basement area.

Ministry of Defence (Safeguarding)

6.36 No safeguarding issues but request an informative is added in respect of cranes and tall structures at the site during construction.

Cambridge International Airport

6.37 No objections but request an informative is added in respect of cranes and tall structures at the site during construction.

Design and Conservation Panel (Meeting(s) of) 10 June 2015 and 11 November 2015 (sub panel)

6.38 The conclusions of the Panel meeting(s) were as follows:

Station Road elevation

- Materials (plinth). The Panel questioned the rationale behind what they regarded as the arbitrary use of stonework at the base; appearing as an unwelcome tidemark along the double-height element of the elevation. Further work is needed; reflecting more closely the use of materials at 30 Station Road, possibly with a rusticated brick used to define the plinth in place of the stone. Panel also suggested that No.10 might be viewed as a 'No.20' or 'No.22' with the ground floor removed – and that might therefore be seen as further justification for omitting a stone base to it. The Panel wished to learn more about the suggested Gault White brick and to be able to visualise how it would be read in the context of the other bricks selected for the new family of

Station Road buildings. Panel were concerned that too much variation in brick types could be discordant and requested that large sample panels be constructed on site before the final choice is made. Columns and fenestration – rhythm. The Panel were comfortable with the asymmetrical (off-set) position of the entrance but would encourage a different, more ordered approach to the remaining elevation in terms of the column widths and the discordant relationship between the double height lower floors and the upper floor windows. The use of some wider columns did not enhance the elevations as the ABBABBA rhythm did not extend the full width of the elevation. A more ordered treatment with windows over windows would improve the building's relationship with the rest of the street i.e. both the replacement offices at 20, 22 and 30 Station Road and the Victorian houses opposite. It was also felt the concealed floor within the double height element should be given greater expression than depicted in the presentation.

Relationship with Warren Close and properties to the rear of Hills Road

- The Panel would have appreciated the inclusion of computer-generated images of all elevations so as to be able to assess the appropriateness of the building's relationship with, and impact on neighbouring properties, especially those fronting onto Hills Road. Inclusion of such images at the application submission stage is recommended. The site plan may not have included a recent wing to the rear of the hotel on Hills Road, and it will be important for this to be correctly drawn to enable a proper interpretation of its impact.

Site footprint

- With the building having exceeded its original parameter footprint, the alley to the side and rear, between the building and the boundary, now appears narrow. Further information as to the function of the space and how pedestrians would experience this area would be helpful, even if its use is strictly private. It may be necessary to consider sliding the 'service core' further into the building to reduce the bulge on the west elevation.

Historic reference

- The architects are encouraged to keep the reference made to the former Victorian 'Clifton Villa' which is to be found in the wall next to Kett House.

VERDICT:

10 Station Road – AMBER (unanimous)

The conclusions of the Sub Panel meeting were as follows (11 November 2015):

Station Road elevation

- Fenestration. The more ordered rhythm of the fenestration and columns is welcomed as a direct response to the Panel's previous comments on the elevation. The addition of the horizontal spandrels covering the mezzanine line is also welcomed. It was felt that this new proportion particularly improved the relationship with Kett House.
- Stone cladding to plinth and double-height entrance. The Panel appreciated the demonstration of the various alternative options but are not entirely convinced that there is yet a holistic logic to the treatment of the stone cladding and the definition of its detailing and extent. For example, the Panel would like to see the cladding extended to cover the double height of the entrance to help celebrate this space.

Relationship with 20 Station Road

The Panel welcome the proposed sequence of buildings with 10 Station Road sitting more comfortably between 20 Station Road and Kett House. To provide a 'touch point' with 20 Station Road, the Panel suggested greater use of brick rather than glazing at the upper level east corner, perhaps with a stronger projecting element. Responding to the immediate neighbouring buildings to either side in the elevations, might create more telling moves than the concerns with defining 'bookends' to the four blocks in the row.

Relationship with the hotel on Hills Road

- The Panel did not find the computer-generated images as particularly helpful in evaluating the building's impact as experienced from the southern corner. However, as this is a matter of impact on a hotel which only has a single passage window overlooking the building, the Panel felt this juxtaposition could be considered to be acceptable.

- The architects are however encouraged to test various solutions such as using brise-soleil louvres on the southwest façade to achieve greater privacy for the hotel rooms and give passive, rather than direct views, from the windows of adjacent office floors.

South and East access

- The Panel strongly questioned the usability of this passageway space given its very narrow dimensions. There will be instances where two cycles will need to pass each other alongside a parked bike and this looked difficult. The safe movement of cyclists arriving or leaving the site as well as appropriate lighting should be given further consideration.

‘Clifton Villa’ sign.

- The Panel welcome the proposal to maintain this historic reference.

Conclusion

The Panel appreciate the architects’ positive response to their previous comments. They feel that the scheme for 10 Station Road has progressed and is now a simplified and better mannered building that sits well within its context.

VERDICT – GREEN (unanimous) - providing the South and East cycle access passage width is re-examined.

6.39 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:

63-73 Hills Road (Centennial Hotel)

7.2 The representations can be summarised as follows in respect of the original submission can be summarised as follows:

- Overbearing impact on the hotel resulting in an unacceptable sense of enclosure
- Loss of daylight and sunlight
- Loss of privacy with unacceptable window to window relationships
- There is a private residential apartment at the site which will be adversely impacted in terms of amenity.
- The scheme differs significantly from that shown on the parameter plans approved under 08/0266/OUT. The parameter plans were set to maximise the opportunities for development but balance these against the site constraints and the amenity impacts.
- Lack of information submitted showing the relationship of the proposed buildings to the hotel or other surrounding properties. This suggests that there was a failure to assess the proposals adequately in relation to the hotel.
- The alterations will result in a 15.25m building high being sited 2m from the common boundary as opposed to the 7.5-8m set away from the common boundary set out in the parameter plans.
- The 5 storey building will be approximately 3.5m from the hotels rear projection which has two corridor windows that provide the only natural light to the rear wing and around 18m from the rear of the main hotel building.
- The alterations also propose an increase in depth to the buildings of approximately 4m to the rear.
- The hotel is already compromised by the development set out in the parameter plans and the proposed plans will exacerbate this to an unacceptable level.
- Serious concerns regarding the analysis presented in the daylight/sunlight report and confirm that hotels are potentially sensitive receptors.
- The proposals will compromise the functioning of a viable hotel.
- 3/4, which requires development to respond to its immediate context. Policy 3/7 requires good interrelations and integrations between buildings. Policy 3/13 requires buildings that are substantially taller than their neighbours to demonstrate that they will not detract from local amenity. The proposals are contrary to these Policies.
- The application is not accompanied by verified views analysis as adopted guidance for the application of Policy 3/13 requires. This is a material consideration as it postdates the original planning consent.

7.3 The representations in respect of the scheme as amended can be summarised as follows:

- This information should have been supplied at the outset.
- The scheme has been prepared without a proper assessment of the effects on my property.
- Development on the site is accepted but the proposals go well beyond what is reasonable and what was outlined in the parameter plans.
- Views 4 and 5 shown the southwest corner but do not show the full face of the building that affects my property.
- The additional information is helpful but it does not clearly demonstrate the relationship of the proposed development and my property.
- Planners. Local Councillors and Planning Committee Members can visit my property at any time should they so wish to see the site from the rear of the hotel first hand.
- Concerns regarding scale and mass remain.
- The proposed building will completely dominate the hotel.
- Overlooking issues have not been addressed
- There are residential windows that look out onto the rear of the site, not only hotel rooms.
- The proposals will affect my amenity and also the amenity of the hotel which provides much needed short stay accommodation.

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

8.0 ASSESSMENT

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

- 1 . Principle of development
- 2 . Context of site, design and external spaces (and impact on heritage assets)
- 3 . Public Art
- 4 . Renewable energy and sustainability
- 5 . Disabled access
- 6 . Residential amenity
- 7 . Refuse arrangements

- 8 . Highway safety
- 9 . Car and cycle parking
- 10 . Third party representations
- 11 . Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 An outline planning application for CB1 was approved in April 2010 for the comprehensive redevelopment of the Station Area (08/0266/OUT). Therefore, the principle of office development on this site has been firmly established.
- 8.3 A series of parameter plans (known as the CB1 Masterplan) were approved as part of the outline permission which set the parameters to which development proposed under any subsequent reserved matters application must conform.
- 8.4 A full planning application is required in this instance because the application proposals vary from the parameter plans approved at outline stage in terms of the proposed footprint.

Restriction on occupation of office development

- 8.5 Policy 7/2 of the Local Plan permits new office development for occupation by a business that can demonstrate that it provides an essential service for Cambridge as a local or sub-regional centre or exceptionally where there is a proven need for a regional function only. This is sometimes known as a 'local user condition'. The s106 Agreement for the outline application secures such control over the future occupation of office development within the scheme and it is necessary to secure the same arrangement for this proposal. This can be achieved through the S106 Agreement.
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policies 7/2 and 9/9 of the Cambridge Local Plan 2006.
- 8.7 The key issues for consideration in the determination are the additional impacts over and above those of the Parameter Plans. These will now be assessed under the relevant section headings in the following report.

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

Response to context

- 8.8 Although the application is submitted in full, the basic scale and massing parameters, land use and access arrangements for the site were identified and fixed in a series of parameter plans and accompanying information approved as part of the CB1 Outline (08/0266/FUL). The proposed scheme is largely consistent with the principles established in the outline with some variations to the building line and options concerning the access to the basement car park.
- 8.9 In terms of the design of the elevations and materials these have been developed to respond to Kett House to the west and 20 Station Road to the east. In addition the overall materials palette is consistent with the overall palette in CB1 which is, in part, informed by the existing retained Victorian Villas on the north side of Station Road.

Movement and Access

- 8.10 In terms of addressing the Design & Conservation Panel concerns regarding the width of the cycle access to the western boundary, drawing SITE-KY-02 shows the width to be 1.2m which is sufficient to manoeuvre a bicycle through. The section that also accommodates a series of cycle hoops is wider at 1.5m wide.
- 8.11 Two options for access to the basement car park have been submitted and have been done so to provide flexibility in terms of achieving the required access. Both options are acceptable in design terms although the 'Option B no ramp' allows for a more continuous linear park envisaged in the Outline Masterplan.
- 8.12 Option A – with ramp – the submitted drawings do not identify the proposed details of the flank walls to the ramp. These walls will be visible from Station Road and should therefore be finished in such a way as to complement the building and provide a high quality entrance into the car park. This detail can be covered through condition.

Layout

- 8.12 The building occupies the position identified in the Outline masterplan with the access proposed to the northern elevation. The core is located to the western side of the building which is configured in such a way as to provide flexibility for the future letting of the office space.
- 8.13 The cycle parking is located to the rear of the site and car parking located in a basement. The approach to the layout is consistent with other J Buildings on Station Road and acceptable in design terms.

Scale and massing

- 8.14 As with the other J Buildings along Station Road, there are a number of adjustments to the footprint of 10 Station Road. The changes to footprint of the building on the north side are similar to those approved to the other J Buildings. The variation in the proposed footprint of the building when compared to the Outline Masterplan, are similar to the variations brought forward for each of the J Buildings on Station Road and are acceptable in design terms.
- 8.15 The proposals will create a 5 storey office with a well setback plant room/lift overrun at the 6th floor. The overall height to the parapet is approximately 12.5m and the overall height to the top of the plant enclosure is approximately 18m (17.7m). The height is therefore consistent with Parameter Plan 1 of the CB1 Outline (08/0266/OUT).

Elevations and Materials

- 8.16 The submitted plans and elevations do not identify the proposed materials although these are described in some detail in the supporting Design & Access Statement (pages 46-48).
- 8.17 A green/brown roof is also illustrated in the Design & Access Statement the green tone identifies the extent of the roof on the submitted roof plan (drawing GA-RF-07) although it is not labelled as such. The provision of the green/brown roof is supported in design terms.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Public Art

- 8.19 Although the application is a 'freestanding' full planning application in my view public art should be considered in the wider CB1 Masterplan context. The applicants are happy with this approach. I am satisfied that a clause within the S106 to require the implementation of the approved Public Art Plan is sufficient in this case to ensure that Public Art is delivered as part of the wide CB1 redevelopment.
- 8.20 In my opinion, subject to the inclusion of a clause in the S106 agreement requiring delivery of the agreed Public Art Plan the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

- 8.21 The Senior Sustainability Officer has noted that the outline permission for the CB1 development set a requirement for all non-residential elements to achieve a minimum of BREEAM 'excellent'. Whilst this application is a full application and would not have to comply with the conditions imposed on the outline permission, it is still proposed that the buildings will achieve the 'excellent' BREEAM rating. Other sustainable design features include green/brown roofs, photovoltaic panels, greywater/rainwater collection, solid fins to control solar gain. All of these measures are supported. The Senior Sustainability Officer has also concluded that the renewable energy provision would be acceptable, notwithstanding that it is slightly below the 10% threshold (at 7%). The reason for this conclusion is that the overall level of carbon reduction being achieved as a result of the hierarchical approach to reducing carbon emissions, the scheme overall is acceptable. I agree with this advice and am satisfied that the current proposals whilst outside of the outline requirements is still string to provide good standards in relation to renewable energy and sustainability.
- 8.22 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.23 The Access Officer has not raised any objection to the proposals on the basis of disabled access to the site. I note the comments regarding the door and the hearing loops and I have added an informative to advise the applicants of these comments. Detailed arrangements for the internal aspects of the office will be covered by Building Regulations. I am agree with the advice from the Access Officer and I am satisfied that the proposals are acceptable in this regard.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.25 The property closest to the application site, and therefore the one most likely to be affected by the current proposals is the Centennial Hotel. This property is sited to the south west of the application site and shares a common boundary with the site. The Centennial Hotel is formed from a number of original terraced properties which front onto Hills Road. These properties are now inter-connected and together form the Hotel (nos 63-73). The Hotel is has a three storey rear extension with access/undercroft parking at the ground floor level (eg two floors of hotel rooms). The extension is linked at first floor level to the main hotel and projects out to the east to within approximately 1.5m of the common boundary at its closest point. The hotel rooms in the extension have outlook either to the north or south although there is a corridor window which is on the eastern elevation. There is also residential accommodation at the site which consists of the managers apartment. From my site inspection it is my understanding that this accommodation is sited to the south of the hotel buildings (eg furthest away from the proposed office block).

Relationship with adjacent dwellings

Separation distance

- 8.26 The key relationship that needs to be assessed through this application is the relationship with the Centennial Hotel to the

west of the application site, and particularly the proximity of the proposed office block to the extended part of the hotel. The proposed office block would be sited approximately 2m off the common boundary with the Hotel. The closest part of the extension is set 1m from the boundary, increasing to approximately 3m further to the north. This means that the proposed office block would be sited at a distance of between 3 and 5m from the extension of the hotel. This compares with a distance of between 9m and 11m identified on the Parameter plans at outline stage. Whilst this is a closer relationship I am of the opinion that the approved parameter plans would have resulted in a building that would have been highly visible from the hotel, and that whilst the current proposals are closer, in visual terms, the impacts will be similar.

- 8.27 In reaching this conclusion I have been mindful of the orientation of the buildings in relation to one another and note that the 'end' elevation of the hotel extension will 'front' onto the side elevation of the proposed office block. No bedroom windows look directly onto the office block to the east and so the relationship is essentially rear to flank rather than window to window. Coupled with the fact that the hotel use would have transient population and that the rooms would mainly be used at night, I am of the opinion that the office building would not appear as overly visually dominant to the extent where a refusal of planning permission could be sustained.

Overshadowing/loss of light

- 8.28 A Daylight/Sunlight Assessment produced by Delva Patman Redler (DPR) on October 2015 with an addendum dated 23 November 2015 was submitted with the original application. This report concluded that the impacts on daylight/sunlight would be acceptable and that out of a total of 132 windows assessed to the west of the site (along Hills Road) only one window would fall below the BRE guideline. The overall conclusions of this report are that the affected window is of less significance as it is on a hotel and so would not impact on residential amenity to the same extent as if this were a residential property.
- 8.29 The conclusions of this initial report were challenged by a third party who commissioned their own independent assessment by EB7 which reached the following key conclusions:

- The technical analysis accompanying the report does not reflect the final scheme and it cannot be said with any certainty that additional impacts are non-material.
- Clarification of the accuracy of the technical assessment due to discrepancies identified.
- The BRE Guidelines identifies hotels as a potentially sensitive receptor at paragraph 2.2.2
- Do not agree that the inclusion of the 4th Floor terrace and an increase of the 4th floor parapet by 210mm generally and by 1m around the stair core will not make any material difference.
- Lower ground floor windows are situated in a light well and have not been modelled correctly

8.30 A further update letter was produced by DPR which responded as to the queries raised by EB7. These can be summarized as follows:

- The DPR sunlight and daylight report set out the principal guidelines of the BRE Guide. As stated in the DPR report the advice given within the BRE Guide *'it is not mandatory and the guide should be seen as an instrument of planning policy its aim is to help rather than constrain the designer.* It goes on to state that *;although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of the main factors in site layout design'*.
- The BRE Guide makes it clear in paragraph 2.2.2 that the principal concern is to protect residential amenity and adjoining dwellings within and around the development. Where daylight is required, including living rooms, kitchens and bedrooms. Bedrooms are noted to be of less importance because they are mainly occupied at night time. Whilst the hotel is valid for consideration in daylight and sunlight terms it is of less significance than residential amenity. The DPR report fully includes an analysis of the Hotel windows but given the use it is considered that the occupant's requirement and expectation of daylight is generally less than that of a fully tenanted residential accommodation. Moreover, as confirmed by the EB7 letter, the accommodation affected is bedrooms which are of even less significance because they are mainly occupied at night time. Additional reference to the 'circulation space need not be analysed as stated within 2.2.2 pf the BRE guide.
- The daylight sunlight analysis model is based on a 3D measured survey model produced and provided by Plowman Craven Surveyors. This is widely recognised as the most

accurate source of 3D massing modelling for analysis purposes. No access to the hotel has been obtained and no plans of the building have been sourced and so notional layouts for the building have been assessed. If there are light wells as described, then clearly the Plowman Craven modelling does not take this into account. However, as this will affect both the existing and proposed conditions it is quite possible that this will not have a material affect on the quantum of chance and therefore the compliance levels of windows/rooms at this level. The light wells themselves are quite likely to naturally inhibit the access of natural light itself and therefore, the expectation of daylight within these rooms will be lower as a result.

- We remain of the opinion as stated within the DRP letter dated 23 November 2015 that whilst the revised scheme will generate some additional reductions to the neighbours these will not generate any materially additional impact that would significantly alter the conclusion within our main October 2015 report.

8.31 I have reviewed the content of both the DRP reports and also the independent review of this by EB7. I have also sought the comments of the Urban Design and Conservation Team in respect of the conclusions of the report and viewed the extended part of the hotel (closest to the boundary) internally. At the site visited I noted that there is a single window serving the corridor (circulation space) on the eastern elevation. Whilst the impact on this window cannot be given significant weight it is worth noting in my view, that this window is currently insufficient to naturally light the central corridor for its full length and artificial lighting is relied upon even during daylight hours. I also noted the lightwell (low level) windows at the site visit and from my site inspection I am of the view that these windows already do not give 'standard' levels of light and so to some extent do already inhibit natural light. I also agree with the conclusions of the DRP report that the expectation of light in rooms served by lightwells is lower.

8.32 With regard to the windows serving the bedrooms, none of these have outlook directly to the east and face either south or north (depending on which side of the corridor they are sited). I am also minded that there is flexibility within the BRE guide, and that these are guidelines, rather than absolute requirements. Whilst I accept that there will be some impacts upon some of these rooms, I am persuaded that as these are

relatively small hotel bedrooms (as opposed to a suite or family room) the main occupation of these will be overnight and that the impacts on the light to these rooms would, on balance be acceptable. I have also noted that the Council's Urban Design and Conservation Team have not raised any concerns with regard to the methodology adopted for the daylight/sunlight assessment or its conclusions. The windows serving the managers apartment meet the thresholds set out in the BRE guidance. On this basis I am of the opinion that a refusal of the scheme on loss of daylight/sunlight could not be substantiated.

Overlooking/loss of privacy

- 8.33 The applicant has assessed the potential for overlooking from the proposed development on properties fronting onto Hills Road. Views between existing and proposed development have been assessed in the submitted D&A Statement (pages 32-33) and summarised in the submitted Planning Statement. The assessment demonstrates that the potential for impact is limited to a single window on Vinter Terrace located approximately 24m from the proposed elevation and a further window on the hotel 3m away. The view from and towards the Vinter Terrace window is at an oblique angle and far enough away for privacy of occupants to not be compromised. I am content with the conclusion of the assessment in relation to the properties on Vinter Terrace and I am also satisfied that the surrounding commercial properties to the east (part of the CB1 redevelopment) and Kett House to the west would not be adversely affected by the increase in floorplate of the building.
- 8.34 With regard to the Centennial Hotel I am of the view that the windows with outlook to the east on the original part of the hotel are set at a sufficient distance (approximately 18m) from the proposed office block so that adverse overlooking would not occur. The rear extension to the hotel is set in very close proximity to the western elevation (approximately 3m at its closest point). The rear projection of the office block also extends to the south, past the extension. Whilst the angle of outlook from the office building would be quite acute, I am minded that there should be some treatment to the windows that could give outlook towards the rooms on the extended part of the building either through the application of a reflective film, obscure glazing or Brise Solei. The Managers apartment is to the south of the hotel building and is set at the furthest point from the proposed office block. That said, the window treatment to the western elevation would also protect the

windows in this apartment from overlooking from the office block. I am satisfied that this would protect the hotel rooms from undue overlooking and I have recommended a condition to this effect.

Enclosure/loss of outlook

- 8.35 From the site inspection I noted that to the rear of the Hotel, the modern extension to some extent already encloses the rear courtyard to the north. I also noted that the rear area is largely marked out for, and used for parking and did not appear to serve any amenity function in relation to the hotel. The existing office block of Jupiter House is also very clearly visible from the rear. From the extension the rooms with outlook to the north are enclosed by Kett House. I am of the opinion that as the rear space is mainly given over to parking and operational uses (bins etc) and that the existing office block is clearly visible that the physical presence of the amended office block compared to that outlined in the parameter plan would not be so stark that a refusal of planning permission could be justified in this instance.

Noise and disturbance

- 8.36 The principle of office use in this location has already been established via the grant of outline planning permission. Whilst this is a 'full' planning application, I am of the opinion that the comings and goings associated with this scheme would be very similar to that granted outline permission. The increase to the floorplate would not in my opinion, give rise to an excessive level of noise and disturbance that would be experienced. I have recommended conditions to deal with plant noise.

Overspill car parking

- 8.37 It is proposed to provide 37 car parking spaces at basement level. The Highway Authority have not raised any objection in relation to the quantum of parking provision. Given that this is a highly accessible location I am of the opinion that the parking provision at the site is acceptable. The site lies within the Controlled Parking Zone and so there is limited parking in the vicinity of the site. However, given the public transport links in the immediate vicinity I do not consider that the proposals would exacerbate parking issues.

Construction activities

- 8.38 The site is located in a central location and is adjacent to two very busy roads (Station Road and Hills Road). In addition to this, there is already significant construction work taking place in the vicinity of the site due to the wider CB1 Construction work currently taking place. I am satisfied, given the characteristics of the site that subject to conditions to control construction hours and deliveries to the site and an informative concerning the considerate contractors scheme that the development phase of the works would not be unduly disruptive.
- 8.39 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.

Refuse Arrangements

- 8.40 The Waste Manager has advised that Waste Management Strategy is sufficient in the proposed quantities for refuse and recycling provision. Whilst he has noted some potential concerns with the layout of the bin store in operation, as there has been no objection to the proposals I have no alternative but to conclude that this would be acceptable subject to a condition requiring the bins to be provided as specified.
- 8.41 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.42 The Highway Authority have indicated that either of the access options would be acceptable to them from a highway safety perspective. They have recommended that a condition is imposed so that the access option selected is confirmed prior to commencement of the work. I agree with this advice and have recommended a condition in respect of the access option to be confirmed.
- 8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.44 As outlined at paragraph 8.37 the quantum of car parking is considered to be acceptable. There would be a total of 193 cycle parking spaces and I am satisfied that the layout would result in a useable provision. The requirement for the quantum of cycle parking would equate to 1 space per 30m² of office floorspace which would equate to the requirement to provide 188 cycle spaces. There is also the requirement to include some visitor parking within the standards although this is not quantified. Given that there would be 5 visitor spaces provided within the scheme I am of the opinion that the parking level proposed would be acceptable in the light of the policy requirements. Subject to a condition to ensure the cycle parking is provided, I consider the proposals to be acceptable in this regard.

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

Third Party Representations

8.46 The main points raised in the representations have been addressed in the main body of the report, a summary is provided below:

Issue	Response or paragraph number where addressed in report.
Residential amenity (overlooking)	8.33
Scale bulk/overbearing	8.27
Loss of light	8.28- 8.32
Deviation from parameter plans	This is a full application which is the correct process for a scheme which does not comply with the parameter plans approved at outline stage.
Concern relating to daylight/sunlight assessment submitted	This assessment has been updated in response to the concerns raised. 8.28 – 8.32
Lack of information submitted with the initial application.	After review by the case officer, further information and detail was requested and this was provided. Officers are satisfied that there is

	currently enough information submitted to fully assess the proposals.
Additional information provided does not alleviate concerns.	8.46
Compromise functioning of a viable hotel	Commercial interests cannot be given significant weight.
Right to Light	This is covered by other legislation and so is not a material planning consideration.
Requirement for verified views for tall buildings	The heights of the buildings are within the parameter plans approved at outline stage and so the LPA is of the opinion that verified view are not required as a building of this height has already been considered at outline stage.

Planning Obligations (s106 Agreement)

8.47 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.

8.48 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed must be for specific projects as opposed to generic infrastructure types within the city of Cambridge.

Transport

- 8.49 The County Council (Growth and Economy) have requested the following to be secured by way of a S106 agreement.
- A Travel Plan should be secured for the site which should include, inter alia, details of how cycle parking will be managed.
 - As with other CB1 applications, there should be an obligation requiring off-site parking surveys to be undertaken using a methodology to be agreed with the County Council; in the event that the surveys reveal a need to measures to be introduced then the applicant will fund consultation and implementation of a parking management scheme for impacted roads up to a total cost of £75,000.
 - A payment of £300,000 should be made to the County Council towards delivery of the Station Gateway Digital Wayfinding Project.

Occupancy Restriction

- 8.50 Policy 7/2 of the Cambridge Local Plan requires an occupancy restriction to be imposed on new office development as set out at paragraph 8.4 to this report.

Public Art

- 8.51 As set out at paragraph 8.8 to this report, I am satisfied that the implementation of the approved public art plan for the wider CB redevelopment is appropriate in this instance.
- 8.52 Subject to the completion of a S106 planning obligation to secure infrastructure provision, an occupancy restriction and delivery of public art, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

- 8.53 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning

Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The changes to the proposals from those set out in the parameter plans approved at outline planning stage have been fully considered by officers with assistance from experts such as those on the Design and Conservation CB1 Sub Panel. I am of the opinion that this is a balanced decision and after very careful consideration I am satisfied that on balance, the proposals will be acceptable in terms of their impacts.
- 9.2 In my view the quality of the building reflects its setting in an Area of Major Change and would be an appropriate replacement for an existing, dated office building and bringing tangible public benefits in terms of the delivery of the wider Masterplan.

10.0 RECOMMENDATION

10.1 APPROVE subject to the satisfactory completion of the s106 agreement and subject to the imposition of the following conditions:

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

9. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

10. The building shall be constructed to meet the applicable approved BREEAM 'excellent' rating. Prior to the occupation of the building, or within six months of occupation, a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development unless otherwise agreed in writing by the Local Planning Authority.

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

11. Prior to the occupation of the development hereby approved, full details of the security arrangements to provide for safe use of the basement car parking areas, shall be submitted to and approved by the local planning authority in writing. The approved provisions for safe use of car parking facilities shall be provided prior to the first occupation and shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To provide convenient and safe access to cycle storage areas. (Cambridge Local Plan policy 8/6)

12. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

13. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of glass type(s) to be used in curtain walling/windows/doors or other glazed features shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

14. Before starting any brick/stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

15. Notwithstanding the details shown on the approved plans, full details of the external treatment of the cycle stores, including roofs or canopies to all external storage areas, green/brown roofs etc. shall be submitted to and approved in writing by the local planning authority prior to commencement of works to provide the cycle stores. The development shall be implemented and maintained in accordance with the approved details.

Reason: In the interests of the visual amenity of the streetscene. (Cambridge Local Plan policies 3/4, 3/7 and 3/12).

16. Prior to the commencement of installation of any roof mounted equipment, full details of all solar panels [water pre-heat, etc.] and/or photovoltaic cells, including type, dimensions, materials, location, fixing, etc. shall be submitted to and approved in writing by the local planning authority. In bringing forward such details the applicant is reminded of the restrictions imposed on the height of buildings under the outline planning approval and encouraged to site such features so as not to be visible from ground level. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the streetscene. (Cambridge Local Plan policies 3/4, 3/7 and 3/12).

17. Prior to the occupation of the development hereby approved, a lighting plan including details of the height, type, position and angle of any external lighting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plan.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2006 policy 4/13)

18. No rooftop plant shall be constructed on the building hereby approved until such time as full details, to a large scale, of any rooftop plant screening systems to be installed, where relevant, have been submitted to and approved in writing by the local planning authority. This may include the submission of samples of mesh/louvre types and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

19. Full details of surface treatments, cladding or other means of finishing the visible face(s) of all retaining walls to ramps providing access to the basement(s) shall be submitted to and approved in writing by the LPA. Thereafter all ramps shall be finished in accordance with the approved details.

Reason: In the interests of the visual amenity of the streetscene. (Cambridge Local Plan policies 3/4, 3/7 and 3/12).

20. Prior to works commencing that will affect the remaining Clifton Villa Gate pier a methodology and set of protection measures shall be submitted to and approved in writing by the Local Planning to demonstrate how there pier will be protected during construction works and retained thereafter in situ. Once approved the methodology and any protective measures shall be implemented and adhered to for the duration of the construction period

Reason: To ensure that the gate pier is retained in situ, in the interests of the visual amenity of the streetscene. (Cambridge Local Plan policies 3/4, 3/7 and 4/11).

21. 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)

22. 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)

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

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

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

24. 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

25. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope (having regard to the building fabric, glazing and ventilation) shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice".

The approved scheme shall be fully implemented and a completion report submitted prior to the occupation of the noise sensitive development and shall thereafter be retained as such.

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

26. Before the development/use hereby permitted is occupied, a scheme for the insulation of the emergency generator in order to minimise the level of noise emanating from the said generator shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such. The scheme shall include the following:

(i) Generator - Use

The generator shall only be used in the event of mains power failure or in accordance with (ii) below. It shall not be used as an alternative supply in the event of disconnection from the mains supply following for example non-payment.

(ii) Generator - Hours of Running for Maintenance

Running of the generator as part of routine maintenance and repair shall only take place for the length of time specified by the manufacturer between the hours of 8am - 6pm Monday to Friday, 9am -1pm Saturday and no time Sunday or Public Holidays.

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

27. 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)

28. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved and 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: 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)

29. No development shall take place until full details of all tree pits, including those in planters, hard paving and soft landscaped areas have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

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

30. The surface water drainage scheme shall be managed and maintained in accordance with the surface water drainage management and maintenance plan for the lifetime of the development.

31. Prior to the first occupation of the development hereby approved, the restriction in run-off and surface water storage on site as outlined in the Drainage Strategy (354599/BSE/BNI/001/C, November 2015) and Memorandum shall be fully implemented.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

32. Full details of any drainage system which will not be adopted (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

33. Prior to the commencement of the use hereby permitted, the on-site storage facilities for industrial waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided and shall include provision for a minimum of one third recycling/organic capacity. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason - To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13

34. Prior to the first occupation of any offices on the western elevation a scheme for the treatment of the windows to this elevation to prevent overlooking to the properties to the west of the site (including The Centennial Hotel) shall be submitted to, and approved in writing by the Local Planning Authority. The scheme may include measures such as Brise Solei or other obscuring methods (film etc) and should include views showing the effect of the screening proposed from the office windows. Once approved the scheme shall be fully implemented in accordance with the approved details and shall thereafter be retained as such.

Reason: To ensure that the offices do not give rise to overlooking issues in the interest of amenity Cambridge Local Plan (2006) Policies 3/7 and 3/4.

35. Prior to the commencement of the development hereby approved the applicants shall provide written confirmation as to whether access will be provided by the approved option A, or option B for the scheme. No other alternative access provision shall be made.

Reason: In the interests of highway safety, for the avoidance of doubt as options a and b are alternative options for access which needs to be clarified prior to the implementation of the scheme. Cambridge Local Plan Policy 8/2.

36. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of vehicles.

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

37. The building shall not be occupied until the area identified on the approved plans for cycle parking has been provided in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of cycles.

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

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16) and to protect human health in accordance with policy 4/14 of the Cambridge Local Plan (2006).

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

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

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

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

The Access Officer advises that: A sliding door would be preferable to a revolving door. Hearing loops are required at desks

The Deployment of cranes and/or temporary tall structures could be a concern. Accordingly it is requested that the applicants engage with the MOD and Cambridge International Airport should any structures of this nature be required. Temporary tall structures must be in accordance with BS7121 siting of Cranes Paragraph 12.3.3.

