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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, 21 February 2017

Date: Wednesday, 1 March 2017

Time: 10.00 am

Venue: Council Chamber, The Guildhall, Market Square, Cambridge,

CB2 3QJ

Contact: Toni Birkin

AGENDA

1 ORDER OF AGENDA

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

PART ONE

Major Planning Applications

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

Minutes to follow.

Appendix 1 for Full Details of Central Government Planning Guidance

Part 1: Major Planning Applications (10am)

- 5 16/1108/FUL CONSTITUTIONAL CLUB, CHERRY HINTON ROAD (Pages 17 72)
- 6 16/1932/FUL KINGS COLLEGE, CRAMNER ROAD (Pages 73 104)
- 7 16/1811/FUL UKCRIC, REAR OF CAPE, 9 JJ THOMSON AVENUE (Pages 105 186)

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

- 8 **16/1850/FUL TANGLEWOOD, GAZELEY ROAD** (*Pages 187 212*)
- 9 **16/2040/FUL THE COTTAGE, GAZELEY ROAD** (*Pages 213 232*)
- 10 16/2060/FUL MILTON ROAD LIBRARY, ASCHAM ROAD (Pages 233 276)
- 11 16/1171/FUL CITY OF CAMBRIDGE BOATHOUSE, KIMBERLEY ROAD (Pages 277 308)
- **12 16/1956/FUL 30 CANTERBURY STREET** (*Pages 309 322*)

- **16/1905/FUL 150 COLDHAMS LANE** (*Pages 323 332*)
- **16/1407/FUL 28 FENDON ROAD** (*Pages* 333 352)
- **16/2021/FUL 56 STURTON STREET** (*Pages 353 366*)
- **16/1878/FUL 121 MILTON ROAD** (*Pages 367 378*)

Part 3: General and Enforcement Items

- **ENFORCEMENT EN/0065/16 49 WHITEHALL ROAD** (*Pages 379 398*)
- 18 LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINT REFERENCE 16 006 971 (Pages 399 426)

Meeting Information

Location

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

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

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

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

Local Government (Access to Information) Act 1985

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

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

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

Development Control Forum

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

Public Participation

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

Members of the public who want to speak about an

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

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

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

Further information is available at

https://www.cambridge.gov.uk/speaking-at-committeemeetings

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

Representati ons on Planning Applications

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

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

A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

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

Filming, recording and photography

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

Facilities for disabled people

Level access to the Guildhall via the Peas Hill entrance.

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

Accessible toilets are available on the ground and first floor.

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

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

Queries on reports

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

General Information

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

(updated August 2015)

1.0 Central Government Advice

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

1.2 Planning Practice Guidance (March 2014)

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

Guidance is provided in relation to the following:

Advertisements

Air quality

Appeals

Before submitting an application

Climate change

Conserving and enhancing the historic environment

Consultation and pre-decision matters

Crown Development

Design

Determining a planning application

Duty to cooperate

Ensuring effective enforcement

Ensuring the vitality of town centres

Environmental Impact Assessment

Flexible options for planning permissions

Flood Risk and Coastal Change

Hazardous Substances

Health and wellbeing

Housing and economic development needs assessments

Land affected by contamination

Land stability

Lawful development certificates

Light pollution

Local Plans

Making an application

Minerals

Natural Environment

Neighbourhood Planning

Noise

1

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

Page 8 2

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
- 3/10Subdivision 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

3

- 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

1st March 2017

Application Number	16/1108/FUL	Agenda Item	
Date Received	30th June 2016	Officer	Nigel Blazeby
Target Date Ward Site	29th September 2016 Coleridge Cherry Hinton Constitution		·
Proposal Applicant	Hinton Road Cambridge CB1 7AJ Proposed change of use of existing club building to form two 2-Bed flats and seven 1-Bed flats, including additional storey in new roof extension. Erection of new two storey club building at rear with basement and a one 2-Bed flat, along with car and cycle parking and associated landscaping. Cherry Hinton Constitutional Club Ltd		

SUMMARY	The development does not accord with the Development Plan for the following reasons:
	The proposal fails to provide an acceptable amenity relationship between the proposed new clubhouse building and existing and proposed dwellings within and adjacent to the application site.
	The proposal will adversely impact upon a statutorily protected tree of amenity value.
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the southern side of Cherry Hinton Road towards its western end. It is located within a mixed-use area that is predominantly residential, made up of detached semi-detached and terraced housing and a number of flats. This is interspersed with commercial uses providing both retail and professional services. Within the locality there are a range of ecclesiastical buildings including those close to the east of the

- site on the corner with Hartington Grove and a range of other community uses including halls and the library on Rock Road.
- 1.2 The site does not lie within a Conservation Area or within the setting of any Listed Buildings. The existing clubhouse is neither a Listed Building nor a Building of Local Interest. There is a silver birch tree that lies outside of the site within the rear garden of No. 75 Hartington Grove that is protected with a Tree Preservation Order. The site does not lie within the Controlled Parking Zone.
- 1.3 The site contains the existing Constitutional Club building which operates as a members club and which is understood to have been in existence for the past 110 years dating from between 1901 and 1927.
- 1.4 The club building is comprised of a two storey flat roof building with an ornate façade that is attached to one half of a pair of Victorian semi-detached former dwellings. The eastern half of which, No. 146 Cherry Hinton Road, does not form part of the application site and comprises at ground floor the Cambridge Computer Centre with flats above.
- 1.5 The club building is set back from the road with the land to the front laid to hardstanding. There is no front boundary definition and the area is used for car parking that is accessed directly from Cherry Hinton Road.
- 1.6 To the rear, the buildings step down to single storey. Access is gained from a shared access that runs immediately to the east of No. 146.
- 1.7 To the west of the site lies No. 140 Cherry Hinton Road, a detached dwelling with a well-treed rear garden that immediately abuts the application site.
- 1.8 To the south of the site lie the shallow rear gardens to dwellings on Hartington Grove.
- 1.9 To the east of the shared access lies a flatted development known as Cherry Hinton Court and to the rear of that a mews development of 5 terraced dwellings.

2.0 THE PROPOSAL

- 2.1 The planning application, as amended, seeks planning permission for the extension and conversion of the existing club building to 9 flats and the erection of a new club building, with flat above, to the rear of the site.
- 2.2 The application has been amended twice. Both amendments sought alterations to the conversion scheme for the existing club building with some changes to the site layout. They were undertaken by the applicant in response to consultee comments and were not requested by officers.
- 2.3 The first amendment included the following:
 - Revised noise impact assessment
 - Subdivided a proposed ground floor unit to add an additional flat
 - Provided ground floor flats with private gardens
 - Brought the cycle storage within the existing clubhouse building
 - Provided an additional parking space for the flats
 - Reconfigured internal layout to retain use of existing front door
 - Overall reduction in height of 200mm of second floor extension
 - Provision of entrance canopy to new clubhouse
 - Removal of one car parking space to improve new clubhouse entrance
- 2.4 The second amendment included the following:
 - Reduction in scale of second floor extension to existing clubhouse resulting in loss of one flat
 - Setting back of second floor extension to reduce apparent ridge height when viewed from Cherry Hinton Road
 - Use of lighter colour cladding material to second floor extension

Existing clubhouse building – ground floor

2.5 On the ground floor, the application, as amended, proposes a single storey extension to the rear of the existing building and

the conversion of the existing floorspace to five 1-bed flats, two to the front and three to the rear along with the formation of an internal communal cycle store. The three flats to the rear would each have access to a private garden. The remaining two 1-bed flats would have no external amenity space. The front entrance utilises the existing central entrance door of the existing club building.

2.6 The proposal also involves extending to the side so that the new building will immediately abut the side wall of No. 140 Cherry Hinton Road.

Existing clubhouse building – first floor

2.7 On the first floor, the application, as amended, proposes the conversion of existing floorspace into one 2-bed flat, one 1-bed flat and the ground floor of one duplex flat. The 1-bed flat and the duplex would each be provided with external amenity space in the form of balconies. The 2-bed flat would have no external amenity space.

Exiting clubhouse building - second floor

2.8 The application, as amended, proposes the addition of a second floor above the flat roof building to form a 1-bed flat with a front facing roof terrace. This element of the proposal has been reduced in scale from that originally submitted. The existing floorspace in the second floor of the Victorian part of the building would be converted to form the second bedroom of the duplex flat below.

New clubhouse building

2.9 The application proposes the erection of a new clubhouse building to the rear of the site. The new building would extend across the rear garden boundaries of Nos. 73, 75 and 77 Hartington Grove. It would be part single storey and part two storey and would include a basement. The southern elevation that runs alongside the garden boundaries would be set approximately 1.5m off the boundary and would be single storey with low eaves that would appear below the height of the garden fences. The new clubhouse would occupy the ground floor and basement and a 2-bed flat would occupy the first floor. The flat would not be provided with any external amenity space.

