

# 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, 27 September 2016*

**Date:** Wednesday, 5 October 2016  
**Time:** 10.00 am  
**Venue:** Committee Room 1 & 2 - Guildhall  
**Contact:** Toni Birkin

### AGENDA

#### 1 ORDER OF AGENDA

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

- **PART ONE**  
Major Planning Applications  
Start time: 10am
- **PART TWO**  
Minor/Other Planning Applications  
Start time: 12.30pm
- **PART THREE**  
General and Enforcement Items  
Start time: At conclusion of Part Two

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

If the meeting should last to 6.00pm, the Committee will vote as to whether or not the meeting will be adjourned. If the decision is to adjourn the Committee will agree the date and time of the continuation meeting which

will be held no later than seven days from the original meeting.

## **2 APOLOGIES**

## **3 DECLARATIONS OF INTEREST**

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

## **4 MINUTES** *(Pages 7 - 16)*

To confirm the minutes of the meeting held on 31<sup>st</sup> August 2016.

## **Appendix 1 for Full Details of Central Government Planning Guidance**

<b>Part 1: Major Planning Applications (10am)</b>
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## **5 PLANNING REPORT FOR 16/0641/FUL - 68-80 PERNE ROAD** *(Pages 27 - 84)*

<b>Part 2: Minor/Other Planning Applications 12.30pm</b>
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## **6 REPORT 16/0769/FUL - LAUNDRESS GREEN** *(Pages 85 - 100)*

## **7 REPORT 16/0873/FUL - 5 MOORE CLOSE** *(Pages 101 - 112)*

## **8 REPORT 16/1067/FUL - 30 DAVY ROAD** *(Pages 113 - 134)*

## **9 REPORT 16/0748/FUL - 133 OXFORD ROAD** *(Pages 135 - 146)*

## **10 REPORT 16/1036/FUL - 44 DUDLEY ROAD** *(Pages 147 - 162)*

## **11 REPORT 16/1213/FUL - 305A MILL ROAD** *(Pages 163 - 192)*

## **12 REPORT 16/1341/OUT - 396 MILTON ROAD** *(Pages 193 - 206)*

## **13 REPORT 16/1003/FUL 243,245,247 MILTON ROAD** *(Pages 207 - 234)*

- 14      REPORT 16/1281/FUL - 20 DEVONSHIRE ROAD** *(Pages 235 - 264)*
- 15      REPORT 16/1314/FUL - 166 VINERY ROAD** *(Pages 265 - 274)*
- 16      REPORT 16/1035/S73 - TESCO, CHEDDARS LANE** *(Pages 275 - 284)*
- 17      REPORT 16/1206/FUL - 2 MILL STREET** *(Pages 285 - 296)*

<b>Part 3: General and Enforcement Items</b>
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## 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](mailto: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](mailto: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](mailto: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](mailto:democratic.services@cambridge.gov.uk).

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

**Mod.Gov App** You can get committee agenda and reports for your tablet by using the mod.gov app

**PLANNING**

31 August 2016  
10.30 am - 4.15 pm

**Present:**

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

**Officers:**

City Development Manager: Sarah Dyer  
Principal Planner: Lorraine Casey  
Principal Planner: Tony Collins  
Principal Planner: Toby Williams  
Principal Planner: Nigel Blazeby  
Planning Officer: Rob Brereton  
Planner: Michael Hammond  
Planner: Sav Patel  
Planning Assistant: Mairead O'Sullivan  
Legal Advisor: Rory McKenna  
Committee Manager: Toni Birkin  
Committee Manager: James Goddard

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**16/127/PlanApologies**

Apologies were received from Councillor Pippas.

**16/128/PlanDeclarations of Interest**

No declarations of interest were made.

**16/129/PlanMinutes**

The minutes of the meeting of the meeting of the 3<sup>rd</sup> August 2016 were agreed and signed as a correct record.

**Change to Published Agenda Order**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

### **16/130/Plan16/0405/FUL - Christs College, St Andrews Street**

The Committee received an application for full planning permission.

The application sought approval for a new library (1539 sq m), the enclosure of Library Court (201 sq m) and the provision of bridge access between the first floor of the new library and the South Range and Bodley Library. Internal and external alterations to Bodley Library and South Range (Staircase G and Guest Suite) and the South Elevation of South Range between First Court and Library Court. Involved the demolition of the existing library (809 sq m).

The Committee noted the amendment sheet and the history of planning applications for this site. A site visit had also taken place.

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

The representation covered the following issues:

- i. Design and conservation concerns.
- ii. Many objectors unable to attend today due to short notice.
- iii. Many objectors concerned that the respected David Loggan engraving would now be inaccurate.
- iv. Chapel window would also become inaccurate.
- v. Agreed that the library needed updating. However the fabric of the building needed to be protected.
- vi. Friends of the Library object to proposal.
- vii. Old library was precious and needed to be retained.
- viii. Structure was over 500 years old, timber framed and delicate.
- ix. New roof would put strain on the old building and the additional weight of snow had not been considered.

Professor Kelly addressed the Committee in support of the application.

#### The Committee:

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



**16/131/Plan16/0406/LBC - Christs College, St Andrews Street**

The Committee received an application for listed building consent.

The application sought approval for the demolition of the existing 1970's library, the provision of new and upgraded library facilities for the College (1,539sqm), a new glazed atrium amenity space, bridge links between the first floor of the new library and the South Range and the Bodley Library.

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.

**16/132/Plan16/1030/FUL - Wests Garage, Newmarket Road**

The Committee received an application for full planning permission.

The application sought approval for erection of student accommodation with 219 student rooms (following demolition of existing buildings), together with ancillary accommodation comprising common / study rooms, laundry room, management office, plant room, bin and bicycle enclosures, landscaping and associated infrastructure including a sub-station.

The Committee received a representation in objection to the application from a resident of a nearby property on behalf of himself and his neighbours.

The representation covered the following issues:

- i. Proposed heights exceed those suggested by planning guidance.
- ii. Guidance suggests a robust test be applied.
- iii. Visual images provided were poor and did not illustrate the impact on neighbours.
- iv. Build line very close to Godestone Road.
- v. Mass and height would dominate the area.
- vi. Height of building excessive.
- vii. Poor internal space.
- viii. Open spaces on the site would encourage unneighbourly noise and light pollution.
- ix. General disturbance to area which had not been a feature of the previous use as a garage.

Justin Bainton (Applicant's Agent) addressed the Committee in support of the application.

**Resolved (by 5 votes to 1 with 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **16/133/Plan16/1088/S73 - Wests Garage, Newmarket Road**

The Committee received an application for section 73 permission.

The application sought approval for to vary condition 2 (approved plans) of permission 14/1154/FUL, allowed under appeal APP/Q0505/W/15/3137454, to permit a minor material amendment to the approved scheme to include the reconfiguration of the internal layout to create 7 additional study bedrooms (209 study bedrooms in total), reduction in the buildings footprint and cluster sizes, alterations to the substation enclosure and cycle parking arrangement, together with minor external alterations.

The Committee noted the amendment sheet and noted the explanation regarding the need to consider this application before application 16/1030/FUL.

#### 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.

### **16/134/Plan15/6002/S106BA - 9-15 Harvest Way**

The Committee received an application for s106BA permission.

The application sought approval to vary the existing s106 Affordable Housing provision from 30 units to 27.

Caroline Wilberforce (Applicant's Agent) addressed the Committee in support of the application.

The Committee noted an error in the report. An addendum had been published to correct this on the same day that the agenda was published.

The Committee:

The Committee:

**Resolved (by 6 votes to 1)** to grant the application to reduce the provision of affordable housing in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **16/135/Plan16/0617/FUL - Hayling House, Fen Road**

The Committee received an application for full planning permission.

The application sought approval for erection of 14 flats and associated bin and cycle stores following demolition of existing dwelling.

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.

### **16/136/Plan16/1258/FUL - 6 Greville Road**

The Committee received an application for full planning permission.

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

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

The representation covered the following issues:

- i. Took issue with the Officer's recommendation.
- ii. Raised specific concerns regarding:
  - The application was a stepping stone to the house becoming a home in multiple occupation. So there were issues that should be considered at today's committee that had been discounted as this was a residential application.
  - Loss of a family home to a potential home in multiple occupation.

- Noise nuisance and bin storage issues.
- Floor space for occupants.
- Signposted local residents' objections in the Officer's report.

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

Councillor Baigent (Romsey Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. The application was a home in multiple occupation. The design leaned itself to occupancy by 7 people, which required different permission to that being sought. (Bedroom 6 could be shared by 2 people).
- ii. Expressed concern that the application would set a precedent where family homes would be lost in favour of homes in multiple occupation.
- iii. Existing parking and access issues would be exacerbated.

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.

### **16/137/Plan16/1054/FUL - 63 Darwin Drive**

The Committee received an application for change of use.

The application sought approval for change from dwelling to 6 bed HMO with up to 8 persons (Sui Generis). Retrospective single storey rear and side extension, first floor rear extension and ancillary garden room in rear garden.

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

The representation covered the following concerns:

- i. There was too much of an urban feel in the area already. The application would increase the amount of brick and concrete in the area.
- ii. Loss of trees in the Applicant's garden.
- iii. Loss of light.
- iv. Overlooking and lack of privacy.

- v. Existing noise issues would be exacerbated.
- vi. Building safety.
- vii. Loss of parking space.

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

The Committee:

**Resolved (by 5 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.

**16/138/Plan16/0822/FUL - 27 Mill Road**

The Committee received an application for full planning permission.

The application sought approval for erection of a two storey dwelling containing two one-bedroom flats on the land behind 27-29 Mill Road. Works involve the demolition of an existing outhouse.

Mr Owers (Architect) addressed the Committee in support of the application.

Councillor Robertson (Petersfield Ward Councillor) addressed the Committee about the application.

The representation covered the following concerns:

- i. Impact on neighbours' amenities.
- ii. Impact on streetscape, parking and character of area.
- iii. Sense of overbearing / dominance / enclosure.
- iv. Loss of light.
- v. Overlooking / overshadowing.
- vi. Queried if a condition requiring obscured glazing was needed.

The Committee:

**Unanimously resolved** to defer considering the application to seek further information.

**16/139/Plan16/0824/FUL - 29 Hawthorn Way**

The Committee received an application for full planning permission.

The application sought approval for a rear dormer, two storey side/rear and single storey front extensions.

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

The representation covered the following issues:

- i. Gave a history of the applications for the site and expressed concern over the planning process.
- ii. Referred to concerns set out in representations set out in the report eg noise, parking, shared downpipes and loss of light. Residents' concerns do not appear to have been addressed by the report.
- iii. Queried the accuracy of the plans.

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

The Committee suspended this item whilst Members were discussing the proposal so that further information could be sought regarding plans and layout. They returned to the discussion and decision after considering (minute item 16/140/Plan) 171 Hills Road.

The Committee:

**Resolved (by 3 votes to 2)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

#### **16/140/Plan16/1039/FUL - 171 Hills Road**

The Committee received an application for full planning permission.

The application sought approval for a single storey rear extension, single storey side infill extension, amended first floor rear window and extension of rear dormer (following removal of chimney). A single storey bike shelter and bin storage on front driveway. Replacement white painted timber windows.

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.

#### **16/141/Plan15/2196/FUL - 63 Ditton Walk**

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing single storey pitched roof warehouse building and the construction of a two storey and a half storey detached building with accommodation in the loft space consisting of three self-contained flats (2x 1bed units and 1x2bed). The proposal also includes bin and cycle storage and communal space to the rear with a private garden for the round floor flat (flat 1).

The Planning Officer said his report contained a typographical error in paragraph 8.14. Obscured glazing was not required for the rooflights, only the landing window.

#### 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 as amended below:

Remove reference in paragraph 8.14 to obscure glazing of roof lightings in the rear roofscape.

#### **16/142/Plan16/1037/FUL - 5 Harding Way**

The Committee received an application for full planning permission.

The application sought approval for the erection of a two bedroom bungalow to the rear of 5 Harding Way, with access off Gunning Way.

#### The Committee:

**Resolved (by 4 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.

**16/143/Plan09/0141/FUL - 139 Huntingdon Road**

The Committee received a request to vary the Section 106 Agreement made in association with planning permission 09/0141/FUL (for change of use from hotel (class C1) to hotel (class C1) or student accommodation (sui generis) in the alternative) at 139 Huntingdon Road, Cambridge, to allow the provision of open space and recreation facilities on College sites rather than via a financial contribution.

Members were asked to agree to the variation proposed to the Section 106 Agreement made in association with planning application 09/0141/FUL, and thus permit appropriate open space and recreation facilities to be provided on College sites rather than through a financial contribution.

The Committee:

**Unanimously resolved** to accept the officer recommendation to agree to the variation proposed to the Section 106 Agreement.

The meeting ended at 4.15 pm

**CHAIR**



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

(updated August 2015)

### **1.0 Central Government Advice**

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

### **1.2 Planning Practice Guidance (March 2014)**

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

Guidance is provided in relation to the following:

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

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

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

**1.4 Community Infrastructure Levy Regulations 2010**

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

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

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

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

have been entered on or after 6th April 2010

**Development Plan policy**

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

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

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

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

### 3.0 **Cambridge Local Plan 2006**

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

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

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

- 5/7 Supported housing/Housing in multiple occupation
- 5/8 Travellers
- 5/9 Housing for people with disabilities
- 5/10 Dwelling mix
- 5/11 Protection of community facilities
- 5/12 New community facilities
- 5/15 Addenbrookes
  
- 6/1 Protection of leisure facilities
- 6/2 New leisure facilities
- 6/3 Tourist accommodation
- 6/4 Visitor attractions
- 6/6 Change of use in the City Centre
- 6/7 Shopping development and change of use in the District and Local Centres
- 6/8 Convenience shopping
- 6/9 Retail warehouses
- 6/10 Food and drink outlets.
  
- 7/1 Employment provision
- 7/2 Selective management of the Economy
- 7/3 Protection of Industrial and Storage Space
- 7/4 Promotion of cluster development
- 7/5 Faculty development in the Central Area, University of Cambridge
- 7/6 West Cambridge, South of Madingley Road
- 7/7 College and University of Cambridge Staff and Student Housing
- 7/8 Anglia Ruskin University East Road Campus
- 7/9 Student hostels for Anglia Ruskin University
- 7/10 Speculative Student Hostel Accommodation
- 7/11 Language Schools
  
- 8/1 Spatial location of development
- 8/2 Transport impact
- 8/4 Walking and Cycling accessibility
- 8/6 Cycle parking
- 8/8 Land for Public Transport
- 8/9 Commercial vehicles and servicing
- 8/10 Off-street car parking
- 8/11 New roads
- 8/12 Cambridge Airport
- 8/13 Cambridge Airport Safety Zone
- 8/14 Telecommunications development
- 8/15 Mullard Radio Astronomy Observatory, Lords Bridge
- 8/16 Renewable energy in major new developments
- 8/17 Renewable energy
- 8/18 Water, sewerage and drainage infrastructure
  
- 9/1 Further policy guidance for the Development of Areas of Major Change
- 9/2 Phasing of Areas of Major Change
- 9/3 Development in Urban Extensions

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

10/1 Infrastructure improvements

#### Planning Obligation Related Policies

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

## 4.0 Supplementary Planning Documents

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

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

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

## 5.0 **Material Considerations**

### 5.1 **City Wide Guidance**

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

## 5.2 Area Guidelines

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

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

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

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

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

## **Christs Pieces/New Square Conservation Plan (2001)**

Historic open space guidance.

**Hills Road Suburbs and Approaches Study (March 2012)**

**Long Road Suburbs and Approaches Study (March 2012)**

**Barton Road Suburbs and Approaches Study (March 2009)**

**Huntingdon Road Suburbs and Approaches Study (March 2009)**

**Madingley Road Suburbs and Approaches Study (March 2009)**

**Newmarket Road Suburbs and Approaches Study (October 2011)**

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

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

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

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

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

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

## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/0641/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11th April 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	11th July 2016		
<b>Ward</b>	Coleridge		
<b>Site</b>	68 - 80 Perne Road Cambridge Cambridgeshire CB1 3RR		
<b>Proposal</b>	Residential development comprising 8 x 3 bedroom houses, 5 x 1 bedroom apartments and 1 x 2 bedroom apartment, formation of access including demolition of no. 74 Perne Road, landscaping, open space, drainage and supporting infrastructure.		
<b>Applicant</b>	Mr Robert Wheatley And Milton Nutt 26 St Andrew Street Hertford SG14 1JA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal would deliver 14 new units which would contribute to meeting housing demand in the city, including a mix of family homes and apartments</p> <p>The proposal would have some overshadowing and enclosing impact on neighbouring properties, however this would not have a significant adverse impact on residential amenity</p> <p>The proposal would not harm the character of the area in terms of the design of the units or the loss of any features of high amenity value</p>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site comprises the easternmost part of the rear gardens of Nos. 68-80 (even) Perne Road. The site is 'T'-shaped and includes the whole curtilages of Nos. 74 and 76 Perne Road. The site is currently laid out as gardens with some mature trees and planting, as well as some outbuildings.
- 1.2 Nos. 68-80 (even) Perne Road would retain a rear garden approximately 25m long. This includes several outbuildings and annexes, including along the southern boundary of No. 78 and along the northern side of No. 72. There are also some outbuildings at the rear part of the garden of No. 70.
- 1.3 To the north is the rear garden of No. 82 Perne Road. This property has a long rear garden and the part adjacent to the application site is currently used for composting and growing vegetables. There is an existing low hedge along the boundary. To the south of the site is the rear garden of No. 66 Perne Road which is occupied by an outbuilding. The Perne Road properties have a long curtilage measuring approximately 80m from the front of the site.
- 1.4 The rear of the site backs onto the rear of the properties along Chalmers Road to the east. These are semi-detached two-storey properties, some of which have been extended and have outbuildings at the rear, not all of which are shown on the applicant's drawings. These properties have reasonably long gardens measuring approximately 28m from the general building line of the main houses. There is currently planting along the boundary.
- 1.5 The site is not within a conservation area. There are no listed buildings or buildings of local interest on the site or within the vicinity. There are no tree preservation orders on the site and the site has not been identified as being of any nature conservation importance. The site is outside the controlled parking zone and the air quality management area.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for residential development comprising 8 x 3-bedroom semi-detached houses and an apartment block

containing 5 x 1-bedroom apartments and 1 x 2-bedroom apartment. It includes formation of an access following demolition of no. 74 Perne Road, and associated landscaping, open space, drainage and supporting infrastructure. The proposal includes alterations to No. 76 Perne Road which would become a detached property and the erection of a workshop in the rear garden of No. 76.

- 2.2 The site would be laid out in a 'T'-shape with the semi-detached houses along the eastern part and the apartment block on the south west corner. There would be a shared surface access from Perne Road opening to turning heads on either side. Car parking would be on-plot or within small parking courts. Cycle and bin storage would be in the rear gardens of the houses and within a communal store on the ground floor of the apartment block. Soft landscaping is proposed within the site, including in the north west and south west corners and along the site access.
- 2.3 The semi-detached houses would be two storeys plus an attic storey including large dormers and roof terraces. The apartment block would be two storeys plus an attic storey on the northern half and two storeys with a roof terrace on the southern half. The buildings would have pitched roofs and gable ends. The external materials would be red brick with stone parapet copings, natural silver standing seam zinc roof and dormers with glazed balustrades, and aluminum windows and timber panels. The design would be contemporary.
- 2.4 The proposal includes works to No. 76 which would be converted from a semi-detached property to detached following demolition of No. 74. The works include altering the hipped roof to a gable, the insertion of roof lights on the front elevation, making good the side (southern) elevation, a single storey rear extension and insertion of a rear dormer. The works would reuse the bricks from the demolished No. 74 so that the appearance would match the existing.
- 2.5 During the course of the application, two sets of revised plans were submitted to address officer concerns and third party representations. These are summarised as follows:

## Revision 1

- 2.6 Amendments to address comments from the Urban Design Team, Landscape Officer and Highways Authority including:
- ☐ Reorientation of the apartment block and amendments to the elevations
  - ☐ Additional landscaping to the west of the apartment block
  - ☐ Change from buff brick to red brick throughout
  - ☐ Increasing the radius of the kerbs at the site entrance
  - ☐ Small changes to the design of No. 76 Perne Road.
- 2.7 The revision included a proposed outbuilding at the rear of No. 76. The building would be single storey to an eaves height of 2.5m and a pitched roof to a maximum height of 4m. It would be constructed of brick with windows only on the southern elevation.

## Revision 2

- 2.8 Amendments to the rear elevation of the semi-detached houses were submitted to address concerns about overlooking towards the rear of the Chalmers Road properties. These comprised amendments to the first floor windows to change them from full height windows to oriel windows with a timber obscured panel on one side.

## **3.0 SITE HISTORY**

- 3.1 There is no relevant planning history for the application site.

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

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

## 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>
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> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p>

	<p>Cambridge Landscape and Character 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>Cambridgeshire Design Guide For Streets and Public Realm (2007)</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><u>Area Guidelines</u></p> <p>Cambridge City Council (2002)–Eastern Corridor Area Transport Plan.</p>

#### 5.4 Status of Proposed Submission – Cambridge Local Plan

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



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

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

## **6.0 CONSULTATIONS**

### **6.1 Cambridgeshire County Council (Highways Development Management)**

#### Initial comment

Objection.

The proposal intensifies the use of an existing access, requiring the relocation of a bus stop. The proposed bus stop location is opposite an existing tee junction and immediately adjacent to the junction of the access to the development, within the visibility splay. Perne Road functions as a section of the City's Ring Road and carries very high levels of traffic, including a high proportion of non-motorised users. The Highway Authority therefore recommends that the proposal be refused planning permission due to the impact upon the safe and efficient operation of the public highway. Please note that it may be possible to overcome this objection by relocating the bus stop to a different location.

For the number of dwellings served by the access the Highway Authority would normally seek an adopted public highway, however the layout of the junction and access way is such that the Highway Authority would be unable to accept the road for adoption without significant changes to the layout and construction. The developer proposes the use of 4 metre radius kerbs at the access. This must be increased to 6 metres in the interests of highway safety, given the nature of Perne Road.

### Comment on revision 1

The junction radii have been increased to 6 metres, to the satisfaction of the Highway Authority. Despite the alteration of the access radii the Highway Authority would still not accept the layout as being suitable for adoption. This should be brought to the attention of the developer and an appropriate informative added to any permission that the Planning Authority may be minded to grant in regard to this proposal.

The relocation of a bus stop is still required. I recommend that an alternative location is found, at least in principle, for the bus stop and that this issue is resolved as far as is practicably possible, prior to determination.

#### Recommended conditions:

- ☐ future management and maintenance of highway;
- ☐ detailed plans of the roads, footways, cycleways, foul and surface water drainage
- ☐ construction of highway works prior to occupation
- ☐ no gates to be erected across the approved access
- ☐ minimum access width
- ☐ vehicular access to be laid out prior to occupation
- ☐ surfaces to be laid out prior to occupation
- ☐ visibility splay to be laid out prior to occupation
- ☐ kerbs to be laid out prior to occupation
- ☐ no overhanging the public highway
- ☐ access to be constructed with adequate drainage measures
- ☐ bus stop to be relocated
- ☐ informative – works on public highway
- ☐ informative – copy of management company constitution and details of funding for maintenance

### Additional comment in response to third party comments

There is no published or adopted scheme for Perne Road under the Cambridge City Deal. There would be no policy basis for reconsidering the proposal on those grounds. The development, for 14 dwellings, would, at worst, be anticipated to generate 70 motor vehicle movements (two-way) in a 24 hour day. 10% of these would be anticipated to occur in peak hours, i.e. 7 movements. The level of disruption on the network resultant from

this would not, in my opinion, be demonstrable as “severe” and so I do not feel an objection on those grounds could be sustained. In practice, generation of motor traffic in Cambridge tends to be less than the figures quoted above; they are rough figures for a worst case scenario.

## 6.2 Environmental Health

### Initial comment

No objection. Recommended conditions/informatives:

- ☐ construction hours
- ☐ collection during construction
- ☐ construction/demolition noise/vibration & piling
- ☐ dust condition
- ☐ plant noise insulation
- ☐ external lighting
- ☐ plant noise insulation informative
- ☐ dust condition informative
- ☐ contaminated land informative

### Comments on revision 1

A condition is recommended to ensure the workshop use is ancillary to the residential use of No. 76 Perne Road only.

## 6.3 Refuse and Recycling

Where bin stores are located away from the public highway the developer and future managing agent and/or householders must accept that the collection authority (Local Authority) will not be held responsible for any damage caused to that access road by its use thereof. Refuse collection vehicles (RCVs) weigh a minimum of 26 tonnes, (up to 32 tonnes) are dual steering and multi-axled. They are 11m long and 2.50m wide. It is the responsibility of the developer/managing agent/householders to maintain the access road to a standard suitable for such regular vehicular access. Should that standard be deemed unacceptable by the collection authority it reserves the right not to access the site and the responsibility (“*Duty of Care*”) remains with the householders/managing agents/developers to present the bins for collection on or near (<10m) the public highway.

## 6.4 Urban Design and Conservation Team

### Initial comments

Objection.

The principle of residential accommodation, number of units and proposed scale and massing is acceptable in design terms. As raised at pre-application stages the following amendments are need to the width of the footpaths and design of the flat block before the application can be fully supported:

1. Ensure the paths to Plot 1 and Plot 8 achieve a minimum of 1.2m width;
2. The flat block needs to be re-orientated to improve the relationship to the communal amenity space. Access and security to the amenity space needs to be resolved.

Recommended conditions:

- ☐ Materials samples
- ☐ Details of non-masonry walling systems etc.
- ☐ Full details of wall windows
- ☐ Boiler flues, soil pipes, waste pipes or air extract trunking, etc,

### Comments on revision 1

The changes to the elevations of the flat block as a result of its re-orientation on the site are acceptable in design terms. The amendments to the elevations are acceptable in design terms. The shadow studies show the BRE requirement for sunlight would be met for the neighbouring gardens and the proposed communal space.

Recommended conditions:

- ☐ Sample panel of facing brickwork

### Comments on revision 2

The introduction of projecting oriel windows (serving bedrooms) on the rear elevation of Plots 1-8 are acceptable in design terms and reduce potential overlooking to the rear gardens of houses in Chalmers Road.

Recommended conditions:

- ☐ The detailed design of the windows should be provided as part of a materials condition.

#### **6.5 Senior Sustainability Officer (Design and Construction)**

No objection. Recommended condition:

- ☐ Renewable energy statement

#### **6.6 Tree Team**

No comment.

#### **6.7 Landscape Team**

##### Initial comment

It is not clear how the buffer planting between the apartment block and the retained houses on Perne Road will be achieved, managed or maintained. As they are essentially off-site on land under the ownership of others, there is risk that any planting would be removed or altered. We feel that buffering in this location is important as the apartment block elevations include bedroom windows and external terraces. (We note the design of the terraces which limit overlooking) To protect both tenants and the Perne Road residents from overlooking and to retain privacy, a buffer including tree planting would be recommended as part of any approved application. We note the statement which identifies that affected, existing residents are aware of and supportive of the proposals. Please clarify how these buffers will be achieved and who would be responsible for their maintenance.

The path which leads to the apartment block bike store is less than a metre wide when measured from the plan provided. This needs to be wider to better accommodate a cycle being walked. Refer to the Cycle Parking Guide for New Residential Developments (Feb 2010).

##### Comments on revision 1

No objection. Recommended conditions:

- ☐ Hard and soft landscaping
- ☐ Boundary treatments

## **6.8 Walking and Cycling Officer**

No comment.

## **6.9 Sustainable Drainage Officer**

### Initial comments

Objection . As it stands, it has not been adequately demonstrated that there are suitable drainage proposals or that flood risk will not be increased by the development proposals.

### Additional comment on flood risk assessment

No objection.

The proposals have demonstrated that there should be no impact on Anglian Water's existing infrastructure. Sufficient calculations have been provided to demonstrate that the development can accommodate a 1 in 100 year event plus 40% for climate change. A management and maintenance plan should be included with the application. High groundwater and surface water flooding issues have been dealt with by the introduction of under-drained swales.

Recommended condition:

- ☐ management and maintenance plan for surface water drainage scheme

## **6.10 Nature Conservation Officer**

No objection. Area considered to of low potential for bats.

Recommended conditions:

- ☐ Controlled demolition
- ☐ Details of external lighting scheme
- ☐ Details of bird and bat boxes
- ☐ Details of boundaries

## **6.11 Highways England**

No objection.

## 6.12 Consultations with Service Managers

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

### Community facilities

It is proposed that the council requests £20,710 (based on the funding formula set out in the council's Planning Obligations Strategy 2010). This proposed development is within around 170 metres of the Lichfield Road Community Hall facility, which is on the council's 2016/17 'target list' of facilities for which specific S106 contributions will be sought. The community facilities audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has agreed zero specific contributions for this project so there is still scope for this contribution (and up to 4 others) to be requested.

£20,710 – Towards the provision and / or improvement of the facilities (inc kitchen, toilets, storage and furniture and equipment) at Lichfield Road Community Hall.

### Indoor sports

It is proposed that the council requests £8,204.50 (based on the funding formula set out in the council's Planning Obligations Strategy 2010). This proposed development is within around 2/3 of a mile of the Netherhall School, which is on the council's 2016/17 'target list' of facilities for which specific S106 contributions will be sought. The indoor sports audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has agreed zero specific contributions for this project so there is still scope for this contribution (and up to 4 others) to be requested.

£8,204.50 – Towards the provision of a new floor for the sports hall and/or sports changing room facility improvements at Netherhall School.

### Outdoor sports

It is proposed that the council requests £7,259 (based on the funding formula set out in the council's Planning Obligations Strategy 2010). This proposed development is within around 1/3 of a mile of the Coleridge Rec pavilion facility, which is on the council's 2016/17 'target list' of facilities for which specific S106 contributions will be sought. The outdoor sports audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has 1 proposed specific contribution for this project so there is still scope for this contribution (and up to 3 others) to be requested.

£7,259 – Towards the provision and/or improvement of outdoor sports pitches and changing rooms at Coleridge Recreation Ground.

### Informal open space

It is proposed that the council requests £7,381 (based on the funding formula set out in the council's Planning Obligations Strategy 2010). This proposed development is within around 640 metres of the Coleridge Recreation ground facility, which is on the council's 2016/17 'target list' of facilities for which specific S106 contributions will be sought. The informal open space audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has proposed 1 specific contribution for this project so there is still scope for this contribution (and up to 3 others) to be requested.

£7,381 – Towards the provision and/or improvement of and/or access to Informal Open Space at Coleridge Recreation Ground (including creation of wildflower meadows, paths, information boards, new seating and general planting of new features).

### Play provision for children and teenagers

It is proposed that the council requests £7,268 (based on the funding formula set out in the council's Planning Obligations Strategy 2010). This proposed development is within around 250 metres of the Lichfield Road Recreation Ground play area, which



is on the council's 2016/17 'target list' of facilities for which specific S106 contributions will be sought. The play area audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has agreed zero specific contributions for this project so there is still scope for this contribution (and up to 4 others) to be requested.

£7,268 – Towards the provision of and / or improvements of the Lichfield Road Recreation Ground play area.