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

INFORMATIVE: To satisfy the backup generator condition the noise level from the generator associated with this application should not raise the existing background level (L90) by more than 5 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Note: Only in exceptional circumstances where the applicant has shown that the above cannot be achieved and the need is for real emergencies (e.g. hospital operating theatre or emergency services) the following standard may be used

To satisfy the emergency generator condition the noise level from the emergency generator associated with this application should not raise the existing background level (L90) by more than 10 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

-Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

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Application Number	16/0215/FUL	Agenda Item	
Date Received	8th February 2016	Officer	Mr Toby Williams
Target Date	9th May 2016		
Ward	East Chesterton		
Site	St John's Innovation Park Cowley Road Cambridge		
Proposal	Demolition of existing structures and the proposed development of a new B1 office and research building with associated structures, including new substation and bin stores, ancillary plant, cycle stores and hard and soft landscaping (cross boundary application)		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The principle of development is acceptable. -The design and scale of the scheme is appropriate to its context.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is part of the St John's Innovation Park (the Park), on the northern fringe of Cambridge which currently accommodates around 25,770sqm of B1 floor space over a 21 acre site. The land itself is currently in use as paddock and car parking (in conjunction with the Platinum building). The site is on the southernmost corner of the Park and is known as the Toe site. It is bounded by Milton Road and Cowley Road. There is a fall in level from Milton Road but otherwise the site is flat. It is relatively prominent, albeit that its edges are partially

landscaped. The Park supports knowledge-based businesses associated with the Cambridge technology cluster phenomenon. The proposed building would add to the floorspace available for such users.

- 1.2 To the south are mixed commercial units, including the Taylor Vinter's Solicitors building and further south the Cambridge Business Park. To the east is Anglian Water Wastewater Treatment Works and further to the east the Cambridge – Ely railway line and sidings. To the north car park and offices associated with the Innovation Park, to the west Milton Road and beyond the Science Park. A power line crosses the south of the site. The site is 500m from the Science Park stop on the Cambridgeshire Guided Busway.
- 1.3 The site includes land within both Cambridge City Council and South Cambridgeshire District Council, but it does not fall within the area covered by the Joint Development Control Committee. The local authority boundary crosses the site diagonally in a north easterly direction, dissecting the proposed building centrally, with City land to the south east of this and South Cambridgeshire land to the north west. Due to this, applications have been submitted to both Councils, with South Cambridgeshire DC taken to be the lead authority because their share of the site area is larger than the City Council's.
- 1.4 The site is not within a Conservation Area and is outside the controlled parking zone. It falls within the proposed Northern Fringe East Area Action Plan, the relevance of which is discussed at paragraph 5.5.

2.0 THE PROPOSAL

- 2.1 The proposal seeks full planning permission for the demolition of existing structures and the proposed development of a new B1 office and research building with associated structures, including new substation and bin stores, ancillary plant, cycle stores and hard and soft landscaping.
- 2.2 The building would be 5 storeys high and would form a staggered 'H' footprint. Its primary entrance would be from within the Park on its northern elevation accessed via a new tree lined vehicular access. The entrance would be double height and recessed underneath second and third floor office

accommodation with a floating roof canopy above. A secondary entrance would be from the south and is framed by a proposed lightweight triangular shaped tensile canopy with secondary stair cores either side and a roof canopy above. A rooftop conference room and roof garden is proposed centrally on the southern elevation at the top floor which would screen adjacent areas set aside for roof top plant. Other areas of flat roof would be utilised for photovoltaics.

- 2.3 The building would be clad in a composite metal cladding in a silver finish with accent colours to the soffits and cheeks of the building and its entrances. Window reveals would be deep and further defined by projecting vertical fins to provide solar shading on the east and west elevations.
- 2.4 Pedestrians and cyclists would be able to access the building from a dedicated 3m wide route to the east from Cowley Road, lit by low level illuminated bollards.
- 2.5 The existing western site boundary planting, which includes a native hedge onto Milton Road would be maintained. Existing southern boundary landscaping would be removed because it is in poor condition in terms of health and its proximity to overhead power lines. A new hawthorn hedge would be planted here connecting to the existing hedge along Milton Road. Set behind this and outside of the line of the power lines, a series of semi-mature trees would be planted in front of the southern elevation. The existing hedge along the eastern boundary with Cowley Road would be retained apart from where the new pedestrian and cycle access cuts through. Within the car park a series of planted swales are proposed which would allow for storm water infiltration and form part of the sustainable drainage strategy. The car parking is also more generally broken up by tree and shrub planting. Bat and bird boxes would be provided as part of the landscaping provision.
- 2.6 The car park would be finished in a mixture of permeable and impermeable paving blocks where connected to the swales. The car park for the proposed building would provide 193 spaces and would be lit by lighting columns. Cycle parking for 248 spaces is proposed in a series of external covered pods, with a mixture of double height and single height (20%) Sheffield stands. As a result of the new northern access to the building, cycle parking and car parking provision for the

Jeffrey's and Platinum buildings is also altered. Bin storage would be located alongside the eastern boundary to the north of the cycle/pedestrian cut through.

- 2.7 The applicants aim to construct the building to a BREEAM very good rating.
- 2.8 The application is accompanied by the following supporting information:
 1. Design and Access Statement
 2. Planning Statement
 3. Archaeological Evaluation
 4. Desk Top Contamination Assessment
 5. Flood Risk Assessment
 6. Drainage Strategy
 7. County Council Surface Water Proforma
 8. Energy and Sustainability Statement (includes water conservation measures and sustainability
 9. checklist)
 10. Ecological Assessment
 11. Reptile Survey
 12. Transport Assessment
 13. Framework Travel Plan
 14. Arboricultural Implications Assessment
 15. Utilities Statement
 16. RECAP Waste Management Toolkit
 17. Noise Assessment
 18. Public Art Delivery Plan
 19. Health Impact Assessment
 20. Odour Assessment
 21. Heads of Terms form
- 2.9 The application has been subject to minor amendments to the landscaping provision and cycle plans. Further information regarding transport and traffic impact have been provided in relation to County Council comments and further information has been submitted to the City Council's Environmental Health team with regard to the odour assessment. Further consultation on these additional plans and information has been carried out and responses are either reported as part of this assessment or will be provided on the amendment sheet.

2.10 In accordance with the agreed scheme of delegation, the application is being brought to Planning Committee for determination because of the site's location within the emerging Northern Fringe East AAP and the advice received regarding odour impact.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0928/FUL and associated South Cambs. Application S/1510/12/FL	The Development of a Building to Contain B1 Office Space, Parking and Associated Landscaping (4,423sqm). 12/0928/FUL: Granted 12 Dec 2013 S/1510/12/FL: Granted 11 Feb 2014 Both permissions are extant. The building was almost entirely within South Cambridgeshire DC boundary at 4 storeys high.	A/C both Councils

3.1 Various consents for office development on the larger Innovation site since the early 1980's.

3.2 12/0928/FUL granted consent for 4,423sqm of B1a office space over 4 floors. The upper floor was set back and the building was to front Milton Road, clad in rainscreen cladding with brise soleil. The application was accompanied by a S106 which secured transport contributions, public art, a travel plan and possible Traffic Regulation Order for Cowley Road.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1, 3/2, 3/4, 3/7, 3/11, 3/12 4/4, 4/13, 4/14, 4/15 7/1, 7/2, 8/2, 8/3, 8/6, 8/10, 8/16 9/1
South Cambs Core Strategy (2007) and DPD Policies (2007)	ST/8 ET/1, ET/2 DP/1, DP/2, DP/3 SF/6 NE/1, NE/3, NE/6, NE/9, NE/12, NE14, NE/15 TR/1, TR/2, TR/4 To be assessed in relation to the sister application to South Cambridgeshire DC S/0343/16/FL.

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	Cambridge City Council (May 2007) – Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning

	<p>Document (February 2012)</p> <p>Cambridge City Council (March 2010) – Planning Obligation Strategy</p> <p>Cambridge City Council (January 2010) - Public Art</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
Material Considerations	<p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2003)–Northern Corridor Area Transport Plan:</p>

5.4 Status of Proposed Submission – Cambridge Local Plan 2014

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, policies 14 and 40 (para. 5.13) in the emerging Local Plan are relevant but have minimal weight. Policy 14 relates to the emerging Northern Fringe East AAP and policy 40 relates to the development and expansion of business space.

5.5 Status of Proposed Submission – Cambridge Northern Fringe East, Area Action Plan

The Cambridge and South Cambridgeshire Local Plans (submitted in March 2014) both propose the development of the Cambridge Northern Fringe East area in a comprehensive and coordinated manner for an employment led mixed use development. The catalyst for the regeneration will be the new railway station that is due to open in May 2017.

Work has started on a joint Area Action Plan (AAP) which will provide a strong planning framework to guide and control the future development of the area. The AAP will be prepared in two main stages:

Issues & Options Report – this document set out the main issues for the Cambridge Northern Fringe East area and the potential options to address them. Public consultation on this document closed on 2 February 2015.

The findings of the Issues & Options Report were considered at the Joint Strategic Transport and Spatial Planning Group, South

Cambridgeshire District Council's Planning Portfolio Holder Meeting and Cambridge City Council's Development Plan Scrutiny Sub-Committee – all in November 2015. The Council's did not agree on the recommended options.

Further work is being undertaken with regard to transport modelling, urban design issues, infrastructure delivery and odour impact, the outcome of which will be subject to further consultation. The Proposed Submission AAP will set out the policies to guide development in the Cambridge Northern Fringe area. Given the status of the emerging AAP, it can only be given very limited weight.

6.0 CONSULTATIONS

- 6.1 As this application is jointly submitted to both Cambridge City Council and South Cambridgeshire District Council, where appropriate internal responses have been jointly provided by officers of both Councils. As South Cambridgeshire District Council is the lead authority, their Design and Enabling Panel (equivalent to the City Council's Design and Conservation Panel) has provided the independent design advice. For odour advice in particular, City Council officers retain specialist knowledge of odour assessment and the lead advice in this respect has been provided by them.

Cambridgeshire County Council (Transport)

- 6.2 Holding Objection: The Transport Team has provided a detailed analysis of the impacts of the scheme under the headings of: planning policy context; existing transport conditions; public transport and train services; local highway network implications; car and cycle parking provision (which is acceptable); baseline conditions; development trips; travel impacts and comments on a draft travel plan.

They advise that the application will need to be accompanied by appropriate mitigation proposals that can allow any increased trip-making by car from the site to be offset by increased movements by other modes.

The applicant proposes:

- 1: To submit a travel plan and parking surveys on Cowley Road adjacent to the site prior to occupation of the building;
- 2: To potentially make a contribution towards the implementation of a Traffic Regulation Order to restrict car parking on Cowley Road adjacent to the site.
- 3: That St John's Innovation Park should become full members of the TP+ group for a period of 7 years post completion of the baseline surveys.
- 4: To appoint a Travel Plan Coordinator for the proposed development and St John's Innovation Park
- 5: To set a Travel Plan target of 51% car driver mode share for the site which is a 5% reduction in car driver mode share of the TP+ area which is considered achievable. This would be part of a S106 agreement.

In order for the development to be acceptable, it will also be necessary to make an appropriate contribution towards proposed strategic sustainable transport infrastructure which will increase the quality and capacity of sustainable transport modes to the St John's Innovation Park. The County Transport Team is currently in discussions regarding the schemes and the cost to be attributed to them. It is only through such mitigation that demand for movement by non-car means to the site can be accommodated, and potential increased traffic associated with the site can be offset by reduced car trips to/from other trip generators. This will be determined through further discussions with the applicant. The outcome of this will be reported on the amendment sheet or orally at the Committee meeting.

Cambridge City Council Environmental Health (12 May 2016)

- 6.3 No objection: to B1 use, concerns with potential odour impacts on the proposed external amenity space:

The application site is located close to the Cambridge wastewater treatment plant. In principle, based on recent odour modelling studies, EHO do not object to the development of B1

business use at this location. The building itself can be designed to include mechanical ventilation and odour filtration in order to protect the internal amenity of the building on days when odour is particularly bad.

However, EHO do have concerns with regards to potential odour impacts on the proposed external amenity space. EHO consider that if these proposed amenity areas are to remain in the project design, the applicant risks providing spaces that are more vulnerable to the impacts of odour from the wastewater treatment plant and may result in odour complaints. Therefore, EHO recommend that further consideration is given to this aspect of the development. Further commentary is provided in the text below.

Future Activities at the Cambridge WRC

EHO has reviewed two recent odour assessments (CERC, 2016 and Anglian Water, 2016) and note that the application site falls within an odour impact contour band that presently allows for the development of office/commercial space. However, it is also noted that the odour assessments consider the current scenario at the Cambridge WRC, which includes the decommissioning of the trickle filter beds A and B (both previously significant sources of odour).

We have also reviewed odour modelling reports submitted to us in 2012, carried out at a time when the trickle filter beds were in operation. The output from the 2012 models is significantly worse than the current (2016) scenario.

Whilst it is noted that the current design horizon for the Anglian Water site (including the decommissioning of the trickle filter beds) is envisaged for another 10 years, they do have Permitted Development Rights at the Cambridge WRC, which provides Anglian Water with the opportunity to re-commission the trickle filter beds at any point. EHO have no certainty on the future scenario's involving the activities on the Anglian Water site. As such, whilst the 2016 odour assessments may sufficiently demonstrate present conditions, they are not considered to represent worst case conditions.

It should be borne in mind that any future intensification of the sewage treatment works (including re-commissioning of the

trickle filter beds A and B) could result in the deterioration of the local air quality and subsequently, amenity.

Odour Assessments

EHO had the opportunity to review two recent odour modelling studies:

- *Dispersion modelling of odour emissions from Milton Wastewater Treatment Works*, prepared by CERC, using ADMS and dated January 2016 and
- *Revised Odour Assessment* prepared by Anglian Water, using AERMOD and dated March 2016.

It should be noted that there are two earlier odour assessments for the area:

- CERC "*Dispersion modelling of odour emissions from Milton Wastewater Treatment Works*", prepared in May 2012 for the purposes of a similar planning application and
- Anglian Water "*Odour Dispersion Modelling Report*", prepared in August 2012 for Cambridgeshire County Council

Content of the Odour Assessments

A meeting was held between representatives from Cambridge City Council (Environmental Health and Planning), CERC and Savills on 12th April 2016 to discuss the content of the CERC odour assessment. EHO are largely in agreement with the data input and model output. The assessment concludes that the site falls into a contour zone with odour concentrations between $30\text{UE}/\text{m}^3$ and $50\text{UE}/\text{m}^3$. This is considered to be a suitable location for the development of office. Indeed, the 2016 Anglian Water assessment mirrors this conclusion. Should Planning Consent be granted, EHO recommend that the building is adequately sealed and protected against any malodours with a mechanical ventilation and odour control system.

However, it should be noted that the worst-case conditions, as reported in the 2012 Anglian Water odour assessment, place the site in a contour zone that is impacted significantly more than is currently the case.

Roof Terrace

EHO do not consider that external amenity space is appropriate at this location. The 2016 CERC report indicates a slight adverse odour impact at roof level ($2.2\text{ou}_E/\text{m}^3$). The nature - particularly hedonic tone/unpleasantness and intensity - of odour from wastewater treatment plants is considered to be of adequate significance to impact on external amenity. Indeed, the Chartered Institute of Water and Environmental Management (CIWEM) recognise that highly offensive odours can give rise to complaints at concentrations of $<3\text{ou}_E/\text{m}^3$ and the Environment Agency's H4 Guidance provides an exposure threshold criteria of $1.5\text{ou}_E/\text{m}^3$ for the most unpleasant odours, including "processes involving septic effluent or sludge". This data is reproduced in the most recent IAQM Guidance and the threshold of $1.5\text{ou}_E/\text{m}^3$ is used by Anglian Water in their report of March 2016.

Conclusion

The proposed development is considered to be a "medium sensitivity" receptor, where a reasonable level of amenity can be expected. Using the data from the 2016 Anglian Water and CERC reports, the scale of significance is identified as "moderate adverse". The building can be designed to mitigate against the potential impacts of odour. However, external amenity spaces are outside the boundaries of odour control and may provide an environment that is significantly impacted by odour.

Careful consideration needs to be given to the value of significance and potential loss of amenity. Environmental Health advises that the worst case scenario approach be taken, using all available modelled data.

Cambridge City and South Cambs EHO officers recommend conditions relating to: Contamination, construction hours, collection during construction, construction/demolition noise/vibration & piling, dust, mechanical ventilation and odour control, plant noise insulation and various informatives.

Cambridgeshire County Council Minerals and Waste Team

- 6.4 The development site falls wholly within the Safeguarding Area for the Cambridge Waste Water Treatment Works (WWTW). This Safeguarding Area is designated through the adopted Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan (2012), under Policy W71, in accordance with Policy CS31 Waste Water Treatment Works Safeguarding Areas of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

The Safeguarding Area extends 400 metres around the WWTW and within this area Policy CS31 places a presumption against allowing development which would be occupied by people, including residential uses. Where such development is proposed

Policy CS31 requires that the planning application be accompanied by an odour assessment report; which must consider existing odour emissions of the WWTW at different times of year and in a range of different weather conditions. Planning permission should only be granted when it has been demonstrated that the proposed development would not be adversely affected by the continued operation of WWTW.

As such the Councils must satisfy themselves (taking into account and reconciling recent odour assessments) that this has been done if they are minded to grant planning permission.

With regard to the recent odour assessment by Anglian Water (29 March 2016); this sees the critical odour dispersion radius reduce in extent from 1150m to 662m, which is a significant reduction. It appears that the reason for this is that the trickling filter beds A and B have been decommissioned and replaced by a new activated sludge plant. I have been advised by Anglian Water that this odour assessment only covers the current 'design horizon' of 2026 within which there are no plans to re-commission the filter beds at the Cambridge WWTW. However, beyond this period there appears to no certainty in this respect, thus the recent Anglian Water odour assessment (and any other assessment which excludes the filter beds) may not represent the 'worst case' scenario.

In addition the site also lies within an Area of Search for waste management development (a Household Recycling Centre and an inert waste recycling facility). This Area of Search is designated by the adopted Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan (2012) under Policy W1F, and has an accompanying Waste Consultation Area designated under Policy W8I, in accordance with Policy CS30 Waste Consultation Areas of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011). Policy CS30 states that development will only be permitted where it is demonstrated that it will not prejudice existing or planned future waste management operations. Given the allocation and an existing inert waste recycling centre are both in close proximity to the development site, the application must satisfy this policy requirement. The Planning Statement has overlooked this allocation and the associated policy, and therefore this is an outstanding issue that the applicant needs to address.

Nature Conservation Officer (SCDC)

- 6.5 No Objection: Aerial photos from over 5 years ago show the plot as having buildings on it. It is clear that in the meantime the site has been seeded and maintained as amenity grassland. It is unlikely that the plot would be providing habitat for reptiles such as common lizard (which have occurred in other parts of the Park). The application is supported by an ecological survey and it has concluded that the habitats on site are widespread and common throughout the landscape, consisting largely of naturalised habitats such as amenity grassland, introduced shrub, hedgerows, plantation woodland and scattered trees, along with man-made features such as hardstanding and buildings.

The application is now supported by a detailed site Biodiversity Management Plan (March 2016). The Plan also includes (on page 4) a draft condition relating to ecological enhancement. I am happy to accept the draft condition and to accept the recommendations contained with the BMP.

Once the BMP is implemented it will see enhancements delivered with regard to provision of bird and bat boxes, hedgehog domes and wildflower seeding. These measures are all entirely suitable. The BMP also includes measures to ensure

that disturbance to nesting birds is minimised. Recommends a condition to ensure the BMP is delivered.

Joint Urban Design Comments – SCDC and Cambridge City Council

6.6 No Objection

Pre-application engagement

The applicant's design team engaged SCDC Officers in the form of a Design Workshop at pre-application stage to establish key urban design principles as well as built form, height and elevation treatment options. The revised scheme was then presented to the SCDC Design Enabling Panel (DEP) on 19 November 2015 for an independent assessment to ensure that the design has gone through a robust design testing process. The submitted scheme is the result of collaborative working between the applicant's design team and SCDC Officers. A followed-up meeting held prior to planning submission with officers from SCDC and Cambridge City Council to ensure that key design issues were satisfactorily resolved.

Height and massing

The proposed office building rises to five storeys. The smaller 4th floor (containing the conference/meeting room, roof terrace and ancillary plant) is setback from the northern, eastern and western edges of the building and is focused towards the southern edge above the staff entrance. The overall scale and massing is acceptable in urban design terms. Whilst the proposed building is taller than the adjacent Platinum and Jeffery's buildings (three storeys plus pitched roof), its proposed height is considered appropriate given its role as a gateway building into the St Johns Innovation Park.

Visual impact

The proposed building will be highly visible when traveling along Milton Road towards Cambridge city centre. The substantial areas of retained and proposed planting along the western and southern boundaries will ground the proposed building and set it within a complimentary landscape.

Elevational treatment

The design of the main entrance on the north elevation (shown in drawing A62 Rev PA1) has been revised following the post-DEP meeting with Officers and this is welcome. The void between the 3rd floor and canopy has been replaced with a darker infill panel. The proposed changes are supported in design terms and help to emphasise the entrance.

The southern elevation now includes lancet windows to the stair cores which are supported and help break up the expanse of the metal panelling. The proposed south elevation shows a floating roof/canopy but the supporting columns appear overly prominent. The architect is encouraged to explore the possibilities of reducing the numbers of columns where possible, or providing alternative structural supports for the canopy to create a lighter appearance.

Following the SCDC Design Workshop the architects have revised the window arrangement. They are now arranged according to a simple 1.5m wide grid to create a clean appearance. The lower portions of the windows include look-a-like glass spandrel panels with silver/grey coloured backing. Accent coloured fins (coloured gold, silver or champagne) are proposed between the individual windows, whilst recessed panels and vertical fins emphasise the corners of the east and west elevations. The arrangement of the windows is well considered in design terms. Further details of the reveal depths needs to be provided and should be conditioned should the application be approved.

Materials

The proposed materials include silver coloured composite metal cladding with accent colours for the proposed entrance soffits and side 'cheeks', dark grey/black PPC curtain wall frames and coloured metal fins to the windows. The proposed materials are generally supported and relate to the 'family' of materials found on the business park. Should the application be approved, materials should be conditioned and samples provided to the LPA. Further details of the silver metal cladding system needs to be provided including RAL colour, level of reflectivity and means of fixing. Further details of the proposed materials needs to be provided particularly the silver metal cladding (RAL colour,

reflectivity and means of fixing). We are content that this be agreed as part of the discharge of conditions.

Conclusion

The submitted scheme positively reflects the design aspirations developed through a joint working approach between the applicant and the LPAs. The development is supported in urban design terms.

Recommend conditions relating to: materials samples; details of non-masonry cladding and junction details; and window and door details.

Landscaping (SCDC)

- 6.7 No Objection: The landscape details described in the above drawing are acceptable. Minor amendments are suggested:

Layout

Suggest that the “quadrangle” outside of the north entrance is defined by an alternative paving treatment and additional trees are introduced at the ends of the final row of hedge planting to reinforce this space.

Suggest that on the southern entrance a pedestrian/cycle access is provided. It is acknowledged that there have been concerns over vehicle drop-off issues but considered this is outweighed by the need for a reasonably direct pedestrian and cycle access to the southern entrance of the building.

Planting

Southern entrance courtyard: the majority of the planting is acceptable. However, suggest some minor amendments to positioning of plant sizes and species mix for the native swale planting.

There is a need to introduce some additional tree planting to the eastern and southern boundary of the site.

A number of landscaping conditions are proposed.

Sustainability Officers (Joint City and SCDC Advice)

- 6.8 Recommends conditions to ensure BREEAM very good is achieved and implementation of solar photovoltaic array to meet 10% carbon reduction requirement.

The proposals have taken a number of approaches in order to integrate the principles of sustainable design and construction:

- The provision of solar shading on various elevations to avoid excessive summer solar gain and associated overheating.
- Due to the buildings location and issues of air quality and odour from the Water Recycling Centre, the building is to be mechanically ventilated and cooled. As such, reference to the use of variable speed fans and high efficiency heat recovery is welcomed,
- The use of permeable paving and infiltration swales in the car park as part of the SuDS strategy
- Targeting of two BREEAM credits for water efficiency, which is equivalent to a 25% improvement in the baseline case, with the use of water efficient appliances and sanitary ware;
- Targeting of an overall BREEAM rating of 'very good', although it is noted that the scheme is targeting BREEAM 'excellent' level credits related to energy, an approach that is welcomed;

These measures are supported.

The proposals have adopted a hierarchical approach to reducing carbon emissions, which in total are predicted to lead to a 22% improvement in carbon emissions over a Part L 2013 compliant scheme. The hierarchical approach to reducing emissions is supported.

With regards to renewable energy provision the preferred approach is to utilise passive solar design elements and a small photovoltaic array. This approach is supported. Together, these two elements are predicted to reduce emissions by 34,500 Kg/CO₂/annum, which slightly exceeds the 10% requirement of 34,357 Kg/CO₂/annum. The bulk of the carbon reduction is attributed to the passive solar design elements of the scheme.

Concerns are raised regarding the proposed location of the photovoltaic panels, which are on the south eastern corner of

the roof of the fourth floor, which could be overshadowed by the roof.

Tree Officer (SCDC)

- 6.9 No Objection: The site is not currently the subject of statutory designations on trees (TPO / Conservation Area).

Trees make up an important and distinctive element of the site, especially the southern 'toe' of the site joining Milton Road with Cowley Road. Trees and a hedge are located along the boundary and comprise a mixture of evergreen and deciduous species. Despite the screening value intrinsic to evergreen trees being considerable, the large Cypress hedge on part of the southern boundary (the eastern end within Cambridge City boundary) is not conducive to amenity value or the 'enhancement' of quality design. Due to the overhead high tension power lines, trees along the boundary have been kept 'topped' to ensure they are well clear of the lines. This clearly provides a strict limit to their potential for height growth and along with this, their amenity value.

In respect of the juxtaposition of the proposed development with existing trees, would welcome the elimination of the Cypress hedge component. In addition, every opportunity to augment and improve the remainder of the boundary trees and hedge should be taken especially to mitigate a loss of the Cypress trees. Recommend the introduction of new evergreen elements to provide cover and wildlife habitat as there will naturally be a loss of bird nesting habitat if the Cypress trees are removed. The majority of bird nests in Cypress trees are that of pigeon populations and often in considerable numbers which can become quite a nuisance.

In respect of tree protection during construction any forthcoming planning application should be accompanied by an arboricultural impact assessment and tree protection strategy by an arboricultural consultant or other suitably competent professional in accordance with British Standard BS5837:2012.

Natural England

- 6.10 No Objection

Highways England

6.11 No Objection

Access Officer

- 6.12 No Objection: It would be good to see layout of Wheelchair accessible shower. Could all non-power assisted double doors have one leaf a minimum of 900mm thus generally double doors are asymmetrical. There should be ambulant disabled toilet provision. Reception needs a hearing loop.

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

- 6.13 No Objection: A S106 contribution towards the improvement of the toucan crossings at the junction with Cowley Road should be provided to include cycle loops and improved crossing timings for cyclists.

The cycle parking proposed is not convenient for access to the main entrances and is scattered around the site which will make it difficult for users. The 6 spaces located near to the amenity space are in a particularly hidden location and are unlikely to be used.

All staff parking must be covered and the facilities next to the main road should be in a secure building as they are not overlooked and are accessible from the road.

Visitor parking must be located next to the main entrances.

Cambridgeshire County Council (Flood and Water Management)

- 6.14 No Objection: The applicant has demonstrated that surface water can be dealt with on site by using infiltration features including soakaways and swales. As such there will be no increase in runoff rates or volumes leaving the site following development. The applicant has therefore met the minimum requirements of the NPPF and we have no objection in principle to the proposals. Conditions are recommended regarding surface water drainage and management.

Environment Agency

- 6.15 No objection: The site is located above a Secondary Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles.

We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13.

Anglian Water

- 6.16 No Objection: The above site is located within 400m of Cambridge Water Recycling Centre as such there is a need to consider the potential impact of odour on the development proposals outlined in this application and the application on adjacent land located in Cambridge City (reference 15/2317/FUL).

A detailed odour impact assessment was conducted by Anglian Water in 2012 based on atmospheric dispersion modelling to establish the odour potential of the WRC processes and to inform on-going discussions relating to development being considered on adjacent land.

Following the commissioning of a new activated sludge plant (D Stream) in 2015 a detailed odour impact assessment was carried out to inform discussions relating to development which could encroach Cambridge Water Recycling Centre. As part of which a new emission survey was undertaken in November 2015 and this data has been modelled by Anglian Water and compared against the findings of the assessment published in 2012.

The revised odour assessment has redefined the area surrounding Cambridge WRC that may be exposed to malodour from wastewater treatment processes where the odour intensity exceeds 1.5 OUE/m³. There is an unacceptable risk of diminished amenity to new residential development located within this area. We would include within this category all new development that comprises habitable buildings, such as care homes, hospitals or hotels.

It is proposed that this site will be developed for offices only. We consider the risk of amenity loss to new employment / commercial development including office development that does not include habitable buildings to be significantly lower, where exposed to the same odour intensity. Our assumptions on receptor sensitivity for this type of development are as follows:

- The property is not occupied continuously, reducing the probability of occurrence

- The property use will be either a controlled environment (e.g. air conditioned) or involve a working environment that serves to de-sensitise the occupants to malodours from external sources

- There is a greater range of practicable mitigation techniques available to a commercial enterprise

As a consequence we would consider an odour intensity of 5 OUE/m³ as the level, at which an unacceptable risk of amenity loss may occur to employment / commercial development that does not include habitable buildings.

Recommends informative regarding adoption agreement and trade effluent. Advises the sewerage system at present has available capacity for flows from the site. Unable to provide comments on the suitability of the surface water management.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.17 No Objection: Confirms previous pre-planning consultation with the development team in respect to the application. The application adequately reflects our advice in respect to the Community Safety and Crime Reduction aspects of the proposal.

Cambridgeshire County Council (Archaeology)

- 6.18 No Objection: The site lies in an area of high archaeological potential, situated in the immediate vicinity of cropmarks which indicate the location of a ring ditch trace of a probable Bronze Age burial mound (Historic Environment Record reference 08326). A Roman settlement is also known in the vicinity, recorded during expansion of the sewage works to the west in the early 20th century (HER 05281). We do not object to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

Design and Enabling Panel (19 November 2015)

- 6.19 Pre-planning discussion

A site visit was conducted by the Panel on 19 November 2015 prior to the design review.

Site context

The site is located within St. Johns Innovation Park, within the Cambridge Northern Fringe East (CNFE), opposite Cambridge Science Park. The site is located in the southernmost corner of the Innovation Park at the junctions of Milton Road (the A1309) and Cowley Road. The Innovation Park is bounded by the A14 motorway to the north and Milton Road to the west. To the south of the innovation park is a mixed commercial area including an office building and industrial/office units. Further to the south lies the Cambridge Business Park. To the east is Anglian Water's Cambridge Wastewater Treatment Works. The site is around 500m from the Cambridge Guided Busway Cambridge Science Park stop, and close to the new Cambridge Science Park railway station (scheduled to open in 2016). St. John's Innovation Park comprises a mix of commercial hi-tech and research business premises, including the world renowned St. John's Innovation Centre. The 8.5 ha Innovation Park comprises around 25,770 sq. m of B1 (office) floor space, and has been identified as an area suitable for redevelopment. The built form is typically large single buildings, between 2 and 4 storeys, set within landscaped plots containing large areas of surface level car parking.

Panel views

It should be noted that the comments below include items from the Panel's in camera discussion and amplify the brief opinion delivered at the end of the session.

Summary

This is a proposal for a speculative commercial building of approximately 7,000 sq. m. A previously approved building of 4,400 sq m. for the site is considered too small to satisfy local market demand.

Discussion

The design seeks to be an exemplar for future developments on the St. John's Innovation Park site. The Panel were supportive of this aim and its comments were made in the context of this aspiration.

Analysis and options

A number of options had been developed building on the existing approval. Among the many diagrammatic options considered, the Panel focussed on the final option - the preferred concept design sketch, that was the subject of the more detailed design presented.

Business park character and site planning

The Panel investigated the proposed design response to the site conditions; its setting; the change in level to Milton Road; the approaches to the building from north and south; and the design of the proposed car parking areas that surrounded the building.

The Panel would like the applicant's design team to consider the main pedestrian approach from the south in terms of offering a more pedestrian friendly environment in front of the south facing façade.

The location of proposed cycle parking to the west of the site, should be relocated so that it is better overlooked and closer to entrances (in particular to the south).

The Panel questioned the concept of breaking up the proposed car parking areas with landscaping. The Panel encourages the applicant's design team to consider concentrating and consolidating parking spaces in order to deliver larger car free landscaped areas.

Whilst the Panel accepts that the new vehicular access should be from the north, the Panel wondered whether opportunities to provide decked parking had been considered. The applicant's design team explained that this was potentially a long-term aspiration. However, the amount of available site was insufficient to economically provide this option at this stage.

Building concept diagram

The panel endorsed the approach of creating an 'H' shaped diagram to provide parallel office spaces and a circulation core. This is a familiar form usually constructed around an atrium shared social space that is well lit at the centre: in much the same way as the South Cambridgeshire District Council office building (in which this Panel meeting was held). The Panel was disappointed that this diagrammatic plan form has been diluted, potentially affecting the daylighting to the office spaces and the lack of social space at the heart of the building.

Maximising the building's assets within and on the site as a whole, can give it a competitive edge over other commercial buildings in the Cambridge market.

Detailed planning drawings revealed the challenges of providing balanced north and south entrances. The south elevation, which comprises a tensile structure; a fully glazed elevation and a large roof overhang signals a main entrance. However, the proposed floor plan shows that the south entrance is very much a back door with showers and locker rooms leading through a corridor to the main entrance lobby. Therefore there is a need to explore the opportunity of reconfiguring the south entrance to create a more open and welcoming environment for visitors.