Site layout

- 2.10 The proposal, as amended, would provide parking for four cars at the front of the existing building for the proposed 9 flats. A bin store would also be provided in this area.
- 2.11 To the rear of the site, the new clubhouse would be provided with a club garden area between the new clubhouse and the gardens to the proposed ground floor flats in the existing building. Cycle parking would also be provided in this area for visitors to the new clubhouse as well as parking for two cars. The new clubhouse would be accessed via the existing shared drive adjacent to the commercial/residential building, No. 146, to the east of the existing clubhouse. A bin storage area for the new clubhouse would be provided in the south-eastern corner of the site.
- 2.12 The application is accompanied by the following supporting documents:
 - Planning Statement
 - Plans
 - Design and Access Statement
 - Noise Impact Assessment
 - Tree Survey and Arboricultural Impact Assessment
 - Transport Statement
 - Sustainability Statement
 - Club Statement of Need

3.0 SITE HISTORY

Reference	Description	Outcome
C/75/0028	Erection of extension and	Approved
	alterations to existing non- residential club.	
C/91/0370	Part change of use from social club to office.	Approved

4.0 PUBLICITY

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

5.0 POLICY

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

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Appendix A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

Material Considerations	City Wide Guidance		
	Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).		
	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)		
	Strategic Flood Risk Assessment (2005)		
	Cambridgeshire Design Guide For Streets and Public Realm (2007)		

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Urban Design Team

Application as submitted

6.1 Nine flats within the converted club building represent over development of the site which creates scale and massing and

- functional design concerns (arrangement of bins, bikes and entrances).
- 6.2 The height and box-like appearance of the extension forms a poor relationship with the existing building and adjacent pitched roof houses and appears prominent in views looking west along Cherry Hinton Road.
- 6.3 The proposed extension introduces a 3 storey element at the rear of block where previously the building was limited to 2 storeys. We are concerned that the additional height will create overbearing impacts to No. 140 Cherry Hinton Road to the west.
- 6.4 Five of the nine proposed flats have no access to private amenity space.
- 6.5 Cycle parking and refuse storage for the proposed flats is located on the Cherry Hinton Road frontage adjacent to the boundary with No. 140 Cherry Hinton Road and to the east of the semi-detached house. The enclosures will appear prominent in the street scene, particularly the cycle store given its size and prominent location between the two semi-detached houses.
- 6.6 The proposed height of the new club building is acceptable in design terms. The single storey element with sloping roof is located towards the southern end of the site and is, in our view, unlikely to cause adverse amenity impacts to existing houses in Hartington Grove.
- 6.7 The submitted elevations show that the club building will comprise of brickwork (to match the existing building), composite slate roof tiles and grey powder coated windows and doors. Whilst acceptable in principle, the proposed materials should be conditioned and samples provided on site to ensure the brickwork relates to the surrounding context.
- 6.8 Whilst the overall height of the club building is acceptable, we are concerned that the large footprint results in a number of functional design concerns, specifically the arrangement of car parking, cycle storage, refuse and landscaping:

6.9 The submitted scheme fails to comply with Local Plan (2006) Policies 3/4, 3/7, 3/11 and 3/12 and cannot be supported in design terms.

First amendment

- 6.10 The amendments to the car park associated with the new club building and changes to the ground floor internal arrangement of the converted constitutional club are supported in design terms.
- 6.11 The reduced height of the extension forms an improvement from the previous scheme. However in the absence of 1st and 2nd floor plans, site sections and a revised CGI, the box-like form of the extension forms a poor relationship with the adjacent pitched roof houses given that it projects forward of the sloping roof line.
- 6.12 The introduction of the 3 storey element at the rear of the block where previously the building was limited to 2 storeys continues to raise potential overbearing impacts to No. 140 Cherry Hinton Road. Existing and proposed side (west elevation) together with 1st and 2nd floor plans need to be provided to show the potential impacts to this property.

Second amendment

- 6.13 The scheme has been amended to address our previous concerns about the box-like form of the upper floor. The upper floor has been reduced in footprint and massing which improves the relationship with the adjacent pitched roof houses and No. 140 Cherry Hinton Road. The introduction of a further set back at upper floor and a proposed lighter cladding material helps to lessen the impact of this element upon the streetscene. The application is now supported in urban design terms.
- 6.14 Detailing will be important to the final quality of the scheme and therefore should the application be approved, we recommend that materials should be conditioned. This condition should require samples and details of all external materials and elements including render, zinc cladding, glass balustrade, balcony details, coping, rain water goods, windows and doors. Details of the bike and bin stores should also be conditioned.

Landscape Team

Application as submitted

6.15 The Landscape Team considers the proposed development unacceptable from a landscape and amenity perspective due to: bin and bike stores having too great an impact on the street scene; use of side entrances as opposed to the central door; absence of defensible space to ground floor flats; lack of private and communal amenity space; legibility of new clubhouse entrance; and access to cycle parking through two gates for new clubhouse. The proposal is therefore contrary to Policies 3/4, 3/7 and 3/11 of the Local Plan 2006.

First amendment

- 6.16 Whilst the proposed amendments are largely welcomed, the quality and quantity of the proposed amenity spaces for the existing club units continues to be of concern. Details of the thresholds for flats 1 and 4 are still required and there are still three units which have no amenity space in the absence of a communal garden. The proposed amendments to the car park and entrance are very positive.
- 6.17 The Landscape Team still considers the proposed development unacceptable from a landscape and amenity perspective, contrary to Policies 3/7 and 3/11 of the Local Plan 2006.

Second amendment

- Details of the proposed thresholds in front of Flats 1 and 4 are still required.
- The frontage could be further improved by shifting the pedestrian access path to the central door adjacent to the bins and shifting the car parking spaces east. This will make the access to the communal cycle store via Entrance 2 more direct.
- Bespoke timber framed bin stores have been provided and are acceptable in design terms. Details of their treatment can be submitted through condition.
- The introduction of private gardens for Flats 2, 3 and 5 is a welcome amendment. There are however still 3 units (1, 4 and 6) which do not have any amenity spaces in the absence of a communal garden. Of primary concern is the absence of

- a private amenity space for the 2-bed unit on the First Floor as this may be accommodated by a family.
- 6.18 Whilst the proposed amendments are largely welcomed, the quality and quantity of the proposed amenity spaces for the proposed club units continues to be of concern. The Landscape Team still considers the proposed development unacceptable from a landscape and amenity perspective, contrary to Policies 3/7 and 3/11 of the Local Plan 2006.

Environmental Health

Application as submitted

- 6.19 Fundamental concerns about the acceptability of the proposals as there is insufficient information to make an informed decision. Refusal recommended.
- 6.20 A noise / acoustic impact assessment has been provided. It confirms that there are potential problems with regards to the existing situation. The proposed new club will be moved closer to and alongside the boundary of residential premises than existing, which has the potential to give rise to significant adverse noise impacts / effects to existing residential premises both internally and externally. Additionally, the use of the residential premises proposed both above the club and in the proposed flats to the north requires additional consideration.
- 6.21 At present, I do not have enough information or confidence in the details submitted/proposed building to be able to reach an informed decision about the acceptability of the proposals. As such, it is also very difficult to recommend robust and in particular valid conditions to mitigate nose impact. A far more comprehensive/extensive assessment of likely impacts, significance of impacts and anticipated noise breakout will be required, along with a detailed building design.
- 6.22 With regards to the proposed dwelling above the club, we would recommend that a suitable noise insulation and mitigation scheme is provided prior to determination to demonstrate that the amenity of that dwelling is not compromised by the uses on the ground floor.

- 6.23 Based on the information submitted, this application as proposed should be refused. However in the event that members /officers are minded to grant approval, a number of recommended conditions should be attached to the consent.
- 6.24 The remainder of the consultation response details the recommended conditions which include closing of all doors and windows during regulated entertainment and restricting hours of use. It also identifies that Environmental Health has received two complaints of noise concerning the Constitutional Club since April 2015. It further details the inadequacies with the submitted noise impact assessment and provides more background information and recommendations.

