

Public Document Pack



Cambridge City Council

Planning

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

Alternates: Councillors Bird, Holland and Holt

Published & Despatched: Tuesday, 28 June 2016

Date: Wednesday, 6 July 2016

Time: 12.30 pm

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: Toni Birkin

AGENDA

1 ORDER OF AGENDA

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

- **PART ONE**
Major Planning Applications
On this occasion, there are no Major Planning Applications
- **PART TWO**
Minor/Other Planning Applications
Start time: 12:30
- **PART THREE**
General and Enforcement Items
Start time: At conclusion of Part Two

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

2 APOLOGIES

3 DECLARATIONS OF INTEREST

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

4 MINUTES *(Pages 7 - 14)*

To confirm the minutes of the meeting held on 6th April 2016.
Minutes of the 1st June 2016 to follow.

Appendix 1 for Full Details of Central Government Planning Guidance

Minor/Other Planning Applications 12.30pm
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- 5 16-0447-FUL 40 HUMBERSTON RD, CAMBRIDGE CB4 1JG** *(Pages 25 - 36)*
- 6 16-0315-FUL 55 ROSEFORD ROAD, CAMBRIDGE CB4 2HA** *(Pages 37 - 50)*
- 7 15-1689-FUL SALVATION ARMY CITADEL, TENISON ROAD, CAMBRIDGE CB1 2DG** *(Pages 51 - 68)*
- 8 16-0608-FUL HARVEST HOUSE, HARVEST WAY AND 19/19A ABBEY STREET, CAMBRIDGE CB1 2FE** *(Pages 69 - 82)*
- 9 16-0730-NMA 49 ST ALBANS ROAD, CAMBRIDGE CB4 2HF** *(Pages 83 - 88)*
- 10 16-0313-FUL 172-176 MILL ROAD, CAMBRIDGE CB1 3LP** *(Pages 89 - 108)*
- 11 15-2402-FUL 25 GRANTCHESTER ROAD, NEWNHAM CAMBRIDGE CB3 9ED** *(Pages 109 - 128)*

- 12 **16-0391-FUL 1 BROTHERS PLACE, CAMBRIDGE CB1 8BN** (*Pages 129 - 142*)
- 13 **16-0532-FUL 233 QUEEN EDITHS WAY, CAMBRIDGE CB1 8NJ** (*Pages 143 - 162*)

Part 3: General and Enforcement Items
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- 14 **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER APPLICATION NO.02/2016 - 17 BRUNSWICK GARDENS** (*Pages 163 - 168*)
- 15 **OBJECTION TO CITY OF CAMBRIDGE, TREE PRESERVATION ORDER APPLICATION NO.10/2016 - 38 FULBROOKE ROAD** (*Pages 169 - 174*)
- 16 **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER APPLICATION NO.10/2016 - CHRIST'S COLLEGE** (*Pages 175 - 180*)
- 17 **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER APPLICATION NO. 06/2016 - FRONT BOUNDARY AT 22 BARTON ROAD** (*Pages 181 - 184*)

Meeting Information

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

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

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

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

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

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

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

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

**Development
Control
Forum**

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

**Public
Participation**

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

Members of the public who want to speak about an

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

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

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

Further information is available at

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

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

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

Representations on Planning Applications

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

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

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

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

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

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

Facilities for disabled people Level access to the Guildhall via the Peas Hill entrance.
A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Accessible toilets are available on the ground and first floor.

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

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

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

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

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PLANNING

6 April 2016
12.30 - 2.45 pm

Present:

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

Officers:

City Development Manager: Sarah Dyer
Senior Planning Officer: Lorraine Casey
Principal Planner: Toby Williams
Planner: Michael Hammond
Planning Assistant: Mairead O'Sullivan
Planner: Lorna Gilbert
Committee Manager: Toni Birkin

Also present for item 16/63/Plan:

Councillor M Smart
Director of Environment: Simon Payne
Legal Advisor: Cara De La Mare

FOR THE INFORMATION OF THE COUNCIL

16/54/Plan Apologies

No apologies were received.

16/55/Plan Declarations of Interest

16/56/Plan Minutes

The minutes of the meetings of the 3rd February 2016 and the 2nd March 2016 were agreed and signed as correct records.

16/57/Plan 15/2113/FUL: 116 Minerva Way

The Committee received an application for full planning permission.

The application sought approval for two storey side and rear extension to create 3 No. 2 Bed flats.

Rodney Crabb, applicant, addressed the Committee in support of the application.

The Committee delegated authority to officers to ensure that this site was within the City Council boundary as it appeared to be very close to the South Cambs boundary line.

The Committee:

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

DELEGATED AUTHORITY to issue a Decision Notice after checking the implications of the site straddling the boundary with SCDC.

16/58/Plan 15/1932/FUL: The Perse Upper School, Hills Road

The Committee received an application for full planning permission.

The application sought approval for the installation of 6 floodlight columns (to be sited around an artificial grass hockey pitch proposed in application 15/1857/FUL).

The Committee noted the amendment sheet.

The Planning Officer stated that conditions 6 and 7 needed to be reworded to bring the hours of use for the floodlighting in line with those already agreed in the pitch approval (0900 to 1900hrs Monday to Friday and 0900 to 1800hrs on Saturday).

The Committee received a representation in objection to the application on behalf of residents with properties backing onto the site.

The representation covered the following issues:

- i. Lights would be within 25 metres of gardens and 75 metres of houses.
- ii. Lights very bright.

- iii. Would cause disturbance to wildlife.
- iv. Would result in a loss of amenity and privacy.
- v. Tall light columns were out of character with the area.
- vi. Area was currently a wildlife haven and there was an active badger set in the area.
- vii. Established trees could be damaged.
- viii. Safety concerns about stray balls.
- ix. Concerned that pitch use could further expand to include commercial use.
- x. Mitigation measures would be appreciated.

Kate Wood (Applicant's Agent) addressed the Committee in support of the application.

Councillor Moore (Queen Edith's Ward Councillor) addressed the Committee about the application and made the following comment:

- i. Agreed that there was a need for this sort of facility.
- ii. Concerned that the area was ecologically important and was currently very dark.
- iii. Objected to the way this application had be broken down into constituent parts rather than being considered as a complete entity and looking at the end result.
- iv. Noise would impact on a currently undisturbed area.
- v. Concerned about the removal of condition 8.

The Committee resolved *Nem Con* to the removal of the conditions 7, 8 and 9. Condition 6 would be amended to bring the hours of use for the floodlighting in line with those already agreed in the pitch approval (0900 to 1900hrs Monday to Friday and 0900 to 1800hrs on Saturday).

The Committee:

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

- Condition 7 is removed
- Condition 8 is removed
- Condition 9 is removed
-
- Condition 6 shall be re-worded to read as follows:

“The floodlighting hereby permitted shall only be used between the hours of 0900 to 1900hrs Monday to Friday and 0900 to 1800hrs on Saturday. It shall not be used at any other time including on Sundays, bank or other public holidays unless otherwise agreed in writing by the Local Planning Authority.

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

16/59/Plan 15/2249/FUL: 41 Birdwood Road

The Committee received an application for full planning permission.

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

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

The representation covered the following issues:

- i. A similar application for a nearby property had been restricted by this committee.
- ii. Although, each application is considered on its merit but this produces inconsistent decisions.
- iii. Development would result in a massive, featureless wall in front of the kitchen window.
- iv. Loss of light.
- v. Report contains errors regarding the angle of shadow from the proposed new roof.
- vi. Would result in overshadowing and overlooking.

Mr Bautin, the applicant, addressed the Committee in support of the application.

Councillor Hipkin proposed deferring the application to allow a site visit to be carried out. Councillor Tunnacliffe seconded the proposal.

The proposition was lost by 5 votes to 2.

The Committee:

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

16/60/Plan 15/2142/NMA: 1 Milton Road

The Committee received an application for a non material amendment.

The application sought approval for a non material amendment on application 14/1938/S73 to allow for a sliding door on the Milton Street (front) elevation of the approved convenience store which comprises part of "Block B".

The Committee:

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

16/61/Plan 15/2140/FUL: 97-99 Burnside

The Committee received an application for full planning permission.

The application sought approval for construction of 2 semi-detached dwellings following the demolition of existing garages.

The Committee noted the amendment sheet.

The Planning Officer stated that an additional condition would be added regarding the minimum height of the velux windows.

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

The representation covered the following issues:

- i. Access routes and increased traffic would create problems.
- ii. Concerns about adding 2 additional properties to a very narrow lane.
- iii. Additional parking would increase the risk of blocked roads and limited service vehicle access.
- iv. Construction traffic would be a problem.
- v. Overshadowing and overbearing.
- vi. Impact on use of gardens.

- vii. Overdevelopment of the area.
- viii. Questioned the shadow drawing in the pack.

The Committee:

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

“The velux windows at first-floor level serving the rooms labelled “Bed 2/ Home Office” shown on drawing number 15:172/15 Rev B, shall be installed at a height of no less than 1.7m above the finished floor level of the first floor.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).”

16/62/Plan 16/0010/FUL 122 Foster Road

The Committee received an application for full planning permission.

The application sought approval for the conversion of a dwelling house to two flats; single storey rear and side extensions; roof extension; rear dormer Juliet Balcony and demolition of existing outbuilding.

The Committee:

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

16/63/Plan Consideration of Revocation of Planning Permission

The Planning Committee **resolved** (by 7 votes to 0) to exclude members of the public from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraphs, 1, 2, 3, and 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Committee:

Resolved (by 7 votes to 0)

- i. Noted the contents of the report and the investigation that has taken place.
- ii. After due consideration of the issues and advice contained within the report, that the Local Planning Authority confirmed it would not be seeking the formal revocation of planning permission.

The meeting ended at 2.45 pm

CHAIR

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

(updated August 2015)

1.0 Central Government Advice

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

1.2 Planning Practice Guidance (March 2014)

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

Guidance is provided in relation to the following:

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

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

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

1.4 Community Infrastructure Levy Regulations 2010

Paragraph 122 Places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

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

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

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

have been entered on or after 6th April 2010

Development Plan policy

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

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

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

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

3.0 **Cambridge Local Plan 2006**

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

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

- 5/1 Housing provision
- 5/2 Conversion of large properties
- 5/3 Housing lost to other uses
- 5/4 Loss of housing
- 5/5 Meeting housing needs

- 5/7 Supported housing/Housing in multiple occupation
- 5/8 Travellers
- 5/9 Housing for people with disabilities
- 5/10 Dwelling mix
- 5/11 Protection of community facilities
- 5/12 New community facilities
- 5/15 Addenbrookes

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

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

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

- 9/1 Further policy guidance for the Development of Areas of Major Change
- 9/2 Phasing of Areas of Major Change
- 9/3 Development in Urban Extensions

9/5 Southern Fringe
9/6 Northern Fringe
9/7 Land between Madingley Road and Huntingdon Road
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

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

4.0 Supplementary Planning Documents

- 4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential

and commercial developments. It provides advice on assessing planning applications and developer contributions.

- 4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.
- 4.7 **Eastern Gate Supplementary Planning Document (October 2011)** Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:
- To articulate a clear vision about the future of the Eastern Gate area;
 - To establish a development framework to co-ordinate redevelopment within
 - the area and guide decisions (by the Council and others); and
 - To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 **Material Considerations**

5.1 **City Wide Guidance**

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.2 Area Guidelines

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
Cambridge City Council (2003)–Western Corridor Area Transport Plan:

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

Brooklands Avenue Conservation Area Appraisal (2013)
Cambridge Historic Core Conservation Area Appraisal (2006)
Castle and Victoria Road Conservation Area Appraisal (2012)
Chesterton and Ferry Lane Conservation Area Appraisal (2009)
Conduit Head Road Conservation Area Appraisal (2009)
De Freville Conservation Area Appraisal (2009)
Kite Area Conservation Area Appraisal (1996)
Mill Road Area Conservation Area Appraisal (2011)
Newnham Croft Conservation Area Appraisal (2013)
New Town and Glisson Road Conservation Area Appraisal (2012)
Riverside and Stourbridge Common Conservation Area Appraisal (2012)
Southacre Conservation Area Appraisal (2013)
Storeys Way Conservation Area Appraisal (2008)
Trumpington Conservation Area Appraisal (2010)
West Cambridge Conservation Area Appraisal (2011)

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

Jesus Green Conservation Plan (1998)
Parkers Piece Conservation Plan (2001)
Sheeps Green/Coe Fen Conservation Plan (2001)

Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)

Long Road Suburbs and Approaches Study (March 2012)

Barton Road Suburbs and Approaches Study (March 2009)

Huntingdon Road Suburbs and Approaches Study (March 2009)

Madingley Road Suburbs and Approaches Study (March 2009)

Newmarket Road Suburbs and Approaches Study (October 2011)

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

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

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

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

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

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

Application Number	16/0447/FUL	Agenda Item	
Date Received	4th April 2016	Officer	Rob Brereton
Target Date	30th May 2016		
Ward	West Chesterton		
Site	40 Humberstone Road Cambridge Cambridgeshire CB4 1JG		
Proposal	Change of use from Office (B1) to a Community Facility for local community groups and clubs (D2) and associated installation of roof lights.		
Applicant	Mr Des Trollip 40 Humberstone Road Cambridge Cambridgeshire CB4 1JG 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 proposed community use accords with Policy 5/12 of the Local Plan <input type="checkbox"/> The development would have an acceptable impact upon the amenities of nearby residents <input type="checkbox"/> The development would not have a significant adverse impact on highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site is located on the southern side of Humberstone Road. The subject building is owned by Rowan. Rowan is a charity which focuses on improving the lives of people with learning disabilities through the provision of services and activities, particularly in the area of arts and crafts. On the upper levels of the building are two floors of flats that are accessed from Humberstone Road.

- 1.2 The subject site is located within the De Freville Conservation area and within Controlled Parking Zone F.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a change of use from Office (B1) to a Community Facility for local community groups and clubs (D2) and associated installation of roof lights.
- 2.2 This would entail creating 2 new community rooms, room 1 at approximately 50 square metres, room 2 at approximately 28 square metres and a kitchenette for use at meetings and events. These new facilities would be located at the front of the building. Three new disabled toilets, totalling 17.5 square metres are proposed. This would include a toilet hoist system and an adult changing bed facility for the use of people with multiple and profound disabilities.
- 2.3 The new facilities would be used as a meeting space for local community groups and clubs. Room 1 will be used as a 'dry' space, where various activities can take place such as meetings, rehearsals, drawing classes or gentle exercise classes, and Room 2 is being designed as a 'wet' room, for activities such as painting, and other arts and crafts.
- 2.4 The only physical external development would be two large roof lanterns in a flat roof section behind the residential units at the front.
- 2.5 The application is accompanied by the following supporting information:
1. Design and Access Statement (including Flood Risk Assessment)
 2. Drawings
 3. Details of Section 106 Grant

3.0 SITE HISTORY

Reference	Description	Outcome
15/0030/FUL	First floor wood store	Approved
C/63/0208	Office Extension	Approved

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
		4/11 4/13
		5/12
		8/2 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)
Material Considerations	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Urban Design and Conservation team

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

Environmental Health

- 6.3 This application specifies that the premises will be used for community groups and clubs, within the D2 use category. D2 use also includes indoor sports, gymnasiums, dance and music halls. These uses have the potential to harm local amenity and the quality of life for the surrounding environment if not carefully controlled.

D2 use and the use of the facilities as a community room may include amplified music use. It is currently unknown if the

building structure is of adequate acoustic design to contain music within the building structure. Therefore, I recommend a condition prohibiting the use of amplified music and impact generating noise activities until a full noise insulation assessment and adequate insulation scheme has been implemented and approved.

Hours of use

Hours of use have not been specified. I would recommend the following hours:

- ☐ Monday to Friday = 08:00hrs – 21:00hrs
- ☐ Saturday = 08:00hrs – 22:00hrs
- ☐ At no time during Sundays and Bank/Public holidays

External plant

Section 22 of the application form states there shall be no plant, ventilation or air conditioning installed on site. Therefore a plant noise assessment will not be required.

Conditions have also been recommended to control construction hours and to require windows and doors to be closed during community group functions.

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

7.0 REPRESENTATIONS

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

- ☐ 2 Belvoir Road
- ☐ 33, 34, 39, 42 Humberstone Road
- ☐ 1 property on opposite side of Humberstone Road – address not supplied

- 7.2 The representations can be summarised as follows:

- ☐ Humberstone Road is already a very congested road and parking restrictions do not apply after 5pm on weekdays and

all day on Sundays. This application will result in residents not being able to find a space on evenings/days classes are running.

- ☐ The intention of all users walking, cycling or using public transport is not realistic.
- ☐ Humberstone Road is of restricted width and extra traffic will add to congestion issues.
- ☐ Huge impact on Sunday parking when residents' parking does not operate.
- ☐ Rowan has a history of not adhering to agreements with regard to parking (only at the rear) and noise from use of power tools outside normal working hours.
- ☐ Machinery in the workshop should not be used during weekends.
- ☐ Clients coming and going from classes will create an unwanted level of noise.
- ☐ Inappropriate use in a residential area
- ☐ The application should not be determined until days and times of operation have been confirmed.

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. Highway safety and parking
5. Third party representations

Principle of Development

8.2 Policy 5/12 of the Local Plan supports the provision of new community facilities for which there is a local need. A need for additional facilities to serve the North Ward of the City has been identified and a Section 106 grant for community use of part of

the building has been secured on account of the benefits the use would bring to local residents.

- 8.3 As the proposal is designed to meet local needs, the principle of changing the use of the small ground floor offices into a D2 community use is acceptable. In my opinion the proposal is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 5/12.
- 8.4 I would stress that, although grant funding has been secured for the proposal, the need for the facility is just one factor to take into consideration, and that the application needs to be assessed against other material planning criteria.

Context of site, design and external spaces (and impact on Conservation Area)

- 8.5 The only external changes associated with the proposal are the installation of rooflights. These would be sited in a flat roof section behind the main frontage of the building. They would each measure 1.5m wide x 4.5m long but, due to their position behind the main building, would not have a significant adverse impact on the street scene or the character and appearance of the Conservation Area.
- 8.6 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) Policies 3/7 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 A number of local residents have raised concerns about the impact the use would have on their amenities due to noise disturbance from the use itself and arising from the extra traffic the use would generate.
- 8.8 The two rooms that it is proposed to convert from office to community use have a combined total floorspace of approximately 80 square metres. In response to the concerns raised, the applicant's agent has confirmed that it is intended the building would be used during the day and evenings by local community groups such as the sewing guild or photography

group and that it is not intended to make the space available for big events, parties or music evenings.

8.9 No information has been provided within the application regarding potential opening hours other than that the applicants wish to rent the rooms out for the proposed use for approximately 30 hours a week. The Environmental Health team has raised no in principle objections to the use in terms of potential noise nuisance to local residents. This is providing the hours are controlled to prevent the use operating late at night (and not at all on Sundays/Bank Holidays). Conditions have also been recommended to prohibit amplified music (unless a noise assessment and any required mitigation works have been undertaken), to control construction hours and to require windows to be closed when used for functions. Rowan has confirmed, as set out in the application form, that no machinery would be operated in connection with the proposed use. In my opinion, the majority of the conditions recommended by Environmental Health would ensure the intensity of use would be controlled to such a level that the use would not result in significant adverse harm to the amenities of local residents. In addition, due to the very wide-ranging nature of the D2 use class (which includes music halls, bingo halls etc), I would also recommend a condition restricting the use to that specified in the application. Providing these conditions are imposed, I do not consider a condition requiring windows to be closed is necessary or reasonable, as I feel the other conditions would be sufficient to mitigate the harm arising from the operation of the use.