Sustainable credentials

The Panel wondered whether the proposed development should aim higher than BREEAM 'Very good'. As a sealed building in a relatively suburban location, the opportunity to develop a naturally ventilated building should be explored, notwithstanding the relative proximity of the Anglian water treatment works.

The proposed east and west elevations had addressed the solar shading aspects and the applicant's design team confirmed that the building had been modelled.

Conclusions

The applicant's design team is asked to revisit the layout of the external and internal spaces of the proposed building, as mentioned above. It was suggested that one of the approaches to increasing floor areas for social spaces to the central area of the building, is to increase the height of the building by a storey, subject to further visual impact studies. In developing the elevations, the Panel endorsed a simple calm approach and recommended that the use of high quality materials throughout the building envelop and the surrounding landscaped area.'

- 6.20 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:

-Milton Parish Council

-Global Inkjet Systems Ltd, The Jeffrey's Building, Cowley Road

- 7.2 The representations can be summarised as follows:

-No Objection

-We are neighbours in the Jeffrey's Building, also in the Innovation Park. Traffic in Cowley Road, and particularly the junction where it joins Milton Road by the Innovation Park, is

already severe during the evening rush hour. The Travel Plan, Para 6.3.1, refers to a range of physical measures to promote cycling, notably the provision of showers and changing facilities in the new building. Nevertheless there will inevitably be significant additional vehicle traffic from the proposed Maurice Wilkes Building which will further add to existing congestion from the Innovation Park.

-The developer should make the shower and changing facilities in the new Maurice Wilkes Building available to other tenants in their Innovation Park. The Jeffrey's Building, for example, has only one shower available for over 200 tenants, acting as a significant disincentive to cycle use. The increased take up of cycling by other tenants of the Innovation Park could significantly offset the additional vehicle use from the new building. The council should consider making this a condition of the planning application to benefit not only users of the Innovation Park, but also the wider community.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Renewable energy and sustainability
4. Disabled access
5. Amenity of future occupiers
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Surface Water Drainage
10. Third party representations
11. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 Planning permissions 12/0928/FUL and associated South Cambridgeshire application S/1510/12/FL were for a 4,423sqm B1 office building to complement the existing Innovation Park offer. Both permissions are extant and demonstrate that in principle, the provision of an office block on this site can be delivered. The extant permissions are material to the consideration of this application, which seeks an uplift in floorspace to 7,049sqm, albeit in a different footprint and with an additional 5th storey. The application has come about through a re-appraisal of the potential of the site to deliver more floorspace in a format which more closely meets demand and is flexible for a range of potential end users. It is designed to accommodate either a single occupant, to be let on a floor-by-floor basis or even subdivided across the floors, for either office use or research and development purposes. Market demand for this type and level of accommodation is evidenced by the applicants with reference to strong occupancy levels in Cambridge, the proliferation of aged office buildings and the potential for large end user requirements given about by firms such as Astra Zeneca, ARM, Cambridge Assessment and Abcam. This suggests further pipeline stock is required, particularly for office space but also for research and development of the type proposed. I have no reason to doubt the need for the proposed level of office accommodation. Given the proximity of the site to the Science Park, Cambridge Business Park, the Northern Fringe East AAP, the new railway station and its position on a prominent corner at the 'toe' of the Innovation Park, my view is that it would be an attractive location for both start-up and/or established business occupiers.
- 8.3 As such, in my opinion the principle of the development is acceptable. The provision of the additional floorspace would be likely to complement the existing knowledge-based cluster of businesses within the area and be compatible with the aims of adopted policies 7/1, 7/2 and 7/4. Given the status of the emerging AAP and the extant permission, neither do I consider that it would be reasonable to resist this scheme on this site on the basis of prematurity or that in granting permission it would prejudice the emerging AAP. To this extent, my view is that there is limited conflict with both adopted policy 9/1 and emerging policy 14.

- 8.4 I am aware of the representations made by the County Minerals and Waste Team. This references their Core Strategy and policy CS30, which states that development will only be permitted where it is demonstrated that this will not prejudice existing or future planned waste management operations. An extant consent for new office space exists on this site. The applicants have established a need for the type of floorspace proposed. My view is that it is unrealistic, given that the site is intrinsically part of the St John's Innovation Park, that the scheme would deliver the facilities at the site which are envisaged within the wider area of search.
- 8.5 I conclude that the principle of development is acceptable.

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

- 8.6 Milton Road (A1309) is a busy corridor which provides a primary means of access into Cambridge, connecting Milton junction to the north with Cambridge city centre in the south. When entering Cambridge from this direction the built environment is formed of two business parks either side (St Johns Innovation Park to the east and the Science Park to the west) of the public highway. Beyond the Innovation Park lies the Taylor Vinters building and Cambridge Research Park.
- 8.7 The Innovation Park comprises a variety of large scale commercial buildings which have been developed at low density and which are served by two points of vehicular access off Cowley Road.
- 8.8 The character of the wider built environment is similar, with free standing buildings of typically 4 storey height, each served by their own dedicated off street parking and associated soft landscaping. Buildings vary in appearance, being of different detailed design and external cladding.
- 8.9 The site is located to the south corner of the Innovation Park at the junction with Cowley Road, and is constrained by overhead power lines which cross the southern end. A hedgerow and tree planting delineates the perimeter boundary.
- 8.10 The joint Urban Design comments note that the applicant's design team engaged officers in the form of a Design Workshop

at pre-application stage to establish key urban design principles as well as built form, height and elevation treatment options.

- 8.11 Their comments support the detailing of the scheme, including the window arrangement, lancet windows to the stair cores, colour and finish of the silver metal cladding and the proposed floating roof/canopy. The finish includes accent coloured window fins between the individual windows, with recessed panels and vertical fins emphasising the corners of the east and west elevations. The proposed materials relate to the 'family' of materials found on the business park. The joint Urban Design officer's comments state that the submitted scheme positively reflects the design aspirations developed through a joint working approach between the applicant and the LPAs and that the scheme is supported.
- 8.12 In terms of context, the new building responds well, with the layout maximizing integration with the current occupiers of the Innovation Park through making use of the existing internal access arrangements and the main entrance facing north into the park. In terms of height and massing the building rises to 5 storeys (top floor smaller and set back to three sides). This is taller than the adjacent Platinum and Jeffrey's buildings but considered appropriate in this prominent location.
- 8.13 In terms of pedestrian and cycle links, these are provided directly from Cowley Road. The landscaping is to be strengthened and enhanced through retaining and improving the native hedge found on the western and eastern boundaries and introducing a new hedge to the southern boundary (to replace trees) which is more suitable below the power cables. Further landscaping is to be introduced within the confines of the site.
- 8.14 I note the comments of the SCDC Design and Enabling Panel, who considered the proposal at the pre-application stage. The Panel raised a number of issues, which I deal with below.
- 8.15 The first issue was to consider the introduction of a pedestrian approach from the south of the site to the south facing façade. The applicant's did not take this suggestion forward due to subsequent highways advice that it would encourage drop-off arrangements close to the junction with Milton Road and compromise highway safety. The eastern pedestrian/cycle link

was considered to be the most appropriate location for a dedicated pedestrian/cycle link, which is what has been provided.

- 8.16 The second issue was to relocate some of the cycle parking so that it was better overlooked. The applicants have amended the cycle parking arrangements and visitor cycle parking is now provided close to the entrance to the site. All cycle parking areas will be covered by CCTV and be secure and this is required by condition.
- 8.17 The third issue related to the concept of breaking up the proposed car parking areas with landscaping. The detailed landscaping scheme, which accompanies the application and which was not before the Panel, achieves this, with the incorporation of a series of swales and tree planting within the car park. Amendments have increased planting along the southern edge of the building.
- 8.18 The fourth issue pointed the applicants towards opportunities to provide decked parking. The applicants confirmed that this was not economically feasible
- 8.19 Lastly, the Panel endorsed the approach of creating an 'H' shaped footprint but raised the question as to whether an atrium within the building could be provided to increase social space. Officers discussed this option with the applicants. Their response is that an atrium building would not provide the flexibility of use for future occupiers or meet market demand given their experience of operating atrium buildings elsewhere. A roof top garden is proposed on the southern elevation and external landscaped area also to the south of the building. Officers accept this response.
- 8.20 As such and in my view, subject to appending appropriate conditions securing details of external materials and other design features, the scheme will positively integrate into the Innovation Park and enhance the character of the surrounding built form through providing a bold but not over dominant entrance at Cowley Road.
- 8.21 The scheme is well-designed and accords with polices 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006).

Public Art

- 8.22 The application is supported by a Public Art Delivery Plan (PADP) which proposes a theme of art work associated with the research and discoveries of Sir Maurice Wilkes – a fellow of St John’s College - for the commission. Sir Maurice Wilkes was a Cambridge based computer scientist credited with several milestone developments in computer technology. Amongst other achievements, he led the University of Cambridge team that built the world’s first operational stored-programme computer. The PADP suggests a series of potential concepts as starting points for the commissioned artists: Memory and Information; Networking/Connectivity/Interactivity; Perception and Interpretation; and Digital Technology. A number of potential locations and opportunities have been identified for the appointed artists to consider including: the landscaped area within the car park; integrated with the façade/cladding of the building; and the external glazing of the building. A budget of £60,000 is provided for the public art, based on 0.5% of the estimated capital construction costs. My view is that this provision is reasonable given NPPG guidance and recent appeal decisions.
- 8.23 My view is that the PADP provides an interesting starting point for the commissioning of artists. The approach is considered to offer the opportunity to enhance the building’s appearance and help create a sense of place and a condition is recommended relating to public art provision.
- 8.24 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Renewable energy and sustainability

- 8.25 In respect of sustainable design and construction the building is to be constructed to meet the approved BREEAM ‘very good’ rating which is to be achieved through a number of approaches including provision of solar shading, introduction of permeable paving and use of variable speed fans and water efficient appliances and sanitary ware. Whilst the City Council does not have a policy which secures this rating, SCDC policies DP/1, NE/1 and NE/3 allow for it and the proposed BREEAM rating is thus secured via condition.

- 8.26 With regard to renewable energy provision, a range of technology options were considered by the applicants, with the preferred approach of utilising passive solar design elements along with a small photovoltaic array. There are similar measures used in other buildings in the City and collectively are predicted to reduce emissions by slightly in excess of the 10% policy requirement. The renewable energy officer does express concerns over the roof of the conference room overshadowing the photovoltaic panels during winter months and requests further details of this. Given the photovoltaic panels will contribute a saving of 2500 Kg/CO₂/annum to the predicted total saving of 34,357 Kg/CO₂/annum any impact from overshadowing is likely to be minimal, but I have conditioned the final array location accordingly.
- 8.27 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007, subject to conditions requiring the development being constructed to BREEAM very good standards and for the proposed renewable energy technologies to be fully installed and operational prior to first use of the building.

Disabled access

- 8.28 The Access Officer suggests providing wheelchair accessible showers with all non-assisted double doors having a minimum leave of 900mm, with these measures recommended to be appended as informatives on the decision notice.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Amenity

- 8.30 The surrounding locality comprises a variety of businesses and the Anglian Water, Waste Water Treatment facility with no residential dwellings in the immediate vicinity. As such and taking into account the use and scale of development, no harm is identified to the amenity of local residents or existing businesses through overlooking, loss of outlook, shadowing or noise disturbance. The construction phase is likely to generate disturbance through noise and dust pollution. I have appended

the recommended conditions from my colleagues in Environmental Health, including restricting hours of construction as necessary.

- 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 Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Amenity for future occupiers of the site

- 8.32 The City Council's Environmental Health Team has raised no objection to the proposed B1 use but has raised concerns with potential odour impacts on external amenity spaces at ground and roof top levels. Anglian Water, who operates the nearby Cambridge wastewater treatment plant, has carried out its own odour assessment and this shows that the application site falls within an odour impact contour band that presently allows for the development of office/commercial space. They have raised no objection.
- 8.33 The Environmental Health teams responses make reference to Anglian Water's most recent odour assessment, as well as the applicant's odour assessment and other odour assessments associated with the previous application and the emerging AAP.
- 8.34 The building itself can be designed to include mechanical ventilation and odour filtration in order to protect the internal amenity of the building on days when odour is particularly bad. This is secured by condition.
- 8.35 Concerns remain with regard to potential odour impacts on the proposed external amenity spaces, the use of which may result in odour complaints. The applicants are aware of this issue and so would be future occupiers. It would be possible through an amendment to the scheme to remove these external areas, which include a raised roof level garden and an external ground level amenity space, with seating and planting. However, the applicants do not wish to make these amendments and I do not consider that it would be reasonable to do so. This is because any odour impact would only be at certain times of the year and is dependent on factors including warmth and wind direction. If potential users of the external areas are affected, they have the option to go inside the building where odour would not be an

issue for them. My view is that by removing the external amenity spaces it would be likely to result in a poorer overall level of amenity for future occupiers.

8.36 In coming to this conclusion, I am mindful of the lack of objection from Anglian Water and the fact that there is an extant permission on the site which also includes external spaces. This is also a commercial use and the building will not be occupied continuously and is a case of where practical mitigation can be put in place to filter potential odour. I note that the odour assessments consider the current scenario at the sewerage works, which includes the decommissioned trickle filter beds which are not likely to be in use for the foreseeable future (10 years). Whilst it might be the case that the applicants could exercise their permitted development rights now or at some point in the future to activate them, this is outside of the control of the local planning authority. I consider it reasonable, given the circumstances, to determine the application on the basis of the current impact. I am not of the view that granting permission would set a precedent for the emerging AAP. It is for the work that supports the emerging AAP to demonstrate an appropriate banding of allocated uses in relation to the sewerage works. That work continues and may well be informed by other assessments of odour and other wider infrastructure impacts that need to be taken into account.

8.37 The proposal is compliant with policy 4/13 of the Cambridge Local Plan 2006.

Highway Safety

8.38 No objection has been raised by the County Highways Engineer. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.39 The cycle parking provision is compliant with South Cambridgeshire District Council Standards and Cambridge City Council standards of 1 space per 30sqm. This gives a provision of 253 spaces including 5 for visitors.

8.40 The development proposes 128 additional car parking spaces. This represents additional provision at a rate of around 1 space

per 55 square metres for the proposed development of 7,049sqm.

- 8.41 However, it is proposed that there would be some reallocation of spaces between the existing Platinum Building and proposed Maurice Wilkes Building, which would give a net provision 319 spaces i.e. a rate of around 1 space per 36.5sqm overall. This is in the middle of the range of the parking standards between those for Cambridge City Council at 1 space per 40 sqm GIA and South Cambridgeshire District Council at 1 space per 30 sqm GIA.
- 8.42 A car park with 319 spaces allows for a car driver mode share of approximately 51% which is in line with the travel plan targets. The level of parking provision is, overall, only 5 spaces greater than permitted for the existing planning permission for the site.
- 8.43 In my opinion the proposal is broadly compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and SCDC standards and is reasonable.

Ecology

- 8.44 The ecological assessment undertaken, including reptile survey, did not identify any significant constraint to development with Natural England offering no comment. The ecology officer recommends a number of measures to enhance bio-diversity, including introducing ground cover planting, under-planting of the retained trees and a scheme for nest box erection, along with a requirement that no vegetation clearance is undertaken during the bird breeding season. These measures are secured through condition.

Environmental Impact

- 8.45 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended require 'Urban development projects', which includes offices, with a development area in excess of 1ha to be 'screened' to determine whether they represent EIA development. Officers have undertaken this work and concluded that based on the characteristics and location of the development and the

characteristics of the potential impact the proposed scheme does not represent EIA development.

Surface Water Drainage

- 8.46 The applicant has demonstrated to the satisfaction of the County Council as Lead Local Flood Authority that surface water can be dealt with on site through the use of infiltration features such as swales and soakaways such that there will be in increase in runoff rates or volume leaving the site. Furthermore no objection is raised by the Environment Agency. Subject to conditioning detailed design, implementation and long term maintenance and management of these measures the application satisfactorily addresses concerns relating to surface water. It is of note the swales are proposed to incorporate native planting and trees thus integrating ecological and landscape mitigation into the surface water drainage strategy.

Other considerations

- 8.47 The Police Architectural Liaison officer confirms the application reflects the pre-application advice provided in respect of community safety and crime reduction and does not raise any further observations.
- 8.48 The site is potentially contaminated and it is recommend to append a condition requiring a detailed scheme of investigation and recording of contamination along with appropriate remediation.
- 8.49 County archaeologists advise the site lies in an area of high archaeological potential, situated in the immediate vicinity of cropmarks which indicate the location of a ring ditch trace of probable Bronze Age burial mound, with a known Roman settlement in the vicinity, and request a pre-commencement condition requiring a programme of archaeological work. Subject to appending such a condition concerns relating to archaeology are satisfactory mitigated.

Third Party Representations

- 8.50 The single representation references the Travel Plan accompanying the application drawing attention to the range of

measures proposed to promote cycling which includes the provision of showers and changing facilities in the new building, and requests these are made available to other tenants of the Innovation Park which would further increase cycling take up.

- 8.51 Paragraph 206 of the NPPF allows for conditions to be imposed on planning permissions subject to certain tests, including that the condition is 'necessary'. Whilst allowing a greater number of employees of the Innovation Park to use these new facilities would be of public benefit (through promoting cycling), requiring such a measure is not necessary for the development to be acceptable in planning terms. It is recommended an informative be appended to the permission drawing the applicants attention to this request.
- 8.52 Milton Parish Council raises no objection to the application.

Planning Obligations (s106 Agreement)

- 8.53 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.

- 8.54 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

- 8.55 Only transport related obligations arise from the submission of the planning application. At the time of writing this report, the County Council has placed a holding objection in relation to the proposal. This is on the basis that further discussions are taking place with the applicants to agree a package of mitigation measures. I expect that these discussions will conclude shortly and on this basis I intend to update the amendment sheet to outline what these are and how much they will cost.
- 8.56 Subject to the completion of a S106 planning obligation to accord with the sought County Council Transport mitigation measures, which would also include the requirement for a Travel Plan and the possibility of a Traffic Regulation Order for Cowley Road, I am satisfied that the proposal would accord with Cambridge Local Plan (2006) policies 8/2, 8/2 and 10/1 of the Cambridge Local Plan (2006) and the Planning Obligation Strategy 2010.

9.0 CONCLUSION

- 9.1 The principle of development on this site is acceptable. The building would meet market demand and be likely to enhance the existing technology based cluster on the Innovation Park. The scale and design of the proposal is justified and the building would successfully anchor the southern end of the site. It has the support of both Councils' Urban Design teams. In terms of odour, the internal environment of the building would be adequately mitigated for the end users. At certain points in any given year, it may be the case that the use of the external areas to the building would be subject to odour that might give rise to complaint. My view is that the limited harm identified does not amount to a reason for refusal. Future occupants of the building need not use these areas. Furthermore, the application should be assessed on the current impact of odour. Subject to transport mitigation measures being agreed, the scheme is otherwise acceptable and approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement and the following conditions:

-In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated

authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

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 following approved plans: 1602 A58 PA1 , 1602 A61 PA1 , 1602 A80 PA1 , 1602 A84 PA2 , 1602 A51 PA1 , 1602 A56 PA1 , 1602 A67 PA1 , 1602 A68 PA1 , 1602 A70 PA1 , 1602 A83 PA2 , 1602 A85 PA2 , L0370PL01 E , 1602 A50 PA1 , 1602 A52 PA2 , 1602 A54 PA1 , 1602 A57 PA1 , 1602 A60 PA1 , 1602 A63 PA1 , 1602 A64 PA1 , 1602 A82 PA2 , L0370PL03 C , 1602 A53 PA1 , 1602 A55 PA1 , 1602 A62 PA1 , 1602 A65 PA1 , 1602 A66 PA1 , L0370PL02 E , 1602 A84 REV PA2.

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. **Pre-Commencement Conditions:**

Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

a) Include details of the volumes and types of material proposed to be imported or reused on site

b) Include details of the proposed source(s) of the imported or reused material

c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) Include the results of the chemical testing which must show the material is suitable for use on the development

e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

10. 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

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

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

12. Surface Water Drainage Scheme

The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:

- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for Climate Change)), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharge from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water.
- b) Flood water exceedance routes, both on and off site;
- c) A timetable for implementation;
- d) Site Investigation and test results to confirm infiltration rates;

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

13. No development, apart from below ground enabling works, shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

14. No development, apart from below ground enabling works, shall take place until full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing have been submitted to and approved in writing by the Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

15. No development, apart from below ground enabling works, shall take place until full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures have been submitted to and approved in writing by the Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

16. The proposed public art shall be developed in accordance with the St John's Innovation Park (CAPL130304/A2) Public Art Delivery Plan 'Spirit of Enquiry'. Prior to the materials being used for the finished external façades of the building, the details of the proposed permanent public art shall be submitted to and approved in writing by the Local Planning Authority and the proposed public art shall either be provided in accordance with the agreed details prior to occupation or in accordance with an agreed timescale.

Reason: In order to provide a high quality environment (Cambridge Local Plan 2006 policy 3/7).

17. Prior to Occupation Conditions:

Prior to the occupation of the building, details of the mechanical ventilation and odour filtration system for the purpose of extraction and filtration of odours associated with the wastewater treatment works, shall be submitted to and approved in writing by the local planning authority. The details shall include location of air intake and outlet points, specifications and drawings (including location plans) for the odour control technology to be installed, and an Odour Management Plan for the building, which should incorporate full details of the maintenance and repair requirements for the odour control system.

The approved extraction/filtration and odour control scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: In the interests of the amenity of future occupiers and visitors to the building (Cambridge Local Plan 2006 policy 4/13)

18. Prior to the occupation of the building, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented in accordance with the approved details.

Reason: In the interests of the amenity of future and adjacent occupiers and visitors to the building and adjacent buildings (Cambridge Local Plan 2006 policy 4/13)

19. The proposed cycle stores shall be fully completed prior to the occupation of the development and shall be designed so that they provide a predominantly secure access point into the enclosures and are covered by CCTV.

Reason: In the interests of providing an adequate level of cycle parking provision, that is secure and safe (Cambridge Local Plan (2006) policy 8/6).

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

Reason: In the interests of reducing carbon emissions and promoting principles of sustainable construction and efficient use of buildings in line with policies DP/1, NE/1 and NE/3 of the South Cambridgeshire Local Development Framework Development Control Policies (Adopted July 2007) and policies 3/1 and 8/16 of the Cambridge City Local Plan 2006.

21. Prior to the occupation of the development, a scheme for ecological enhancement shall be submitted to and approved in writing by the local planning authority. This scheme shall be based on the recommendations as set out in the Preliminary Ecological Appraisal by MKA Ecology Ltd 24th February 2015. The scheme shall be detailed in an approved Biodiversity Management Plan and shall be implemented in full prior to first occupation of the development or in accordance with a phasing plan agreed in writing by the local planning authority.

Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with policies 4/3 and 4/7 of the Cambridge Local Plan (2006) and their protection under the Wildlife and Countryside Act 1981.

22. Surface Water Maintenance

Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of un-adopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

23. Prior to the occupation of the building, the exact positioning of the proposed solar photovoltaic array on the roof of the building, together with shadow plans to demonstrate that the location is satisfactory, shall be submitted to and approved in writing by the Local Planning Authority. The approved renewable energy technologies and their location shall be fully installed in accordance with the agreed details and be operational prior to the occupation of the building and shall thereafter be maintained and remain fully operational, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions in accordance with policy 8/16 of the Cambridge City Local Plan 2006.

24. Compliance Conditions:

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)

25. 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)

26. Landscaping Implementation

The development shall be carried out and completed in accordance with the approved landscaping plans L0370PL01E/PL02E/PL03C prior to the occupation of the building unless alternative landscaping details or an alternative phasing plan are otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity (Cambridge Local Plan (2006) policies 3/11 and 4/3).

27. Landscaping Replacement

All soft landscape areas shall be monitored annually for a period of five years from completion. If within a period of five years from the completion of the soft landscaping works, any tree, shrub or plant, or area of turf is removed, uprooted, dies, becomes significantly diseased or fails to exhibit reasonable growth, then a replacement tree shrub or plant or area of turf of the same species and specification as the original shall be provided in the same location during the current or next available planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity (Cambridge Local Plan (2006) policies 3/11 and 4/3).

28. Tree and vegetation removal along the southern boundary shall take place outside the bird breeding season unless a site inspection reveals that no birds are nesting immediately before tree removal takes place.

Reason: To protect species (Cambridge Local Plan policy 4/7)

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

Hard copies can also be provided upon request

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

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

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: Due to the closeness of the development site to the wastewater recycling facility, windows will be required to be sealed. A mechanical ventilation system is required to provide sufficient comfort year round within the offices. During summer the mechanical ventilation system needs to be able to cope with the need for summer cooling. This necessitates an increase control for the occupier.

It is important to note that Part F of the Building Regulations provides guidance on purge ventilation requirements. This is a separate issue to the amenity requirements for summer/comfort cooling. Purge ventilation is generally used for the rapid removal of pollutants such as when painting or in the case of burning food and in many cases is achieved by opening windows.

Ventilation strategy reports that have been assessed in previous planning applications have therefore confused requirements of Part F with requirements for summer cooling and comfort. A suitable rate of air changes per hour and capability of the system will need to be discussed and agreed with the Local Planning Authority pursuant to the mechanical ventilation/odour control condition.

INFORMATIVE: Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	16/0001/FUL	Agenda Item	
Date Received	25th January 2016	Officer	Mairead O'Sullivan
Target Date	21st March 2016		
Ward	Market		
Site	Lock House Jesus Green Victoria Avenue Cambridge Cambridgeshire CB4 3BD		
Proposal	Change of use from residential to commercial A3 use (restaurants and cafes), erection of extensions and internal and external alterations to the listed building.		
Applicant	Mr Simon Godfrey 18B Chesterton Road Cambridge Cambridgeshire CB4 3AX 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 works respect the amenities of the listed building and would preserve and enhance the Conservation Area. <input type="checkbox"/> The proposal would have an acceptable impact on the amenities of residents in the vicinity. <input type="checkbox"/> The proposal would not harm highway safety, and the servicing and waste collection arrangements are acceptable.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Lock House is a Grade II Listed Building that lies within the Central Conservation Area. It is located in Jesus Green, which is designated as a Protected Open Space (P&G 09 – Jesus

Green). The adjacent lock and bridge are Grade II Listed structures. The building falls within Flood Zone 2.

- 1.2 The building was originally constructed as a lock-keepers' dwelling and is currently used as a House in Multiple Occupation (HMO).

2.0 THE PROPOSAL

- 2.1 The application proposes a change of use from residential to commercial A3 use (restaurants and cafes).

- 2.2 The application also proposes the erection of extensions with internal and external alterations to the listed building. The extensions are single storey additions to the south/rear side of the building. The height of the boundary wall to the north and west is to be reduced with capping stones to be retained and re-bedded. A gate is proposed to match existing. There are a number of new windows proposed on the east and west elevations. A bricked up opening in the east elevation is to be opened up with the addition of a half glazed door. Cycle hoops are proposed to the rear.

- 2.3 The application as submitted included:

1. Drawings
2. Revised drawings (Access)
3. Design and Access Statement
4. Flood Risk Assessment & flood modelling information
5. Deliveries method statement
6. Revised deliveries method statement
7. Proposal for the management of waste
8. Odour control information
9. Plant and extraction details

3.0 SITE HISTORY

- 3.1 The application site has an extensive site history. The relevant history is listed in the below table.

Reference	Description	Outcome
16/0002/LBC	Erection of extensions and internal and external alterations.	Pending consideration

4.0 **PUBLICITY**

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

5.0 **POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14 4/2 4/10 4/11 4/13 4/14 5/3 5/4 6/10 8/2 8/6 8/10 8/18

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> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006) Jesus Green Conservation Plan (1998)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

6.1 Please provide details of how the site will be serviced.

Second comment

6.2 The delivery of supplies to the premises at Mitchams Corner would add additional servicing vehicle movements when compared to the current situation. This is not considered likely to cause severe detriment. It is the ongoing journeys of items that causes concern. The distance which the handcart is to be pushed, 600m on one route and 1.2km on another, is impractical and passes along busy and narrow footways. Deliveries require several transfers of load. No logistic data is provided. The refuse strategy is acceptable in principal but no logistical data is provided. The arrangements for deliveries/removal of waste depend on private arrangements. The shortcomings of the delivery strategy are significant enough to warrant a recommendation of refusal.

Third comment

6.3 A further amendment to the method statement for servicing has been submitted. The document has now narrowed the proposals down to more definite options. The cargo bike route proposed is still quite long, but, in traffic terms it is feasible. The proposed arrangements for deliveries and removal of refuse depend upon specific private arrangements between the applicant and third parties. The applicant has indicated that they will accept a personal permission and provided the Planning Authority is satisfied that such a permission is sufficient to safeguard the future use of the building by alternative occupants the Highway Authority is satisfied that the previous objection can be removed.

Environmental Health

First comment

6.4 There is insufficient detail to make comment. Details of the kitchen operations, including kitchen extract location/filtration are required.

Second comment

6.5 The proposal is acceptable subject to conditions relating to construction hours and A3 odour compliance (conditions 9 and 10) and two informatives regarding food safety and licencing.

Refuse and Recycling

- 6.6 The application is supported. The applicants have consulted with the City Council's Commercial Waste Service. We applaud the solution they have put forward, namely to remove waste from the site to the pick-up/collection point at a boat club on Kimberley Rd. Secure storage will be provided at both the restaurant (Lock House) and the collection point in the form of lockable bins. As the majority of restaurants waste is dry mixed recyclables there is little weight attached so it will not prove a health and safety risk. Furthermore this will encourage the restaurant to "Close the Loop" with their suppliers which will limit the amount of waste they produce to a minimum which meets the City's waste goals.

Urban Design and Conservation Team

- 6.7 The development is acceptable subject to conditions. The additional windows proposed are acceptable. The rear catslide roof extensions will replace later extensions in the same location. Although deeper than existing they will terminate at the boundary line which is considered to be legible. Works to the boundary wall have been discussed with the Conservation Team. Sensitive alterations such as capping and the addition of a new gate will benefit the character of the place. The installation of lamp posts on the corner of the site is considered appropriate. The internal works are limited and acceptable. The removal of the stud partition walls is welcome. A number of conditions are recommended (conditions 3, 4, 5 and 6)

Access Officer

First comments

- 6.8 The Access Officer expressed concern regarding the threshold. The 750mm opening and the angle to the accessible toilet means that this is unacceptable as the narrow gap would prevent access to the toilet.

Second comment

- 6.9 Considers the amendments address these concerns.

Head of Streets and Open Spaces

- 6.10 No comments received in respect of servicing arrangements. Any comments will be reported in the Amendment Sheet.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.11 The development is acceptable subject to a condition relating to flood resilient construction.

Environment Agency

- 6.12 No objection to the principle of the development. The site is located within flood zone 2 with the access/egress routes being within Flood Zone 3. The change of use is from a 'more vulnerable' to a 'less vulnerable' development. Flood warning and evacuation measures will be important in managing the site. Recommend that the Local Authority consults its Emergency Planners. We expect the Local Planning Authority to consider emergency planning and rescue implications of new developments when making decisions. It is recommended that flood resilient measures be incorporated into the development. No detail of foul drainage is provided. This must not discharge into any watercourse or surface water drain or sewer.

Lead Local Flood Authority

- 6.13 The application is for 'minor development' therefore as Lead Local Flood Authority we do not have any comments to make.

7.0 REPRESENTATIONS

- 7.1 Councillor Bick, Councillor Gillespie and Councillor Ratcliffe have commented on this application.

- 7.2 The representations can be summarised as follows:

- Object to change from housing to restaurant
- Concerned about access for deliveries
- The council has been in dispute with premises on Midsummer Common for many years.