First amendment

- 6.25 The applicant has now submitted a further Acoustic Design Report. The report focuses largely on the external and internal building material/building envelope designs and acoustic performance of the proposed new club and flats and the potential for noise egress/breakout from the building. I still have a series of concerns relating to this proposal and in particular the proximity of the proposed community centre to existing properties on Hartington Grove. At present, I believe that the potential loss of amenity for those who will be living closest to the proposed new club are too serous to ignore form a noise aspect.
- 6.26 We cannot necessarily use premises license conditions (The Club will need a premises type licence for licensable activities which includes regulating the sale and supply of alcohol, the provision of entertainment, and the provision of late night refreshment) to deal with the associated issues as there are many exemptions as to when an activity becomes and is actually licensable.
- 6.27 In this case, we are looking to protect amenity/quality of life to a good standard and therefore we are looking at a level of protection under planning that is higher than the potential for a public nuisance to arise which is the licensing objective.
- 6.28 The public or statutory nuisance regimes are not intended to secure a high level of amenity but are a basic safeguarding standard intended to deal with excessive emissions. Nuisance

- does not equate to loss of amenity. Significant loss of amenity will often occur at lower levels of emission than would constitute a statutory nuisance.
- 6.29 It has not been clearly demonstrated that significant noise impact will be avoided or that any other adverse noise impacts can be reduced and minimised to an acceptable level.
- 6.30 These comments relate to the submission of the latest Acoustic Assessment only and should be read in conjunction with my earlier comments.
- 6.31 The assessment, considers noise levels in gardens to the south. It should be noted that the gardens to the south are only 1m from the façade of the club building. I am therefore uncertain as to how the level of 47dB in the garden has been calculated. Nonetheless, a level of 47dB is well above the measured background noise levels and is a level deemed unacceptable for the occupiers of those gardens to be exposed to when the current noise levels are likely significantly lower. This would have a significant adverse impact on their current noise environment.
- 6.32 There has been no assessment made on the potential impacts of use of the members/club garden, either by day or by night. This should include impact on 140 Cherry Hinton Road gardens, the new flat above the new club and new flats in the former club building. This is something that cannot necessarily be controlled by condition. Use of the club will undoubtedly result in the use of the member's garden and introduce raised voices, laughing and shouting close to the nearest receptors. Such individual human behaviour is very difficult to predict and control and controlling by condition again may not be reasonable or enforceable. Impacts on amenity will need to be considered from the use of the garden and will need to consider LAMax in addition to LAeq. There has been no assessment of the potential noise from inside the club when the bi-fold doors are opened or from access and egress to the premises.
- 6.33 The consultation response includes further details in relation to the inadequacies with the revised noise assessment and provides more background information and recommendations. It concludes that at present, the proposals including the new location of the club are not suitable or acceptable based on the

information submitted to date. This is giving consideration to the potential impacts of noise on amenity / quality of life and enjoyment of property for those who currently live in the area.

Second amendment

- 6.34 There is ambiguity concerning potential noise impacts causing significant adverse harm to quality of life / amenity. There is insufficient information and inadequate assessment of potential noise impacts to allow an informed decision to be reached and it has not been demonstrated that significant or any other adverse noise impacts can be reduced and minimised to an acceptable level.
- 6.35 These are fundamental material considerations that should be addressed prior to determination. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure a high quality design and a good standard of amenity for all existing and future occupants of the land and buildings in the area.
- 6.36 I have reviewed two acoustic assessments (Noise Impact Assessment prepared by Cambridge Acoustics dated December 2015 and Acoustic Design Report, prepared by Vanguardia dated November 2016) and a technical response to my comments of 19th December 2016 (prepared by Vanguardia, dated January 2017).
- 6.37 My comments subsequent to the acoustic assessment (dated 25th July 2016 and 19th December 2016), expressed concerns about the potential impacts of noise from various sources associated with the proposed development on the local amenity / quality of life of existing premises. Whilst the supplementary information recently submitted does discuss some of the issues previously raised, it has not resolved the major points of concern.
- 6.38 For development projects such as this, we require that all information, details, calculations and design specifics are provided prior to determination to enable us to make an informed judgement on suitability. At present, I do not feel I have enough information to confidently accept that this proposal will not cause a detriment to local amenity.

External Building Fabric of the New Club

- 6.39 The proposed premises is to be used to hold potentially noisy events in very close proximity to residential dwellings. We would expect detailed design to be provided with the application inclusive of composite façade calculations for the individual facades, taking into account all the components of the individual facades alongside surface area. We also require a full explanation of predictions to nearest noise sensitive receptors and the property boundaries of these premises with the development site. Due consideration should be given to the guidance in the Institute of Acoustics (2003) - Good Practice Guide on the Control of Noise from Pubs and Clubs and any other national / industry best practice guidance. There should be no increase in background (L90) levels for each octave band when "without" and "with" entertainment is compared. Consideration must be given to the fact that the adjoining residents may be trying to enjoy their gardens in the evenings or may be indoors with the windows open, particularly during the warmer months.
- 6.40 The bi-fold doors (opening out onto the members' garden) are an obvious weak-point in the structure. Paragraph 4.2 of the supplementary information suggests that these should be kept closed when the club is in use. This is a management practice that we can give consideration to. However, at this stage of the process, we need to be considering design and design options and question the requirement for the bi-fold doors. An improved mitigation factor may be the provision of lobbied doors to prevent noise escape.

Members Garden

6.41 As mentioned previously, an assessment has not been made on the potential impacts of use of the members/club garden, either by day or by night. This should include the impact on 140 Cherry Hinton Road gardens, the new flat above the new club and the new flats in the former club building. This is something that cannot necessarily be controlled by condition. Use of the club will undoubtedly result in the use of the member's garden and introduce raised voices, laughing and shouting close to the nearest receptors. Such individual human behaviour is very difficult to predict and control and controlling by condition again may not be reasonable or enforceable. Impacts on amenity will

need to be considered from the use of the garden and will need to consider LAMax in addition to LAeq. It is likely that if an acceptable assessment is received, hours of use will be restricted.

- 6.42 The difference between the existing and proposed scenario will need to be identified and the significance of that difference will need to be assessed. Where there is a worsening of the noise climate as a result of the new Members Garden, full details will need to be provided on how the applicant intends to deal with those issues.
- 6.43 As mentioned above, consideration must be given to the fact that the adjoining residents may be trying to enjoy their gardens in the evenings or indoors with the windows open, particularly during the warmer months.

Use of Noise Limiting Devices

6.44 Paragraph 2.8 of the supplementary information makes mention of the use of noise limiting devices to control the internal noise levels. Whilst these are a consideration, we do not rely upon them at this stage of a development proposal. The key at this point is to ensure that noise impacts are designed out at the planning stage through good acoustic design, structure design and location. As mentioned above, we are not yet in receipt of the full details we require.

Gardens to the South of the Club

6.45 Section 2.7 of the supplementary information recognises that the adjoining gardens should not be considered a noise sensitive receptor at night. I agree with this. However, it is reasonable to consider them a sensitive receptor during the evening periods when residents can reasonably expect to enjoy their gardens without significant detriment. As mentioned above, the difference between the existing and future impacts needs to be fully addressed and significance of those impacts identified. Where mitigation measures are proposed, the full details of the mitigation, along with supporting calculations and designs will need to be provided in full prior to determination.

New Residential Premises

6.46 The main noise concerns with regards to the proposed new flats in the converted club relate to the general external noise and activity (access and egress to the club, use of the members garden and the use of the bi-fold doors. We are still not in receipt of an "external noise" impact assessment. Therefore, it is not possible to provide any further comment on this aspect of the development.

Streets and Open Spaces (Trees Officer)

Application as submitted

- 6.47 There is a silver birch tree with a Tree Preservation Order (TPO) in the garden of the property to the rear of the site. There is some discrepancy between the plan and accompanying information that needs to be clarified, but it appears the proposal includes coppicing of this tree. It is a healthy tree with a life expectancy of 20+ years and deserves to have been categorised as B1 as it is visible from Hartington Grove. The proposed new club to the rear of the site is located within the crown spread of this tree and may also be located within its Root Protection Area (RPA).
- 6.48 The birch is considered to be a reasonable constraint to development and given the proximity of the proposed new building to this tree, its number, location and RPA need to represented accurately. As the application currently stands I have concerns regarding the impact of the new building on the RPA, the need for tree works to allow construction and future pressure to prune the tree to maintain a clearance and allow the PV Panels to work effectively.

Second amendment

6.49 Notwithstanding the latest submission regarding the Birch in the rear garden of 75 Hartington Grove, I maintain my concerns about the development. I understand that the tree is actually only one metre from the boundary, which appears to be contrary to the location as shown on the tree protection plan. This means the root protection area and crown of the tree extend further into the site.

- 6.50 While a specialised construction may be appropriate in terms of safeguarding the tree's root system, such a foundation would likely impact on the height of the building which I suspect would be a planning issue.
- 6.51 Furthermore the development would result in pressure to prune/remove the Birch because of the negative impact the tree will have on PV panels.

Senior Sustainability Officer (Design and Construction)

Application as submitted

6.52 No objection subject to conditions to require the submission of 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 and the implementation and on-going maintenance of the renewable energy technologies.

Access Officer and Disability Panel

- 6.53 Could one flat be built to code 3, wheelchair accessible homes? The club needs a Blue badge parking space and the bar needs a dropped height counter section.
- 6.54 The Access Statement included in the application mentioned a number of features but unfortunately these were not reflected in the plans. It was also not clear whether the main entrance has a level threshold or whether there was any accessible parking provision.
- 6.55 The Panel also note that the upper floor to the clubhouse would be inaccessible to disabled residents.
- 6.56 Should a resident require a bathroom to be adapted in the future, the Panel would recommend that this is built into the design now with suitable wet-room drainage etc. to avoid disruption and additional costs in the future. Sliding doors for the bathrooms may also be more appropriate if space is limited.

Cambridgeshire County Council (Highways Development Management)

Application as submitted

- 6.57 Off-street car parking provision is made at significantly less than one space per residential unit.
- 6.58 The streets around the site allow on-street parking and so residents may choose to keep a car and park on-street.
- 6.59 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

First amendment

6.60 No additional comments.

Second amendment

6.61 No additional comments.

Sustainable Drainage Engineer

6.62 The proposed development is acceptable subject to a condition requiring details and implementation of a surface water drainage scheme and the prior assessment of the potential for the provision of a sustainable drainage system.