8.10 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 5/12.

Highway Safety and Parking

8.11 Concerns have been voiced from neighbouring properties regarding the potential for this new community use to create extra traffic, with consequent highway safety and congestion implications. Humberstone Road has residents permit holders only parking Monday to Saturday 9am to 5pm. It also is a single lane two way road with a row of on-street parking either side of the carriageway.

- 8.12 Rowan supplied some additional information regarding the proposed parking situation stating:

'Parking for staff, volunteers and local residents would remain the same with residents' parking restrictions Monday to Saturday. Residents' parking excludes Rowan staff and volunteers and non-residents from parking in the street and because of this we encourage everyone to not use cars. Currently 13 of our regular staff and all our volunteers' cycle, walk or use public transport. Because of the parking issue we will be encouraging local people using their local community facilities to do the same or to use the designated and ample pay and display areas.'

Parking in the street has not been an issue in the evenings provided one accepts that a parking may not always be available directly outside ones premises.'

- 8.13 This use would not gain any new residents' permits for vehicle parking spaces. As the proposed use would mainly cater for locally run clubs, it is considered the majority of users would be aware of the existing vehicle parking situation and would therefore consider alternative transport. Distances these local users would travel mean, in my opinion, walking and cycling are viable alternatives. Furthermore, due to its location on Humberstone Road, these new facilities are very geographically accessible to residents of East and West Chesterton, Arbury and Kings Hedges. While it is understood some potential users may be unable to use these modes, Rowan already successfully caters for many with a physical disability and floorspace/operation wise this application represents a small percentage of floorspace of the overall premises. It is therefore considered highway safety will not be compromised by the occasional drop-off when compared to the current situation.
- 8.14 No Sunday use of the proposal will be conditioned. Therefore there will be no additional pressures on on-street parking on these days when the residential parking permits are not in force.
- 8.15 The Highways Authority has been consulted and has raised no concerns regarding highway safety, vehicle parking and cycle parking.

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

Third Party Representations

Concern	Response
Parking outside permit hours	8.12 – 8.14
Unrealistic that people will use other modes of transport	8.12 – 8.13
Use of machinery	8.9
Unacceptable noise	8.14
Highway safety	8.11 – 8.16
Sunday parking	8.14
Rowan has a history of not adhering to agreements	Not applicable to determining this application. Any condition not adhered to will be subject to enforcement.

Conclusion

- 8.17 The proposed D2 Community Use for local clubs and hobby groups is considered beneficial for the surrounding population and no unacceptable detrimental impacts are envisaged to the conservation area, highway safety or the amenity of local neighbouring dwellings in terms of parking and noise.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. The premises shall be used as a community facility for local community groups and clubs and for no other purpose (including any other purpose in Class D2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because use of the building for any other purpose would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 4/13 and 8/2)

4. Any use of the premises which involves the use of amplified music and/or the generation of impact noise shall not begin until full particulars and details of the airborne noise / impact noise insulation for limiting the transmission of noise are submitted in writing for consideration by the Local Planning Authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered.

Reason - To protect the amenities of nearby residents/occupiers -Cambridge Local Plan 2006 policy 4/13

5. The use hereby permitted shall not operate outside the hours of 08:00hrs - 21:00hrs Monday to Friday, 08:00hrs - 22:00hrs Saturday and at no time during Sundays and Bank/Public Holidays.

Reason: In order to preserve the amenity of the locality in accordance with Policies 3/4 and 4/13 of the Cambridge Local Plan 2006.

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

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

7. **INFORMATIVE:** Please note Resident or Visitor Permit Parking will not be available to patrons of this hereby approved Community Facility.

Application Number	16/0315/FUL	Agenda Item	
Date Received	19th February 2016	Officer	Rob Brereton
Target Date	15th April 2016		
Ward	Arbury		
Site	55 Roseford Road Cambridge Cambridgeshire CB4 2HA		
Proposal	Roof extension incorporating rear dormer, first floor extension to the rear and convert the dwelling to form 5 x 2 bed flats.		
Applicant	Mr R Dixon 55 Roseford Road Cambridge CB4 2HA 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 development would not have a significant detrimental visual impact on the street. <input type="checkbox"/> The proposed extensions would not have a significant detrimental impact on neighbouring properties or highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject two storey detached property is located on the northern side of Roseford Road. The dwelling is not Listed, A Building of Local Interest or within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a roof extension incorporating rear dormer, first floor extension to the rear and convert the dwelling to form 5 x 2 bed flats.

Exterior works proposed in this application that were previously permitted in 15/0241/FUL include two hip to gable conversions and a rear facing flat roofed dormer window. Additional exterior works proposed in this application include a first floor rear extension with a dual hipped roof.

The current proposal originally included a pitched roof with a rear dormer over the two storey flat roofed element; this has since been removed from the scheme.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0241/FUL	Roof extension incorporating rear dormer, and conversion of existing house into five 1-bed flats and one 2-bed flat.	Approved

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/14
		5/1 5/2
		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)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003) Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

Policy 50: Residential space standards

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection subject to conditions

The proposal does not include the alteration of the existing access, however one of the parking spaces would be accessed over a full face kerb.

The developer must, by condition of any permission that the Planning Authority may be minded to issue in regard to this proposal, strengthen the footway for vehicular overrun and lower the kerb to create an appropriate vehicular crossing of the footway.

Off street car parking provision is made at a level of less than one space per dwelling unit.

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

Environmental Health

6.2 No objection subject to condition on construction hours.

Refuse and Recycling

6.3 There would not appear to be sufficient space to put 10 wheelie bins to the front of the dwelling on bin collection day. Communal bins are located too far away to collect by City Council crews.

Head of Streets and Open Spaces (Landscape Team)

6.4 No objection

Clarification is needed of the proposals on the block plan in respect of hard and soft landscape. A 1.5m high hit and miss fence has been proposed to disguise the bin storage area but

the arrows suggest that it also contains an area of grass? Please clarify where the fence actually is. Show 18 bins (to scale with the drawing) along the hardstanding to verify that they fit in the area allotted to them. Again, the drawing is not clear in respect of where arrows and notes are pointing.

- 6.5 Further clarification has been given in amended plans JPT/BD/0715/001 Rev. P4 and JPT/BD/0715/003 Rev. P1. However, a management plan condition will be added for further details of the arrangements of these services.

7.0 REPRESENTATIONS

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

- ☐ 9 St Albans Road
- ☐ 52 Roseford Road
- ☐ 54 Roseford Road
- ☐ 57 Roseford Road

- 7.2 The representations can be summarised as follows:

- ☐ The additional occupancy of the proposal is out of character with the area.
- ☐ The proposal extra roof accommodation will overshadow the patio of No. 57 and give this area a sense of enclosure.
- ☐ Design of bicycle store is an eye sore.
- ☐ Potential of up to 19 people in one dwelling.
- ☐ 10 cars could park outside and drive can only accommodate 4.
- ☐ This increase in on street parking will create a traffic hazard.
- ☐ The 2014 Local Plan Policy 50 gives minimum space standards for apartments, which the proposed units don't meet.
- ☐ Capacity for bin storage, as well as the access to the front of the property through a narrow passageway is inadequate.
- ☐ Four off-street car parking space are provided at the front of the property as part of the proposal, less than the maximum parking standard indicated in the Cambridge Local Plan 2006 Appendix C.
- ☐ There will be issues with wheelie bins especially on refuse collection day.

7.3 Two councillors also commented on this application.

Councillor Todd-Jones raised the following concerns in his letter of representation:

- ☐ Proposal is out of character with family homes on this street and over development of site.
- ☐ Potential for rear dormer and roof extension to overshadow/overlook rear of No. 57.
- ☐ The two proposed gable ends give a terrace effect.
- ☐ Room sizes are not in line with policy 5/2.
- ☐ Bin storage is not sufficient.
- ☐ Four off street parking spaces is not sufficient.

Councillor Townsend raised the following issues in his letter of representation:

- ☐ The proposal is out of scale with neighbouring properties and would no longer appear a normal residential home.
- ☐ Five two bed units is an overdevelopment of this site.

7.4 One letter of representation was received from No. 57 regarding the amended proposal and plans. It reiterates the above issues with bins, parking and the cycle store. This letter also has queries the lack of detail of the boundary treatment between No. 55 and No. 57

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
3. Residential amenity
4. Refuse arrangements
5. Highway safety, car and cycle parking
6. Third party representations

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is, therefore, my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110 square metres; b) the likely impact on on-street parking would be unacceptable, c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity. In my opinion the proposal meets the requirements of parts a) and e) of policy 5/2 of the Local Plan. Parts b), c) and d) relate to matters of detail and will be addressed later in this report.
- 8.4 Permission has previously been granted via reference 15/0241/FUL for a roof extension incorporating rear dormer, and conversion of existing house into five 1-bed and one 2-bed flats. The current application seeks permission for a dormer and first floor extension to the rear and to convert the dwelling into 5x 2 bed flats. The roof extension including the hip-gable enlargement and rear dormer has previously been approved and this application differs from the previous scheme in that it proposes to add a first floor extension to the rear, and proposes 5 instead of 6 flats.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 and parts a) and e) of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.6 The proposed roof extension was assed as part of the previous application and considered acceptable. The additional first floor extension will not be visible from the streetscene. The proposed

design with a dual hipped roof and use of matching materials is considered in keeping with the character of the property.

- 8.7 While the cycle store is not exemplary in design an outbuilding of its size could be built using permitted development rights and it would not be prominent in the streetscene and is therefore acceptable.
- 8.8 It is proposed that the house is converted into independent flats and not into a House in Multiple Occupation (HMO) and, therefore, policy 5/7 of the Local Plan does not apply.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

- 8.10 Unlike the existing situation where only bedrooms and bathrooms are provided on the first floor, the conversion of the house will result in living rooms and kitchens also being provided on the first floor, and in the extended roof. This would mean that there would be increased activity on the upper floors of the house. On the first floor living rooms and kitchens are proposed at the front of the building with bedrooms and bathrooms at the rear. The front windows would overlook the street and would not have a significant detriment impact on those living opposite in my view and it is my opinion that the impact from the rear windows would be no worse than the existing situation.
- 8.11 A dormer window of a similar scale with window at the rear as proposed could be built without the need for planning permission. For this reason it is my opinion that it would be unreasonable to refuse planning permission due to overlooking from these windows.
- 8.12 The dormer was previously assed as acceptable for the above reasons. None of the three windows proposed in the first floor extension will directly overlook neighbours. It is therefore

considered that this proposal will not detrimentally overlook neighbours.

Dominance, enclosure and overshadowing

- 8.13 The original proposal contained a roof and dormer extension over the current flat roof of the two storey side extension. After some discussion with the applicant this was removed from the application as it had too severe an enclosure impact on the rear patio of No. 57. This element is now unchanged from the previously approved scheme.
- 8.14 The proposed first floor rear extension would not extend beyond the rear two storey extension of No. 53 Roseford Road. Therefore in my opinion the proposed extension will not detrimentally enclose or overshadow this neighbouring property. The other nearest neighbour No. 57 is located approximately 10 metres away from the proposed extension. This is considered a sufficient distance to dispel any potential detrimental visual dominance, enclosure or overshadowing impacts.

Noise and disturbance

- 8.15 The proposal would result in an intensification of use of the site. In my opinion, the impact this would have on neighbours largely depends on how the development is managed, and to ensure that the development is well managed I recommend a condition requiring details of a management plan.

Security

- 8.16 I understand the concern raised that the positioning of the bin and cycle store adjacent to the boundary fence with 57 Roseford Road could enable trespassers to climb the fence more easily. However, as a shed could be erected adjacent to the fence, in the rear garden of the existing dwelling it is my opinion that it would be unreasonable to refuse the application for this reason.
- 8.17 The fence along the common boundary with 9 St Albans Road is not secure. In order to avoid insecurity I recommend a condition requiring details of boundary treatment. This condition of boundary treatment will also give clarity to other neighbours if any changes will take place. Any changes to boundary

treatment will have to be agreed by both involved parties under the Party Wall Act.

- 8.18 Building works are disruptive and in order to minimise this I recommend that construction hours are restricted by condition, along with the hours of collections and deliveries.
- 8.19 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.20 The proposed flats would share a large communal garden, which is considered to be acceptable.
- 8.21 In my opinion the proposal provides an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7 and part c) of policy 5/2.

Refuse Arrangements

- 8.22 The refuse arrangements were found acceptable in the previous application. This application is for five units therefore there will be approximately 10 wheelie bins; the approved application had six units and therefore approximately 12 wheelie bins. However, a management condition will be put in place to further assess how bins will be collected on collection day.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

Highway Safety, Car and Cycle Parking

- 8.24 The Highway Authority have raised no concerns regarding the impact on highway safety subject to conditions. It is proposed that four off-street car parking spaces are provided at the front of the property. This is less than the maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. There are bus stops on Histon Road and the city is within

walking distance or cycling distance of shops on Arbury Court and the City Centre. It is, therefore, my view that it would be unreasonable to refuse the application for this reason. No disabled parking spaces are proposed but due to the layout of the frontage it would be possible for either of the two central spaces to be marked out as disabled spaces if required in the future.

It is also noted that the previous scheme of 6 units had the same amount of parking and this was considered sufficient.

The Highways Authority has recommended a number of conditions. The driveway exists at present and the application would entail the need to lower a section of kerb for accessing one parking space. I have only recommended a condition relating to lowering this kerb. The remaining recommended conditions I do not consider necessary.

8.25 A communal cycle store is proposed in the rear garden. Twelve cycle parking spaces would be provided. This exceeds the requirements of Appendix D of the Cambridge Local Plan and is acceptable.

8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and parts b) and d) of policy 5/2.

8.27 Third Party Representations

Summarised issues	Response
Use is out of character	See paragraphs 8.1, 8.2 and 8.3
Overshadowing	See paragraphs 8.13 and 8.14
Cycle store design	See paragraph 8.6
Overdevelopment	See Paragraphs 8.1, 8.2, 8.3 and 8.4
Vehicle parking	See Paragraph 8.24
Local Plan Policy 50 2014	See Paragraph 5.5
Refuse arrangements	See Paragraph 8.22 and condition

9.0 CONCLUSION

- 9.1 This application is very similar to that previously approved and the minor extension proposed will not add further units, instead it will decrease the number units and makes them more spacious. I am of the opinion this is beneficial to the scheme as a whole. It is also my opinion that the proposal would not have a significant detrimental impact on neighbouring properties or highway safety. I recommend that the application is approved subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to 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. Prior to the occupation of the flats hereby approved a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This Management Plan shall include the maintenance of the garden and a detailed plan of how refuse will be collected. The property shall be managed in accordance with the approved Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact on neighbouring properties.
(Cambridge Local Plan 2006, policy 3/7)

6. 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)

7. Before first occupation of the flats, hereby permitted. the kerb shall be lowered across the full width of the site and the vehicular access where it crosses the highway shall be laid out and constructed to Cambridgeshire County Council specification.

Reason: In the interest of highway safety (Cambridge Local Plan, Policy 8/2)

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Application Number	15/1689/FUL	Agenda Item	
Date Received	17th September 2015	Officer	Michael Hammond
Target Date	12th November 2015		
Ward	Petersfield		
Site	Salvation Army Citadel Tenison Road Cambridge Cambridgeshire CB1 2DG		
Proposal	Change of use from Class B8 (warehouse) to Class A1 (shops) with ancillary storage and office space for staff. Alterations to doors, windows and roof covering.		
Applicant	Tenison Road Cambridge Cambs CB1 2DG 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 accords with policy 7/3 of the Cambridge Local Plan (2006). – The proposal would not detrimentally impact on highway safety. – The proposed change of use would not harm residential amenity.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is comprised of a series of two-storey and single-storey buildings currently used for storage purposes (B8). The existing buildings are designed in a combination of timber and brick, some of which have been painted over. The two-storey buildings have mono-pitched corrugated sheet roofs and the large barn style building further to the east has a pitched roof, again in corrugated sheet. There is an old shop front fascia facing onto Tenison Road but this is now in a state of disrepair.

There are three car parking spaces on the hard standing of the site and one space available for van parking in the barn building.

- 1.2 Immediately to the north of the site lies the Salvation Army's main premises and to the south is the Bolton Warehouse building. The west and south of the site is formed primarily by residential properties while to the north along Mill Road there are a variety of shops, restaurants, cafes and other city centre type uses.
- 1.3 The site falls within the Central Conservation Area.
The site falls within the Controlled Parking Zone.
The site falls within the Air Quality Management Area
Bolton's Warehouse to the south of the site and the Salvation Army Citadel building to the north are Buildings of Local Interest.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the change of use of the buildings from class B8 (warehouse) to class A1 (shops) with ancillary storage and office space for staff. The proposed works would also include alterations to doors, windows and roof coverings. The roof of the western-most building would be in slate tile whilst the other roofs would be changed to a bituminous corrugated roofing system.
- 2.2 The four car parking spaces on-site would remain as is and four additional cycle stands would be provided within the site. The following proposed hours of use have been stated in the Design and Access Statement:

Monday – Friday: 09:30 – 17:00hrs

Saturday: 10:00 – 13:00hrs

Sunday: Closed

- 2.3 The application is accompanied by the following information:
 - 1. Drawings
 - 2. Design and Access Statement
 - 3. Bat Roosting Survey
 - 4. Employment Policy Document

3.0 SITE HISTORY

Reference	Description	Outcome
C/02/0754	Change of use from light industrial/warehouse to primary Health Care Centre.	Withdrawn.
C/98/0386	Change of use from Class B8 (warehouse) to Class A1 (shops) with ancillary storage and office space.	Permitted.
C/80/0315	Change of use from warehouse to light industrial	Permitted.
C/80/0734	Change of use from warehouse to Builders Yard and carpentry workshop	Withdrawn
C/74/0362	Alterations to elevations to existing retail shop and storage area	Permitted.
C/73/0972	1.Change of use from retail shop and warehouse to offices and residential 2The erection of extensions	Refused.
C/73/0973	The erection of offices and residential units	Refused.
C/73/0974	Change of use from retail shop and warehouse to offices and residential	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 3/15 4/7 4/11 4/12 4/13 4/14 7/3 8/2 8/4 8/6 8/9 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Air Quality in Cambridge – Developers Guide (2008) The Cambridge Shopfront Design Guide (1997) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection, subject to construction hours condition.

Urban Design and Conservation Team

6.3 No objection, subject to shopfront condition.

Access Officer

6.4 One of the two staff toilets should be unisex wheelchair accessible.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.5 No comment received. Comment will be updated on the amendment sheet.

Policy Team

Original Comments (07/12/2015)

- 6.6 Criterion a) of policy 7/3 has not been met. Further information is requested to meet the policy criterion. This information could take the form of: evidence that the unit has been unsuccessfully marketed for B8 use for a reasonable period of time; and / or evidence of B8 units of a similar size that have been unsuccessfully marketed for a reasonable period of time.

Comments on additional information submitted

- 6.7 Criterion a) of policy 7/3 has now been met and the proposal is therefore compliant with policy 7/3 of the Cambridge Local Plan (2006).