- Support the position of the Jesus Green Association and Friends of Midsummer Common
- Disappointed that the Jesus Green Association were not asked for comments

7.3 The owners/occupiers of the following addresses have made representations objecting to the application:

- 9 Albert Street
- 52 Carlyle Road
- 60 Carlyle Road
- 49 De Freville Avenue
- 2 Eve House
- 11 Holland Street
- The Jesus Green Association x3
- 98 King Street
- 63 Maids Causeway
- 27 Nutters Close
- 5 Park Parade
- 7 Park Parade x3
- 5 Pretoria Road
- Richmond Terrace
- 30 Searle Street
- 19 Trafalgar Road
- No address given

7.4 The representations can be summarised as follows:

Housing

- Objects to the loss of housing
- Residential letting, particularly affordable ones, are in short supply
- Need for housing greater than need for another food outlet; there is a shortage of housing and no shortage of restaurants
- Loss of housing is contrary to local plan

Access/servicing

- No information is provided regarding access
- Concerned about access to the site
- Concerned there will be a large number of vehicles servicing the site similar to Midsummer Common
- Concerned about heavy vehicles on Jesus Green
- The councils permission would be needed to allow vehicles on Midsummer Common

- 1 Van per week to service the site is unrealistic
- Carrying supplies by bike/handcart is inadequate
- Using a boat to remove waste is impractical
- Will inevitably lead to more traffic on Jesus Green
- Increase in traffic on Jesus Green is a safety hazard
- Vehicles on Jesus Green will damage grass, trees and paths.
- If permission is granted ask that there is a ban on vehicles/limited/monitored vehicular access and no customer vehicular access
- Will bring more cyclists who will need somewhere to park their bikes
- More traffic on an already congested bridge
- Servicing must not be allowed from footbridge

Design

- There is no mention of signage
- Cannot see reason to lower concrete wall
- Contrary to local plan as harmful to character
- Has potential to protect and enhance but concerned about a number of areas a) brick lintels should match existing b) new concrete caps unlikely to blend c) lamppost should be subject to condition d) should agree with council to work existing trees/hedge into landscaping to the rear

Waste

- How is rubbish to be stored
- Concerned about removal of waste by boat
- Concerned about vermin

Other

- Disappointed that the Jesus Green Association, residents of the Lockhouse and residents of Park Parade were not consulted
- The proposal under occupies the building/upper floors not used
- It is an iconic building
- The path outside the Lockhouse is narrow and would be a safety hazard given its proximity to the Lock
- Entrance to the café located on a sharp bend which is a safety hazard
- Planning permission is sought from a company whose ownership is not clear
- Concerned that the building could be sold once consent given
- Danger a larger enterprise could move in
- There may be a conflict of interest with the council if expansion is considered or owners change

- A tea room would be more appropriate and incidental to Jesus Green
- If the building was owned by the council change of use could be less easily exploited
- The Jesus Green Association have been working toward a comprehensive plan for the area immediately by the footbridge
- The Conservators have chosen to ignore the cottages larger context
- The Rouse Ball Pavilion is a significant building and is the place for a café.
- If the application is granted the future of the Rouse Ball Pavilion is prejudiced
- Would use public land
- Needs to be an overall coherent plan for the use of buildings on Jesus Green

7.5 The owners/occupiers of the following addresses have made representations supporting the application:

- 22 Albert Street
- 19 Brunswick Terrace
- 29 Clarendon Street
- 31 De Freville Avenue
- 12 George Street
- 9 Glisson Road
- 18 Hertford Street
- 78 Kimberley Road
- 26 Magrath Avenue
- 378 Milton Road

7.6 The representations can be summarised as follows:

Design

- Building appears dismal and dilapidated
- Happy with small scale and footprint of the proposal
- Will be an addition and improvement to a gloomy corner

Amenity

- There is a lack of amenity for existing residents
- Current building offers little amenity

Other

- The building is currently poorly run

- Idea of converting Rouse Pavilion difficult to justify when it is used as a changing room and although the public toilets are not very modern they are an important service.
- Will result in a loss of a residential unit but there are major developments to compensate for this
- Not to be a high end venture like Midsummer Common
- Would benefit local area and residents as well as visitors to the swimming pool and playground
- Very few dining options/similar facilities in immediate area
- More choice of restaurants will benefit the public
- The application was made by local people who will enhance and preserve the Lock house
- Will enrich Jesus Green
- Envision patrons will arrive by foot and bike
- Area is very busy with no amenities (except kiosk)
- Will be a catalyst to improve the area.

7.7 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 the Conservation Area and Listed Building
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Disabled access
7. Flood risk
8. Third party representations

Principle of Development

8.2 The application proposes a change of use from C3 (residential) to A3 commercial use (restaurant and café). Loss of housing is addressed in policy 5/4 of the Cambridge Local Plan (2006)

- 8.3 Policy 5/4 states that the change of use of residential to other uses will not be permitted unless it can be demonstrated that:
- a) The property is unfit for human habitation and cannot be rehabilitated
 - b) It is a Listed Building that can best be preserved through change of use
 - c) It is necessary for the provision of community facilities in Cambridge
 - d) Replacement residential can be provided elsewhere
- 8.4 The Lock House is currently in use as a HMO. While the property could continue to operate under this use class I do not consider this to be a compatible use in the long term. The Lock house is located in the middle of a large public open space with little privacy for residents. While the residents have access to the wider green there is no private amenity space for any residents of the property. As a result it is likely that the unit will have limited appeal and value as a single dwelling given the poor level of amenity and lack of privacy for residents.
- 8.5 The proposal involves some minor works to the Listed Building. The Conservation Officer is satisfied with these elements subject to a number of conditions. I will expand upon this later in my report. The proposed works are limited and sympathetic and will help restore the listed building which currently appears run down.
- 8.6 While the proposal will result in a loss of housing I consider the proposed A3 use to be acceptable. It would be a more appropriate long term use given the lack of amenity currently provided to residents and more compatible with the recreational use of Jesus Green than the existing use. It will also be more likely to result in improvements to the appearance and upkeep of the listed building.
- 8.7 Policy 6/10 relates to food and drink outlets. This states that change of use to A3, A4 and A5 will only be permitted where:
- a) Where the proposal will not give rise to unacceptable environmental problems or nuisance and the individual and cumulative impact of the development is considered acceptable; and
 - b) Where it is in an existing centre or is part of a mixed use area in an urban extension or the Station Area.

- 8.8 The site falls within the defined city centre area and the A3 use would therefore comply with part (b). The Environmental Health Officer is satisfied with the proposal subject to condition. As a result the proposal complies with policy 6/10.

Context of site, design and external spaces and impact on the Conservation Area and Listed Building

- 8.9 The proposal involves the addition of two extensions which will replace existing later extensions to the Lockhouse. While these extensions are deeper than existing they respect the boundary line. A number of additional windows are proposed. A bricked up opening is to be removed and replaced with a half glazed door. The boundary wall is to be lowered on the north and west elevations. The Conservation Officer considers these works to respect the character of the Conservation Area and the value of the Listed Building subject to a number of conditions. I share his view and consider the proposal to be acceptable in terms of design.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/10 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 There are no neighbouring properties within close proximity to the Lock house. The nearest neighbours, being a number of houseboats who are significantly set-away from the property. The Environmental Health Officer is satisfied with the information which the applicant has provided; removing the double deep fat fryer in favour of a domestic counter top fryer and the details relating to the kitchen fan and silencer. Two conditions are recommended (condition 9 and 10); one relates to construction hours and the other is an odour compliance condition.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.13 Waste is to be removed from the site via boat. The Cam Conservancy have agreed that a small boat could be moored permanently at Jesus Lock for this purpose. Waste will be loaded on the southern bank of the river at the closest available point to the Lock House. The applicant has made an arrangement with a local boathouse on the northern bank of the river to use their slipway to unload bagged waste and deposit it in the trade waste bins which they currently use. The waste bins used by the boathouse are to be upgraded from 2x 240l to 2x 360L bins with an additional 140L food waste bin to be added. Waste is collected 1-2 times per week. This may need to increase during busy periods.
- 8.14 The Waste Officer supports the proposal. He considers the secure storage, both at the restaurant and collection point, to be acceptable. I share his view.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

Highway Safety

- 8.16 The original submitted proposal did not contain any information on how the site was to be serviced. The Highway Engineer requested further information in order to comment on the application.
- 8.17 A delivery strategy was submitted in response to the Highway Engineer's comments. The applicant proposes that deliveries be made to Let's Go Cambridge at 18B Chesterton Road. Here bulky packaging will be removed and supplies taken via cargo bike to the Lock House. The applicant proposes one morning delivery of 10-15kg. The cargo bike will have a maximum load of 100kg. This will be for the delivery of fresh and perishable goods. The applicant provides an approximate delivery load required based on a similar sized restaurant nearby. The total weight of summer produce is expected to be 87kg per week. The suggested route for deliveries is via Bridge Street; a distance of approx. 1200m. A video link is provided to demonstrate the cargo bike route.

- 8.18 The strategy also notes that goods could be transported via boat from Let's Go Cambridge to the Lock House. Goods would be carried or transported via handcart for a distance of approx. 100m to a loading point at Jubilee Gardens where there is a public access mooring. Here supplies can be unloaded on the opposite bank. Some supplies will be collected using cargo and butchers bikes. 2.5kgs of bread/baked goods is estimated to be needed which will be collected from Market Square and delivered to the Lock House.
- 8.19 The applicant proposes that once per week heavy/bulky good will be delivered by vehicle. The delivery will be managed by the Cam Conservancy who will use their own vehicle. The delivery will be made as part of an already scheduled vehicular visit by the Cam Conservancy. This will not result in an increase in vehicular access to Jesus Green.
- 8.20 The Highway Engineer has withdrawn his objection. He notes that the proposal depends upon specific private arrangements between the applicant and third parties. A personal permission will not be used however a condition will be imposed to ensure the premises operates under the deliveries method statement submitted (condition 11). If the applicant, or any future occupier of the site needed to service the site in a way which deviates from this plan this would need to be approved in writing by the Local Planning Authority.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Disabled Access

- 8.22 A number of amendments have been made as a result of the Access Officers original comments including widening the door to the WC and alterations to the jamb. The Access Officer is now satisfied with the proposal.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Flood Risk

- 8.24 The application site is partly located within Flood Zone 2. Policy 4/16 states that development will not be permitted:
- In an area with an unacceptable risk of flooding;
 - If it would increase the risk of flooding elsewhere; or
 - If it would have a detrimental effect on flood defences or inhibit flood control and maintenance work.
- 8.25 The sustainable Drainage Officer considers the proposal acceptable subject to a condition relating to flood resilient construction (condition 7). The Environmental Agency supports the proposal in principle and note that it moves from a 'more vulnerable' to 'less vulnerable' development type. The Lead Local Flood Authority has no comments to make. A Flood Risk Assessment is included with the application which details that evacuation is feasible for all site users. A condition will be imposed relating to foul drainage (condition 8).
- 8.26 In my opinion, the principle of the development is acceptable and in accordance with policy and 4/16.

Third Party Representations

- 8.27 I have addressed most of the representations within the body of my report. I will address any outstanding issues in the below table.

Comment	Response
Housing	
Objects to the loss of housing	I have addressed loss of housing in paragraphs 8.2 – 8.8
Residential letting, particularly affordable ones, are in short supply	
Need for housing greater than need for another food outlet; there is a shortage of housing and no shortage of restaurants	
Loss of housing is contrary to local plan	
Design	

There is no mention of signage	I have addressed issues of design at paragraph 8.9
Cannot see reason to lower concrete wall	
Contrary to local plan as harmful to character	
Has potential to protect and enhance but concerned about a number of areas a) brick lintels should match existing b) new concrete caps unlikely to blend c) lamppost should be subject to condition d) should agree with council to work existing trees/hedge into landscaping to the rear	
Waste	
How is rubbish to be stored	The Waste Officer is satisfied with the proposal. I have discussed this at paragraph 8.13 – 8.15
Concerned about removal of waste by boat	
Concerned about vermin	
Other	
Disappointed that the Jesus Green Association, residents of the Lockhouse and residents of Park Parade were not consulted	We do not normally consult occupiers of the application site. The adjacent properties were notified of the proposal. A site notice was also erected.
The proposal under occupies the building/upper floors not used	I note that the upper floors are vacant. This is not relevant to my assessment of the application.
It is an iconic building	I have addressed design concerns in paragraph 8.9
The path outside the Lockhouse is narrow and would be a safety hazard given its proximity to the Lock	I do not consider that the proposal will cause any significant safety hazards
Entrance to the café located on a sharp bend which is a safety hazard	

Planning permission is sought from a company whose ownership is not clear	The application has been made by Lockhouse Limited who have signed certificate B and served notice on the owners of the Lockhouse; the Conservators of the River Cam
Concerned that the building could be sold once consent given	A condition will be imposed to control the methods of delivery and waste management. If another enterprise were to occupy the site they would need to operate against the deliveries method statement and waste management proposal. If they were to deviate from this they would need to have this approved in writing by the Local Planning Authority.
Danger a larger enterprise could move in	
There may be a conflict of interest with the council if expansion is considered or owners change	
A tea room would be more appropriate and incidental to Jesus Green	
If the building was owned by the council change of use could be less easily exploited	I can only assess the application as submitted
The Jesus Green Association have been working toward a comprehensive plan for the area immediately by the footbridge	I note that there has been a plan to redevelop the Rouse Ball Pavilion. However this is currently occupied by toilets and changing facilities. Competition is not a material planning consideration.
The Conservators have chosen to ignore the cottages larger context	
The Rouse Ball Pavilion is a significant building and is the place for a café.	
If the application is granted the future of the Rouse Ball Pavilion is prejudiced	

Needs to be an overall coherent plan for the use of buildings on Jesus Green	
Would use public land	The application site is on private land located within Protected Open Space

9.0 CONCLUSION

- 9.1 The proposal will result in the loss of 1 residential unit. However the current development offers a poor level of amenity to occupiers who have little privacy and no private amenity space. The proposal will result in works to the listed building which will improve its appearance and will not negatively impact of the character of the area. I consider the proposal will bring forward a beneficial re-use of the building that would be compatible with its location in a recreational area. The proposal will not have a harmful to the amenities of residents in the vicinity.

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. All new brickwork to window and door jambs shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

4. All new window and door joinery shall match exactly the existing in every respect including material, style, moulding detail and workmanship unless otherwise agreed in writing by the local planning authority.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

5. A sample of the new capping to the concrete boundary walls shall be submitted to and approved in writing by the local planning authority; and retained on site until completion of the works. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

6. Details and/or manufacturer's literature of the lamp posts shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

7. 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: To minimise flood risk in accordance with the National Planning Policy Framework 2012.

8. Prior to the occupation of the development, a scheme for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: To ensure adequate sewerage provision for the development (Cambridge Local Plan Policy 8/18)

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

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

10. Any A3 use of the development shall install and maintain an odour filtration/extraction system designed in accordance with Annex B and C of the, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 and/or its subsequent amendments.

Reason: To protect the amenity of nearby residents (Cambridge Local Plan (2006) policy 3/4)

11. The site shall be operated in accordance with the details set out in the Deliveries Method Statement (18/04/2016) unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4 and 3/7)

12. The site shall be operated in accordance with the details set out in the Proposal for the Management of Waste unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4 and 3/7)

INFORMATIVE: As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team of the Refuse and Environmental Service at Cambridge City Council on telephone number (01223) 457890 for further information.

INFORMATIVE: A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email Licensing@cambridge.gov.uk for further information.

INFORMATIVE: As the building is considered to be at risk of flooding in an extreme event, we recommend that flood resilient / resistant measures are incorporated into the development, as detailed in section 8.2 of the FRA. Any flood resilient measures should be in accordance with the latest Department for Communities and Local Government (DCLG) guidance contained within 'Improving the flood performance of new buildings - Flood resilient construction 2007', which is available to download from the DCLG website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

We also recommend that the site operator signs up to the Environment Agency's free flood warning service. The service offers three levels of flood warning and can provide vital time to prepare for flooding. Warnings can be received by telephone, fax, text message, pager and email. To sign up, please call Floodline on 0345 988 1188 or visit www.gov.uk/flood

INFORMATIVE: The preferable method of foul drainage disposal would be a connection to the public foul sewer.

Where a connection to the public foul sewer is not available the applicant is advised to obtain professional advice as to whether any non mains system is adequate to accept the additional drainage resulting from this development.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

INFORMATIVE: Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	16/0002/LBC	Agenda Item	
Date Received	25th January 2016	Officer	Mairead O'Sullivan
Target Date	21st March 2016		
Ward	Market		
Site	Lock House Jesus Green Victoria Avenue Cambridge Cambridgeshire CB4 3BD		
Proposal	Erection of extensions and internal and external alterations.		
Applicant	Mr Simon Godfrey 18B Chesterton Road Cambridge Cambridgeshire CB4 3AX United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed works respect the amenities of the listed building.</p> <p>The proposed development would preserve and enhance the Conservation Area.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Lock House is a Grade II Listed Building that lies within the Central Conservation Area. It is located in Jesus Green, which is designated as a Protected Open Space (P&G 09 – Jesus Green). The adjacent lock and bridge are Grade II Listed structures. The building falls within Flood Zone 2.

2.0 THE PROPOSAL

2.1 The application proposes the erection of extensions with internal and external alterations to the listed building. The extensions are single storey additions to the south/rear side of the building. The height of the boundary wall to the north and west is to be reduced with capping stones to be retained and re-

bedded. A gate is proposed to match existing. There are a number of new windows proposed on the east and west elevations. A bricked up opening in the east elevation is to be opened up with the addition of a half glazed door. Cycle hoops are proposed to the rear.

- 2.2 There is an associated planning application that also proposes change of the use of the building to A3 use (restaurant and cafe)

3.0 SITE HISTORY

- 3.1 The application site has an extensive site history. The relevant history is listed in the below table.

Reference	Description	Outcome
16/0001/FUL	Change of use from residential to commercial A3 use (restaurants and cafes), erection of extensions and internal and external alterations to the listed building.	Pending consideration

4.0 PUBLICITY

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

5.0 POLICY

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

- 5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006) Jesus Green Conservation Plan (1998)

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 and Conservation Team

- 6.1 The development is acceptable subject to conditions. The additional windows proposed are acceptable. The rear catslide roof extensions will replace later extensions in the same location. Although it is deeper than existing it will terminate at the boundary line which is considered to be legible. Works to the boundary wall have been discussed with the Conservation Team. Sensitive alterations such as capping and the addition of a new gate will benefit the character of the place. The installation of lamp posts on the corner of the site is considered appropriate. The internal works are limited and acceptable. The removal of the stud partition walls is welcome. A number of conditions are recommended (conditions 3, 4 and 5)
- 6.2 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Bick, Councillor Gillespie and Councillor Ratcliffe have commented on this application.
- 7.2 The representations can be summarised as follows:
- Object to change from housing to restaurant
 - Concerned about access for deliveries
 - The council has been in dispute with premises on Midsummer Common for many years.
 - Support the position of the Jesus Green Association and Friends of Midsummer Common
 - Disappointed that the Jesus Green Association were not asked for comments
- 7.3 The owners/occupiers of the following addresses have made representations objecting to the application:

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- Objects to the loss of housing
- Residential letting, particularly affordable ones, are in short supply
- Need for housing greater than need for another food outlet; there is a shortage of housing and no shortage of restaurants
- Loss of housing is contrary to local plan

Access/servicing

- No information is provided regarding access
- Concerned about access to the site
- Concerned there will be a large number of vehicles servicing the site similar to Midsummer Common
- Concerned about heavy vehicles on Jesus Green
- The councils permission would be needed to allow vehicles on Midsummer Common
- 1 Van per week to service the site is unrealistic
- Carrying supplies by bike/handcart is inadequate
- Using a boat to remove waste is impractical
- Will inevitably lead to more traffic on Jesus Green
- Increase in traffic on Jesus Green is a safety hazard
- Vehicles on Jesus Green will damage grass, trees and paths.

- If permission is granted ask that there is a ban on vehicles/limited/monitored vehicular access and no customer vehicular access
- Will bring more cyclists who will need somewhere to park their bikes
- More traffic on an already congested bridge
- Servicing must not be allowed from footbridge

Design

- There is no mention of signage
- Cannot see reason to lower concrete wall
- Contrary to local plan as harmful to character
- Has potential to protect and enhance but concerned about a number of areas a) brick lintels should match existing b) new concrete caps unlikely to blend c) lamppost should be subject to condition d) should agree with council to work existing trees/hedge into landscaping to the rear

Waste

- How is rubbish to be stored
- Concerned about removal of waste by boat
- Concerned about vermin

Other

- Disappointed that the Jesus Green Association, residents of the Lockhouse and residents of Park Parade were not consulted
- The proposal under occupies the building/upper floors not used
- It is an iconic building
- The path outside the Lockhouse is narrow and would be a safety hazard given its proximity to the Lock
- Entrance to the café located on a sharp bend which is a safety hazard
- Planning permission is sought from a company whose ownership is not clear
- Concerned that the building could be sold once consent given
- Danger a larger enterprise could move in
- There may be a conflict of interest with the council if expansion is considered or owners change
- A tea room would be more appropriate and incidental to Jesus Green
- If the building was owned by the council change of use could be less easily exploited
- The Jesus Green Association have been working toward a comprehensive plan for the area immediately by the footbridge

- The Conservators have chosen to ignore the cottages larger context
- The Rouse Ball Pavilion is a significant building and is the place for a caf .
- If the application is granted the future of the Rouse Ball Pavilion is prejudiced
- Would use public land
- Needs to be an overall coherent plan for the use of buildings on Jesus Green

7.5 The owners/occupiers of the following addresses have made representations supporting the application:

- 22 Albert Street
- 19 Brunswick Terrace
- 29 Clarendon Street
- 31 De Freville Avenue
- 12 George Street
- 9 Glisson Road
- 18 Hertford Street
- 78 Kimberley Road
- 26 Magrath Avenue
- 378 Milton Road

7.6 The representations can be summarised as follows:

Design

- Building appears dismal and dilapidated
- Happy with small scale and footprint of the proposal
- Will be an addition and improvement to a gloomy corner

Amenity

- There is a lack of amenity for existing residents
- Current building offers little amenity

Other

- The building is currently poorly run
- Idea of converting Rouse Pavilion difficult to justify when it is used as a changing room and although the public toilets are not very modern they are an important service.
- Will result in a loss of a residential unit but there are major developments to compensate for this
- Not to be a high end venture like Midsummer Common

- Would benefit local area and residents as well as visitors to the swimming pool and playground
- Very few dining options/similar facilities in immediate area
- More choice of restaurants will benefit the public
- The application was made by local people who will enhance and preserve the Lock house
- Will enrich Jesus Green
- Envision patrons will arrive by foot and bike
- Area is very busy with no amenities (except kiosk)
- Will be a catalyst to improve the area.

7.7 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 accompanying planning report (16/0001/FUL) considers the material planning issues raised in relation to this proposal. For this listed building application, the only issues that need to be considered relate to the alterations to the listed building itself.

8.2 The application proposes a number of additional windows. While these will change the appearance, and to some extent the meaning of the building, as it was original built to be single aspect, the Conservation Officer considers these additions to be acceptable. Conditions are imposed to ensure that all joinery to the windows and brickwork to the window jambs shall match existing.

8.3 Two extensions are proposed to the rear elevation. These are to replace later extensions in the same location. The proposed new extensions are to be deeper than those which they replace. However these elements terminate at the line of the boundary wall. The Conservation Officer considers that these will be legible.

8.4 The boundary wall is to be lowered but retained which is welcome. The Conservation Officer considers the approach of capping to be a sensitive manner of protecting the wall.

8.5 The introduction of lamp posts on the corners of the building is considered acceptable. A condition is recommended to control the appearance of these poles.

8.6 The proposed internal works are minor. A number of additional doors are proposed and a number of stud walls are to be removed. The Conservation Officer considers these elements to be acceptable.

9.0 CONCLUSION

9.1 The Conservation Officer is satisfied with the proposed works subject to condition. The proposed works respect the amenities of the listed building and would preserve and enhance the Conservation Area.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) of the Planning and Compulsory Purchase Act 2004).

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

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

3. All new brickwork to window and door jambs shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

4. All new window and door joinery shall match exactly the existing in every respect including material, style, moulding detail and workmanship unless otherwise agreed in writing by the local planning authority.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

5. A sample of the new capping to the concrete boundary walls shall be submitted to and approved in writing by the local planning authority; and retained on site until completion of the works. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	16/0317/FUL	Agenda Item	
Date Received	22nd February 2016	Officer	Mairead O'Sullivan
Target Date	18th April 2016		
Ward	Newnham		
Site	36 Newnham Road Cambridge Cambridgeshire CB3 9EY		
Proposal	Change of use from retail (A1) to student residential accommodation together with associated external ground floor alterations.		
Applicant	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposal will have an acceptable impact on the amenity of the surrounding occupiers <input type="checkbox"/> The proposal will bring forward the re-use of a presently vacant unit <input type="checkbox"/> The proposal will have an acceptable impact on the character of the Conservation Area
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a retail unit on the south west side of Newnham Road. The unit forms part of a larger development of student accommodation for Clare College approved under application reference 10/0908/FUL. The scheme involved the provision of 14 student units. Three retail units were lost as part of the development. The unit that is the subject of this application was provided to replace those lost as part of the development.

- 1.2 The site is located within the Central Conservation area.
- 1.3 The site is located within Flood Zone 2.
- 1.4 The site is located within controlled parking zone W.
- 1.5 The site is within an area defined as a Local Centre in the Cambridge Local Plan (2006)

2.0 THE PROPOSAL

- 2.1 The application proposes a change of use at ground floor level from the consented A1 retail use to a C3 student residential use, creating two additional units.
- 2.2 The applicant's agent has explained that, when permission was granted for the development of the wider College site, the proposals included this approximately 50sqm retail unit. After extensive marketing, a tenant was found seeking to operate a convenience store but the lease was not completed due to issues relating to installation of the required plant. Following further marketing, a tenant was found but this was short-lived.
- 2.3 The application also proposes external alterations at ground floor level associated with the change of use.
- 2.4 On the east (front) elevation the shop front is to be removed and replaced with a window to match the existing first floor window. On the west (rear) elevation two windows are to be replaced by two larger windows and doors with screens to match the existing units within the courtyard.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0865/CAC	Demolition of 42-44 Newnham Road and buildings to the rear of 40-52 Newham Road.	Granted permission
09/0864/FUL	Erection of 20 student residential units to the rear of 40-52 Newnham Road and the alteration and extension of 46-52 Newnham Road to create 14 student residential units (34 in	Refused

total). Creation of a new vehicular access and car and cycle parking following the demolition of 42-44 Newnham Road, existing garages and other outbuildings and the partial demolition of the rear of 46-52 Newnham Road.

09/0866/LBC	Internal and external alterations to 40 Newnham Road.	Granted permission
10/0908/FUL	Erection of 18 student residential units to the rear of 40-52 Newnham Road and the alteration and extension of 46-52 Newnham Road to create 14 student residential units (32 in total) and the provision of a retail unit along with associated external works including the creation of a new vehicular access and car and cycle parking.	Granted permission
11/0948/FUL	Change of use from retail (Use Class A1) to teaching facility for clients of local Wintercomfort for the Homeless (Use Class B1c)	Granted permission

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
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Cambridge Plan 2006	Local	3/1 3/4 3/7
		4/11 4/13
		5/1
		6/7
		7/7
		8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area

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 residents of the new dwelling will not qualify for Residents Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on the surrounding streets. The Highway Engineer requests that this is added to the decision notice as an informative.

Environmental Health

- 6.2 The proposal is acceptable subject to a construction hours condition. As outstanding information remains regarding the contaminated land condition on the previous application, the Environmental Health Officer has recommended all 6 parts of the contaminated land condition be imposed.

Refuse and Recycling

First comment

- 6.3 Need further information regarding the location of the bin store.

Second comment

- 6.4 If the bin store is staying in the same location and only 1 more set of bins needs to be added, the proposal is acceptable.

Urban Design and Conservation Team

- 6.5 The proposal is unacceptable. It degrades the character of the Conservation Area; this part of the Conservation Area derives some of its character from being partly commercial. The previous proposal for the site was accepted on the grounds that a retail unit was retained. The changes to the façade will reinforce the 'closed-off' institutional appearance and sense that the original design set out to avoid. The proposal is contrary to criteria b) of policy 4/11.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

First comment

- 6.6 The proposal is unacceptable. The development is changing from a 'less vulnerable' to 'more vulnerable' use. No sequential test has been undertaken. The Flood Risk Assessment is out of date.

Second comments

- 6.7 The development is acceptable subject to conditions relating to finished floor levels and flood resilient construction.

Environment Agency

- 6.8 No comments received.

Policy

- 6.9 Formal comments have yet to be received. These will be included on the Amendment Sheet.
- 6.10 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- Granary Yard (on behalf of Residents Association of Old Newnham –RAON)
- 15 Grange Road
- 51 Newnham Road
- 18 Wordsworth Grove

- 7.2 The representations can be summarised as follows:

- Newnham Road risks becoming a residential street
- Restaurants are struggling and there is a high turnover of shops
- Instead of removing employment opportunities we should investigate how business can be supported
- Workers help generate trade for shops and restaurants
- How has the shop been advertised? There has been no 'To Let' sign
- No site notice or neighbour notification
- There were successful shops before the site was redeveloped
- Parking will always be a problem but locals walk and cycle
- More effort should be put into making it a desirable shop (e.g. install chiller facilities)
- Logical to support businesses outside centre to help reduce congestion
- Other shops thrive outside of the city centre
- Locals find it difficult to get into town due to a poor bus service
- Will send a negative message to businesses on the road
- Unacceptable reversal of important element of the previously approved scheme
- Loss of unit would damage local centre
- Retention of 1 shop seen as minimum acceptable provision when assessing the previous proposal

- The college should be responsible for lowering the rent to incentivise occupation of the unit
- The east side of Newnham Road is surviving; this may be due to an increase in local pedestrian and cycle traffic and tourism growth (particularly to Sheep's Green and Coe Fen)
- A convenience shop would increase vitality and diversity
- There are 70 students as part of the new development that would be well served by a shop.
- If this is approved only two retail units will remain on the west side of Newnham Road
- Local centres need planning support
- This is also a conservation issue

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Third party representations

Principle of Development

8.2 Policy 6/7 relates to change of use within local and district centres. This states that a Change of use from A1, to uses other than A2/A3A/4A/5, will not be permitted within local and district centres.

8.3 Application 10/0908/FUL (phase 2 of the student accommodation development) resulted in the loss of three retail units from the site. One unit, the unit which is the subject of this application, was included to replace the three which were lost. Condition 28 of that consent states that the unit shall be used for A1 or A2 use class.

- 8.4 The applicant has submitted detail of marketing and interest in the site. This details that there were 23 enquiries about the unit but only one business has ever occupied the site; Quiver, a specialist shop dealing in corsets and curios. This business signed a lease in August 2014. A letter is supplied from the proprietor of Quiver dated 18th December 2015 which details why the unit is unsuitable for retail trading. The reasons given being:
- A lack of other retail business in the area
 - A lack of passing trade exacerbated by the narrowness of the pavement
 - Lack of parking
 - Limitations with the building (lack of ventilation/no suitable location for air conditioning condenser)
- 8.5 In two previous applications on the site, 09/0864/FUL and 10/0908/FUL which relate to the student accommodation development, the case officer took the view that this frontage of Newnham Road ceased to operate as a local centre, and that the loss of 3x A1 units, as was proposed in that application, was acceptable. That scheme did retain one retail unit, which it was felt would help ensure the street would retain a residual role in meeting day-to-day needs. The loss of some retail on the site was considered to be outweighed by the gain of providing student accommodation and preserving the character of the area. In the application ref 11/0948/FUL which sought a temporary change of use from A1 to B1(c) the case officer also took this view.
- 8.6 It is clear that condition 28 of 10/0908/FUL sought to retain an A1 use on the site, and it was hoped this would replace the former convenience shop. However, the only retailer that has occupied the building is a corset shop (which serves a wider area rather than meeting everyday needs). The evidence provided by the applicant, has in my opinion, demonstrated that an A1 use is not viable for the site. Officers have consistently taken the view when considering recent applications that this area of Newnham Road no longer functions as a local centre with the area being more of an eating and drinking destination. These commercial uses are concentrated on the eastern/opposite side of the street. The vacant unit on the application site is one of only three commercial uses on this side (the others are the petrol station and an architect's office)

with the remainder being used as student housing. In my opinion, the applicants have provided sufficient and satisfactory evidence to demonstrate why the unit is unsuitable for retail use. I therefore consider the loss of the A1 unit to be acceptable and that the proposed use would bring forward a re-use of this presently vacant unit.

- 8.7 Policy 7/7 relates to student accommodation. This states that planning permission will be granted for student residential within existing college sites subject to
- a) Amenity considerations;
 - b) Their proximity to the institutions they serve;
 - c) Supervision, if necessary, is provided as appropriate to their size, location and the nature of the occupants; and
 - d) They do not result in a loss of family residential accommodation.
- 8.8 The proposal will form part of the wider student accommodation proposal for Clare College approved under 10/0908/FUL and 09/0864/FUL. The site is well related to Clare College, the site is supervised and there would be no loss of family accommodation. As a result I consider the proposal complies with policy 7/7.

Context of site, design and external spaces and impact on the Conservation Area

- 8.9 The shopfront is to be removed from the front elevation. This is a modern addition to the area, and the application proposes to replace the shopfront with a window and brickwork. To the rear two new window/doors with screens to match existing are to be added. I consider these works to be minimal and in keeping with the surrounding area. A condition is imposed to ensure matching materials.
- 8.10 The Urban Design and Conservation (UDC) Team does not support the proposal. It considers that the loss of the retail unit will be harmful to this part of the Conservation Area which is commercial in character. The unit is currently vacant. There has only been one occupier of the unit since its construction. This occupier did not find the unit to be fit for purpose. As discussed above this area of Newnham Road has not functioned fully as a district centre for a number of years. As a result I consider that

the loss of the unit will be acceptable as it will bring the site back into use and introduce life into a currently vacant frontage.

- 8.11 The UDC Team consider that the changes to the front elevation reinforce a closed off institutional appearance which had been avoided as part of the previous application. Although the shopfront will be removed, the adjacent frontage is all residential in nature and the proposal would replicate the existing form along this section of Newnham Road. I have recommended a condition to ensure the brickwork matches that adjacent, and the plans clearly show the new joinery would match that at first floor level. In my opinion, the proposed treatment to the building would not result in harm to the character of the area. The proposal will remove a vacant unit from the street and result in the site being occupied, thereby bringing forward benefits to the character of the Conservation Area.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 The proposal does not alter the size or footprint of the building. The proposed new units will form part of the wider adjoining student accommodation development. The proposed new development will easily integrate with the existing scheme with bike and bin storage to be provided as part of the wider development.
- 8.14 The Environmental Health Officer has recommended a contaminated land condition as all parts of this condition were not discharged on the previous scheme. I consider that, as the works to the building are minor and as no excavation or extension is required, this condition is probably not relevant. I am awaiting a formal response from the Environmental Health Team as to whether this is the case. I will provide an update on the Amendment Sheet.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/13 and 7/7.

Amenity for future occupiers of the site

8.16 The proposed two new units are similar in layout and dimension to the adjoining studio units. The units will also have access to an internal courtyard. I consider that the two new units will provide an appropriate level of amenity for future occupiers of the site.

8.17 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7, 4/13 and 7/7

Refuse Arrangements

8.18 The Recycling Officer is satisfied with the proposal which involves a shared arrangement with the wider student development. The existing stores are conveniently located in the shared courtyard and have capacity for the waste that the new units will generate.