Environment Agency

Application as submitted

6.63 No objection in principle to the development. Local Planning Authority should refer to relevant standing advice.

First amendment

6.64 No additional comments.

Second amendment

6.65 No additional comments

Cambridgeshire County Council (Lead Local Flood Authority)

Application as submitted

6.66 No objections subject to conditions to require details and implementation of a sustainable surface water drainage system and the maintenance of any part of the system that will not be adopted.

First amendment

6.67 The LLFA has no further comments beyond those set down in our previous response.

Crime Prevention Design Advisor

Application as submitted

6.68 No objections in relation to community safety, crime and disorder.

First amendment

6.69 We are happy with the layout and design and have nothing further to comment on at this stage and no objections.

Second amendment

6.70 Nothing further to comment, object or recommend.

Developer Contributions Monitoring Unit

Application as submitted

6.71 The council cannot seek developer contributions for sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres. The proposed development falls at or below this threshold.

Waste Team

Application as submitted

6.72 A bin store for the flats should be built at the front of the building in the car parking area.

Cambridgeshire Fire and Rescue Service

Application as submitted

6.73 Access for fire appliances may be considered inadequate. Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Section 16.

7.0 REPRESENTATIONS

- 7.1 Councillor Herbert has requested that the application be referred to the Planning Committee for the following reasons:
 - I support the Constitutional Club in their wish to gain benefit from developing their site and continue operating a much needed community facility, I would though ask that the application be considered by committee.
 - I am concerned, as has been raised by Environmental Health and adjacent residents on all three sides, that the new location and design of the proposed relocated licensed premises is too close to the adjacent properties, and is a backland area with low ambient noise and particularly low ambient noise late night.
 - While I do not know the detailed reasoning for the application the addition of appropriate housing to the rear of the site, as has happened effectively with the adjacent Cherry Hinton Mews, could create successful and appropriate development, along with enabling the existing licensed premises to be substantially upgraded.
 - I will also consider carefully further points from both the objectors and applicants, and raised by statutory consultees.

- 7.2 Councillor Moore has raised concerns regarding the increased disturbance to neighbours and has requested that the application be referred to the Planning Committee for this reason.
- 7.3 Councillor Page-Croft has requested the application be referred to the Planning Committee for the following reasons:

The local residents believe that policy 3/10 Sub-division of Existing Plots is relevant:

Residential development within the garden area or curtilage of existing properties will not be permitted if it will:

- a. Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance
- 7.4 In addition, Councillor Page-Croft confirms having discussions with local residents and in relation to the proposed new clubhouse comments:
 - It seems totally inappropriate, I believe it is going to be rented out for discos and other noisy functions. At some points the building will be a few centimetres away from the properties in the residential area at the back of the building. This also means that trees in these properties are in danger of having their roots damaged and it will result in noise pollution and inevitably doors and windows will be opened, especially in summer.
 - I believe that only three parking bays are available which is insufficient for entertainment nights so on street parking will take place in surrounding streets.
 - There is already an abundance of places for 'community' usage, for example: Rock Road library; the orthodox church; the med (Perne Road); and the junction.
 - This will not be a focal point for Coleridge as it sits on the Queen Edith/Coleridge border and is not in the centre of Coleridge

7.5 Representations have been received from occupiers of the following properties:

Objections

- Cheffins acting on behalf of occupiers of 71, 73, 75 and 77 Hartington Grove
- 1 Cherry Hinton Court 148 Cherry Hinton Road
- 7 Cherry Hinton Court 148 Cherry Hinton Road
- 4 Cherry Hinton Mews 148A Cherry Hinton Road
- 70 Cherry Hinton Road
- 136 Cherry Hinton Road
- 140 Cherry Hinton Road
- 152 Cherry Hinton Road
- 169 Cherry Hinton Road
- 187 Coleridge Road
- 193 Coleridge Road
- 14 Hartington Grove
- 28 Hartington Grove
- 33 Hartington Grove
- 41 Hartington Grove
- 61 Hartington Grove
- 65 Hartington Grove
- 68 Hartington Grove
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- 77 Hartington Grove
- 84 Hartington Grove
- 88 Hartington Grove
- 94 Hartington Grove
- 96 Hartington Grove
- 110 Hartington Grove112 Hartington Grove

and 77 Hartington Grove

- LSR Solicitors acting on behalf of occupiers of 71, 73, 75
- 22 Rock Road
- 30 Rock Road
- 42 Rock Road

- 50 Rock Road
- 53 Rock Road
- 61 Rock Road
- 62 Rock Road
- 64 Rock Road
- No address x 1
- Petition with 52 signatories:
 - 133 Cherry Hinton Road
 - 148 Cherry Hinton Road
 - 152 Cherry Hinton Road
 - 169 Cherry Hinton Road
 - Flat 7 Cherry Hinton Court
 - 33 Hartington Grove
 - 40 Hartington Grove
 - 44 Hartington Grove
 - 46 Hartington Grove
 - 57 Hartington Grove
 - 59 Hartington Grove
 - 61 Hartington Grove
 - 63 Hartington Grove
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 - 90 Hartington Grove
 - 92 Hartington Grove
 - 94 Hartington Grove
 - 96 Hartington Grove
 - Flat 1, The Mews, Cherry Hinton Road
 - Flat 2, The Mews, Cherry Hinton Road
 - Mews 3, 148A Cherry Hinton Road
 - 8 Rock Road

- 14 Rock Road
- 21 Rock Road
- 24 Rock Road
- 25 Rock Road
- 30 Rock Road
- 33 Rock Road
- 34 Rock Road
- 42 Rock Road

Support

- 18 Blinco Grove
- Bungalow 1 The Perse Upper School Hills Road
- 144 Cherry Hinton Road
- 145 Cherry Hinton Road
- 344 Cherry Hinton Road
- 70 Clive House, 6th Floor (point 15), Petty France, London
- 160 Coleridge Road
- 12 Derby Road
- 14 Derby Road
- 119 Derwent Close
- 44 Lichfield Road
- 105 Lichfield Road
- 233 Lichfield Road
- No address x 7
- Petition with 64 signatories from the following addresses:
 - 9 Birdwood Road
 - 15 Blinco Grove
 - 90 Blinco Grove
 - 21 Bosworth Road
 - 54a Castle Street, Saffron Walden
 - 17 Chalmers Road
 - Chardwell Farm, Arkesden, Saffron Walden
 - 200 Cherry Hinton Road
 - 226 Cherry Hinton Road
 - 267 Cherry Hinton Road
 - 160 Coleridge Road
 - 17 Cowper Road
 - 7 Edward Road, Eynesbury, St Neots
 - 43 Fowlmere Road, Heydon
 - 9 Lee Close, Cottenham
 - 37 Denis Wilson Court

- 12 Derby Street
- 14 Derby Street
- 119 Derwent Close
- 25 Dolphin Close
- 5 Edmunds Road, Buxhall
- 32A Fallowfield
- Fishers Lane, Cherry Hinton
- 49 Glebe Road
- 4 Godwin Close
- 34 Godwin Close
- Gray Road
- 18 Green Road, Newmarket
- 26 Gunhild Court
- 104 Gunhild Way
- 3 Hayster Drive
- 59 High Street, Barton
- 1 Hobart Road
- 44 Lichfield Road
- 119 Lichfield Road
- 140 Lichfield Road
- 144 Lichfield Road
- 233 Lichfield Road
- 3 Magnolia Close
- 53 Mowbray Road
- 44 Normanhurst, Cherry Hinton
- 53 Normanhurst, Cherry Hinton
- 85 Peverel Road
- 22 Philip Garden, St Neots
- Pineacre, Cambridge Road, Newport
- 2 Queen Edith's Way
- 2 Regency Gate 29 Queen Edith
- 25 St Bedes Gardens
- 10 St Thomas's Square
- The Rock Public House
- 6 Thornton Road, Girton
- 33 Tunwells Lane, Great Shelford
- Victoria Corner, 5 Station Square, St Neots
- 25 Watermead, Bar Hill
- 4 Westmead Road
- 2 Worts' Causway
- 2 Wycliffe Road

Neutral comments

- Flat 4 150 Cherry Hinton Road
- 7.6 The representations can be summarised as follows:

Objections to the proposal

Amenity issues

- The new club building will be surrounded on all sides with residential development – this is a quiet residential area and not a suitable location for this use
- Third party commissioned noise report concludes that submitted noise assessment is inadequate and that significant noise disturbance will result from the proposal

 this accords with Council's own Environmental Health Officer's comments
- Club already used for discos and other loud events, including singles nights and other external contractor events. Events often going on into the early hours of the morning causing serious disturbance to residents Conversation within rooms in No. 140 Cherry Hinton Road has on occasions been difficult. Licensing hours have not been observed.
- Occupiers of No. 140 have been assured verbally and in writing that events taking place in the existing building would be less noisy but no effective action has been taken
- Existing regular noise and disturbance from loud music and people partying in the garden and from comings and goings from the premises – this will be exacerbated with the proposed development
- The submitted noise assessment identifies that the proposal will be noisy and that doors and windows would have to be kept closed
- It would be unreasonable for the new clubhouse to be required to keep all doors and windows closed, including the bi-fold doors and rooflights – especially during the summer. The scheme is therefore unworkable especially as it includes an outdoor garden accessible from the building.