Nature Conservation Projects Officer

- 6.8 I have reviewed the Bat report and I'm content there are no additional surveys required or implications for the planning application.
- 6.9 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

South Petersfield Residents Association	14 Tenison Road
26 Tenison Road	29 Tenison Road
36 Tenison Road	85 Tenison Road
116 Tenison Road	

7.2 The representations can be summarised as follows:

- Increase in traffic
- The renovation of the building does little to enhance the Conservation Area.
- Proposed bitumen roof is inappropriate
- The setting of the BLI at Bolton's Warehouse is not improved.
- The site should be used for residential purposes instead.
- The traffic calming scheme on the road has not been taken into account and this revised road layout could cause traffic problems for vehicles entering and leaving the premises.
- There is already a lot of fly tipping outside the front of the site and the proposal does not include any measures to deal with this.
- The arrangement of donated jumble in the shop front would not be an attractive feature of the Conservation Area and would detract from residential amenity.
- The proposal is contrary to Local Plan Policy 8/2.
- The proposal is not safe from a highway safety perspective.
- The area is currently subject to parking on pavements by cars and delivery vehicles.
- The sale of furniture means that customers will be dependent on car parking.

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 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.
- 8.3 The applicant has submitted an Employment Land Review document which demonstrates that there is a relatively high level of vacancy for B8 floorspace and that there is sufficient supply to accommodate demand in the City. The applicant states that the development would not result in the loss of semi-skilled or unskilled jobs, and the application form confirms that there will be the same number of jobs on the site. The Planning Policy Team has assessed the relevant information and considers the proposal to comply with criteria A and B of policy 7/3 of the Cambridge Local Plan (2006) and I agree with this advice. The loss of the B8 floorspace is therefore considered to be acceptable in principle.
- 8.4 The site is immediately adjacent to but not within the Mill Road West District Centre and so policy 6/7 of the Cambridge Local Plan (2006) is not applicable in this instance. Therefore, there is no policy objection to the change of use to A1.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 7/3 of the Cambridge Local Plan (2006).

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

- 8.6 The proposal involves changes to the fenestration and materials of the buildings. The footprint, scale and massing of the buildings would not be increased as a result of the proposed change of use.
- 8.7 The proposed alterations would be visible from the street scene of Tenison Road. The site falls within the Central Conservation Area (2011). The Salvation Army Citadel and Bolton's Warehouse, which adjoin onto the application site, are Buildings of Local Interest. These adjacent buildings are also identified as focal buildings in the Mill Road Conservation Area Appraisal (2011).
- 8.8 It is acknowledged that third party representations have been raised regarding the potential adverse impact the proposed change of use and works could have on the setting of the adjacent BLIs. However, I consider the proposal would not have a negative impact on the setting or special interest of these buildings. As the buildings would not be increased in size or footprint, I do not consider the proposal would compete or draw the eye away from these focal buildings. These BLIs would remain much grander in scale than the application site buildings and I do not consider their positive influence in the street scene would be diminished.
- 8.9 The proposed change of use would re-animate a dilapidated shop front and help to rejuvenate relatively tired and poorly fenestrated buildings. The change in the roof material of the former shopfront from corrugated sheet to tiles would be an improvement to the street scene and reflective of the predominant roof forms in the immediate area. The Conservation Team is supportive of the proposed changes to the building fronting Tenison Road but has recommended a condition requiring further details of the shopfront window material. I agree with this advice, and, subject to condition, would be in keeping with the character and appearance of the Conservation Area.
- 8.10 The proposal would include cycle parking stands and car parking on site and there would be a logical route out onto Tenison Road. The proposed changes to the fenestration of the

buildings further to the rear of the application site are relatively minor and the Conservation Team has raised no objection to this element of the proposed works. It is acknowledged that concerns have been raised regarding the proposed bituminous corrugated roofing system. However, I do not consider this would appear significantly different than the existing corrugated sheet roof and would not be prominent in the street scene. The Conservation Team has raised no objection to this proposed material and I agree with this advice.

- 8.11 Overall, I consider the proposed changes to accommodate the change of use would improve the aesthetic appearance of the site when viewed from the street scene and would not harm the character and appearance of the area, or detract from the setting or special interest of the adjacent BLIs.
- 8.12 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/15, 4/11 and 4/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 As the proposed change of use does not involve any physical increase in the scale, massing or footprint of the building, I do not consider there would be any overshadowing, overlooking or visual enclosure impacts on neighbouring properties.
- 8.14 I do not consider the likely increase in comings and goings to and from the site from the proposed retail use would adversely impact on neighbouring properties. The two neighbouring premises are not residential and so I do not consider people and vehicles entering and leaving the site would have a harmful impact in terms of noise disturbance on these adjoining occupiers. The site is situated immediately adjacent to the Mill Road West District Centre which experiences high levels of pedestrian foot and car traffic within this context, whilst recognising Tenison Road is residential in character because of the proximity to Mill Road. I do not consider this proposed change of use would introduce an intensified level of noise disturbance bearing in mind that B8 uses can result in significant numbers of vehicular movements to a premises. With regard to use class A1 this could be considered more

appropriate to the site which will partly rely on linked trips rather than a B8 use. The proposed hours of use would be as follows:

- Monday – Friday: 09:30 – 17:00hrs
- Saturday: 10:00 – 13:00hrs

8.15 These hours of use would be in keeping with the existing shop opening hours at the applicant's existing store at Sally Ann's on Mill Road and would be similar to other retail units along Mill Road. I do not consider these hours of use to be unreasonable and a condition has been recommended to control these hours. Furthermore, the existing B8 use does not appear to have any planning restrictions on the hours of use that it can operate.

8.16 It is acknowledged that concerns have been raised from properties in the surrounding area regarding the increase in car traffic and subsequent on-street car parking the proposed change of use would cause. In my view, I do not consider the increase in traffic would be significant enough to have an adverse impact on the amenity of properties along Tenison Road. The site is situated in a controlled parking zone and so anyone using private car to access the proposed retail unit would not be able to park outside the retail unit on the street. I consider this would act as a direct deterrent to off-street car parking and use of private car to travel to and from the proposed retail unit. The site is also highly sustainable in that it is easily accessible by pedestrians in the Petersfield area, accessible by bicycle with on-site cycle storage, and is served by frequent bus stops along Mill Road within close proximity of the site. In any view many people shopping here would be doing so already as part of a visit to the district centre. There would be sufficient room in the internal parking space within the retail storage area at the rear of the site to accommodate servicing and delivery vehicles off-street to avoid obstruction to the public highway. Overall, I do not consider the proposed change of use would result in a significant increase in vehicle traffic or off-street car parking along Tension Road, due to a combination of the controlled parking zone status of the street and the sustainability of the site in terms of alternative means of transport.

8.17 In my opinion, subject to condition, 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 8/9.

Refuse Arrangements

- 8.18 The applicant has stated in their Design and Access Statement that the proposed refuse arrangements would comply with the RECAP Waste Management and Design Guide 2012. However, the floorplans do not label exactly where bins would be stored. Nevertheless, in respect of the size of the plot and layout of buildings, I consider there is adequate room to store bins acceptably on site and so a condition has been recommended requiring this further detail.
- 8.19 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.20 Several objections have been received regarding the potential highway safety hazard the proposed change of use would pose. Reference has also been made to the Tenison Road traffic masterplan project and how the proposed change of use would work with the proposals in this project.
- 8.21 The Tenison Road traffic masterplan involves the development of a raised pedestrian crossing immediately to the north of the vehicle access onto the application site. There are other alterations to Tenison Road but these are relatively minor in terms of the relationship with the proposed change of use. However, given that the vehicle access onto the site could be used regardless of this permission, I do not consider the principle of vehicles entering and leaving the site would pose a threat to highway safety. The Highway Authority has assessed this information and as the vehicle access is not being altered, they do not have an objection to the proposed works.
- 8.22 Concerns have also been raised in relation to the likely increase in traffic entering and exiting the site from the proposed change of use and the hazard this would cause. Whilst I appreciate that vehicular movements will likely increase to and from the site as a result of the proposed change of use, I do not consider the frequency of these movements would be so great as to pose a significant threat to highway safety. The Highway Authority has

raised no objection to the application and I agree with this advice.

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

Ecology

- 8.24 The applicant has submitted a bat roost assessment to identify if the buildings proposed for renovation had potential to support roosting bats. The conclusion of this report was that no signs of roosting bats were observed and that there were limited cavities or crevices on the buildings to support potential roosting bats. This document has been assessed by the Nature Conservations Project Officer and he is satisfied with the results of this assessment.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/7.

Car and Cycle Parking

- 8.26 Three car parking spaces would be provided on-site for members of staff and there would be a parking space for a van within the rear retail building. This provision and type of car parking is compliant with the maximum car parking standards of the Local Plan (2006).
- 8.27 The cycle parking standards of the Local Plan (2006) would require eleven cycle spaces based on the proposed level of floorspace for the retail unit. The proposal would provide four cycle stands which could provide two cycle spaces per stand, equating to a total of eight cycle spaces. The proposed cycle parking provision would therefore be below the cycle parking standards of the Local plan (2006). Notwithstanding this, I consider there is ample room in the rear yard area to accommodate the additional two cycle stands required and that this can be dealt with through condition.
- 8.28 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.29 The third party representations have been addressed in the below table:

<u>Comment</u>	<u>Response</u>
The renovation of the building does little to enhance the Conservation Area. Proposed bitumen roof is inappropriate The setting of the BLI at Bolton's Warehouse is not improved.	See paragraphs 8.6 – 8.12
Increase in traffic The proposal is contrary to Local Plan Policy 8/2. The proposal is not safe from a highway safety perspective.	See paragraphs 8.20 – 8.23
The traffic calming scheme on the road has not been taken into account and this revised road layout could cause traffic problems for vehicles entering and leaving the premises.	See paragraphs 8.20 – 8.21
The site should be used for residential purposes instead.	The application must be assessed on the basis of what is being applied for.
There is already a lot of fly tipping outside the front of the site and the proposal does not include any measures to deal with this.	A waste storage condition has been recommended to control refuse arrangements on-site. The illegal fly tipping of waste outside the front of the site is a criminal offence and should be reported to the Cambridge City Council Streets and Open Spaces Enforcement Team. It is not a consideration in the determination of this planning application.
The arrangement of donated jumble in the shop front would not be an attractive feature of the Conservation Area and would detract from residential amenity.	The arrangement of items in the shop front is not a planning consideration.

The area is currently subject to parking on pavements by cars and delivery vehicles.	The illegal parking of cars and delivery vehicles on the pavement is a matter for the police. The proposal would provide appropriate delivery/ service and staff car parking off-street.
The sale of furniture means that customers will be dependent on car parking.	Customers requiring cars to collect large furniture and goods would have to comply with the parking restrictions in the area. There would be room within the rear yard for vehicles to collect furniture and goods off-street if necessary.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed change of use is considered to be acceptable and would not harm the amenity of neighbouring properties, impact on highway safety or detract from any heritage assets.

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 premises shall not be open to the public outside of the following hours:

- Mon - Fri = 09:30 - 17:00 hrs
- Sat = 10:00 - 13:00 hrs

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

5. Prior to installation of any shopfront, large scale drawings of all new joinery (doors, window frames, etc) and other elements of the shopfront shall be submitted to and approved in writing by the local planning authority. This includes timber and other mouldings [to cornices, sills, mullions, transoms, pilasters, etc.], stallriser finishes, console and other brackets, doors, thresholds and fanlights, etc.. 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)

6. 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. 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 policy 4/13)

7. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

INFORMATIVE: Access Informative:

One of the two staff toilets should be unisex wheelchair accessible.

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PLANNING COMMITTEE

6th July 2016

Application Number	16/0608/FUL	Agenda Item	
Date Received	5th April 2016	Officer	Charlotte Burton
Target Date	31st May 2016		
Ward	Abbey		
Site	1-7 Harvest House, Harvest Way And 19/19a Abbey Street Cambridge Cambridgeshire CB1 2FE		
Proposal	Change of use from student accommodation (9 units) to use Class C3 residential to create 7No. studios and 2No. 1 bed flats.		
Applicant	N/A C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The loss of student use is acceptable in principle;</p> <p>The proposed residential use would be compatible with neighbouring uses;</p> <p>The residential use would not generate an additional demand for on-street car parking so as to have a significant adverse impact on the amenity of neighbouring properties; and</p> <p>The future occupiers would have an adequate level of amenity.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Nos. 1-7 Harvest House and Nos. 19/19a Abbey Street are located on the southern side of Harvest Way on the corner with Abbey Street. Nos. 1-7 Harvest House are studio apartments in a two storey plus attic storey block with communal access.

Nos. 19/19a Abbey Street are studio apartments with separate accesses from the street.

- 1.2 The units are currently occupied by students on private lets. The restriction on the occupation of the units is for students attending a full time course at the University of Cambridge or Anglia Ruskin University (not precluding the use for the provision of residential accommodation or persons attending a conference when the units are not in use for student accommodation) is controlled by a S106 Agreement on the original consent (07/1314/FUL).
- 1.3 The site forms the northern side of a perimeter block bounded by Harvest Way, Abbey Street, New Street and Simperts Way. The remaining properties on the block are two storey terraces in residential use. The courtyard provides private rear gardens and car parking which is accessed via New Street. The surrounding area is predominantly residential, although the site is within close proximity of the commercial units along Newmarket Road.
- 1.4 On the ground floor are 4 no. undercroft car parking spaces which are used by the nearby residential units. A further 1 no. disabled parking space is provided which is designated for use in association with the student units. There is an integrated communal cycle and bin store with access from Harvest Way and the courtyard.
- 1.5 The site does not fall within a conservation area, and the buildings are not listed or a building of local interest. The site falls outside the controlled parking zone. The site is not allocated in the Cambridge Local Plan (2006).

2.0 THE PROPOSAL

- 2.1 Change of use from student accommodation (*sui generis*) to use Class C3 residential to create 7 no. studios and 2 no. 1 bed flats. There would be no changes to the appearance of the buildings or the external spaces. The new occupants would have use of the bin and bike store and the 1 no. disabled parking space. The existing 13 no. semi-vertical cycle racks would be replaced by 5 no. Sheffield hoops which would provide space for parking 10 no. cycles.

2.2 The application is accompanied by the following supporting information:

1. Drawings
2. Planning Statement

3.0 SITE HISTORY

Reference	Description	Outcome
07/1314/FUL	Erection of 9 student units.	Approved subject to conditions
C/99/0314/FUL	Erection of 24 two storey houses following the demolition of the existing buildings.	Approved subject to conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 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> Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

5.4 Status of Proposed Submission – Cambridge Local Plan

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 Commented that the information provided is unclear as to car parking provision: the application shows a number of car parking spaces within the site, yet the application form has no reference to car parking. Please obtain clarification on this issue.
- 6.2 In either case the site provides car parking at a level of less than one space per unit and so the development is considered likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.3 Commented that in the interests of amenity, the standard construction hours condition is recommended.

Refuse and Recycling

- 6.4 No comments received.

Cambridgeshire County Council (Flood and Water Management)

- 6.5 No comment to make on this application.

Policy Section

- 6.6 No comments received.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- ☐ 10B Abbey Street
- ☐ 23 Abbey Street

7.2 The owners/occupiers of the following addresses have made representations to **object** to the proposal:

- ☐ 21 Abbey Street

7.3 The representations can be summarised as follows:

- ☐ Change of use to residential would put a demand on on-road parking compared to the existing student use, which would add to the already difficult parking situation in the area.
- ☐ There are two adjacent large developments about to be completed and populated with only 50 car parking spaces but about 140 accommodation units. There are other large buildings in the neighbourhood which are restricted to student accommodation and thus keep cars down in the area.
- ☐ Any change of use should be conditional on securing contributions towards a residents' parking scheme.
- ☐ Harvest House has an existing planning permission which is best left without any change of use permitted.

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. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car parking
7. Cycle parking
8. Disabled access

9. Third party representations

Principle of development

- 8.2 The lawful use of the units is for student accommodation which is controlled by a S106 Agreement on the original consent (07/1314/FUL). The change of use would allow unrestricted occupation of these units for residential use under C3 (dwellings) use class. There are no adopted policies which restrict the change of student accommodation to other uses and therefore the loss of student accommodation is acceptable in principle.
- 8.3 The change of use is considered to be residential development on a windfall site and therefore policy 5/1 applies. This policy supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. For the reasons given below, in my opinion, the proposed residential use would be compatible with adjoining uses, and therefore the proposal is compliant with policy 5/1 and the residential use is acceptable in principle.

Context of site, design and external spaces

Scale and massing / External appearance

- 8.4 There would be no change to the scale and massing of the built form or the appearance of the buildings.

Movement, access and layout

- 8.5 There would be no change to the existing access arrangements to the units which in my view are suitable to serve the residential use of the units. Nos. 1-7 Harvest Way would continue to be accessed via the existing communal access from Harvest Way and from the courtyard into a central stair core. Nos. 19 and 19A Abbey Street would continue to have separate accesses from Harvest Way and Abbey Street respectively.
- 8.6 All units would have access to the communal cycle and bin store, which is considered to be acceptable for the reasons set out in the section below.

- 8.7 The provision for disabled users is also considered elsewhere in this report, and in summary, would be acceptable in my opinion as there would be no change to the existing situation.

Open space and landscape

- 8.8 The existing landscaping consists of a small amount of low-level planting behind the metal boundary fence along parts of the Harvest Way and Abbey Street frontages. There would be no change to the external landscaping which in my view is acceptable in terms of the impact on the character of the area as it is an existing situation.
- 8.9 The level of outdoor amenity space in terms of the impact on the amenity of future occupiers is considered in the section below.
- 8.10 In summary, as there would be no change to the scale and massing; external appearance; access and layout; and open space and landscaping compared to the existing situation, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential amenity

Impact on amenity of future occupiers

- 8.11 The units would have a floor space of between approximately 25 sqm – 42.5 sqm. Future occupiers are likely to be single people who's lifestyle and requirements are likely to be similar to the existing student occupiers, and in my view, the amount and quality of the accommodation is acceptable.
- 8.12 The existing units have no outside amenity space, however, as the future occupiers are likely to be single people similar to the existing student occupiers, I do not consider that this would have an unacceptable impact on the amenity of future occupiers compared to the existing occupiers. The site is within a two minute walk to St Matthew's Piece and is not far from Midsummer Common so the site has good access to amenity space.
- 8.13 Nos. 19 Abbey Street and 1 Harvest House have ground floor windows that look out onto the public highway. These windows

already serve bedroom space for the existing student units. There is some defensible space and landscaping in front of the windows serving No. 1 Harvest House which reduces any potential over-looking, however there is no opportunity to enhance the landscaping on the Harvest Way/Abbey Street corner as the area in front of the building is public highway. In my opinion, while the existing situation does afford some over-looking into the two ground floor units, the impact would be no worse than existing.

- 8.14 There is one window serving a bathroom on the Harvest Way elevation at first floor level for No. 19A Abbey Street, however this is already obscure glazed. There is one window on the rear elevation serving a bathroom to No. 2 Harvest House looking out towards the courtyard at first floor level which does not appear to be currently obscure-glazed. Whilst this is an existing situation, given the large number of people who use the car park within the courtyard and the unit would be occupied year-round under the proposed residential use, a condition is recommended to ensure this is obscure-glazed to protect the privacy of future occupiers.
- 8.15 In summary, subject to the recommended condition, the proposal adequately respects the residential amenity of future occupiers and, in my opinion, is compliant with Cambridge Local Plan (2006) policy 3/4.