8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7 and 7/7.

Highway Safety

8.20 The Highway Engineer has no objection from a highway safety perspective but recommends an informative regarding lack of eligibility of new residents for Parking Permits.

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

Third Party Representations

8.22 The main concern expressed by the representations relate to the impact of the loss of the retail unit on the local centre. I have assessed this in paragraphs 8.2 -8.6.

9.0 CONCLUSION

- 9.1 Although the proposal involves the loss of an A1 unit within a Local Centre contrary to policy 6/7 it is clear from the information provided by the applicant that this unit is not viable for retail use. When assessing the site over the years officers have taken the view that this part of Newnham Road no longer functions as a Local Centre; I share this view. The proposed new unit will form part of the wider student development, removing a vacant unit from the street. While I understand the loss will result in some harm to the character of the Conservation Area I consider that the unit is no longer viable and that the benefits of the proposal outweigh the harm.

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. All new brickwork shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

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. Notwithstanding the approved plans finished floor levels should be set no lower than 8.27m above ordnance datum.

Reason: To minimise flood risk in accordance with the National Planning Policy Framework.

6. Prior to commencement of development details of the flood resilient construction employed should be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details prior to occupation of the development.

Reason: To minimise flood risk in accordance with the National Planning Policy Framework.

INFORMATIVE: The residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

Agenda Item 12

PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	15/1859/FUL	Agenda Item	
Date Received	6th October 2015	Officer	Mr Sav Patel
Target Date	1st December 2015		
Ward	Romsey		
Site	307 Mill Road Cambridge Cambridgeshire CB1 3DF		
Proposal	Demolition of an existing retail unit, associated workshop, storage and office and erection of 8 flats, together with associated visitor parking, access, landscaping, drainage and infrastructure works		
Applicant	Mr Lloyd Townsend 201 Lancaster Way Business Park Ely Cambs CB6 3NX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none">1. The proposed development would sympathetically relate to the surrounding residential context and represent a high quality design and layout;2. The proposed development would enhance the character and appearance of the Conservation Area;3. The proposed development would not have a significantly adverse impact on the residential amenity of the adjoining occupiers;
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a single storey pitched roof building (on the western side) and two storey pitched roof building (on the eastern side) fronting Mill Road. The single storey element is set back from the two storey element by approximately 2 metres. Extending off the rear of the single storey element is a single storey flat roof building which connects to a part flat and part pitched roof building. The only part of the site that is not covered by building is the side access adjacent to the boundary with no.305 Mill Road.
- 1.2 The northern boundary of the site connects to the side boundary of the rear garden of no.6 Vinery Road. To the east of the site is a large vacant site which is known as the former Magnet Warehouse site (7.12) which is for mixed use housing and community facility including student hostel for ARU. The site now has planning permission for a mosque and student accommodation. To the south of the site is Mill Road carriageway and opposite this is a residential terrace of two storey Victorian properties with bay windows, which is a defining characteristic of the building of this part of Romsey. The terrace is identified as 'Positive Unlisted Buildings' in the Mill Road Conservation Area Appraisal (2011). To the west is 305 Mill Road which is a currently in commercial use as a convenience store with flats above. Connected to no.305 is Vinery House which is on the corner of Mill Road and Vinery Road.
- 1.3 The site is located within the Mill Road Conservation Area but the buildings on the site are not identified for any merit. To the west of the site and in front of the allocated site is a grass verge with contains three protected (Tree Preservation Order) Birch trees with shrub planting.

2.0 THE PROPOSAL

- 2.1 The proposal as submitted has been through extensive pre-application discussion and involves the demolition and replacement of the existing building.
- 2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Transport Statement
3. Flood Risk Assessment and Surface Water Drainage
4. Phase 1 Environmental Assessment
5. Heritage Statement
6. Environmental Noise Assessment
7. Planning Statement
8. Design and Access Statement
9. Daylight/Sunlight Assessment
- 10.Plans.

2.3 The proposal is for the demolition of the existing buildings and construction of a replacement frontage building and rear wing. The proposed development was originally for 8 flats (3 x 1 bed, 5 x 2 bed). However, following concerns with the scale of the development and impact on the residential amenity of the occupiers in Vinery Road, the rear section of the proposal was reduced in scale. The revised proposal now consists of 7 flats (3 x 1 bed an 4 x 2 bed). The rear wing has been stepped down in height from two " storey to single storey as it approaches the rear boundary of the site. The revisions have also improved the site communal space for future occupiers in terms of amount and threshold space for the ground floor units. Bin and cycle storage are now proposed to be internalised within a secure store.

3.0 SITE HISTORY

There is no relevant planning history for the site.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

Original comments

- 6.1 Recommends refusal due to the access being too narrow for two vehicles to pass in the entrance with comfort, and two average cars will be unable to pass at all, which may result in vehicles stopping suddenly on the highway, or reversing back onto the highway to allow a vehicle to egress. Off street parking is provided on less than one space per room basis. It is likely that the occupiers will own a car and this will put pressure upon on the demand for on street parking on nearby streets which will impact the residential amenity of the existing occupiers. However, this is unlikely to result in any significant adverse impact upon highway safety. If the minded to approve the following conditions and informatives are recommended:

- No unbound materials;
- No gates opening over the highway;
- Access to be constructed to County Highway specification;
- Access to be constructed with adequate drainage;
- Visibility splays;
- Access free of obstruction;
- Traffic Management Plan;

- Consent required for works to highway land (informative);
- Public Utility (informative)

Comments on revised plans:

6.2 The Highway Authority has removed its recommendation for refusal and whilst the proposal is likely to increase demand for on street parking, it is unlikely to result in any significant adverse impact upon highway safety. The following conditions are recommended:

- Redundant vehicle crossover to be returned to footway and kerb;
- Traffic Management Plan;
- Consent required for works to highway land (informative);
- Public Utility (informative)

Environmental Health

Comments on original proposal

6.3 The proposed development is acceptable subject to the following conditions and informatives:

- Preliminary contamination assessment and investigation strategy
- Intrusive site investigation report
- Implementation of remediation
- Completion report
- Material management plan
- Unexpected contamination
- Demolition and construction hours
- Collections and deliveries during demolition/construction
- Construction/demolition noise/vibration (including piling)
- Dust condition
- Building noise insulation
- Site investigation informative
- Remediation works informative
- Demolition/construction noise and vibration
- Materials chemical testing informative
- Dust condition informative

Comments on revised plans

- 6.4 No additional comments to add.

Urban Design and Conservation team

- 6.5 The current proposal is not supportable. The rear range is excessively tall and overbearing, and is detrimental to the character of this part of the Conservation Area. The frontage element is nearly acceptable in isolation, but overall the scheme requires reconsideration.

Comments on revised plans

- 6.6 No material conservation issues with the revised plans.

Landscape Team

Comments on original plans

- 6.7 No comments received.

Comments on revised plans

- 6.8 The Landscape Team have no concerns with the outline designs for the private and communal amenity landscapes for this development subject to a hard and soft landscaping condition.
- 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 Smart commented on this application and has called in the application if officers are minded to approve due to concerns with residential amenity in terms of overlooking.
- 7.2 The owners/occupiers of the following addresses have made representations:
- 2 Vinery Road
 - 4 Vinery Road

- 6 Vinery Road
- 8 Vinery Road
- 17 Romsey Road

7.2 The representations can be summarised as follows:

Comments on original proposal

Design, Scale and Layout

- The proposal is an over development of the site;
- The proposed buildings are too high for this area and have a significant impact gardens that surround the development;
- Against the demolition of the existing buildings which are within the Conservation Area – the proposal should seek to retain and sympathetically restore the building;
- Density of development will have a knock on effect on surrounding properties which will have a detrimental impact on the character of the conservation area;

Residential amenity

- The proposal will overshadow and visually dominant my house and rear garden;
- Overlooking and overshadowing of the surrounding gardens;

Car parking/Highways

- Concerned by the insufficient amount of car parking which is likely to put pressure on nearby streets;
- Lack of parking and more people is likely to increase congestion in the area;
- All residents should be catered for in terms of car parking;

Comments on revised plans

- Total lack of off street parking will add to existing overcrowding problem;
- The new proposal has two units at the back with a westerly aspect which are lower than before – is this correct?
- Not clear from the plans how close the development will come up to my back wall. What about access during building?

- Why is there no new daylight/sunlight assessment showing how the new proposal affects my house and garden? Much of the sunlight in the morning would appear still to be at risk of occlusion from the remaining higher units towards the front part of the development;

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

8.0 ASSESSMENT

Principle of Development

8.1 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 located within a mainly residential context with a small element of commercial uses nearby. Therefore, the proposed redevelopment of the site which requires the removal of existing structures on the site to provide a new building consisting of seven flats is acceptable in principle. Although the last lawful use of the site was as an A1 unit, the site lies outside identified District or Local Centre and as such Policy 6/7 of the Cambridge Local Plan (2006) does not apply to this retail unit. Consequently the loss of A1 is acceptable as a matter of principle.

8.2 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

8.3 The original proposal was for eight flats contained within a two storey building fronting Mill Road with undercroft vehicle access into the site and a connected two storey building extending off the rear. This proposal was not considered to be acceptable due to the scale and depth of the rear element; internal courtyard layout; and undercroft access. Following discussions with the applicant, revised plans were submitted on 29th March 2016 which attempted to address Officers concerns.

8.4 Revised plans have been reviewed and consultees and local residents have been re-consulted. The revised scheme has

been reduced in scale in a stepping down approach from 2 " storey to single storey. The element facing Mill Road is substantially the same as original proposed except for revisions to the openings on the ground floor following the removal of the undercroft access. The internal courtyard has as a result of the car free scheme been significantly improved in terms of layout and amount of useable space.

- 8.5 In terms of site context, the proposed element fronting Mill Road responds to and draws inspiration from, the existing Victorian terrace by incorporating features such as a bay window, chimneys, fenestration arrangement and materials (slate roof and gault brick). The proposal also includes two pitched roof dormers which, whilst are not common features within the immediate area, are nevertheless considered to be of a sympathetic scale and massing within the Conservation Area. The Conservation Officer shares with this view. The pastiche design and scale of the Mill Road facing building, works successfully in this context without appearing contrived. I am therefore, satisfied that this element of the proposal would result in a significant improvement compared to the existing buildings on the site and as a result would enhance the character and appearance of the Conservation Area.
- 8.6 The rear projection which was originally proposed to extend along the western boundary to the rear boundary (north) at 2 and 2 " storey was considered to be unacceptable due to it's contrasting design and oppressive scale from within the Conservation Area. The proposal would be visible from Vinery Road and from the rear gardens of the properties in Vinery Road. However, the view would have been of a mainly 2 " storey blank elevation which would create a wall of development along the rear boundaries of the properties in Vinery Road. Following discussions with the applicant, the applicant revised the rear element.
- 8.7 The revised rear element has been scaled down by stepping down from 2 " storey to single storey in three phases, as it extends towards the rear boundary. The east elevation of the rear wing has a more contemporary treatment in terms of its fenestration with large floor to ceiling windows and balcony features. This is considered to be acceptable as it would not be visible from the public realm and would also benefit the amenity in terms of outlook for future occupiers.

- 8.8 The 2 " and 2 storey phases have projecting gables which help to break up the elevation of the rear wing and provide architectural interest. The west elevation continues to be a relatively blank side of the development. However, with the reduced scale, it would not appear as a wall of development from the gardens of the properties in Vinery Road, particularly nos. 2, 4 and 6.
- 8.9 I am satisfied that the revised design and scale of the proposed development has sufficiently overcome officers concerns with the original proposal such that it would result in a suitable form of development in this location.
- 8.10 With regards to the external space, the future occupiers would now benefit from a generous amount of communal garden space following revised plans. In the original scheme, the courtyard was dominated by hardstanding for the driveway and two parking spaces and the external bin and cycle stores. This resulted in the garden area being located in front of flat 4. Officers raised concerns with this as the layout was not considered to provide a high quality outdoor space for future occupiers in terms of location, amount, usability and impact on residential amenity. The outdoor space was located in front of unit 4 who would benefit from the space and was not considered to be inviting for other occupiers to use the space. The applicant was encouraged to revise the communal courtyard area to make it more usable and inviting to all future occupiers. The applicant was advised to remove the car parking spaces and hardstanding area and relocate the bin and cycle store to within the undercroft area. The applicant revised the site layout plan to take on board officers recommendations/suggestions.
- 8.11 The proposed internal courtyard has been made significantly better with the removal of the car parking spaces and relocation of the bin and cycle store. The revised communal space would essentially result in 27.3 metres in length and 3.4 metres deep area of grass land, which would be located adjacent to the eastern boundary. Each of the ground floor flats would benefit from a terrace area set behind a low hedge threshold. Unit 6 on the first floor would benefit from a balcony. Officers did request that balconies be provided for the other upper floor flats (1, 3 and 5) but the applicant could not find a suitable way of

incorporating these without materially altering the design or causing amenity issues for existing residents. Therefore, given the significantly improved layout and amount of usable garden space which would benefit all future occupiers, officers believe this would outweigh the lack of private external space for the upper flats which are mainly 2 bed units.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 Officers raised concerns with the applicant on the original scheme mainly due to the significant adverse impact the rear wing would have had on the residential amenity of the occupiers of nos.2 and 4 Vinery Road. The original scheme would have resulted in a 2 " storey (8.3 metre high) and 25.6 metre deep rear wing along the rear (eastern) boundary within 8 metres of the rear elevations of nos.2 and 4 Vinery Road. This would have resulted in a wall of development that would appear visually intrusive and create an overbearing sense of enclosure from the properties and gardens of nos. 2, 4 and to a lesser extend no.6 Vinery Road. Officers were also concerned with the potential impact on the occupier of flat above 305 Mill Road which has windows facing east towards the proposed development. The applicant was therefore, advised to reduce the scale of the rear wing to mitigate the impact on the existing occupiers. The applicant was advised to reduce the scale in a phased manner.
- 8.14 The applicant submitted revised plans taking on board the concerns and suggestions. The revised rear wing was reduced in scale to an acceptable level. The revised rear wing consists of three phases; 2 " storey element (7.8m in length by 8.4 metres in height to ridge and 5.3 metres to eaves), a two storey element (7.6 metres in length by 6.1 metres in height to ridge and 3 metres to eaves); and a single storey element (10.25 metres in length by 4.5 metres in height to ridge and 2.5 metres to the eaves). Each phase would have a pitched roof. The revised rear wing is now considered to be acceptable and overcomes officers concerns with the potential overbearing and visually intrusive impact on the residential amenity of the

neighbouring occupiers. The occupier of the flat above 305 Mill Road would have an improved outlook from the east facing windows. The windows that would face the proposed development serve a kitchen and bedroom window which would be 6.6 metres and 4.9 metres away (respectively) from the proposed development. The flat does benefit from windows that face onto Mill Road and the entrance door which faces north. Access to the flat is via a metal staircase at the rear of the building. The courtyard on the ground floor is used for parking and storage the Spar shop. This area therefore does not provide the occupier of the flat with a private outdoor space. In my view, the proposed development would not have a significant adverse on the residential amenity of the occupier of flat.

- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.
- 8.16 A daylight/sunlight assessment was submitted with the application and assessed the impacts of the proposed development based on the original plans. Since the submission of the Daylight/Sunlight analysis, the scheme has been amended to reduce the scale of the rear range. The assessment demonstrates that there is no impact on daylight/sunlight to the surrounding area over and above the shadow cast by the current building on the site. I am satisfied that the impacts in this regard are acceptable.
- 8.17 I note that the third party representations raise concern that a revised daylight/sunlight assessment has not been submitted for the scheme as amended. It is my view that the report submitted demonstrates that the originally scheme would not have any significant adverse impacts in relation to daylight/sunlight. Therefore, as the scale of the proposals have reduced, I am satisfied that there would not be any additional adverse impacts arising from the scheme as amended. I am also satisfied that a further daylight/sunlight assessment is not required in this instance.

Amenity for future occupiers of the site

- 8.18 The revised layout of the internal courtyard would provide future occupiers with a well laid out, usable and functional communal space for future occupiers to enjoy. Each flat is laid out to a high standard and are spacious.
- 8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.20 The revised layout has internalised the bin store. The bin store provision and layout is acceptable in my view and I am satisfied that the details can be secured by way of a suitably worded condition.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.22 The proposed development has overcome the highway safety objection raised by the County Highway Authority by removing the undercroft access.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.24 Concerns have been raised by third parties regarding the lack of car parking for the proposed development and the potential car parking pressures that the proposal will put on the surrounding streets. However, it is Local Plan policy to promote lower levels of car parking in order to encourage a modal shift towards sustainable forms of transport. The City's Car Parking Standards are therefore set as maximum levels, and in a location such this; very well placed for local shops and services,

the railway station, bus stops links and cycle routes into the city, a car free development is regarded as acceptable. Therefore, whilst I appreciate there are strong local concerns with the lack of on site/off street car parking there is no policy basis in the Local Plan on which this could be refused and in the absence of an objection from the Highway Authority a refusal of planning permission would be hard to sustain. The site is located within a highly sustainable location and has very accessible links to public transport and is within walking distance of shops and services. I have however recommended a car-club informative.

Cycle parking

8.25 The proposal includes fourteen cycle parking space; ten within a secure store and two visitor spaces accessible from the internal courtyard and two spaces internalized space in the front elevation. The cycle parking standards require that 1 cycle space per dwelling (up to 3 bedroom dwellings) is provided equating to a requirement for at least 7 cycle spaces. The current proposals are therefore compliant with this requirement and would also provide for some visitor parking. I am satisfied that the quantum and layout of the proposed cycle parking is acceptable.

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

Third Party Representations

8.27 I set out below my response to the issues raised in the third party representation.

Representation	Response
Design, Scale and Layout	
The proposal is an over development of the site;	It would be difficult to argue the proposed is overdevelopment of the plot especially as the proposed building footprint is less than the existing and the proposal would provide a high quality living environment for future occupiers.
The proposed buildings are too	The scale of the development

high for this area and have a significant impact gardens that surround the development;	has been significantly reduced and now relates more sympathetically with the surrounding context.
Against the demolition of the existing buildings which are within the Conservation Area – the proposal should seek to retain and sympathetically restore the building;	The Conservation Team supports the proposed development. The existing buildings are not defined in the Conservation Area Appraisal as positive. The proposed development is considered to be significant enhance to the site and character and appearance of the Conservation Area.
Density of development will have a knock on effect on surrounding properties which will have a detrimental impact on the character of the conservation area;	Each planning application is considered on its own merits.
<u>Residential amenity</u>	
The proposal will overshadow and visually dominant my house and rear garden;	The revised proposal would not cause any significant or prolonged levels of overshadowing of the surrounding houses and gardens.
Overlooking and overshadowing of the surrounding gardens;	There are no windows that would cause direct overlooking of the neighbour gardens. The rooflights are high level and with cill heights of 1.7 metres above internal ground floor level.
<u>Car parking/Highways</u>	
Concerned by the insufficient amount of car parking which is likely to put pressure on nearby streets;	See paragraph 8.23
Lack of parking and more people is likely to increase congestion in the area;	As above

<p>All residents should be catered for in terms of car parking;</p>	<p>If car parking were to be provided for each flat then the proposal would either need to be increase in scale to accommodate the car parking or significant reduced. This would result in the site being dominated by car parking.</p>
<p><u>Comments on revised plans</u></p>	
<p>Total lack of off street parking will add to existing overcrowding problem;</p>	<p>My view is that for the type and size of units proposed and in this location, it would reasonable to expect the future occupiers would not own cars. See para 8.23 also</p>
<p>The new proposal has two units at the back with a westerly aspect which are lower than before – is this correct?</p>	<p>None of the units have a westerly aspect. The units in the rear window face over the communal area. The rooflights in the western roofscape are high level and serve bathrooms and kitchens.</p>
<p>Not clear from the plans how close the development will come up to my back wall. What about access during building?</p>	<p>The rear wing would be set off the western boundary by 200mm at most tapering to a point where it touches the boundary. Access for building work is civil matter for the applicant and adjacent land owners to agree</p>
<p>Why is there no new daylight/sunlight assessment showing how the new proposal affects my house and garden? Much of the sunlight in the morning would appear still to be at risk of occlusion from the remaining higher units towards the front part of the development;</p>	<p>The revised scale of the rear wing is such that it would not in my view require a new daylight and sunlight assessment to be carried out. The single storey pitched roof element would be located across the rear boundary of nos. 2 and 4 Vinery Road. The higher units are unlikely to cause significant levels of overshadowing. In this urban context, any new development is likely to have a degree of</p>

	<p>impact on the existing environment and residential amenity of neighbouring properties. However, I do not consider the degree of harm would be significant enough to warrant refusal.</p>
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9.0 Conclusion

- 9.1 The proposed revised development is for demolition of the existing structures on the site and construction of a new 2 " storey building facing Mill Road with a rear wing consisting of 2 " storey dropping down to single storey. The proposed building would consist of seven residential flats and include associated bin and cycle storage provision and communal space.
- 9.2 The proposed frontage building has been designed to appear as a traditional building which responds to and draws inspiration from the local area. The proposed building is considered to be significant improvement on the existing structures facing Mill Road. This element of the proposal would enhance the character and appearance of the Conservation Area and by repairing the street frontage of the site.
- 9.3 The proposed rear wing has been scaled down significantly whilst only losing one unit from the original scheme. The stepped phasing of the rear wing is considered to be acceptable in this context and in relations to the neighbouring building. The side elevation of the rear wing will be visible from oblique views between 305 Mill Road and the front building. However, the variation in roof height and use of traditional materials would ensure the rear wing reads as a building of appropriate scale and appearance. The proposed development overall would, in my view significantly improve the current use and appearance of site such that it would enhance the character and appearance of the Conservation Area.
- 9.4 The proposed development has been revised to ensure it would not have a significantly adverse impact on the neighbouring properties, particularly nos.2, 4 and 6 Vinery Road which abut the western and northern boundaries of the site. The reduced scale of the rear wing would no longer appear overbearing or significant overshadow the rear gardens, particularly as the rear

wing steps down to single storey adjacent to the boundaries of these properties.

- 9.5 Concerns have also been raised regarding the lack of car parking associated with the proposed development. The site is considered to be located within a highly sustainable location and in combination with the size of the units (1 and 2 bed), is not likely in my view to lead to a significant increase in car parking on the surrounding street. The site is located within close proximity to public transport links, within walking and cycling distance of the city centre including Mill Road Local Centre which contains a range of shops and service. Therefore in this context, and given the Local Plan encourage a modal shift away from car usage, I believe this site represents an ideal location for a car free development. By making the development car free, it has also helped to improve the internal layout of the site which would provide future occupiers with a high quality living environment.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

-General environmental setting.

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

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

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

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

13. Before the development/use hereby permitted is occupied, a scheme for the insulation of the building in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.

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

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

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

15. 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)

16. 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)

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

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

18. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual flats shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13.

19. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: For the safe and efficient operation of the public highway

20. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel (wherever possible all such parking should be within the curtilage of the site and not on street),
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles (wherever possible all loading and unloading should be undertaken off the adopted public highway).
- v) movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

Thereafter the development shall be undertaken in accordance with the approved details.

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

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

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

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

INFORMATIVE: Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

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

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

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

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

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PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	15/0555/FUL	Agenda Item	
Date Received	8th April 2015	Officer	Lorraine Casey
Target Date	3rd June 2015		
Ward	Castle		
Site	Castle Court Castle Park Cambridge Cambridgeshire CB3 0AU		
Proposal	Change of use from Office (B1a) to Student Accommodation (Sui Generis).		
Applicant	Mr Kieran Leahy c/o Cerda Planning United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of the development accords with planning policy <input type="checkbox"/> The proposed use would not harm the amenities of nearby residents <input type="checkbox"/> Occupiers of the proposed studios would, subject to details of mitigation works carried out to adjacent commercial uses, have a satisfactory level of amenity <input type="checkbox"/> The use would result in fewer vehicle movements than the former office use and there is safe pedestrian and cycle access to the site so the proposal would not give rise to adverse highway safety issues
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Castle Court is located on the north side of the City Centre. It is a four storey brick building that consists of four wings (Blocks A, B, C and D) arranged in a quadrangle surrounding a central hard landscaped courtyard. Below the building are two levels of basement parking used to provide parking for the County Council offices. Light wells are located around all four sides of the building and on the north, west and south sides of the courtyard which provide light and ventilation to the basement car park. The site was previously used as offices for Cambridgeshire County Council. The premises have been vacant for in excess of a year. Last year, prior approval was granted to convert the offices to 342 dwellings and works to implement this consent are ongoing.
- 1.2 To the northeast and northwest are offices that are part of the Castle Park estate. To the south is Shire Hall, the Cambridgeshire County Council offices whilst to the southwest are a row of buildings fronting Castle Street that comprise a mix of residential and commercial uses including The Sir Isaac Newton Public House.
- 1.3 The site falls within the Castle and Victoria Road (Central) Conservation Area. The building is not listed or a Building of Local Interest. There are a number of trees close to the building that are protected by tree preservation orders. The site lies within a Controlled Parking Zone.

2.1 THE PROPOSAL

- 2.2 The application proposes to change the use of the building from B1(a) office to student accommodation (sui generis use.) The proposal seeks to sub-divide the offices to create 342 studio apartments, for exclusive use by students. There would be 23 studios on each floor per wing accessed from a central corridor. The scheme also includes an internal courtyard, which is accessed from the first floor of the building.
- 2.3 The application has been submitted by Study Inn. The Design and Access Statement explains that the company provides high quality managed student accommodation, and that the 'Study Inn' brand was created to cater specifically for mature and overseas students, who are generally not well provided for in

bespoke University accommodation. The accommodation consists of self-contained studio units with shared facilities including a games room, gym, showers, tv lounge, laundry and meeting rooms.

2.4 Study Inn aims to provide accommodation that is near to Universities and adjacent to local shops and amenities. They also seek to utilise space within derelict or unused buildings in locations where they are unlikely to be used for their original purpose due to changes in market conditions, lack of parking and inadequate access/serviceability. The accommodation provided is self-contained, secure and serviced. There would be a manned 24 hour reception, a warden would be present on site at all times and reception/housekeeping staff would be on site during the daytime to manage and monitor comings and goings. All bedrooms are cleaned and bed linen and towels changed by housekeeping staff once a week, and a janitor is employed to remove refuse from rooms and deposit it in the communal bin store area twice a week.

2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Transport Assessment (including supporting document)
3. Landscape Details
4. Podium Calculations
5. Sustainability Report
6. Daylight and Sun light Study
7. Noise Impact
8. Student Management Plan

3.0 SITE HISTORY

Reference	Description	Outcome
16/0387/FUL	Erection of conservatory on part of the internal courtyard to form an all-weather amenity space, four jumbrellas and covered entrance way.	Pending
15/1703/B1C3	Change of use from B1(A) to 342 (Class C3) units (part upper	Prior approval given

14/1833/B1C3 basement, ground floor, second and third floors) Application returned

Prior approval notification of proposed change of use from B1(a) (offices) to Class C3 (dwelling houses) – change of use of part upper basement, ground, first, second and third floors to provide 342 studios.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 4/4 4/9 4/11 4/13 5/7 7/3 7/10 8/2 8/6 8/10 8/16 10/1

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

Central Government	National Planning Policy Framework March 2012
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Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006) Castle and Victoria Road Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

1st comments (1/5/15)

- 6.1 Raised a holding objection, stating that the Transport Statement contains insufficient information to enable the impacts of the development to be assessed or to understand the changes to pedestrian and/or vehicular movements on the adjoining highway network. The TS needs to include: details of the level of existing and proposed trip movements; further information to demonstrate the suitability of the site from a transport perspective; details of car and cycle parking; a student management strategy; details of servicing arrangements; details for the construction phase of the development; and a Framework Travel Plan.

Further comments (20/7/15, 1/9/15 and 12/11/15)

Following the submission of a revised Transport Statement and additional information, all outstanding issues have been addressed and the holding objection can therefore be removed. The information that has now been supplied demonstrates the development will result in a reduction in overall trips. The use of the car park will remain under the control and use by the County Council and operate with a slight reduction in parking spaces thereby reducing vehicular trips to and from the site.

With regard to parking, the Student Management Plan should be secured through condition and agreed with the County before occupation. The cycle parking will be in line with minimum standards and is therefore acceptable but it is recommended that provision be monitored as part of the Travel Plan and additional parking provided should it be required. To address concerns previously raised by the County about the cycle access route, it is recommended that the safest route be

promoted as part of the Travel Plan and Student Management Plan.

In conclusion, there are no transport objections subject to the following being secured through planning condition or a S106 Agreement:

- Student Management Plan
- Travel Plan
- Traffic management plan

An informative should also be added to any permission making it clear that residents would not qualify for Residents' Permits of any kind within the existing Residents' Parking Schemes operating on surrounding streets.

Environmental Health

1st comments

- 6.2 Recommend refusal due to the waste and noise concerns. The site is surrounded by commercial units. An assessment is required to ascertain the impact of commercial noise (including air handling plant, machinery etc) on the proposed student rooms and whether acoustic mitigation is required to protect the amenities of future occupiers. If plant/commercial activities would adversely affect habitable rooms and acoustic mitigation could not be provided, non-openable windows would have to be incorporated into the facades overlooking noisy premises but this is unlikely to be a reasonable request. If windows can be opened, even with the provision of mechanical ventilation, future occupants are entitled to instigate statutory nuisance complaint investigations. It would be unacceptable to permit a development that would allow harm to the future amenity of its occupants and a noise assessment should therefore be carried out prior to determination. Details of how waste and recycling will be dealt with, including inside the building, are also required.

The following conditions should be added to any consent:

- Standard construction hours
- Plant noise insulation (and accompanying informative)
- Details of on-site storage facilities for waste

- Details of storage facilities for separation of waste for recycling and composting
- Waste management arrangements

2nd comments (25/8/15)

Commercial noise

The applicants have now provided a noise impact assessment. This identifies a plant noise issue that is believed to be from the operation of the car park fans and suggests the impact can be controlled to acceptable levels inside the proposed units using double glazing so long as the windows are closed. Two options are put forward:

- Either provide sufficient ventilation to avoid the need to open the windows for ventilation; or
- Work with the County Council to attenuate the fans at source.

I disagree with the conclusion that reasonable sleeping and resting conditions can be achieved by means of standard double glazing and trickle ventilators alone, due to the commercial nature of the surrounding environment. The option of working with the County is a possibility but agreements with the County and calculations to prove that acceptable sound levels can be achieved, with mitigation paid for by the applicant, would be required before determination of the application. The following details are needed:

- A full assessment and identification of all commercial noise sources including plant and their potential impact on the student rooms.
- Full mitigation proposals and cost/payment agreements from the applicant and county council/relevant noise source, with acoustic predictions to ensure amenity will not be harmed by noise and that the noise can be adequately mitigated.
- Mitigation works may require further planning applications.

[Note: Since the above comments, 2 further sources of noise have been identified – plant on the County building and a condenser at the nearby pub].

Urban Design Team

1st comments (8/5/15)

- 6.3 The submitted scheme cannot presently be supported in design terms. The layout results in the creation of single aspect rooms, a number of which are north facing (Wing B and Wing D at ground-3rd floor levels). The proposed corridors have no windows and therefore no natural daylight and the arrangement of studios could therefore form a poor quality living environment for the occupants. The level of daylight to these rooms, especially the north facing rooms in Wing B, is likely to be limited and a daylight and sunlight assessment based on BRE guidelines should be submitted.

The proposed central courtyard is likely to be a poor quality amenity space given its small size and treatment. Access to the courtyard is limited to the corner between Wings B and C, and from the ground floor games room, and is poorly related to the student accommodation. Details of the treatment of the courtyard are limited. It could form a poor quality amenity space given the extent of hard landscaping, its small size, and the number of student rooms. A conservatory is denoted in the centre of the courtyard, and further details of its function and elevations should be provided.

Limited information relating to the proposed cycle parking has been provided. As shown, the cycle parking is poorly related to the individual wings and appears to impact the location of existing light wells. The basement plan indicates the retention of 86 parking spaces but it is not clear who these spaces are intended for.

Also, the arrangement of studios and internal walls is likely to impact the existing window openings which may affect the design of the external elevations.

2nd comments (31/8/15)

A Daylight and Sunlight Assessment has been submitted.

The Vertical Sky Component analysis indicate that windows on the ground floor northwest elevation will be partly obstructed by the existing mature trees and receive a VSC level below 27%.

The Average Daylight Factor code of practice for daylighting recommends an ADF of at least 2% for a partly lit space. All of the student rooms, gym, games room, offices, meeting rooms and TV lounge on the ground floor receive less than the 2% minimum, and a number of rooms in Wing A (meeting rooms: 0.43%) and Wing C (6 x studio rooms: 0.4%) fall well below the recommended BRE levels for daylighting. Student rooms 13-24 and meeting rooms 1 and 2 will not meet the required levels of direct sunlight in summer, and rooms 37, 48 and 69 do not received required levels of sunlight in summer or winter.

As rooms on the ground floor are single aspect, all bar the Wing C courtyard elevation fail the test for Annual Probable Sunlight Hours.

The amenity/courtyard space would have sufficient daylight.

In conclusion, the assessment highlights significant failings in terms of ADF and No Skyline assessments. All the ground floor rooms fail to meet the recommended BRE levels for ADF (2%). A number of the studio rooms fall well below the levels achieving only 0.4%. The student rooms would therefore form poor quality living spaces and appear gloomy requiring electric lighting to be used throughout more of the day.

The BRE guidance is not mandatory and should be interpreted flexibly, with the findings used to inform design development. It appears, however, that no modifications to the layout have been carried out as a result of the findings, and a large number of the rooms would therefore form poor living environments.