#### **6.13 Cambridgeshire County Council (Growth & Economy Cambridgeshire County Council)**

The County Council will not be seeking contributions for 68 - 80 Perne Road towards education provision as the development will generate a low number of children.

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

### **7.0 REPRESENTATIONS**

#### **7.1 The owners/occupiers of the following addresses have made representations objecting to the proposal:**

- |   |  |
|---|--|
| <input type="checkbox"/> 29 Chalmers Road | <input type="checkbox"/> 17 Langham Road       |
| <input type="checkbox"/> 32 Chalmers Road | <input type="checkbox"/> 22 Langham Road       |
| <input type="checkbox"/> 36 Chalmers Road | <input type="checkbox"/> 30 Langham Road       |
| <input type="checkbox"/> 38 Chalmers Road | <input type="checkbox"/> 56 Langham Road       |
| <input type="checkbox"/> 40 Chalmers Road | <input type="checkbox"/> 5 Gisborne Road       |
| <input type="checkbox"/> 42 Chalmers Road | <input type="checkbox"/> 22 Gisborne Road      |
| <input type="checkbox"/> 44 Chalmers Road | <input type="checkbox"/> 70 Cromwell Road      |
| <input type="checkbox"/> 48 Chalmers Road | <input type="checkbox"/> 28 High Street, Bourn |
| <input type="checkbox"/> 50 Chalmers Road | <input type="checkbox"/> Unaddressed comments  |
| <input type="checkbox"/> 62 Perne Road    |  |
| <input type="checkbox"/> 64 Perne Road    |  |
| <input type="checkbox"/> 66 Perne Road    |  |
| <input type="checkbox"/> 82 Perne Road    |  |
| <input type="checkbox"/> 22 Perne Avenue  |  |
| <input type="checkbox"/> 63 Perne Avenue  |  |
| <input type="checkbox"/> 6 Langham Road   |  |

7.2 No representations have been received in support of the proposal.

7.3 The representations can be summarised as follows:

#### Principle of development

- ☐ Appreciate the significant demand for increased housing in Cambridge.
- ☐ The development is unwanted.
- ☐ Overdevelopment of the site.
- ☐ Extreme example of "garden grabbing".
- ☐ Likely to set an unwelcomed precedent for development in rear gardens.

#### Residential amenity

- ☐ The plans are inaccurate and do not show the rear extensions and outbuildings at the Chalmers Road properties.
- ☐ Overlooking, overshadowing and loss of outlook impact on Chalmers Road properties due to scale, massing and proximity of rear elevations and windows and small gardens.
- ☐ Overlooking from roof terraces of apartment building towards neighbouring gardens.
- ☐ Proposal for bin store against the boundary with Chalmers Road properties will cause pollution to gardens.
- ☐ The proposed development would add car pollution, noise and security risks.
- ☐ Impact of noise pollution and dust pollution whilst the building works are carried out, including health risks.
- ☐ Street lighting and access to the rear of Chalmers Road properties, thus creating more security risk.
- ☐ The gardens of the 3 bed houses are small for family living and prone to damp, bogging and poor drainage, and the lack of other amenities in the development for young families shows poor consideration for the future occupants.
- ☐ Resultant gardens of Nos. 76 and 78 Perne Road would be very restricted and already have annexes.

#### Response to context

- ☐ The greenbelt and gardens should be kept.

- Any development on these gardens would represent over-development of the site and would be out of character with surrounding area.
- The density of the development is inappropriate for the area and seems overdeveloped for the space available.
- Demolition of a very attractive 1930s semi-detached property.
- The 3-storey houses and 3-storey apartment block would be significantly detrimental to the character and design of this area. The style and design of the proposed buildings does not complement the surrounding houses.
- The use of light silver standing seam zinc roofing, gabled windows in the roof line, full length windows and Cambridge white bricks would make the buildings look out-of-keeping.
- The apartment block would be entirely ill-fitting to the surrounding area and higher than the surrounding properties with a roof terrace.
- New road junction is not in keeping with the surrounding area.

#### Highway safety

- Perne Road already suffers from severe traffic congestion in both directions and is an accident 'blackspot'. The proposed development will increase congestion along Perne Road both from the traffic from the development and from vehicles on Perne Rd trying to turn right onto the development, and increase risk of accidents.
- The traffic investigations took place in school holidays which does not represent normal traffic conditions, and does not appear to include the increase in traffic volumes, speeding and accidents.
- A count by third parties at rush hour traffic during the summer in both directions counted approximately 1000 vehicles per hour: approximately 250 bicycles per hour: approximately 110 pedestrians per hour. During the winter many more vehicles and darker morning/evenings to contend with.
- Increased congestion along Perne Road will create problems for ambulances coming to and from Addenbrookes Hospital using this route, compromising the lives of city residents.
- The new access and overspill car parking on verges will break the continuous stretch of pavement/cycle path which

provides a safe route for pedestrians and cyclists along Perne Road.

- ☐ Impact from construction vehicles on traffic congestion and highway safety.
- ☐ The new access would create a staggered junction opposite Perne Avenue which poses an increased safety risk to traffic using Perne Road and adjacent streets.
- ☐ Unless large vehicles (e.g. refuse collection vehicles) can go into the access road, bins would be left on the footpath which would block access. Perne Road would not be able to accommodate the number of additional bins proposed.
- ☐ The proposed single track access is inadequate for the number of proposed dwellings and would block the entrance should a car already be waiting to turn in or out leading to more congestion on Perne Road.
- ☐ The Highways Authority comment that moving the bus stop will overcome the objection is somewhat conflicting as moving the bus stop will not change the "deterioration in the efficiency of the road".
- ☐ Approval of these plans would be presumptuous at a time when a broader traffic solution for Cambridge is being developed and would not fit stated intentions to encourage cycling, walking and use of public transport.
- ☐ The Highways Authority unwillingness to adopt the access road indicates it is ill thought out, inappropriate for the number of dwellings and suggests overdevelopment of the land for this access road and location.
- ☐ If the Highways Authority do not adopt the access, who would be responsible for maintenance of the road?
- ☐ No consideration for emergency and service vehicle access.

### Car parking

- ☐ Inadequate car parking spaces. 18 car parking spaces for 14 dwellings is not a realistic assessment of need. One car parking space for visitors / tradespeople is not enough.
- ☐ Car parking spaces 3 and 9 are not valid spaces as they are one behind the other, thus rendering them inaccessible. Spaces 5, 6, 7 and 8 would be compromised too.
- ☐ No integral car parking for House Type A or the apartment block.
- ☐ Inadequate parking will mean more cars being parked in Perne Avenue at the Perne Road end, impacting on access and overspill parking on nearby roads.

- Due to tiny garden plots, storage in the property would be limited, therefore those with garages may be likely to use them for storage and not for car parking.
- Overspill parking or visitors parking on the road outside the houses would cause more noise pollution to the residents and would block emergency access for Fire engines/emergency services, particularly those in House Type A.

### Drainage

- Increased hard surfaces and buildings will have a negative effect on the already high water table with clay subsoil due to loss of natural soak-away garden space and trees.
- A separate report commissioned indicates the site is at "... high risk of surface water flooding". The modeling is in direct conflict with the application submission.
- Water will drain to the east, an area which already has problems with surface water drainage at times of heavy rainfall.
- To proposal will add stress on the existing surface water sewers.

### Ecology

- Several mature and semi mature trees would be destroyed.
- Sparrowhawk nesting in trees, woodpeckers, kingfishers, herons, owls, bats and squirrels as well as ground animals such as frogs, toads, hedgehogs, foxes and deer seen within the gardens.
- The loss of gardens and noise and disturbances will be detrimental for wildlife.
- Loss of important wildlife corridor.

### Landscaping

- No plans to replace any of the trees at the Chalmers Residents boundary.
- Unclear about the proposed boundary treatment along the boundary with No. 82.

## Refuse

- ☐ Bin storage at the rear of the property would make more noise for residents including bin smells and potential disposal issues.
- ☐ Bin store will certainly not have the space for the green, blue and black bins alongside bicycles.

## Comments on revision 1

- ☐ Do not address the concerns of local residents.
- ☐ No changes have been made to the direct overlooking into neighbouring properties.

## Other

- ☐ Numerous errors in the planning application including inaccurate measurements.
- ☐ The demolition of No. 74 Perne Road may cause subsidence or groundwork issues which may affect whether No. 76 is able to stand alone.
- ☐ Unclear whether the proposal is to demolish No. 78 Perne Road or No. 74 Perne Road.
- ☐ Covenants restrict building and use of the land which the proposal contravenes.
- ☐ The catchment schools are already oversubscribed.
- ☐ The plans don't clearly show the annexes at Nos. 76 and 78 Perne Road which already increase the housing density in this area.
- ☐ Will the applicants be paying compensation to the occupants of Chalmers Road?
- ☐ Are the City Council the purchasers?

7.5 Councillor Herbert requested that the application be called into planning committee on the following grounds:

- ☐ Inadequate drainage in an area with a dangerously high winter water table.
- ☐ Overdevelopment, particularly the damage to the provision of amenities and overall design acceptability caused by the excess development of adding the block.
- ☐ Inadequate transport and access proposals including for the new road junction which should, if it proceeds at all be a single signalled four way junction with Perne Avenue.

- ☐ Inadequate communal space for the flats.
  - ☐ Expected use of houses as shared homes given that proposed gardens do not meet the needs of families with children.
  - ☐ Consequential lack of parking compared to the expected 25+ car owners.
- 7.6 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.
- 7.7 There is an outstanding public consultation on the revision 2 amendments which is due to end on 23 September. I will report on any representations received in the amendments sheet.

## **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. Affordable Housing
3. Context of site, design and external spaces
4. Residential amenity
5. Flooding and drainage
6. Ecology
7. Renewable energy and sustainability
8. Refuse arrangements
9. Highway safety
10. Car parking
11. Cycle parking
12. Public art
13. Third party representations
14. Planning Obligations (s106 Agreement)

### **Principle of Development**

- 8.2 The Government's planning policy – the National Planning Policy Framework (NPPF) - places strong emphasis on the need to deliver a wide choice of high quality homes. Paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. For decision-taking, this presumption means

‘approving development proposals that accord with the development plan without delay’ (para 14).

- 8.3 The site is for residential development on an unallocated site and therefore Cambridge Local Plan (2006) policy 5/1 applies. This supports residential development on windfall sites subject to the existing land use and the compatibility with adjoining uses. The site is currently in residential use as garden and for the reasons given in this report, I consider the proposal is compatible with adjoining uses. Therefore, in my opinion, the proposal is compliant with policy 5/1 and the principle of development is acceptable.
- 8.4 Policy 3/10 for the sub-division of existing plots also applies. This supports residential development within the garden area or curtilage of existing properties unless it will:
- a. Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise disturbance;
  - b. provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
  - c. detract from the prevailing character and appearance of the area;
  - d. adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
  - e. adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
  - f. prejudice the comprehensive development of the wider area of which the site forms part.
- 8.5 This report considers criteria a, b and c in detail below. Criteria d, e and f are not relevant to this proposal. In summary, in my opinion, the proposal is compliant with these and therefore meets policy 3/10 and the principle of development is acceptable. For the reasons outlined in this report, in my opinion, the proposal accords with the relevant development plan policies, and therefore the ‘presumption in favour of sustainable development’ in the Government’s planning policy applies.



## **Affordable housing**

- 8.6 Policy 5/5 states that on sites of 0.5 ha or more and all developments including an element of housing which have 15 or more dwellings, the Council will seek affordable housing of 40% or more of the dwellings or an equivalent site area. The proposal is for 14 units on a site area of 0.28 ha and therefore does not trigger the requirement for affordable housing. Given the site constraints, I am content that the proposal does not represent under-development. For these reasons, in my opinion, the current application for 14 units is acceptable and does not conflict with policy 5/5.

## **Context of site, design and external spaces**

### Response to context

- 8.7 The site is located between Perne Road and Chalmers Road. These are characterised by semi-detached 1930's properties fronting the roads with rear gardens. The Perne Road properties have particularly long rear gardens which are longer than many on similar streets within the wider area. The gardens of the Chalmers Road properties are shorter and more typical for the area. Many of the properties along Perne Road and Chalmers Road have been extended at the rear and have single storey outbuildings.
- 8.8 The site occupies a backland position and does not have a street frontage. There are several examples of backland development in the area between Perne Road and Chalmers Road, including three detached properties on 'The Spinney' accessed from Birdwood Road. There is also a bungalow at the rear of Nos. 90-96 which has been constructed. While I appreciate that the proposed development would have more units and a larger scale and massing than these examples, a precedent for backland development in this area has already been established and would not therefore be contrary to the character of the area.
- 8.9 With regard to the response to context, the policy test is whether the proposal would 'detract from the prevailing character and appearance of the area' to the degree that it would conflict with criterion 'c' of policy 3/10; and whether the

proposal has 'used the characteristics of the locality to help inform the siting, massing, design and materials of the proposed development' to meet policy 3/4. These are considered in detail below. In summary, in my opinion, the proposal would not harm the character of the area to a degree that it would conflict with policies 3/4 and 3/10.

### Layout

- 8.10 The site is 'T'-shaped and the units have been arranged so that the semi-detached dwellings would be at the back of the site and the apartments in the south western corner. The semi-detached dwellings would have gardens backing onto the rear gardens of the Chalmers Road properties. Thus the dwellings would be set back from the boundary by approximately 8m. Bedroom windows on the upper floors would have windows on the eastern elevations. In my opinion, this creates an appropriate buffer between the proposed units and the neighbouring properties in design terms.
- 8.11 The semi-detached dwellings would provide an active frontage onto the access road with living room windows on the ground floor, or where there are integrated garages, living rooms windows on the first floor. The northern elevation of the apartment building at first floor level would have large windows serving a lounge which would provide surveillance of the access road, entrance to the bin/cycle store and parking area opposite. The southern half of the apartment block would have living accommodation to provide surveillance of the amenity space.

### Scale and massing

- 8.12 The semi-detached dwellings would be two storeys plus attic storey. The apartment block would be two storeys plus an attic storey on the northern half and two storeys with a roof terrace on the southern half. I have considered the representations from third parties, however in my opinion the scale of the proposed development is acceptable for the following reasons:
- ☐ The eaves of the semi-detached dwellings would be 6m on the rear elevations facing the Chalmers Road properties. The ridge height would be 9.6m. Although this would be slightly higher than the Chalmers Road properties as shown

on the sections, I do not consider this to be unacceptable given the separation distance.

- On the western elevation of the semi-detached dwellings, the eaves of the central units 03 – 06 would be higher with a parapet wall, however these would face into the site. The eaves on outermost units 01/02 and 07/08 would be the same as on the rear elevation.
- The maximum ridge height of the apartment block would be 9.2m on the gable ends. This would be similar to the height of the Perne Road properties, using No. 72 as a guide shown on the section.
- The apartment block would present a 9.2m high gable end facing the rear of No. 72, however following revision 1 this has been stepped away from the boundary to allow space for some planting in order to soften the impact of the massing.
- The southern half of the apartment block facing the garden of No. 66 would be stepped down with a lower maximum ridge height of 7.5m and single storey elements, which would be domestic in scale.

### Elevations and Materials

8.13 While I accept that the elevations and materials do not replicate the appearance of neighbouring properties, in my opinion, the design is high quality and complements the character of the surrounding properties. The front elevations of the central semi-detached properties (units 03-06) feature a central element stepped forward which reflects the bay windows of the 1930's properties; and the pitched roofs, gable ends and dormers are contemporary while reflecting traditional building styles. In my opinion, the elevations complement, rather than replicate, the character of the surrounding area.

8.14 The apartment block would also feature gable ends and dormers in a contemporary style. The southern half of the building would have hipped roofs which would complement the surrounding properties. While I accept that roof terraces and glazed balustrades are not common within the area, these would be in keeping with the contemporary design of the building and other new buildings within the vicinity, including Helix House on the junction of Perne Road and Radegund Road.

- 8.15 The external materials would be red brick with stone parapet copings; natural silver standing seam zinc roof and dormers with glazed balustrades; and aluminum windows and timber panels. The palette of materials is supported by the Urban Design team, particularly the use of red brick rather than the buff brick originally proposed, which is more in-keeping with the surrounding area. In my opinion, the materials reflect the characteristics of the area whilst providing a contemporary appearance.
- 8.16 The alterations to No. 76 are considered separately below, however the impact on the street scene is addressed here. While the proposal would lead to the loss of one of the semi-detached pair which is characteristic of Perne Road, in my opinion, this would not have a significant impact on the street scene. No. 76 would be altered so that it would appear to be a detached property. In my opinion this would not cause unacceptable harm to the street scene, as it would be common for a detached property to occupy a corner plot adjacent to the new access.

#### Movement and Access

- 8.17 The new access from Perne Road would be shared surface so that it would be used by vehicles, cyclists and pedestrians. The Highways Authority is satisfied with the access arrangements and I accept their advice. In my opinion, the proposed shared surface would provide safe access for all users taking into account the volume of traffic likely to be generated by the proposed development.
- 8.18 On-plot parking would be provided for the dwellings with the exception of the outermost semi-detached units 01 and 02 which would have parking bays. The apartments would have parking spaces in an undercroft or on the opposite side of the access road. These would be closely related to the units they serve and in my opinion, the parking arrangement is acceptable. Visitor parking would be provided close to the units, so that it would be in a convenient location for all units.
- 8.19 Cycle and bin storage would be provided in the rear gardens of the semi-detached dwellings, and a communal store would serve the apartments. A footpath within the site would provide access from the apartment block and the bin/bike store.

Occupants of the apartments would also have an internal access from the store into the communal stairwell. In my opinion, this would be a convenient location.

### Open Space and Landscape

- 8.20 The semi-detached dwellings would have rear gardens which would provide private amenity space. The original submission included amenity space for the apartment block to the south of the building adjacent to the car parking, cycle store and bin store. Revision 1 included moving the apartment building northwards and internal rearrangements so that units 09 and 10, rather than the service areas, would provide surveillance of the amenity space.
- 8.21 The proposal includes landscape buffers along the access road and in the north west corner of the site. As part of revision 1, the northern part of the apartment building was moved eastwards to allow space for a landscape buffer along the boundary with No. 72.
- 8.22 The Landscape Officer supports the revised proposal and has recommended a condition requiring a detailed hard and soft landscaping scheme and details of boundary treatments. In my opinion, subject to conditions, the proposed landscaping scheme is acceptable.

### Alterations to No. 76.

- 8.23 The proposal includes works to No. 76 which would be converted from a semi-detached property to detached following demolition of No. 74. As stated above, while I appreciate that the character of Perne Road is for semi-detached dwellings, in my opinion, the proposed detached dwelling on the corner of the access road would not cause unacceptable harm to the street scene.
- 8.24 The works include altering the hipped roof to a gable, the insertion of roof lights on the front elevation, making good the side (southern) elevation, a single storey rear extension and insertion of a rear dormer. The works would reuse the bricks from the demolished No. 74 so that the appearance would match the existing. These works could be done under permitted

development rights, and therefore they are not material considerations for this application.

- 8.25 There are several existing outbuildings within the rear gardens of the neighbouring properties. The building would not fall within permitted development rights. In my opinion, the scale, form and design of the outbuilding would be appropriate and it would be a subservient structure to the main house.
- 8.26 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 3/14.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.27 The site layout ensures that the rear of the semi-detached properties would back onto the gardens of the Chalmers Road properties. The proposed dwellings would have rear gardens which would be 8m long so that the mass of the buildings would be stepped away from the boundary with space for some landscaping in the rear gardens. The semi-detached properties would present side gable ends to the rear gardens of the neighbouring properties. The apartment building would have a gable end facing the rear of No. 72 and a two-storey element at the rear of No. 70. It would be pushed away from the boundary with No. 66.
- 8.28 Third parties have commented that the applicant's drawings do not accurately show the extensions and outbuildings at the rear of the Chalmers Road properties. I accept that this may be the case and have visited Nos. 38 and 40 Chalmers Road. I have based my assessment on my observations from these visits and information provided in third party representations. I have also visited Nos. 66 and 82 Perne Road.

### *Overshadowing/loss of light*

- 8.29 Third parties have raised concerns about the impact of overshadowing. The shadow studies submitted show that:
- ☐ There would be some overshadowing part of the middle part of the garden of No. 82 in the morning in March and September.

- There would be some overshadowing of part of the rear of the garden of Nos. 82 and 84 at lunchtime in March, June and September.
- There would be complete overshadowing of the garden of No. 82 in December however this is from the boundary treatment which is as existing.
- There would be partial overshadowing of the rear gardens of the Chalmers Road properties in the evening in March and September, and partial overshadowing in the evening in June.

8.30 While I accept that there would be some overshadowing of the rear garden of No. 82, due to the length of the garden, I consider there is ample outdoor space for the occupiers so that the overshadowing of part of their garden would not have an unacceptable impact on their residential amenity. The rearmost part of their garden is less sensitive in terms of residential amenity.

8.31 I also accept that there would be some overshadowing of the rear gardens of the Chalmers Road properties. There are currently large trees along the boundary and some outbuildings are the rear of the gardens, I am content that the overshadowing would not have a significant adverse impact on residential amenity compared to the existing situation. Again, the rearmost part of the garden is less sensitive to overshadowing.

8.32 The Urban Design team have assessed the overshadowing and have commented that it meets the relevant BRE requirements. In my opinion, the degree of overshadowing of neighbouring properties would not be unacceptable.

#### *Overlooking/loss of privacy*

8.33 Third parties have raised concerns about the impact of overlooking from the rear of the semi-detached dwellings towards the gardens of the Chalmers Road properties and any extensions/outbuildings. The nearest elevation of the Chalmers Road properties – notwithstanding outbuildings - is understood to be the ground floor extension of No. 40 Chalmers Road which has a window serving a bedroom. The distance to the boundary taken from onsite measurements is 15m. The rear elevations of the proposed semi-detached dwellings would be

set back 8m from the boundary. In total, the distance between the elevations would be approximately 23m. I have used this as a 'worst case' scenario in my assessment below.

- 8.34 The initial submission included full height bedroom windows on the first floor rear elevation of the semi-detached dwellings. Due to distance between the elevations of approximately 23m, my initial opinion was that this would not have an unacceptable overlooking impact on habitable rooms. However, following a site visit to several of the Chalmers Road properties, I shared local residents' concerns that this could have an unacceptable overlooking impact on their private amenity space due to the direct views that could be gained from these windows.
- 8.35 Revision 2 included a change from full height windows on the first floor rear elevation of the semi-detached dwellings to smaller oriel windows with a timber obscured panel. In my opinion, this would prevent direct views along the rear gardens and would only allow oblique views towards the rear part of the gardens, which are mainly occupied by outbuildings and planting. In my opinion, this would provide an acceptable degree of privacy at the part of the garden closest to the house which is typically more sensitive. I have recommended a condition (35) requiring details of the timber panels to be submitted for approval and for these to be installed prior to first occupation of the units. In my opinion this would address any concerns about overlooking from these windows.
- 8.36 The revised plans also include oriel windows for the bathroom windows on the first floor rear elevation of the semi-detached dwellings, however I have recommended a condition for these to be fully obscure-glazed with restricted opening in order to protect the privacy of future occupants. The dormer windows on the second floor would serve ensembles and are shown on the floor plans as being obscured glazed. I have also recommended a condition for these to be fully obscure-glazed with restricted opening. Subject to this condition (34), in my opinion, there would be no unacceptable overlooking from these windows.
- 8.37 There would be one first floor window on the side elevations of the outermost semi-detached dwellings (units 01 and 08). This would serve a staircase/hall. As this is not a habitable room and would be adjacent to the rear part of the neighbouring



gardens, in my opinion, there would not be an unacceptable loss of privacy for neighbouring properties.

- 8.38 The western elevation of the apartment block would have obscure glazed windows in order to protect the privacy of the occupants of the Perne Road properties. I have recommended a condition (34) to impose this and to restrict the opening. There would be a first floor terrace on the southern elevation of the apartment building which would have an obscure glazed balustrade above the parapet wall to a height of 1.8m which would obscure any views of the neighbouring gardens. I have recommended a condition (36) for this to be installed prior to first occupation of the unit.
- 8.39 There would be a second floor roof terrace on the northern and southern sides of the apartment building. The northern terrace would be over 15m from the boundary with No. 78 and would have a brick gable end to prevent overlooking to No. 72. The southern terrace would be approximately 10m from the boundary with No. 66 and would have a 1.7m parapet formed by the roof below. In my opinion, there would not be any overlooking from the second floor roof terraces.

*Enclosure/loss of outlook*

- 8.40 Third parties have raised concerns about the development being overbearing and enclosing. In my opinion, the Chalmers Road properties currently benefit from an uncommonly high degree of openness at the rear of their gardens as a result of the particularly long rear gardens of the Perne Road properties. While I accept that the proposal would introduce built form at the rear of their gardens, in my opinion this would not have an unacceptable overbearing impact given the urban context.
- 8.41 The rear elevations of the semi-detached properties would be 6m high to the eaves and 9.6m high to the ridge. This would be slightly higher than the Chalmers Road properties as shown on the sections. Due to the separation distance of at least 23m, in my opinion this would not have an unacceptable overbearing impact on habitable rooms. The rear elevations of the semi-detached properties would be set back 8m from the site boundary. There would be gaps 1.5m or 3.5m wide between the semi-detached pairs which would break up the massing. In my opinion, the rearmost part of the Chalmers Road properties

are less sensitive than parts of the garden closer to the house. As a result, the proposed development would not have an unacceptable overbearing impact on private amenity space.

- 8.42 The side elevations of the semi-detached properties would be 9.8m high and approximately 1.2m from the site boundaries with Nos. 66 and 82 Perne Road. I have visited these properties. The rearmost part of the garden of No. 66 is occupied by a large outbuilding and of No. 82 is used for a vegetable patch and composting. I accept that the proposal would have some overbearing and enclosing impact due to the height and proximity to the boundary, however, in my opinion, the rearmost part of the neighbouring gardens is less sensitive than parts close to the house. These properties have long gardens and, in my opinion, the proposal would not have an unacceptable impact on their residential amenity.

#### *Noise and disturbance*

- 8.43 I have considered the impact of additional comings-and-goings on neighbouring properties. The Transport Note submitted by the applicant demonstrates the proposal would generate 94 trips to and from the site per day. Of these, 39 would be vehicle trips, calculated using the modal split for the area taken from census survey data. The proposal includes 19 car parking spaces and one visitor space and therefore in my opinion, this number of trips is likely to be realistic. The Highways Authority has not objected to the number of trips generated.
- 8.44 The access would be alongside Nos. 72 and 76. No. 72 is set back from the side boundary and has an existing outbuilding along part of the rear garden. No. 76 would have a side elevation along the boundary with ground floor living room and kitchen windows. The access would be shared surface which would encourage lower driving speeds. In my opinion, the number of vehicle trips the proposal is likely to generate would not cause unacceptable noise and disturbance on Nos. 72 and 76.
- 8.45 I have considered the impact of the off-plot parking areas on the amenity of neighbouring properties. There would be two spaces adjoining the boundaries with Nos. 66 and 82. There would be four spaces along the boundary with No. 78. In my opinion, as the car parking has been split between these areas,

the parking and maneuvering would not cause unacceptable noise and disturbance.

- 8.46 The Environmental Health Team have recommended a condition (07) for a scheme for the insulation of the plant and any mitigation measures installed, and I agree with this advice. They have also recommended a condition (37) for the 'workshop' at the rear of No. 76 to be restricted for use ancillary to the dwelling house so that it cannot be used for commercial use. A standard condition to control construction hours is also recommended. Subject to these conditions, I am satisfied that there would not be an unacceptable impact of noise and disturbance on neighbouring properties.

#### *Overspill car parking*

- 8.47 The proposal provides car parking at the maximum levels for residential development outside the controlled parking zone, including one visitor space. In my opinion, the proposal is compliant with the adopted car parking standards and there is no policy reason to object to the application on the basis of the impact on overspill car parking on residential amenity of neighbouring properties.
- 8.48 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, 3/10, 3/12 and 5/1.

#### Amenity for future occupiers of the site

- 8.49 The semi-detached dwellings would have rear gardens which would be 8m long. There are no adopted external space standards for private amenity space, however in my opinion, the gardens would provide an acceptable amount of private amenity space. Due to the orientation of the units and the separation distance with the Chalmers Road properties, in my opinion, there would not be any unacceptable overlooking into these gardens. The gardens would be on the eastern side of the dwellings so would receive an adequate amount of sun light. In my opinion, the rear gardens would be an acceptable size and quality, and provide an acceptable private amenity space for future occupiers.

8.50 The apartments are served by a communal area of outdoor amenity space to the south of the block. The original submission included amenity space for the apartment block adjacent to the car parking, cycle store and bin store. Revision 1 included moving the apartment building northwards and internal rearrangements so that units 09 and 10 would provide surveillance of the amenity space, rather than the service areas. There would be some defensible space in front of the ground floor units to protect the privacy of future occupants. The Council has no adopted standards for communal amenity space. In my opinion, the size and quality of the communal area would enhance the amenity of the future occupants of the apartments.

8.51 The original submission included full height windows serving bedrooms on the first floor rear elevation of the semi-detached dwellings. I shared the concerns of third parties that due to the set back of the rear elevation 8m from the site boundary, this would result in a lack of privacy for future occupants due to direct views from the gardens of the Chalmers Road properties. Revision 2 reduced the size of the bedroom windows and changed them to oriel windows with an obscured timber panel. This would prevent direct views into the bedrooms. In my opinion, this would provide an acceptable level of privacy for future occupants. I have recommended a condition (35) for further details of the oriel windows to be submitted. I have also recommended a condition (34) for the ensuites/bathroom windows on the rear elevation of the semi-detached properties to be obscure glazed with restricted opening. In my opinion, subject to these conditions, the future occupants of these units would have an acceptable level of privacy.

8.52 I have considered the level of amenity for future occupiers of No. 76 Perne Road. The side elevation facing the proposed access would have two ground floor windows which would serve a front room and kitchen/dining area. These rooms have other windows on the front or rear of the property. In my opinion, the future occupiers could install curtains or blinds to protect their privacy from users of the access without impact on their residential amenity. The windows are small and in my opinion, there would not be an unacceptable noise and disturbance impact from users of the access on their residential amenity. The floor plans for the dwelling show five rooms that

could be used for bedrooms. I have recommended an informative to advise that use of the property as an HMO may require separate licencing. Occupation of the dwelling by more than six unrelated people would require planning permission for change of use to a large HMO.

- 8.53 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 3/14.

### **Flooding and drainage**

- 8.54 The site is within Flood Zone 1 which is the category of lowest risk, however the Council's Sustainable Drainage Engineer has commented that high groundwater is an issue in this location. There is also an existing strategic Anglian Water sewer in the proposed back gardens of the semi-detached dwellings which the Sustainable Drainage Engineer has commented has a cover of only around 500mm.
- 8.55 The applicant has submitted an outline surface water drainage strategy which includes permeable paving, surface water drains and depression areas for exceedance events. The Council's Sustainable Drainage Engineer is satisfied that the surface water drainage scheme is acceptable, subject to a condition for a management and maintenance plan for the lifetime of the development to be submitted for approval. I have recommended condition for a detailed surface water drainage scheme to be submitted for approval.
- 8.56 Third parties have raised concerns on this matter, however I accept the advice of the Sustainable Drainage Engineer and in my opinion, subject to conditions, the proposal would not lead to unacceptable surface water drainage.