Impact on amenity of neighbouring occupiers

- 8.16 The surrounding area is predominantly residential, including the other units within the courtyard. In my opinion, the proposed residential use is compatible with the neighbouring properties as it would be the same use class. There would be no change to any windows which would cause any over-looking of neighbouring properties compared to the existing situation. I do not consider that the year-round occupation of the units for residential use would have any significant adverse impact on the residential amenity of neighbouring properties.
- 8.17 Third parties have raised concerns that the residential use would generate an increase in demand for car parking in the area which would increase pressure on the existing on street car parking and have an unacceptable adverse impact on neighbouring amenity. The existing student use is controlled

through a S106 Agreement which restricts students from bringing cars into Cambridge, other than those permitted under proctoral controls (07/1314/FUL). There is also a condition on the original consent for a management scheme to ensure that future occupants do not keep cars in Cambridge to be approved and brought into operation prior to occupation (condition 8).

- 8.18 While I acknowledge that the proposed residential use would not be subject to the same controls to restrict future occupiers from owning cars, in my view, the future occupiers are not likely to generate a substantial demand for car parking compared to the existing situation. The site is outside of the controlled parking zone where on-street parking is available for residents and visitors, as well as others using the nearby shops and services. As stated above, the future occupiers are likely to be single people who have less need for private car use. The site is in a highly sustainable location close to the bus services along Newmarket Road and the bus interchange at the Grafton Centre, as well as walking and cycling distance to the city centre. There is also a car club space nearby on Sleaford Street and Norfolk Street.
- 8.19 The Council's adopted car parking standards are maximum standards and therefore the residential use does not need to provide car parking in order to meet the adopted policy. Therefore, notwithstanding that I do not consider there would be a significant demand for on-street car parking due to the reasons given above, in my opinion there would be no policy justification for refusing the change of use on the basis of the lack of car parking. An informative is recommended for future occupiers to be advised of the car club nearby. In my opinion, the lack of car parking would comply with policy and would not have an unacceptable adverse impact on neighbouring amenity.
- 8.20 The Environmental Health Officer has recommended a condition to restrict construction hours, however as there are no external works proposed that require planning consent and the minor internal rearrangements proposed could be undertaken without planning permission, I do not consider it would be reasonable to impose this condition.
- 8.21 In summary, subject to a car club informative, the proposal adequately respects the residential amenity of its neighbours

and the constraints of the site and, in my opinion, is compliant with Cambridge Local Plan (2006) policies 3/4 and 8/10.

Refuse arrangements

8.22 Refuse and recycling storage for all units would be provided using the existing bin store. This is located on the ground floor with access via Harvest Way and from the internal staircase. This provides space for communal bins to meet the adopted standards. The furthest distances from the units to the storage area would be:

- from No. 19 Abbey Street approximately 29m which is acceptable;
- from Nos. 6 and 7 Harvest House on the second floor approximately 32m and 36m respectively. While this is above the acceptable guidance of 30m, this is because of the two flights of stairs. As the entrance to the bin store is only approximately 8m from the communal entrance to the building and there is a secondary internal access to the bin store from the staircase, in my view this would be a convenient location for users and is acceptable.

8.23 The drag distance to the public highway for collection would be 2m which is acceptable. In my opinion, the proposal is compliant with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012).

Highway safety

8.24 The existing vehicle access to the 1 no. disability space would be via the existing gated entrance to the courtyard from New Street. The units would continue to be accessed via the pedestrian entrances from Harvest Way and Abbey Street. The Highways Authority has raised no objection in terms of highway safety and I agree with this assessment. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car parking

8.25 There are no car parking spaces for the units except for 1 no. disability space and this would remain the same. This is acceptable in accordance with the adopted standards which set

maximum levels of car parking outside of the CPZ and thus there is no requirement for car parking spaces to be provided with residential development. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle parking

- 8.26 The number of cycle parking spaces would be reduced from 13 no. semi-vertical stands to 5 no. Sheffield hoops providing 10 no. spaces. This would meet the adopted standards of 1 no. space per bed and would provide 1 no. visitor space. The Sheffield hoops would also be more useable for future occupiers and would be in an existing centrally-located and integrated secure store. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Disabled access

- 8.27 There is currently no lift access and limited disabled access through the building. As this is an existing situation, it is not considered reasonable to require the applicants to improve the access for disabled users. 1 no. disability car parking space will continue to be provided within the courtyard which meets the parking standards. In my opinion, as the disabled access would not be made any worse than the existing situation, this is acceptable.

Third Party representations

- 8.28 The principle of change of use is addressed in paragraphs 8.2-8.3 above.
- 8.29 The lack of car parking and impact on demand for on-street car parking and neighbouring amenity is considered in paragraphs 8.17-8.19 above.

9.0 RECOMMENDATION

APPROVE, subject to the following conditions:

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

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

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

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

3. The window on the south elevation at first floor level serving the bathroom of No. 2 Harvest House shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

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

6th July 2016

Application Number	16/0730/NMA	Agenda Item	
Date Received	21st April 2016	Officer	Mairead O'Sullivan
Target Date	19th May 2016		
Ward	Arbury		
Site	49 St Albans Road Cambridge Cambridgeshire CB4 2HF		
Proposal	Non material amendment on application 15/1485/FUL to enlarge rear first floor windows in bathroom and en-suite shower room.		
Applicant	Mr M Donnelly 49 St Albans Road Cambridge Cambridgeshire CB4 2HF		

SUMMARY	The proposed replacement windows are considered to be a non-material amendment.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located on the western side of St Alban's Road. This is a residential street comprised of a combination of detached and semi-detached properties to the west of the street and bungalows to the east.

2.0 THE PROPOSAL

- 2.1 The proposed development seeks a non-material amendment to planning permission reference 15/1485/FUL. This application was for a *Two storey side extension, following demolition of existing garage*. This was a renewal of a previous application ref. 12/0368/FUL.
- 2.2 The purpose of the current Non-Material Amendment application is to allow for the replacement of the high level windows on the first floor of the approved extension with larger

obscure glazed windows. These windows serve a bathroom and en suite shower room.

2.3 Accompanying documents

- ☐ Drawing No. 5830 (revised 15/04/2016)
- ☐ Amended drawing - Drawing No. 5830 (revised 31/05/2016)

2.4 The application is brought before Planning Committee as the applicant is a council employee.

3.0 **SITE HISTORY**

Reference	Description	Outcome
07/0033/FUL	Part single part two storey side extension.	PERM
07/0957/FUL	Erection of a part two storey, part single storey side extension and single storey rear extension.	PERM
12/0368/FUL	Two storey side extension.	PERM

4.0 **PUBLICITY**

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

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

5.0 **POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/7 3/14

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 REPRESENTATIONS

6.1 No third party representations have been received.

7.0 ASSESSMENT

- 7.1 The applicant seeks to make a minor material amendment to the application ref 15/1485/FUL. The application was granted under delegated powers for a two storey side extension following the demolition of an existing garage.
- 7.2 This application seeks to enlarge the upper floor windows which serve a bathroom and shower room. On the original proposal these were to be high level windows. The applicant now proposes that these windows will be of a similar dimension to the existing windows on the rear elevation of the property. The drawing has been amended to show that the new windows are to be obscure glazed to protect the privacy of the surrounding occupiers.
- 7.3 I consider this change to be acceptable in terms of design and of a minor nature. Therefore the proposed changes are acceptable as a non- material amendment to the application ref. 15/1485/FUL.

8.0 CONCLUSION

- 8.1 It is considered that the proposed replacement of the high level bathroom windows with larger obscure glazed windows to be acceptable. These windows are in keeping with the existing windows on the rear elevation. Given that the windows are to be obscure glazed they will not result in any further overlooking of the neighbouring properties.

SECTION A

9.0 RECOMMENDATION

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

1. To enlarge the first floor windows which serve a bathroom and en suite shower room

The amendment listed above is not visually significant nor will it have an impact outside the site. Therefore it can be regarded as non material amendments to the original permission and you will not need to submit a fresh planning application in order to proceed with this change. The change has been recorded on file and development may be implemented in accordance with the original plans as amended by the drawing no. 5830 (revised 31/05/2016) and subject to any relevant Building Regulations approval being obtained.

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PLANNING COMMITTEE

6th July 2016

Application Number	16/0313/FUL	Agenda Item	
Date Received	1st March 2016	Officer	Ms Lorna Gilbert
Target Date	26th April 2016		
Ward	Romsey		
Site	172-176 Mill Road Cambridge Cambridgeshire CB1 3LP		
Proposal	Reconfiguration and roof extensions, incorporating dormer windows, to the existing building to provide 16 1xbed units (Net increase of 7) along with bin and cycle storage.		
Applicant	C/O Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal would preserve the character and appearance of the conservation area.</p> <p>It would not adversely harm residential neighbours amenities.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site covers an area above and to the rear of two shop premises on the south side of Mill Road, between Campbell Street and Stockwell Street. It lies wholly within Local Centre 18 (Mill Road East). The existing building, constructed in the latter part of the twentieth century, contains nine flats. To the rear of the building is a paved area which is used for car parking.
- 1.2 The site is within the Central Conservation Area. It is also not within the Controlled Parking Zone (CPZ). The site is designated as within the Cambridge Airport Safeguarding Zone and requires referral for structures greater than 15m above ground level.

- 1.3 No.176 Mill Road is marked as a positive unlisted building in the Conservation Area Appraisal map (2011). The terraced houses along Stockwell Street and numerous properties along Mill Road are also designated positive unlisted buildings.
- 1.4 On the opposite side of the junction with Stockwell Street and Mill Road lies a Baptist Church. This is a Building of Local Interest.

2.0 THE PROPOSAL

- 2.1 The proposal is to reconfigure and extend the roof of the existing building with the inclusion of dormer windows and rooflights to provide 16 x 1 bed units (a net increase of 7) along with bin and cycle storage.
- 2.2 The existing roof ridge along Stockwell Street will be raised in height to level with the roof of New Flats No.1 and 2 Stockwell Street. The ridge height will be raised to 7.5m on this elevation. Existing windows will be replaced with enlarged windows facing on to Stockwell Street and a door removed. A new circular window will be added to the upper floor. A rear dormer is proposed.
- 2.3 On the elevation fronting Mill Road rooflights and dormers will be added to the front roof slope.
- 2.4 On the elevation fronting Campbell Street rooflights and dormers will be added and a 1.5m wide section of roof will be raised in height to align with the existing main ridge height. A circular first floor window will be added to the upper floor. A rear dormer is proposed.
- 2.5 The car parking area to the rear will provide one car parking space instead of the two it currently provides. The car parking area is used by the commercial units fronting Mill Road. The bin store will be located in this hardstanding area to the rear. A cycle store will be located within a building to the east. This will provide space for 16 bicycles.
- 2.6 Amended drawings were received on 17th June 2016 of the proposed site plan and ground floor plan. Amended drawings were received on 20th June 2016 of the proposed elevations

and roof plans. The drawings clarified the location of the proposed rear dormers.

2.7 The application is accompanied by the following supporting information:

1. Design and Heritage Report
2. Planning Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/87/0563	Erection of two storey rear extension to provide new offices (45sq.m) with car parking under and alterations to existing building to provide 2 shops.	Approved
C/88/0306	Erection of two storey building providing 2 studio flats with garages under.	Approved
C/92/0718	Change of use from offices (on ground and first floors) to 5 bedsits.	Approved
C/93/0509	Modification of previous planning consent (ref.C/0718/92) to retain one office on the first floor.	Approved
C/99/0442	Change of use from retail (Class A1) to office (Class B1).	Approved
07/0391/FUL	Change of use of bedsits to flats and erection of two storey extension to create two further flats.	Refused
07/0746/FUL	Enclose ground floor car parking to form flat. Add rear stairwell and create flats from existing bedsits.	Approved
10/0769/FUL	Single storey rear extension.	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 3/14 4/11 4/12 4/13 4/14 5/1 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 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 Landscape and Character

	<p>Assessment (2003)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Roof Extensions Design Guide (2003)</p> <p>Buildings of Local Interest (2005)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and

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

For the application considered in this report, the following policies in the emerging Local Plan are of relevance: policy 13 (Areas of Major Change and Opportunity Areas – general principles) and policy 23 (Mill Road Opportunity Area as the site is within an Opportunity Area). Policy 72 relates to Local Centres. However there are outstanding objections on these policies and the draft policies are of very limited weight.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The proposal seeks to justify a level of parking provision in line with Local Plan Parking Policy, which gives maximum levels of provision based upon size of dwelling unit and location. More recent guidance contained within the National Planning Policy Framework and the IHT guidance on best practice in car parking provision moves away from maximum levels of provision and advises that parking provision for new residential development is based upon levels of access to a private car for existing residential uses in the surrounding area. It is advised that the applicant reassess the proposed parking provision in regard to the new guidance.
- 6.2 No additional off-street car parking provision is made for the additional residential accommodation.
- 6.3 The development is therefore considered likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the

Planning Authority may wish to consider when assessing this application.

Urban Design and Conservation team

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

Landscaping

- 6.5 No comment.

Sustainable Drainage

- 6.6 There does not appear to be any increase in impermeable area and therefore there are no drainage implications.

Environmental Health

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

☐ 2 Campbell Street

- 7.2 The representations can be summarised as follows:

- ☐ Proposed height and dormer windows will be incongruent with the existing buildings in the street. No other building in this street is on three levels.
- ☐ Overlooking.
- ☐ Loss of light.
- ☐ Site in a Conservation Area – dormers in Campbell Street have been refused.
- ☐ Does not preserve or improve the character of the conservation area.

- Siting, scale, height, form, details and building materials need to be carefully chosen in the conservation area – fails on this.
- Parking pressures on streets. Police have been monitoring the situation because residents have been regularly and actively prevented from going about their daily business.
- Proposed Campbell Street elevation and parking area is misleading. There is much less space: there is a fence in the parking area blocking off a private garden in front of one of the ground floor flats, as well as bin storage and cycle racks. Both of which will need to be increased for the extra flats.
- If approved a condition should be for the applicant to actively support an application for Residents' Parking. He should also give permission to the Council's Parking department for the white H-line he owns to be enforced.
- The application does not provide details of off-street loading and unloading, storage of materials, site office, portable toilet or works to be carried out. There is no room in the parking/cycle bay at the back of 176 Mill Road on Stockwell Street. Concerned materials and trades will park on Campbell Street.
- Campbell Street residents have only recently finished enduring two years of inconvenience and obstruction as a result of the lack of a traffic management plan placed on the Quad development. Residents require constant access all day.
- Another planning application is currently in place for a development adjacent to 1 Campbell Street, for which a traffic management plan remains outstanding. If both developments go ahead, the Highways Authority must put in place an order such that Campbell Street residents are not affected by these works at any time. This includes; controls on muck-away, run-off and other disposal of waste; delivery and storage of materials; no works, skips or storage on-street; no construction traffic parking; no private parking forced on-street caused by construction traffic; no obstruction at any time; no works at unsocial hours and on weekends and bank holidays; anything else pertinent to preserving residential convenience and amenity.
- Residents also require assurance that the Council will intervene if inconvenience does occur. An informative recommending a developer adhere to the Considerate Contractor Scheme is insufficient. An order needs to be placed on works so that this doesn't happen at all.

- 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 (Housing Provision) of the 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 contains residential and retail use. The surrounding area is characterised by residential, retail and café/restaurant uses. In my opinion, the principle of an additional seven residential units on the second floor is acceptable as it is compatible with the current site use and the adjoining uses.
- 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, scale, massing,

- 8.3 The site borders Mill Road, Campbell Street and Stockwell Street. There are a variety of building styles and designs along these streets. Campbell Street and Stockwell Street are primarily residential with terraced houses and flats. On the opposite corner of Stockwell Street and Mill Road is a Baptist Church. Mill Road is characterised by shops and café/restaurants on the ground floors and residential uses on the upper floors. No amendments are proposed to the ground floor of the building and the shops fronting Mill Road will be retained. The proposal includes the provision of additional residential units on the upper floors. The existing car parking area to the south of the building will be retained for use by the commercial units occupying the ground floor frontage. This area also houses the bin storage and is used to access the proposed cycle store.
- 8.4 The proposal raises part of the roof ridge fronting Stockwell Street to align with the adjoining ridge height of New Flats 1 and 2 Stockwell Street. It also involves raising a small part of the

existing roof of the building fronting Campbell Street to align with the remainder of the roof. Front dormers and rooflights will be added fronting the three adjoining streets and two rear dormers are proposed.

- 8.5 I consider the roof additions along with the introduction of dormers and rooflights would complement the building and street scene in terms of their scale and appearance. There are no overriding styles, scales or design of buildings in the surrounding area. I consider the proposed additions and residential use of the additional space would harmonise with the appearance of the surrounding buildings. The Urban Design and Conservation Team do not object to the design of the scheme.

Elevations and materials

- 8.6 There is a mixture of building materials used along the surrounding streets including a mix of bricks, render and painted walls. Many nearby buildings have slate roofs. In my opinion the proposed materials would complement the surrounding street scenes and the conservation area. The Urban Design and Conservation Team supports the use of render on the Stockwell Street elevation for the rear out rigger as there is already some on this part of the building. The new fenestration is of better proportions than the existing and the render will hide the scarring left by a number of alterations to the brickwork. The building's walls are constructed from a mixture of brick and render with a slate roof. The proposed extensions would use the same material palette as existing.
- 8.7 The Urban Design and Conservation Team have requested the inclusion of conditions relating to window detailing, joinery and materials. I agree with the inclusion of these conditions to ensure the proposal preserves the character and appearance of the conservation area. An amended drawing has been received that has reduced the bulls-eye windows as requested by the Urban Design and Conservation team.

Movement and Access

- 8.8 Access to the upper floors and cycle store is either via Campbell Street or Stockwell Street. The bin store can be accessed from Stockwell Street via the cycle store or directly

from Campbell Street. The additional bins will be stored in the location of the existing bins. There is no enclosed store for the bins at present and with the additional residential units proposed I consider details of the bin store should be required to ensure the bins are stored in an acceptable manner that does not detract from the character and appearance of the conservation area. An amended drawing has been received that shows a path leading from Campbell Street to the bin and bike store. This will ensure these areas are accessible.

Layout

- 8.9 The proposed windows will front on to the streets. There are existing ground and first floor windows that face towards the rear car parking area and the access to the cycle store and bins. This helps provide surveillance to these areas.
- 8.10 The windows on the proposed flats have been configured so they do not directly overlook other flats on the site. I consider the proposal is acceptable in terms of its layout.

Open Space and Landscape

- 8.11 All units are one bedroom. There is currently no outdoor amenity space on site for the existing one bedroom units. It is not uncommon for one bedroom residential units to be without amenity space. The site is located in a central location within Cambridge and there are outdoor amenity areas nearby at Vinery Road Recreation Ground, Coleridge Recreation Ground and Parkers Piece.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Impact on the Conservation Area and Building of Local Interest

- 8.13 Policy 4/11 Conservation Areas of the Local Plan (2006) refer to how the alteration of an existing building is only permitted if it preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it.