The arrangement of the proposed rooms and internal walls will impact the existing windows, and the submitted floor plans indicate that, where this occurs, existing windows will be concealed from inside. This would create a number of awkward spaces.

The courtyard would be the main amenity space and would consist of areas of soft planting, street furniture and a conservatory. The trees may not be feasible given the basement car park below and may result in additional overshadowing of rooms. The floor plans show that access to the courtyard is from the ground floor of Wing A between the

games room and gym, and we remain concerned that the courtyard is poorly related to the accommodation. It is not clear of the staircases shown at the corner of the courtyard would connect through to the student accommodation. The methodology used to calculate the useable amenity space needs to be confirmed and should not include the light wells.

Conservation Team

- 6.4 No objections. The proposal raises no material conservation issues.

Planning Policy

- 6.5 It is unclear whether the application is seeking to meet the needs of both universities in Cambridge. Policy 7/10 should be applied as the proposal is clearly speculative with neither ARU nor the University of Cambridge tied into the application. A legal agreement would be required to ensure the scheme is occupied by full-time students of either University and not by students of other institutions. In the absence of such an agreement, the proposal would not comply with Policy 7/10.

The application proposes studio accommodation. The Council has no certainty that this form of accommodation is acceptable to the Universities, and it would be helpful if either or both could confirm in writing their interest in occupying the development.

Policy 5/7 is also of relevance to this application, as referenced in paragraph 7.52 of the supporting text to Policy 7/10. There is a great deal of student accommodation already in this particular area of Cambridge. Regard should be had to the impact that student accommodation development will have on the area and current uses, services and amenities in the area.

Senior Sustainability Officer

- 6.6 No information has been submitted to demonstrate how the proposals meet the requirements of policies 3/1 and 8/16. Information relating to renewable energy could be dealt with by way of planning conditions but, before the application is determined, the sustainability statement and checklist should be completed to demonstrate how the principles of sustainable

design and construction have been integrated into the proposals.

Access Officer

- 6.7 Recommends refusal. The site needs 18 accessible rooms, each with their own parking space. The plans do not seem to facilitate the needs of disabled students, and the application does not therefore comply with the Local Plan and could breach the Equalities Act requirements.

Head of Streets and Open Spaces (Landscape Team)

- 6.8 Initially objected, stating that the information provided with the application fails to identify the character, scale and quality of the amenity space provision for the development.

The applicant has suggested these concerns could be resolved by condition. However, there are fundamental concerns that require resolution prior to decision. Details of realistic landscape and amenity proposals are required to ensure appropriate provision can be delivered. The 3d model sketch indicates tree planting but, as the courtyard is a roof structure over a car park, the feasibility of trees being able to stabilise needs to be established.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.9 There are concerns about the proposed change of use due to a possible increase in foul water flood risk. Offices discharge less foul water than living accommodation and the local pipework will have only been designed to take these flows. The proposals do not indicate if an assessment has been undertaken, and there may not be capacity for the additional flows within the public foul sewer. This can be addressed through a condition requiring a foul water disposal scheme.

Cambridgeshire County Council (Archaeology)

- 6.10 No objections

Disability Consultative Panel

- 6.11 The Panel felt that for over 300 units this was an overdeveloped proposal with a complicated layout making the identification of any accessible units difficult. The layout of the accessible WC (ground floor) should be redesigned for greater legibility and improved access. The lifts need to be of an appropriate size to accommodate wheelchairs and fitted with the standard recommended features. The lift should also extend to the basement car parking. The parking does not appear to include any accessible bays. The existing corridor widths and partitions are unsuitable for residential use and there do not appear to be any accessible rooms.

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 owner/occupier of the following address has made a representation:

66 Castle Street (Flat 5)

- 7.2 The representation can be summarised as follows:

- The ethos of the area will change with such a large number of student flats.
- The influx of students from this development, as well as from the flats on the junction of Histon Road and Huntingdon Road will result in increased noise, litter and traffic. The nearby pub will also be busier and increase noise disturbance to adjacent residents.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Highway safety
5. Car parking
6. Cycle parking
7. Refuse and servicing arrangements
8. Renewable energy and sustainability
9. Disabled access
10. Third party representations
11. Planning Obligations (s106 Agreement)

Principle of Development

8.2 Castle Court was previously used as offices although, at the time the application was submitted, these were vacant. Last year, prior approval was granted to convert the premises to C3 residential use (342 studio flats) and, following approval of the attached conditions, works to implement the approved scheme have commenced. The current application proposes to convert the premises to 342 student accommodation apartments (sui generis use). The layout of the rooms is identical to that in the prior approval consent. The key difference is that the accommodation in the current proposal is managed and includes the cleaning of rooms and changing of bedding once a week, the removal of refuse twice a week, and the presence of a warden on site at all times.

8.3 Policy 7/3 of the Local Plan resists the loss of employment floorspace. However, this specifically relates to industrial and storage uses within the B1c, B2 and B8 use classes and does not extend to B1(a) office use. There is therefore no, in principle, objection to the loss of the former office use.

8.4 The response from the Planning Policy Manager advises that the application should be assessed against Policy 7/10 of the Local Plan which relates to the provision of speculative student

hostel accommodation and stipulates that any approval should be subject to a legal agreement restricting the use to students at Anglia Ruskin University and Cambridge University only. As the application proposes studio accommodation, which is generally less appealing to students than cluster flats, she has suggested that written confirmation of the suitability of the units be obtained from the universities in question.

- 8.5 Although the Policy Manager has advised that Policy 7/10 is relevant, I would argue that this is not the case. This policy clearly states that it applies to the 'development of speculative purpose-built student hostels'. The Council has previously taken the stance that this policy only applies to new purpose-built buildings and not to the conversion of existing buildings (eg – 09/0141/FUL for the change of use of a C1 hotel to C1 hotel/student accommodation at 139 Huntingdon Road). On this basis, and ensuring consistency with other decisions made by the Council, I would argue that the requirements of this policy are not relevant and that the application should instead be considered against Policy 5/7 which relates to the provision of supported housing/housing in multiple occupation.
- 8.6 The Planning Policy Manager suggests that occupancy of the building should be limited by condition to students of ARU or Cambridge University, and the applicant's agent has confirmed acceptance of such a condition if deemed necessary to ensure compliance with the policy. Whilst indicating reluctant acceptance of an occupancy condition, the applicant's agent has argued that such a restriction would be unreasonable, stating that Policy 7/10 is not consistent with the sustainable development aims within the NPPF, namely to provide the right type of housing in the right place and to encourage the residential re-use of redundant commercial buildings.
- 8.7 In addition to the above, there is consent on the site (through the prior approval process) to convert the building to residential use. Given that the range of criteria that can be considered in the prior approval procedure is limited (to highway, flooding and contamination issues), there are no occupancy restrictions on the consent scheme. As such, the building could be converted to residential use and occupied by anybody (including students of any college/university). Works to implement this permission are well under way, and the fall-back position should therefore

be given significant weight in the determination of this application.

- 8.8 In view of the arguments set out in paragraphs 8.6 and 8.7 above, my opinion is that restricting the occupancy to students at ARU or Cambridge University could not reasonably be required. I note that this stance is consistent with the approach taken for the application referenced in paragraph 8.5.
- 8.9 As set out in the information supporting this application, the applicants are seeking to provide accommodation for students which, in their view, are not presently well provided for through purpose-built university accommodation and predominantly tend to be housed in HMO's across the city. One benefit of this application is that could result in more accommodation within HMO's becoming available and/or the reversion of HMO's back to family dwellings, thereby boosting housing supply within the City.
- 8.10 The Planning Policy Manager states that, as an application for student hostel accommodation, it would also need to be considered against the criteria set out in Policy 5/7 of the Local Plan. This policy states that the development of supported housing and properties for multiple occupation will be permitted subject to:
- a) The potential impact on the residential amenity of the local area;
 - b) The suitability of the building or site (including whether appropriate bin storage, cycle and car parking and drying areas can be provided); and
 - c) The proximity of bus stops and pedestrian and cycle routes, shops and other local services.
- 8.11 These issues are considered in further detail in the following sections of this report.
- 8.12 In my opinion, the principle of the development is acceptable and in accordance with policies 5/7, 7/3 and 7/10 of the Cambridge Local Plan (2006)

Context of site, design and external spaces (including impact on the Conservation Area)

- 8.13 The site is located within the Central (Castle and Victoria Road) Conservation Area. Castle Court is identified within the relevant Conservation Area Appraisal as a building that detracts from the character of the area. The proposal would result in a viable use for the building which, in turn, should secure the maintenance of the building and give a more lively character to the site. The proposed works are predominantly internal, with the only external works consisting of an increase in the size of ground floor north facing windows, and landscaping to the internal courtyard which is entirely concealed from public view.
- 8.14 The Conservation Officer has advised that the scheme raises no material conservation issues. The Landscape Officer has raised concerns regarding the function and proposed treatment to the internal courtyard area, requesting details of the conservatory indicated within the floor plans and confirmation as to whether it is feasible to plant trees given that they are proposed to be planted on top of a basement car park. In response to this, the applicants have amended the drawing to show artificial trees and plants. Whilst some plans have been provided of the conservatory, this element of the scheme has not formally been included in the application description and is now the subject of a separate application. In responding to the conservatory application, the Landscape Officer has expressed concern regarding the artificial nature of the landscape and suggested that an imaginative hard landscaped treatment to this area may be preferable. Given that the landscaping and treatment of the amenity areas are confined to the internal courtyard, which is not visible from outside the building's footprint, my opinion is that this issue can be satisfactorily resolved by planning condition.
- 8.15 In my opinion, the alterations required to convert the building from offices to student accommodation use would not materially alter the appearance of the building or have a harmful impact on the character and appearance of the Conservation Area. The proposal is therefore compliant with Policies 3/4, 3/7, 3/11 and 4/11 of the Cambridge Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 A local resident has objected to the application on the grounds that the proposal (together with the recently built student accommodation at the junction of Histon Road and Huntingdon Road) would give rise to an unacceptable increase in noise, litter and traffic, with consequent disturbance to nearby residents.
- 8.17 Policy 5/7 requires the impact of supported housing on the residential amenity of the local area to be taken into consideration. Paragraph 5.14 of the supporting text to this policy states: “The location of such provision requires careful consideration to ensure that the proposals respect the character and residential amenity of the local area. An over-concentration of uses, which can affect amenity and character can have a detrimental impact on a locality.”
- 8.18 The site lies within a mixed-use area surrounded predominantly by offices, with a mixture of residential and commercial uses (including a public house) to the west. The submitted transport information has demonstrated that, as Study Inn operates a no car-ownership policy, the proposed student accommodation would result in fewer vehicle movements than the previous office use. I would also add that movements would be lower than would be expected for the unrestricted residential use for which prior approval has been granted. The supporting information has indicated that adequate refuse provision can be accommodated within the site, and that the amenity space for the students would be contained within the internal courtyard and communal areas within the building. In my opinion, and taking into consideration the very busy and heavily trafficked nature of the immediate area, the proposed use would not give rise to a significant adverse impact upon the amenities of nearby residents.
- 8.19 The combined impact of this development, together with the nearby Histon Road/Huntingdon Road development, will result in a large number of student flats being provided in close proximity to each other, and represent a change to the previous situation. However, this is not a quiet residential area where the combined impact of the two developments could be argued to

be significant. Given the wide-range of uses and the already busy commercial nature of the immediate area, I consider the combined impacts of both developments can comfortably be accommodated without changing the character of the surrounding area.

Amenity for future occupiers of the site

Daylight and Sunlight

- 8.20 The Urban Design and Conservation Team has raised strong concerns about the application on the basis that a number of the ground floor rooms are single aspect and north-facing and would not benefit from adequate daylight and sunlight when assessed against the Building Research Establishment (BRE) guidance.
- 8.21 As the proposal relates to the conversion of an existing building, rather than new-build, there is very little that can be done to improve sunlight to the rooms in question due to restrictions to windows of the existing building. The applicants have proposed to increase daylight to these rooms by increasing the size of the windows to form floor-to-ceiling height openings and, whilst this would represent an improvement, the daylight standards would still not comply with the standards.
- 8.22 I would stress that the BRE standards are intended as guidance rather than being mandatory. In addition, it should be stressed that the building benefits from a lawful residential use, with the proposed studio rooms having consent to be used as independent dwellings, and this fall-back position should be afforded significant weight in the consideration of the current application. Compared to the use of the building as permanent dwellings, where the flats have the potential to be the main residence for the occupiers, the occupancy of the proposed student accommodation would be transient in nature. The studios would be occupied by students during term-time, and they occupants are unlikely to spend a significant amount of time in their rooms during the day, as they are likely to be studying at University or using the communal areas within the building. The student accommodation use would not therefore be expected to achieve the same level of amenity standards as a C3 residential use. On this basis, I do not consider a refusal of the proposal could be substantiated on such grounds.

Noise

- 8.23 The Environmental Health Officer has also raised concerns that future occupiers could suffer an unacceptable level of amenity due to noise from nearby commercial uses, and that these noise impacts should be mitigated at source rather than relying on mechanical extraction and non-opening windows for the new units which would affect the amenity of new occupiers.
- 8.24 The applicants could, quite reasonably, argue that the site benefits from a lawful residential use that does not require any mitigation of surrounding noise sources, and that none should therefore be required as part of this application. However, they have sought to address the issues and to improve the living conditions of residents compared to the fall-back position, and have been liaising with the County Council and owners of the pub to try to come to a satisfactory resolution.
- 8.25 Acoustic surveys and an investigation of noise sources surrounding the site have been undertaken on behalf of the applicants. This has identified the following areas of concern:
- Plant noise from the lower ground floor and basement car park ventilation – the plant currently runs on a time clock irrespective of whether mechanical ventilation is required. It is proposed to fit CO2 sensors so that the plant only runs when needed and to attenuate the plant so that when it does run the noise is within acceptable levels. Consent from the County Council has been obtained to carry out these works.
 - Plant noise from the cellar chiller of The Sir Isaac Newton Public House – there is a small condenser unit which is running at unacceptable noise levels. The proposal is to replace the fan unit with a quieter motor. This has been discussed and agreed with the tenant of the pub and the owner (Greene King).
 - Plant noise from the roof of Cambridgeshire County Council's adjacent office building – there are air conditioning units that give rise to unacceptable background noise. It is proposed to reconfigure the plant to avoid running at night time (11pm-7am) where possible and to attenuate any remaining plant to mitigate against night time noise. Discussions are ongoing and details of the mitigation are

required. To address daytime noise, it is proposed to fit 4 rooms on the 3rd and 4th floors with fixed windows and mechanical ventilation, and to fit the windows on the north, east and south elevations with restrictors and hinged to deflect background noise.

Note: Since the above information was received, I have been advised by the applicant's agent that mitigation works to all the commercial plant referred to has been carried out. I have sought clarification of these works, in order to establish whether there is any requirement for planning permission, and have also requested that new acoustic surveys be carried out to establish if the mitigation reduces noise to an acceptable level for a residential environment. I will update Committee on the Amendment Sheet or orally at the Committee meeting.

- 8.26 In order to mitigate the impacts at source, any required works would have to be carried out before the development is occupied. There are two potential ways to achieve this, both of which would require a report to be produced and for the mitigation to be agreed by the Council:
- To enter into a S106 Agreement with the County Council and owners of the pub to undertake the works required prior to occupation of the development (subject to securing any required planning permission for the works) or
 - To apply for planning permission for the works (if required) and to implement this prior to occupation of the development.
- 8.27 In my opinion, either of the above options would satisfactorily mitigate the impacts of the existing commercial uses and adequately treat the noise at source to ensure that the living conditions of future occupiers would be acceptable.
- 8.28 The applicant's agent has suggested that a condition could be added to any consent requiring the building to achieve specified internal noise levels. However, given that such a condition would be likely to require works to buildings that fall outside the applicant's control, this would not be enforceable, and the solutions set out in paragraph 8.24 represent the only means by which appropriate mitigation of adjacent commercial plant can be secured.

Amenity space

- 8.29 With regard to the amenity space that would be enjoyed by future occupiers, the development would comprise communal meeting and lounge areas within the building whilst the enclosed courtyard would provide external amenity space. An application to erect a conservatory within this courtyard space is due to be approved under delegated powers shortly. The agent has also provided a comparison of usable amenity space in consented student accommodation schemes in the City. For this proposal, the usable amenity space per student amounts to 3.29m² per student. This is far greater than the space approved at the nearby former Texaco site (0.46m² per student) and is also in excess of the levels for the sites at 91-93 East Road (2.3m² per student) and Thompsons Lane (2.1m² per student).
- 8.30 In my opinion, subject to the satisfactory resolution of the adjacent plant noise issue, and taking into consideration the lawful use of the site, the proposal provides an appropriate standard of residential amenity for future occupiers and, in this respect, is compliant with policies 3/7 and 5/7 of the Cambridge Local Plan (2006).

Highway Safety

- 8.31 The Highways Authority originally objected to the application as insufficient information had been submitted on existing and proposed transport movements to enable the impacts of the development to be properly assessed. Following this objection, the applicant's agent has provided a revised Transport Statement and supplementary information. This explains that Study Inn operates a 'no car ownership' policy for students so the only parking needs are for 5 visitor spaces that would be accommodated within the existing basement car park (with the remainder of the spaces being used by the County Council in connection with the adjacent office uses). As the proposed use would result in fewer vehicle movements than the former office use, the proposal would not give rise to any significant adverse highway safety issues.
- 8.32 The students occupying the development would either walk or cycle to and from the site so, in addition to the above, the Highways Authority has also needed to be satisfied that walking and cycling routes are sufficiently safe and avoid conflict with

vehicular traffic. Their main concern relates to the exit from Castle Court. Although this is protected by 'no entry' signage, there is a potential for cyclists to regard this as the most convenient route to the cycle parking, accessed via the ramp close to the main pedestrian entrance to Castle Court. The information provided by the applicant shows an alternative, safer route that is not excessively longer and, as it is free of conflict with vehicles, is potentially a more attractive route. On this basis, the Highways Authority has advised that it would be difficult to sustain an objection but has requested that the safer cycle route be promoted through a Travel Plan. The Travel Plan has already been agreed in discharging the conditions of the prior approval application and I would suggest a condition be added to require compliance with this previously approved scheme.

Car Parking

- 8.33 The proposed accommodation is situated above two levels of basement car parking that is owned by the County Council, and would be retained by the County for their own use (albeit with a reduction in the number of spaces to accommodate some storage areas). Study Inn will have use of 5 no. parking spaces in the upper basement for visitor/disabled use. There would be no parking for students and staff. Policy 8/10 of the Local Plan and accompanying parking standards, states that for sites where parking controls will be in place, there is a maximum requirement for 1 parking space per 10 bed spaces and 1 space for every resident warden/staff. This results in a requirement for a maximum of 34 spaces for students. As noted above, Study Inn operates a 'no car' policy and students would not therefore be expected to have any requirement for on-site car parking. This can be controlled through a Travel Plan and Student Management Plan. Whilst students cannot be prevented from owning cars, the absence of on-site parking for students together with the lack of unrestricted parking provision in the locality would make car ownership an unattractive proposition. It should also be noted that the site lies in a highly sustainable location, within easy walking and cycling distance of local services and facilities, and the city centre and colleges, and with excellent public transport/bus links. Given the availability of alternative modes of transport, this is not a location where I consider a car would be necessary and I therefore consider the level of parking proposed would be acceptable. A further point

to note is that the site has a lawful unrestricted residential use and that the demand for car ownership in such a scheme is likely to be far higher than for a student accommodation scheme, as proposed here. The proposal would therefore be expected to generate a lesser parking demand than the fall-back position and, on this basis, it would be difficult to substantiate an objection on the grounds that the site provides a low level of parking.

Cycle Parking

- 8.34 The application proposes the provision of 293 cycle spaces. These would be located at the front of the southern wing (Wing A) in a location that has a good level of natural surveillance. Policy 8/6 of the Local Plan requires a minimum of 2 cycle spaces per 3 bedspaces and 1 visitor space per 5 bedspaces. This results in a requirement for 228 spaces for students and 57 visitor spaces (285 spaces in total). The level of cycle parking proposed is therefore in accordance with the policy requirements.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Refuse and Servicing Arrangements

- 8.36 A Student Management Plan has been submitted with the application. This explains that Study Inn is manned 24 hours/day 7 days a week. Rooms are let direct to students on a 50-week License agreement. The services provided include:
- 24 hour management
 - Daily cleaning of communal areas
 - Window cleaning
 - Post delivery
 - Weekly cleaning of studios
 - Bed line and towels changed weekly
- 8.37 As there would be no on-site parking, students will be advised not to bring cars to Cambridge and will be provided with public transport details, and details of procedures for drop off and pick up at check-in and check-out. Cycle stands will be provided, and the proposed route for cyclists clearly site out within the

Travel Plan (which will be made available to all students) and subsequently managed by onsite staff.

- 8.38 Entrance to the building, staircases, corridors and bedrooms would be by electronic key card, and the premises would be fitted with CCTV.
- 8.39 The residents would be provided with bins in their studios for normal waste, recycled waste and sanitary waste. The janitor will collect this waste from rooms twice per week and deposit it in the designated bins in the bin store. The existing bin storage area for the building (in the basement) would be extended, so the vehicular route to and from the store and operation of emptying the bins will be as existing. I consider these arrangements to be acceptable in principle and that precise details of the volume of refuse storage and the collection arrangements can be secured by planning condition.
- 8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/7.

Renewable energy and sustainability

- 8.41 The Senior Sustainability Officer has commented on the understanding that the application is a major development proposal, and has advised that a condition requiring 10% of the total predicted energy requirements to be from on-site renewable energy sources be added to any consent. This is not a major application and it would not therefore be appropriate or reasonable to impose such a condition. Nevertheless, the applicants have submitted a Sustainability Statement denoting the use of solar tubes to provide hot water and have shown a willingness to provide some renewable technology which is to be welcomed.
- 8.42 The Sustainable Drainage Officer has commented that the proposal is acceptable subject to a condition requiring foul water drainage, and I concur with this advice.
- 8.43 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.44 The Access Officer and Disability Consultative Panel have raised concern on the grounds that the accommodation does not appear to cater for the needs of disabled students, including the provision of dedicated parking spaces, and that this conflicts with the requirements of planning policy (and potentially breach the Equalities Act).
- 8.45 As set out previously within this report, I do not consider Policy 7/10, and hence its associated requirement for accommodation to meet the needs of disabled students, is relevant to the consideration of this application. Internal layout issues would be controlled through Building Regulations whilst the Equalities Act represents a separate layer of control to any planning requirements (which should be brought to the applicant's attention by way of informative). As a result, and although it is regrettable that suitable provision does not appear to have been incorporated into the scheme, I do not consider a refusal on such grounds could be substantiated.
- 8.46 In my opinion the proposal is therefore compliant with Cambridge Local Plan (2006) policy 3/7.

Third Party Representations

- 8.47 I have addressed the issues raised within the third party representation in the main body of this report.

Planning Obligations

- 8.48 As noted in paragraph 8.26, a S106 Agreement is one option available to the applicants to resolve concerns regarding the living conditions of future occupiers. Given that mitigation works to all 3 identified nearby noise sources have been carried out, it is possible (subject to the outcome of acoustic surveys and clarification of the planning permission requirements) that a S106 may not be necessary in this instance. I will update Members on this in the Amendment Sheet or orally at Committee.

9.0 RECOMMENDATION

APPROVE subject to resolution of the noise issues referenced within this report (either by way of a S106 Agreement or preferably to appropriate mitigation being carried out to adjacent commercial uses prior to occupation of the development) and 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 use, hereby permitted, shall not commence 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, 3/7 and 3/11)

4. The use shall operate in accordance with the details set out within the Travel Plan approved under application reference 15/1703/COND1 unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable transport and reducing highway impact. (Cambridge Local Plan (2006) policy 8/2).

5. During the course of construction, works shall be carried out in accordance with the traffic management plan approved under application reference 15/1703/COND2 unless alternative details have been submitted to and approved in writing by the Local Planning Authority.

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

6. The site shall be operated in accordance with the details set out in the Management Plan unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4, 3/7, 5/7)

7. 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)

8. Before the bringing into use of the development, hereby permitted, details of noise from any plant and equipment associated with the application, together with any required insulation/mitigation, shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

9. Prior to the bringing into use of the gym, a scheme for sound insulation of the room shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented and maintained thereafter in accordance with the approved details.

Reason: To ensure noise/vibration from the gym does not adversely affect the student rooms within the block (Cambridge Local Plan Policy 4/13)

10. Prior to the occupation of the studio rooms, hereby permitted, windows shall be altered in accordance with the details shown within the approved drawings in order to increase light to the ground floor rooms and achieve sound attenuation to 3rd and 4th floor rooms facing Shire Hall.

Reason: To ensure an appropriate level of amenity for future occupiers of the development (Cambridge Local Plan Policy 4/13).

11. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual student flats/clusters 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 5/7 and 4/13)

12. Prior to the bringing into use of the development, full details and plans for the on-site storage facilities for waste and recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details should include the on-site storage facilities for waste, including waste for recycling and the arrangements for the disposal of waste detailed; these arrangements shall subsequently be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7 and 4/13)

13. Prior to the occupation of the development, a scheme for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority. This should include an assessment of the capacity of the existing public and private sewers and flow rates from the new foul system. The works shall be implemented in accordance with the approved details.

Reason: To ensure adequate sewerage provision for the development (Cambridge Local Plan Policy 8/18)

INFORMATIVE: The Travel Plan required by condition 4 must include details of routing for cyclists.

INFORMATIVE: The principal areas of concern that should be addressed within condition 5 are:

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

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

INFORMATIVE: The scheme will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets.

INFORMATIVE: If any plant and equipment such as air conditioning units are proposed, it is required that the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc should be less than or equal to the existing background level (L90) at the boundary of the premises.

INFORMATIVE: The Council's Access Officer has raised concerns that the plans do not seem to facilitate the needs of disabled students and that the use could therefore breach the requirements of the Equalities Act 2010. The applicant is advised to ensure that the development is fully in accordance with any obligations under this legislation and Building Regulations.

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PLANNING COMMITTEE

DATE: 1ST JUNE 2016

Application Number	16/0278/FUL	Agenda Item	
Date Received	16th February 2016	Officer	Michael Hammond
Target Date	12th April 2016		
Ward	Trumpington		
Site	65 Aberdeen Avenue Cambridge Cambridgeshire CB2 8DL		
Proposal	Change of Use from Retail (Class A1) to Residential (Class C3), to form 1x 1 bed and 1x 2 bed apartments, along with ancillary operational development		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The loss of the retail unit is considered to be acceptable. - The proposed change of use would not harm the amenity of neighbouring properties. - The proposal would respect the character and appearance of the Conservation Area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.65 Aberdeen Avenue, is comprised of a retail unit which occupies the ground floor of a seven storey residential block of flats within the Accordia development site. To the west of the site lies Aberdeen Square which is a green open communal space in the heart of the Accordia site. Immediately to the south are the large former government buildings of Eastbrook. There is a detached timber cycle/ bin

store to the south of the main building which provides bin and cycle storage for the retail unit as well as the upper floor flats. There is off street residential parking to the north-east of the site which is accessed via Lennox Walk.

- 1.2 The surrounding area is predominantly residential in character and is formed generally of two and three-storey properties designed in brick with flat roofs, some of which have roof top garden terraces. There are examples of larger residential blocks of flats in the wider area.
- 1.3 The site falls within the Brooklands Avenue Conservation Area. There are Article 4 directions on the buildings to the north and north-west of the application site but the application site is not covered by an Article 4 direction.

2.0 THE PROPOSAL

- 2.1 The proposal, as amended, seeks full planning permission for the change of use of the ground floor from retail use (class A1) to residential use (class c3), to form 1no. one-bedroom and 1no. two-bedroom apartments, along with ancillary operational development.
- 2.2 The proposed works would be predominantly internal although there would be some changes to the external fenestration of the building:

Front Elevation (West)

- Shopfront windows replaced with full height windows to match existing.
- Steel and glazed balustrade system to enclose patio area.

Side Elevation (North)

- New louro clad entrance door to flat no.1.
- Existing glazed window panes replaced with cedar cladding within existing frame.
- Proposed hinged lockable gate.
- Proposed window adjacent to new entrance to flat no.1

Rear Elevation (East)

- Existing door replaced with window frame, partially clad to match existing walls.

Side Elevation (South)

- Existing side door for retail unit changed to main entrance for flat no.2.
- Existing glazed windows panes replaced with cladding within existing frame.
- Proposed hinged lockable gate.

2.3 The bin storage for the proposed units would be located in the existing detached bin store, using the space formally belonging to the retail unit. There are currently two parking spaces specifically designated along Lennox Walk for the retail unit and these would be made available to future occupants of the proposed dwellings. The application originally included cycle parking at the front in the enclosed patio area but this has since been removed with the intention of providing cycle storage in the existing detached cycle and bin store.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Photographs
3. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
10/1105/FUL	Construction of bin and cycle store.	Permitted.
06/0527/REM	Variation of reserved matters planning permission C/02/0999/REM to include internal reconfiguration of the apartments in Block FCB03 to form 4 additional units, plus 4 additional car parking spaces in the basement car parking, and other minor alterations.	Permitted.
06/0524/REM	Variation of reserved matters permission C/02/0999/RM to include internal reconfiguration of the apartments in Blocks FCB05 and ABA03 to form 8 additional units, and other minor	Permitted.

C/02/0999	alterations. Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning permission...	Permitted.
C/00/1175	Outline Application for 9.45ha of Residential Development (Class C3) comprising not more than 382 dwellings; together with 1.92ha office development (Class B1) comprising a total maximum floorspace...	Permitted.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/15 4/11 4/13 5/1 5/2 8/2 8/4 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) The Cambridge Shopfront Design Guide (1997)
	<u>Area Guidelines</u> Brooklands Avenue Conservation Area Appraisal (2013)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection subject to construction hours condition.

Refuse and Recycling

6.3 The proposed waste arrangements are acceptable.

Conservation Team

6.4 No objection, subject to matching materials condition and matching windows and doors condition.

Drainage Officer

6.5 No objection.

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

7.0 REPRESENTATIONS

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

3 Aberdeen Square	7 Aberdeen Square
63 Aberdeen Avenue	Lauro Management Company (75 Aberdeen Avenue)
77 Aberdeen Avenue	79 Aberdeen Avenue

7.2 The representations can be summarised as follows:

- No reference is made to the Article 4 direction applicable to the Accordia development.
- Proposed cycle storage arrangements not supported.
- Fenestration of doors and windows does not match the existing development and is not supported.
- No details of the glazing/ door supplier are provided and this should be covered by condition.
- The original architects of the Accordia Development should have been consulted by the developer.
- Poor design.
- Entrances to flats from side elevations will appear odd compared to main rear entrance for other flats.
- North side entrance onto access road is not suitable due to proximity to road and change in level.
- The use of timber to infill some sections of living room windows is not supported and should remain fully glazed.
- It is not clear whether there is an external entrance to the proposed garden patio to access the cycle storage. If there is then this will pose a security threat.
- It has not been clarified whether the balustrading to patio areas will match the balconies above.
- The patio area should be timber decked and not paving stones.
- The developer should be encouraged to increase soft planting, particularly on the north elevation.
- The lease relating to the commercial premises states that the approval of the freeholder is required before any alterations can be made to the building.
- The Lauro Management Company Limited (LML) will not grant approval to the proposed plans. The cycle storage and balustrade is not supported, further information regarding waste storage is required, and security is not safe by design.
- Notice was not originally served on the LML.
- The existing cycle/ waste/ recycling store was not built according to approved plans.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. The policy generally supports additional residential development within the City:

“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.

8.3 The site is situated within an existing and established residential area I therefore consider that residential development on this site could be supported.

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

- The residential property has a floorspace of less than 110 square meters;
- The likely impact upon on-street parking would be unacceptable;
- The living accommodation provided would be unsatisfactory;
- The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and

- The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.5 The proposed conversion of the non-residential building into self-contained dwellings has been assessed against the criteria of policy 5/2 in turn below:
- a) The residential property has a floorspace of less than 110 square meters
- 8.6 This requirement is not relevant to this application as the proposal does not involve the conversion of an existing residential property.
- b) The likely impact upon on-street parking would be unacceptable
- 8.7 The proposal would transfer the existing two retail car parking spaces over to residential use and it is assumed that each apartment would have one car parking space. This level of parking provision is in accordance with the maximum parking standards of the Cambridge Local Plan (2006). The proposal would not be likely, in my opinion, to result in a significant increase in on-street parking.
- c) The living accommodation provided would be unsatisfactory
- 8.8 The proposal would provide 1no. two-bedroom dwelling and 1no. one-bedroom dwelling in a residential area. Each dwelling would have its own outdoor terrace patio area which is accessed from the lounge. There would also be open space and outdoor play facilities within walking distance of the site. All habitable rooms would be served by acceptable visual outlooks and the proposal provides sufficient bin storage, as well as acceptable car and cycle parking.
- 8.9 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 5/2.

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

8.10 In terms of waste storage, I consider the proposal does provide satisfactory refuse storage. The applicant has explained that the existing detached refuse store would be utilised and there would be space for the necessary refuse requirements within this store. The Waste Team are supportive of the proposed refuse arrangements. The final arrangement could be subject to change as it may need to be reconfigured to accommodate the necessary space for the additional cycle parking. Therefore, a condition has been recommended to provide waste storage details prior to commencement of the change of use.