### **Ecology**

- 8.57 The site is laid out as garden with some mature trees, planting and ponds, as well as outbuildings. Third parties have commented that the site is used by several species of birds, bats, ground mammals and frogs, and forms part of a wildlife corridor. An Ecology Report including site survey has been

submitted. The Ecology Officer has not objected subject to conditions for details of bird and bat boxes and details of a lighting scheme. I accept the advice of the Ecology Officer and, subject to these conditions (08, 33), in my opinion the proposal would not have an unacceptable impact on ecology and is compliant with Cambridge Local Plan (2006) policy 4/3.

### **Renewable energy and sustainability**

- 8.58 Policy 8/16 requires major development to provide at least 10% of the development's total predicted energy requirements to be from on-site renewable energy sources. No details have been submitted to demonstrate how this would be achieved, however the applicant has stated that a number of different types of renewable energy technologies are being considered, including solar technologies and air source heat pumps. The Senior Sustainability Officer has recommended a condition for a Renewable Energy Statement to be submitted and for renewable energy technologies to be implemented in accordance with the agreed details. In my opinion, subject to this condition (29), the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

### **Refuse Arrangements**

- 8.59 The proposal provides a bin store in the rear garden of each of the dwellings and a communal bin store for the apartment block. The bin stores for the dwellings provide space for three domestic bins and would be located in a convenient location. The communal bin store for the apartments provides space for three large bins. In my opinion, the proposal would be in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012).
- 8.60 Third parties have raised concerns that, should refuse vehicles be unable to enter the site, then bins would need to be collected from the public highway, which would block the footpath. The Refuse and Recycling Team are satisfied with the site layout for refuse vehicles to enter the site for collections. I have recommended a condition (9) for the access to be constructed to a standard capable of supporting vehicles of 26 tonne weight. I have also recommended an informative to advise that it is the

responsibility of the developer/managing agent/householders to maintain the access road to a standard suitable for regular vehicular access.

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

### **Highway Safety**

- 8.62 The proposal includes a new shared surface access from Perne Road creating a new junction. The Highways Authority is satisfied with the proposal, subject to conditions. I have accepted the advice of the Highways Authority and, in my opinion, the proposal would not have an unacceptable impact on the highway network and safety.
- 8.63 Third parties have raised concern that the number of trips generated by the proposal would increase congestion on Perne Road and surrounding roads. The Highways Authority have commented that, in their opinion, the proposal would not generate a “severe” level of disruption on the network and an objection on these grounds could not be sustained. I accept their advice.
- 8.64 The Highways Authority have commented that the bus stop on the eastern side of Perne Road would need to be relocated as the existing bus stop is within visibility splay of the proposed access. The Highways Authority has commented that an alternative location should be identified prior to determination. The applicant has submitted options for alternative locations which have been discussed with the Highways Authority. Approval of an alternative location would require a process of consulting other stakeholders and would be outside of the planning system. I have recommended a Grampian-style condition (20) so that development on the site cannot commence until an alternative location for the bus stop has been agreed in writing by the local planning authority and the bus stop installed. The Highways Authority has agreed this approach. In my opinion, this addresses the Highways Authority’s comments.
- 8.65 Third parties have raised concerns that the access would create a staggered junction on Perne Road with the Perne Avenue

access opposite. The Highways Authority has not raised an objection on these grounds and I accept their advice.

- 8.66 Third parties have also raised concerns that the new access would create a break in the footway and cycle path along Perne Road which is used by local residents including school children. I accept that this is a well-used footway and cycle path. In my opinion, as the access would be shared surface with good visibility and the number of trips generated by the proposed development is likely to be low, the access would not create an unacceptable crossing point for pedestrians or cyclists.
- 8.67 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car Parking**

- 8.68 The proposal provides 19 car parking spaces and one visitor space. This provides 2 spaces for each of the dwellings and one space for each of the apartments. The proposal is in accordance with the adopted standards for residential development outside the controlled parking zone. The parking spaces relate well to the units they serve and I am satisfied there is an acceptable degree of natural surveillance of parking courts.
- 8.69 Third parties have raised concern that the level of car parking is too low, which would lead to overspill parking on the verges along Perne Road having an impact on highway safety. As the proposal provides the maximum number of car parking spaces per unit allowed by the adopted standards, providing more spaces would not comply with policy 8/10, the aim of which is to promote sustainable travel modes. I am satisfied that the site is in a highly sustainable location where there is no justification for providing more car parking spaces and departing from the adopted maximum standards.
- 8.70 Third parties have also commented that there is not enough visitor parking. Under the standards, the maximum number of car parking spaces on the site would be 3 visitor spaces. In my opinion, given the parking for residents is at the maximum level and the site is in a sustainable location, it is likely that any residents having visitors or trades-people may be able to make one of their parking spaces available for use. I do not consider



that the additional two visitor spaces that could be provided under the maximum standards would significantly reduce any overspill car parking generated by visitors.

8.71 Third parties have raised concerns that the 'double-stacked' car parking spaces for some of the semi-detached properties would be problematic, however these would be allocated to the same unit and is a common arrangement where properties have long driveways. I am therefore satisfied that future occupants would be able to manage this. Concerns have also been raised that the garages could be converted for use without requiring planning permission, which would lead to a loss of car parking and an increase in overspill parking. In my opinion, it would not be reasonable to impose a condition to restrict the conversion of garages as it would not be possible to force people to park in their garages rather than on-street.

8.72 For these reasons, in my opinion the car parking provision is compliant with Cambridge Local Plan (2006) policy 8/10.

### **Cycle Parking**

8.73 The proposal provides a 3 cycle parking spaces within a store in the rear garden of the dwellings; and a communal cycle store providing 10 spaces within the apartment block. The proposal includes no visitor cycle parking spaces and I have recommended a condition (38) for this to be provided. I am satisfied there would be space to accommodate this without compromising the landscaping scheme. Subject to this condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

### **Public Art**

8.74 The adopted Public Art SPD (2010) requires major development to make a contribution towards public art. A financial contribution is no longer secured via a planning obligation. Given the scale of the proposed development, I am satisfied that it would not be reasonable to recommend a condition requiring public art to be provided.

### Third Party Representations

- 8.75 The comments relating to the principle of development, residential amenity, response to context, highway safety, car parking, drainage, ecology, landscaping and refuse have addressed in the relevant sections above. The other matters are considered as follows:

Comment	Response
Numerous errors in the planning application including inaccurate measurements.	The applicant is not required to provide accurate information on land outside of the application site. I have visited neighbouring properties so I am satisfied that my assessment is made on the basis of accurate information. I am not aware of any inaccuracies with the information submitted with regard to the proposed development within the application site.
The demolition of No. 74 Perne Road may cause subsidence or groundwork issues which may affect whether No. 76 is able to stand alone.	This is not a planning matter that I can take into consideration.
Unclear whether the proposal is to demolish No. 78 Perne Road or No. 74 Perne Road.	The description of development confirms the proposal is for the demolition of No. 74 Perne Road.
Covenants restrict building and use of the land which the proposal contravenes.	This is not a planning matter that I can take into consideration.

The catchment schools are already oversubscribed.	The County Council has confirmed that contributions are not required towards education.
The plans don't clearly show the annexes at 76 and 78 Perne Road which already increase the housing density in this area.	During the course of the application, revised plans were submitted which show the annexes. I have taken this into account in my assessment.
Will the applicants be paying compensation to the occupants of Chalmers Road?	This is not a planning matter that I can take into consideration.
Are the City Council the purchasers?	The ownership of the site is not a planning matter that I can take into consideration.

### **Planning Obligations (s106 Agreement)**

8.76 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.

8.77 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.

- 8.78 The following table is a summary of the s106 contributions that will be requested in relation to this development:

Open Space	<b>£7,381</b> – Towards the provision and/or improvement of and/or access to Informal Open Space at Coleridge Recreation Ground (including creation of wildflower meadows, paths, information boards, new seating and general planting of new features).
Play Space	<b>£7,268</b> – Towards the provision of and / or improvements of the Lichfield Road Recreation Ground play area.
Indoor Sports	<b>£8,204.50</b> – Towards the provision of a new floor for the sports hall and/or sports changing room facility improvements at Netherhall School.
Outdoor Sports	<b>£7,259</b> – Towards the provision and/or improvement of outdoor sports pitches and changing rooms at Coleridge Recreation Ground.
Community Facilities	<b>£20,710</b> – Towards the provision and / or improvement of the facilities (inc kitchen, toilets, storage and furniture and equipment) at Lichfield Road Community Hall.

- 8.79 Although the County Council is of the view that the proposed development would not generate children and therefore is not seeking contributions towards education, in my opinion the contributions towards play space for children and young people sought by the City Council are justified in line with the Planning Obligation Strategy 2010.

- 8.80 Subject to the completion of a S106 planning obligation I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation

## **9.0 CONCLUSION**

- 9.1 In my opinion, the principle of development is acceptable in accordance with Cambridge Local Plan (2006) policies 5/1 and 3/10. I have assessed the application against the relevant development plan policies and have given full consideration to third party representations. The revisions submitted during the course of the application have addressed the initial concerns raised by officers. In my opinion, the proposal would not have an unacceptable impact on residential amenity. I have been advised by other officers that there are no outstanding technical matters that cannot be resolved through conditions. On this basis, in my opinion, the proposal is compliant with all relevant development plan policies and therefore I must give weight to the 'presumption in favour of sustainable development' within the NPPF.

## **10.0 RECOMMENDATION**

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006 policy 4/13)

8. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded). It should also ensure the gardens on the site and the neighbouring gardens remain available and attractive for foraging and commuter bats from the wider area. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To protect residential amenity and to provide ecological enhancements for protected species on the site. (Cambridge Local Plan 2006 policies 3/12 and 4/3)

9. No development shall commence until details of the construction of the hardstanding for the access have been submitted to and approved in writing by the local planning authority. The hardstanding shall, as a minimum, be capable of supporting vehicles of 26 tonne weight and shall be constructed in accordance with the approved details.

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

10. No works shall commence on site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction. (Cambridge Local Plan 2006 policy 8/2)

11. Prior to the first occupation of the development the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory development of the site and a satisfactory Standard of highway design and construction. (Cambridge Local Plan 2006 policy 8/2)

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

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

13. The access shall be a minimum width of 5.0m, for a minimum distance of 15m measured from the near edge of the highway carriageway.

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

14. Prior to the first occupation of the development the proposed on-site parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.



Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

15. Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the approved plans. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

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

16. Prior to the first occupation of the development the junction of the access with the highway carriageway shall be laid out with 6m radius kerbs.

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

17. No part of any structure shall overhang or encroach under or upon the public highway and no gate / door / ground floor window shall open outwards over the public highway.

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

18. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway prior to first occupation of the development hereby permitted and retained thereafter, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

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

19. No development shall commence until details of the proposed arrangements for future management and maintenance of the streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard. (Cambridge Local Plan 2006 policy 8/2)

20. No development shall commence until details of the relocated bus stop on the eastern side of Perne Road have been approved in writing by the Local Planning Authority; and the development shall not commence until the bus stop has been constructed in accordance with the approved details.

Reason: Failure to secure an appropriate replacement bus stop would undermine the efficiency of the public transport network serving Perne Road. It is vital, therefore that, prior to loss of this facility resultant from development, a replacement location is identified and implemented before development is commenced, this maintaining verifying and implementing continuity of public transport facilities. (Cambridge Local Plan policy 8/2)

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

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

22. No development shall commence until a detailed surface water drainage scheme for the site, based on the Flood Risk Assessment and Drainage Strategy prepared by Peter Brett Associates (project ref. 37537 dated March 2016) has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted.

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

23. No building hereby permitted shall be occupied until a surface water drainage scheme management and maintenance plan for the lifetime of the development has been provided to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In the interests of flood protection.

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

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

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

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

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

Reason: To ensure that the materials selected are of a high quality and appropriate to the context of the building (Cambridge Local Plan 2006 policy 3/12).

27. Full details of all windows (including dormer windows and timber window panels) and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. This shall consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details.

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

28. No boiler flues, soil pipes, waste pipes or air extract trunking, etc. shall be installed until the means of providing egress for all such items from the new or altered bathrooms, kitchens and plant rooms has been submitted to and approved in writing by the local planning authority. Flues, pipes and trunking, etc. shall be installed thereafter only in accordance with the approved details.

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

29. Prior to commencement of development, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
- a) The total predicted energy requirements of the development, set out in Kg/CO<sub>2</sub>/annum;

- b) A schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme;
- c) An assessment of any air quality, noise or odour impact and;
- d) Mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council's Sustainable Construction and Design Supplementary Planning Document.

The renewable energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16, Cambridge Sustainable Design and Construction SPD, 2007).

30. A plan showing the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority prior to the erection of any boundaries. The boundary treatment shall be completed in accordance with the approved details prior to first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority.

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

31. Details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to first occupation or within the first planting season following first occupation. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme. The landscaping scheme shall ensure the gardens on the site remain available and attractive for foraging and commuting bats from the wider area.

Reason: In the interests of visual amenity and protected spaces, 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, 3/12 and 4/3).

32. No demolition shall commence until the role, responsibilities and operations to be overseen by a competent on-site ecologist have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reasons: In the interests of protected species on the site (Cambridge Local Plan 2006 policy 4/3).

33. No development shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority detailing the proposed specification, number and locations of internal bird and bat boxes within the new building. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reasons: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2006 policy 4/3).

34. Prior to occupation, the windows identified as having obscured glass on drawing numbers 14\_1208\_PL08A, 14\_208\_PL09A and 14\_208\_PL11C; and the windows on the first floor of the rear (east) elevation of units 1-8 serving ensuites or bathrooms shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent 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).

35. Full details of the oriel windows including timber window panels, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. This shall consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details. The timber window panels shall be installed prior to occupation, and shall be retained as such thereafter.

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

36. Prior to occupation of unit 13 hereby permitted, the glass screen on the parapet wall identified as having obscured glass on drawing number 14\_208\_PL11C shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall be erected to a height of 1.8m above the level of the terrace, and shall be retained as such thereafter.

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

37. The outbuilding within the curtilage of No. 76 Perne Road hereby permitted shall be used solely in conjunction with and ancillary to No. 76 Perne Road and shall not be separately used, occupied or let.

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

38. Prior to first occupation of the development, 2 no. visitor cycle parking spaces shall be provided in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Cambridge Local Plan 2006 policy 8/6.

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

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

**INFORMATIVE:** The applicant is advised that to discharge condition 19 the Local Planning Authority requires a copy of the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

**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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

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

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

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

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

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

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

**INFORMATIVE:** Where bin stores are located away from the public highway the developer and future managing agent and/or householders must accept that the collection authority (Local Authority) will not be held responsible for any damage caused to that access road by its use thereof. Refuse collection vehicles (RCVs) weigh a minimum of 26 tonnes, (up to 32 tonnes) are dual steering and multi-axled. They are 11m long and 2.50m wide. It is the responsibility of the developer/managing agent/householders to maintain the access road to a standard suitable for such regular vehicular access. Should that standard be deemed unacceptable by the collection authority it reserves the right not to access the site and the responsibility ("Duty of Care") remains with the householders/managing agents/developers to present the bins for collection on or near (<10m) the public highway.

**INFORMATIVE:** If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

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

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

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## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/0769/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	10th June 2016	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	5th August 2016		
<b>Ward</b>	Newnham		
<b>Site</b>	Laundress Green Laundress Lane Cambridge Cambridgeshire		
<b>Proposal</b>	Installation of a punting pontoon on laundress green. The punting pontoon will be suitable for loading tourists onto chauffeured 12 seater wide beam ferries. The pontoon will have wheelchair access.		
<b>Applicant</b>	Director of TCT Milan Kovacevich 32 High Street Meldreth Herts SG8 6JU		

SUMMARY	<p>The development is contrary to the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed development and use would have a negative impact upon the semi-rural character of Laundress green and as a result the character and appearance of the Conservation Area.</li> <li>• The applicant has failed to demonstrate that the proposal would not impact on protected species within the area</li> <li>• The proposal is likely to result in an increase in congestion to an already overcrowded part of the river</li> </ul>
RECOMMENDATION	REFUSAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is located on the north western end of Laundress Green. Laundress Green is Common Land which is owned by the City Council adjacent to Mill Lane and the Weir. The site is highly visible from the Silver Street Bridge. Laundress Green is allocated as Protected Open Space (NAT 06 – Sheep’s Green and Coe Fen – Semi-natural green space). The site falls within the Central Conservation Area and is covered by both the Historic Core Conservation Area Appraisal and Sheep’s Green/Coe Fen Conservation Plan. The site is located adjacent to the Mill Bridge; a grade II listed structure. The site also falls within the Green Belt and Flood Zones 2 &3.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes the installation of a punting pontoon. The pontoon would measure 2.5m x 8m. The pontoon would be held in place by steel piles and accessed from Laundress Green via a 9m long ramp with handrails. The pontoon would accommodate 12 wide beam ferry punts.
- 2.2 The application has been amended to remove the shed from the description of development.
- 2.3 The application is accompanied by:
1. Plans
  2. Flood risk documentation
  3. Covering letter
  4. Certificate B

## **3.0 SITE HISTORY**

- 3.1 There is no site history

## **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 3/9 3/11
		4/1 4/2 4/4 4/7 4/10 4/11 4/13
		6/4
		8/2

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p>
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use</p>

	<p>Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2006)</p> <p>Sheeps Green/Coe Fen Conservation Plan (2001)</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)**

#### No objection:

- 6.1 The Highway Authority has no objection to the proposal in principle. The proposal has the potential to impact upon the adjacent structure supporting the public highway. Therefore a number of informatives and a condition are requested to ascertain that the structure is not compromised.

### **Urban Design and Conservation Team**

#### Objection:

- 6.2 The proposal is unacceptable. The proposed pontoon would have a negative impact on the open semi-rural nature of Laundress Green and therefore the character and appearance of the Conservation Area. The use of Laundress Green for business purposes will have a negative impact on the character of the Conservation Area.

### **Environmental Health**

#### No objection

- 6.3 The proposal is acceptable subject to two conditions

### **Refuse and Recycling**

- 6.4 No comments received

### **Head of Streets and Open Spaces (Tree Team)**

- 6.5 No comments received

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

#### No objection:

- 6.6 The proposed development is acceptable subject to the imposition of a condition regarding the ramp seat. There are concerns about the stability of the bank and the ramp seat and the current drawing does not accurately represent the profile of the bank in this location. The pontoon will rise and fall with water levels and therefore will not have an impact on flood risk.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

#### Objection

- 6.7 It is not possible to comment on the proposal as additional information is required. The proposed pontoon sits within the River Cam County Wildlife Site and is in close proximity to the Sheep's Green and Coe Fen Local Nature Reserve. Therefore an ecological assessment, informed by appropriate surveys, should be provided to ensure there is no impact on protected species such as water voles, bats and breeding birds.

### **The Wildlife Trust**

- 6.8 No comments received

### **Environment Agency**

- 6.9 No comments received

### **Conservators of the River Cam**

- 6.10 No comments received

### **Mineral and Waste**

- 6.11 No comments received

- 6.12 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file. A number of consultees have not responded. I will report any additional responses on the amendment sheet or orally at the meeting.

## **7.0 REPRESENTATIONS**

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

- 11A Chaucer Road
- Church Rate Corner, Malting Lane
- Darwin College, Silver Street
- 6 Eltisley Avenue x2
- 43 Eltisley Avenue
- 2 Eve House
- FrostLake Cottage, Malting Lane
- Granary Yard, Malting Lane
- 15 Grange Road
- 15 Latham Road
- Mount Pleasant House
- 20 Millington Road
- 31 Millington Road
- Scudamores, Granta Place
- 3 Summerfield
- 10 Summerfield
- 18 Wordsworth Grove x2
- Wytherton, Summerfield

- 7.2 The representations can be summarised as follows:

### Validation

- The site plan edged red is inaccurate
- Lack of shed drawings
- Lack of open space assessment

### Biodiversity

- No ecological statement has been provided

### Conservation

- Would not complement and enhance the waterside setting contrary to policy 3/9
- The proposal is of a standard design with no consideration of the setting in terms of heritage impact or biodiversity
- Concerned about damage to adjacent listed bridge
- Contrary to policies 4/10 and 4/11
- Fails to address impact of additional punts/coverage of Mill Pit. Photograph mock-up submitted showing punts in proposed location
- Would not preserve rural character of Laundress Green
- Would have adverse impact on surrounding listed structures
- Negative impact on views of the river

### Traffic/congestion

- Would exacerbate river congestion and capacity issues
- Health and safety risk to the public and staff working on existing punt stations
- No provision of details for pedestrian access to pontoon
- Would not make access to the river easier or safer
- Area already heavily congested with bike and pedestrian movements

### Public Open Space

- Operations on public land are restricted
- Amount of public open space to be lost is unclear
- There will be direct (queues/structure) and indirect (intensification of use) loss of public open space
- Laundress Green is not suitable for commercial activity
- In report on 'Punting Provision in Cambridge at 3.16 laundress Green is identified as unsuitable for further punt stations
- At Cambridge Council Strategy and Resource Scrutiny Committee meeting on 4<sup>th</sup> July 2016 Item 6 of the agenda related to punting provision. This identified no sites on public land which were suitable for punting development.
- Contrary to policy 6/4 and policy 79 of the emerging plan as would not add to the diversity/range of visitor attractions

### Other

- Applicant has not obtained a license from Conservators. Do not believe applicant has the appropriate interest in the land to be granted a licence

- It is unclear how the business would operate; a method statement has not been provided
- Not practical; lack of storage for equipment which will need to be removed everyday
- Cows would be shooed away which would reduce enjoyment of Laundress green for other visitors
- Speculative application

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. Impact on the Conservation Area and setting of the listed structure
4. Biodiversity
5. Disabled access
6. Residential amenity
7. Highway safety
8. Third party representations

### **Principle of Development**

8.2 Policy 3/9 relates to waterside or water-related development. This policy states that development will be permitted if it can demonstrate that it would:

- a) complement and enhance the waterside setting;
- b) maintain or improve public access to and along the waterside;
- c) maintain and enhance the biodiversity of the watercourses and other bodies of water and their margins; and
- d) in the case of recreational development, there is sufficient capacity to accommodate additional usage of the waterway arising from the development.

- 8.3 I will assess criteria a) and c) in the below paragraphs. In my view the proposal would accord with criteria b) which relates to access to the river. In terms of the capacity of the river to accommodate the additional usage (criteria d); I have not received any comments from the Conservators of the River Cam. However, many of the third party representations raise the issue that the River Cam is already congested. From my observation the river space out of which punts would dock is already significantly congested during peak times. The report on Punting Provision in Cambridge (Cambridge Strategy and Resource Scrutiny Committee 4<sup>th</sup> July 2016) notes that Laundress Green is not considered suitable for further punting activity. The report notes that there are already 3 punting stations here; 2 serving the middle river and 1 serving the upper river. The focus of this element of the report relates to touting activity. However it is clear from the representations and from my own observations that this part of the river is currently close to full capacity, if not over capacity at times. Additional punting activity in this part of the river, due to the congestion issues, would have the potential to impact on the safety of members of the public and staff on the existing punt stations. As a result I consider the proposal contrary to criteria d) of policy 3/9.
- 8.4 Policy 6/4 relates to visitor attractions. This states that development which maintains, strengthens and diversifies the range of visitor attractions will be permitted if they are well related to the cultural heritage of the city. The proposed development would relate culturally to the heritage of the city. In my view the proposal would not diversify visitor attraction given that there is already a significant number of punting operations in Cambridge. However the proposal would be considered to maintain and strengthen visitor attractions in line with policy 6/4.

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

- 8.5 Laundress Green is an iconic and attractive part of Cambridge. It is a part of the Green Belt which is easily accessible from the city centre. The site and the wider Laundress Green area are highly visible and are part of an important vista from the Silver Street Bridge.
- 8.6 There are two existing punt stations located adjacent to the site. One, to the east of the site, accommodates larger punts and runs

adjacent to the Anchor Pub. Another, to the north west of the site, accommodates smaller punts and is accessed from the steps of Silver Street.

- 8.7 The existing punting stations are located against a backdrop of built structures. The proposed punting station differs from these surrounding stations as it is to be located against the backdrop of Laundress Green. As described above this is a semi-rural setting; often inhabited by cows. The proposed punting station would introduce an 8m long structure (with a further 9m long access ramp) which would be of utilitarian design. The structure appears purely functional having no special consideration for the proposed sensitive setting. As a result I consider it would have a negative impact on the green character of this area.
- 8.8 Criteria a) of policy 3/9 states that waterside development will be permitted if it can demonstrate that it would complement and enhance the waterside setting. The proposal would introduce a structure of no design quality to the sensitive riverside location. The pontoon would accommodate 12 long beam ferry punts in an already significantly congested area of the river. As a result I consider the proposal would not enhance the setting of the river in this context contrary to criteria a) of policy 3/9.
- 8.9 In my opinion the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/9 and 3/11

#### **Impact on the Conservation Area and setting of the listed structure**

- 8.10 The Conservation Officer considers the proposal to be unacceptable. She considers the proposed use of Laundress Green for commercial activity to be inappropriate. Laundress Green forms part of the Green Belt and has a semi-rural character. As a result the use of the site for commercial activity would degrade the character of this part of the Conservation Area.
- 8.11 The use of the site for commercial activity also presents the potential for additional harm to the appearance of Laundress Green. The existing bank which would form the access to the pontoon is sloping and grassed. If this were to be covered with hard standing it would result in further degradation to the green character of Laundress Green. The use of the site for the punting

business will also result in a significant increase in pedestrian movements and congestion in this part of the Green; with cyclists and people visiting Laundress Green having to negotiate further congestion from punting queues within the Public Open Space.

- 8.12 The Historic Core Appraisal and the Coe Fen and Sheep's Green Conservation Plan both emphasise the importance of the views from Silver Street Bridge across to the semi-rural area of Laundress Green. The area is green with cows grazing for much of the year. Whilst there are existing punt stations in the vicinity, as mentioned previously, these operate against a backdrop of a built structure. The proposal will interrupt and obscure this important view of the semi-rural environment from Silver Street Bridge.
- 8.13 In my opinion the proposal would not preserve or enhance the character and appearance of the Conservation Area and as a result would be contrary to policy 4/11 of the Cambridge Local Plan

### **Biodiversity**

- 8.14 The Biodiversity Officer has requested an ecological survey to assess the impact on protected species which are located within the area. The applicant has failed to provide any evidence to demonstrate that the proposed development would not impact on these species. As a result the proposal has failed to address policy 4/7 and criteria c) of policy 3/9 of the Cambridge Local Plan.

### **Highway Safety**

- 8.15 The Highway Engineer has no objection to the proposal subject to a condition and a number of informatives. The condition seeks to ensure the proposed development will not compromise the adjacent bridge which supports the public highway. If I were minded to support the proposal I would impose theis recommended condition.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.



## Third Party Representations

8.17 I have addressed many of the issues raised within the body of my report. I will address any outstanding issues in the below table.

Issue	Response
<b>Validation</b>	
The site plan edged red is inaccurate	The site plan is considered acceptable
Lack of shed drawings	The shed has been removed from the proposal
Lack of open space assessment	An open space assessment was not required as part of the application
<b>Biodiversity</b>	
No ecological statement has been provided	See paragraph 8.14
<b>Conservation</b>	
Would not complement and enhance the waterside setting contrary to policy 3/9	See paragraph 8.8 See paragraph 8.7
The proposal is of a standard design with no consideration of the setting in terms of heritage impact or biodiversity	See paragraph 6.1
Concerned about damage to adjacent listed bridge	See paragraphs 8.10-8.13 See paragraph 8.8
Contrary to policies 4/10 and 4/11	
Fails to address impact of additional punts/coverage of Mill Pit. Photograph mock-up submitted showing punts in proposed location	See paragraphs 8.5-8.13 See paragraph 6.1
Would not preserve rural character of Laundress Green	See paragraph 8.12

<p>Would have adverse impact on surrounding listed structures</p> <p>Negative impact on views of the river</p>	
<b>Traffic/congestion</b>	
<p>Would exacerbate river congestion and capacity issues</p> <p>Health and safety risk to the public and staff working on existing punt stations</p> <p>No provision of details for pedestrian access to pontoon</p> <p>Would not make access to the river easier or safer</p> <p>Area already heavily congested with bike and pedestrian movements</p>	<p>See paragraph 8.3</p> <p>See paragraph 8.3</p> <p>The Highway Engineer has not expressed any concerns regarding access to the site</p> <p>See paragraph 8.3</p> <p>See paragraph 8.11</p>
<b>Public Open Space</b>	
<p>Operations on public land are restricted</p> <p>Amount of public open space to be lost is unclear</p> <p>There will be direct (queues/structure) and indirect (intensification of use) loss of public open space</p> <p>Laundress Green is not suitable for commercial activity</p> <p>In report on 'Punting Provision in Cambridge at 3.16 laundress Green is identified as unsuitable for further punt stations</p>	<p>Not a material planning consideration</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraph 8.3</p>

<p>At Cambridge Council Strategy and Resource Scrutiny Committee meeting on 4th July 2016 Item 6 of the agenda related to punting provision. This identified no sites on public land which were suitable for punting development.</p> <p>Contrary to policy 6/4 and policy 79 of the emerging plan as would not add to the diversity/range of visitor attractions</p>	<p>See paragraphs 8.3</p> <p>See paragraph 8.4</p>
Other	
<p>Applicant has not obtained a license from Conservators. Do not believe applicant has the appropriate interest in the land to be granted a license</p>	<p>Not a material planning consideration</p>
<p>It is unclear how the business would operate; a method statement has not been provided</p>	<p>Not a material planning consideration</p>
<p>Not practical; lack of storage for equipment which will need to be removed everyday</p>	<p>Not a material planning consideration</p>
<p>Cows would be shooed away which would reduce enjoyment of Laundress green for other visitors</p>	<p>Not a material planning consideration</p>
<p>Speculative application</p>	<p>Not a material planning consideration</p>

## **9.0 CONCLUSION**

- 9.1 The use of Laundress Green for commercial activity is considered unacceptable. This is common land and protected open space within the Conservation Area. The proposed pontoon structure and use of Laundress Green for further commercial activity would negatively impact upon the semi-rural character of area and views of this space from Silver Street Bridge. As a result the proposal is considered harmful to the character and appearance of the Conservation Area contrary to policy 4/11. The proposal also fails to complement or enhance the waterside setting in this location contrary to criteria a) of policy 3/9. The applicant has failed to address the impact of the proposal on biodiversity contrary to policy 3/9 c). In my view the proposal would result in an unacceptable level of congestion to this part of the river contrary to 3/9 (d).