- Sound limiters to reduce sound when people leave the building are impractical
- The use by external groups means policing noise and disturbance would be more difficult than for club events
- Concern that narrow secluded area behind the building adjacent to gardens will be used for smoking and other activities
- The new club building will be much closer to surrounding homes, just 6m from Cherry Hinton Mews, and between 8-11m away from habitable rooms in properties on Hartington Grove
- The new club seems excessively large given the size of the club membership (club estimates 20-30) and expected daily usage – it is likely to attract interest as a new venue and could be used by 200 people or possibly double that
- The submitted Statement of Need argues that the new building "will enable us to rebrand and grow the business" suggesting the level of activity will increase
- Club is licensed premises open to late night most evenings – the new club will allow even larger late night entertainment events creating more noise – concern proposal is to be open beyond 23:00
- Club building is available to rent by external contractors these events extend into the early hours
- Number of large events and frequency of noise is likely to increase with the new building
- Noise and disturbance from people leaving the club building late at night and from the use of commercial bins
- Garden to existing clubhouse is a quiet green space which together with surrounding gardens provides a quiet haven for wildlife and for children to play
- Submitted noise information suggests noise could only be mitigated by a 2 storey high noise barrier (the height of the new clubhouse) on the rear boundary – this is absurd, unacceptable and would not restrict noise to other surrounding residents
- Submitted noise information suggests residents do not use their gardens during the night time period – this is inaccurate as there are decking areas with lighting that are used during summer evenings
- There will be difficulties sleeping in summer with bedroom windows open – main bedrooms are at the rear of properties on Hartington Grove

- New club building would require mechanical ventilation which would be sizeable units – these and other kitchen plant etc. are not shown on the plans – risk of constant low level noise and air pollution
- Increased light pollution from new clubhouse
- Residents of new flats will also suffer noise they have no voice in this process
- The proposed new clubhouse will overshadow properties in Hartington Grove due to its two storey height and would be an overbearing and dominant structure extending across three garden boundaries in Hartington Grove
- The addition of a second floor extension into the existing building would block light and appear overbearing when viewed from No. 140. Noise from balconies could be a problem and windows in the second floor flats would cause overlooking problems.
- Smoke from chimneys in No. 140 would get into open windows in the second floor flat in the extended part of the existing clubhouse and would make balconies unusable at time. This represents a health risk especially for the young and elderly through carbon monoxide within the smoke
- Building up against the wall of No. 140 will result in noise from the new flats and the occupiers suffering noise from within No. 140
- Noise and tobacco smoke close to the garden to No. 140 would spoil the enjoyment of the garden and use of rooms within No. 140
- Noise to Cherry Hinton Court and Mews from delivery and servicing vehicles using the shared access
- The flat above the new clubhouse will be affected by noise.

General

- Submitted plans are incomplete and inaccurate.
- Proposal is not policy compliant
- Acoustic fence to rear shown as both 1.7m and 2m in height – inaccurate information
- Submitted noise assessment unacceptable noise readings taken during short periods on just two evenings and no noise readings taken from adjacent houses or gardens

- Following pre-submission consultation by the developers only minor changes have been made to address concerns
- No advance warning is currently given by the club of forthcoming events
- No advertisements inviting local people to join the club and no evidence that club benefits the community
- There are already 17 venues for hire in the community within half a mile of the site and 21 city council registered community facilities within a 15 minute walk – there is no need for a new facility
- Any development of the club garden should be muchneeded low-rise homes like those recently built in Cherry Hinton Mews – these could be built at the rear of the site to fund the refurbishment works necessary for the existing building. The land to the rear could be sold off to generate funds or the upper floors of the existing clubhouse could be used as flats to generate funds to refurbish the current ground floor club space.
- Conditions attached to the Cherry Hinton Mews development highlight concerns regarding parking and amenity
- New clubhouse represents a fire risk to users and surrounding homes. There is a single access and those fleeing a fire would come into conflict with attending emergency vehicles
- Building immediately adjacent to the side wall of No. 140 Cherry Hinton Road will restrict access to walls and chimneys for maintenance
- Potential damage to the foundations of No. 140 Cherry Hinton Road and subsequent cracks to walls that would go undiscovered - obscured by the new development
- Potential subsidence in the existing building on boundary with No. 140 – part demolition may be required
- Supporters of the scheme nearly all live outside the area
- Residential development getting ever more dense in this part of city and services are creaking
- The new flats are likely to be used as student accommodation which there is far too much of in Cambridge

Traffic/Parking

- The proposal has insufficient parking for the club and the new flats
- Proposed development has fewer parking spaces than the existing club and the use is intensifying, including the creation of the new flats
- Potential for more than 200 people to use the club putting pressure on surrounding streets. Increased traffic and additional parking demand.
- Already difficult to park near homes proposal will increase demand for on-street parking and make this situation worse – the police have been called in nearby streets to remove cars blocking driveways
- The Friends Meeting House has 20 car parking spaces which are regularly full – cars overspill onto Hartington Grove
- Parking on Hartington Grove may lead to people returning to their cars as late as 2am
- Potential new residents parking scheme to be introduced resulting in less spaces available in the area. Marshall Road will lose half its spaces and Rock Road will lose some such that 40 residents from these two roads will have to park elsewhere.
- Amendments have reduced car parking on the site.
- Servicing and delivery vehicles cannot turn within the site resulting in the need to reverse onto Cherry Hinton Road which is unsafe.

Trees/Ecology

- Errors in arboricultural reports in relation to existing trees including tree numbering and assessed impact on TPO silver birch in garden of 75 Hartington Grove
- Arboricultural report does not identify silver birch as being legally protected and it does not show the full extent of the root protection area as it is based on incorrect estimates rather than actual measurements
- Silver birch rating of C1 incorrect should be A1/B1
- Proposal will have an adverse impact on crown and root protection area of TPO silver birch and damage this protected tree – independent arboricultural report confirms

- this the tree is visible from Cherry Hinton Road and Hartington Grove
- Impact on other trees including two other silver birch and objections to removal of trees within the site
- Surrounding gardens, including the garden to No. 140
 Cherry Hinton Road provide a quiet haven for wildlife including a wide range of butterflies, birds, insects, squirrels, hedgehogs and the occasional muntjac. The proposal will disturb and deter wildlife
- Damage and loss of light to trees and shrubs within garden to No. 140 Cherry Hinton Road particularly unacceptable is proposal to coppice and root prune a hazel tree that lies within the garden to No. 140 on the boundary with the application site
- Tree within garden of No. 140 (ref. T007) shown to be removed – not within applicant's control

Visual Impact

- The addition of a second floor to the existing building would be visible from Cherry Hinton Road which would harm the frontage of this building that currently fits in well with neighbouring properties
- The club building seems very large and the proposal overall is an overdevelopment of the site
- South elevation of new club building fails to show relationship with Cherry Hinton Mews which is 600mm lower than proposed club building – new club building roofline would be significantly higher
- The parapet to the end of the first floor elevation of the proposed flat in the new club building is not shown on the south elevation – this increases the height of the proposed building when viewed from the south and would appear unattractive
- Reduction in green space in the locality as much of existing club garden will be lost and there will be encroachment on neighbouring mature trees and shrubs – the loss of which will make the proposed building appear stark and even more overbearing
- Loss of green spaces and subdivision into separate gardens for flats – this should be kept as a single communal garden

Comments in support of the proposal

- Current club premises has deteriorated and is in need of repair and renovation – the condition of the club makes its increasingly more difficult to run
- New club will be much smaller than the existing
- There are no current severe parking issues in the locality
- Frequency of deliveries and collections will likely decrease with no change to the arrangement of rear access
- Modern sound proofing will be installed. This is not present in the existing building resulting in less noise and disturbance to neighbours. An acoustic fence will also be erected
- Changes have been made to the proposal after initial views expressed by residents
- There will be a net gain of trees and shrubs rear boundary is largely planted with old conifers and privet which are due for removal regardless
- New building will be environmentally friendly
- Very special social club and would be sad if it closed the club plays an important role in people's social lives and does good work for charities and causes
- There is very little comparison with the club and the other 20 venues referred to in the objections
- Hope that new club would attract new members to increase the membership
- Club has been running for over 100 years and given lots of pleasure to its members
- Exciting new opportunity for a purpose built club in the community rather than 'make do with what we have' building
- The new club would secure the club's future
- Club is not rowdy as caters for mostly over 60s
- Having lived above the club for several years, experience is that the club is responsive to matters raised and considerate allowing quiet enjoyment and unbroken sleep
- No records of any noise complaints until the club held open evenings to engage local residents before making a planning application
- Inclusive club with a diverse membership
- The club is being portrayed unfairly the club's committee is always very careful about when it opens and what it