- 8.14 The site address is located within the Central Conservation Area and within the Mill Road area. No.176 Mill Road and a number of properties in close proximity to the site along Mill Road and Stockwell Street are designated as positive unlisted buildings within the Conservation Area Appraisal Map (June 2011). On the opposite side of Stockwell Street to the site lies a Baptist Church designated as a Building of Local Interest and as a Focal Building within the Conservation Area Appraisal.
- 8.15 The Urban Design and Conservation team considers the raising of the ridge height and introduction of dormers to be appropriate to the character and appearance of the conservation area along this part of Mill Road and the side streets. I consider the increase in ridge heights proposed and inclusion of dormers and rooflights would respond positively to their context and would preserve the character and appearance of the conservation area and the positive unlisted buildings on site or nearby.
- 8.16 The Urban Design and Conservation team agrees that the half hipped dormer design lessens the impact on the street scene. They are of traditional design and are therefore appropriate to the buildings. I agree with their comments.
- 8.17 I consider the proposed development is in accordance with policy 4/11 of the Local Plan 2006.
- 8.18 Policy 4/12 Buildings of Local Interest (BLI) of the Local Plan (2006) explains how BLI merit protection from development which adversely affects them.
- 8.19 The Baptist Church designated a BLI is located on the opposite side of the street to the proposed development. I consider the location of the Baptist Church and the nature of the proposed building works would not adversely affect this BLI and is in accordance with policy 4/12.

Disabled access

- 8.20 The proposal involves the creation of additional flats on the upper floors of the building. The ground floor layout remains unchanged and therefore the access to the upper floors remains as existing. There is no car parking provision for the flats, the same as existing. The site constraints makes it

difficult for the residential units to be fully disabled accessible, however in my opinion I consider the site to be acceptable as its access to the upper floors and lack of car parking remains unchanged from the existing arrangement.

- 8.21 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

- 8.22 The proposal introduces rooflights and dormers fronting Campbell Street, Mill Road and Stockwell Street. These windows would be no closer to the neighbouring properties they face than the existing lower floor windows. I consider the position of these roof level windows to be acceptable as they would not adversely harm neighbours amenities in terms of loss of privacy, outlook or light.
- 8.23 New Flats 1 and 2 Stockwell Street are located adjacent to the proposal. No new windows would face towards these neighbours. The cycle parking is located below the neighbouring flats. I consider the use of this space for cycle parking would not lead to an unreasonable level of noise disturbance to neighbours.
- 8.24 The location of the bin store remains unchanged from existing. I do not consider this would adversely harm neighbours amenities.
- 8.25 No.2 Stockwell Street borders the southern edge of the site. No new windows are proposed facing this neighbour. I do not consider the proposal would adversely harm this neighbour's amenity.
- 8.26 New Flats No. 1 and 2 Stockwell Street are the closest neighbours to the proposed flats and studios. The proposal involves increasing the ridge height of a section of roof on the western side of the site and adding a rear dormer. I do not consider this would lead to an unreasonable loss of light or overshadowing to these neighbours due to the small amount of roof to be raised and their position at roof height.

- 8.27 The raising of the roof ridge height of the proposed eastern side of the building and rear dormer are located to the north of No.1 and 2 New Flats Stockwell Street and therefore would not lead to an unreasonable loss of light in my opinion.
- 8.28 The orientation of the roof extensions on the southern side of Mill Road and also the building bordering streets to the east and west helps to lessen the impact on overshadowing of neighbours. In my view, neighbours on the opposite side of the street are set far enough away to not be adversely affected by a loss of light.
- 8.29 I do not consider the nature of the proposal would harm outlook from nearby properties due to its scale and appearance. New Flats 1 and 2 Stockwell Road are located close to the increase in roof height and rear dormer on the south-western side of the building. As this is at roof height, I do not consider the position and appearance would be detrimental in terms of outlook to this neighbour.
- 8.30 Environmental Services has asked that a construction hours condition be included if the application is approved. I agree this is necessary due to the close proximity of residential properties.
- 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 3/14.

Amenity for future occupiers of the site

- 8.32 I consider the layout of the proposed one bedroom units to be acceptable. There is no outdoor private amenity provision, however this is not uncommon for one bedroom units within a central location. There is public green space nearby.
- 8.33 Environmental Services has requested a noise insulation scheme condition be included if permission is granted. Habitable rooms for some of the new units front on to Mill Road and the purpose of this condition is to ensure all the proposed units are appropriately insulated against this noise. I agree with the inclusion of this condition.

- 8.34 Each of the second floor flats will have a window or dormer and rooflights. I consider the quality of living environment to be acceptable.
- 8.35 In my opinion the proposal provides a quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Refuse Arrangements

- 8.36 Space for three bins has been provided to the rear of the site in the south eastern corner of the car park. There is an existing bin provision in this location. No details of an enclosed bin storage area have been provided. With the addition of bins, I consider a condition should be included for details of the bin storage area.
- 8.37 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.38 Highways do not consider the proposal is likely to result in any significant adverse impact upon highway safety and are not seeking the inclusion of conditions.
- 8.39 Third party comments have requested a Traffic Management condition be included if the scheme is approved as they are concerned with unloading and parking along Campbell Street. They are also concerned another development at No.1 Campbell Street may go ahead at the same time which would cause problems. The impacts raised are in relation to residential amenity and this is outside the normal remit of the Highway Authority. A construction/demolition hours condition can be included if the application were to be approved. However, if construction vehicles block the highway then this is a matter for the Police to enforce.
- 8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.41 The National Planning Policy Framework (2012) states that *‘the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel’*. It also explains that *‘if setting local parking standards for residential and non-residential development, local planning authorities should take into account; the accessibility of the development; the type, mix and use of development; the availability of the opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.’*
- 8.42 Third party comments have requested a condition for the applicant to actively support an application for Residents’ Parking and that the applicant should give permission to the Council’s Parking department for the white H-line he owns to be enforced.
- 8.43 The Highway Authority observes the development is likely to impose additional demands upon the on-street parking on the surrounding streets as there is no car parking provision for the residential units. The Local Plan (2006) provides maximum car parking standards and therefore there is no minimum requirement within the development plan. There is no car parking provision for the existing 9 residential units on site.
- 8.44 The site is well served by public transport along Mill Road and is located in a central location within the City. The residential units are one bedroom units and are therefore not designed for families. For these reasons I consider it is acceptable not to provide on-site car parking spaces for this development.
- 8.45 At present there is space for the commercial units fronting Mill Road to park two vehicles at the rear of the building. The amended drawing reduces the car parking provision to one space. The standards in the Local Plan (2006) are for a maximum provision. As the site is well served by public transport I consider the loss of a car parking space to be acceptable.

- 8.46 The third party comments request a H-line owned by the applicant to be enforced. Highways have explained that if the line is on public highway it is not owned by a private individual and enforcement is a matter for the police as the breach is obstruction and a moving traffic offence. This does not fall within the planning authority's remit.

Cycle parking

- 8.47 The proposal provides 16 cycle parking spaces within a secure area. This is considered acceptable and is in accordance with the Local Plan (2006).
- 8.48 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.49 A third party comment explains that the proposed Campbell Street elevation and parking area is misleading as there is much less space as there is a fence in the parking area blocking off a private garden in front of one of the ground floor flats, as well as bin storage and cycle racks. Both of which will need to be increased for the extra flats.
- 8.50 Amended drawings have been received to clarify the hardstanding area arrangement at the rear. The rear car parking area can provide one car parking space for the commercial unit, which is a reduction of a car parking space to allow for a path linking Campbell Street and the bin and bike store.

Planning Obligations (s106 Agreement)

- 8.51 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.

8.52 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.

8.53 The Developer Contributions Monitoring Officer has confirmed that no contributions are required in this instance as the proposal is for less than 10 units.

9.0 CONCLUSION

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

5. All new joinery [window frames, etc.] shall be recessed at least 50 / 75mm back from the face of the wall / façade. The means of finishing of the 'reveal' is to be submitted to and approved in writing by the local planning authority prior to installation of new joinery. 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)

6. No new windows shall be constructed in the existing listed building, nor existing windows altered until drawings at a scale of 1:10 of details of new or altered sills, lintels, jambs, transoms, and mullions have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

7. 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)

8. Full details of the type and finish of all external render and any self- or applied-colour are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: In the interests of the visual amenity of the Conservation Area. (Cambridge Local Plan 2006 policy 4/11).

9. 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 including details of a covered bin store. 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

Application Number	15/2402/FUL	Agenda Item	
Date Received	23rd December 2015	Officer	Mr Sav Patel
Target Date	3rd March 2016		
Ward	Newnham		
Site	25 Grantchester Road Newnham Cambridge CB3 9ED		
Proposal	Demolish existing detached family house. Proposed detached, two storey, single family dwelling, with carport and summer house		
Applicant	Mrs A Sam 54 High Street Little Abington Cambs CB21 6BG		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed dwelling is considered to be of high quality design which would improve the appearance of the site, street scene and character of the area; - The scale of the proposed dwelling is considered to be acceptable in this context and would sympathetically assimilate into the site without appearing dominant or out of keeping. - The proposed development would not have any significant adverse impact on the residential amenity of the adjacent neighbours.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.25 Grantchester Road, is comprised of a two-storey detached dwelling designed in white render with a tile roof in a hipped form. The dwelling is set back considerably from the road in the centre of the plot and has a long front drive with landscaping on the front boundary. The surrounding area is residential in character and is formed of a range of large detached dwellings with generous garden plots.
- 1.2 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal is for the demolition of the existing dwelling and development of a new detached two storey dwelling with summer house in the rear garden and bin and bike store adjacent to the front boundary.
- 2.2 The original submitted scheme has been revised to address concerns officers had regarding the scale of the proposed summerhouse at the rear of the site and the scale of the car port and garage at the front of the property and its impact on the street scene and character of the Grantchester Road, the potential overlooking issues from the first floor balcony at the rear and overlooking issues from the two first floor bedroom windows (excluding bathroom window) in the side (south) elevation of the proposed property.
- 2.3 The revised plans, which have been through the neighbour consultation process, show a reduced scale to the summerhouse which is more in keeping with the summerhouse that was approved under planning permission 15/0987/FUL. The car-port garage at the front of the site has been replaced with a single storey flat roof timber bin and bike store. The first floor balcony on the rear elevation has been maintained but now includes screens on both sides to restrict sideways views. With regards to the first floor bedroom windows in the south elevation, the applicant has agreed to obscure glaze these windows as they are ancillary windows. The bedrooms are served by much larger windows which face the garden and Grantchester Road.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0987/FUL	Two storey side and rear extensions, addition of a double height bay window to the front elevation, and erection of a single storey Summer house.	APPROVED

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objections and recommends the following conditions:

- No unbound materials;
- No gates;
- Manoeuvring area to be free of obstruction;

Environmental Health

6.2 The proposed development is acceptable subject to the following conditions and informatives:

- Construction hours;
- Collection/delivery hours during demolition and construction;
- Piling;
- Dust;
- Dust informative

Head of Streets and Open Spaces (Landscape Team)

6.3 The landscape officer has made the following comments:

- There is a concern about overlooking from the first floor Bedrooms 2 and 3 towards the dwelling and garden of the property to the south.
- There is an existing, implied construction set-back along Grantchester Road. We recommend that all new construction aligns with this implied line.
- We do not support the carport element at the frontage of the proposals. The carport becomes a very dominant feature on the street scene. The majority of the houses in the vicinity do not have a garage, while the ones that do are more integral with the houses. We feel the garage should be more integral to the structure and the structure would benefit from moving forward to the implied set-back to be more in line with other dwellings on Grantchester Road.
- The peak on the summer house is too dominant. The hipped roof at the lower ridge height is effective and more suitable as an ancillary structure to the main house.

Further Information required:

- ☐ A tree survey and tree protection plan is required to assess this application.
- ☐ Bins have been placed directly outside the service door. This may prove to be unpleasant and is out of keeping with the Recap Waste Management Design SPD which states the location of bins should be in a shaded, well-ventilated area away from windows [and doors]. There should also be space shown for three bins as per the same document.
- ☐ Secure bike storage for 3 cycles needs to be shown at minimum in accordance with the Cycle Parking Guide for New Developments (Feb 2010)

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.4 The proposal represents a large increase in impermeable area and there are no indications of surface water drainage disposal methods. The Officer has recommended a surface water drainage condition.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 16 Grantchester Road;
- 18 Grantchester Road;
- 19 Grantchester Road;
- 24 Grantchester Road;
- 29 Grantchester Road;
- 48B Selwyn Road;

- 7.2 The representations can be summarised as follows:

Comments on original scheme:

Design, scale and layout

- The development is disproportionate to the site;
- Out of scale;
- The development extends beyond the existing building line of adjoining properties;
- The proposed development impinges severely on the existing garden space and would have an adverse effect on the amenity of the neighbourhood;
- Summerhouse is disproportionate in size and contrary to policy 3/4 in terms of siting massing and density;
- The scale of the development would adversely effect the amenity of the site and neighbourhood which is contrary to policy 3/11;

- Summerhouse does not contribute positively to its location due to its scale and form relative to the site and adjoining properties which is contrary to policy 3/12;
- The proposed development is likely to result in the removal of mature trees on the site and significantly reduce the garden area which is contrary to policy 4/11.

Residential amenity

- The summerhouse would have an impact on privacy of adjoining dwellings;
- Inadequate amenity space;

Other matters

- No site notice was displayed and only adjoining neighbours were consulted even though the proposal has wider ramifications

Comments on revised scheme:

Design, scale and layout

- The location of the revised dwelling would appear slightly overbearing;
- The proposal is very big for the area and out of keeping with the more modest proportions around;
- The dwelling extends up to the northern boundary and beyond the existing building line;
- The shed extends to the west boundary and exceeds the building line of other properties in Grantchester Road;
- The revised summerhouse is out of scale with the character of the area;
- The proposed development impinges severely on the existing garden space and would have an adverse effect on the amenity of the neighbourhood;
- Summerhouse is disproportionate in size and contrary to policy 3/4 in terms of siting, massing and density;
- The scale of the development would adversely effect the amenity of the site and neighbourhood which is contrary to policy 3/11;
- Summerhouse does not contribute positively to its location due to its scale and form relative to the site and adjoining properties which is contrary to policy 3/12;
- The proposed development is likely to result in the removal of mature trees on the site and significantly reduce the garden area;
- The summerhouse could be a second dwelling and should be restricted as such by condition;

Residential amenity

- The height of the summerhouse would loom over the patio and garden and so should be removed;
- The three first floor windows would overlook garden of no.27;
- The summerhouse would result in loss of privacy of adjoining properties in Grantchester Road;

- The developments at no.4 and no.26 for new dwellings together with this application will have a significant and adverse effect on residents of Grantchester Road in terms of noise, disruption and inconvenience;

Tree and landscaping

- Loss of all trees on site is regrettable;

Other matters:

- The proposal will increase price of houses in the area and accelerate the rate of change in the social mix of this part of Newnham;
- Loss of diversity in the population is detrimental to Newnham and Cambridge;
- Financial gain

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

8.0 ASSESSMENT

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

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

Context of site, design and external spaces

8.2 The general site context is characterised by two storey dwellings that are set back from the road with partly landscaped front boundaries. Grantchester Road is also lined with trees on the grass verges. These features make a positive contribution to the street scene of this area.

8.3 The existing dwelling is a modest two storey building that is set well back from the road and within a generous plot. To the rear of the site there are examples of back land developments consisting of one and one and a half storey dwellings.

8.4 The revised proposed dwelling would bring the building footprint closer to Grantchester Road than existing and be set back from the front elevations of the dwellings either side (nos.21 and 27 Grantchester Road). The existing dwelling is set back 20 metres from the road whereas the proposed dwelling would be 15.3 metres from the road. This would result in the proposed dwelling being more prominent not only because of it being closer to the road but also because it will be wider and taller.

- 8.5 The design of the revised proposed dwelling would make a positive contribution to the street scene and the character of the area. The design has responded to the existing character of the area by including features such as projecting gables, a hipped roof, chimney stacks and a subservient flat roof dormer. Concerns have been raised regarding the scale of the proposed dwelling and its proximity to the side boundaries. The dwelling has been designed to respond to each side boundary to minimise its impact. The dwelling has been designed in two parts; a forward project two storey gable and a lower, steep roof section with a half hipped roof. The eaves height of the steeped roof section, which would be located approx. 500mm from the northern boundary with no.21, would be between 2.4 metres and 4.5 metres before returning to a ridge height of 6.9 metres. The hipped roof section would slope away from the boundary as it meets the ridge. The main front elevation of no.21 would be located 10 metres from the proposed dwelling (8.4 metres from the ground floor bay window). At this range and due to the design of the northern elevation of the proposed dwelling, I believe this would result in an acceptable relationship. The visual bulk and appearance of the northern elevation would be broken down by the variation in roof form and lower ridge height. This would in my view reduce the visual bulk and scale of the proposed dwelling on no.21. The northern elevation contains a first floor window which would serve an en-suite. I have recommended an obscure window condition to ensure there is no overlooking impact on the occupiers of no.21.
- 8.6 The south elevation would be set off the southern boundary by 1.865 metres. No.27, which is to the south, has been extended with a two storey side extension with a hipped roof to match the opposite end. This has brought the dwelling closer to the side boundary with the application site. The south elevation of the proposed dwelling is more conventional in design compared to the north elevation in terms of having a consistent eaves and ridge line. The proposed dwelling would project 2.2 metres along the side elevation of no.27. Therefore the visual impact of the dwelling from the side elevation of no.27 would not be significant or appear overbearing. It should also be noted that planning permission to extend the side and rear at two storey of the existing dwelling (no.25) was approved last year. This increased the width of the dwelling and brought it closer to the southern boundary with a consistent eaves height of 5.4 metres and ridge height of approx. 7.6 metres. Whilst the proposed dwelling is deeper, it is lower in height than the approved design and in my view, a better design solution.
- 8.7 The proposed summerhouse which would be located adjacent to the rear boundary of the site, has been revised in terms of its design. The original design contained a large gable element at the centre of the building and was full width of the plot. This gave the building a dominant appearance, which was not considered to be appropriate in the garden setting. The revised the summerhouse is considered to be a modest outbuilding which is set in from the side boundaries and set off the rear boundary. The summerhouse contains two projecting gables at the front and a flat façade

on the rear. The summerhouse is proposed to be used in connection with the main house and there is no intention from the applicant to use this separately as a self contained dwelling. I have nevertheless recommended a condition to restrict it from being used separately. I consider the design and scale of the proposed summerhouse to be acceptable in this back land context and would maintain a generous garden space between the rear of the dwelling and summerhouse which is appropriate for a family dwelling. It should also be noted that planning permission (15/0987/FUL) for a similar summerhouse in this location was approved last year. At the front of the site the proposal include a small timber storage shed which is to be used to store the bin and bikes. The scale of the shed is modest and would not detract from the appearance of the dwelling.

- 8.8 In my view the proposed dwelling has been designed to respond to the site context in terms of the adjoining neighbours and the character of the area. The architectural form of the dwelling incorporates features which are found locally to create a design of dwelling that would enhance the site and make a positive contribution to the street scene and character of the area. The summerhouse would be largely hidden from view and so its impact on the street scene would be limited. The summerhouse would appear as an ancillary outbuilding to the main dwelling without significantly reducing or compromising the amount of usable garden space.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The main consideration is the impact of the proposed extensions on nos. 21, 23 and 27 Grantchester Road given the proximity of these dwellings to the application site.