## **10.0 RECOMMENDATION**

**REFUSE** for the following reasons:

1. The proposed pontoon structure and additional punts would negatively impact upon the waterside setting of Laundress Green. The site forms part of an iconic vista from the Silver Street Bridge which will be compromised and partially obscured by the addition of the pontoon. The use of Laundress Green for additional commercial activity is also considered out of character given the semi-rural setting of the site with Common Land. As a result the proposal fails to comply with policy 4/11 and criteria a) of policy 3/9 of the Cambridge Local Plan (2006)
2. No information has been provided regarding the impact of the proposal on biodiversity. In the absence of this information the proposal is considered to pose potential harm to biodiversity contrary to criteria c) of policy 3/9 and policy 4/7 of the Cambridge Local Plan (2006)
3. The proposal is likely to exacerbate existing congestion issues on this part of the river. As a result the proposal is considered contrary to criteria d) of policy 3/9 and policy 4/7 of the Cambridge Local Plan (2006)

## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/0873/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	26th May 2016	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	21st July 2016		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	5 Moore Close Cambridge CB4 1ZP		
<b>Proposal</b>	Retrospective change of use from dwelling (C3) to a 7 bed HMO (Sui Generis)		
<b>Applicant</b>	Mr & Mrs Gu 5, Moore Close CAMBRIDGE CB4 1ZP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>The change of use of the dwellinghouse to a large HMO would not be detrimental to neighbours' amenities, road safety nor be visually harmful.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The property is a detached house located on the north-eastern side of Moore Close. The application site borders the rear gardens of No.s 1 to 4 Moore Close to the north-west, No.s 3 and 5 Hopkins Close to the north-east and borders the property of No.6 Moore Close to the south-east. The front boundary borders No.s 7 to 9 Moore Close to the south-west. Moore Close and the southern end of Hopkins Close are characterised predominantly by detached family dwellings.
- 1.2 The site is not within a conservation area.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes a retrospective change of use of a family house to a seven bedroom House of Multiple Occupation that would accommodate up to nine occupants.
- 2.2 Two on-site car parking spaces are shown at the front of the property and landscape buffer strips are proposed in front of the building. A side access path leads to the rear of the property. Space for 6 bins is shown and five Sheffield cycle stands. These would be able to accommodate ten cycle parking spaces.

The drawings show an existing rear dormer and rooflights which are not part of this planning application. The dimensions are:

- 2.3 The rear dormer measures 8.1m in width, 2.7m in height and 3.8m in depth. It has a volume of 41.56m<sup>3</sup>. It is set up 0.3m from the eaves. It has been constructed from hanging tiles.
- 2.4 The drawings include three front velux rooflights. These project up to 0.15m from the roof plane.

## **3.0 SITE HISTORY**

- 3.1 No relevant history.

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

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

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</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> <p>Planning Obligation Strategy (March 2010)</p>

Material Considerations	<u>City Wide Guidance</u>  Cambridge City Council (2011) – Open Space and Recreation Strategy  Cycle Parking Guide for New Residential Developments (2010)  Roof Extensions Design Guide (2003)
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#### 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The proposal provides off-street car parking at significantly less than one space per sub-household.
- 6.2 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 comparable existing residential uses in the surrounding area. It is advised that



the applicant reassess the proposed parking provision in regard to the new guidance.

- 6.3 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**

- 6.4 The development proposed is acceptable subject to the imposition of an informative relating to:
- 6.5 Housing Health and Safety
- 6.6 No concerns in terms of amenity regarding this development.
- 6.7 The premises has recently been inspected by the Residential Team and an HMO License has been issued.

### **Refuse and Recycling**

- 6.8 No objection. An additional black bin will be required because there are more than 6 residents in the house.

### **Senior Sustainability Officer (Design and Construction)**

- 6.9 No comment.

### **Consultations with Service Managers**

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

Development Manager (Streets and Open Spaces)

Recreation Services Manager

Community Funding Development Manager

6.11 No comments were received.

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

## **7.0 REPRESENTATIONS**

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

- 2, 3, 6, 7, 8, 10 Moore Close
- 3 Hopkins close

7.2 The representations can be summarised as follows:

- Loss of light/overshadowing from roof extension.
- Visual amenity – roof extension is large and out of keeping with the character and appearance of the surrounding houses.
- Overlooking/loss of privacy – roof extension affects No. 1 and 2 Moore Close and two houses in Hopkins Close (in the case of 2 Moore Close this includes 1 bedroom, a study, a bathroom, a kitchen and a lounge/diner).
- Parking has not been adequately addressed. The house has 7 bedrooms but only two parking spaces. It is highly likely to result in increased on-street parking in Moore Close to the detriment of existing residents.
- The inevitable parking on pavements will make access for wheelchair users or people with prams will be harder if not impossible.
- Disregard for the planning process. Approval will set a precedent.
- Moore Close is not designed for this level of density of the population.
- Extra residents will cause noise and disturbances with an additional strain on local services such as rubbish collection.
- The building has to be expanded to accommodate the use and the site is incapable of accommodating the use e.g. garden size, bins, cycles etc and parking.
- Policy 5/7 – Visual impact of removing green area at the front of the dwelling.

- Policy 3/7 spaces around buildings are key matters in design – the proposal does not provide high quality design.
- Policy 3/4 this proposal would impact upon neighbouring properties.
- Policy 5/7 significant adverse impact on amenity created by the inadequacy of the site and its location to cater for the number of occupants proposed.
- Policy 5/7 - it cannot be construed as an area with high levels of accessibility to services and facilities.
- Neighbour has experience issue with increased traffic, both in terms of people and vehicles, with their driveway being used for turning.
- The existing plans for e.g. show a study which has never existed.
- Street parking is an issue, with cars blocking access to services, deliveries, rubbish collection and emergency vehicles. Difficult to park in our drive with cars parked opposite.
- If any covenants/conditions can be imposed I would suggest restrictions on only permitting tenants who are not vehicle owners.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/7 Supported Housing/Housing in Multiple Occupation of the Local Plan (2006) states *'the development of supported*

*housing and the development of properties for multiple occupation will be permitted subject to:*

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

- 8.3 The application is for the retrospective change of use of a dwellinghouse to a large House of Multiple Occupation (HMO). Policy 5/7 is of relevance to this application. Moore Close is a residential street mainly comprising of detached family dwellings. The HMO would offer an alternative type of accommodation along the street which would help meet the needs of a diverse and mixed community. There is not a high concentration of HMO's along Moore Close. There would be an increase in the number of occupants compared to its previous use as a family dwelling. This in turn would increase the number of people coming and going from the property and could lead to a potential increase in car parking demands and bin and cycle storage provision. There is likely to be an increase in noise due to the increase in number of residents, however the property is detached and I do not consider the noise levels would be so great as to warrant refusal of the planning application.
- 8.4 The revised Block Plan shows provision for bin and bike storage for the occupants, in the rear garden. Two on site car parking spaces are provided at the front of the property. Paragraphs 8.15, 8.23 and 8.24 will consider the car parking provision.
- 8.5 In my opinion, the seven bedroom HMO would provide an acceptable standard of accommodation for the occupants. Each bedroom has an ensuite and there is a communal kitchen, common room and garden of approximately 90m<sup>2</sup>.
- 8.6 The property is within walking distance from bus stops along Milton Road which serve central Cambridge. There is also a cycle route along Milton Road. The property is near to shops and services along Milton Road and Arbury Road.
- 8.7 Two landscaped buffer strips are located directly in front of the property which provides some soft landscaping at the front of the

property and break up the hard landscaping of the car parking area.

- 8.8 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7 of the Local Plan 2006.

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

- 8.9 The application does not propose external changes to the house itself. The front garden has been reconfigured to accommodate two car parking spaces and bin and bike storage will be accommodated in the rear garden. I consider these external alterations to be acceptable. Some buffer landscaping is proposed in the front garden by the ground floor bedroom windows. This provides soft landscaping which I consider will compliment the appearance of the site.
- 8.10 The existing rear loft extension and front velux windows are not part of this current planning application. There is no planning history for the roof additions. However, the roof extensions are of an acceptable size to be considered permitted development for a dwellinghouse.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11.

**Residential Amenity**

Impact on amenity of neighbouring occupiers

Noise and disturbance

- 8.12 The HMO will increase the number of occupiers living at the property. There is likely to be an increase in the number of people coming and going and this could lead to an increase in noise levels. The property is detached which would help to lessen the impact on its neighbours. In my opinion the change of use would not lead an unreasonable level of noise disturbance to nearby properties to warrant refusal of the planning application.

### Overlooking

- 8.13 Some neighbours have raised concerns with overlooking, in particular from the bedroom windows of the loft extension. The windows on the rear dormer are positioned no closer to neighbouring houses than the existing rear windows on the property. There will be an intensification of the building's use due to an increase in the number of occupants, however, in my opinion I do not consider the rear windows would cause an unreasonable level of overlooking to nearby properties.

### Overshadowing

- 8.14 The rear dormer does not form part of this planning application. However, a neighbour has commented that it leads to overshadowing. This size dormer can be constructed through permitted development. In my view, it would not lead to a detrimental loss of light to nearby properties due to its position at roof level.

### Overspill car parking

- 8.15 Concerns have been raised by neighbours over cars parking along the street, turning around in the front of other properties or making it difficult for people to manoeuvre into and out of their driveways. I note these concerns. There are public transport bus stops within walking distance of the property and shops and services nearby, which could encourage some occupants not to own a car. The car parking standards (Appendix C) in the Local Plan 2006 highlights a residential property of this size should have a maximum of 2 on site car parking spaces. In view of the number of potential occupants, cycle parking provision and proximity to public transport and services, in my opinion the car parking provision would be acceptable. The orientation of the car parking spaces should make it easier for cars to enter and exit the spaces without encroaching on neighbours' front gardens.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### Amenity for future occupiers of the site

- 8.17 I consider the size of the accommodation and rear garden (at around 90m<sup>2</sup>) would provide an acceptable standard of accommodation for the occupants. The landscape buffers by the ground floor front bedroom windows will prevent people passing directly by these windows and I consider avoids an unreasonable loss of privacy to the occupants.
- 8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7.

### **Refuse Arrangements**

- 8.19 The Waste Team considers there to be sufficient space to accommodate the required refuse and recycling bin storage. The Block Plan illustrates the location of the bin storage in the rear garden. I also find the provision to be acceptable.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.21 Highways highlight the development may impose additional parking demands upon the on-street parking on the surrounding streets. They acknowledge this is unlikely to result in any significant adverse impact upon highway safety. I consider it is unlikely the proposal would adversely harm highway safety.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.23 Ten cycle parking spaces are provided in the rear garden and two car parking spaces in the front garden. These meet the standards set out within the Local Plan 2006. I consider the car and cycle parking provisions to be acceptable.

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

## **9.0 CONCLUSION**

- 9.1 In my opinion the change of use of the dwellinghouse to a large HMO would not be detrimental to neighbours amenities, road safety and would not be visually harmful.

## **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.

**INFORMATIVE:** The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>



<b>Application Number</b>	16/1067/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st August 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	26th September 2016		
<b>Ward</b>	Coleridge		
<b>Site</b>	30 Davy Road Cambridge CB1 3QW		
<b>Proposal</b>	Demolition of existing building and the erection of two new buildings to provide 2no. Maisonettes and 3no. 1bed flats, together with bin & cycle store and landscaping.		
<b>Applicant</b>	n/a c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would not adversely impact on the amenity of neighbouring properties.</li> <li>- The proposed development would be in keeping with the character and appearance of the area.</li> <li>- The proposal would provide an appropriate living environment for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.30 Davy Road, is comprised of a two-storey end of terrace building situated on the north side of Davy Road. The building is sub-divided internally and used as two self-contained dwellings. There is a car parking space at the front of the site and a long garden to the rear. The rear garden is flanked by a tall conifer hedge along the side and rear boundaries. To the south of the site is the Coleridge Recreation

Ground. Three-storey residential flats are to the east and there are single-storey garages to the north of the site.

1.2 There are no site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal, as amended, seeks planning permission for the demolition of the existing building and the erection of two new buildings to provide 2no. maisonettes and 3no. one-bedroom flats.

2.2 The proposed replacement building (block 1) on the front of the site would mirror the existing building in terms of height but would be approximately 1.5m wider with an undercroft underneath the first-floor element. The proposal would also involve the addition of a 5.7m deep single-storey element from the existing rear building line. This would be designed with a gently sloping flat roof measuring 2.5m at its lowest point and 3.1m at its highest point. This building would accommodate a one-bedroom flat and 2no. one-bedroom houses.

2.3 The proposed new building (block 2) at the end of the rear garden would occupy a footprint of approximately 59m<sup>2</sup>. The proposed building would be two-storeys in scale and constructed with a pitched roof measuring 4.8m to the eaves and 7m to the ridge. This building would accommodate 2no. one-bedroom flats.

2.4 Visitor cycle and car parking would be situated at the front of the site. A cycle and bin store would be situated in the rear garden in-between blocks 1 and 2 and this store would be designed with a green roof.

2.5 The proposed buildings would be designed in brick with tiled roofs to match the materials of the existing building on-site.

2.6 The application has been accompanied by the following information:

1. Drawings
2. Design and Access Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/02/0156	Change of use from residential to 3no self contained units (retrospective).	Permitted.
C/01/1309	Change of use from residential to 4no self contained units (3 self contained units (Retrospective)).	Withdrawn.
C/99/1229	Erection of a single storey rear extension to existing dwellinghouse.	Permitted.
C/99/0283	Erection of a two storey rear extension to existing dwellinghouse.	Permitted.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12
		4/4 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	<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> <p>Planning Obligation Strategy (March 2010)</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 In its current for the development is considered very 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. Traffic management plan condition and informative recommended.

### **Environmental Health**

- 6.2 No objection, subject to construction hours, collection during construction, piling and dust conditions and informative.

### **Refuse and Recycling**

- 6.3 More information on where the collection point will be and who will be putting the bins there is requested.

### **Landscape Team**

- 6.4 No objection subject to hard and soft landscaping and boundary treatment conditions.
- 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:

26 Davy Road	26B Davy Road
32 Davy Road	34 Davy Road
36 Davy Road	

7.2 The representations can be summarised as follows:

Design

- Overdevelopment of the plot.
- Out of character with area.

Residential Amenity

- Under provision of parking.
- Visual enclosure/ dominance.
- Construction noise and disturbance.
- Overlooking/ loss of privacy.
- Shadow study required.
- Dust pollution during construction/ demolition.
- Poor quality of amenity provision for future occupants.

Other

- Further information/ consultation regarding bats is required.
- Structural damage to adjoining properties during demolition.
- Security of garden during construction.
- The proposed development would devalue other properties.
- Construction rights regarding land ownership.
- Right of access to garages at rear would be affected during construction.
- The two study rooms are likely to become bedrooms.
- Under provision of bin storage.
- Use of property, private/rental/social?
- Would affect plans to extend at no.32 in future.
- Party wall agreement required and implications of that.
- Noise and disturbance from proposed use of site.
- Inadequate cycle parking provision.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity

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

### **Principle of Development**

- 8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.
- 8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.
- 8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).
- 8.5 Residential development within the garden area or curtilage of existing properties will not be permitted if it will:
  - a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
  - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
  - c) detract from the prevailing character and appearance of the area.

e) would not adversely affect trees, wildlife features or architectural features of local importance

- 8.6 I consider that the proposal complies with the four criteria set out in policy 3/10 for the reasons set out in the relevant sections of this report.

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

- 8.7 The proposed buildings would be visible from the street scene of Davy Road and the private road leading up to the single-storey garages to the rear of the site.
- 8.8 Block 1 would be similar in appearance to that of present as the gable end would face onto Davy Road and would be of a similar scale and mass. The additional width proposed would increase the prominence of the building on the corner of the plot. However, this would not in my view result in the building appearing alien on the end of the terrace. The general fenestration of windows and doors would be in keeping with the rest of the terrace and would help to break up the perception of the additional mass whilst engaging successfully with the street scene from an active frontage perspective. The proposed use of small sections of Flemish bond brickwork panels, with the end on bricks protruding outwards, would also provide a degree of interest that helps to break up the large expanse of brickwork proposed. This is also applicable to the proposed timber doors and louvers, as well as the metal finish around the angled windows.
- 8.9 Block 2 would mimic the general scale, massing and design principles proposed in block 1. The position of this block at the end of the garden would appear more unorthodox when compared to block 1 due to the lack of two-storey developments along the rear gardens of properties. However, the site and its surroundings are relatively unique in that the flats opposite the site to the east and garages to the north of the site provide a degree of variation in terms of building lines and orientations of built forms in the wider area. The proposed building has been deliberately designed to utilise the east elevation as the front elevation in respect of active frontage.



- 8.10 The proposed bin and cycle store would be a relatively discreet and simple single-storey structure that would not adversely impact on the character and appearance of the area. The proposed works would also involve the loss of the large conifer hedge that surrounds the site at present. The Landscape Team has not raised any objection to the proposal, subject to conditions, and I agree with this advice.
- 8.11 Overall, I consider the proposed works would respect the character and appearance of the area and would be acceptable from a design perspective.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.13 The main consideration is the impact of the proposed works on the residential flats to the east and no.32 Davy Road to the west of the site.

#### Impact on flats to the east

- 8.14 There are several flats to the east of the site with rear amenity spaces and windows that face towards the application site. These flats are set at a tangent to the site and all of the windows face out to the north-west.
- 8.15 In terms of overlooking, I do not consider the proposed development would compromise the privacy of these neighbours. The proposed first-floor side (east) window of block 1 would be purposefully designed to be angled to channel outlooks to the south-east only. The two first-floor side windows that would serve the study's of each of the first-floor flats would be obscure glazed to a height of 1.7m. The windows on the north elevation would look directly to the north and the view out to the east would be oblique. There would be windows on the east elevation of block 2 but there would be a separation distance of over 20m from the nearest windows of the flats to the east and this is considered adequate to ensure there would be no harmful overlooking.

- 8.16 The proposal would not adversely overshadow neighbouring flats in my opinion. The proposed two-storey footprint and scale of block 1 would be similar to that of present and would be set westwards of these flats. Block 2 is also proposed to be over 20m from the nearest windows of these flats and this separation distance is considered to be sufficient to ensure there would be no significant loss of light experienced at these neighbouring windows. A shadow study has been produced by the applicant which demonstrates that the level of overshadowing over the rear gardens of these flats would be similar to that cast by the existing conifer hedge. Any overshadowing would be limited to the late afternoon and the amount of light reaching these gardens for the remainder of the day would be acceptable.
- 8.17 The proposed works would not visually enclose these neighbours. Again, the footprint and form of block 1 would be comparable to the existing building and this would not visually dominate neighbouring outlooks. As block 2 would be over 20m from the nearest windows of these flats, I am confident the proposal would not visually dominate these outlooks.

#### Impact on no.32 Davy Road

- 8.18 No.32 Davy Road is a two-storey terraced property which adjoins onto the application site from the west. This neighbour has raised concerns regarding visual enclosure, loss of privacy and noise and disturbance from both the proposed occupation of the site and the construction/ demolition process.
- 8.19 I consider the proposal would respect the privacy of this neighbour. The views out to the rear (north) of block 1 across the garden of this neighbour would be similar to the relationship experienced further along the terrace where neighbours share views across each other's gardens. Whilst I acknowledge the large hedge prevents this view at present, I do not consider the view out in this direction would be any worse than that already experienced at no.32 due to the first-floor rear outlooks of no.34. No windows are proposed on the side or rear (west) elevations of block 2 and there would consequently be no overlooking caused by this part of the proposed development. It is acknowledged that other properties further to the west along the terrace have raised concerns regarding the loss of the hedge and the subsequent overlooking of gardens that would occur. However, for the same reasons set out above, I do not

consider the privacy of these neighbours would be compromised.

8.20 With respect to overshadowing, I am of the opinion that the proposal would not lead to a significant loss of light at this neighbouring property. A shadow study has been prepared which demonstrates that the levels of overshadowing would be comparable to that caused by the large hedge, particularly in the morning hours. The proposed two-storey mass of block 2 would slightly increase the levels of overshadowing experienced but this would be limited to the latter part of the garden only. The additional single-storey element proposed on block 1 would be of a modest scale and depth and would not adversely overshadow this neighbour.

8.21 From a visual dominance and enclosure perspective, I consider the impact on this neighbour would be acceptable. The scale and mass of block 1 would mimic that of the existing building on-site and the additional single-storey element is deemed to be of a low enough height to ensure it would not appear oppressive along the garden boundary. The two-storey mass of block 2 would be more prominent than the existing hedge due to the difference between the softer hedge compared to the harder expanse of brickwork proposed. However, this wall would be situated at the far end of the garden, well away from the windows of this neighbour and a reasonable distance away from their rear patio area. The removal of the hedging along the entire length of this side boundary would also help to improve the outlook available from the garden out to the east. On balance, given the distance between the rear patio and the proposed wall of block 2 of approximately 15m, I consider the proposal would not result in this neighbour being visually enclosed.

#### Noise and disturbance

8.22 It is acknowledged that concerns have been raised from neighbours regarding the noise and disturbance that would occur from the proposed use of the site. The proposed flats would all be one-bedroom in size and would each have their own independent access from the side private road. The movement of people coming and going to and from the property and accessing cycle and bin storage would not be along the boundary of any neighbours and I am therefore confident there

would be no significant harm to neighbour amenity from this. The outdoor garden area is limited and it would be more likely that future occupants would rely on Coleridge Recreation Ground as the main outdoor space if needed. In any case, I do not anticipate the use of this garden area would be significantly worse in terms of noise than that of present. There is only one visitor car parking space proposed and vehicle movements to and from the site would be low.

- 8.23 Third party representations have also been raised regarding the noise and disturbance during the construction/ demolition stages of development. The Environmental Health Team has recommended conditions relating to these phases of development to protect neighbour amenity. The Highway Authority has also recommended a traffic management plan condition to ensure contractor vehicle movements and parking are controlled and do not pose a threat to highway safety. In my opinion, subject to these conditions, the proposal would not have an adverse impact on the amenity of neighbours during the construction/ demolitions stages.

#### Impact on on-street parking

- 8.24 Several concerns have been raised in respect of the lack of car parking provided on-site and the subsequent pressure this would put on on-street parking in the surrounding area. The Cambridge Local Plan (2006) has maximum parking standards and there is no policy obligation for residential developments to provide any dedicated car parking. One visitor car parking spaces would be provided at the front of the site but there would be a net loss of one car parking space on-site as a result of the proposed development. This loss of a car parking space and net increase of 3no. residential units on-site would inevitably lead to a degree of pressure on on-street parking in the surrounding streets. However, I am of the opinion that this increase would not be significant enough to warrant refusal of the application. The application site is within 400m of the Mill Road East District Centre and 520m of the Cherry Hinton Road West Local Centre. 10no. cycle spaces have been proposed which is above the minimum cycle parking standards of the Cambridge Local Plan (2006). There are bus stops along Cherry Hinton Road, Mill Road and Coleridge Road in the wider area, the site is within walking distance of the railway station and the city centre is within cycling distance. In my opinion, the

site is highly sustainable and would not be dependent on private car as the only means of travel to and from the site which would alleviate the impact on on-street parking.

- 8.25 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

#### Amenity for future occupiers of the site

- 8.26 The proposal would provide 5no. one-bedroom residential units. The two maisonette style units would be over two-storeys and would have a floor area of approximately 60m<sup>2</sup> whilst the three one-bedroom flats would vary at 27m<sup>2</sup>, 41m<sup>2</sup> and 46m<sup>2</sup> respectively. All habitable rooms would have acceptable outlooks. No meaningful outdoor private amenity space has been proposed and this is an on-balance issue given the suburban location of the site. The Coleridge Recreation Ground is situated opposite the site which would provide a large area of outdoor amenity space available to future occupants albeit not private. In respect of the one-bedroom size of these units, I consider the absence of on-site private outdoor amenity space to be acceptable in this instance. The site is well served by public transport links, would have sufficient cycle parking and is within walking distance of Local and District Centres.
- 8.27 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) policies 3/7, 3/10 and 3/12.

#### **Refuse Arrangements**

- 8.28 The proposal includes a bin store situated in a central location on the site with a straightforward access onto the private road leading to the garages and Davy Road. The Waste Team is satisfied with the level of provision proposed but has requested further information regarding the collection point and how the refuse arrangements would be managed. I am of the view that this can be dealt with through condition.
- 8.29 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## Highway Safety

- 8.30 The Highway Authority has raised no objection to the application, subject to a traffic management plan condition.
- 8.31 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## Car and Cycle Parking

- 8.32 Car parking has been addressed in paragraph 8.24 of this report. A car club informative has been recommended.
- 8.33 The proposal would provide 10no. cycle spaces, 8no. for the future occupiers and 2no. for visitors. The level and type of cycle parking provision proposed is considered to be compliant with the Cambridge Local Plan cycle parking standards.
- 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 The third party representations have been addressed in the table below:

<b>Comment</b>	<b>Response</b>
Overdevelopment of the plot. Out of character with area.	See paragraphs 8.6 – 8.11
Visual enclosure/ dominance	See paragraphs 8.16 and 8.20
Overlooking/ loss of privacy.	See paragraphs 8.14 and 8.18
Under provision of parking.	See paragraph 8.23
Further information/ consultation regarding bats is required.	The application site is not designated as a County Wildlife Site, a Site of Special Scientific Interest, a Local Nature Reserve or a City Wildlife Site. The hedges/ trees on site are not protected and the removal of these does not need any consent of the Local Planning Authority. There is no policy basis on which

	to request additional information regarding bats.
Structural damage to adjoining properties during demolition. Security of garden during construction. Party wall agreement required and implications of that. What level of permission required to come on neighbours property when construction taking place? Right of access to garages at rear would be affected during construction.	These are a civil/ legal/ party wall matters and are not planning considerations.
The proposed development would devalue other properties.	This is not a planning consideration.
Construction noise and disturbance. Dust pollution during construction/ demolition.	Conditions have been recommended on these issues as advised by the Environmental Health Team.
Use of property, private/rental/social?	This is not a planning consideration.
Could this affect any plans to extend at 32 in future?	Any extension requiring planning permission at a neighbouring property at a future date would be assessed on its own merits.
The two study rooms are likely to become bedrooms.	The application must be assessed on the basis of the plans submitted by the applicant. Therefore, the layout of the flats has been assessed on the basis that the first-floor rooms will be used as study's.
Noise and disturbance from proposed use of site.	See paragraph 8.21
Inadequate cycle parking provision.	See paragraph 8.32
Poor quality of amenity provision for future occupants.	See paragraph 8.25
Under provision of bin storage.	See paragraph 8.27
Shadow study required.	A shadow study has been produced by the applicant.

## **Planning Obligations (s106 Agreement)**

8.36 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.

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

8.38 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

### Planning Obligations Conclusion

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



## **9.0 CONCLUSION**

- 9.1 In conclusion, the proposed development is considered to be in keeping with the character and appearance of the area, would respect the amenity of neighbouring properties and would provide an appropriate living environment for future occupants. Approval is recommended subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter.

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

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

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

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

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

10. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

## **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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

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

**INFORMATIVE:** Traffic Management Plan: The principle areas of concern that should be addressed are:

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

iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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

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

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

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<b>Application Number</b>	16/0748/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th May 2016	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	4th July 2016		
<b>Ward</b>	Castle		
<b>Site</b>	133 Oxford Road Cambridge Cambridgeshire CB4 3PJ		
<b>Proposal</b>	Part two storey part single storey rear extensions and shed in rear garden (amended description).		
<b>Applicant</b>	Mr & Mrs Readhead 133 , Oxford Road Cambridge Cambridgeshire CB4 3PJ United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal would preserve the character and appearance of the conservation area.</li> <li><input type="checkbox"/> It is considered it would not adversely harm neighbours' amenities.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The property is a two storey mid-terrace house. It is bordered by No.131 Oxford Road to the south-west and to the north-east by No.135 Oxford Road. There is an access path that runs behind the rear garden of the application site and beyond this is Fitzwilliam College Playing Fields to the north-west.

1.2 The site falls within the Castle and Victoria Road area of the Central Conservation Area.

### 2.0 THE PROPOSAL

2.1 Amended drawings were received on 12<sup>th</sup> August 2016. The application proposes:

- A single storey wrap around extension to the rear. It measures between 1.2m and 4.35m in width and between 1.8m and 7.1m in length and 2.3m and 3.2m in height. Velux windows are proposed along the roof of the extension.
  - A part first floor and part two storey extension that extends 3.2m in width, 2m in length and between 5.3m and 6.75m in height. A first floor side obscure glazed window is proposed to serve a bathroom.
  - A garden shed is proposed at the rear which measures 3.35m wide by 3.35m long and between 2.2m and 3.1m high with a pitched roof.
- 2.2 The original drawings submitted (that have been superseded) included alterations to the roof of the front bay window and front door and the addition of a pergola at the rear. The proposed wrap around extension has also been dropped in height by the boundaries with No.131 and 135 Oxford Road and flank windows have been removed. The differing ground levels on site have also been shown on the amended drawings.

### **3.0 SITE HISTORY**

- 3.1 There is no planning history for this site.

### **4.0 PUBLICITY**

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

### **5.0 POLICY**

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



## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/7 3/11 3/12 3/14
		4/4 4/11 4/13
		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> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p>
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<p><u>Area Guidelines</u></p> <p>Castle and Victoria Road Conservation Area Appraisal (2012)</p>

## 5.4 Status of Proposed Submission – Cambridge Local Plan

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

objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

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

### **Urban Design and Conservation Team (response to amended drawings)**

- 6.2 The development proposed is acceptable.
- 6.3 The revised plans show that it is no longer proposed to recess the front door. This was the Conservation Team's only concern with the application, so therefore it can now be supported.
- 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 Hipkin has requested that the application be called into committee. His comments refer to the original drawings. The alterations to the front of the property have subsequently been removed from the amended drawings. The reasons for the committee call in are:

- ☐ The incongruity of the door and bay designs in the streetscape (conservation area), overlooking into the bedroom of No.131 from directly opposite first floor window and the loss of light to the habitable living room caused by the close proximity of the

extension wall to the living room northern window. Also concerned that the proposal is overbearing.

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

- ☐ 127, 131, 135, 140, 144 Oxford Road

7.2 The representations below are in response to the original drawings submitted. No further responses were received to the amended drawings. The comments can be summarised as follows:

- ☐ Rear extension would cause severe shading to the patio and garden of No.135.
- ☐ Kitchen extension to boundary of No.131 too dominant; also extending too obtrusively beyond line of existing neighbours' building.
- ☐ Rear extension is located directly on the boundary with No.131. Concerned would cause severe shading to the kitchen window and dining room window. It would also feel very claustrophobic looking out of the dining room window and only seeing an expanse of brick wall.
- ☐ Proposed windows will overlook No.131.
- ☐ BBQ could cause smells near the boundary.
- ☐ Rear extension would prevent access to communal drain.
- ☐ The proposed garden shed and bin access must not impede the rear passage right of way which is shared by all the residents.
- ☐ There were also concerns with the original proposal with regard to altering the roof of the front bay window and recessing the front door, flank side windows on the infill extension and a rear pergola. These elements have been removed from the amended drawings.