- puts on. A flyer sent round to residents misrepresents the club
- Any party will only be heard from within the building
- Bingo once a week gives elderly people a social evening
- Club has a very friendly atmosphere with great community spirit
- Club has been used for family based events such as birthdays, wedding anniversaries, Halloween and New Year family parties where children are welcome. There are few venues locally that can accommodate such events
- Moved in opposite the club nearly 12 years ago and immediately became members – welcoming atmosphere and friendly people
- Existing club has been in operation before houses in Hartington Grove were built
- Building will be environmentally friendly, well soundproofed and be an asset to the area
- Future generations will need these venues
- New club would benefit existing members and many new families within the community – there are no other family clubs close by
- The existing club is underused and its conversion to flats seems like a sensible idea and would provide improved living arrangements for tenants

Neutral comments

- 7.7 Never been affected by activities of the club but slightly concerned regarding potential noise disturbance
- 7.8 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. Impact on trees and ecology
- 5. Renewable energy and sustainability
- 6. Disabled access
- 7. Highway safety
- 8. Car and cycle parking
- 9. Third party representations
- 10. Planning obligations

Principle of Development

- 8.2 The primary use of the Constitution Club is as a private members club and in this regard it does not function as a community facility. However, it does open its doors to activities outside of the normal club use and in my view it does contribute, to some degree, to the general provision of community facilities available in the locality.
- 8.3 The proposed new clubhouse building would contain approximately 305 square metres of new floorspace. The existing, including its associated residential accommodation, is approximately 540 square metres. The proposal therefore represents an overall reduction of available floorspace of approximately 44%.
- 8.4 Policy 5/11 of the Cambridge Local Plan 2006 states that development leading to the loss of community facilities will only be permitted if it can be demonstrated:
 - a) the facility can be replaced to at least its existing level and quality within the new development; or
 - b) the facility is to be relocated to another appropriate premises or site of similar accessibility for its users; or
 - c) that there is no longer a need within the local community for the facility or that the need can be adequately met at an alternative facility of similar accessibility for its users.
- 8.5 Whilst the proposal represents a reduction, and therefore a loss of community floorspace, I consider the existing space within the current building to be of poor quality for community uses. The space is set on different levels and is broken up into a number of rooms, particularly those within the eastern part of the building that was a former dwelling. The new space would be laid out on primarily one floor at ground level making it more

convenient, useable and accessible. I am also mindful of the stated poor condition of the existing building which contributes to the overall poor quality of the existing space. In this regard I consider the proposal does represent the appropriate replacement of the facility within the new development and that the proposal will represent appropriate premises for its users. In my view the proposal therefore complies with Policy 5/11.

- 8.6 I also note there are a number of alternative venues that provide a good range of community facilities in the locality as highlighted in the representations.
- 8.7 Policy 5/1 of the Cambridge Local Plan states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses.
- 8.8 There are a number of flatted developments in the vicinity and a range of dwelling types that sit within this mixed-use area. I consider the proposal to provide 10 flats to be compatible with these adjoining uses and therefore in compliance with Policy 5/1.
- 8.9 I consider the principle of the development accords with policies 5/1 and 5/11 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

Conversion of existing clubhouse

- 8.10 The application as submitted was not supported by the Urban Design team. It recommended refusal as the proposal represented an overdevelopment of the site causing scale, massing and functional design concerns.
- 8.11 The height and box-like appearance of the extension was felt to form a poor relationship with the existing building and adjacent pitched roof houses and to appear prominent in views looking west along Cherry Hinton Road. In addition, the height of the extension, rising above the ridge height of the adjacent houses, and its impact on the existing chimneys, was felt to remove the articulation created by the lower flat roof and adjacent taller pitched roofs.

- 8.12 The first amendment reduced the overall height of the second floor extension but the Urban Design team remained concerned.
- 8.13 The second amendment significantly reduces the scale of the second floor extension and sets it back from the front elevation lowering its apparent height. A lighter coloured material is also proposed which further serves to lessen its impact. The Urban Design team now supports this aspect of the development and I agree with its views.
- 8.14 The application as submitted did not utilise the existing main entrance of the building which was raised as a concern by the Urban Design team. The amended proposal has addressed this by providing the main access to a communal lobby area via this door.
- 8.15 The application as submitted proposed both a cycle store and a bin store to the front of the building. The Urban Design team considered these would appear prominent in the street scene, particularly the cycle store given its size and prominent location between the two former semi-detached houses. The amended proposal has brought cycle storage within the building accessed via the communal lobby area. It also proposes a modestly designed bin store to be located adjacent to the boundary with the neighbouring property to the west. In my view the amendments have addressed the design concerns raised and these aspects of the proposal are now acceptable.
- 8.16 The area to the front of the building is already used for the parking of vehicles and, as such, I consider the proposed car parking in this area to be visually acceptable.
- 8.17 I note the lack of defensible space to the front of the two ground floor flats that front Cherry Hinton Road. However, the elevation is set well back from the road and footway and I do not therefore consider this to be unacceptable.
- 8.18 The Waste team has requested that bin storage for the flats be at the front of the building within the car parking area. The proposal makes this provision.
- 8.19 In my view the proposed extensions and alterations to the rear of the building, as amended, would be in-keeping with the

- surroundings and would not be detrimental to the visual quality of the area.
- 8.20 In relation to the conversion of the existing clubhouse building into the 9 flats proposed, I consider the proposal will assimilate well into its surroundings and in this regard complies with policies 3/4, 3/7, 3/11 and 3/14 of the Cambridge Local Plan 2006.

New clubhouse building

- 8.21 The proposal as submitted for the new clubhouse building was supported by the Urban Design team in relation to its design. This aspect of the planning application has not been amended. The team considered the proposed height to be acceptable and the submitted elevations show that the club building will comprise of brickwork (to match the existing building), composite slate roof tiles and grey powder coated windows and doors. The team felt that whilst acceptable in principle, the proposed materials would need to be conditioned and samples provided on site to ensure the brickwork relates to the surrounding context.
- 8.22 The Urban Design team considered that a tree to the south of the site should be retained to help soften the appearance of the clubhouse when viewed from the adjacent gardens and in views looking into the site from Cherry Hinton Road. The tree referred to did not lie within the site but within a private garden adjacent to the site. The tree was not statutorily protected and has since been felled by the owner of the property.
- 8.23 Notwithstanding the above I consider the design, scale and massing of the proposed new clubhouse building to be acceptable. It is a relatively modest structure that would be set well back from Cherry Hinton Road. The key public views of the building would be from Cherry Hinton Road via the existing shared access and, notwithstanding the loss of the tree, I nevertheless consider its visual impact to be acceptable.
- 8.24 In relation to the site layout, the Urban Design team had concerns. The first of these related to the area immediately to the front of the proposed new building. This was felt to be absent of landscaping or tree planting and forming an overly hard space. It was also felt that the arrangement of the car

parking space directly in front of the main entrance resulted in poor legibility, with visitors to the building being required to manoeuvre past parked cars. The scheme as now amended has addressed these concerns by removing one of the car parking spaces immediately in front of the entrance and introducing a planting bed.

- 8.25 The Urban Design team was also concerned that the visitor cycle parking is located towards the rear of the club building and the location and means of access (through two sets of gates) would result in poor legibility. The team considered that the visitor cycle stands should be located at the front of the club building, adjacent to the entrance. The amended scheme has removed one of the gates and, whilst the bulk of the cycle parking remains towards the rear, some additional parking has been provided towards the front of the building and I consider this aspect of the proposal to be acceptable.
- 8.26 The Urban Design team was concerned that the proposed refuse store for the club building is located at the rear of the site and it would be unlikely that a refuse vehicle could access this part of the site. Whilst this is not an ideal arrangement I consider it would be possible for the bins to be moved towards the front of the site for collection and in my view this, of itself, would not justify a reason for refusal of the application.
- 8.27 In relation to the design and site layout of the new clubhouse building I consider the proposal would assimilate well into its surroundings and in this regard complies with policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan 2006.