Overlooking

- 8.11 The south elevation contains three first floor windows; two serving bedrooms and one serving a bathroom. The existing dwelling contains two bedroom windows in the south elevation which are clear pane. However the new dwelling would be closer to the southern boundary and the application shows these windows with obscure glazing and restrictors. On this basis, I do not consider the proposed dwelling would infringe on the privacy of the occupier of no.27 in terms of overlooking.
- 8.12 The north elevation contains an en-suite window a first floor level which is to be obscure glazed. I have recommended a condition to ensure this window is obscure glazed and has restricted opening. Therefore, there would be no overlooking and loss of privacy on the occupiers of no.21 and 23 Grantchester Road.

- 8.13 The proposed dwelling includes a 1.1 metre projecting balcony on the rear elevation. Following concerns of potential overlooking of neighbouring gardens from sideways views, the applicant has installed screens on each side of the balcony to restrict views into the garden. On this basis, I do not consider the proposed balcony would cause any significant level of overlooking over and above that which already exists. I have recommended a condition for the screening material to be submitted to and approved prior to development.

Overshadowing/loss of light

- 8.14 Due other orientation of the site, the proposed dwelling would not have any overshadowing or loss of light impact on the occupier of no.27 Grantchester Road, as the site is located north of no.27.
- 8.15 The site is, however, located south of no.21 and 23 Grantchester Road. No.21 and 23 are located away from the side boundary with the application site by 9.4 metres (excluding bay window which is 8 metres away) and 10.7 metres, respectively. However, the proposed dwelling would be positioned between both dwellings and so each dwelling would maintain an outlook from the south elevation.
- 8.16 The impact on no.23 would not be significant as the side elevation of the proposed dwelling would extensively be off-set from the south facing elevation of no.23. Therefore, given the level of separation of 10.7 metres and scale of the proposed dwelling adjacent to the northern boundary, I do not consider the proposal would cause significant levels of overshadowing of the garden area of no.23 over and above that which is created by the existing dwelling. The garden of no.23 is likely to receive sufficient daylight and sunlight throughout the day.
- 8.17 With regards to the impact on no.21, the existing dwelling already creates some degree of overshadowing impact on no.21. The proposed dwelling would be located slightly closer to the boundary and be 3.6 metres nearer to the road than the existing dwelling. The proposed dwelling would be 10 metres from the main south elevation of no.21 (8.4 metres from the ground floor bay window). However, the proposed dwelling would be lower in height compared to the existing dwelling. The existing dwelling has an eaves height of 5.4 metres and a ridge height of 7.3 metres. The proposed dwelling would have an eaves height of between 2.4 and 4.5 metres rising to a ridge height of 6.9 metres. The start of the ridge line would be approx. 12.1 metres from the main front elevation of no.21. Therefore, in my view, the proposed dwelling is unlikely to cause a significant adverse level of overshadowing of the side garden and south elevation of no.21 when compared to the existing situation such that it would have an adverse impact on the residential amenity of the existing occupiers.
- 8.18 The proposed summerhouse would be located adjacent to the rear boundary of the site and next to the side elevation of no.48b Selwyn Road. The summerhouse would be set off the boundary by approx. 600mm. The rear elevation would be 4 metres in height with a width of 10.4 metres. The

side gable end of no.48b is located close to the application site boundary. The gable is a blank elevation. As the proposed summerhouse would be located within the width of the side gable of no.48b, I do not consider it would cause any significant overshadowing of any habitable rooms and the garden area of no.48b, such that it would have an adverse impact on the residential amenity of the existing occupiers.

Enclosure/visual dominance

- 8.19 The proposal would bring the proposed dwelling 2.0 metres closer to the side boundary with no.27 than the existing dwelling. However the side elevation of the proposed dwelling would still be set off the boundary with no.27 by 2.2 metres. Whilst the proposed dwelling would be closer to the boundary with no.27 and set further back, I do not consider the proposed dwelling would create a significant adverse sense of enclosure on the residential amenity of the occupiers of no.27, given that this neighbouring property is set off forward of the proposed dwelling.
- 8.20 In terms of no.21 and 23, due to the design of the northern elevation of the proposed dwelling and level of separation, I do not consider that, in this context, the proposed dwelling would appear overbearing such that it would create an adverse sense of enclosure on the residential amenity of the existing occupiers.
- 8.21 The proposed summerhouse would not cause any overbearing impact on the occupiers of no.21, 23 and 27 Grantchester Road due to its levels of separation and position within the site from these existing dwellings. In terms of no.48b Selwyn Road, the summerhouse would not have any adverse impact on the occupier due to its position adjacent to the side gable. Planning permission (15/0987/FUL) has been granted for a summerhouse which is close to the boundary and 2.8 metres in height. I do not consider the proposed dwelling has any features that would adversely affect the residential amenity of the occupier of no.48b.
- 8.22 The proposed dwelling has been designed to ensure the impact on the residential amenity of the occupiers of the dwellings either side and to the rear is not adversely affected. The summerhouse is of a modest scale and would not have any adverse impact on the residential amenity of the surrounding occupiers.
- 8.23 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.24 The proposed dwelling would provide a high quality living environment for future occupiers due to the level of accommodation within the proposed dwelling and amount of usable outdoor space.

- 8.25 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.

Trees

- 8.26 The proposal involves the removal of several trees on-site. It is the applicant's intention to landscape the entire site with hard and soft landscaping. However, the applicant has agreed to carry out replacement planting of native trees to compensate for the loss at the front of the site. I have recommended a hard and soft landscaping condition to ensure comprehensive landscaping details are submitted and agreed prior to development. The loss of the trees at the rear of the site has already been approved by planning permission 15/0987/FUL.
- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Refuse Arrangements

- 8.28 The proposal includes provision for three refuse bins which are to be located within a secure enclosure adjacent to the northern boundary. The applicant has also shown that additional provision can be made in the storage shed at the front of the site. There is enough space within the site to accommodate the required level of refuse bins and the proposed location of this is considered to be acceptable.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.30 The proposed dwelling would use the existing access that serve the existing dwelling. No highway safety issues have been raised by the County Highway Authority subject to conditions. As the new dwelling would use the existing access, I have not recommended the conditions suggested by the County Highway Authority.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.32 The site has a deep front drive which has sufficient space to accommodate at least two vehicles and allow them to leave the site in forward gear.

Cycle parking

- 8.33 The proposal includes provision for four cycles to be stored within the storage shed at the front of the site. This is considered to be compliant with the cycle parking guide.
- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.35 I have addressed the majority of the third party representations in the above section of the report. These are summarised in the below table:

Representation	Response
<u>Design, Scale and Layout</u>	
The development is disproportionate to the site;	The proposed development is considered to proportionate as it maintain sufficient spacing around the dwelling and provides a generous amount of usable garden space at the rear.
Out of scale;	The proposed dwelling has been revised from the original scheme such that it now appears as a dwelling that responds sympathetically to the site context and is of a scale that is suitable for this site and location.
The development extends beyond the existing building line of adjoining properties;	The proposed revised scheme maintains a position behind no.21 and 27 the same as the existing dwelling. The storage shed at the front is an ancillary structure and would not have any adverse impact on the street scene.
The proposed development impinges severely on the existing garden space and would have an adverse affect on the amenity of the neighbourhood;	See para 8.7
Summerhouse is disproportionate in size and contrary to policy 3/4 in terms of siting massing and density;	The summerhouse has the scale and appearance of an ancillary building that is subservient to the main dwelling.
The scale of the development would adversely effect the amenity of the site and neighbourhood which is contrary to policy 3/11;	The proposed dwelling would enhance the site and improve the street scene of Grantchester Road to the benefit of the neighbourhood.
Summerhouse does not contribute positively to its location due to its scale and form relative to the site and adjoining properties which is contrary to policy 3/12;	The summerhouse would be located at the rear of the site and so would not be entirely visible from the road due to its ancillary scale.
The proposed development is likely to result in the removal of mature trees on	See paras 8.26-8.27

the site and significant reduce the garden area which is contrary policy 4/11.	
The location of the revised dwelling would appear overbearing;	See paras 8.19-8.22
The proposal is very big for the area and out of keeping with the more modest proportions around;	The proposed dwelling is entirely in keeping with the surrounding built form and of high quality design. The scale of the dwelling has been specifically designed to respond to the site context.
<u>Residential amenity</u>	
The height of the summerhouse would loom over the patio and garden of 48b Selwyn Road and so should be removed;	The rear elevation of the summerhouse would face onto the side gable end and so would not have any adverse impact on the patio and garden area.
The three first floor windows would overlooking garden of no.27	These windows are to be obscure glazed.
The summerhouse would result in loss of privacy of adjoining properties in Grantchester Road;	The summerhouse would not result in the loss of any privacy. It should be noted that the principle of a summerhouse in this location has been approved (15/0987/FUL).
The developments at no.4 and no.26 for new dwellings together with this application will have a significant and adverse effect on residents of Grantchester Road in terms of noise, disruption and inconvenience;	Each planning application is considered on its own merits.
<u>Tree and landscaping</u>	
Loss of tree	The applicant has proposed to include some replacement planting to compensate for the loss of the trees at the front of the site. I have recommended a landscaping condition.
<u>Other matters</u>	
The proposal will increase price of houses in the area and accelerate the rate of change in the social mix of this part of Newnham;	This is not a material planning consideration.
Loss of diversity in the population is detrimental to Newnham and Cambridge;	As above.
Financial gain	Not a material planning consideration.

9.0 CONCLUSION

- 9.1 The existing dwelling is in a state of disrepair and is somewhat of an eyesore within the street scene. The proposed redevelopment of the site includes the demolition of the existing dwelling to construct a new five bed dwellinghouse with a detached single storey summerhouse and ancillary storage shed for bin and bikes.

- 9.2 The proposed dwelling has been designed to respond to the architectural character of the area in terms of form and massing but also in terms of the adjacent neighbours. The design and scale of the proposed dwelling is considered to be of high quality such that it would improve the appearance of the site, repair the street scene and make a positive contribution to the area. I have recommended conditions such as to materials, hard and soft landscaping and boundary treatment to ensure the overall site makes an improvement to the site and character and appearance of the area.
- 9.3 The proposed dwelling has also been designed to mitigate its impact on the adjacent neighbours. The roof form in the north elevation facing no.21 and 23 has been designed in such a way to break down the massing and visual dominance of the dwelling. I am satisfied that this has been done successfully such that the proposed dwelling would not have a significant adverse impact on the residential amenity of the occupiers. The same with no.27 which has been extended to the side at two storey bringing it closer to the site boundary. I do not consider the proposed dwelling would have any significantly adverse impacts on the residential amenity of the occupiers of no.27. The proposed summerhouse at the rear of the site has been revised and is now proposed to be positioned within the width of the side gable of no.48b Selwyn Road so as it does not appear overbearing. The scale of the proposed summerhouse would have no adverse impact on the residential amenity of the other surrounding occupiers. Planning permission (15/0987/FUL) has been granted for a similar summerhouse in this location.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4. No 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 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), where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with tree, plant and grass establishment); schedules of trees and plants, noting species, tree and 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)

5. 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)

6. 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)

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. 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)

9. 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)

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 policy 4/13

11. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

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

12. Prior to occupation of the development hereby approved details of the side screens for the first floor balcony on the rear elevation shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include the type of material, size of the screens, how they would be attached to the building and a maintenance plan. The screens shall be installed and maintained in accordance with the approved details.

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

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

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

14. The summerhouse 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 summerhouse 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).

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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PLANNING COMMITTEE

6th July 2016

Application Number	16/0391/FUL	Agenda Item	
Date Received	2nd March 2016	Officer	Rob Brereton
Target Date	27th April 2016		
Ward	Coleridge		
Site	1 Brothers Place Cambridge Cambridgeshire CB1 8BN		
Proposal	Construction of dwelling		
Applicant	Mr Pascuzzi 1 Brothers Place Cambridge Cambridgeshire CB1 8BN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The garden plot is suitable for subdivision. 2. No harm to the character and appearance of the existing terrace. 3. No adverse impact on the amenities of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the northern side of Brothers Place and is formed from the side and rear garden of number 1 Brothers Place. To the east of the site is a communal access passage serving the terraced residential properties along Derwent Close.
- 1.2 The site is not within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Permission is sought for the erection of a dwelling. The original proposed dwelling house was two storeys tall with rooms in the

roof. The amended proposal has a reduced height and no rooms in the roof. The ridge height is one metre lower than the ridge of the terrace and the width is 4.1m.

2.2 The proposed new terrace dwelling will be served with a rectangular rear garden area with a cycle and refuse store. It will also have one car parking space.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Email regarding amended design
3. Drawings

3.0 SITE HISTORY

Ref. No.	Description	Outcome
12/1565/FUL	Erection of a dwellinghouse.	Approved

This subject proposal is very similar to that approved under 12/1565/FUL. The reason for this amended design is because of strict requirements from Anglian Water as a surface water sewer runs through the site.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies:

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/10 3/11 3/12 3/13 3/14 4/13 5/1 8/2 8/6 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
	<u>Citywide:</u> Open Space and Recreation Strategy

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

6.1 No objection

The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Head of Environmental Services

6.2 No objection

Following a review of historic maps conditions related to contaminated land are recommended.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations to this application over two periods of consultation.

- ☐ 26 Derwent Close
- ☐ 55 Derwent Close
- ☐ 17 Brothers Place

No. 26 and 55 objected to this proposal and No. 17 recommended conditions to limit the disruption of construction. No. 55 had the following concerns with the proposal:

- They previously objected to the permitted two storey dwelling and this three storey dwelling will further overlook their gardens and houses compromising their privacy.
- They objected to the original Brothers Place scheme so already being overlooked is not a valid argument to permit.
- As this was previously an industrial site a condition must be added that soil is tested and assessed prior to the commencement of development.
- They also re-iterated that no access can be granted from the path from Derwent Close to the Eastern side of Brothers Place as this is a private access belonging to 55 - 65 Derwent close only as this is not a public right of way.
- Cars from Derwent Close are parking on double yellow lines and traveling around a blind corner out of the development.
- The design of the house will not fit in the design of the terrace.
- Construction traffic will damage pathways and cause disruption.

7.2 No further letters of representation have been received on the amended reduced height proposal. However, it is noted many points of the third party objector remain. The expiry date for this re-consultation is the 20th June.

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Permission was granted in 2012 for a terrace dwelling very similar to this amended proposal. The proposed property is slightly smaller in scale than that in 2012 because of the strict requirements from Anglian Water as a surface water sewer runs

through the site. These requirements do not allow for any building within a 6 metre radius around this sewer. The agent and applicant were not aware of this requirement previous to submitting 12/1565/FUL.

- 8.3 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained within the National Planning Policy Framework 2012. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.
- 8.4 The NPPF declassifies garden land from the definition of brownfield land and such sites are no longer included within the Authority's five year housing land supply. This notwithstanding, Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remain acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity value gardens contribute to the City.
- 8.5 In principle, policy 3/10, allows for proposals involving the subdivision of existing plots in the garden area or curtilage of existing dwellings. Development of this nature will not be permitted however if it will have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, light or an overbearing sense of enclosure; provide inadequate amenity space, or detract from the prevailing character and appearance of the area. An analysis of these issues is provided in the design and amenity sub sections below.
- 8.6 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion, the subdivision of the plot will not detract from the open character of the area. The principle of the development is acceptable and in accordance with Cambridge Local Plan 2006 policies 3/10 and 5/1.

Context of site, design and external spaces

- 8.7 The key design issue is the design and appearance of the dwelling in relation to the existing terrace and the surrounding context.
- 8.8 The garden plot to be subdivided is double the size of the adjoining terraces and can comfortably accommodate a new dwelling. The new curtilage which will be created will replicate the existing pattern of plots, which demonstrates that the development responds positively to the constraints of the site.
- 8.9 The subservient design of the terrace extension is acceptable; as it takes many of the features of the terrace it adjoins but yet does not dominate the high quality character and appearance of the streetscene. Suitable matching brickwork will ensure the extension complements the main terrace.
- 8.10 The plot lends itself to subdivision and will not be erosive to the open character of the area, and in my opinion is compliant with Cambridge Local Plan (2006) policies 3/4, 3/10 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

- 8.11 The front façade proposed dwelling will be located over 20 metres away from the rear façade of No. 55 Derwent Close. This substantial distance coupled with the fact the proposed is not located directly behind this neighbouring dwelling out dispel any potential detrimental overlooking or overbearing impacts. Similarly, while No. 26 would directly face the proposal it is located an even more substantial distance away at over 50 metres away from the proposal.

All other neighbouring properties are located a sufficient distance away to dispel any potential detrimental impacts.

Enclosure

- 8.12 The proposal would adjoin end 6 metres of the rear garden of No. 55. A 0.7 metre gap would be left between the boundary

and the proposed dwellinghouse and no windows will face this boundary. It is considered therefore there will not be a detrimental level of enclosure to the rear garden of No. 55, especially as this garden is over 26 metres long.

- 8.13 The car parking space serving the proposed new dwelling will not cause undue disturbance to the donor property, No. 1 Brothers Place.
- 8.14 I therefore do not consider the impacts of this proposal so harmful as to justify refusal. 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 3/12.

Amenity for future occupiers of the site

- 8.14 The proposed house has a garden of comparable size to the adjoining terraces in Brothers Place (2.8m x 2.8m). 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

- 8.15 The scheme integrates a refuse store in the rear garden. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.16 The proposed development provides one car parking space which accords with the Council's maximum standards.
- 8.17 Cycle parking is provided in a rear outbuilding. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

8.18 Third Party Representations

Area of concern	Response
Overlooking	Para 2.1 and 8.10
Soil contamination	Para 6.2 and conditions
Access	The garden of the proposed house can be linked to the existing access way. The right of future occupiers to use the access is a legal matter. Should access be denied through a private covenant, adequate refuse and cycle parking could be provided to the front of the proposed dwelling.

9.0 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. 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)

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

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

12. 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)

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4 and 3/14)

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PLANNING COMMITTEE

6th July 2016

Application Number	16/0532/FUL	Agenda Item	
Date Received	3rd May 2016	Officer	Charlotte Burton
Target Date	28th June 2016		
Ward	Cherry Hinton		
Site	233 Queen Ediths Way Cambridge Cambridgeshire CB1 8NJ		
Proposal	Two storey side extension and single storey rear extension following the demolition of an existing outbuilding.		
Applicant	Mr Daniel Waisberg 63 Queen Edith's Way Cambridge Cambridgeshire CB1 8PL United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The scale, massing, form and materials would be appropriate to the existing building and would not harm the character of the area;</p> <p>The extension would not have a significant adverse impact on the amenity of neighbouring properties;</p> <p>The proposal provides adequate amenity for future occupiers, in terms of bin and bike storage and car parking, subject to conditions.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 233 Queen Edith's Way is a semi-detached property on the north western side of the road. The property is two storey with a hipped roof constructed of red brick. There is a driveway which slopes downwards towards the house, which is set back behind a landscaped front garden. There is a single storey

detached garage at the side, set back from the rear of the house which abuts the boundary.