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

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces (and impact on heritage assets)
2. Residential amenity
3. Highway safety
4. Third party representations

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

#### Response to context

- 8.2 The amended drawings received on 12<sup>th</sup> August 2016 omit the proposed alterations to the front of the property, pergola to the rear and the flank windows on the infill extension. It also lowers the height of the single storey extension by the neighbours' boundaries.
- 8.3 The proposed two storey rear extension extends to the same depth as a similar extension at the adjoining property of No.135 Oxford Road. This neighbour's extension was approved planning permission in December 1999 reference C/99/1075. In my opinion the proposed extension harmonises with the appearance of the property and the surrounding area.
- 8.4 The proposed single storey wrap around extension extends to between 2.3m and 2.4m high adjacent to the neighbours' boundaries as shown on the amended drawings. In my opinion this helps to lessen the bulk of the proposal. There are examples of single storey wrap around extensions along Oxford Road such as at No.72 Oxford Road (reference 16/0005/FUL) and No.35 Oxford Road (reference 15/1559/FUL). I consider the proposal will harmonise with its surroundings. The proposal to use matching materials would complement the appearance of the house.
- 8.5 I consider the proposed garden shed would be acceptable in terms of its scale and siting and would harmonies with the surrounding area.

#### Impact on the Conservation Area

- 8.6 The site is located within the Central Conservation Area. The proposal as amended relates to alterations and extensions to the rear of the property. These complement the design of the

dwelling and will not be visible from public views. The Urban Design and Conservation team consider the proposed amended drawings to be acceptable. In my opinion the proposed additions and alterations at the rear of the property would preserve the character and appearance of the conservation area.

- 8.7 The original proposal included a recessed doorway on the front elevation. The Urban Design and Conservation team objected to this part of the proposal. This was removed from the amended drawings and therefore the Urban Design and Conservation team has since removed their objection.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### Relationship with adjacent dwellings

- 8.9 The property is a mid-terrace house. The adjoining properties of No.131 and 135 Oxford Road would be most affected by the proposal.

#### *Impact on No.131 Oxford Road*

- 8.10 The amended drawings omit the pergola, flank windows on the single storey infill extension and reduce the height of this extension to 2.3m by the shared boundary. This single storey infill extension extends out 7.1m along the boundary with this neighbour. The proposal also includes a part first floor and part two storey extension that extends the existing two storey outrigger by a further 2m in depth. This is set in 1.2m from the boundary with No.131 Oxford Road. No.131 Oxford Road is located to the south-west of the application site. I consider the orientation of this neighbouring property helps lessen the impact of the proposal in terms of loss of light. No.131 Oxford Road has ground floor windows serving a dining room and kitchen located close to the proposed extensions. In my opinion the proposal would not result in an unacceptable loss of light to this neighbour. The proposed flank wall of the single storey infill extension would increase the height along the shared boundary,

however the proposed wall would be 0.3m higher than could be constructed under permitted development, therefore I do not consider it would result in an unreasonable sense of enclosure to the ground floor windows of this neighbour or to the garden. The proposed first floor extension would match the depth of the attached two storey extension at the opposite neighbour of 135 Oxford Road. In my opinion the combination of the set in of the proposed first floor extension from the shared boundary and the position of a similar extension at No.135 Oxford Road helps lessen the impact of the proposal and I consider No.131 Oxford Road would not experience a detrimental sense of enclosure.

- 8.11 Rooflights are proposed on the single storey infill extension and I do not consider these would harm the privacy of this neighbouring property. An obscure glazed first floor flank window is proposed. I recommend a condition to retain the obscure glazed window. I therefore do not consider it would harm this neighbour's amenity.
- 8.12 I consider the location of the BBQ to be acceptable. The proposed BBQ is not directly adjacent to neighbours' windows and therefore I do not consider it would adversely harm this neighbour. Planning permission is not required to construct the proposed BBQ.
- 8.13 The proposed shed is set away from this neighbour's boundary and is low in scale. I do not consider it would harm this neighbour's amenity.

*Impact on No.135 Oxford Road*

- 8.14 This neighbouring property is located to the north-east of the application site. It has been extended at first floor level at the rear. The proposed two storey element of the proposal adjoins this neighbour's extension. The proposed upper floor extension will be the same depth as this neighbour's extension. A single storey rear extension projects out 1.8m beyond the rear wall of the property and extends to 2.4m high by this neighbour's boundary. I consider the depth and height of the single storey extension would not harm this neighbour's amenity in terms of loss of light or outlook. No flank windows are proposed facing towards this adjoining property.

- 8.15 The proposed garden shed abuts this neighbour's boundary. I do not consider it would harm the amenity of No.135 in terms of sense of enclosure or loss of light due to its scale and position at the rear of the garden.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Highway Safety**

- 8.17 I agree with the Highways Authority and consider there are no highways implications as a result of the proposed extensions to a family dwelling.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

- 8.19 Access to a drain at No.133 Oxford Road has been raised by some neighbours. This is not a material planning consideration. However, I recommend an informative be included if planning permission were to be granted to highlight that permission would need to be sought from Anglian Water if the proposal affects a drain.
- 8.20 The proposed plans indicate that the garden shed would not affect the rear pedestrian access route.

## **9.0 CONCLUSION**

- 9.1 I recommend the application be approved with the appropriate safeguarding conditions as I considered the proposal would preserve the character and appearance of the conservation area and would harmonise with the surrounding area and would not adversely harm neighbours' amenities.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

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

4. The first floor window in the south-west elevation identified as having obscured glass on drawing number C1214.P.111 Rev.C 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).

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

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



**INFORMATIVE:** If the approved building works affects a drain on the site then you should notify Anglian Water prior to commencing works.

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## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/1036/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd June 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	29th July 2016		
<b>Ward</b>	Abbey		
<b>Site</b>	44 Dudley Road Cambridge CB5 8PJ		
<b>Proposal</b>	Construction of a two storey building containing four studio apartments.		
<b>Applicant</b>	Mr Dave Utter 44 Dudley Road CAMBRIDGE CB5 8PJ		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would visually dominate the neighbouring garden of no.42 Dudley Road.</li> <li>- The proposed works would visually enclose the host garden of no.44 Dudley Road</li> </ul>
RECOMMENDATION	REFUSAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.44 Dudley Road, is comprised of a two-storey semi-detached property situated on the east side of Dudley Road. There is a cul-de-sac to the north of the property which runs from east to west and this enables the property to be read as a corner plot. There is a small strip of garden which wraps around the west and north side of the site and a larger patio area to the east. On-site parking is provided at the far end of the rear (east) of the site. The property is constructed in brick with a pitched tiled roof. The surrounding area is residential in character and is formed predominantly of two-storey semi-detached properties.

1.2 There are no site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks planning permission for the construction of a two-storey building on land to the rear of no.44 Dudley Road to accommodate four studio apartments.

2.2 The proposed development would occupy a footprint of approximately 63m<sup>2</sup>. It would be designed in a contemporary manner with the ground-floor constructed in brick and the upper-floor designed with a curved seam metal roof measuring approximately 5.3m to the ridge. The building would provide two flats at ground-floor level and two flats at first-floor level, all with their own private amenity spaces. Bin and cycle storage would be situated at the front of the site in small enclosures situated behind extensive soft landscaping.

## **3.0 SITE HISTORY**

3.1 There is no planning history.

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

5.2 Relevant Development Plan policies

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

	8/2 8/4 8/6 8/10
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### 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> <p>Planning Obligation Strategy (March 2010)</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 It is considered likely that the development will 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. Condition and informatives recommended in the event of approval.

### **Environmental Health**

- 6.2 No objection subject to construction hours and piling conditions.

### **Refuse and Recycling**

- 6.3 No comment received.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.4 No objection subject to 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 in objection to the application:
- 43 Dudley Road
  - 46 Dudley Road
  - 47 Dudley Road

7.2 The representations can be summarised as follows:

- The proposed development is not in keeping with the surrounding area.
- Overlooking from balcony.
- Increased parking pressure on surrounding streets.
- A two-bedroom or bungalow property would be more appropriate.
- Studio flats are not in keeping with traditional houses.

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

- 23 Howard Close

7.4 The representation can be summarised as follows:

- The proposal would provide housing for young professionals.
- The proposed development reduces the chance that areas such as Stourbridge Common and Ditton Meadows may be built on at a later date.

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
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

## **Principle of Development**

- 8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.
- 8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.
- 8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Sections d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).
- 8.5 Residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
  - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
  - c) detract from the prevailing character and appearance of the area.
  - e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site.
- 8.6 The proposal is not considered to comply with criterion A of this policy and the reasoning for this is explained in the 'Residential



Amenity' section of this report. The proposal is considered to comply with criteria B, C and E of this policy and the justification for this is explained in the subsequent sections of this report.

### **Context of site, design and external spaces**

- 8.7 The proposed development would be highly visible in the street scene of Dudley Road. The building has been purposefully designed with the most active frontage on the north elevation and uses the cul-de-sac as its principal elevation. This makes logical sense given that this street runs parallel to the site and would provide a strong degree of active frontage.
- 8.8 In respect of scale and massing, the ridge of the proposed building would be level with that of the eaves line of no.44 Dudley Road which is the obvious architectural form that the proposal would be compared against given its close proximity. This subservient scale when compared to no.44, in my opinion, ensures that the proposal does not compete with the uniform pattern of development in the surrounding area and reinforces its recognition that it is a later sub-division of an existing plot, as opposed to simply mimicking that of the host dwelling.
- 8.9 The proposed development has been designed with a level building line to that of no.44 and does not project proud of this front (north) building line. There would be a comfortable separation distance from the street and this, combined with its subservient height, would enable it to be read comfortably in the context of the street scene. The proposed bin and cycle storage would be integrated at the front of the site behind small enclosures which would also be shielded by way of extensive hedge planting and soft landscaping. In the event of approval, landscaping conditions would be recommended to ensure that this planting is of sufficient quality and would be maintained post-development. The row of low trees and hedging along the southern boundary of the site would have to be removed as a result of the proposed works. However, these are not considered to be of great importance in terms of their contribution to the character and appearance of the area as they are not highly visible in the street scene. These trees are not protected and the removal is deemed acceptable.
- 8.10 The proposed metal curved roof and large glazed windows would clearly distinguish the proposed development from the

more traditional post-war style housing in the wider area. In my opinion, whilst there is a consistent form and pattern of development in the surrounding area, I do not consider that the existing housing typology is of any significant architectural merit. The explanatory text of policy 3/4 of the Cambridge Local Plan (2006) states that a development which responds positively to its context is one which will either enhance areas of existing high quality, or will seek to introduce a new and distinctive character to areas of weaker character. I am of the view that the area is of a weaker character and that the proposed development would introduce a new and distinctive character that successfully contrasts.

- 8.11 It is acknowledged that concerns have been raised regarding the proposed studio flats and how these would be out of keeping with the existing character of family houses in the area. Whilst I acknowledge that the vast majority of properties in this area are setup as traditional family houses, I do not consider that the proposed studios would materially harm the character of the area. The proposed provision of additional smaller units would accord with paragraph 50 of the National Planning Policy Framework (NPPF) (2012) which encourages the delivery of a wide choice of types of available accommodation. Furthermore, the use of the building would still be residential in of itself, in continuity with the surrounding area.
- 8.12 Overall, I consider the proposed development would successfully contrast with the context of the area and would not harm the character of the area. The proposal would be distinctive in terms of its material palette and form but yet would not compete with the prevalent housing typology of two-storey pitched and hipped roofs, which underpin the character of the area from an architectural standpoint, by way of being of a subservient scale and mass.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.14 The main considerations are the impacts of the proposed works on nos.42, 44 and 46 Dudley Road.

#### Impact on no.42 Dudley Road

- 8.15 No.42 Dudley Road is a two-storey terraced property situated to the south-east of the proposed development.
- 8.16 In terms of overlooking, I do not consider the proposed development would harmfully overlook this neighbour. There are no windows proposed on the south or west elevations, and the view out to the west from the first-floor balcony would be blocked by a privacy screen.
- 8.17 The proposal would not adversely overshadow this neighbour. The proposed works are situated to the north of this neighbour's garden and the levels of light reaching this neighbour would not be significantly impacted.
- 8.18 I am of the opinion that the proposed works would visually enclose the garden of this neighbouring property to the detriment of their amenity. At the time of my site visit, the boundary between the application site and this neighbour was covered with low level trees and hedging. The proposed development would be situated hard-up against the northern boundary of this neighbour's garden for a depth of 11.3m, which accounts for over 63% of the length of this boundary. There would be a 2.5m high brick wall and then the first-floor aspect would be set 0.85m off the boundary at a height of 5.2m and curve away from this boundary as it rises up. I am concerned that an 11.3m depth at this marginally staggered height would be visually prominent from this neighbour's garden. Although designed in an alternative material to try and break up the massing, the upper level of the building would result in this neighbour feeling hemmed in by the proposed works. A 5.2m high structure occupying such a large footprint and offering no meaningful separation from this boundary would appear visually oppressive and harm this neighbour's amenity.

#### Impact on no.44 Dudley Road (host dwelling)

- 8.19 No.44 Dudley Road is the host dwelling of the application site. This dwelling has been extended by way of a small conservatory extension although it is understood that this would be removed in the event that permission is granted for this

application, most likely to increase the amount of amenity space for this existing dwelling.

- 8.20 I do not consider the host dwelling would experience a harmful loss of privacy. There are no windows proposed on the western elevation and the balcony would be screened to prevent direct views towards the patio and rear windows of the host dwelling.
- 8.21 There would inevitably be some loss of light experienced over the patio area of the host dwelling due to the position of the two-storey building to the east. However, the applicant has produced a shadow study at the vernal (March) equinox which demonstrates that at least 80% of the host garden would receive sunlight at some point throughout the day at this time of year. In respect of this shadow study, I am of the view that the level of overshadowing would not be significant enough to demonstrate an adverse impact on the amenity of this host dwelling.
- 8.22 Although I am comfortable with the levels of light reaching the host dwelling, I am not content with the visual enclosure that the proposed development would cause and consider this harmful to the amenity of the host dwelling. The proposed two-storey mass of the west elevation would be situated hard-up against the boundary of the host dwelling's garden which would be reduced in size as a result of the proposed works. It is presumed that following the removal of the conservatory there would inevitably be a ground-floor window on the side of no.44 which would serve a habitable room. This aforementioned window would be approximately 6.5m away from the proposed two-storey mass and I consider this would visually enclose this east facing outlook. The proposed development would span 5.6m along the revised garden boundary of the host dwelling which represents a percentage of 48% of this boundary length. It is noted on the proposed site plan that the space around the west and north side has been identified as amenity space for the host dwelling. However, having visited the site, I do not consider this space would likely be used as the main private amenity space due to the exposure of this space to public views from Dudley Road and it is more likely that eastern proportion of the garden would remain as the dependent private space. I consider the presence of the proposed two-storey building this close to the garden and rear ground-floor window would result in these outlooks being hemmed in.

### Impact on no.46 Dudley Road

- 8.23 No.46 Dudley Road is a two-storey semi-detached property situated to the east of the application site.
- 8.24 It is acknowledged that this neighbour has raised a concern regarding the proposed balcony nearest to no.46. However, I do not consider this would compromise the privacy of this neighbour as there would be a screen on the eastern side of the balcony to prevent direct views. In the event of approval, a condition could be recommended to ensure that this screen is installed and retained thereafter to protect the amenity of this neighbour.
- 8.25 I do not consider this neighbour would be harmfully overshadowed by the proposed works. There would be a separation distance of over 17.5m between the west facing windows of this neighbour and the proposed development. There may be some overshadowing in the late afternoon, by virtue of the position of the building to the west, but this would be limited to the latter half of this neighbour's garden and not significant enough to harm this neighbour's amenity.
- 8.26 The proposed development would not, in my view, visually dominate this neighbouring property. There is a comfortable separation distance between the building and the nearest windows of this neighbour. The main usable outdoor amenity space of this neighbour is also situated off the boundary of the application site as the car parking space of no.46 is situated hard-up against the boundary of the site. This neighbour's garden would remain relatively spacious and would retain outlooks in most directions.

### Impact on car parking

- 8.27 It is acknowledged that the vast majority of concerns are related to the increased pressure the proposed studio flats would put on parking in the surrounding streets. The proposed development is a car free development which accords with the maximum car parking standards of the Local Plan (2006). The proposal would also inevitably displace the existing car parking on-site which appears to have room for two cars. At the time of my site visit, I did not consider the on-street parking along the

cul-de-sac of Dudley Road was near critical levels in terms of parking availability. Nos. 45, 46 and 47 all had their own on-site car parking spaces and are therefore not considered reliant on the street as their main means of car parking. In addition to this, adequate cycle parking would be provided and the site would be within walking distance of the Ditton Lane and Barnwell Road Local Centres. There would be bus stops within walking distance along Dudley Road to the east and Newmarket Road further to the south. In my opinion, whilst the intensification of development on the site, coupled with the displacement of existing on-site parking, would inevitably increase the car parking pressure on the surrounding streets, I do not consider the impact would be great enough to adversely impact on the amenity of neighbouring properties to such an extent as to warrant refusal.

- 8.28 In my opinion the proposal fails to respect the residential amenity of its neighbours at nos. 42 and 44 Dudley Road and I consider that it is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

#### Amenity for future occupiers of the site

- 8.29 The proposal would provide four studio flats in a suburban location with approximately 20m<sup>2</sup> of internal floorspace. All of the proposed flats would have access to their own private outdoor amenity spaces which would be acceptable given the number of bedrooms proposed. The first-floor balconies would be roughly 8m<sup>2</sup> and the ground-floor gardens would be 18m<sup>2</sup> in area. The site would be well served by local shops and facilities and there would be public transport and cycle links into the City Centre. Bin storage and cycle parking would be integrated successfully into the scheme for the benefit of future occupants.
- 8.30 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

#### **Refuse Arrangements**

- 8.31 The applicant has explained that bin provision has been proposed on the basis that 4 persons would be occupying the

site (1 per each unit) in the form of three large communal bins. The bins would have a surplus of capacity for this level of development. There would be scope to increase the size of the bin store at the front of the site by reducing the garden size of one of the ground-floor flats. In the event of approval, a condition could be recommended for further details to be provided to ensure that the waste storage facilities are acceptable.

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

### **Highway Safety**

8.33 The Highway Authority has raised no objection to the application on the ground of highway safety.

8.34 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.35 Car parking has been discussed in paragraph 8.27 of this report. A car club informative would be recommended in the event of approval.

8.36 One cycle parking space would be provided for each studio unit in a secure covered location. This accords with the minimum standards of the Local Plan (2006).

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

### **Third Party Representations**

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

<b><u>Comment</u></b>	<b><u>Response</u></b>
The proposed development is not in keeping with the surrounding area.	See paragraphs 8.8 – 8.13.
Overlooking from balcony.	See paragraph 8.25

Increased parking pressure on surrounding streets.	See paragraph 8.28
A two-bedroom or bungalow property would be more appropriate. Studio flats are not in keeping with traditional houses.	See paragraph 8.12

### **Planning Obligations (s106 Agreement)**

8.39 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.

8.40 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.

8.41 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.



## Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

- 9.1 In conclusion, the proposed two-storey mass of the building would visually dominate the outlooks of no.42 Dudley Road and no.44 Dudley Road, the host dwelling, to the detriment of the residential amenity of these adjoining occupiers. Refusal is recommended.

## **10.0 RECOMMENDATION**

**REFUSE** for the following reasons:

1. The proposed length and position of the two-storey building immediately adjacent to the northern boundary of no.42 Dudley Road would unacceptably visually enclose this neighbour's garden. The existing low level soft planting would be replaced by a large mass of built form that would drastically alter this neighbour's existing outlook. The proposal fails to respect the amenity of this neighbour and is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10, as well as paragraph 17 of the NPPF (2012).
2. The position of the proposed two-storey building 6.5m away from the ground-floor rear outlook of the host dwelling at no.44 Dudley Road would create a poor visual outlook for this adjoining occupier of this habitable room. The proposed development would introduce a significant level of scale and massing hard-up against the reconsolidated garden boundary of the host dwelling and would appear visually overbearing from the main private outdoor amenity space of this dwelling. The proposal fails to respect the amenity of the host dwelling and is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10, as well as paragraph 17 of the NPPF (2012).

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<b>Application Number</b>	16/1213/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	30th June 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	25th August 2016		
<b>Ward</b>	Romsey		
<b>Site</b>	305A Mill Road Cambridge Cambridgeshire CB1 3DF		
<b>Proposal</b>	The demolition of 4 existing storage garages to the rear of the site. The subsequent construction of 5 new dwellings and alterations to an existing flat.		
<b>Applicant</b>	Wade-Gledhill 297 Mill Road Cambridge CB1 3DF		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would enhance the character and appearance of the Conservation Area.</li> <li>- The proposal would not harmfully overshadow, overlook or visually dominate neighbouring properties.</li> <li>- The proposal would not have a harmful impact on residential amenity in the surrounding area in terms of car parking pressure.</li> <li>- The proposal would provide a high quality living environment for future occupants.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.305A Mill Road, is comprised of a two-storey building situated close to the corner of Mill Road and Vinery Road. The ground-floor of the building is used

predominantly as a small convenience shop with an ancillary element of the ground-floor used as a sandwich counter. The upper floor of the building is used as a residential flat. The building is constructed in brick with a pitched tiled roof. There is an off-street parking space adjacent to the building on the site and four single-storey garages in the rear yard of the site, used for storage purposes. To the east of the site are a vacant retail unit, associated workshop, storage and office buildings which were recently granted permission (15/1859/FUL) for demolition and the subsequent redevelopment of the site of seven flats. To the north of the site there is a pair of semi-detached properties along Vinery Road which the application site backs onto the garden of. The wider area is formed predominantly of two-storey residential terraced properties.

1.2 The site falls within the Central Conservation Area.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks planning permission for the demolition of the four existing storage garages to the rear of the site and the subsequent construction of five new dwellings and alterations to the existing first-floor flat.

2.2 The proposed development would be two-storeys in scale and would be level with the front building line of the existing commercial unit fronting onto Mill Road. The proposal would match the eaves and ridge of the existing building on-site and include the addition of two pitched dormers on the front elevation and an in-set flat roofed dormer on the rear elevation. The proposed development would project along the western boundary and wrap around to the northern boundary at the rear of the site where the garages currently are. The scale of the development would step down the deeper it extends into the rear of the plot and the roof form would be a part-mono-pitched, part flat roof along the northern boundary, measuring 3.3m to the eaves and then rising up to approximately 5.5m at its highest point. The proposed works would be constructed in brick with tiled roofs.

2.3 The entrance to the site would be from Mill Road through a wicket gate style door. Bin storage for the existing retail unit, as well as the proposed flats, would be situated within an enclosed area immediately adjacent to the front entrance. Cycle storage

would be provided near the front of the site and centrally within the communal garden area. The communal garden area would occupy an area of approximately 40m<sup>2</sup>. The proposed flats would have the following gross internal areas:

Flat 1	34m <sup>2</sup>
Duplex 2	50m <sup>2</sup>
Duplex 3	49m <sup>2</sup>
Duplex 4	47m <sup>2</sup>
Flat 5	42m <sup>2</sup>

2.4 The application is accompanied by the following information:

1. Drawings
2. Shadow Study
3. Design and Access Statement
4. Shop Servicing Statement

2.5 Councillor Barnett has requested the application be determined at Planning Committee due to the lack of car parking proposed and the potential amenity impacts on neighbouring properties.

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/0041/ADV	Installation of two externally illuminated fascia signs, one internally illuminated fascia sign, one set of ACM Direct Print Panels, one PETG Frame, two sets of window graphics, frosted vinyl band to exposed glass and four poster frames.	Pending Consideration.
07/0504/ADV	Installation of 2no fascia signs, 1no double-sided projecting sign, 1no illuminated box sign (all internally illuminated) and 2no bond panels.	Refused.
C/70/0553	Conversion of dwelling house into two self-contained flats and rebuilding of garage buildings	Permitted.
C/70/0317	Enlargement of shop area to	Permitted.

C/69/0667	301/3 Mill Road with self contained flat over and rebuilding of existing garages Offices, toilets, garages and parking area	Refused.
C/68/0674	Conversion of house into two self-contained flats and rebuilding of garage buildings	Permitted.
C/67/0542	Change of use to shopping use including using rear yard for storage purposes.	Permitted.
C/64/0425	1. Change of use to commercial purposes or 2. Extension of use for light industrial purposes to whole site	Refused.

#### 4.0 **PUBLICITY**

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

#### 5.0 **POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12
		4/11 4/13
		5/1
		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	<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> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Roof Extensions Design Guide (2003)</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, 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 As a result of this proposal the parking provision currently made within the site will be removed and any demand from the proposal, which makes no attempt to provide for itself within the site will be likely to appear on-street in direct competition with existing uses. Whilst it is unlikely that this will 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. Vehicle crossover and traffic management plan conditions recommended.

### **Environmental Health**

- 6.2 No objection, subject to the following conditions and informatives:

- Contaminated Land
- Construction Hours
- Collection During Construction
- Piling
- Dust
- Building Noise Insulation
- Plant Noise Impacts on New Development
- Mechanical Ventilation Scheme
- Plant Noise Insulation Informative
- Dust Condition Informative
- Site Investigation Informative
- Remediation Works Informative
- Materials Chemical Testing Informative



## **Refuse and Recycling**

- 6.3 In summary, the bin store needs to be split, for commercial and residential, the doors/gates needs more detail.

## **Urban Design and Conservation Team**

### Original Comments (01/08/2016)

- 6.4 The proposal is acceptable subject to the following conditions:

- Materials Sample Panel
- Large Scale Drawings of Front Elevation
- Joinery Details
- Window Details

### Second Comments (22/08/2016)

- 6.5 The design of the proposed dormer windows on the front roof slope are not appropriate to the building or the location in the conservation area.

### Final Comments (01/09/2016)

- 6.6 The dormers are now slimmer and more in proportion to the main elevation and the Victorian character the scheme is trying to replicate. The amendment is supported.

## **Consultations with Service Managers**

- 6.7 No comments received.
- 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 in objection to the application:
- 2 Vinery Road
  - 2A Vinery Road

7.2 The representations can be summarised as follows:

- Density of development out of keeping with the Conservation Area.
- Lack of car parking and displacement of existing car parking.
- Increased parking could increase risk of highway safety hazard due to illegal parking close to the vehicular junction.
- Further clarification regarding the access to and storage for the existing and continuing shop at 305 Mill Road is needed.
- Noise and disturbance from use of north alleyway during deliveries by the shop.
- Overshadowing/ Loss of light
- Contamination from previous industrial use
- Conditions relating to temporary fencing, screening and security for no.2 Vinery Road during construction.
- Protection of neighbours from noise of existing fan at the rear of retail unit.
- A condition ensuring no deliveries through the passage onto Vinery Road take place as a result of the proposed development should be recommended.

7.3 The owners/occupiers of the following addresses have made representations in support of the application:

- The Flat, 301-303 Mill Road
- 307 Mill Road

7.4 The representations can be summarised as follows:

- This will enhance the regeneration of this of this end of Mill Road.
- The proposal will improve the appearance of the area.

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
8. Planning Obligations (s106 Agreement)

### **Principle of Development**

- 8.2 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is located within a mainly residential context with a small element of commercial uses nearby. Therefore, the proposed redevelopment of the site which requires the removal of existing structures on the site to provide a new building consisting of five flats is acceptable in principle.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

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

- 8.4 The proposed removal of the existing garages on-site is considered entirely acceptable as these garages are considered to detract from the appearance of the Conservation Area.
- 8.5 The proposed development would mimic the scale and massing of the existing building on-site at no.305 Mill Road and would effectively extend the terrace between no.299 and 305 Mill Road. This extension of the terrace would appear subtle in the street scene and successfully integrates within the surrounding context.
- 8.6 The proposed works to the rear of the site would not be visible in the street scene as they would be obscured by the proposed extension to the terrace at the front of the site. Nevertheless, the reduction in scale and massing as the development projects deeper into the plot is considered to be appropriate and the extent of this would not appear overly dominant. The proposed communal courtyard and soft landscaping in the center of the

site is supported and conditions have been recommended to ensure that this planting is maintained.

- 8.7 The fenestration of the proposal is considered to be suitable. The rhythm of windows and dormer windows relates well to that of the existing terrace and appears residential in character. The proposed dormer windows would be well proportioned and provide a successful hierarchy of windows that is clearly legible from the street scene. The use of the large wicket gate as the main entrance is interesting and gives the proposal a unique contrast with the more traditional standard doors along this terrace. The proposal would be designed in materials to match the existing building and the Conservation Team is supportive of this, subject to conditions.
- 8.8 It is acknowledged that a concern has been raised regarding the proposed density of development and the harm this would cause to the character and appearance of the Conservation Area. In my opinion, Mill Road is an area that typically has higher density levels than suburban and semi-rural locations elsewhere in the city. The majority of retail uses along Mill Road have residential flats above and there are several examples along this road where the backland of plots have been developed for residential flats, most obviously in this case at no.307 Mill Road where seven flats were recently approved on a similar plot. The proposed provision of additional smaller units would accord with paragraph 50 of the National Planning Policy Framework (NPPF) (2012) which encourages the delivery of a wide choice of types of available accommodation. Furthermore, the use of the building would still be residential in of itself, in continuity with the surrounding area, and the physical appearance of the building from public viewpoints would be that of a two-storey end-of-terrace property in continuity with the surrounding area.
- 8.9 Overall, I consider the proposed development would successfully integrate with the surrounding context from an aesthetic perspective and would enhance the character and appearance of the Conservation Area.
- 8.10 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

## **Residential Amenity**

### **Impact on amenity of neighbouring occupiers**

- 8.11 The main considerations are the impact of the proposed works on nos.2 and 2a Vinery Road. This

### Impact on no.2 Vinery Road

- 8.12 No.2 Vinery Road is a semi-detached property situated to the north of the application site. This neighbour has a ground-floor living room window and first-floor bedroom window on the rear (east) elevation, and a ground-floor side (south) kitchen window on the two-storey rear projecting wing of the property. This neighbour's garden also borders the boundary of the application site. I have visited this neighbouring property as part of my site visit.
- 8.13 In terms of overlooking, I am of the opinion that the privacy of this neighbour would be respected. There would be three large roof lights on the rear (north) elevation of the rear-most building but these would serve as a means of natural light for the ground-floor duplex apartments below. These windows would be positioned low in the roof plane but would not allow for direct views towards this neighbouring property as they would only serve the ground-floor rooms below and not at first-floor level. A condition has been recommended to prevent the first-floor being increased in size internally to allow these to be used as outlooks at first-floor level. The proposed rear dormer window on the main building would be over 20m away from the nearest window of this neighbour and the view to the garden would be self-obscured by the proposed mass of the rear-most element on the site.
- 8.14 It is acknowledged that this neighbour has raised a concern regarding overshadowing from the proposed development as the proposed works are due south of this neighbour. The existing garages which are hard-up against this neighbour's boundary measure approximately 3m high. The proposed development would be 3.3m high with the pitch of the roof then sloping away up to a height of 5.5m. A shadow study of both the existing and proposed situations has been prepared by the agent. In the summer, when the sun is at its highest point, there would be a marginal increase in overshadowing over the garden

of this neighbour at 12pm and 3pm. In September the shadow study demonstrates that there would be a slight increase in overshadowing over the garden at 9am, 12pm and 3pm. In December, when the sun is at its lowest point, the levels of light reaching the ground floor rear (east) and side (south) would be reduced at 9am and 12pm respectively. In my opinion, the level of light reaching this neighbour would be comparable to that of present and the levels of overshadowing caused, particularly during the winter months, would not be significant enough as to demonstrate an adverse impact on this neighbour that could justify refusal of the application.