8.11 With respect to cycle parking, it is acknowledged that several objections were raised regarding the proposed arrangements as cycles would be stored within the enclosed patio area at the front of each flat. The provision of cycle storage outside the front of the site within the enclosed patio area is not ideal but I am not convinced that this arrangement would be worthy of refusal. The cycle spaces would be immediately adjacent to the front windows of the proposed flats and secured by a 1.2m high balustrade and lockable gate which would provide a degree of security and active surveillance. Notwithstanding this, the applicant has since submitted additional information to demonstrate that the three additional cycle spaces required could be accommodated within the existing cycle store which is acceptable in principle. The provision of three cycle parking spaces proposed would be in accordance with the minimum standards of the Local Plan (2006). A condition has been recommended requiring the final details of the cycle parking to be submitted to the local planning authority.

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

8.12 The proposed dwellings would be located within close proximity of the open space of Aberdeen Square and the play area beyond this to the west. The site is within close proximity to bus stops along Trumpington Road and Hills Road to the west and east respectively. There are shops and services along Hills Road and the site is within cycling distance of the City Centre. The site is situated in a highly populated residential area and would offer a satisfactory level of residential amenity.

Loss of retail unit

- 8.13 The retail unit is not situated within a District or Local Centre, or the City Centre, and so there are no policies which restrict the loss of the retail unit in the Cambridge Local Plan (2006). Paragraph 70 of the NPPF (2012) does however state that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 8.14 The applicant has explained in detail in their Design and Access Statement that the retail unit has only been in operation for 3 years and 7 months and has been vacant for an extended period of time. Furthermore, since the original permission on this site was granted in 2001, a number of convenience shops have opened within close proximity, such as the Co-Op at 2 Brookgate which is within a 5 minute walk of the site. In my opinion, I consider the information provided in the Design and Access Statement is sufficient to justify that the existing retail unit is not essential to meet the community's day to day needs and is not considered to be a valued service or facility.
- 8.15 In my opinion the principle of development is acceptable and is compliant with Cambridge Local Plan (2006) policies 5/1 and 5/2 and guidance within the NPPF (2012).

Context of site, design and external spaces (and impact on conservation area)

- 8.16 The proposal only involves external changes to the fenestration of the ground-floor of the building and there would be no extensions or other physical additions as a result of the proposed change of use. These changes to the fenestration are listed in paragraph 2.2 of this report.
- 8.17 The existing glazed shopfront would be replaced with full height windows and a low steel and glazed balustrade would be implemented to section off the patio areas at the front from the public. Whilst these proposed alterations provide a less engaging active frontage than the existing shop front, I still consider this proposed fenestration to be reflective of the residential context of the site and read positively in the street scene.

- 8.18 The proposed cladding of some of the existing windows, as well as the proposed additional entrances and windows, would not unbalance the property or appear out of context with the site. The proposed entrances for each of the flats would be legible and provide an attractive and secure entrance for future occupants. The proposed glazing and balustrade would mimic the glazing and balconies on the upper floors and so there will be a consistent design pattern on the front elevation of the building.
- 8.19 It is acknowledged that a concern has been raised regarding the proposed timber clad style infilling of some of the side windows and how this is out of keeping with the existing building and surrounding area. I believe the use of cladding on the sides of the building would transition in well with the existing cedar cladding which forms the existing built fabric.
- 8.20 Overall the proposed changes are considered to be relatively minor and would reflect the existing material palette and fenestration of the building and would not detract from the character and appearance of the Conservation Area. The Conservation Team is supportive of the proposed works, subject to conditions, and I agree with this advice.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 As there are no significant physical additions or extensions to the existing building there are no visual enclosure or overshadowing amenity implications to assess. The views from the proposed windows would be no worse than the existing outlooks of the upper floor flats of the building and so I do not consider there will be any loss of privacy caused by the proposed development.
- 8.23 In terms of noise and disturbance, I do not anticipate there will be any residential amenity issues in this regard. The upper floors of the building are already used in a residential capacity and so the proposed use would be compatible with the existing

uses. Future occupants would not need to walk past the windows of any of the upper floor flats by virtue of the ground floor location of the proposed units.

- 8.24 There would be two dedicated car parking spaces for future occupants and so I do not consider there would be any significant pressure on car parking in the surrounding area.
- 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, 3/7, 4/13 and 5/2..

Refuse Arrangements

- 8.26 Refuse arrangements has been addressed in paragraph 8.10 of this report.
- 8.27 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/2.

Highway Safety

- 8.28 The Highway Authority has raised no objection to the proposed works. It is acknowledged that a concern had been raised from a residential property regarding the proximity of the entrance to flat no.1 to the access road to the north. However, this door would be over 2m from the edge of this private road and would be inward opening. The adjacent road is also a private road which is only used to access the private parking to the east of the site and so is not part of the public highway or a busy thoroughfare.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.30 Car parking has been addressed in paragraph 8.7 of this report.
- 8.31 Cycle parking has been addressed in paragraph 8.11 of this report.
- 8.32 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.33 The third party representations raised have been addressed in the below table:

Comment	Response
No reference is made to the Article 4 direction applicable to the Accordia development.	The article 4 direction does not cover this specific building.
Proposed cycle storage arrangements not supported.	See paragraph 8.11 of this report.
Fenestration of doors and windows does not match the existing development and is not supported. Poor design. Entrances to flats from side elevations will appear odd compared to main rear entrance for other flats. The use of timber to infill some sections of living room windows is not supported and should remain fully glazed.	See paragraphs 8.16 – 8.21 of this report.
No details of the glazing/ door supplier are provided and this should be covered by condition.	The applicant is not required to provide this level of detail as part of the application. A condition has been recommended requiring the windows and doors to match the existing windows and doors of the building.
The original architects of the Accordia Development should have been consulted by the developer.	This is not a requirement of the developer or the Local Planning Authority.
North side entrance onto access road is not suitable due to proximity to road and change in level.	See paragraph 8.28 of this report.
It is not clear whether there is an external entrance to the proposed garden patio to access the cycle	The amended drawings demonstrate there would be an external entrance to the patio

storage. If there is then this will pose a security threat.	areas. The applicant has explained that this would be in the form of a secure lockable gate.
It has not been clarified whether the balustrading to patio areas will match the balconies above.	The drawings indicate that the steel and glazed balustrading would be similar to the balconies above. The matching materials condition would cover this matter.
The patio area should be timber decked and not paving stones.	This is not considered necessary in order for the scheme to be acceptable.
The developer should be encouraged to increase soft planting, particularly on the north elevation.	The implementation of soft planting is not deemed necessary and the proposal is considered to be acceptable without soft landscaping.
The lease relating to the commercial premises states that the approval of the freeholder is required before any alterations can be made to the building. The Lauro Management Company Limited (LML) will not grant approval to the proposed plans. The cycle storage and balustrade is not supported, further information regarding waste storage is required, and security is not safe by design.	This is a civil/ legal matter between the applicant and the freeholder and is not a planning consideration.
The existing cycle/ waste/ recycling store was not built according to approved plans.	This comment forms part of a separate previous application. The applicant has supplied details showing that the required waste and cycle capacity can be facilitated within the existing store.
Notice was not originally served on the LML.	This is a civil/ legal matter. The LML has been notified of the application.

Planning Obligations (s106 Agreement)

- 8.34 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

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

- 8.35 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 8.36 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

Planning Obligations Conclusion

- 8.37 It is my view that planning obligations are not required in this case as there is no evidence to demonstrate where planning obligations will contribute towards and so the pooling of contributions would not pass the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 In conclusion, the principle of the change of use is considered acceptable and would provide a high quality living environment for future occupiers. The proposed works to the external fabric of the building would respect the character and appearance of the Conservation Area. Approval is recommended, subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. No 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 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. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/7, 4/13 and 5/2.

6. The proposed works hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11).

7. The format/pattern, dimensions, materials and colour of new windows and doors is to match those of the upper floors of the building.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11).

PLANNING COMMITTEE

Date: 1st June 2016

Application Number	16/0193/FUL	Agenda Item	
Date Received	3rd February 2016	Officer	Michael Hammond
Target Date	30th March 2016		
Ward	Petersfield		
Site	34 Lyndewode Road Cambridge Cambridgeshire CB1 2HN		
Proposal Applicant	Outbuilding/Garden store Mr A Robinson 34 Lyndewode Road Cambridge Cambridgeshire CB1 2HN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would not harmfully impact on the protected tree. - The proposal is not harmful to the character or appearance of the Conservation Area - The proposed outbuilding would not detrimentally impact on neighbour amenity.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.34 Lyndewode Road, is comprised of a two-storey semi-detached dwelling situated on the south side of the street. The site has a rear garden with a large protected walnut tree. The dwelling is designed in brick with a hipped tiled roof. There is a contemporary style outbuilding at no.36 Lyndewode Road immediately to the east of the application site. The surrounding area is predominantly residential in character and is formed of two-storey residential properties.

1.2 The site falls within the Central Conservation Area.
The walnut tree in the rear garden is protected by a tree preservation order (TPO).

2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for the erection of an outbuilding in the rear garden. The proposed outbuilding would occupy an L-shaped footprint in the south-west corner of the garden. The outbuilding would be designed in cedar cladding with a slate pitched roof, measuring 2.5m to the eaves and 3.5m to the ridge. It would extend along the boundary with no.32 Lyndewode Road by 5m and extend close to the boundary with nos. 8 and 10 Tenison Avenue by 5.7m.

2.2 The application has been called in by Councillor Robertson following concerns regarding potential impact on neighbour amenity, as well as potential harm to the protected tree and the Conservation Area.

3.0 SITE HISTORY

3.1 There is no planning history.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/4 4/11 4/13

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>
	<u>Area Guidelines</u> New Town and Glisson Road Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Urban Design and Conservation Team

6.2 There are no material Conservation issues with this proposal.

Head of Streets and Open Spaces (Tree Team)

Comments on original proposal (29/02/2016)

6.3 Further information is required regarding the constraints the tree poses to the proposal, both below ground and in terms of any crown pruning required to allow construction, and what measures will be taken to ensure the tree is not damaged during construction and that the relationship between the tree and the proposed building is sustainable. To this end consultation with an arboriculturist is recommended in accordance with BS 5837:2012.

Comments on additional information (22/04/2016)

6.4 I confirm that the principle of the outbuilding and its location is acceptable but that full details of the foundations will need to be approved prior to construction. To this end please include the appropriate 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:

- 6 Tenison Avenue
- 8 Tenison Avenue
- 10 Tenison Avenue
- 32 Lyndewode Road

7.2 The representations can be summarised as follows:

- The proposal would harm/ is not in keeping with the character or appearance of the Conservation Area.
- Disturbance to wildlife
- Noise disturbance from use as a gym/ office/ studio
- Loss of privacy
- Visual enclosure/ dominance
- The proposal is contrary to policies 3/10, 4/4 and 4/11 of the Local Plan.
- The proposal could harm the roots of the protected tree.
- The proposal would be contrary to Protocol 1, Article 1 of the UK Human Rights Act 1998.
- The additional tree information is inadequate.
- The raft floor style foundation will likely increase the height of the building.

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. Impact on trees
3. Residential amenity
4. Third party representations

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

8.2 The proposed outbuilding would not be visible from any public viewpoints. There are other outbuildings in the rear gardens of properties along Tenison Avenue and Lyndewode Road in the wider area.

8.3 It is acknowledged that concerns have been raised regarding the excessive footprint and scale of the proposed outbuilding.

However, I do not believe the proposed outbuilding would harm the character or appearance of the Conservation Area for the reasons set out below.

- 8.4 The proposed outbuilding would not be highly visible from any public viewpoints due to its position in the rear garden of the site. As a result, the impact on the character and appearance of the Conservation Area from public views would be negligible.
- 8.5 In addition to this, I do not consider the scale of the outbuilding would appear out of context with the area. The proposed outbuilding would only measure approximately 2.5m to the eaves and then the low pitch of the roof would be sloping away from neighbouring boundaries. The use of cedar cladding would provide a visual break when viewed in the context of the brick walls of neighbouring boundaries and the use of slate is reflective of the majority of roofs in this area. A condition has been proposed to control these materials. Given the limited scale of the building within the rear garden environment I do not consider that its presence would be untypical of what one might expect of an ancillary outbuilding. The Conservation Team has raised no objection to the proposed development and I agree with this advice.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

Impact on Trees

- 8.7 As previously stated, there is a large walnut tree in the rear garden of no.34 which is protected by a TPO. The Tree Officer had originally requested additional information in respect of the foundations as this could potentially impact on the roots of the tree. The applicant has since submitted an arboricultural impact assessment and tree protection plan which states that foundations will be either pile and/or beam and ground protection will be carried out in accordance with the relevant British standard document. The Tree Officer is satisfied with the additional information but has requested that a condition be applied to require the applicant to provide the specific foundation design and other protection measures prior to commencement of development. I agree with the advice of the Tree Officer and consider the proposal will not have a harmful impact on trees, subject to condition.

- 8.8 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The main consideration is the impact on nos. 32 and 36 Lyndewode Road and nos. 10 and 8 Tenison Avenue. I have assessed the main issues relating to residential amenity in turn below.

Overshadowing/ Loss of Light

- 8.10 The properties along Tenison Avenue to the south of the site would not be adversely overshadowed due to the position of the outbuilding to the north of these dwellings.
- 8.11 Given the position of the outbuilding in the south-west corner of the garden and the presence of the large tree, I am of the view that the proposal would not harmfully overshadow no.36 Lyndewode Road or its garden, which I accept is limited in size, to the east of the site. The proposed dwelling at 3.5m high with a pitched roof is not considered to be of a great enough scale to cause any significant loss of light to this neighbour.
- 8.12 The proposed outbuilding would be located in close proximity to the garden of no.32 to the west of the site. However, given the low pitch of the roof and the relatively low eaves height of 2.5m, I do not consider the levels of overshadowing cast would be so significant as to warrant refusal. Any impact arising in terms of overshadowing would be limited to a very short period of the day in the morning hours and the amount of light reaching this neighbouring property and its garden for the remainder of the day, would be unaffected.

Loss of privacy/ overlooking

- 8.13 The properties along Tension Avenue would not lose any privacy due to the fact that there are no windows in the outbuilding facing towards these properties. The proposed windows would be sited facing north and east and would generally have limited views of the neighbouring properties at

nos. 32 and 36 Lyndewode Road. I do not consider the views out towards these neighbour's gardens would be harmful particularly because they are from ground floor level. I note that there are existing views between neighbour's gardens from first-floor rear windows and whilst I acknowledge the outbuilding might introduce a more active use of the rear garden area I do not consider, as it would be in connection with the host dwelling, that it would amount to a significant loss of privacy.

Visual enclosure/ dominance

- 8.14 Concerns have been raised from neighbouring properties regarding the visual presence of the proposed building and how this would appear overbearing and visually dominant from gardens.
- 8.15 From my site visit I do not consider the proposal would be visually overbearing from any of these outdoor amenity spaces.
- 8.16 The view from the garden of no.36 Lyndewode Road would be relatively limited due to the existing mass of this neighbour's outbuilding and the separation distance between the proposed outbuilding and this neighbour's boundary. Furthermore, the walnut tree will provide a degree of soft boundary to break up the physical mass.
- 8.17 The proposed outbuilding would be situated hard up against the boundary of no.32. Nevertheless, at 2.5m to the eaves with the pitch of the roof then sloping away from this boundary to a height of 3.5m, I am not convinced that this massing would visually enclose this neighbour's garden or rear ground floor windows.
- 8.18 The proposal would be close to the boundary of properties along Tenison Avenue but the overall scale and mass, which is only 1m higher than that which could be built without planning permission, is not considered to be so great as to visually enclose these neighbour's outlooks to the north. I also note it crosses the boundary between nos.8 and 10.

Noise and disturbance

- 8.19 The Design and Access statement provided by the applicant states that the outbuilding may be used as a home gym or

home office/ study. It is appreciated that concerns have been raised from neighbouring properties regarding the noise and disturbance that either of these uses would cause. Nonetheless, the uses described by the applicant are both defined as being incidental to the main dwelling, which, provided the height of the outbuilding was 2.5m or less, would not require planning permission. In my opinion, in respect of the residential use of the site, I do not consider it likely that comings and goings to and from the outbuilding, or noise from the use of the outbuilding itself, would harmfully impact on the amenity of neighbouring properties. Notwithstanding this, a condition has been recommended to ensure that the outbuilding is only used incidentally and not for sleeping purposes as this could potentially impact on neighbour amenity due to the proximity of gardens in this area.

8.20 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Third Party Representations

8.21 The third party representations have been addressed below:

<u>Comment</u>	<u>Response</u>
The proposal would harm/ is not in keeping with the character or appearance of the Conservation Area.	See paragraphs 8.1 – 8.5.
Disturbance to wildlife	The site is not protected by any specific nature conservation or wildlife related policies.
Noise disturbance from use as a gym/ office/ studio Loss of privacy Visual enclosure/ dominance	See paragraphs 8.8 – 8.19.
The proposal is contrary to policies 3/10, 4/4 and 4/11 of the Local Plan.	The proposal is considered to be compliant with policies 4/4 and 4/11 for the reasons set out in this report. Policy 3/10 is not applicable to this application as this policy applies to the

	residential sub-division of sites and not domestic outbuildings.
The proposal could harm the roots of the protected tree.	See paragraphs 8.6 – 8.7.
The proposal would be contrary to Protocol 1, Article 1 of the UK Human Rights Act 1998.	The part of the Act relates to an individual's right to peaceful enjoyment of their property. I have considered the potential amenity impact through the use of the outbuilding and consider that provided it remains as incidental to the occupation of the host property no significant harm would arise.
Inadequate tree information	The additional information related to the potential impact on the tree has been deemed acceptable by the Tree Officer. An appropriately worded condition has been recommended to ensure there would be no detrimental impact to the protected tree.
The raft floor could increase the height of the building	The outbuilding must be built in accordance with the approved plans, which would be for a 3.5m high outbuilding. Any increase in height would require a separate application to be submitted to the Local Planning Authority.

9.0 CONCLUSION

9.1 The proposed development would preserve the character or appearance of the Conservation Area. The proposal would not detrimentally impact on the protected tree, subject to condition. The proposal is not deemed to cause any significant harm to 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. The development hereby permitted shall not be constructed other than in the following materials:

Marlet/ Eternit Cedral Cladding (Dark Brown)
Slate Roof

Reason: To ensure that the external appearance of the development is in keeping with the existing character of the area. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

5. The outbuilding hereby approved shall only be used for purposes incidental to the occupation of the main dwellinghouse and shall at no time shall it be used for sleeping purposes or be independently occupied.

Reason: If the outbuilding were to be slept in or used as separate unit of accommodation it could give rise to harm to adjoining residential amenity and provide a poor level of amenity for its intended occupiers (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

6. Prior to the commencement of development and with reference to BS 5837 2012, full details of the foundation design and all other protection measures and techniques to be adopted for the protection of the adjacent Walnut shall be submitted to the local planning authority for its written approval. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2006 policy 4/4).

Application Number	16/0211/FUL	Agenda Item	
Date Received	8th February 2016	Officer	Michael Hammond
Target Date	4th April 2016		
Ward	Romsey		
Site	73 Sedgwick Street Cambridge Cambridgeshire CB1 3AL		
Proposal	Demolition of existing dilapidated warehouse and construction of new dwelling on the site.		
Applicant	Mr Mark Brinkley 1 Banhams Close Cambridge Cambridgeshire CB4 1HX United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development successfully contrasts with the context of the area and would respect the character and appearance of the Conservation Area. - The proposal would not have a significant impact on the amenity of neighbouring properties. - The proposal would provide a high quality living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.73 Sedgwick Street, is comprised of a single-storey warehouse building situated on the west side of Sedgwick Street, close to the vehicle crossover with St Philips Road. The building is designed in a combination of pre-cast panels, timer and brick infill and asbestos sheeting, with a

pitched roof clad in asbestos sheet. The built form projects deep into the plot and shares boundaries with properties set perpendicular to the plot along St Philips Road to the south. The building is not currently in use and has been vacant for a number of years. The surrounding area is predominantly residential in character and is formed of two-storey terraced properties set linear to the pattern of the road.

1.2 The site falls within the Central Conservation Area.

2.0 THE PROPOSAL

2.1 The proposal, as amended, seeks planning permission for the demolition of the existing warehouse and construction of a new dwelling on the site.

2.2 The proposed replacement dwelling would be two-storeys in scale and would be designed with a part-pitched, part-flat roof, with the gable end facing towards the road. The proposed dwelling would be designed predominantly in stained timber angled cladding on the front and rear elevations while the side elevations would be formed of brick. The roof would be clad in dark grey metal. The eaves (5.1m) and ridge (7.1m) heights would be set subservient to that of no.75 Sedgwick Street. The footprint would be approximately 1.2m greater than that of the existing warehouse, with roughly half of this footprint as two-storey in scale and the other half as single-storey. There would be a summerhouse in the rear garden which would be no higher than 2.5m to the ridge.

2.3 The proposal would provide a three-bedroom dwelling with approximately 75m² of outdoor private amenity space. Bin storage would be provided internally on the north side of the building with a means of access from this externally onto the neighbouring alleyway. Cycle parking would be stored externally at the front of the site underneath the two-storey overhang.

2.4 The application has been amended to show the following changes:

- Removal of proposed vehicle drop-off space.
- Reduction in depth of first-floor overhang from 1200mm to 800mm

- Inclusion of brick wall on south-east corner to allow for alleyway gate fixing.
- Enlargement of copper set back at first-floor level. Enlarge of first-floor windows with translucent film applied up to 1.7m from first-floor level to prevent overlooking.
- Removal of area of copper panelling to the side of the living room.

3.0 SITE HISTORY

Reference	Description	Outcome
14/2107/FUL	Demolish existing warehouse and clear site	Withdrawn
C/75/0502	Erection of extension to existing retail unit	Refused
C/73/0780	Erection of storage building (Class X)	Refused
C/69/0133	Use of premises as warehouse and retail sale therefrom with showroom and offices	Unknown
C/69/0071	Use of premises for warehouse and offices, for timber preservation specialists	Unknown
C/68/0369	Offices, showroom, warehouse and stores for plumbing and heating engineer.	Refused
C/66/0035	Plumbing and heating store. showroom, offices and toilets.	Permitted
C/65/0550	Use of premises as plumbing and heating store and showroom	Unknown
C/63/0116	Change of use to wholesale carpet warehouse.	Refused

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/11 4/13 5/1 6/6 6/7 7/3 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) Planning Obligation Strategy (March 2010)
Material	<u>City Wide Guidance</u>

Considerations	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)

Original Comments (10/03/2016)

- 6.1 The red line is not consistent between different plans within the application. One of the plans includes an area of public highway, which is outside the control of the applicant, within the red line.
- 6.2 The application form states that no off-street parking is provided for the development, yet the plan shows a car on the footway of the public highway, with a note “drop-off” beside it. There would seem to be no reason why dropping off could not take place on

the kerbside of the public highway, whilst the arrangement proposed is considered likely to encourage parking on the footway. It is strongly suggested that the existing vehicle crossover, once redundant (as it is not required for accessing the private land – no car would fit within the site once the building is constructed) be removed and returned to full-face footway, thus providing a clear, understandable layout of the public realm.

Second Comments (17/03/2016)

- 6.3 The applicant has responded that the land is owned by them and therefore under their control. This is not actually the case. Although the land may be within their ownership in the title deeds, it is marked within the Highway Register (a definitive legal document) as being public highway. The applicant may well own the substrate beneath the highway, but highway rights exist on the surface, which is therefore under the effective control of the Highway Authority.
- 6.4 The Highway Authority's previous comment is therefore relevant and needs to be addressed.

Third Comments (08/04/2016)

- 6.5 The amended scheme of removing the drop off parking space is acceptable, subject to vehicle cross over condition, traffic management plan condition and informative and highways informative.

Environmental Health

- 6.6 No objection, subject to the following conditions and informatives:
- Contaminated land conditions
 - Demolition/ construction hours
 - Piling
 - Dust
 - Contaminated land informatives
 - Dust informative

Urban Design and Conservation Team

6.7 The current scheme is close to according with s.72 of the Listed Buildings Act, the principles of the NPPF and the Local Plan, policies 3/4, (responding to context), and 4/11 (which effectively reiterates the requirements of the Act.) A couple of detailed amendments would ensure it did meet the requirements of the Act and the Guidance, and would then be considered acceptable from a conservation perspective. The amendments required relate to the first-floor overhang and creation of further setbacks or blind panels in the flank to improve articulation. The following conditions are recommended:

- Brick sample panel
- Non-masonry walling systems
- Window and door details.
- Roof details

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

7.0 REPRESENTATIONS

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

33 St Philips Road	35 St Philips Road
37 St Philips Road	43 St Philips Road

7.2 The representations can be summarised as follows:

Car Parking

- The proposed car parking space would be difficult to manoeuvre into and may result in the loss of an on-street car parking space.
- Proposed car parking space is not safe.

Residential Amenity

- Visual enclosure/ loss of outlook to nos.37 and 43 St Philips Road

Design/ Character

- The use of copper cladding and black metal roofs is not supported as it will deteriorate in quality over the later years.
- The garden could be poorly mismanaged to the detriment to the character of the area.
- The existing warehouse adds character, diversity and a sense of history to the Romsey area.

Drainage

- The existing manhole covers outside the front of the building should be maintained.

Contaminated Land

- The asbestos should be safely removed.

Legal Matters/ Boundaries/ Validity of Application

- It is not clear precisely where the boundary line runs to as the fence has not been maintained. This should be sought before demolition commences.
- The boundary line is incorrect.
- The plan does not show the measurements of all existing and proposed elements.
- Discrepancies in design and access statement.
- The proposed works would be contrary to legal covenants on the site which restrict the building depth and erection of structures in the rear garden area. This should be enforced by the planning department.
- The Land Registry documents cannot be certified as being correct.
- The boundaries should be protected during and after construction.

7.3 The owners/occupiers of the following addresses have made representations supporting the application:

- 72A Sedgwick Street
- 75 Sedgwick Street

7.4 The representations can be summarised as follows:

- The demolition of the warehouse is supported.
- The warehouse has no architectural merit.
- The re-development of the site for residential purposes is supported.

7.5 Former Councillor Smart has requested the application to be called in to planning committee in the event that officers are minded to approve. This is because of potential overshadowing, visual enclosure, loss of privacy and a lack of clarity over the legal covenant.

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 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site lies in a residential area and, in my opinion, the principle of erecting a new dwelling on the site is acceptable.

8.3 The application form states that the last use of the site was as a light industrial use (B1(c)). The last planning permission on this

site (C/75/0502), before the unit became vacant, sought permission for an extension to an existing retail unit (A1). As the site was purchased by the applicant after the site became vacant, there is no evidence before me to definitively indicate which of the above uses the site was last used for. Therefore, for the avoidance of doubt, the principle of the loss of both of these uses has been assessed.

8.4 Policy 7/3 of the Cambridge Local Plan (2006) states that development, including changes of use, that results in a loss of floorspace within Use Classes B1(c), B2 and B8 outside of protected industrial/ storage sites will only be permitted if:

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either;
- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
- d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e) Redevelopment for mixed use or residential development would be more appropriate.

8.5 In the strictest application of this policy, based on the information provided by the applicant, the proposal would be contrary to criteria A of this policy.

8.6 However, in assessing the loss of the industrial floorspace pragmatically, it is acknowledged that the warehouse has been vacant for an extended period of time. The site was still vacant when I undertook my site visit for the previously withdrawn application (14/2107/FUL) in February 2015 and so it has evidently been vacant for over 15 months. Furthermore, the dilapidated nature of the building and presence of asbestos materials means that any prospective users of this industrial use would have to undertake significant structural works and environmental testing in order to bring the site back into a usable state, which hinders the viability of the site in practical and financial terms.

- 8.7 In my view, I do not consider there is a reasonable prospect of the site being used for industrial purposes. An application for an alternative use, such as residential development, should be assessed on the merits of the proposal. As a result, while I appreciate the proposal does not demonstrate compliance with criteria A of policy 7/3 of the Local Plan (2006), I do not consider it would be reasonable to resist the proposed loss of this floorspace as it is evident that the site has been vacant for an extended period of time and is more suited for residential use as per criteria e of policy 7/3.
- 8.8 Policies 6/6 and 6/7 of the Local Plan (2006) relate to changes of use of A1 uses within the City Centre and District and Local Centres respectively. The application site is not within the boundary of the city centre, nor is it within a District or Local Centre. Therefore I deem the potential loss of the retail use to comply with the relevant policies of the Local Plan (2006).
- 8.9 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 6/6, 6/7 and 7/3 of the Cambridge Local Plan (2006) and guidance in the NPPF (2012).

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

Response to context

- 8.10 The site is situated within a residential area in the heart of the Romsey Ward of Cambridge. The urban grain of the area is very tight and compact, as defined by the narrowness of the streets and the historical terraced nature of residential development. Residential properties are typically two-storeys in height and are traditional in their design with slate pitched roofs and brick walls.
- 8.11 The warehouse contrasts noticeably with the defined pattern of development within the surrounding area. The site is not identified within the Mill Road Conservation Area Appraisal (2011) as being positive or negative. The building is a large single-storey structure with a pitched roof orientated so that the gable end faces towards the road, as opposed to the residential properties along Sedgwick Street. The front facade of the building is uninspiring and lacks any meaningful engagement

with the street scene. The facade is of poor structural and aesthetical quality with a combination of bricks, dilapidated timber paneling and doors and outdated asbestos cladding. The Conservation Team does not consider the building contributes positively to the character or appearance of the Conservation Area and I agree with this advice.

- 8.12 It is acknowledged that a representation has been received which states that the existing warehouse adds character, diversity and a sense of history to the Romsey area. Whilst I do not dispute that technically the warehouse does add diversity to the area and is historically part of this street, I am not of the opinion that the contribution it makes is positive. The building is in poor condition and unsuccessfully contrasts with the character and appearance of the Conservation Area. Therefore, I do not consider the principle of demolition in the Conservation Area to be an issue.
- 8.13 The proposed replacement building and its response to the context of the area will be assessed in the relevant sub-sections below.

Movement and Access

- 8.14 The proposed dwelling would be orientated so that the entrance faces onto Sedgwick Street which makes logical sense and would provide a straightforward and safe access onto the footway. The neighbouring alleyway to the north would be used to access the enclosed bin store area situated on the north side of the building. This would be positioned before the private gate of no.75 so that this neighbour still has a secure external access to the rear of their property. There would be a direct route out to Sedgwick Street for bins to be taken out on collection days.
- 8.15 The proposal previously included plans for the front of the site to be used as a drop off parking space. The Highway Authority raised concerns with this proposed arrangement as it would encourage people to park outside the front of the site on the footway which could be a threat to highway safety. However, as this has since been removed from the proposals, this is no longer an issue.

- 8.16 The proposal would provide cycle parking beneath the first-floor overhang immediately outside the ground-floor front bedroom. Although external cycle parking visible from the street is not ideal, the constraints of the plot and the site limit the ability to provide an alternative means of cycle parking. Nevertheless, the cycle spaces would be subject to high levels of active surveillance from the proposed host dwelling, as well as neighbours opposite the site. Also, the position of these cycle spaces beneath the overhang and immediately adjacent to the front wall would enable them to be read as belonging to the proposed dwelling which is not too dissimilar to the cycle rings that other properties have outside the front of properties along this terrace. A condition has been recommended to provide details of the proposed cycle parking.

Layout

- 8.17 The proposed dwelling has been set out internally so that the main windows are on the east (front) and west (rear) elevations in order to minimise potential overlooking of properties along St Philips Road to the south. Notwithstanding this, the layout of the proposal does provide an attractive built frontage which enhances the townscape and promotes an active frontage facing onto Sedgwick Street.
- 8.18 The proposed building would occupy the full-width of the plot for a depth of roughly 20m but only just under 10m at full two-storey height. It is acknowledged that neighbours have raised concern regarding the depth of the proposed building and how this would set a precedent for future extensions of this magnitude. However, the additional proposed depth compared to the existing warehouse would only be approximately 0.815m greater which is minor when equated to the existing footprint. This proposed layout is dictated by the narrowness of the plot, which by virtue of its detached nature from the terrace to the north and relationship to the gardens of St Philips Road to the south, is considered to be unique and distinct from the regular residential plots in this area. The proposed south elevation, where the depth would be most visible from public viewpoints, has been carefully articulated in detailed design, scale and form so as to provide a more interesting and contemporary elevation than that of the existing plain warehouse. Consequently, while I accept that the depth of this proposal is greater than surrounding properties, I believe that the nature and

narrowness of the plot, coupled with a consideration of the existing built form of the plot, enables an extended depth in this case.

Scale and massing

- 8.19 The proposal has been designed to read subserviently in terms of scale and massing to the neighbouring terraced property at no.75 Sedgwick Street. I support this approach as the current warehouse is set below the eaves and ridge height of this neighbouring property and so it may appear out of context and alien in the street scene if the proposal was designed to be of an equal or greater scale. The proposal is therefore respectful of the traditional terraced properties along this street and does not try to compete with these important buildings within the Conservation Area.
- 8.20 The two-storey footprint of the proposal has been limited to mirror that of the neighbouring property to the north, whilst the single-storey element would project deeper into the garden. This approach is favored as it would help the proposal to respond positively to the two-storey massing immediately adjacent without appearing elongated or creating a long solid high wall which would appear visually prominent in the street scene.

Open Space and Landscape

- 8.21 Along the west side of Sedgwick Street properties typically have small front threshold areas which are privately divided off from the street by a combination of dwarf walls and railings. In contrast, on the east side of the road, properties are hard up against the footway and there are no front garden or threshold areas as the pavement runs immediately adjacent to front doors.
- 8.22 The proposal does not provide any outdoor space at the front of the property, except for a small area for the storing of bicycles. In respect of the tight urban grain of the site and its surroundings, I do not consider the absence of any open space and landscaping at the front of the site would appear detrimental to the character and appearance of the Conservation Area. There would be an ample garden amenity space at the rear of the site, projecting 16m out to the proposed

summerhouse, which would provide future occupants with an acceptable level of private outdoor amenity space. No details of the type of boundary treatment which would be used for this garden have been provided and so a condition has been recommended for this information to be provided prior to commencement of the proposed building.