- 1.2 The property adjoins No. 231 to the west. The neighbouring property to the east is No. 235 which is a detached two storey property with a conservatory at the rear. The boundary with No. 235 is formed by a boundary fence and the garage of No. 233 at the rear, and a hedge at the front. There would be a deck at the rear which would raise the ground level where the garden currently slopes away from the rear of the house.
- 1.3 The site does not fall within a conservation area. The building is not listed or a Building of Local Interest, nor are the neighbouring properties. There are no tree preservation orders on the site. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is for the erection of a two storey side extension and a single storey rear extension, following demolition of the existing garage. The side extension would have an eaves and ridge height, and a hipped roof to match the existing. On the front elevation, the side extension would project forward of the existing building line by 800mm at ground floor level and 300mm at first floor level with a front-facing hipped roof and a canopy above the main entrance at first floor level. The rear extension would project 3000mm and would have a flat roof to a height of 2900mm.
- 2.2 The original drawings submitted showed the proposed two storey east elevation abutting the boundary with No. 235 with the eaves overhanging the neighbouring property. The single storey west elevation was also shown built along the boundary line with a half-brick width extending into No. 231. During the course of the application, the applicant submitted revised plans to amend the position of the side elevations so that all works are situated on land within the applicant's ownership. The main changes were:
 - ☐ the east elevation of the two storey extension stepped back 200mm from the boundary so that the edge of the guttering would not overhang No. 235;
 - ☐ the west elevation of the single storey rear extension stepped back 200mm from the boundary with No. 231.

2.3 The extensions would be constructed in brick to match the existing and the hipped roof would be in roof tiles to match the existing. A new permeable paving driveway would be laid and a bin store would be located at the front of the property. A cycle store with space for parking two bikes would be integrated into the front elevation. At the rear, a new store is proposed against the east boundary and a raised deck extending level with the internal floor level.

2.4 The application is accompanied by the following supporting information:

1. Drawings
2. Design Statement
3. Drawing showing 45 degree rule assessment
4. Drawing showing dimensions of car parking space

3.0 SITE HISTORY

3.1 The property has no recent planning history.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/ 3/11 3/14
		8/2 8/6 8/10

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 Comments 08.04.2016

The application form states that there is no change in parking provision within the site, but provides no other details of existing or proposed provision. The application removes an existing garage. The applicant must provide information regarding existing and proposed parking arrangements to allow informed comment upon the full impact of the proposals. The applicant must show the dimensions for the proposed car parking spaces, which should measure 2.5m x 5m.

6.2 Comments 10.06.2016 on revised drawings

The Highway Authority does not consider that the additional information supplied provides any additional relevant information upon which to comment.

6.3 Comments 20.06.2016 on additional drawing showing dimensions of car parking space

The development provides one parking space which is practicable to use.

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

7.0 REPRESENTATIONS

7.1 Councillor Mark Ashton has commented on this application and has asked for it to be determined by the Planning Committee for the following reasons:

- ☐ The gutter of the proposed extension according to the plans will be over hanging the boundary line into the garden of No. 235. It is not clear from the drawings how a drainpipe could be fitted from the gutter that is shown on the drawings if this was built on the boundary line.
- ☐ Loss of light.

- ☐ The proposed second storey window of bedroom 4 will overlook the conservatory of No. 235.
 - ☐ The likely loss of a 50 year old beach hedge and loss of privacy/encroaching on No. 235 as a result.
- 7.2 The owners/occupiers of the following addresses have made representations **objecting** to the proposal:
- ☐ 235 Queen Edith's Way
- 7.3 The owners/occupiers of the following addresses have made **neutral** representations to the proposal:
- ☐ 231 Queen Edith's Way
- 7.4 The representations can be summarised as follows:
- ☐ Loss of light to No. 235.
 - ☐ The proposed new extension/porch will affect light coming into the front windows of No. 235 serving a lounge.
 - ☐ Over-looking from the proposed second storey window on the rear elevation towards the conservatory at the rear of No. 235 if the extension is built on the boundary line.
 - ☐ Likely loss of 50-year old beech hedge at the front of the property and loss of privacy and encroachment as a result.
 - ☐ Queen Edith's Way is a green corridor leading to Addenbrooke's and the City. If building continues apace, unchecked, before too long the City will be a mass of concrete and coloured glass with oversized buildings on plots that are too small.
 - ☐ Other properties in the area retain gaps between side elevation and boundary.
 - ☐ The gutter would overhang the boundary into No. 235. Not clear how a drainpipe could be fitted if this was built on the boundary line;
 - ☐ Requirements for access to property from No. 235 during construction;
 - ☐ There will be no way that the proposed extension can be maintained if it sits on the boundary line. The owners of No. 233 should be able to maintain their property within their boundary line and not expect to encroach on their neighbours' land. At least one metre clearance would be the norm. There has been no attempt to consult No. 235.

- ☐ In light of lack of consultation with No. 235, the owners will not be agreeing to a party wall agreement if proposed by the owners of No. 233.
- ☐ It is not clear whether the new owners are going to live there or will be looking to let it.
- ☐ Larger houses are available for sale in the city without the need to extend No. 233.
- ☐ Clarification over the boundary line between Nos. 231 and 233.

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. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

8.2 Cambridge Local Plan (2006) policy 3/14 permits extensions to existing buildings in principle, subject to criteria relating to the responding to the context, the amenity of neighbouring and future occupiers, and the impact on the character of the conservation area. These are addressed further in the sections below. In summary, for the reasons set out in this report, in my opinion, the principle of the development is acceptable and in accordance with policy 3/14.

Context of site, design and external spaces

Response to context

- 8.3 Queen Edith's Way is characterized by a mix of detached and semi-detached properties set back from the road on a relatively consistent building line. The properties are set within generous plots with landscaped front gardens. There are a mix of building styles and some examples of extensions and alterations, although all retain a more traditional building style with features including pitched and hipped roofs. Many of the properties have single storey side garages. The properties display a range of materials, predominantly brick and render, with tiled roofs.
- 8.4 The proposed side extension with a hipped side roof and front-facing hipped roof would be entirely in keeping with the character of the existing house and the other properties along Queen Edith's Way. The hipped side roof would match the hipped roof of the existing house. The front-facing hipped roof would be a similar feature as found on No. 235. The flat roof single storey rear element would be similar to the existing rear extension at no. 231. In my opinion, the overall form of the proposed extensions responds well to the existing property and the character of the area.
- 8.5 Third parties have expressed concern that the side extension extending to the site boundary would be out of keeping with the character of the area as most properties are set back from their boundaries. In my assessment, I have considered the character of the properties on both sides of the road. While I acknowledge that many of the properties are set back from their boundaries, there are also examples of single and two storey side extensions that abut (or are close to) their plot boundaries. In my opinion, the gaps between the properties and their boundaries are not so prevalent as to form an overriding character of the street. Moreover, as the scale and form of the side extension would be in keeping with the property, it would not harm the character of the area.
- 8.6 Third parties have also expressed concern that the proposal would harm the 'green corridor' along Queen Edith's Way leading to Addenbrooke's and the City. The third parties have provided no clarification about what features they consider

contribute to the supposed 'green corridor', however it is assumed this is a reference to the landscaped front gardens. The side extension would be on land that is currently used as driveway and the rear extension would be on an existing patio area. In my view, the scale of the extensions would not have a significant impact on any open or verdant character. While I acknowledge that the front gardens make some contribution to the supposed 'green corridor', this would be retained. There would be a bin and cycle store at the front of the property, however, in my view, there is space to accommodate this without harming the existing landscaping.

Scale and massing

- 8.7 The eaves and ridge height of the side extension would be the same as existing. The existing front elevation is 6500mm wide and the proposed side extension would extend a further 2000mm and would be set back from the boundary by 200mm. At the front, it would project forward of the existing building line by 800mm at ground floor level and 300mm at first floor level. At the rear, the two storey element would be flush with the existing rear elevation. In my view, the scale and massing is entirely appropriate to the existing building and the character of the area. The impact of the proposed scale and massing on residential amenity is considered below.
- 8.8 The rear extension would project 300mm to the same building line as the existing rear extension of No. 231. The maximum height would be 2900mm. The applicants could construct a rear extension with the same depth and height under permitted development rights, however the part of the rear extension attached to the proposed side extension would not be permitted development. The proposed single storey rear extension would extend across the width of the extended rear elevation, and in my view, the scale and massing would be entirely appropriate to the existing building.

Elevations and Materials

- 8.9 The extensions would be constructed in brick to match the existing and the hipped roof would be in roof tiles to match the existing. The new windows would have a similar size and proportion to the existing windows. The porch on the front elevation would add interest to the front elevation and would be

in-keeping with the variety of building styles along the road. A cycle store has been integrated into the front of the building which is supported.

Layout / Movement and Access

- 8.10 The proposed extensions would be at the side and rear and would relate well to the existing building. The car and cycle parking and bin store would be located at the front of the site where it is well located for users. While access from the driveway into the rear garden would be blocked off, as the bin and cycle stores would be provided at the front of the property, in my view this is acceptable and similar to other properties along the road which have been extended to their boundaries.

Open Space and Landscape

- 8.11 The property would retain a good size rear garden which would provide private amenity space. The area in front of the property would be enhanced by a new permeable paving car parking area. Conditions are recommended for further details of the bin and bike store located at the front of the property. Given the front of the site is lower than the street level, it is considered that a bin and bike store could be located and designed so that it does not have an adverse impact on the appearance of the property or the street scene.
- 8.12 There is an existing beech hedge along the boundary with No. 235. The occupants of this property have expressed concern that this hedge could be lost during construction. While the hedge does make some positive contribution to the overall landscaping on the site, it is not protected in any way. The applicants have not provided details of the proposed boundary treatment. It is considered that, if the hedge is harmed during the construction, suitable replacement landscaping could be planted along the boundary. A condition is recommended for details of the boundaries to be submitted for approval and implemented.
- 8.13 The occupants of No. 235 also expressed concern that the boundary between their properties at the rear would be left open, following demolition of the garage which abuts the boundary. A condition is recommended for details of the boundaries to be submitted for approval and implemented.

- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Residential Amenity

Relationship with No. 235 (east)

- 8.15 No. 235 is a detached two storey property set back from the boundary with the application site by approximately 1800mm (as shown on the submitted drawings). The western side elevation of No. 235 is two storeys and there is a single storey conservatory with glazed roof at the rear. There are no windows on the western side elevation facing the application site. The front elevation is on the same building line as the existing No. 233. The existing rear elevation of No. 233 is further back than the rear elevation of No. 235 by less than half a metre. The boundary between the properties is formed by a hedge in front of the properties and a fence elsewhere, although there is a gap in fence where the existing garage of No. 233 abuts the boundary. The proposed deck at the rear would be 300mm higher than the patio at the rear of No. 235 (as shown on the submitted drawings).
- 8.16 The proposed two storey side extension would be separated from the boundary with No. 235 by 200mm (following the revised plans submitted) so that the eaves would not overhang into the neighbouring property. The side extension would project forward of the existing building line of No. 235 by 800mm at ground floor level and 300mm at first floor level. At the rear, the two storey side extension would project beyond the two storey rear elevation of No. 235 but would not exceed the building line of the existing rear elevation of No. 233. The proposed single storey rear extension would not project further back beyond the line of the existing conservatory of No. 235. The existing garage would be demolished and a new store would be erected. The applicants have not provided details of the proposed boundary treatment.

Relationship with No. 231 (west)

- 8.17 No. 231 is the matching semi-detached pair to No. 233. It has been extended at the rear with a 300mm single storey flat-roofed brick element. The proposed single storey rear extension

would have the same depth and height as the existing extension at No. 231. It would be set back from the boundary by 200mm so there would be no overhang. The existing boundary is formed by a hedge. The applicants have not provided details of any changes to the boundary treatment.

Overshadowing/loss of light and Enclosure/loss of outlook

- 8.18 There are no windows on the west elevation of No. 235 facing onto the proposed extension and therefore, although this would be stepped back from the boundary by only 200mm, there would be no direct loss of outlook from any windows of No. 235. While there is a narrow passageway along the western side of No. 235 to provide access to the rear garden, this is already overshadowed and enclosed by the existing two storey elevations of Nos, 233 and 235. In my opinion, the side extension being approximately 2000mm closer to the boundary than existing would not have a significant adverse overbearing impact, given this is not part of the private amenity space of No. 235.
- 8.19 The north east corner of No. 233 would project closer to the rear of No. 235 than the existing house, however given the orientation of No. 233 is to the south west, there is already a high degree of overshadowing at the rear of No. 235. As a result, in my view, the scale of the side extension would not have a significant additional adverse over-shadowing impact on the conservatory or patio of No. 235 compared to the existing situation. The single storey rear extension would not have a significant overbearing or over-shadowing impact compared to the existing situation.
- 8.20 The occupants of No. 235 have expressed concern that the front projection of the side extension and the porch on the front elevation would lead to loss of light to the ground floor window of their lounge on the front elevation and would have an enclosing impact if the beech hedge along the boundary between the two properties is lost during construction. The ground floor front extension would project 800mm from the front elevation which is on the same building line as No. 235. This would not cut across a 45 degree line from the centre of the lounge window. Therefore, I am not concerned about any overbearing impact. Due to the small scale of the front projection, I am not concerned about any over-shadowing

impact on this window compared to the impact that the existing boundary treatment has or any boundary that could be erected under permitted development. There is a window above this on first floor serving a bedroom, however as the first floor front projection would be 300mm, in my opinion, this would not have any overbearing or over-shadowing impact on this window.

- 8.21 I am not concerned about any overshadowing or enclosure of No. 231 from the single storey rear extension as the applicants could construct an extension of the same depth and height in this location under permitted development rights. Moreover, the rear extension would be single storey and orientated to the north east of No. 231. There are no windows on the side elevation of the rear extension of No. 231 facing No. 233. This precludes any significant impact in terms of overshadowing or enclosure.

Overlooking/loss of privacy

- 8.22 No windows are proposed on the east elevation facing towards No. 235. The occupants of No. 235 have expressed concern about overlooking into the glass roof of their conservatory at the rear from the proposed first floor windows on the rear elevation. There would be a new window on the rear elevation serving a bedroom, the nearest side of which would be 1000mm from the boundary with No. 235. In my opinion, this would only afford a very oblique view down into the conservatory when standing very close to the window. Therefore I am not concerned that this would have a significant overlooking impact. Nonetheless, the applicants have offered to obscure glaze the left-hand-most of the three window panes closest to No. 235. In my opinion, it would be reasonable to secure this through a condition in order to address any perceived loss of privacy for the conservatory of No. 235.
- 8.23 The occupants of No. 235 have also expressed concern that the beech hedge along the boundary between the two properties at the front of the site could be lost as a result of construction which would lead to over-looking. I agree that if this was the case, there would be some overlooking between the properties, however, this would not be into their private amenity space. Nonetheless, the recommended condition for details of the boundary treatments to be submitted for approval would address this concern.

- 8.24 I am not concerned about any overlooking towards No. 231 from the single storey rear extension as there would be no windows on west elevation and, in any case, the extension would not project further than the existing rear extension of No. 231. However, a condition for details of the boundary treatment to be submitted for approval is recommended in order to address any impact that may arise from the loss of the hedge boundary during construction.

Noise and disturbance

- 8.25 The property would remain in use as a single dwelling. While there would be an additional bedroom added, I am not concerned that this would generate additional noise and disturbance so as to affect the amenity of neighbouring occupiers.

Overspill car parking

- 8.26 There would be one less car parking space than existing, however, given the sustainability of the location within cycling distance of the city centre and Addenbrooke's; and within walking distance of bus stops along Queen Edith's Way and Cherry Hinton Road, I am not concerned that this would lead to overspill parking on the public highway which would affect the amenity of neighbouring occupiers.

Construction activities

- 8.27 A standard condition is recommended to restrict the construction hours in order to protect the amenity of neighbouring occupiers.
- 8.28 For these reasons, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Amenity for future occupiers of the site

- 8.29 The property would retain a good size garden which would provide adequate private amenity space for a 4-bed property. Bin and cycle storage could be provided to meet the adopted

standards, as discussed below. Therefore, in my opinion, there would be an adequate amenity for future occupiers.

- 8.30 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Refuse Arrangements

- 8.31 A bin store is proposed at the front of the site which provides space for three bins to meet the adopted guidance. A condition is recommended for details of the bin store to be submitted for approval. Subject to this condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

Highway Safety

- 8.32 The proposal would utilise the existing vehicle access. No concerns have been raised by the Highways Authority regarding the safety of the access point and I agree with this assessment. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.33 The property currently has two car parking spaces – one in the garage and the other on the driveway. The proposal involves the demolition of the garage therefore there would be a loss of one car parking space. One parking space would be retained on the driveway. In response to the Highways Authority comments, this would meet the minimum dimensions of 2.5m x 5m. The Highways Authority have commented that the proposed car parking space is practical. Therefore, the proposal complies with the maximum car parking standards and, in my opinion, is compliant with Cambridge Local Plan (2006) policy 8/10.
- 8.34 The proposal includes an integrated cycle store at the front of the property. This would provide two cycle parking spaces. This is one space short of the adopted standards for four-bedroom dwellings, however in my view, there is enough space in front of the property to provide an additional cycle parking space. A

condition is recommended for details of one additional secure cycle parking space to be submitted for approval. The proposed integrated cycle store would have a double-leaf opening from which would meet the minimum 1000mm opening in the adopted guidance. While the depth of the store would be 100mm short of the guidance, the width would be 500mm greater and as such I am content that two cycles could be stored diagonally. Therefore, in my opinion, subject to the recommended condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

Comment	Response
Loss of light to No. 235;	See paragraphs 8.18 – 8.20
The proposed new extension/porch will affect light coming into the front windows of No. 235 serving a lounge.	See paragraph 8.20
Over-looking from the proposed second storey window on the rear elevation towards the conservatory at the rear of No. 235 if the extension is built on the boundary line;	See paragraph 8.22
Likely loss of 50-year old beech hedge at the front of the property and loss of privacy and encroachment as a result;	See paragraphs 8.20 and 8.23
Queen Edith's Way is a green corridor leading to Addenbrooke's and the City. If building continues apace, unchecked, before too long the City will be a mass of concrete and coloured glass with oversized buildings on plots that are too small.	See paragraphs 8.3 – 8.6
Other properties in the area retain gaps between side elevation and boundary.	See paragraph 8.5
The gutter would overhang the boundary into No. 235. Not	These are not planning issues. An informative is

clear how a drainpipe could be fitted if this was built on the boundary line;	recommended to advise the applicants that planning permission does not convey a right of access over neighbouring property for construction or maintenance.
Requirements for access to property from No. 235 during construction;	
There will be no way that the proposed extension can be maintained if it sits on the boundary line. The owners of No. 233 should be able to maintain their property within their boundary line and not expect to encroach on their neighbours' land. At least one metre clearance would be the norm. There has been no attempt to consult No. 235.	
In light of lack of consultation with No. 235, the owners will not be agreeing to a party wall agreement if proposed by the owners of No. 233.	
It is not clear whether the new owners are going to live there or will be looking to let it.	This is not a planning issue. The property will remain as a single dwelling which can be lawfully let without planning permission.
Larger houses are available for sale in the city without the need to extend No. 233.	This is not a relevant planning matter.
Clarification over the boundary line between Nos. 231 and 233.	The applicant submitted revised plans to clarify the site boundary and set back the side elevation of the rear extension 200mm from the boundary.

9.0 CONCLUSION

- 9.1 In summary, in my opinion the scale, form, massing and appearance of the extensions would be in keeping with the character of the property and would not harm the appearance of Queen Edith's Way. The extensions would not have a significant adverse impact on the amenity of neighbouring properties due to their scale and orientation. The proposal provides adequate amenity for future occupiers, in terms of bin and bike storage and car parking, 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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14)

5. 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 3/14)

6. No development shall commence until details of facilities for the covered, secure parking of one number of bicycles (in addition to the two spaces shown on the approved plans) for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the extension commences.