- 8.15 I am of the view that the proposed works would not visually dominate this neighbour's outlooks. As previously explained, the proposed development would be 0.3m higher hard up against the boundary of this neighbour than the existing garages. The pitch of the roof would then slope away from this neighbour's boundary up to a height of roughly 5.5m. The additional 0.3m in height against the boundary would not, in my opinion, be significantly taller than that of present and would not visually enclose this neighbour's nearest windows and garden considerably worse than existing. The additional mass of the sloping mono-pitched roof element would not be visually oppressive in my opinion as the form of the roof would still allow for views out to the south as the roof gradually slopes away from this neighbour.

#### Impact on no.2A Vinery Road

- 8.16 No.2A Vinery Road is a two-storey property which is unique in its design as it has a steep sloping mono-pitched roof with the upper floor clad in timber. The main windows of this neighbour are south and west facing and this neighbour has a south courtyard area.
- 8.17 I do not consider the proposal would harmfully overlook this neighbouring property. There are no windows on the east side elevation of this neighbouring property. The views out to the west from the proposed first-floor windows would be similar to the existing rear (north) facing views of the existing upper floor flats of Mill Road and I do not consider the privacy of this neighbour would be compromised.

- 8.18 It is acknowledged that this neighbour has raised concerns regarding the likely overshadowing that would be caused. The proposed mass of the development would be situated away from the western boundary of the site which helps to ensure that there would be no significant loss of light experienced at this neighbour. The shadow study demonstrates that the levels of light reaching this neighbour would be similar to that of present and I agree with this assessment. I consider the proposal would not adversely overshadow this neighbouring property.
- 8.19 In my opinion, the proposal would not visually dominate this neighbouring property. The main habitable windows of this neighbour are all situated on the south and western elevations. The proposal would be in the oblique view from the south facing windows and would be no more visually oppressive than the existing two-storey mass of nos.301-303 Mill Road immediately to the south of this neighbour.

#### Impact on Car Parking

- 8.20 Concerns have been raised in relation to the lack of car parking proposed and the displacement of five car parking spaces. The proposal would be a car free development. The City Council has adopted maximum parking standards in the Cambridge Local Plan (2006). The proposal would provide eight cycle parking spaces which is above the minimum level required for this type of development. There are bus stops within walking distance of the site which provide frequent bus routes into the City Centre. The site is also within walking distance of the Mill Road (West) District Centre and there are good cycle links into the City Centre. The proposed flats are all one-bedroom units and are likely to be occupied by young professionals rather than as family dwellings which are typically more reliant on private car as the main means of travel. In my opinion, the future occupants of the proposed scheme would not be dependent on private car as the main means of travel and there are shops and services within walking and cycling distance of the site, as well as excellent public transport links to the wider area.
- 8.21 The garages on-site appear to be used for storage purposes rather than the regular parking of vehicles. The car parking space adjacent to the sandwich shop is however frequently used. Therefore, the net loss of practical car parking spaces

would be one. It is acknowledged having visited the neighbouring roads of Vinery Road, Suez Road and Madras Road that on-street parking in the area is uncontrolled and is heavily used during peak times of the day. As explained in the paragraph above, the site is highly sustainable from a transport perspective and I do not anticipate future occupants would be dependent on car parking. Therefore, whilst I acknowledge the proposal may increase pressure on car parking on the surrounding streets, this is not a given and I consider it difficult to demonstrate that the likely displacement of one regular car parking space would harm neighbour amenity to such an extent as to warrant refusal.

### Noise and Disturbance

- 8.22 The proposed use of the service yard area for residential purposes would not in my opinion give rise to unacceptable levels of noise and disturbance to neighbouring properties. The site is situated in a residential context and the use of the communal garden would produce similar levels and types of noise to that of the surrounding area. The comings and goings to the site would be through the front entrance off Mill Road and would not involve walking by or moving bins or cycles past any neighbouring windows or entrances.
- 8.23 Concerns have been raised regarding the deliveries/ servicing of the existing retail units on the site as delivery cages and bins are currently informally stored on the open area of the application site. Residents are also concerned that this would result in the units being serviced by the back alley along Vinery Road which would increase noise and disturbance.
- 8.24 The refuse arrangements have been rearranged to incorporate the commercial units bin storage into the scheme internally and this would solve this issue. The passageway between nos.2 and 2a is currently used for the delivery of newspapers by the shop at no.301 – 303 Mill Road. The wheeled cages are currently delivered through the front of the shop and the delivery cages are supposed to be taken away by the delivery vehicle afterwards, however the delivery cages are frequently left on the application site instead.
- 8.25 The applicant has provided a statement regarding the proposed servicing arrangements in the event that the proposal obtains



planning permission and is subsequently developed. This statement confirms that there will be no increase in deliveries using the Vinery Road passageway and that delivery cages will not be stored on site. A compliance condition has been recommended that requires servicing to be carried out in accordance with this statement.

- 8.26 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 and 4/13.

#### Amenity for future occupiers of the site

- 8.27 The proposal would provide five residential units, all with acceptable outlooks and access to a reasonable sized communal garden area. The provision of bin and cycle storage is well integrated into the scheme. The site is in a highly sustainable location and within walking and cycling distance of local shops and services. There are bus stops within close proximity to the site which provide frequent bus routes into the city centre. The internal areas of each flat are listed in the table below paragraph 2.3 of this report. The Environmental Health Team has recommended a condition regarding noise from the existing plant/ extraction equipment at the rear of the shop to ensure that future occupants have an acceptable living environment.
- 8.28 In my opinion, subject to condition, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

#### **Refuse Arrangements**

- 8.29 The proposed refuse arrangements for the existing commercial unit and the proposed flats would be stored internally within the site in an enclosed area. The Waste Team has requested additional information regarding the split of commercial and domestic waste and details of the gate/door. I am of the view that this can be dealt with through condition.

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

### **Highway Safety**

8.31 It is acknowledged that concerns have been raised regarding the increased parking pressure the proposal would cause and how this could encourage illegal parking, thus resulting in highway safety hazards. However, the illegal parking of vehicles is a matter for the Police and is not a planning consideration. The Highway Authority has raised no objection to the application subject to conditions and I agree with this advice.

8.32 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.33 Car parking has been addressed in paragraphs 8.20 and 8.21 of this report. A car club informative has been recommended.

8.34 The proposal would provide eight cycle parking spaces in a secure location within the site. This level and type of cycle parking provision accords with the minimum standards of the Cambridge Local Plan (2006).

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

### **Third Party Representations**

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

<b>Comment</b>	<b>Response</b>
Density of development out of keeping with the Conservation Area.	See paragraph 8.8.
Lack of car parking and displacement of existing car parking.	See paragraphs 8.20 - 8.21.
Increased parking could increase risk of highway safety hazard due	See paragraph 8.31

to illegal parking close to the vehicular junction.	
Further clarification regarding the access to and storage for the existing and continuing shop at 305 Mill Road is needed. A condition ensuring no deliveries through the passage onto Vinery Road take place as a result of the proposed development should be recommended. Noise and disturbance from use of north alleyway during deliveries by the shop.	See paragraphs 8.22 – 8.25.
Overshadowing/ Loss of light	See paragraphs 8.14 and 8.18
Contamination from previous industrial use	The Environmental Health Team has recommended conditions relating to contaminated land which I consider cover this.
Conditions relating to temporary fencing, screening and security for no.2 Vinery Road during construction.	This is a party wall/ civil matter between the neighbour and the applicant.
Protection of neighbours from noise of existing fan at the rear of retail unit.	The proposed development does not involve any alterations to existing fans and plant. The reason the condition relating to protection from plant only applies to the future occupants of the new development is because it is necessary to safeguard future occupants for the development to be acceptable. Any noise complaints regarding existing plant on-site should be directed to the Environmental Protection Team as a statutory noise complaint.

### **Planning Obligations (s106 Agreement)**

8.37 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.

8.38 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.

8.39 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

#### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

9.1 In conclusion, I consider the proposed development would enhance the character and appearance of the Conservation Area. The proposal would respect the amenities of neighbouring properties in terms of overshadowing, overlooking and visual dominance. The pressure on car parking on the surrounding

streets is not considered significant enough to demonstrate an adverse impact to residential amenity in the surrounding area. The proposal would provide a high quality living environment for future occupants and conditions would be recommended to ensure that the amenity for both future and neighbouring occupiers is acceptable. Approval is recommended, subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

a) Include details of the volumes and types of material proposed to be imported or reused on site

b) Include details of the proposed source(s) of the imported or reused material

c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) Include the results of the chemical testing which must show the material is suitable for use on the development

e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

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



11. 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)

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

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

13. Noise assessment and mitigation - plant near new development

#### Part A

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

#### Part B

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

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

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

14. Prior to the commencement of development/construction, details of an alternate ventilation scheme to open windows for the accommodation units on the Mill Road façade shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

Reason: To provide an acceptable living environments for future occupiers (Cambridge Local Plan 2006 policy 3/12).

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

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

16. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for domestic and commercial uses shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins for commercial and domestic waste will be stationed and the details of gates/ doors. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter unless alternative arrangements are agreed in writing by the local planning authority.

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

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

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

18. Large scale drawings of the front elevation, to include dog-tooth brickwork at eaves level, lintels over new openings, the new timber entrance gates 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 and to ensure that the detailing of the brickwork/stonework is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

19. 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)

20. No new windows shall be constructed 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)

21. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway (Cambridge Local Plan 2006 Policy 8/2)

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

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

23. The existing retail unit at no.303-305 Mill Road, shall be serviced in accordance with the document titled "Servicing arrangements for the existing retail unit 305 Mill Road, Cambridge" dated 16 August 2016. The rear passageway adjacent to no.2 Vinery Road shall only be used for newspaper deliveries and shall not at any time be used for deliveries in the form of metal delivery cages or other forms of deliveries. The servicing arrangements shall be carried out in accordance with the aforementioned document details unless otherwise agreed in writing.

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

24. The rooflights serving the flats identified as duplex nos. 3 and 4, as shown on drawing no. PI-03 Rev P4, shall only be used to serve the ground-floor rooms of these flats and shall not be used to serve the first-floor rooms.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/7 and 3/12).

**INFORMATIVE:** The principle areas of concern that the Traffic Management Plan should address are:

1. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

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

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

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

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

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

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

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

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

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

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

#### **INFORMATIVE: Dust condition informative**

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

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

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

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

[content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

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

Hard copies can also be provided upon request

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

**INFORMATIVE:** Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** The 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.



## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/1341/OUT	<b>Agenda Item</b>	
<b>Date Received</b>	19th July 2016	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	13th September 2016		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	396 Milton Road Cambridge CB4 1SU		
<b>Proposal</b>	Erection of a detached dwelling and formation of new access		
<b>Applicant</b>	Mr S Hagard 396, Milton Road CAMBRIDGE CB4 1SU		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The principle of residential development in this location is considered to be acceptable as it would be compatible with the surrounding environment.</li> <li><input type="checkbox"/> Although the Highway Authority has raised an objection to the proposed access it is considered acceptable given the low traffic volume and speed.</li> <li><input type="checkbox"/> The layout of the plot is considered acceptable subject to more detail regarding scale, design and landscaping.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is land to the rear of 396 Milton Road. This is currently in use as garden land. The site is to be accessed from Cook Close; a residential cul-de-sac to the south of Milton Road close to the junction with Kings Hedges Road and Green

End Road. The immediate area is predominantly residential in character.

- 1.2 The site does not fall within a Conservation Area nor is it within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks outline permission for the erection of a detached dwelling with the formation of a new access from Cook Close.

- 2.2 The elements which are requested to be assessed as part of the application are layout and access.

- 2.3 The application is accompanied by the following supporting information:

1. Plans
2. Visibility splays

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/02/0447	Erection of a 1.9m high fence (along Cook Close).	Permitted
C/03/0242	Erection of conservatory to rear of dwelling.	Permitted
C/80/0657	Erection of two-storey extension to existing dwelling house	Permitted
C/96/0687	Outline application for the erection of two no bungalows.	Permitted

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

## 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 There is no footway provision on the northern side of Cook Close. Visibility splays have not been provided to show access for motor vehicles egressing the site to see oncoming vehicles when emerging. As a result recommend that the proposal is refused.

### **Environmental Health**

- 6.2 The proposal is acceptable subject to two conditions relating to construction hours and piling.

### **Refuse and Recycling**

- 6.3 There doesn't seem to be a pavement. Questions where bins will be placed as these cannot be left on the road. The applicants will need to make provision for a hard standing area, to accommodate bins on their boundary.

## **Urban Design and Conservation Team**

6.4 No material conservation issues

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

6.5 The proposal is acceptable subject to a condition relating to surface water drainage.

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

## **7.0 REPRESENTATIONS**

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

- ☐ 11 Cook Close
- ☐ 12 Cook Close

7.2 The representations can be summarised as follows:

- ☐ Concerned about overlooking
- ☐ Concerned about impact on road during construction
- ☐ Access will be dangerous
- ☐ Will set a precedent for other houses to build two storey properties

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

### **Principle of Development**

- 8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is located within garden land of 396 Milton Road which is in residential use and surrounded by other residential properties on Cook Close. As a result I consider the principle of development to be acceptable.
- 8.3 Policy 3/10 relates to the sub-division of plots. This policy requires consideration to be given to the impact on amenities of neighbours (part a), amenity space/car parking (b), impact on the character of the area (c), effect on listed buildings/BLI (d), impact on trees (e) and whether the proposal would compromise comprehensive redevelopment (f). Criteria d and f are not relevant to the current application. I will address the other criteria of policy 3/10 below.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

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

- 8.5 Only the principle of the erection of one dwelling and the details of the access and layout are for consideration as part of this outline application. Matters of landscaping, appearance and scale are reserved. Having assessed the proposal in relation to policy 3/10 above, I am satisfied that a new dwelling could sit comfortably within the site having regard to its context and subject to the future consideration of the scale and detailed design and landscaping of the site.
- 8.6 The application had originally proposed a two storey dwelling. This was considered unacceptable and the assessment of scale

was removed from the proposal. The surrounding properties within Cook Close are all single storey in scale. As a result a two storey dwelling would appear out of character. A condition is recommended to ensure that any future application for the approval for reserved matters be single storey in scale to ensure the proposed development would be in keeping with the other properties within Cook Close.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.8 The consideration of scale has been removed from the current application. The layout of the site is considered to adequately respect the amenity of the surrounding properties. The detailed impact of the new dwelling will be the subject of future consideration. However, in my opinion the proposal could adequately respect the residential amenity of its neighbours and the constraints of the site. I consider the proposal to be compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.9 The proposed layout provides two car parking spaces for the new dwelling. Parking for the host dwelling at 396 Milton Road is to the front of the host dwelling and as a result is not affected by the proposal. Both the existing dwelling and new dwelling are proposed to have relatively large gardens. Detailed design and scale will be the subject of future considerations. However, in my view the proposal could provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers of the site and the host dwelling at 396 Milton Road. As a result I consider the proposal to comply with policy 3/7, 3/10 and 3/12.

### **Refuse Arrangements**

- 8.10 The Recycling officer notes that there is not hard standing to accommodate bins for collection. I recommend a condition to ensure the provision of a collection area for bins.

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

### **Highway Safety**

- 8.12 The Highway Engineers has recommended the application is refused on the grounds that there is no footpath on the northern side of the road. Cook Close is a quiet residential cul-de-sac which accommodates 5 relatively small houses. Any future occupiers of the site would need to cross the road from the dwelling to access a footway but given the quiet nature of this road with very low levels of vehicular traffic I consider this to be an acceptable arrangement. The applicant notes that to provide adequate visibility splays for the access a number of trees and hedge would need to be removed. Given the low volume and speed of traffic to the cul-de-sac I do not consider this to be required.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

#### **Car parking**

- 8.14 The proposed site plan shows two car parking spaces but the final number of spaces would be determined as part of a future reserved matters application. The level of parking proposed would not result in an increase in on-street parking on Cook Close and is considered acceptable

#### **Cycle parking**

- 8.15 No cycle parking details have been provided and this would be dealt with under a future reserved matters application.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.17 Approval of details regarding scale of the proposal has been removed. As a result issues relating to overlooking and setting a



precedent for two storey properties cannot be assessed. These details will be agreed in a future application.

- 8.18 Whilst I note the Highway Engineers objection regarding access to the site, in my view Cook Close is a quiet cul-de-sac. The additional access is to serve one dwelling. As a result I do not consider the proposal will have a significant impact upon highway safety.
- 8.19 A construction hours condition is recommended to protect amenity of surrounding occupiers during the construction process.

### **Planning Obligations (s106 Agreement)**

- 8.20 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.

- 8.21 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.
- 8.22 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development and confirm that in this case no contributions are being sought.

## **9.0 CONCLUSION**

- 9.1 The principle of residential development on this site is considered to be acceptable. Given the quiet nature of the cul-de-sac, and as the application proposes a single dwelling, the access arrangements are considered to be adequate. The layout of the plot is considered acceptable and in my view would provide an adequate level of amenity for future occupiers of the site while still allowing an adequate level of garden space for the host dwelling at 396 Milton Road. . The matters of landscaping, appearance and scale have been reserved by the applicant and would be assessed as part of any future reserved matters applications.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. No development shall commence until approval of the details of the appearance, landscaping and scale (hereinafter called the reserved matters) has been obtained from the Local Planning Authority in writing.

Reason: To ensure that all necessary details are acceptable (Cambridge Local Plan 2006 policies 3/2, 3/4, 3/7, 3/11, 3/12).

5. Any future reserved matters application shall be mainly single storey only and any accommodation at first floor level shall be contained within the roofing structure.

Reason: To ensure the development is in keeping with the surrounding properties within Cook Close (Cambridge Local Plan (2006) policy 3/4, 3/7 and 3/12)

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. 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)

8. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with policy 4/16 of the Cambridge Local Plan (2006)

9. Before the occupation of the development hereby permitted details of a hard standing area for the collection of bins and bin storage facilities within the site will be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for bin collection and storage (in accordance with Cambridge Local Plan policies 3/4, 3/7 and 3/10)

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

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

11. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

12. The vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

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

13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

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

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

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

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

**INFORMATIVE:** Before the details of the surface water drainage are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- ii. provide a management and maintenance plan for the lifetime of the development.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

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

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

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

## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/1003/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	7th June 2016	<b>Officer</b>	Sav Patel
<b>Target Date</b>	2nd August 2016		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	243, 245 And 247 Milton Road Cambridge Cambridgeshire CB4 1XQ		
<b>Proposal</b>	Erection of 6 dwellings (following the demolition of nos. 243, 245 and 247 Milton Road), together with car parking, cycle parking, landscaping and associated infrastructure.		
<b>Applicant</b>	N/A c/o Agent		

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

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of three plots; nos.243, 245 and 247 Milton Road, which are currently occupied by detached houses. Nos. 243 and 245 are two storey detached dwellings with two storey projecting gables. No.247 is a single storey

bungalow with a hipped roof and single storey pitched roof bay windows. All three dwellings are set back from the road with no.243 being further back. The frontage of each plot is defined by a timber fence with vegetation set behind and driveways for at least two cars.

- 1.2 The built form of the area is characterised by two storey detached dwellings on deep plots. However the style and size of dwellings are more varied on the northern side of Milton Road compared to the south side. Milton Road is a major arterial route into and out of the City Centre from the north. It contains the main carriageway, a separate cycle lane and pedestrian lane and a grassed verge with trees. There is a bus stop in front of nos.245 and 247 Milton Road.
- 1.3 To the rear of the site is the recently developed housing site known as Middleton Green which included part of the rear gardens of all three dwellings. The rear gardens of the dwellings are laid to lawn and contain some small garden trees adjacent to the rear boundaries.
- 1.4 Part of the site (the plot for 243 Milton Road) forms part of a Tree Preservation Order area which includes all the houses in Middleton Close (road name for Middleton Green development) and nos.229 to 243 Milton Road which front Milton Road. To the south of no.243 is no.241 Milton Road, which is a two storey detached dwelling, is identified as a Building of Local Interest.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the demolition of the three existing dwellings and construction of 3 pairs of two and half storey semi-detached dwellings (6 units). The dwellings include flat roof dormers in the front and rear roofscape and a cat-slide roof over a single storey flat roof element. The front elevation has been designed with two storey projecting bay windows.
- 2.2 Each dwelling is approximately 8.5 metres in height and 4.5 metres wide. The main two storey range is 10.6 metres deep and 20.6 metres in depth overall. Plot 1 and 2 are set back 10.5 metres from front boundary; plots 3 and 4 are set back 13.9 metres; and plots 5 and 6 are 9.4 metres.



- 2.3 Access to the dwellings would be via a 5 metre wide access from Milton Road onto a shared surface area which is proposed to be block paved. Six car parking spaces are proposed. The proposal includes bin and cycle storage of each dwelling.

### 3.0 SITE HISTORY

Reference	Description	Outcome
14/0518/FUL	Erection of detached dwelling with associated garage on land to the rear of no.243, 245 and 247 Milton Road	APPROVED
14/1450/FUL	Erection of new detached dwelling and associated garage	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 3/11 3/12 3/14
		4/4
		5/1
		8/2 8/6

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</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> <p>Roof Extensions Design Guide (2003)</p>

#### 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

6.1 No objections in principle. The proposal may impose additional car parking demands upon on street parking on the surrounding streets whilst unlikely to result in any significant adverse impact upon highway safety there is the potential impact on residential amenity. The following conditions and informatives are recommended if the Council is minded to grant permission:

- No unbound material;
- Removal of Permitted Development Rights for gates;
- Access to be constructed in accordance with Cambridgeshire County Council specifications;
- Surface water drainage;
- Visibility splays;
- Manoeuvring area free from obstruction;
- Redundant vehicular crossings returned to kerb and footway;
- No obstruction to access;
- Traffic management plan;
- No works to public highway without consent informative;
- No overhanging of public highway informative;
- Public utility informative.

6.2 The redundant vehicular crossings must be removed and replaced with full kerbs. The proposal may allow better positioning of the bus stop. This would require alteration of the existing Traffic Regulation Orders which is recommended to be pre-commencement condition if the Council is minded to granted permission.

### **Environmental Health**

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

- Construction hours;
- Collection during construction;

- Construction/demolition noise/vibration & piling;
- Dust;
- Acoustic assessment
- Air quality ventilation
- Dust informative
- Contaminated land informative

### **Urban Design and Conservation Team**

- 6.4 The new dwellings have a floor plan of a terrace typography comprising main two storey and attic front element under a pitched roof and rear two storey wing under a cat slide roof with ground floor extension to the rear and side return. However the plan form is used in semi-detached form with features relating to 1920/1930s suburban vernacular with the aim of creating a contemporary equivalent. The proposed development is acceptable subject to conditions relating to materials, landscaping and possibly removal of PD rights.

### **Access Officer**

- 6.5 The proposal is not supported as it does not support housing for disabled people. Bungalows are very important. Only mitigation would be if the houses can be built to wheelchair housing standards.

### **Head of Streets and Open Spaces (Tree Team)**

- 6.6 No comments received to date. I will therefore report any comments on the amendment sheet or orally to members at the committee.

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

- 6.7 No landscape plan has been submitted for consideration. Given the visibility of the development from the public realm a landscape plan is essential. The landscape team cannot consider the landscape and visual impacts of the proposed development.

## **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

First comments:

- 6.8 The proposed development is unacceptable and should be refused as the development represents an increase in impermeable area and there are no details provided regarding surface water and foul drainage. It has not been demonstrated that flood risk will not be increased due to the proposals.

Second comments:

- 6.9 Following submission of additional drainage information, the Sustainable Drainage Officer is satisfied the scheme is acceptable subject a surface water drainage condition.

## **Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.10 Not possible to comment on the proposed development and additional information will be required in order to provide comments. The Bat Report recommends additional emergence survey of 245 Milton Road as having low potential to support roosting bats. Survey should be undertaken in survey period May-Aug prior to determination.

Second comments:

- 6.11 The applicant has submitted an updated Ecology Report following the above comments. Nature Conservation Officer but not received their comments. I will therefore report any comments on the amendment sheet or orally to members at the committee.
- 6.12 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 241 Milton Road;
- 320 Milton Road;

7.2 The representations can be summarised as follows:

- The proposed development would improve the look of the road;
- Concern with access to the properties and how this would work with the current location of the bus stop;
- Possible introduction of floating bus stops could result in the relocation of the bus stop towards our property which we would not be happy about;
- The proposed development fails to respond to its context and does not fulfil requirements of policy 3/4 of the Local Plan (2006);
- The second floor dormer windows would be out of keeping in this location;
- The proposed development would have a significant negative impact on properties opposite due to height, bulk and number of higher overlooking windows;
- There should be a comparison between the existing number of bedrooms and proposed (24);
- The proposal amounts to a slight overdevelopment of the site;
- The proposal arrangement results in overcrowding as one property's bin being against another's wall;
- Some of the bedrooms appear to be rather small;
- Shared frontages is out of character in this location;
- Trees shown on plant should be required to be planted;
- Four ornamental cherries on the frontage or other non-fruit trees would be appropriate;
- No public consultation has taken place;
- Loss of a bungalow which is a valuable asset, and none of the proposed homes offer on-the-level living;
- The proposal would require the moving of the bus stop – suggest the bus stop should move away from Fraser Road;
- The proposed cycle parking arrangements is not convenient enough – paved access to the cycle parking and ought to be at the front of the properties;

- The proposal does not fulfil the requirements of policy 3/12 and perhaps 8/6;
- The proposed design does not reflect the fact many of those who live in the area use bikes as a primary form of transport;

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 The application site is located in a sustainable location due to its proximity to local shops and public transport and cycle links into the city centre.

8.3 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is located within a predominantly residential context. Therefore, the proposed residential redevelopment of the site to provide six dwellings is acceptable in principle.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policy and 5/1. I will assess the merits of the proposal under policy 3/10 below.

## **Context of site, design and external spaces and impact on heritage assets.**

- 8.5 The proposed development is for six two and half storey dwellings in the form of three semi-detached pairs. The semi-detached units are off set from each other with the plots 3 and 4 set back from plots 1 and 2, 5 and 6. This appears to be to accommodate off street parking at the front of the set back units.
- 8.6 The context of the area is defined by 1920s and 1930s residential housing stock on spacious plots and deep rear gardens some of which have been subdivided and developed. There are examples of single storey bungalows, semi-detached and detached houses. The application site consists of three detached dwellings; one of which is a bungalow. However, the main form of housing is two storey but there are examples of properties with loft conversions.
- 8.7 In this context, the proposed dwellings would in my view satisfactorily integrate into the site without having a detrimental impact on the character of the area. The development would maintain gaps between each building which is a common feature of the area and replace dwellings which are of limited architectural merits with contemporary dwellings which respond to the site context. The proposed dwellings have strong features such as chimneys, double height bay-windows and consistent eaves and ridge height and cat-slide rear roof profile. The flat roof dormers in the front and rear roofscape are prominent features of the proposed dwellings. There are some examples of flat roof dormers in the locality however they are not as prominent as the proposed. Nevertheless, the proposed dormers are proportionate features within the roofscape and so do not give the dwellings a top heavy appearance or have a detrimental impact on the visual appearance of the area. In my view these features contribute positively to the variety of features in the area rather than appear alien and out of character.
- 8.8 In terms of the overall design, the proposed dwellings would enhance the setting of the site from within the street scene and from wider vantage points along Milton Road, and contribute towards the variety of dwellings on this side of Milton Road. The design of the proposed dwellings would not have an adverse



impact on the site or surrounding area. The dwellings have been designed to a high standard, which respects the local vernacular with a contemporary approach.

- 8.9 In terms of the impact on the heritage asset, no.241 Milton Road, which is a Building of Local Interest, the proposed development would relate better with it than the existing dwelling (no.243) does. Currently no.243 is set 8.5 metres back from the front elevation of no.241 and 1 metre from the side boundary. The proposed dwelling (plot 1) would be located 1.3 metres back from the front elevation and 1.8 metres from the side boundary. The proposed dwelling would therefore increase the level of separation between no.241 and present a better quality of design development adjacent to it and would not detract from the setting of the Building of Local Interest.. The Conservation Team do not consider the proposal would have a detrimental impact on the heritage asset.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan 3/4, 3/7, 3/10, 3/11, 3/12, 4/4 and 4/12.

### **Disabled access**

- 8.11 The Access Officer has raised concerns with the loss of a bungalow for disabled people and only mitigation for this loss is if the new houses can be built to wheelchair standards. Whilst I acknowledge the officer's concerns, the scale of development is outside the trigger of policy 5/9 (Housing for People with Disabilities) in the Local Plan (2006) which is 15 or more dwellings. However, policies 3/7 and 3/12 seek appropriate provision to be made to make development inclusive for the needs of those with disabilities to ensure places are easily and safely accessible. The applicant has confirmed that the dwellings will be compliant with current Approved Document Part M for Building Regulations by providing a level access to the ground floor, WCs and door widths will be designed and suitable for wheelchair use, and all light switches, electrical socket outlets, door entry systems will be located at heights suitable for disabled use. This is considered to be a sufficient and proportionate response to providing disabled access for the scale of the proposed development.
- 8.12 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**

#### **Overlooking**

- 8.13 The proposed development would not cause significantly levels of overlooking on the adjacent occupiers. There are no habitable room windows in the side elevations that would cause direct overlooking of the neighbouring properties at no.241 or no.249. Also the properties adjacent to the rear boundaries of the site are located over 20 metres from the rear elevation of the nearest proposed dwellings (plot 3 and 4). There are also several trees along the rear boundary of the site that would help to screen views. At this range with the existing boundary vegetation and in this urban context, I do not consider the proposed dwellings would cause any adverse levels of overlooking such that it would have a detrimental impact on the existing occupiers.

#### **Overbearing sense of enclosure**

- 8.14 The proposed dwellings have been located so that they are in line with the side elevations of the neighbouring dwellings in order to reduce any sense of enclosure, particularly over the private gardens or principle room windows. The existing dwelling (no.243) adjacent to the side boundary with no.241 is located with its entire side gable beyond the main rear elevation of the dwelling. As a result, the existing dwelling conflicts with the 45 degree rule due to its set back location. The proposal development would be pulled away from the boundary and over half of the main two storey side gable would be located in line with the side of no.241. The proposed development would be located outside the 45 degree line which would result in a much better relationship with the occupiers of no.241. The proposed dwelling has a cat-slide roof element which projects off the rear elevation. This element is set in from the main side elevation by 1.2 metres and projects 5 metres off the rear elevation. The cat-slide profile means the height of this element starts off from the eaves and slope downs to a height of 4.7 metres. A corner section of this element would conflict with the 45 degree line. However, it would be significantly less than the existing. The proposed single storey flat roof element on the rear of plot 1

would be largely screened from view by an existing outbuilding at no.241 which is located adjacent to the side boundary. I do not consider this element would have any adverse impact on the residential amenity of the neighbour occupier. Therefore, I am satisfied that the proposed development would not appear overbearing to the occupiers of no.241 over and above the existing relationship.