Residential amenity

Impact on existing residents

Hartington Grove

8.28 The application as submitted proposes the erection of the new clubhouse building in close proximity (approx. 1.5m) to the rear garden boundaries of Nos. 73, 75 and 77 Hartington Grove and close to other properties in Hartington Grove. These gardens are relatively shallow and having viewed the application site from within the gardens to Nos. 73, 75 and 77, I noted the quiet

- and tranquil environment that is currently enjoyed by the residents of these dwellings.
- 8.29 I consider there are serious concerns regarding the potential introduction of the new clubhouse building into this location and environment with regard to the likely noise and general disturbance that would be introduced and which, in my view, would seriously harm the amenities of the occupiers of these dwellings.
- 8.30 My concerns relate not only to the levels of noise that may directly emanate through the walls of the new clubhouse building but also to the levels of noise likely to occur when the bi-folding doors and other windows are open and the likely noise and disturbance that would occur through the use of the new clubhouse garden and potentially from users accessing the rear of the building immediately adjacent to garden fences.
- 8.31 Notwithstanding that I consider the likely noise levels from the building to be unacceptable, I do not consider it would be reasonable or enforceable to seek to minimise the noise disturbance through planning conditions that would require the doors and windows to be kept shut during events that involve live or amplified music.
- 8.32 I note that the existing clubhouse already generates noise and disturbance to occupiers of neighbouring properties and this has resulted in recent complaints submitted to the Council's Environmental Health team. Whilst this is the baseline position I consider it is unlikely that the current levels of noise and disturbance that occur towards the rear of the site would reach the levels of that proposed through the concentration of the noise source in the southern portion of the site as proposed. In my view this factor does not sufficiently justify the noise and disturbance that would result from the proposal.
- 8.33 I note that the applicant has stated that the noise emanating from the building is likely to be at its peak late at night when residents will not be using their gardens. In my opinion there is likely to be noise at earlier times when residents are using their gardens, particularly in the summer months, and I am also concerned that residents are likely to want to open windows at the rear of their properties during events. In my view this is likely to result in levels of noise reaching into bedrooms,

- especially late at night, that would have an unacceptable impact on their amenity.
- 8.34 I note the applicants have submitted a noise impact assessment, an amended noise assessment and yet further noise information in an attempt to demonstrate that the impact on amenity would be acceptable. The Environmental Health team has considered all of this information and is of the view it is inadequate and that the likely impact on amenity would be unacceptable. I also note that at paragraph 2.7 of the latest noise submission, it is clear that the required levels of noise emission cannot be achieved. In my opinion, the proposal would therefore have an unacceptable impact on the amenities of the occupiers of dwellings on Hartington Grove and in particular to Nos. 73, 75 and 77, and should be refused.
- 8.35 In relation to the visual impact of the development I note that the eaves height on the boundaries of Nos. 73, 75 and 77, is particularly low such that the south elevation of the building would appear below the height of garden fences. The roof would then slope up and away to its two-storey height further into the site. Whilst this will have some impact on views from within these properties, and more particularly from their gardens, I consider that the main bulk of the clubhouse will be set some distance away and the building would not therefore appear overbearing or result in an unacceptable sense of enclosure to these gardens.
- 8.36 There are no first floor windows in the rear elevation of the proposed new clubhouse building and the proposal would not therefore result in any loss of privacy to the occupiers of dwellings in Hartington Grove.
- 8.37 The proposed clubhouse building would lie due north of Nos. 73, 75 and 77 Hartington Grove. As such the proposal will not result in any loss of light to, or overshadowing of, these dwellings or their gardens.
 - No. 140 Cherry Hinton Road
- 8.38 The application as submitted included a significant second floor extension that in my view would have resulted in an overbearing impact on the residents of No. 140 Cherry Hinton Road when viewed from within the rear garden to this property and

- potentially a loss of light to that property. I note the comments of the Urban Design team in this regard.
- 8.39 The application as amended has significantly reduced the scale of the second floor extension. The existing clubhouse building already has a significant presence in relation to this neighbouring dwelling and I consider that the proposal, as amended, would not result in any significant increase in its overbearing impact on No. 140.
- 8.40 There are no windows proposed in the first or second floor west elevation of the conversion scheme that would overlook the dwelling or garden of No. 140. There is a dining room/kitchen window proposed at first floor level that would allow views into the garden of No. 140 but only towards the rear of its garden. I am also mindful of the presence of an existing fire escape staircase that currently lies directly on the boundary with No. 140 and allows direct views into the garden.
- 8.41 Three windows are proposed in the rear of the new two-storey extension but the closest of these serves a bathroom and would be obscure glazed. The other two serve a bedroom and a store. These would allow views into the garden of No. 140 but only towards its rear. Existing vegetation within the garden to this property will in addition limit views into the garden.
- 8.42 The proposal involves a single storey extension to the existing clubhouse building that would lie to the east of the garden to No. 140. The extension would not be directly on the boundary and is relatively modest in terms of its length. I do not consider it would result in an unacceptable impact in terms of overshadowing or by appearing overbearing and I am mindful of the existing vegetation within the garden of No. 140 that will help to soften any visual impact.
- 8.43 There are a number of trees that currently contribute to the amenity value of the garden space to this dwelling and I note the comments of the occupiers of this dwelling in this regard. Many of these trees significantly overhang onto the application site. As a result of the proposal some of these trees may be adversely affected which is regrettable. However, none of the trees are statutorily protected and the applicants are entitled to do works to the trees where they stray across the site boundary.

- I consider such impact to these trees to be a civil matter that would not justify a reason for refusal of the planning application.
- 8.44 In relation to the impact of the new clubhouse building I consider the proposal is likely to result in a degree of noise and disturbance to the occupiers of No. 140 particularly from the use of the proposed clubhouse garden. However, this property already lies immediately adjacent to the existing clubhouse building and its garden. I note the Environmental Health Officer's comments that there has been no assessment made by the applicants on the potential impacts of the use of the members/club garden, either by day or by night which should include impact on the garden to 140 Cherry Hinton Road. In this regard I can only conclude that there is insufficient information to demonstrate that any additional impact on the amenity of the occupiers of No. 140 by reason of noise and disturbance would be acceptable.

Cherry Hinton Mews

- 8.45 These dwellings lie immediately east of the proposed new clubhouse building and in my view the residents of these properties, particular the westernmost dwelling, are likely to be adversely affected by noise and disturbance from the proposed development. Insufficient information has been provided to demonstrate that such impact would not be unacceptable.
- 8.46 For the reasons given above I consider the proposal will result in an unacceptable impact on the amenities of occupiers of dwellings on Hartington Grove, in particular Nos. 73, 75 and 77 and the application has failed to demonstrate that the impact on the residents of No. 140 Cherry Hinton Road and Cherry Hinton Mews would not be unacceptable. The proposal would not therefore accord with policies 3/4, 3/7, 3/12 and 4/13 of the Cambridge Local Plan 2006.

Amenities of future occupiers

8.47 The proposed conversion of the existing clubhouse, as amended, would result in the creation of 9 new flats. Two of the 1-bed flats on the ground floor and the 2-bed flat on the first floor would have no access to private external amenity space.

- 8.48 I consider that the future occupiers of the 1-bed flats would not necessarily require such space as this type of accommodation is unlikely to attract families with children. However, I am concerned that the 2-bed unit on the first floor is proposed without any external amenity space. Whilst this is undesirable in my view I am mindful of the existing 3-bed flat that provides ancillary accommodation to the existing clubhouse use and which has no dedicated private external amenity space. I am also mindful that Coleridge Recreation Ground lies approximately 400m to the north which can provide some recreational space relatively close to the site. On balance I consider the provision of living accommodation for these 9 flats to be acceptable.
- 8.49 The proposed flat in the new clubhouse building would similarly not be provided with any external amenity space but for the reasons given above I do not find this unacceptable in this instance.
- 8.50 In relation to the impact on noise to the future occupiers of the new flats, including that within the first floor of the new clubhouse building, for the reasons given above I consider the submitted noise information to be inadequate to demonstrate that the proposal would not result in an unacceptable impact on the amenities of the future occupiers of these dwellings.
- 8.51 The proposed second floor extension to create a 1-bed flat would be immediately adjacent to an existing chimney in the side gable end of No. 140 Cherry Hinton Road. A concern was raised by the occupiers of this property that the close proximity of this chimney to flats could introduce a smoke pollution concern for future occupiers both within the flats and from the use of balconies. I have discussed this potential impact with the Environmental Health team. As the stack height is above the roof levels by more than 1m, it is considered that dispersion is not impacted by the new dwellings and I am not therefore concerned that this would result in any adverse impact for the future residents of this flat in this regard.
- 8.52 I consider the proposal has failed to demonstrate that it will not result in an unacceptable impact on the amenities of future occupiers of the proposed 10 new flats through unacceptable levels of noise and disturbance. As such I consider the proposal

would not accord with policies 3/4, 3/7, 3/12 and 4/13 of the Cambridge Local Plan 2006.

Impact on trees and ecology

- 8.53 The Trees Officer has concerns regarding the information originally submitted with the application in relation to its accuracy and what appears to be the proposed coppicing of the birch tree protected with a Tree Preservation Order (TPO). This tree is considered to be a reasonable constraint to development and given the proximity of the proposed new building to this tree, its number, location and Root Protection Area (RPA) should be represented accurately. The submitted amendments have not addressed this concern.
- 8.54 In addition, the Trees Officer is concerned that the proposed new clubhouse building to the rear of the site is located within the crown spread of the TPO tree and the new building appears to be located just 1m away, within the RPA of this tree. The submitted amendments have made no change to the position of the building.
- 8.55 I agree with the Trees Officer that the TPO tree is visible from Hartington Grove and I consider it positively contributes to the general amenity of the area. I also agree with the concerns regarding the potential impact on this tree and therefore recommend the application is refused due to the potential direct impact and future pressure the development would place on the wellbeing of this tree.
- 8.56 In relation to the impact on other trees, most notably within the garden of the adjacent property, No. 140 Cherry Hinton Road, I consider that any detrimental impact would be regrettable but would not in my view justify a reason for refusal of the planning application since these trees have no statutory protection and any harm to them caused by the development is likely to be a civil matter. Notwithstanding this, however, I note the concerns regarding the potential ecological impacts of the development raised by the occupiers of this property. Whilst the impacts on birds and other wildlife is a material consideration of some weight I nevertheless feel that such matters could be addressed through appropriate mitigation measures secured by planning conditions should the application be granted planning permission and in my view would not justify a reason for refusal.