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

7. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to the commencement of the use of the extension 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 3/14 and 4/13.

8. The window identified as having obscured glass on drawing number 233QEW 02 112 PL 16.05.2016 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use of the extension and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that the approval of planning permission does not grant any right to construct an extension which encroaches onto another property and that they should satisfy themselves that due consideration has been given to any advice or requirements contained within The Party Wall Act 1996.

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th July
WARD: Market

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 02/2016

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees at 17 Brunswick Gardens
- 1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed subject to modification of the plan to more accurately show the location of T1. See Appendix 1.

3.0 BACKGROUND

- 3.1 A section 211 Notice was received to significantly reduce the crowns of 2 Birch trees by reducing height by 4m and width by 6m. Officers concluded that there were no arboricultural nor overbearing practical reasons to carry out the works in the manner proposed, which would be detrimental to tree health and appearance and consequently to amenity. A TPO was therefore served. Officers are of the opinion that more considered remedial works will improve the relationship between the trees and their immediate surroundings without materially impacting on their amenity value and would be minded to permit a crown lift to 4m, a lateral tip-end reduction along with a 20% crown thin, should an application of this nature be made.

4.0 POWER TO MAKE A TPO

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or

woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways that would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

A TPO was expedient because we received notice of intended tree works. Works that would have a significant impact on the trees' contribution to amenity.

4.2.2 Amenity

The trees are clearly visible from Brunswick Gardens, they were planted as part of the landscaping scheme associated with development and offer a significant contribution to the character of the area.

4.2.3 Suitability

There are no overbearing practical reasons that would make the trees unsuitable in their locations. It is however acknowledged that considered remedial work would improve the relationship between the trees and adjacent buildings and garden use.

5.0 CONSULTATIONS

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation objections have been received to the TPO from 17 and 16 Brunswick Gardens. Support was received from 9 Brunswick Gardens

6.0 CONSIDERATIONS

- 6.1 The objections are made on the following grounds:
- 6.1.1 Tree T1 is incorrectly located on the plan
 - 6.1.2 Tree T1 is too large and blocks light from the house and garden
 - 6.1.3 Leaves and twigs fall in the garden
 - 6.1.4 Roots damage flagstones
- 6.2 Officer's response to the objection.
- 6.2.1 The TPO plan is representative only but can be altered at confirmation to reflect the location more accurately.
 - 6.2.2 Officers do not object to the principle of pruning the trees and would be happy to agree to more considered works that will reduce the negative impact of the trees on their surrounding while maintaining trees' health and amenity contribution. Such works would include crown thinning, crown lifting and a lateral, tip-end reduction.
 - 6.2.3 While leaf and twig fall can be a nuisance it is not considered to be reasonable justification for works that would be detrimental to tree health and appearance.
 - 6.1.4 There are no objections to the retention of the trees and the pruning proposed would have no material impact on damage caused to flagstones.

7.0. OPTIONS

- 7.1 Members may
- Confirm the Tree Preservation Order.
 - Decide not to confirm the Tree Preservation Order.
 - Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

- 8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 02/2016 subject to modification of the plan to more accurately represent the location of T1.

9.0 IMPLICATIONS

- | | | |
|-----|----------------------------------|------|
| (a) | Financial Implications | None |
| (b) | Staffing Implications | None |
| (c) | Equal Opportunities Implications | None |
| (d) | Environmental Implications | None |
| (e) | Community Safety | None |

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 15/348/TTCA

City of Cambridge Tree Preservation Order 02/2016

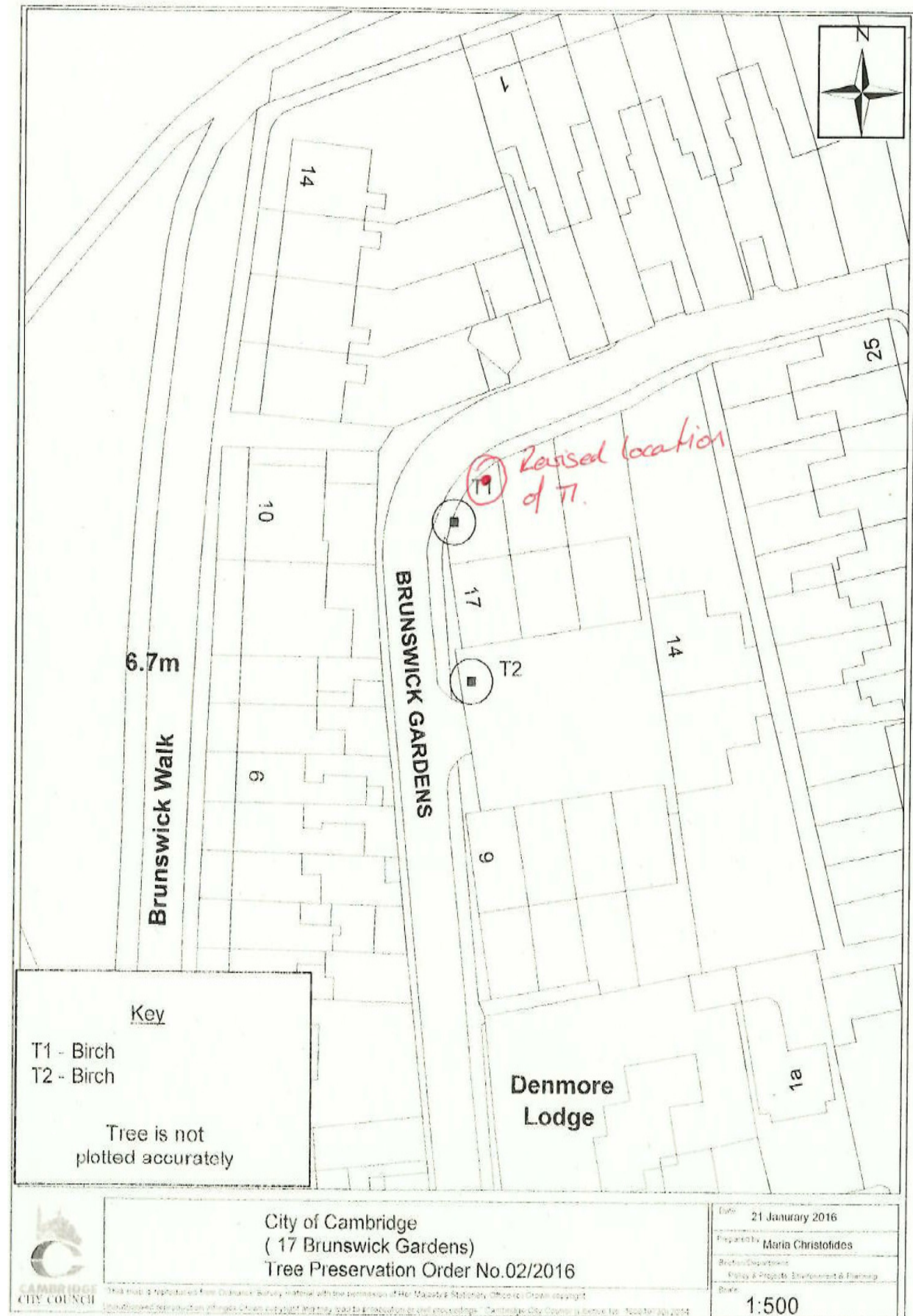
Objection letters and letter of support

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 14.06.2016

Date of last revision: 20.06.2016



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CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th July
WARD: Newnham

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 10/2016

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees at 38 Fulbrooke Road
- 1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

- 3.1 An application (15/1391/FUL) to extend the existing building at 38 Fulbrooke Road was received and tree officers consulted. Officers objected to the proposal on the grounds that the application required excessive pruning to a Beech tree located in the property's rear garden. Following receipt of officer comments the tree was severely pruned to provide the necessary clearance between the tree and building to allow physical construction of the proposed extensions. A tree preservation order was served to prevent further works to the tree.
- 3.2 Before pruning the tree had a crown spread of 7.1m to the north, 6m to the east, 5.4m to the south and 9m to the west. The tree now has a crown spread of 5m to the north and east and a spread of only 3m to the south. The western aspect was not surveyed by the applicant's arboriculturalist. While the work is considered extreme and the extent contrary to best practice, the tree surgery was excellent quality and the tree would be expected to recover a reasonable crown again given the space to grow into. The proposed three story extension however does not provide that space. To

maintain a physical clearance between the canopy edge and building as proposed the southern aspect would need regular reduction back to 3m. This work will have a material impact on the tree's appearance and life expectancy. Furthermore it is anticipated that once built the tree, even if pruned regularly in all aspects, will block light to and views from the 3-storey rear extension and therefore the tree's removal will become desirable.

4.0 POWER TO MAKE A TPO

4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

Tree works, not in accordance with best practice were carried out to the tree to reduce its constraint on proposed development.

4.2.2 Amenity

The tree is located to the rear of the existing house but is clearly visible from Fulbrooke Road. Please see Appendix 1. The tree also provides a screen between number 38 and the adjacent Croftgate flats and contributes environmental amenity.

4.2.3 Suitability

There are no overbearing practical reasons that would make the tree unsuitable in its current location. It is however acknowledged that due to the tree's proximity to the existing 38 Fulbrooke Road periodic remedial work is required to maintain a reasonable clearance between the canopy edge and building.

5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation, support for the TPO has been received from Croftgate and objection has been received from 38 Fulbrooke Road

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 The applicant has used TEMPO (Tree Evaluation Method for Preservation Orders) to show that the tree is not suitable for TPO because of limited amenity value.

6.1.2 There is no intention to remove the tree.

6.1.3 Required pruning will not impact on the tree's amenity value.

6.2 Officer's response to the objection.

6.2.1 The tree is clearly visible from a public viewpoint, contributes positively to the environment and is therefore appropriate for legal protection under the terms of the Town and Country Planning Act.

6.2.1 The TPO not only protects the tree from removal but protects it from damaging tree works. The tree has suffered extreme tree works recently and such works are likely to be repeated. Officers would allow reasonable tree works.

6.2.3 The maintenance of the crown with such a limited spread to the south and east will result in dense regrowth similar to that when maintaining a hedge. The primary view of the tree is from the south

and its affected canopy growth will be apparent from this view. Continued pruning to this extent will impact on the trees longevity.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 10/2016.

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

Planning Application 15/1391/FUL

Objection from 38 Fulbrooke Road

City of Cambridge Tree Preservation Order 10/2016

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 14.06.2016

Date of last revision: 20.06.16

Appendix 1



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CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th July
WARD: Market

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 11/2016

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a tree at Christ's College.
- 1.2 As an objection to the order has been received the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

- 3.1 A section 211 Notice, supported by a letter from David Brown Landscape Design was received to remove two Wingnut trees from the grounds of Christ's College because the trees are not suitable species for the locations, have outgrown the locations, are too close to adjacent structures and cast significant shade. Officers concluded that there are no arboricultural reasons to remove the trees and no overbearing practical reasons to remove the tree located in the Master's Garden as management of this tree would allow its reasonable retention. A TPO was therefore served on this tree. However in order to retain the tree located adjacent to the Hobson Street carpark, the remedial work required would be significant, would need to be repeated frequently and would have a detrimental impact on the tree's appearance and amenity contribution without having a significant impact on the nuisance associated with its retention. Removal and replacement of this tree is considered to be a more reasonable solution, therefore.

4.0 POWER TO MAKE A TPO

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

A TPO was considered expedient as the tree's removal was proposed by the college.

4.2.2 Amenity

The tree is located close to Hobson Street where it overhangs and can be seen from the whole length of the road, it is also clearly visible from St Andrew's Street.

4.2.3 Suitability

There are presently no overbearing practical reasons that make the tree unsuitable in this location. It is however acknowledged that considered remedial work would improve the relationship between the tree, adjacent buildings and Master's Garden but without having a detrimental impact on the tree's appearance and amenity contribution.

5.0 CONSULTATIONS

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation an objection has been received to the TPO from Christ's College.

6.0 CONSIDERATIONS

- 6.1 The objection is made on the following grounds:
 - 6.1.1 The tree reaches across Hobson Street to buildings on the other side.
 - 6.1.2 The tree shades Master's Garden and throws up suckers restricting garden use.
 - 6.1.3 It is a relatively young tree and the problems will only worsen as the tree grows.
 - 6.1.4 As a result of the above, the tree will require extensive and frequent pruning at significant cost to the college and with benefit to the college or the public.
- 6.2 Officer's response to the objection.
 - 6.2.1 The tree has a good branch structure and can be pruned sympathetically to maintain a reasonable clearance to the buildings opposite.
 - 6.2.2 The tree is located in a secluded part of the garden and does not impact materially on the main, formal part of the garden. Notwithstanding this crown lifting would improve shading and there is no evidence that the management of suckers is not practical.
 - 6.2.3 At present there is insufficient evidence to support the claim that tree is not reasonable to manage. It more upright habit makes it a suitable tree than the one close to the carpark.
 - 6.2.4 It is accepted that pruning is required to maintain the tree in its current setting. However at this stage such pruning would not be considered extensive. While the benefit to the College of tree retention may be limited, the public benefit of tree retention is significant as the tree's loss will have a material and detrimental

impact on the character and appearance of Hobson Street as the trees is a dominant feature of views up and down the road.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 11/2016

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 15/139/TTCA

City of Cambridge Tree Preservation Order 11/2016

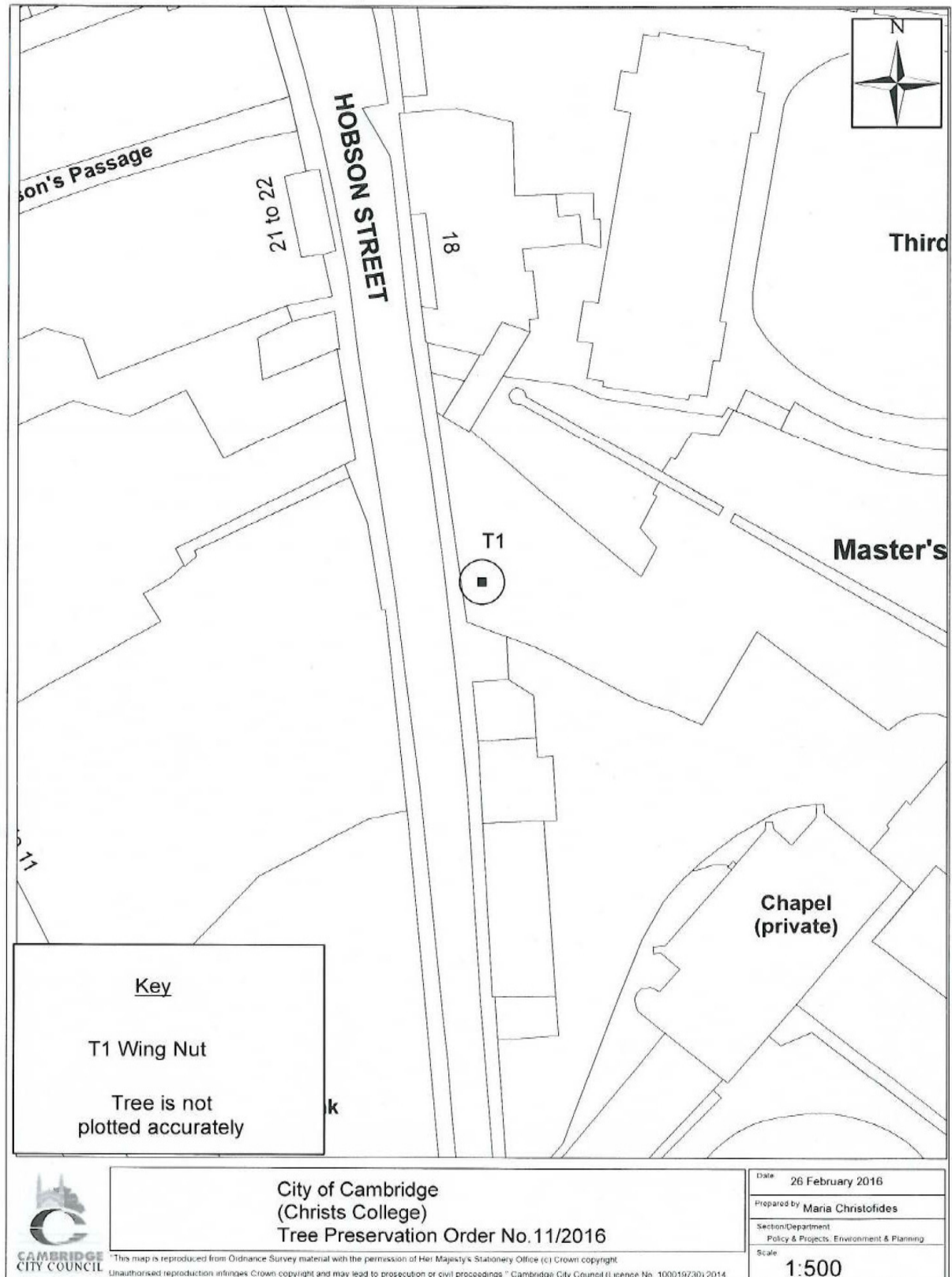
David Brown letter supporting application, re-used as objection

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 14.06.2016

Date of last revision: 20.06.2016



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CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th July
WARDS: Newnham

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 06/2016

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a Sycamore tree on the front boundary at 22 Barton Road.
- 1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

- 3.1 A section 211 Notice was received for T1: Sycamore - Dismantle to ground level, T2: Plum - Dismantle to ground level, T3 Holly - Dismantle to ground level, T4 Purple plum - Dismantle to ground level, T5 - Silver birch Dismantle to ground level. The reason given was that trees were infected with Honey Fungus and the desire to inhibit further spread. While there was no evidence presented with the application to support the claim the removal of T2 to T5 would have no material impact on public amenity and therefore these trees were not appropriate for TPO protection. However the Sycamore is a dominant tree and a feature of Barton. As evidence was lacking support the claim that this tree required removal and its removal would have a material impact on public amenity a TPO was served to protect this tree.

4.0 POWER TO MAKE A TPO

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

A TPO was expedient because we received notice of intended tree works. Part of those works would have a significant impact on public amenity.

4.2.2 Amenity

The tree is located on the front boundary of a property on the north side of the busy Barton Road. It is clearly visible and a prominent feature of the road.

4.2.3 Suitability

There are no overbearing practical reasons that would make the tree unsuitable in its location.

5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation an objection has been received to the TPO from the adjacent St Marks Court.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 Honey Fungus spreads by infected wood and roots and is likely to spread to St Mark's Court. The trees have to be felled to limit the spread of the fungus

6.2 Officer's response to the objection.

6.2.1 There are a few species of Honey Fungus that have varying significance for trees and shrubs, it has not been established which Honey Fungus is present. Strands of hyphae radiate out through the soil from an established colony and are responsible for spreading the fungus as well as root to root contact. There was no evidence, yellowing foliage, die-back, wilting and early leaf fall, presented with the notice to suggest that the is Sycamore infected. At the time of inspection the crown appeared healthy.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 06/2016

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 15/539/TTCA

City of Cambridge Tree Preservation Order 06/2016

Email of objection

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

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