- 8.15 In terms of the impact on no.249, currently no.247 is a single storey bungalow. Therefore, there is currently no overbearing impact on the neighbour at no.249 which is a two storey dwelling, which has been extended into the roof with a box dormer and extends beyond the rear elevation of the existing bungalow. No.249 also has been extended at the rear with a pitched roof and mono-pitched roof extension. The proposed development would extend beyond the rear elevation of these extensions by 8.6 metres. This would be largely by the single storey flat roof element and part of the first floor cat-slide roof element. However, I do not consider these elements would have any adverse overbearing impact on the occupiers of no.249 as the windows in the rear elevation adjacent to the side boundary appear to serve bathrooms, as they are frosted. The window in the rear box dormer is considered to be too high to be impacted by the proposed development. I am therefore satisfied that the proposed development would not appear overbearing or create an adverse sense of enclosure of the occupier of no.249 due to the layout and design of the proposed development.

#### Overshadowing

- 8.16 The applicant has produced shadow studies to show the impact of the proposed development on the surrounding area. The shadow studies are from the Equinox (September and March), Summer Solstice (June) and Winter Solstice (December). Unfortunately, the applicant has not provided details for the existing scenario. Nevertheless, the proposed situation demonstrates that in terms of overshadowing the proposed development would comply with BRE guidance. The proposed development appears to cast some additional shadowing over the rear of no.249 during the Equinox. However the level of shadowing would not be considered significant enough to warrant refusal.

- 8.17 No.241 is located south of the application site and therefore is unlikely to be adversely affected from shadowing from the proposed development.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

#### Amenity for future occupiers of the site

- 8.19 The future occupiers of the proposed development would be provided with a generous amount of internal and external space. The proposed development is considered to be ideally suited to families. The rooms are of generous size and there is lots of space around and to the rear of the dwellings for future occupiers to enjoy. The proposal does include some communal areas which are located at the front and between plots 2 and 3 and plots 4 and 5. The side passages would provide storage for and access to bins along a paved path. Whilst there is a door and window at ground floor in the side elevations of these plots, these opening are ancillary openings. I do not consider the communal arrangements of the proposed development would have an adverse impact on the living quality or residential amenity of the future occupiers. It is likely that future occupiers will become accustomed to seeing their neighbours due to the shared frontage.
- 8.20 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

#### **Refuse Arrangements**

- 8.21 The proposal includes bin storage provision adjacent to the side elevation/boundaries of the site for 3 waste receptacles. I am satisfied with this arrangement and that there is enough space within the site to accommodate this in compliance with the Waste Design Guide.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway safety**

- 8.23 The proposal is to consolidate all the existing accesses serving no.243, 245 and 247 into one main ingress and egress point to serve the development site. This arrangement is considered acceptable to the Highway Authority subject to the relocation of the existing bus stop which is directly outside the front of no.245, which is where the main entrance for the proposed development would be located. The applicant has been advised to apply for a Traffic Regulation Order to relocate the bus stop, which would involve a consultation process. I have recommended this as a pre-commencement condition.

## **Car and Cycle Parking**

### **Car parking**

- 8.24 The proposal includes one car parking space for each dwelling. The site is not within a Controlled Parking Zone and so the current Car Parking Standards seeks, as a maximum, 2 car parking spaces for 3 or more bedrooms. The Local Plan encourages a modal shift towards alternative modes of transport in sustainable locations which are close to public transport links, shops and services. There is a bus stop directly outside the site and there are other bus stops along Milton Road. The nearest local centre is located a 6 minute walk from the site in both directions along Milton Road. The site also located 9 minute cycle ride from The Grafton Centre and there are regular buses (every 30 mins) into the City Centre. The City Centre is also approximately 1.7 miles from the site which is about a 30 minute walk. I am therefore satisfied that a lower provision of car parking in this location can be justified.

### **Cycle parking**

- 8.25 The proposal includes cycle parking for up to 3 bikes in an enclosed storage sheds located in the rear garden of each plot. Each shed will be fitted with a lock for security. The proposed cycle parking provision is compliant with the Council's Cycle Parking Standards.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Trees and Ecology**

- 8.27 The applicant has prepared and submitted a Tree Survey, Arboricultural Method Statement and Preliminary Tree Protection Plan. A total of 24 trees and two groups have been surveyed of which 12 low category (U to C) trees have been identified for removal; 7 from the rear of the site and 5 from the front. In order to compensate for this loss, I have proposed a condition for replacement planting of trees and also a hard and soft landscaping condition to enhance the site frontage.
- 8.28 The applicant's original Ecology Report advises no evidence was found to suggest the presence of day roosting bats in 243, 245 or 247 Milton Road. However the report does state that no.245 has sufficient external crevice type features associated with roof and hanging tiles to assess the building as possessing low overall bat roost value.

## **Third Party Representations**

- 8.29 I have addressed some of the third party representations in the above section of my report. However, I set out below a response comments not addressed:

<b>Representation</b>	<b>Response</b>
The proposed development would improve the look of the road;	Noted.
Concern with access to the properties and how this would work with the current location of the bus stop;	See paragraph 8.23
Possible introduction of floating bus stops could result in the relocation of the bus stop towards our property which we would not be happy about;	See paragraph 8.23
The proposed development fails to respond to its context and does not fulfil requirements of policy 3/4 of the Local Plan (2006);	The proposed development is in accordance with policy 3/4 of the Local Plan in my view.
The second floor dormer	See paragraph 8.7

windows would be out of keeping in this location;	
The proposed development would have a significant negative impact on properties opposite due to height, bulk and number of higher overlooking windows;	The proposal has been carefully assessed in terms of its design, scale and impact on residential amenity. The proposal is considered to be acceptable in all respects.
There should be a comparison between the existing number of bedrooms and proposed (24);	The existing dwellings consist of 1x 3bed and 2x 4bed dwellings. This equates to 11 beds. The proposal is for 6x 4bed dwellings which equates to 24 beds.
The proposal amounts to a slight overdevelopment of the site;	The proposal would integrate comfortably within the site by making effective and efficient use of the land.
The proposal arrangement results in overcrowding as one property's bin being against another's wall;	See paragraph 8.19
Some of the bedrooms appear to be rather small;	The Council does not have any space standards to assess proposal against. The bedrooms are considered to be of good size.
Shared frontages is out of character in this location;	The recent development of Middleton Green which is a few metres from the site has a shared access so this site is not out of character. Nevertheless, consolidating accesses to create one access point can bring communities closer together which is part of good planning.
Trees shown on plant should be required to be planted;	I have recommended a replacement tree planting condition which will require details to be submitted and approved in writing by the Local Planning Authority.

Four ornamental cherries on the frontage or other non-fruit trees would be appropriate;	As above.
No public consultation has taken place;	Whilst the Council encourages public consultation, there is no specific requirement for this is occurring.
Loss of a bungalow which is a valuable asset, and none of the proposed homes offer on-the-level living;	See paragraph 8.11
The proposal would require the moving of the bus stop – suggest the bus shop should move away from Fraser Road;	See paragraph 8.23
The proposed cycle parking arrangements is not convenient enough – paved access to the cycle parking and ought to be at the front of the properties;	The proposed cycle parking arrangement is acceptable. Plots 3 and 4 would only need to travel 8.6 metre over lawn to access the paved area.
The proposal does not fulfil the requirements of policy 3/12 and perhaps 8/6;	The proposal is fully compliant with these policies in my view.
The proposed design does not reflect the fact many of those who live in the area use bikes as a primary form of transport;	The proposal complies with the Council's Cycle Parking Standards.

## 9.0 CONCLUSION

- 9.1 The proposed development is for demolition of the three existing detached dwellings at 243, 245 and 247 Milton Road and construction of three semi-detached pairs (6 units) of two and half storey dwellings including bin and cycle storage, shared entrance and off street car parking.
- 9.2 The proposed development is considered to be of high quality design which would improve the appearance of the site from the street scene. The scale of development is respectful of the prevailing built form and would not appear out of character or alien in this sub-urban context. The proposed development would also be respectful of the existing Building of Local Interest (BLI) at no.241 by improving the setting of the building by moving the proposed development further way and closer to



the highway. The Conservation Team have not raised any concerns with the proposed development and its impact on the BLI.

- 9.3 The proposed development has been arranged within the site to minimise the potential impact on the residential amenity of the adjacent occupiers. The relationship with the occupier of no.241 Milton Road would be much improved. Currently the side gable end of no.243 projects beyond the rear elevation of no.241 and less than 1 metre from the boundary. In terms of no.249 Milton Road, the proposed development would result in a material change from the existing bungalow. However, I do not consider the proposed development would have a significant adverse impact on the residential amenity of the occupier of no.249.
- 9.4 The proposed development is considered to be acceptable and compliant with the relevant Local Plan policies.

## **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 furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

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 works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

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

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

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

8. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve a 20% reduction in peak flows and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
  - ii. provide a management and maintenance plan for the lifetime of the development.
  - iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

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

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

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

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

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

13. The noise insulation scheme and mitigation requirements as stated within the MAS Environmental Ltd Noise Impact Assessment dated 4th May 2016 (MRdCam160504) shall be fully implemented, maintained and not altered.

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

14. Prior to the commencement of development/construction, details of an alternate ventilation scheme to open windows for the habitable rooms located on the Milton Road façade shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from the road. The ventilation scheme shall achieve at least 2 air changes per hour. The approved scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

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

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

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

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

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

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

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

18. Prior to the commencement of the first use the vehicular accesses where they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

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

19. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawing (P02 rev B). The splays are to be included within the curtilage of the new dwellings. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

20. Prior to occupation any and all redundant vehicle crossovers of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

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

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

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

22. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority. The traffic management plan shall include the following:

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

iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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

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

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

24. Prior to occupation of the development an amendment shall be made to the existing Traffic Regulation Order and approved in writing by the Cambridgeshire County Council. The amendment shall relate to the existing bus stop on Milton Road in front of no.245 Milton Road to be relocated. A copy of the approval notice from the County Council shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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



**INFORMATIVE:** 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

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

**INFORMATIVE:** If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

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## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/1281/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th July 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	8th September 2016		
<b>Ward</b>	Petersfield		
<b>Site</b>	20 Devonshire Road Cambridge Cambridgeshire CB1 2BH		
<b>Proposal</b>	The redevelopment of three existing residential flats and demolition of commercial workshop to create 6 new residential units with associated cycle and bin storage and new landscaped amenity spaces.		
<b>Applicant</b>	Mr K Mahon C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would respect the amenities of neighbouring properties.</li> <li>- The proposal would be in keeping with the character and appearance of the Conservation Area.</li> <li>- The proposal would provide an appropriate living environment for future occupants.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.20 Devonshire Road, is comprised of three residential flats and a commercial workshop (B1c) situated on the west side of Devonshire Road. The main building fronting Devonshire Road is a two-and-a-half storey building constructed in brick with a steep pitched roof, higher than the two nearest neighbouring properties, and hosts the three residential flats. The commercial workshop buildings are situated to the rear of

the site and are accessed through a large garage door on the front elevation of the main building. The workshop buildings are currently in a dilapidated state and are single and two-storey in scale with a mixture of roof forms and architectural forms.

- 1.2 The gardens of properties along St Barnabas Road back onto the application site from the west and to the north and south are semi-detached and terraced properties. The site is situated in a predominantly residential area.
- 1.3 The site falls within the Central Conservation Area, the Controlled Parking Zone and within the Air Quality Management Area.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission for the redevelopment of three existing residential flats and the demolition of the commercial workshop to create six new residential units with associated cycle and bin storage and new landscaped amenity spaces.
- 2.2 The main building on the site would be retained and alterations to the fenestration of the front elevation, including changes to windows, doors and dormers would take place. The building would be extended at two-storey level out to the rear by approximately 3.1m at full-width with the end of the extension staggered inwards to prevent the extension from breaking the 45° line of neighbouring windows. The proposed two-storey extension would be designed with a flat green roof. A long part-single and part-two storey extension is proposed to the side and rear of the site, hard up against the western and northern site boundaries. The single-storey element would be designed with a mono-pitched roof measuring 2.5m to the eaves and approximately 3.95m to the ridge. The proposed two-storey element would be situated to the rear of the site and would be designed with a dual-pitched roof, measuring 3.8m to the eaves and 5.5m to the ridge.

2.3 The proposed site layout would be as follows:

#### Ground-floor

- Cycle and bin-storage would be situated behind the front garage door area of the main building.
- Flat 1, one-bedroom flat (38m<sup>2</sup>) with a small private threshold outdoor decking space.
- Flat 2, one-bedroom flat (42m<sup>2</sup>) with a small private threshold outdoor decking space.
- Ground-floor of maisonette (60m<sup>2</sup>) and private courtyard/garden.
- Communal courtyard garden.

#### First-floor

- Flat 3, one-bedroom flat (38m<sup>2</sup>).
- Flat 4, one-bedroom flat (40m<sup>2</sup>)

#### Second-floor

- Flat 5, two-bedroom flat (60m<sup>2</sup>)

2.4 The proposed works would be carried out predominantly in brick with the roof of the main building in slate to match the existing. The roofing of the proposed extensions would be predominantly in zinc cladding.

### **3.0 SITE HISTORY**

3.1 There is no planning history.

### **4.0 PUBLICITY**

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

### **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008) Roof Extensions Design Guide (2003)

	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 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

### **Environmental Health**

- 6.2 No objection subject to the following conditions:

- Construction Hours

- Collection During Construction
- Piling
- Dust
- Contaminated Land
- Dust Informative
- Asbestos Informative

### **Refuse and Recycling**

6.3 No objection.

### **Urban Design and Conservation Team**

6.4 No objection, subject to the following conditions:

- Details of verge detailing.
- Method statement of demolition/ salvation of materials.

### **Cycling and Walking Officer**

6.5 No comment received.

### **Landscape Team**

6.6 The application is not supported. The size and quality of the communal courtyard garden space is unacceptable. The level of light reaching the outdoor spaces and size of the garden is unacceptable.

### **Tree Officer**

6.7 No comment received.

### **Consultations with Service Managers**

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

6.9 No comments have been received from the Service Managers.



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

## **7.0 REPRESENTATIONS**

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

21 Devonshire Road	22 Devonshire Road
23 Devonshire Road	42 Devonshire Road
42 St Barnabas Road	

7.2 The representations can be summarised as follows:

- The previous owner only had two bed-sits and not three flats.
- Overdevelopment of the plot.
- The maisonette appears as a dominating structure.
- Could be 12 people living on-site with associated noise and disturbance.
- Impact on on-street parking.
- The proposal would have a negative impact on neighbour's house value.
- How will neighbour's wall be protected/ incorporated with the proposed works?
- Wood burner chimney may create odour issues.
- Under provision of cycle parking
- Cycle parking would be difficult to manoeuvre.
- The green bin is too small.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)

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

### **Principle of Development**

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site lies in a residential area and, in my opinion, the principle of erecting new dwellings on the site is acceptable.
- 8.3 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.
- 8.4 In the strictest application of this policy, based on the information provided by the applicant, the proposal would be contrary to criteria A of this policy.
- 8.5 However, in assessing the loss of the industrial floorspace pragmatically, it is acknowledged that the workshop has been vacant for an extended period of time. Furthermore, the dilapidated nature of the building and presence of asbestos materials means that any prospective users of this industrial use would have to undertake significant structural works and

environmental testing in order to bring the site back into a usable state, which hinders the viability of the site in practical and financial terms.

- 8.6 In my view, I do not consider there is a reasonable prospect of the site being used for industrial purposes. An application for an alternative use, such as residential development, should be assessed on the merits of the proposal. As a result, while I appreciate the proposal does not demonstrate compliance with criteria A of policy 7/3 of the Local Plan (2006), I do not consider it would be reasonable to resist the proposed loss of this floorspace as it is evident that the site has been vacant for an extended period of time and is more suited for residential use as per criteria e of policy 7/3.
- 8.7 Policy 3/10 of the Cambridge Local Plan (2006) states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
  - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
  - c) detract from the prevailing character and appearance of the area.
  - d) adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site.
  - e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site.
- 8.8 In this instance, Section (f) of the policy is not relevant as the proposal would not prejudice the comprehensive development of the wider area.
- 8.9 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 residential property has a floorspace of less than 110 square metres.

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

c) the living accommodation provided would be unsatisfactory.

d) the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and

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

8.10 The proposal has been assessed against policies 3/10 and 5/2 of the Cambridge Local Plan (2006) and is deemed to be compliant for the reasons set out in the relevant chapters below.

8.11 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 7/3, 3/10, 5/2 of the Cambridge Local Plan (2006).

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

#### Principle of demolition of workshop buildings

8.12 The proposed demolition of the workshop buildings is considered to be acceptable as the buildings are not considered to have any positive contribution to the character and appearance of the Conservation Area. The buildings are in poor condition, are of no significant architectural merit and are not visible from any public viewpoints. The Conservation Team has raised no objection to the loss of these buildings and I agree with this advice.

#### Front (East) Elevation

8.13 At present, the fenestration of the front elevation is perceived as lacking coordination as the elevation fails to exhibit a strong sense of a hierarchy or rhythm between windows and doors. The proposed works would involve re-aligning the central first-floor window above the front door, changing the window

designs to sash style windows and replacing the existing dormers with zinc clad dormers. The proposed dormers have been positioned in line with the first-floor windows below which would appear more coordinated than the existing fenestration. The re-painting of the brick wall and re-tiling of the roof would also help to rejuvenate the appearance of the building. The Conservation Team is supportive of the works to the front elevation and I agree with this advice.

#### Proposed two-storey extension and rear dormers to original building

- 8.14 The two existing rear dormers are oddly proportioned and do not correlate to one another. The proposed three dormers would be of identical space and consistently spaced on the rear roof plane.
- 8.15 The proposed two-storey extension to the original building is considered to be acceptable from a design perspective. There would be a recessed element in-between the extension which helps to break up the massing on the rear elevation. The use of large Juliet balcony style windows and proposed sedum green roof would provide a successful contrast to the more traditional forms of development in the surrounding area and stand out as interesting features. The Conservation Team is supportive of the proposed rear extension.

#### Proposed single-storey and two-storey extension adjacent to north and west boundaries

- 8.16 The proposed extensions into the rear of the site would be constructed in a herringbone pattern which would enable these extensions to be read as later additions to the original building. The proposed extensions have been deliberately designed to follow a similar footprint and scale to that of the existing workshops, primarily for reasons of protecting neighbour amenity. In my opinion, the proposed extensions would be a significant aesthetical improvement to the area when compared to the poor quality workshop buildings already on-site.

#### Landscape

- 8.17 It is acknowledged that the Landscape Team has raised concerns regarding the size and quality of the amenity space. In

terms of the amenity for future occupier's aspect of landscaping, this is addressed in paragraph 8.40 of this report. In my opinion, the proposed communal courtyard garden and maisonette garden would be a significant improvement compared to the existing landscaping on-site. There is only a small parcel of non-developed space on-site which is of relatively low quality and not a desirable or attractive space for future occupiers given that it is surrounded by workshop buildings. The proposed communal courtyard garden would be of a greater size than the existing outdoor space and the use of timber decking, benches and low level planting would provide relief to the large expanses of development and hard standing presently on-site. A hard and soft landscaping condition has been recommended. A tree survey has been undertaken which demonstrates that there would need to be some light branch and root pruning of the tree in the garden of no.21 Devonshire Road. I have recommended a tree protection condition to ensure that full details of the protection measures are provided prior to the commencement of the works.

#### Impact on BLI's of St Barnabas Road

- 8.18 The row of terraced properties to the west of the site are identified as Buildings of Local Interest (BLI). The application site would be over 40m away from the nearest of these buildings. This separation distance is considered to be significant and the proposed redevelopment of the site would therefore not detract from the special interest of these nearby BLIs.

#### Summary

- 8.19 In my opinion, the proposed development would enhance the character and appearance of the Conservation Area. The proposed works would improve the aesthetical quality of the site and revitalise what is a relatively dilapidated site. The Conservation Team is supportive of the proposed works, subject to conditions, and I agree with this advice.
- 8.20 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/14, 4/4, 4/11 and 4/12.

## **Residential Amenity**

### **Impact on amenity of neighbouring occupiers**

- 8.21 The main consideration is the impact of the proposed works on nos.19 and 21 Devonshire Road. The separation distance of 40m from the nearest windows of St Barnabas Road to the west is considered sufficient to ensure these neighbours would not be adversely affected by the proposed development.

### Impact on no.19 Devonshire Road

- 8.22 No.19 Devonshire Road is comprised of a two-storey terraced property situated to the north of the application site. Permission was granted at this neighbouring property (07/0333/FUL) for a roof extension and the site appears to be used as seven bedsits.
- 8.23 The proposal is not considered to harmfully overlook this neighbour. There are no windows proposed on the side (north) elevation other than rooflights which would serve for natural lighting purposes and would not offer any direct overlooking opportunities due to the position of these roof lights high in the roof plane. The views from the proposed dormer and first-floor windows would be similar to the existing rear outlooks which allow for views across this neighbour's garden.
- 8.24 The proposed works would be situated to the south of this neighbour and consideration of the impacts of overshadowing needs to be taken into account. A shadow study has been produced which shows the levels of overshadowing at 12pm at all four equinoxes. This demonstrates that the levels of light reaching the garden of this neighbour would actually be improved by the proposed works due to the change in roof form from the existing high flat roof of the workshop building to the pitched roof of the proposed maisonette. The shadow study does show that there would be a greater shadow cast over the side windows of the two-storey rear projecting wing of no.19 during the autumnal and vernal equinoxes, which is probably because of the additional mass of the proposed flat roof two-storey extension to the original building. Although the shadow study is limited to 12pm, it is anticipated that the levels of light reaching the side windows of this neighbour after 1pm would be similar to that of present. Therefore, whilst the levels of light

reaching the side windows of this neighbour would be reduced at 12pm, I am of the view that there would still be sufficient levels of light reaching the affected side windows for the remainder of the afternoon.

- 8.25 In my opinion, the proposed extensions would not visually dominate this neighbour's main outlooks. The floorplans demonstrate that the 45° line from the nearest rear facing windows would not be interrupted by the proposed two-storey rear extension. There are two ground-floor side windows on the rear projecting wing of no.19 which both serve a bedsit. The proposed two-storey rear extension would be prominent from the eastern-most window of this neighbouring bedsit. The western-most window however would not be significantly impacted by the two-storey extension by virtue of its position further to the rear of the site. As this bedsit is an open plan room and would still have an acceptable outlook to the south from the western-most window, I consider the proposal would not visually harmfully enclose this neighbouring property. The proposed elevation drawings outline the position of the existing workshop in red and this demonstrates that the proposed extensions to the rear of the site would not protrude any higher than the existing workshop building. The existing flat-roofed two-storey workshop building would be replaced with a dual pitched two-storey building which would appear much softer along the garden boundary of this neighbour due to the slope of the roof breaking up the perceived massing. In my opinion, given that the proposed extension up to the rear and side boundary would be of a comparable scale and mass to the existing workshop building, the proposal would not visually dominate this neighbour's outlooks or garden any more than at present.

#### Impact on no.21 Devonshire Road

- 8.26 No.21 Devonshire Road is a two-storey terraced property situated to the south of the application site. This neighbouring property has been extended at two-storey and roof level.
- 8.27 With respect to overlooking, I am of the view that this neighbour's privacy would not be compromised by the proposed development. The views from the proposed rear roof and first-floor level windows would be similar to that of present whereby outlooks across this neighbour's garden are already possible.



The views from the proposed ground-floor side window would effectively be self-enclosed by the 3.2m high wall running along the side (south) boundary. The first-floor maisonette south facing window would allow for views across the rear part of this neighbour's garden. The views from this window towards the eastern-most half of this neighbour's garden and rear windows would be relatively oblique and would not offer a direct window-to-window relationship. In my opinion, the view from the first-floor maisonette window would not harmfully overlook this neighbour.

8.28 In terms of overshadowing, as this neighbour is situated immediately to the south of the application site, I am confident that no harmful overshadowing of this neighbour would arise from the proposed development.

8.29 In my opinion, the proposed works would not visually dominate this neighbour's main outlooks. The proposed two-storey rear extension has been purposefully tapered in its design to avoid interrupting the 45° line from the neighbour's nearest first-floor bedroom window. This neighbour does have a ground-floor rear window in close proximity to the site which is currently partially enclosed by the 3m deep single-storey extension on-site. This neighbouring window is also self-enclosed by the large tree in the garden of no.21. The proposal would effectively have an additional storey on top of this which would inevitably be more visually dominant than existing. Notwithstanding this, there would be improvements to the outlooks for this neighbour byway of removing the large expanse of the 3.4m high workshop building that is hard up against the boundary of this neighbour. The proposed extensions would be deliberately pushed away from this neighbour's boundary to provide relief to the views out to the north of this neighbour. The 3.4m high workshop building would be replaced by a 3.2m high wall. This wall would be approximately 2.2m high when taken from the neighbour's ground level as the communal garden is sunken below the current ground level. This in my opinion would be a noticeable improvement to the quality of this neighbour's amenity. Overall, whilst the proposed two-storey rear extension would increase the level of enclosure to the nearest ground-floor rear window of no.21, I consider the benefits provided by the removal of the large workshop buildings against the boundary of this neighbour, and subsequent shifting of the built

footprint away from this boundary, would mitigate this impact and improve the outlooks for this neighbour.

### Noise and Disturbance

- 8.30 It is acknowledged that neighbours have raised concerns regarding the proposed number of people on-site and the associated comings and goings with this level of development. There would be a net increase of three residential units resulting from the proposed scheme, although the actual increase in bedrooms on-site would be one. Nevertheless, the intensification of the site would generate a level of noise from the associated comings and goings which needs to be assessed.
- 8.31 The existing context of the site is an important factor in assessing the comparable impact of the proposed development. The noise associated with the activities of a commercial workshop, coupled with the comings and goings in terms of staff movements, is considered to be inappropriate in this residential area. The introduction of the proposed amenity spaces would inevitably introduce a new form of noise and disturbance given that the existing flats on the site do not have any practical amenity space due to the commercial workshop. However, as the site is located in a residential context where the vast majority of properties are subject to noise from residents using outdoor garden spaces, I do not consider the presence of people using the communal garden would be unreasonable. Furthermore, bins and cycle storage would be situated internally at the front of the site and so the only movements in the rear garden area would be from future occupants enjoying this space, rather than moving bins and cycles.
- 8.32 Overall, whilst I appreciate that for the immediate neighbours the intensification of the site and expansion of the outdoor amenity space would be different to that of present, the noise and disturbance associated with this residential development would not be significant enough as to have an adverse impact on neighbour amenity. The proposed use would have a greater compatibility with the surrounding uses than the existing commercial workshop which, if brought back into use, could potentially have a worse impact on neighbour amenity.

## Car Parking

- 8.33 Objections have been received in relation to the pressure the proposed development would put on car parking on the surrounding streets. The proposal is a car free development which is in accordance with the maximum car parking standards of the Cambridge Local Plan (2006).
- 8.34 The site is situated within the Controlled Parking Zone, as is the vast majority of the surrounding area of Petersfield. The nearest streets that are not covered by the Controlled Parking Zone are Hooper Street (415m north), Argyle Street (400m east) and Great Eastern Street (400m north-east). The Highway Authority has explained that the future occupants would not qualify for residents parking permits. In my opinion, the presence of the Controlled Parking Zone and considerable distance from any nearby streets would act as a deterrent to car use for future occupants.
- 8.35 The proposal would provide seven cycle parking spaces in a secure covered space at the front of the building which is in accordance with the minimum standards of the Cambridge Local Plan (2006). The site is approximately 115m from the Mill Road West District Centre which would provide local shops and services within walking distance of the site. There are also frequent bus services along Mill Road and the railway station to the south, both within walking distance, which would provide public transport links to the wider area. The site is also within walking and cycling distance of the City Centre. In my opinion, the site is considered to be highly sustainable and I do not consider there would be a dependency on private car as a means of transport.
- 8.36 In summary, I consider the absence of car parking acceptable due to the disincentive car parking environment in the area and the incentives there are to walking, cycling and public transport as a means of travel. The proposal would not adversely impact on neighbour amenity in this respect.
- 8.37 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 5/2.

## Amenity for future occupiers of the site

- 8.38 The proposal would provide 5no. one-bedroom units and one two-bedroom unit. The internal floor areas are listed in paragraph 2.3 of this report. The City Council has not formally adopted any internal space standards. Nevertheless, in what is a urban area, the quantity of space provided internally is considered to be reasonable given the level of development proposed on the site. All habitable rooms would be served by acceptable outlooks.
- 8.39 The one-bedroom maisonette would have its own private garden and flats 1 and 2 on the ground-floor would have their own private decking space surrounded by planting to create a defensible space. Flats 3, 4 and 5 on the upper floors would not have any of their own private amenity space. There would however be a communal courtyard garden that would be surrounded by planting and provide over 40m<sup>2</sup> of outdoor amenity space for these future occupants. Technically the courtyard would be available for the use of all residents but as flats 1, 2 and the maisonette would have their own private thresholds, it is anticipated that the communal courtyard would be predominantly used by flats 3, 4 and 5. On balance my view is that the arrangement proposed is acceptable.
- 8.40 The agent has submitted detailed shadow studies which demonstrate that between 11:30AM and 2:30PM more than half of the amenity space would receive a minimum of 2 hours of sunlight on 21<sup>st</sup> March, in accordance with BRE guidance. I therefore consider the levels of light reaching this outdoor space would be acceptable.
- 8.41 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/14 and 5/2.

## Refuse Arrangements

- 8.42 The Refuse Team has raised no objection to the revised layout of the bin store and I agree with this advice.

8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 5/2.

### **Highway Safety**

8.44 No alterations to the public highway are proposed and the Highway Authority has raised no objection to the proposal.

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

### **Car and Cycle Parking**

8.46 Car parking has been addressed in paragraph 8.34 – 8.37 of this report. A car club informative and a residents parking scheme informative have been recommended.

8.47 The proposal would provide seven cycle parking spaces in a secure covered environment which accords with the minimum standards of the Cambridge Local Plan (2006). The Cycle Parking Guide for New Residential Developments (2010) document states that there should be a minimum of 500mm spacing between high-low cycle stands and the proposed cycle parking layout would accord with this.

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

<u>Comment</u>	<u>Response</u>
The previous owner only had two bed-sits and not three flats.	The application must be assessed on the basis of the information provided by the applicant. Having visited the site, the layout of the existing plans appears to correlate with the layout of the existing property. It may have been the case that the previous owner/ occupier decided

	not to rent out one of the rooms.
Overdevelopment of the plot.	The application site is already developed to a great extent. The proposed demolition and works would reduce the physical footprint of development. The proposal is considered in keeping with the Conservation Area and would not harm neighbour amenity.
The maisonette appears as a dominating structure.	The maisonette would be of a similar scale and mass to that of the existing workshop building. The proposed dual-pitched roof would help break up the massing compared to the existing workshop. The maisonette building is not out of character with the area or harm neighbour amenity.
Could be 12 people living on-site with associated noise and disturbance.	See paragraphs 8.31 – 8.33.
Impact on on-street parking.	See paragraphs 8.34 – 8.37.
The proposal would have a negative impact on neighbour's house value.	This is not a planning consideration.
How will neighbour's wall be protected/ incorporated with the proposed works?	This is a party wall civil/ legal matter and not a planning consideration.
Wood burner chimney may create odour issues.	This has been removed from the application.
Under provision of cycle parking Cycle parking would be difficult to manoeuvre.	See paragraph 8.48
The green bin is too small.	The Refuse Team has raised no objection to the proposed refuse arrangements.