Elevations and Materials

- 8.23 The elevations and materials is the aspect where the proposed scheme attempts to be contemporary and contrast with the terraced design in the immediate area. The front elevation would be formed of a combination of brick on the ground-floor and timber cladding on the first-floor, with a thick brick parapet style wall rising along the north side of the building. The south side elevation would be mainly brick with a strip of timber cladding and copper panel/ detailing for a small portion of the first-floor level. The dark grey metal roof would be most visible from the south.
- 8.24 It is acknowledged that a concern has been raised regarding the proposed choice of materials and how these materials would be out of keeping with the surrounding area. Although I do not dispute that these materials are unorthodox when compared to the terraced properties along the street, I consider that this palette of materials would successfully contrast with the Conservation Area and would respect its character and appearance.
- 8.25 Again, the existing warehouse itself is detached both in terms of physical separation and in design from the start of the terrace to the north. I believe that the unique form of the existing plot and building allows for a degree of flexibility in relation to design and provides scope for pursuing a contemporary and distinctive architectural approach. The scale and massing would be subservient to the terraced properties along the street and so the variation in materials would not harmfully clash or compete with the defined traditional character. In my opinion the creative approach to the materials of the proposed development would rejuvenate what is perceived as being a relatively derelict and dilapidated built form and this would be to the benefit of the character and appearance of the Conservation Area. The use of a metal roof also pays homage to the industrial history of this particular site.

8.26 The proposed orientation of the gable facing the road is considered to be respectful of the character and appearance of the Conservation Area and would not appear alien by virtue of its subservient scale and massing. The front and side (south) elevations are well articulated and provide a sensible degree of articulation to reflect the proposed residential use of the building. The extent of copper panel/ detailing on the south elevation has been increased in accordance with the advice of the Conservation Team. The Conservation Team is supportive of the proposal subject to conditions relating to window design and materials samples and I agree with the imposition of these conditions. A condition has also been recommended

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.28 The main considerations from a residential amenity perspective are the impacts on no.75 Sedgwick Street and the row of terraced properties to the south running from no.31 – 43 St Philips Road.

Impact on no.75 Sedgwick Street

8.29 No.75 Sedgwick Street is a semi-detached terrace style property to the north of the application site.

8.30 In terms of overlooking, there would be oblique views across the garden of this neighbour from the first-floor rear (west) master bedroom windows. However, I do not consider this view would be any worse than the existing mutual views between gardens of nos.75 and 77 Sedgwick Street and so I believe the privacy of this neighbour would not be compromised by the proposed development. In allowing a residential two-storey form here it would be very difficult to completely design out all overlooking.

8.31 This neighbour is situated to the north of the site and so the impacts of overshadowing need to be assessed accordingly. At

present the warehouse projects out to the rear hard up-against the boundary of this neighbour with a consistent eaves height of approximately 3.4m and ridge height of roughly 5m to the apex of the pitch of the roof. At two-storey level, the proposed would not project beyond the two-storey building line of this neighbouring property. Nevertheless, the proposal would likely increase levels of shadow cast over the side passageway and the side wall of the side-return of this neighbour during the late morning and at midday. However, there are only non-habitable or secondary side windows on this neighbour's side-return and so any additional overshadowing of these windows would not have any harmful impact on this neighbour. Furthermore, the 3.4m high blank wall which runs hard up against this boundary already overshadows much of the ground-floor side walls and amenity space and so the impact would be minimal. In terms of the deeper single-storey element of the proposal, I do not consider this will exacerbate levels of overshadowing. The eaves height at 2.8m and pitch of the metal roof at 4.35m are both lower than the existing eaves and ridge respectively of the existing warehouse and so the proposal may actually result in an increase in light reaching this neighbouring garden.

- 8.32 In terms of visual enclosure, the proposed two-storey element has been designed so that it does not break the 45° line from the closest first-floor window of no.75 and so I am confident that this will not harmfully enclose this neighbouring property. Furthermore the single-storey rear element of the proposal has been designed to be lower in both eaves and ridge height than the existing warehouse and so I consider this will actually improve the outlook for the neighbouring ground-floor windows and garden. I do not consider the approximate 2m in additional depth would be perceived as visually enclosing from this neighbour's garden, particularly given the aforementioned lowering of eaves and ridge heights.

Impact on nos.31-35 St Philips Road

- 8.33 Nos.31-35 St Philips Road is a row of three terraced properties situated to the south-west of the proposed development, with gardens backing onto the applications site.
- 8.34 In terms of loss of privacy, I do not consider that the proposal would compromise the privacy of these neighbouring properties. The proposed two-storey element is set over 13m from the

nearest of these neighbour's gardens and the view would be limited to the latter half of these neighbour's gardens and so I am of the opinion that this would not harmfully overlook these neighbours.

8.35 With respect to overshadowing, given the orientation of these gardens to the south-west of the proposed development, I am confident there will be no harmful overshadowing of these neighbour's gardens.

8.36 I am also of the view that the proposed development would not visually enclose these neighbour's gardens as the physical form of the dwelling does not project along the rear garden boundaries of these properties.

Impact on nos.37-39 St Philips Road

8.37 Nos.37-39 St Philips Road are terraced properties situated to the south of the proposed development and the gardens of these neighbours back onto the application site.

8.38 The proposal is not considered to pose any harmful impact in terms of overshadowing by virtue of the orientation of these neighbours to the south of the application site.

8.39 In relation to overlooking, I am of the opinion that the proposed development would not have a significant impact on these neighbours. The proposed first-floor rear bedroom window would allow for views across the latter section of these neighbour's gardens but this relationship would not be to dissimilar to the existing mutual sense of overlooking which exists along this neighbouring terrace as gardens are typically overlooked by neighbouring properties.

8.40 The single-storey rear element of the proposal would be visible from the garden of no.37 as the depth would be increased by roughly 0.815m compared to the existing warehouse. There is currently a 2.6m high asbestos sheet wall which runs along the end of this garden boundary. The proposal would remove this 2.6m high wall and replace it with a form of soft or hard landscaping that would be lower than 2m in height and so this would be an improvement. It is appreciated that the additional 0.815m in depth of the built form along this neighbour's boundary would be visible, but I am not convinced that this

would be so harmful as to visually overbear or enclose this outlook.

- 8.41 No.39 currently looks onto the high brick wall and roof pitch of the existing warehouse and this would be replaced with a lower wall and roof pitch under the proposed development. I consider this would be an improvement to this neighbour's visual outlook from the rear garden.

Impact on no.41 St Philips Road

- 8.42 No.41 St Philips Road is a terraced property situated immediately to the south of the application site.

- 8.43 Again, in consideration of the orientation of the site to the south of the proposed development, I do not consider there would be an issue in relation to overshadowing.

- 8.44 There would be side first-floor windows which look out towards this neighbouring property. However, these would be obscure glazed and would serve as secondary windows to provide light for the two first-floor bedrooms. Nevertheless, a condition has been recommended to ensure that these windows are obscure glazed to prevent any harmful overlooking. The velux rooflights serving the first-floor bathroom on the south plane of the roof would not lead to a loss of privacy at this neighbour due to the position of these windows high in the roof plane. Also, the sensitive and private nature of the bathroom use of the room means these windows would only serve for natural lighting purposes rather than as open visual outlooks. As a result, I consider the privacy of this neighbour would be retained.

- 8.45 The most obvious impact on this neighbour would be from visual enclosure. Approximately half of this neighbour's rear garden boundary would be immediately adjacent to the two-storey mass of the proposed development, while the single-storey element would be situated close to the other half of this boundary. The single-storey element would likely be an improvement as it would replace a 3.4m high wall and 5.05m pitched roof with a 2.8m wall. Nevertheless, the proposed two-storey mass will be noticeably more visible than the existing warehouse building. The proposed eaves line would be 5.1m which is marginally higher than the existing ridge of the existing pitched roof. However, this eaves line would be more prominent

than existing by virtue of its closer proximity to the boundary. The pitch of the proposed roof would then slope away from this neighbour to a height of 7.1m. This neighbour would be looking out predominantly onto a brick wall, although the upper levels would be in timber cladding and the roof in a dark grey metal which would provide a degree of variation. In my opinion, whilst I accept the proposed development would be visible, and the visual impact greater, I consider that on balance the proposal would not visually enclose this neighbour's rear garden outlook to such an extent as to warrant refusal. The improvements to the western half of this neighbour's rear garden boundary, by way of lowering the eaves and ridge height, would alleviate any harm caused by the proposed two-storey mass along the eastern half of the rear garden boundary. The rear ground-floor windows currently look out onto a high blank wall and coupled with the separation distance of approximately 11.5m, views from these windows would not be enclosed significantly worse than that at present.

Impact on no.43 St Philips Road

- 8.46 No.43 St Philips Road is comprised of an end of terrace property situated directly to the south of the application site. At the time of my site visit, the property was being used as a HMO (house in multiple occupation).
- 8.47 In terms of loss of light, I do not consider the proposal will harmfully overshadow this neighbour by reason of the fact that it is situated to the north of this neighbour.
- 8.48 For the same reasons as set out in paragraph 8.45 of this report, the proposal would not in my view lead to a loss of privacy at this neighbour.
- 8.49 The main consideration from a residential amenity perspective is whether the proposed development would visually enclose this neighbouring property to such an extent as to adversely impact on this neighbour's amenity. I have visited this neighbouring property and consider the main outlooks which need to be assessed in relation to visual enclosure are the first-floor rear bedroom windows, the rear ground-floor living room French door, rear ground-floor kitchen window and the garden. I have assessed the impact on each of these rooms in turn below:

Rear first-floor bedroom windows

- 8.50 The eastern-most first-floor bedroom window is situated on the rear-most element of the building and is situated approximately 13m from the application site. The view from this window currently looks out onto the sloping pitch of the existing warehouse, as well as the gable end and large brick dormer of no.75. The proposed development would follow a similar footprint at two-storey level to the existing property at no.75. Although it is appreciated that the proposal would be more visible, I am of the opinion that this outlook would still be reasonable in this direction and would not feel hemmed in. The roof pitch would be sloping away from this neighbouring property and the first-floor position of this window is sufficient to ensure it would still have an acceptable outlook for its occupants. The western-most first-floor bedroom window on the original rear wall would be over 17m from the proposed development and so for the same reasons as set out above I consider the impact on this window will not be so great as to harm this neighbour's amenity.

Rear ground-floor living room/ dining room French door

- 8.51 The rear ground-floor living room French door serves an open plan room which benefits from a large bay window at the front as well. This bay window is also responsible for providing the vast majority of light entering this room as it is situated on the south elevation. The view from this French door is partially self-enclosed by the rear wing of the dwelling and the view of the application site is relatively focused and narrow. At 17m away, I am of the opinion that the proposed development would not be significantly worse than existing and that the enjoyment of this habitable room would be retained.

Rear ground-floor kitchen window

- 8.52 At the rear-most element of no.43 there is a kitchen window which is situated just over 11m from the application site. The room is not used regularly for eating of meals due to the small size of this room and lack of seating. This window currently looks out onto the existing warehouse and the existing two-storey mass of no.75 behind it. 11m would be a reasonable separation distance between this window and the wall of the

proposed development. The pitch of the proposed roof would then slope away from this outlook and the mass would be partially broken up through the use of different materials on the upper levels. In my opinion, although the proposal will be visible from this outlook, I am not convinced that the impact would be so great as to have a significant impact on the amenity of this neighbour.

Garden

8.53 The garden of this neighbour is the space where the proposed development would be most visible. At present, this garden has a relatively poor relationship with the existing warehouse as the 3.4m high brick wall stretches along the entire length of this neighbour's rear garden boundary and is visually dominant when looking out to the north. The two-storey mass of no.75 then rises behind the warehouse which also blocks part of the outlook directly to the north. The proposed development would not interfere with the existing view out to the north-east or east as it does not project out in this direction. The view out to the north-west would arguably be improved by virtue of the low single-storey element of the proposal when compared to the existing warehouse. The main impact would be when looking out to the north as the proposed two-storey mass would only be roughly 0.85 from this neighbour's garden boundary and would be higher in both eaves and ridge than the existing building on the application site.

8.54 Nonetheless, after careful and due consideration, I have come to the conclusion that, on balance, the impact would not be so great as to significantly harm this neighbour's amenity to such an extent as to warrant refusal of the application. As previously stated, the current relationship between the warehouse and this garden is poor and so it is difficult to contest that the existing outlook in this direction is vast, open and key to the amenity of this gardens space. It is acknowledged that the two-storey mass would inevitably be more visually prominent than the existing warehouse. However, the variation in materials on the upper level would help reduce and soften the perceived mass when viewed from this garden. Furthermore, the footprint of the two-storey element is similar to no.75 and the heights of both the eaves and ridge are set subserviently to this neighbour which will reduce the impact when compared to the existing situation. The views out to the west would likely be improved as a result

of the proposed development and the pitch of the roof sloping away from this neighbour would help alleviate the visual presence of the proposed building. Overall, I am of the opinion that there would be a degree of impact on this neighbour, but that this impact would not be so significant as to visually dominate and enclose this outdoor amenity space.

Overspill car parking

- 8.55 The proposal does not include any car parking spaces for future occupiers. Sedgwick Street and surrounding streets are not within the Controlled Parking Zone. The site is highly sustainable in that it is within walking distance of shops and services on Mill Road, and is within reasonable distance of the City Centre by way of cycle or public transport. The Council has maximum car parking standards and I do not consider the lack of parking would have a significant impact on residential amenity in this respect.
- 8.56 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

- 8.57 The proposal would provide a three-bedroom dwelling in a residential area. The proposed development includes adequate bin storage and cycle storage, the details of which would need to be secured through condition. All habitable rooms would be served by acceptable visual outlooks and future occupants would have access to an outdoor private amenity space of over 75m² in the rear garden. The site is within 200m of the Mill Road East District Centre and there are bus stops and cycle routes which provide opportunities to access shops and services within the City Centre.
- 8.58 In my opinion, subject to condition, 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, 3/12 and 8/2.

Refuse Arrangements

- 8.59 The proposed development would provide sufficient bin storage for future occupants with a straightforward route out to the kerbside on collection days.
- 8.60 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.61 The Highway Authority has raised no objection to the application, subject to conditions, and I agree with this advice.
- 8.62 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.63 No car parking would be provided as a result of this development. The site is situated in an area which is subject to on-street parking and does not fall within the controlled parking zone. The Council has maximum parking standards and the proposal is compliant with policy in this respect. The site is considered to be sustainable and not reliant on private car as a means of reaching local shops and services in the wider area. I consider the lack of parking to be acceptable. A car club informative has been recommended.
- 8.64 The proposal would provide two cycle spaces outside the front of the site and one cycle space internally in the 'utility/ mech' room. The provision of an internal space is not ideal, but, along this terrace many other properties store their cycles in this manner due to the tight urban grain of terraced properties. The provision of cycle storage outside the front of the site is again undesirable, but, there are examples of residents in the wider area using cycle rings attached to the front wall. Therefore, I do not consider the location of the cycle parking would be problematic. However no details of the type of storage for the two outdoor spaces have been provided. Therefore, a condition has been recommended requiring these details to be provided prior to commencement of the development.

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

Third Party Representations

8.66 The third party representations have been addressed in the table below:

<u>Comment</u>	<u>Response</u>
It is not clear precisely where the boundary line runs to as the fence has not been maintained. This should be sought before demolition commences. The boundary line is incorrect.	The precise line of the boundary is a civil/ legal matter between neighbours and the land owners and is not a planning consideration. The red-line on the location plan is an accurate reflection of the land under the ownership and is sufficient for the validity of the application.
The plan does not show the measurements of all existing and proposed elements.	The plans are to scale and are not required to detail every measurement of the proposed and existing dimensions.
Discrepancies in design and access statement.	The discrepancies mainly relate to the labelling of a photograph and this does not undermine the validity of the application.
The Land Registry documents cannot be certified as being correct.	This is a civil/ legal matter and is not a planning consideration.
The boundaries should be protected during and after construction.	A boundary treatment condition has been recommended to control the boundary arrangements of the application site. The maintenance of other properties boundary is not a planning consideration and is a legal/ civil matter.
The proposed works would be contrary to legal covenants on the site which restrict the building depth and erection of structures in the rear garden area. This should be enforced by the	This is a legal/ civil matter and is not a planning consideration. It is not the responsibility of the Local Planning Authority to enforce this covenant.

planning department.	
The proposed car parking space would be difficult to manoeuvre into and may result in the loss of an on-street car parking space. Proposed car parking space is not safe.	The parking/ 'drop off' space has been removed and so these concerns are no longer considered to be issues.
Visual enclosure/ loss of outlook.	See paragraphs 8.29 – 8.55 of the report.
The use of copper cladding and black metal roofs is not supported as it will deteriorate in quality over the later years. The existing warehouse adds character, diversity and a sense of history to the Romsey area.	See paragraphs 8.11 – 8.28.
The garden could be poorly mismanaged to the detriment to the character of the area.	I do not consider it is reasonable or necessary to impose a condition to control the management of the garden. The garden would not be visible from public viewpoints and I do not consider a mismanaged garden would be detrimental to the character and appearance of the area.
The existing manhole covers outside the front of the building should be maintained.	This is a building regulation matter and not a planning consideration.
The asbestos should be safely removed.	The Environmental Health Team has recommended a condition relating to the safe removal of the asbestos and this has been applied accordingly.

Planning Obligations (s106 Agreement)

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

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

8.68 The size of the development leads me to conclude that no obligations would be required towards any of the open space categories. For this scale of build, I am unaware of any specific project/s that the scheme could meaningfully contribute towards whilst meeting the CIL regulations.

9.0 CONCLUSION

9.1 In conclusion, I consider the proposed development would successfully contrast with the context of the site and would respect the character and appearance of the Conservation Area. The proposed development would provide a high quality living environment and would not harm the amenity of neighbouring properties to a significant extent. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

-General environmental setting.

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

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

12. No development shall commence until details of facilities for the 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)

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

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

14. The windows identified as having translucent glazing on drawing number (PP2000 Rev P1) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

15. Prior to commencement of construction, with the exception of below ground works, a sample panel of the facing materials to be used shall be erected on site and full details of all non-masonry walling systems, cladding panels, other external screens, windows, external doors and roof covering materials shall also be submitted to and agreed in writing with the local planning authority. The development should be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the external materials is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

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

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

17. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway (Cambridge Local Plan 2006 Policy 8/2)

18. Prior to commencement of development details of the summerhouse shown on drawing no.PP1000 Rev P1, including elevations and material types, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area and in the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

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

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

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

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

INFORMATIVE: Traffic Management Informative

The principle areas of concern that should be addressed are:

i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).

iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

PLANNING COMMITTEE

Date: 1ST JUNE 2016

Application Number	16/0062/FUL	Agenda Item	
Date Received	18th January 2016	Officer	Mairead O'Sullivan
Target Date	14th March 2016		
Ward	Romsey		
Site	Adj 150 Catharine Street Cambridge Cambridgeshire CB1 3AR		
Proposal Applicant	Erection of a single dwelling with 5 bedsits. Mr Richard Fella 1 Lion Works Business Park Station Road East Whittlesford Cambridgeshire cb22 4wl United Kingdom		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposal would not provide quality living space for future occupiers of the site <input type="checkbox"/> The proposal does not adequately respect the amenity of the occupants of No.150 Catharine Street <input type="checkbox"/> The design is out of character with the area and fails to preserve and enhance the setting of the Conservation Area and street scene
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is garden land located adjacent to 150 Catharine Street.
- 1.2 The site itself is not within the Conservation Area but properties to the south fall within the Conservation Area. These consist of

later Victorian terraced properties. Properties to the north are mainly interwar semi-detached houses.

2.0 THE PROPOSAL

- 2.1 The proposal is for the erection of a single detached building to accommodate 5 independent bedsits/flats.
- 2.2 The application has been amended since its original submission.
- 2.3 The proposal has a height of 8m. The building is to be set back from the street but forward of the building line of No.150 and 152 Catharine Street. Bin and cycle storage is to be provided to the front of the property.
- 2.4 There is an unenclosed porch to the front. A large box dormer is proposed to the rear. The rear element of the property steps in at both sides and drops in height to 6.8m.
- 2.5 The bedsits are accessed from Catharine Street through a lobby. Two bedsits are provided at ground floor and first floor with a further unit at second floor. Each unit is comprised of a kitchenette, living area with fold down bed and bathroom. A small communal garden of 10m depth is provided to the rear of the property.

3.0 SITE HISTORY

- 3.1 There is no site history.

4.0 PUBLICITY

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

5.0 POLICY

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

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/10 4/11 4/13 5/1 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)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

- 6.1 If parking is to be provided on the site the applicant should reassess provision based on recent guidance. If no parking is to be provided the development may impose additional demands upon on-street parking on the surrounding street. This will not have a significant adverse impact upon the public highway but may impact on residential amenity.

Second comment

- 6.2 No comment

Environmental Health

First comment

- 6.3 The development is acceptable subject to two conditions.

Second comment

- 6.4 No additional comments

Refuse and Recycling

First comment

- 6.5 Before planning can be agreed they need to allow more space for the bins (at least 10 x 240 bins) or if the bedsits want to share, they could have a 660 litre bin for rubbish and a 660 litre bin for recycling, but they need to make sure this will fit.

Second comments

- 6.6 Recommend 1 x 660 black refuse bin, 1 x 660 blue recycling bin and 1 x 240 green bin (food/garden waste). The capacity on 2 people per bedsit so 10 people. Need to demonstrate that this can be provided on site.

Third Comment

- 6.7 The proposal has now demonstrated that it can adequately provide refuse arrangement for five units.

Urban Design and Conservation Team

First comment

- 6.8 The development is unacceptable. The principle of a development in this location is acceptable. The concerns relate to the scale and architectural language. The site lies between the Victorian housing within the Conservation Area and the later interwar properties beyond. The proposal does not amplify local distinctiveness nor raise the quality of the space. The dormer to the front roof slope disrupts the character of the place. The development fails to preserve or enhance the character of the Conservation Area and is therefore not supported. A narrower more thoughtfully detailed scheme to reflect the property at No. 150 would be looked on more favourably.

Second comment

- 6.9 The proposal is unacceptable. The agent has removed the front gable from the plans giving the proposed new building a

character more in common with that of No. 150. However, the long rear outrigger, with its small windows and large expanse of blank walls is a poor detail which does not contribute positively to the local area due to its looming impact on the adjacent properties. The roof design is convoluted and full width which does not comply with the Roof Extensions Design Guide. The proposal does not contribute positively to the local character of the area and is not supported. A smaller, better detailed proposal may be acceptable in Conservation terms.

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

7.0 REPRESENTATIONS

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

- 150 Catharine Street
- 152 Catharine Street
- 158 Catharine Street
- 115 Sedgwick Street

7.2 The representations can be summarised as follows:

- Concerned about parking
- Residents would not need a car given the location
- Will enhance an untidy space
- Uses space efficiently
- Concerned about sewage

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

8.0 ASSESSMENT

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

1. Principle of development

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

Principle of Development

- 8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The application site is within a predominantly residential area and therefore complies with policy 5/1.
- 8.3 The proposal relates to the sub-division of the plot, therefore condition 3/10 is relevant. This policy requires consideration to be given to the impact on amenities of neighbours (part a), amenity space/car parking (b), impact on the character of the area (c), effect on listed buildings/BLI (d), impact on trees (e) and whether the proposal would compromise comprehensive redevelopment (f). In this case parts (d), (e) and (f) are not relevant in this case. I will assess the application against the remaining criteria in the body of my report.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces and impact on the character of the Conservation Area

- 8.5 The Conservation Team has considered both the original and amended proposals to be unacceptable in failing to respond to the context of the surrounding area. While the application site itself does not fall within the Conservation Area, the southern site boundary adjoins the Central Conservation Area and would be visible from within it.
- 8.6 The amended proposal removes the front gable and front dormer window. This is a welcome alteration and appears more in keeping with No.150 Catharine Street. However, the roof form of the proposed development is bulky and convoluted to accommodate the large dormer to the rear. The large dormer

does not fit well within the roof and neither does the large extent of unarticulated brickwork that sits underneath it. My view is that this detailing is out of character with the surrounding properties both within and outside the Conservation Area and is of a poor design.

- 8.7 The southern elevation, which will be visible from the Conservation Area, is poorly detailed, with a large expanse of blank wall, long outrigger and small windows, with no recess in the brickwork. This is of poor design and does not preserve or enhance the setting of the Conservation Area. The northern side elevation is also poorly detailed but will be less visible from the street.
- 8.8 Whilst the principle of a development in this location is acceptable, the detailed design is poorly articulated and is a clear consequence of ambitions to deliver too many units on what is a constrained site. The proposal would be visible from the Conservation Area and negatively impact upon its setting but even on its own merits as a building outside of the Conservation Area, my view is that it fails the test of good design pursuant to policy 3/12. It would not have a positive impact in its own right and clearly fails to respond adequately to its context.
- 8.9 As a result, I consider that the development would not preserve or enhance the character of the area contrary to policies 3/4, 3/7, 3/10, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The proposal is set away from the neighbouring property at No. 148 Catharine Street to the south. While the proposal would enclose an area to the side of the house that is currently open and surrounded by garden land, I do not consider that the proposal would appear unduly dominant from this property given the staggered building lines and orientation of the plots.
- 8.11 Two upper floor windows are proposed in the southern side elevation. These are both to be obscure glazed and would not result in any significant overlooking of No. 148.

- 8.12 The proposal site occupies a similar footprint to No. 150 Catharine Street to the north. However, in terms of scale, the massing of No. 150 drops down to single storey to the rear. The proposed outrigger of the proposal is set away from the boundary with this property by some 1.2m and is subservient to the main ridge, but is nonetheless of a two storey height of 6.8m extending to a distance of 5m from the rear wall of the property parallel to and slightly beyond the rear extent of No. 150. I consider that due to its depth, height and proximity, coupled with the very poor design of the northern elevation, that the proposed rear element of the scheme would unacceptably enclose the neighbour at No. 150 and dominate the amenity that occupiers here could reasonably expect to enjoy. The rear projection would also be likely to result in a loss of light to the immediate garden area of No.150 and to its east facing living room window because the rear outrigger is due south of it. Whilst I appreciate this room is also served by a larger window on the west elevation, the room is deep and the loss of light would in my view be noticeable to occupants. Outlook from the window would also be reduced by the 5m element, compounding the sense of enclosure.
- 8.13 In my opinion, the proposal does not adequately respects the residential amenity of No.150 Catharine Street and as a result is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Amenity for future occupiers of the site

- 8.14 The first and second floor units provide an adequate level of amenity for future occupiers of the site.
- 8.15 The ground floor unit which fronts onto Catharine Street (bedsit 1) is in close proximity to both the bike and bin store and also the forecourt area, which would accommodate all of the comings and goings to the property. Views from the window facing onto the street would in my view be compromised and suffer from a lack of privacy and landscape buffering and be likely to result in future occupants having minimal privacy. The side kitchen window to this unit would face the side of no. 148 and views from here would also be enclosed. Given the limited space on the site, I do not consider it possible to condition the relocation of the bins and bikes as this may in turn lead to other issues and would significantly reduce the already limited

outdoor amenity space. I consider that this unit would experience an unacceptable level of noise and disturbance from its proximity to these elements, which would have an unacceptable level of outlook and privacy as a result.

- 8.16 The principal window which serves the rear ground floor unit would be overlooked by the shared communal garden space. The applicant has amended the plans to include a hedge abutting the window to help screen this unit and provide privacy. However, if it were to provide any meaningful privacy it would have to be relatively high and this would restrict outlook from the window because it is so close. My view is that the proposed arrangement of landscaping to the rear is compromised and needs to be re-thought.
- 8.17 In my opinion the proposal does not provide a high-quality living environment or appropriate standard of residential amenity for future occupiers, and I consider that in this respect it does not comply with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.18 The Recycling Officer requested further detail to ensure there was sufficient space to accommodate the required refuse storage. I am awaiting formal comments from the Recycling Officer and will report these on the amendment sheet.

Car and Cycle Parking

- 8.19 No car parking is to be provided on the site. The Highway Officer notes that a lack of parking on the site may increase the demand for on –street parking. I recognise the representations made in this regard but consider the lack of parking provision to be acceptable given the sustainable location of the site within close proximity of bus and cycle infrastructure.
- 8.20 Eight cycle parking spaces are to be provided. This complies with the Cycle Parking Guide for New Residential Developments (2010). No details are provided as to whether there is adequate room for these spaces but these details could be dealt with by condition if I was minded to support the proposal.

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

Third Party Representations

8.22 I have addressed most of the representations within the body of my report. I will address any outstanding issues in the below paragraphs.

8.23 The principle of a development in this location is acceptable and I accept that this space currently appears untidy. However, the current proposal is out of character and of poor design, fails to adequately respect the amenity of No. 150 Catharine Street and does not provide high quality living accommodation to future occupiers of the site.

Planning Obligations (s106 Agreement)

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

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

(b) directly related to the development; and

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

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

8.25 The size of the development and its location leads me to conclude that no obligations would be required towards any of the open space categories. For this scale of build, I am unaware of any specific project/s that the scheme could meaningfully contribute towards whilst meeting the CIL regulations.

9.0 CONCLUSION

9.1 The proposal is of poor design and is out of character with its surroundings and the setting of the Conservation Area. The

proposed outrigger, running at first floor level at a length of 5m, would visually enclose the neighbour at No. 150 Catharine Street to an unacceptable degree and result in a loss of light to their immediate garden area and living room. Bedsits 1 and 2 fail to provide high quality living accommodation to future occupiers of the site.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. Due to its bulky design and poor detailing the proposal would appear out of context with its surroundings. The development would be visible from the Conservation area and would fail to preserve or enhance the character and appearance of it or the street scene. The proposed development is therefore contrary to policies 3/4, 3/10, 3/12 and 4/11 of the Cambridge Local Plan (2006).
2. The two ground floor units, bedsits 1 and 2, fail to provide adequate living accommodation for future occupiers of the site. Noise and disturbance from the use of the bike and bin store and forecourt area would have an unacceptable negative impact on the amenity of the occupier of bedsit 1 and reduce the level of privacy to an unacceptable extent. The primary window of bedsit 2 would be overlooked from the communal garden and suffer from a lack of privacy given that the hedge is likely to be maintained to a low level. As a result, the proposal would not provide an adequate level of amenity for future occupiers of the site contrary to policies 3/7, 3/10 and 3/12 of the Cambridge Local Plan (2006).
3. Due to its height, depth, orientation and oppressive design, the proposal would visually enclose the neighbour at 150 Catharine Street and reduce outlook from the east facing living room window. The development would also result in a loss of light to this living room window and dominate the immediate garden area of the property. This would result in an unacceptably harmful impact on the amenity of the occupants of No. 150 Catharine Street contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan (2006)

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee

1 June 2016

WARD: Trumpington

**Update on S106 heads of terms (transport impact mitigation) CB1,
30 Station Road (15/1522/FUL)**

1.0 INTRODUCTION

1.1 The purpose of this report is to update members with regard to the contributions required for mitigation of transport impacts. The application was reported to Members on 4 November 2015 where Committee resolved to grant planning permission subject to the completion of a S106 agreement for public art and transport mitigation. The officer report did not contain any details of the required mitigation, and this was not provided on the amendment sheet as outlined at paragraph 8.50. At paragraph 10.0 of the officer report (recommendations) delegated authority to negotiate the S106 was not sought and as such a request was not agreed as part of the minutes of the meeting. Therefore, Committee is requested to agree the value of the contributions before the S106 is completed. The requirement for a travel plan and off-site parking surveys are consistent with the wider CB1 development and are standard clauses in all CB1 S106 agreements. This report is focusses on the request for a financial contribution for £150,000 for mitigation measures.

2.0 RECOMMENDATION

2.1 Since the application was reported to Committee in November 2015, The County Council have confirmed that the following measures will be required to mitigate the impacts of the proposals in transport terms:

Item	Amount of financial contribution required	Details of non-financial requirements
Highways Improvements	£150,000	Tenison Road area traffic calming
Green Travel Plan	N/A	
Off- site parking surveys	Up to £75,000	off-site parking surveys to be undertaken using a methodology to be agreed with the County Council; in the event that the surveys reveal a need for measures to be introduced then the applicant will fund consultation and implementation of a parking management scheme for impacted roads up to a total cost of £75,000

2.2 Officers consider that the measures are necessary, directly related to the development and fair and reasonable in scale and kind to the development. As such the requirements would meet the tests set out in the Community Infrastructure Levy Regulations 2010. Officers are also satisfied that these measures are in line with the other requirements contained in related S106 agreements which cover the wider CB1 development.

2.3 The following is recommended:

- a) To accept the required transport contributions outlined in the table at paragraph 2.1 for inclusion in the S106 agreement to address the transport impact mitigation in respect of this application.

3.0 BACKGROUND

3.1 Officers recommend that the approach be supported as the development will deliver a project within CB1 and the S106 requirements sought by the Highway Authority would meet the tests of the CIL.

4.0 **CONSULTATIONS**

4.1 None.

5.0 **OPTIONS**

5.1 Not relevant

6.0 **CONCLUSIONS**

6.1 To accept the recommendation as set out at paragraph 2.3 (a).

IMPLICATIONS

- (a) **Financial Implications - None**
- (b) **Staffing Implications - None**
- (c) **Equalities and Poverty Implications - None**
- (d) **Environmental Implications – None**
- (e) **Community Safety - None**

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Committee Report 15/1522/FUL (November 2015).

To inspect these documents contact Lisa Lamb on extension 7155

The author and contact officer for queries on the report is Lisa Lamb on extension 7155.

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