## **Planning Obligations (s106 Agreement)**

8.50 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.

8.51 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.

8.52 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

- 9.1 In conclusion, the principle of demolishing the workshop buildings and the subsequent development of three additional flats is considered to be acceptable. The proposed development would not give rise to unacceptable impacts on residential amenity and would provide a high quality living environment for future occupants. The Conservation Team is supportive of the proposed works and alterations to the front façade. Approval is recommended, subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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



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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

a) Include details of the volumes and types of material proposed to be imported or reused on site

b) Include details of the proposed source(s) of the imported or reused material

c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) Include the results of the chemical testing which must show the material is suitable for use on the development

e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

11. 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)

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

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

13. Full details to a large scale of the verge details shall be submitted for written approval. The use of barge boards will not be permitted unless otherwise agreed in writing by the local planning authority.

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

14. Prior to the commencement of works, a method statement for the controlled demolition and strip out of the buildings, the salvaging of materials of construction [bricks, slates, etc.], architectural details [joinery, flooring,] and structural timber, etc. and the sustainable recycling of these materials shall be submitted to and approved in writing by the LPA. The LPA shall then be supplied with written proof of the successful recycling of the materials.

Reason: To ensure that the development minimises waste (Cambridge Local Plan 2006, policy 3/1)

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

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

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

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

**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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**INFORMATIVE:** Asbestos containing materials (cement sheeting) may be present at the site. The agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site. Further information regarding safety issues can be obtained from the H.S.E.

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

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

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## PLANNING COMMITTEE

5<sup>th</sup> October 2016

<b>Application Number</b>	16/1314/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th July 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	8th September 2016		
<b>Ward</b>	Romsey		
<b>Site</b>	166 Vinery Road Cambridge Cambridgeshire CB1 3DT		
<b>Proposal</b>	Rear roof extension incorporating rear dormer and single storey rear extension		
<b>Applicant</b>	Mr And Mrs Miah 166 Vinery Road Cambridge Cambridgeshire CB1 3DT		

SUMMARY	<p>The proposed roof extension fails to accord with the Development Plan for the following reason:</p> <ul style="list-style-type: none"> <li>- The proposed rear roof extension by virtue of its mass and bulk would fundamentally alter the rear roof shape and would appear as an unduly dominant and incongruous feature within the terrace, which would fail to preserve or enhance the character and appearance of the Conservation area.</li> </ul> <p>The proposed single-storey rear extension accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed works would respect the amenity of neighbouring properties.</li> <li>- The proposed single-storey extension would not harm the character and appearance of the Conservation Area.</li> </ul>
RECOMMENDATION	PART-APPROVE, PART-REFUSE

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site, no.166 Vinery Road, is comprised of a two-storey terraced property situated on the east side of Vinery Road. The property is designed in brick with a slate pitched roof as is characteristic of this area. The site has a small front garden and a long rear garden. The surrounding area is predominantly residential in character and is formed of similar sized terraced properties.
- 1.2 The site falls within the Central Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 The proposal, as amended, seeks planning permission for a rear roof extension incorporating a rear dormer and a single-storey rear extension.
- 2.2 The proposal originally sought permission for a full-width box type, dormer roof extension. The proposed roof extension has since been amended to alter the form to give the appearance of two-pitched roof dormers with a recessed element in-between. The proposed roof extension would extend out to the north side of the roof and would be set marginally in from the south-side. The proposed dormer would be constructed in hanging slate.
- 2.3 The proposed single-storey extension would project 5m to the rear at part-width. The extension would be designed with a pitched roof measuring 2.5m to the eaves and 3.2m to the ridge and would be constructed in matching materials to the existing dwelling.
- 2.4 The application has been called in for determination by the Planning Committee by Councillor Baigent for the reason that the need for extra accommodation in Romsey overrides the argument that box dormers are out of character with the area.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/0770/FUL	Rear Dormer and addition of rooflights to the front.	Permitted.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/14 4/11

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u>  Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u>  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.

#### **Urban Design and Conservation Team**

##### Original Comments (11/08/2016)

6.2 The proposal is not supported. The proposal fails to meet the requirements of Local Plan Policy 4/11 in that the box dormer does not preserve or enhance the character or appearance of the Conservation Area.

##### Comments on Revised Drawings (09/09/2016)

6.3 The roof extension has now been pulled away from the party-walls somewhat and no longer fills the roof side-to-side. However, the revised elevation shows the two projecting bays (which are supposed to resemble dormers and reduce the visual impact) have such shallow-pitched roofs that they fail to fulfil their purpose. In addition the recess between these two

bays is far too shallow to break up the box-like form. The proposal is not supported.

- 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 No representations have been received.

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces (and impact on heritage assets)
2. Residential amenity

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

- 8.2 The application site is visible from Vinery Road which wraps around the terrace and leads up to St Philips Primary School to the east of the site. The terrace, which the application site forms apart of (nos.154 – 172 Vinery Road), has not been the subject of any roof extensions. The only extant permission for a roof extension along this terrace is on the application site itself (16/0770/FUL), the design of which is described in greater detail in paragraph 8.2 of this report. The nearest roof extension along this side of the terrace of Vinery Road to the application site is at no.140, approximately 65m to the south. There is no planning history on this nearby site and it is assumed it was constructed prior to the Conservation Area designation in 2012. This other roof extension forms part of a separate row of terraced properties and is not considered to set a precedent for the application site. There are also other roof extensions on the opposite (west) side of Vinery Road. Again though, as these roof extensions are on the opposite side of the road and not visible from the road leading up to St Philips Primary School, these are not considered to set a precedent.

- 8.3 Planning permission was recently granted (16/0770/FUL) for a roof extension at this site. This approved roof extension is set well in from the eaves and width of the roof and has the appearance of two-pitched roof dormers with a recessed linking element in-between. This previously permitted roof extension was deemed to be acceptable because it read as a subservient and well-proportioned extension to the original dwelling. It allowed for a large portion of the original rear roof plane to remain legible and did not appear overly dominant or bulky when viewed from public viewpoints.
- 8.4 In contrast, the roof extension proposed under this current application seeks permission for a roof extension which is significantly larger in scale and mass than the previously approved application. The proposed roof extension would be virtually full-width and offers little relief in terms of its set back from the eaves of the roof. Only a small portion of the original roof would remain legible and the proposed dormer would appear prominent and alien from views into the Conservation Area from the east and north-east of the site. As described in paragraph 8.1 of this report, there is not considered to be a precedent for this form of development in this area. It is appreciated that there would be some element of a gap between the two dormers, provided by the recessed linked extension, and that the dormers would have a traditional pitched roof form. Nonetheless, by virtue of the size and overall proportions of the structure, I consider that the scheme would significantly harm the character and appearance of the host dwelling and the surrounding area. It would fail to preserve or enhance the character and appearance of the Conservation Area and would be contrary to guidance contained within the Roof Extensions Design Guide (2003).
- 8.5 The proposed single-storey extension is of a relatively modest scale and design. The pitched roof would reflect the context of the site and its surroundings. In my view, the proposed single-storey rear extension would not cause any harm to the character and appearance of the Conservation Area and is acceptable from a design perspective. A matching materials condition is recommended.
- 8.6 In my opinion the proposal fails to comply with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

## **Residential Amenity**

The main consideration is the impact of the proposed single-storey extension on nos.164 and 168 Vinery Road. The proposed roof extension would not adversely impact on the amenity of neighbouring properties. The views from the dormer would be similar to the existing first-floor rear windows and the proposed dormer would not harmfully overshadow or visually enclose neighbouring properties due to its position on the rear roof slope.

### Impact on no.164 Vinery Road

- 8.7 No.164 Vinery Road is comprised of a terraced property which adjoins onto the application site from the south.
- 8.8 There are no windows situated on the side (south) elevation of the proposed extension. There is a door but this would not serve as the primary outlook for this room. The main view out of the proposed kitchen would be on the rear elevation and the oblique views across the garden of this neighbour would be no worse than the existing first-floor windows.
- 8.9 In terms of loss of light, as the proposed extension is positioned to the north of this neighbour, I am content that the levels of light reaching this neighbour would not be significantly affected.
- 8.10 No.164 has a rear living room window and side kitchen windows which face towards the proposed extension. These existing neighbouring windows already look out onto the two-storey mass of the rear projecting wing of no.166. The proposed single-storey extension would not project any closer to this neighbour's boundary than the two-storey rear wing and is considered to be of a minimal scale and mass at 2.5m to the eaves and 3.2m to the ridge of the roof. In my opinion, the nearest windows and garden of this neighbour would not be visually enclosed by the proposed single-storey extension.

### Impact on no.168 Vinery Road

- 8.11 The view from the proposed rear window would be no worse than the existing rear first-floor windows which allow for views across the garden of no.168.

- 8.12 The proposed extension would not project any further to the rear than this neighbour's single-storey extension and I am therefore of the opinion that this neighbour would not be visually dominated or overshadowed by the proposed development.
- 8.13 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 3/14.

## **9.0 CONCLUSION**

- 9.1 In conclusion, the proposed roof extension would unbalance the rear elevation of the property and appear overly prominent and out of context with its surroundings when viewed from public viewpoints. There is a consistent pattern of unaltered roof slopes along this terrace of Vinery Road and the proposed roof extension would harmfully interrupt the consistency of roof forms in the area and consequently fail to preserve or enhance the character and appearance of the Conservation Area. The proposed roof extension is considered unacceptable and is recommended to be refused. The proposed single-storey rear extension would not have a harmful impact on the character of the area and would respect the amenity of neighbouring properties. The proposed single-storey extension is deemed to be acceptable and recommended for approval.

## **10.0 RECOMMENDATION**

**REFUSE** the rear roof extension for the following reason:

1. The proposed rear roof extension by virtue of its mass and bulk would fundamentally alter the rear roof shape and would appear as an unduly dominant and incongruous feature within the terrace, which would not preserve or enhance the character and appearance of the Conservation area. As such the proposed rear roof extension is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14, 4/11 and the Cambridge Roof Extensions Design Guide.



**APPROVE** the single-storey rear extension, 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. 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)

3. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

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

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<b>Application Number</b>	16/1035/S73	<b>Agenda Item</b>	
<b>Date Received</b>	3rd June 2016	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	2nd September 2016		
<b>Ward</b>	Abbey		
<b>Site</b>	Tesco Cheddars Lane Cambridge CB5 8LD		
<b>Proposal</b>	Section 73 application to vary condition 20 (deliveries) of permission C/96/1014, approved under appeal decision T/APP/Q0505/A/98/301055, to extend delivery hours to 0600 and 2300 on Mondays to Saturdays (including Bank and Public Holidays) and 0900 and 1900 on Sundays.		
<b>Applicant</b>	Tesco Stores Ltd Tesco House Shire Park Kestrel Way Welwyn Garden City AL7 1GA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It will not lead to significant adverse effects on health, the environment and amenity from pollution</li> <li><input type="checkbox"/> It will not significantly harm the amenity of the surrounding occupiers</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is occupied by the Tesco Newmarket Road superstore which is located on the north side of Newmarket Road and is accessed through Cheddars Lane from Newmarket Road. It is comprised of a large car park at the front and is surrounded by residential houses with Riverside Place apartments to the northwest, residential properties and industrial units of Cheddars Lane to the northeast and properties with mixed use

(C3 and A3) of Newmarket Road to the southeast and residential properties to the west.

- 1.2 The site lies just outside the Central Conservation Area, which is located to the north side of the site.

## **2.0 THE PROPOSAL**

- 2.1 This S73 application seeks for planning permission for the variation of condition 20 of appeal decision T/APP/Q0505/A/98/301055 (planning application ref C/96/1014/CAC) to extend the hours of delivery from 0700 to 2230 hours Monday to Saturday (including Bank and Public Holidays) to 0600 to 2300 hours Monday to Saturday (including Bank and Public Holidays). It will not affect Sunday delivery hours.
- 2.2 This would be on a permanent basis. Variation of condition was allowed on a temporary permission under application reference 07/0991/S73 for the use between 1 April 2008 and 31 March 2009.
- 2.3 The reason for the extension of delivery hours is because existing delivery hours are inadequate to allow delivery and unloading of fresh produce. In this application, an acoustic report has also been included to demonstrate the noise level from the extended delivery hours is acceptable.

## **3.0 RELEVANT SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/96/1015/CAC	Demolition of gas holders and all other buildings and structures.	Refused – Appeal Allowed
C/96/1014/OUT	Development on 4.61 hectares for a Class A1 retail store (up to 7900sq.m gross external [85,000sq.ft]), and associated parking and servicing; Class C3 residential (approximately 0.9 hectare	Refused – Appeal Allowed
07/0991/S73	Application for variation of condition 20 of appeal decision T/APP/Q0505/A/98/301055	PERM

(planning application ref C/96/1014/CAC) to extend the hours of delivery from 0700 to 2230 hours Monday to Saturday (including Bank and Public Holidays) to 0600 to 2300 hours Monday to Saturday (including Bank and Public Holidays).

#### 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	3/4 4/13

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

Central Government Guidance	National Planning Policy Framework March 2012
	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95

## 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

#### **Environmental Health**

#### 6.2 An extension to hours was granted approval in 2008 under Planning Consent 07/0991/S73. The approval was granted on a temporary basis of 1 year with a condition to restrict the numbers of deliveries to two to the site between the hours of 06.00 and 07.00.

The main concern with the extension to hours in 2008 was deliveries to the site between 06.00 and 07.00. Environment Health has not received any complaints regarding delivery noise from the Tesco store between those hours and as such the temporary trial period has been successful.

Support the variation of Condition 20 of C/96/1014 and recommend Condition 3 of Planning Consent 07/0991/S73.

## **Urban Design and Conservation Team**

### **6.3 No objections**

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

## **7.0 REPRESENTATIONS**

### **7.1 The owner/occupier of the following address has made a representation:**

- ☐ 5 Cheddars Lane

### **7.2 The representation can be summarised as follows:**

- ☐ By extending the delivery time, the noises and vibrations from heavy delivery lorries will have adverse impacts on the critical time for sleeping which is vital for good health;
- ☐ Normally the delivery Lorries enter Cheddar's Lane 20 to 30 minutes before Tesco gate open and park in Cheddar's Lane causing noises and vibrations. Extending the delivery hours will result in seeing lorries appearing around 5:30am until after 11pm;
- ☐ Critical times of 6am and 11pm are relatively quiet in Cheddar's Lane. With the proximity of a few metres to properties large Lorries passing there will be too noisy and the delivery time is too early in the morning and too late at night.

### **7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.**

## **8.0 ASSESSMENT**

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

1. Residential amenity
2. Third party representations

## **Residential Amenity**

- 8.2 The variation of the condition to extend the delivery times will be assessed against policy 4/13: Development will only be permitted which:
- a. does not lead to significant adverse effects on health, the environment and amenity from pollution; or
  - b. Which can minimise any significant adverse effects through the use of appropriate reduction or mitigation measures;

The pollution from this development will be mainly from the traffic noise of delivery vehicles and unloading noises. In the submitted acoustic report by Sharps Remore, it suggests the predicted noise level from delivery activities between 6.00-7.00am and 22.30-23.00 will not violate the acceptable noise level of residential properties within the extended delivery time. Environment Health has confirmed the acoustic report is acceptable.

- 8.3 In addition to that, under the previous application (07/0991/S73) Environment Health recommended that the previous permission should be granted for a temporary basis only, which would allow the Local Planning Authority to assess the impact of the extended delivery hours on the nearby residential properties. It is acknowledged by Environment Health that for the temporary period of approval between 1 April 2008 and 31 March 2009 they have not received any complaints and confirm it had been a successful trial.
- 8.4 Policy 4/13 states that the development will only be permitted if it can minimise any significant adverse effects through the use of appropriate reduction or mitigation measures. With the previous application, Environment Health had no objections to the extension to 23.00 hours at night but did have reservations for the extension between 06.00 and 07.00 hours and only allowed permission on the basis of two deliveries between these times. Like last time the applicant has confirmed that there will only be two lorry movements between 06.00 and 07.00 hours. Environment Health recommends the same condition. In order to minimise any significant adverse impacts from the delivery noise in the extended delivery hours, I



consider it is necessary to attach this condition to the planning consent in this application. In my opinion, the proposal is acceptable against policies 3/4 and 4/13.

## **9.0 Third Party Representations**

- 9.1 No.5 Cheddars Lane has objected to this application with regard to impacts of the noise disturbance on the residential amenity of nearby residential properties from extended delivery hours. In particular the objection is that extending the delivery hours will result in noise disturbance from vehicles waiting on Cheddars Lane at 5.30 in the morning. In my opinion, the condition which restricts the number of delivery vehicles to two between 06.00 and 07.00 hours should safeguard an exacerbation of use. The Local Planning Authority has no control of the highway and it is hard to see how else this matter could be addressed other than the limitation on number of delivery vehicles as proposed. In the interests of neighbourliness, I have placed an informative on the permission for Tesco to advise its lorry drivers not to park on Cheddars Lane in the event of early arrivals.

## **10.0 CONCLUSION**

As the temporary trial between 1 April 2008 and 31 March 2009 has been acknowledged as successful and no complaints have been received. I recommend an approval for the proposal for the variation of condition20. In order to minimise any significant adverse impacts from the noise disturbance from extended delivery hours, a condition restricting the numbers of delivery vehicles between 06.00 and 07.00 to two will be attached to the planning permission.

## **11.0 RECOMMENDATION**

**APPROVE** subject to completion of the following conditions:

1. There shall be no goods delivered to the retail unit outside the hours of 06.00 to 23.00 on Mondays to Saturdays (including Bank and Public Holidays) and 09.00 to 19.00 on Sundays.

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

2. Between 0600 and 0700 hours on Mondays to Saturdays (including Bank and Public Holidays) lorry movements into the site shall be restricted to two only.

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

3. The retail store shall be a convenience goods superstore and shall not sell predominantly comparison goods.

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

4. The gross floorspace of the retail unit shall be no more than 6,967 sq. m. No additional retail space shall be provided by the creation of external sales areas or the construction of mezzanine floors within the retail unit.

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

5. The means of motorised vehicular access to the retail unit shall be from the Newmarket Road/Cheddar's Lane junction only.

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

6. The pedestrian and cycle route shall be retained in accordance with the approved details under condition 14 at appeal ref: T/APP/Q0505/A/98/301055 and for use by pedestrian and cyclists at all times.

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

7. The service road shall be retained at the rear of 261 - 337 Newmarket Road in accordance with approved details under condition 16 at appeal ref: T/APP/Q0505/A/98/301055.

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

8. The areas for the parking of cars, cycles, buses, storage of trolleys, refuse storage and recycling areas, and parking for the loading and unloading of vehicles shall be laid out at all times in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Those areas shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

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

9. There shall be no external storage of materials or products, save for trolleys, recycling bins, and refuse to be stored to be agreed as required by condition 17 at appeal ref: T/APP/Q0505/A/98/301055.

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

10. The retail unit shall not open for trading outside the hours of 07.30 and 22.00 on Mondays to Saturdays (including Bank and Public Holidays) and outside the hours of 10.00 and 18.00 on Sundays.

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

11. The constructed lighting such as floodlights or external lighting for each of the retail and housing components shall be operated and retained in accordance with details approved by the Local Planning Authority under condition 21 at appeal ref: T/APP/Q0505/A/98/301055.

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

**INFORMATIVE:** In the interests of neighbourliness, Tesco must ensure that its lorry drivers are advised not to park on Cheddars Lane in the event of early arrival.

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<b>Application Number</b>	16/1206/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	30th June 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	25th August 2016		
<b>Ward</b>	Petersfield		
<b>Site</b>	2 Mill Street Cambridge Cambridgeshire CB1 2HP		
<b>Proposal</b>	Rear two storey extension and rear garden studio.		
<b>Applicant</b>	Mr & Mrs Steven & Nieves Childerley 2 Mill Street Cambridge CB1 2HP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The scale, massing, form and materials would not cause unacceptable harm to the character and appearance of the conservation area.</p> <p>The scale and orientation would not have an unacceptable overbearing, overshadowing or overlooking impact on neighbouring properties.</p> <p>The property would retain adequate private amenity space and bin/bike storage for future occupants.</p> <p>The proposed use of the outbuilding would be ancillary to the property and could not be used as a separate unit without planning permission.</p>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 2 is an end-of-terrace property on the southern side of Mill Street. The property has a two-storey outrigger and has been

extended on the ground-floor. There is an existing brick-built shed on the southern and western boundaries.

- 1.2 Along the western boundary of the garden is a brick elevation over two storeys high. This wall is blank and the building is occupied as offices. To the east the property adjoins No. 4 Mill Street which has been extended at ground and first floor level.
- 1.3 At the rear the property adjoins the garden of No. 105 Glisson Road which is perpendicular to Mill Street. No. 105 has a courtyard garden which has a ground level approximately 20cm lower than the application site.
- 1.4 The surrounding area is predominantly residential with the exception of the public house and offices to the west. The site is within the Mill Road area of the Central Conservation Area. The property is not listed and is not a Building of Local Interest. There are not tree preservation orders affected by the proposal.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for a two storey rear extension and a garden studio following demolition of the existing shed.
- 2.2 The rear extension would be full width with a gable end. The first floor element would extend approximately 1m past the rear of No. 4. The single storey element would project to just inside the line of No. 4's single storey extension and would have a glazed cat-slide roof. The extension would be in brick and slate to match the existing, with a timber panel on the first floor rear elevation.
- 2.3 The studio would adjoin the southern and western boundaries. It would be approximately 2.9m wide and 4.2m long, with a sloped roof varying from 2.3m to 4m in height against the western boundary. It would be in brick and slate with a door, high level windows and roof lights. There would be a study and toilet internally.

## **3.0 SITE HISTORY**

- 3.1 No recent site history.

#### 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		3/4, 3/7, 3/11, 3/12, 3/14 4/11, 4/13 8/6

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95  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)
	<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

### 6.1 **Cambridgeshire County Council (Highways Development Management)**

No objection.

### 6.2 **Urban Design and Conservation Team**

Acceptable subject to a condition to control materials.

The proposed two storey extension and the new studio are acceptable in terms of design. However the need for weatherboard infill on the first floor rear extension between the two windows is questioned. In this conservation area, the



character is one of brick built properties. The use of timber in this location would not fit with that character. This section should be brick to match the rest of the extension.

## **7.0 REPRESENTATIONS**

7.1 The owner/occupier of the following address has made a representation:

- ☐ 4 Mill Street

7.2 The representation can be summarised as follows:

- ☐ Noise and disturbance resulting from the relocated bathroom.
- ☐ Lack of access to the gutter on the north-west side of No. 4. Rain falling between the gutters would lead to damp on the exposed walls.
- ☐ No plans or elevations of existing brick shed.
- ☐ Over-development of the property. Could simply rework the layout of the kitchen.
- ☐ Studio would be too close to the boundary and the existing ground floor extension of No. 4, which would unreasonably overshadow and visually dominate the neighbouring property.
- ☐ Reduced size of garden of No. 2 would mean no space in the garden to store bins and bikes.
- ☐ Studio can be accessed independently from the house and has the potential to be rented out or sold as separate office space or dwelling. Would lead to increased use of the passageway beneath and between Nos. 4 and 6 and result in noise and disturbance.
- ☐ The owners of No. 6 Mill Street should have been consulted.
- ☐ The first floor plan is inaccurate.
- ☐ Proposed gable will be higher than the gable of the roof of No. 4.

7.3 Councillor Robertson has called in the application on the following grounds:

- ☐ Overdevelopment on the site
- ☐ Adverse impact on neighbours by taking light, overlooking and transmitting noise from the bathroom through the party wall
- ☐ Studio could be used as a separate dwelling which would overburden the site and shared passageway

- ☐ No space allowed on the site for bins and bikes.

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 representation received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Context of site, design and external spaces (and impact on heritage assets)
2. Residential amenity
3. Refuse arrangements
4. Car and cycle parking
5. Third party representations

### **Context of site, design and external spaces / Impact on the conservation area**

8.2 The property occupies a relatively 'hemmed in' location being enclosed on the western side by the two-storey office building and backing onto the gardens of the Glisson Road properties that run perpendicular to Mill Street. While the rear of the property is visible from the gardens within the quadrant, in my opinion, it is not prominent within the conservation area.

8.3 The rear elevation has already been altered by the two storey outrigger and ground floor extension. The neighbouring properties along this part of the southern side of Mill Street have also been extended two storeys at the rear. In my opinion, the existing rear elevation is poor quality and the proposal would enhance the appearance of the property.

8.4 The two storey element would have a pitched roof which is similar to the neighbouring property albeit slightly higher. The single storey element would have a glazed cat-slide roof. In my opinion, the scale, massing and form of the proposed extension would be appropriate to the existing property and would not be out-of-keeping with the existing extensions to the neighbouring properties.

- 8.5 The Urban Design and Conservation Team have commented that the use of weatherboarding on the rear elevation would be out-of-keeping with the character of the conservation area. I agree that this is not a traditional material, however it would only be a small panel between the windows and would not be prominent within the conservation area. In my opinion it would not be reasonable to require this to be omitted and replaced with brickwork.
- 8.6 I have recommended a condition for the brickwork to be in matching materials, which is sufficient to ensure the extension does not harm the character and appearance of the conservation area.
- 8.7 Subject to the recommended condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 3/14 and 4/11.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.8 The immediate neighbours are No. 4 Mill Street which adjoins the property to the east, and No. 105 Glisson Road which has a rear garden adjoining the rear boundary wall.
- 8.9 The two storey rear extension would project approximately 1m further past the existing two storey extension of No. 4. The drawings show that this would not cut the 45 degree line taken from the centre of the first floor window nearest to the boundary, which is used as a guideline to assess overbearing impact. As a result of this and due to the orientation of the extension to the south west, in my opinion, the proposal would not have an unacceptable overbearing or overshadowing impact on this window. Two bedroom windows would be inserted into the first floor rear elevation and views towards No. 4 would be possible, however this is not untypical of terraced living arrangements.
- 8.10 The single storey rear extension would not project beyond the line of the existing single storey element of No. 4. The side elevation would be between 2.6 – 3.5m high. As a result, in my opinion, the proposal would not have an unacceptable overbearing or overshadowing impact on ground floor windows of No. 4.

- 8.11 The studio would be 0.7 - 0.8m from the boundary with No. 4. The side elevation would be approximately 2.3m high closest to No. 4 on its east side and 4.2m long. In my opinion, the scale of the proposed studio and the set back from the boundary means it would not have an unacceptable overbearing or overshadowing impact on the neighbouring garden compared to the existing vegetated boundary planting. The windows on the side elevation would be 1.5m from ground level and, in my opinion, there would not be an unacceptable overlooking impact towards No. 4.
- 8.12 The studio would be on the southern boundary of the site adjoining the rear garden of No. 105 Glisson Road. This elevation would be approximately 2.9m long and varying in height from 2.3 - 4m where it adjoins the office building. While this would have some enclosing impact on this garden, in my opinion, it would not have an unacceptable overbearing impact compared to the existing situation. The neighbouring garden already has a high degree of enclosure from the existing shed and the corner of the office building. The orientation of the studio to the north means it would not have an unacceptable overshadowing impact on the garden.
- 8.13 Third parties have raised concern about the impact of noise from the bathroom adjoining the bedroom of No. 4. The bathroom would be in an original part of the house and the applicants could rearrange the internal uses without the need for planning permission.
- 8.14 Third parties have also raised concern about the use of the studio as a separate office or dwelling and the impact of noise and disturbance this would have from additional comings and goings along the shared passageway. The current proposal is for an outbuilding which could not be occupied as a separate unit without planning permission. Nonetheless, I have recommended a condition restricting the use of the studio as ancillary to the main house. Should the applicants or future occupiers intend to use the studio as a separate unit, the impact of noise and disturbance would be considered as part of a future planning application.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/12 and 3/14.

#### Amenity for future occupiers of the site

- 8.16 Third parties have raised concern about the loss of garden space affecting the residential amenity of future occupiers. In my opinion, the property would retain some garden space which would provide an acceptable level of amenity. In my opinion, the occupants should be able to choose how they use their amenity space, and a studio would provide some level of amenity to offset the loss of the garden.
- 8.17 The proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 3/14.

#### **Bin and Bike Storage**

- 8.18 The property would retain space for storing bikes and bins in the rear garden and access to the shared passageway would remain as existing. The proposal would not generate an additional demand for bike or bin storage. In my opinion, the proposed arrangements for bikes and bins are compliant with Cambridge Local Plan (2006) policies 3/12 and 8/6.

#### **Third Party Representations**

- 8.19 These are addressed in the text above or as below:

<b>Comment</b>	<b>Response</b>
Noise and disturbance resulting from the relocated bathroom.	Not a planning matter.
Lack of access to the gutter on the north-west side of No. 4. Rain falling between the gutters would lead to damp on the exposed walls.	Not a planning matter.
No plans or elevations of existing brick shed.	These were provided during the course of the application and are available to the public.
Over-development of the	The proposal would retain

property. Could simply rework the layout of the kitchen.	adequate amenity space.
Studio would be too close to the boundary and the existing ground floor extension of No. 4, which would unreasonably overshadow and visually dominate the neighbouring property.	See 'Residential Amenity' section.
Reduced size of garden of No. 2 would mean no space in the garden store bins and bikes.	Paragraph 8.18.
Studio can be accessed independently from the house and has the potential to be rented out or sold as separate office space or dwelling. Would lead to increased use of the passageway beneath and between Nos. 4 and 6 and resulting noise and disturbance.	Paragraph 8.14.
The owners of No. 6 Mill Street should have been consulted.	The proposal would not include a separate unit and therefore there is no requirement to include access via the shared passageway within the red line. No. 6 does not share a boundary with the application site and therefore there is no legal requirement for them to be consulted. Nonetheless, a site notice was posted on the public highway.
The first floor plan as existing is inaccurate.	The use of the existing first floor as a timber deck is not relevant to the current proposal.
Proposed gable will be higher than the gable of the roof of No. 4.	The two storey extension would be a similar height to No. 4 and would not be out-of-character.

## **9.0 CONCLUSION**

- 9.1 The rear elevation of the property is not prominent within the conservation area. The existing property and its neighbours have already been altered. The proposal would replace existing poor quality additions with a high quality extension. The scale, massing, form and materials would not be out-of-keeping with the character of the conservation area.
- 9.2 I have assessed the impact on neighbouring properties, and in my opinion, the scale and orientation of the extension and outbuilding means it would not have an unacceptable overbearing, overshadowing or overlooking impact. The proposal would retain adequate amenity space and bin/bike storage and there is no conflict with adopted policies in this regard. I have recommended conditions to control the use of the outbuilding to protect against any unacceptable noise or disturbance impact from its separate use.

## **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. The development hereby permitted shall be used solely in conjunction with and ancillary to No. 2 Mill Street and shall not be separately used, occupied or let.

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