8.57 I consider the proposal would result in harm to a protected tree of amenity value and it would not therefore accord with policies 3/4, 3/7, 3/11, 3/12 and 4/4 of the Cambridge Local Plan 2006.

Renewable energy and sustainability

- 8.58 I note the proposal includes measures to generate renewable energy in the form of solar PV panels erected on southern roof slopes of the development. I note also the comments of the Senior Sustainability Officer supporting the proposal subject to conditions to require at least 10% of the development's total predicted energy requirements to be provided from on-site renewable energy sources. I consider that if Members were minded to approve the application such measures could be required by condition.
- 8.59 In my opinion the proposal accords with policy 8/16 of the Cambridge Local Plan 2006.

Disabled access

8.60 I note the comments of the Access Officer and those of the Disability Panel. Should Members be minded to approve the application the key recommendations could be required through the imposition of a suitably worded planning condition.

Highway safety

8.61 The Local Highway Authority has commented that the proposal is unlikely to result in any significant adverse impact upon highway safety. I agree with this conclusion.

Car and cycle parking

8.62 I note the comments of local residents in relation to the low level of parking provision proposed for the development. I note also the comments of the Local Highway Authority in relation to the potential impact upon residential amenity through additional onstreet parking demands. However, policy 8/10 of the Cambridge Local Plan 2006 states that off-street car parking must be in accordance with the Parking Standards. The standards set out in the Local Plan define the maximum levels of car parking that the Local Planning Authority will permit. In my opinion the

- proposal is fully in compliance with these standards and a reason for refusal on grounds of the insufficient provision of car parking would not therefore be justified.
- 8.63 In addition to the above, the site lies within a sustainable location with easy access via a range of travel modes, including cycling and public transport, to the city centre, and nearby services and facilities.
- 8.64 The cycle parking standards in the Cambridge Local Plan 2006 require the provision of eleven spaces for the nine flats proposed through the conversion of the existing clubhouse building. Eleven spaces are shown to be provided within the building and the proposal therefore accords with these standards in this regard.
- 8.65 The standards require two cycle parking spaces for the proposed flat above the new clubhouse building. Two spaces are shown to be provided.
- 8.66 The standards require one space per 15 square metres of public floor area for the new clubhouse building. The useable public floor area is shown on the plans as 173.3 square metres. This amounts to a requirement for 12 cycle spaces. The proposal includes the provision of 12 cycle spaces and the proposal therefore accords in this regard.
- 8.67 In my opinion the proposal accords with policies 8/6 and 8/10 of the Cambridge Local Plan 2006.

Third party representations

8.68 Most of the points raised by third parties have been addressed in the report. The remainder are addressed below:

Comment	Response
Proposal is contrary to Policy	This policy addresses the
3/10 – Sub-division of Existing	subdivision of residential
Plots – paragraph a.	gardens and curtilages and in
	my opinion is not directly
	relevant to the proposal.
	However, the amenity issues it
	raises are addressed in the
	main body of the report

Concern that narrow secluded Agree – this could contribute building behind to the overall harm to amenity area the adjacent to gardens will be in terms of noise and used for smoking and other disturbance activities The number of likely users of club The new seems excessively large given the the club would be limited by size of the club membership the size of the new clubhouse (club estimates 20-30) and building. This has not been expected daily usage - it is specified in the application likely to attract interest as a and it is unlikely to be known new venues and could be used at this stage. I do not consider the precise number of users to by 200 people or possible double that determining factor. be а Clearly the building could be used intensively and I have assessed the likely noise and disturbance impact accordingly As above, any growth of the The submitted Statement of business is limited by the size Need argues that the new building "will enable us to of the new clubhouse building. rebrand and grow the The application has been business" suggesting the level assessed having regard to a likely intensive use of activity will increase Agree - such matters could be New club building would addressed by the imposition of require mechanical ventilation which would be sizeable units planning conditions requiring - these and other kitchen plant details/maintenance etc. are not shown on the plans arrangements etc. should - risk of constant low level Members be minded to grant noise and air pollution planning permission. Increased light pollution from As above, should Members be new clubhouse minded to grant planning permission a condition could be imposed to require details of any external lighting This is a Building Regulations Building up against the wall of No. 140 will result in noise from matter and not a planning the new flats and the occupiers consideration. suffering noise from within No. 140

Noise and tobacco smoke close to the garden to No. 140 would spoil the enjoyment of the garden and use of rooms within No. 140 Noise to Cherry Hinton Court and Mews from delivery and servicing vehicles using the shared access	Noise is addressed in the main body of the report. In relation to tobacco smoke I consider this to be a matter of general disturbance which is again addressed in the report. Whilst this may occur there is no evidence that this would be at a level that is unacceptable and/or greater than may already occur in relation to the existing club building.
Submitted plans are incomplete and inaccurate	I acknowledge that there are some inaccuracies with the submitted plans but I do not consider these to be material to the determination of the application. The west facing elevation of the clubhouse conversion element was missing but was later submitted as an amendment
Acoustic fence to rear shown as both 1.7m and 2m in height – inaccurate information	Again, I agree the information is inaccurate but such details would be secured through appropriate planning conditions if Members are minded to approve the application
There are already 17 venues for hire in the community within half a mile of the site and 21 city council registered community facilities within a 15 minute walk – there is no need for a new facility	The application is acceptable in principle and the applicant does not have to justify a need for the new clubhouse. A clubhouse already exists within the site and it is the impact of the proposal that is the subject of this application.
Any development of the club garden should be much-needed low-rise homes like those recently built in Cherry Hinton Mews – these could be built at the rear of the site to fund the refurbishment works	The Local Planning Authority should consider the application as submitted. If it is found to be acceptable and in accordance with local and national policy it should be approved. The potential for a

necessary for the existing building. The land to the rear could be sold off to generate funds or the upper floors of the existing clubhouse could be used as flats to generate funds to refurbish the current ground floor club space.	preferable scheme (if that should be the case) is not a relevant consideration and would not justify a refusal of planning permission.
Building immediately adjacent to the side wall of No. 140 Cherry Hinton Road will restrict access to walls and chimneys for maintenance	This is a Building Regulations matter and not a planning consideration
Potential damage to the foundations of No. 140 Cherry Hinton Road and subsequent cracks to walls that would go undiscovered - obscured by the new development	matter and not a planning
Potential subsidence in the existing building on boundary with No. 140 – part demolition may be required	This is a Building Regulations matter and not a planning consideration
Supporters of the scheme nearly all live outside the area	The support indicates that the club is of value to its members, however, the key issues that have been identified relate to the impact the proposal will have on its surroundings.
Residential development getting ever more dense in this part of city and services are creaking	•

The new flats are likely to be There is no evidence that the new flats will be used as used as student accommodation which there is student accommodation which far too much of in Cambridge more accommodation. The need for accommodation student detailed in the Cambridge studies. Potential new residents parking scheme to be introduced resulting in less spaces available in the area. Marshall Road will lose half its spaces and Rock Road will lose some such that 40 residents from these two roads will have to park elsewhere. therefore acceptable in policy terms. Servicing and delivery vehicles cannot turn within the site resulting in the need to reverse

Local Plan and in emerging Whilst this may have impact on the availability of off-street car parking for the proposal, the Local Plan is clear that the level of parking required within the parking standards is a maximum. Provision of fewer spaces is

typically

hostel

onto Cherry Hinton Road which is unsafe

I am mindful of the Local Highway Authority comments that the proposal is "unlikely to result in any significant adverse impact upon highway safety"

Tree within garden of No. 140 T007) shown (ref. to be removed within not applicant's control

This is a civil matter. It would appear that consent would be required from the owner to remove this tree

South elevation of new club building fails show to relationship with Cherry Hinton Mews which is 600mm lower than proposed club building roofline club building would be significantly higher

There is no requirement for the applicant to show the relative heights of buildings within and outside of the site. The proposed roofline will be higher but overall the building is of two storey height and set well back from the road. I am mindful of the comments of the Urban Design team with respect to the visual impact of the building.

The parapet to the end of the first floor elevation of the proposed flat in the new club building is not shown on the south elevation – this increases the height of the proposed building when viewed from the south and would appear unattractive

I agree the parapet is not shown. However, it is on the far northern end of the building and would not be visible from the ground floor or from within gardens to properties on Hartington Grove. From first floor windows it may be visible but due to perspective will not appear taller or as a dominant feature of the building in my opinion

Loss of green spaces and subdivision into separate gardens for flats – this should be kept as a single communal garden

The green space is not statutorily protected and a reason for refusal on this basis would not be justified in my opinion.

Planning obligations

- 8.69 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.70 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small-scale development and as such no tariff style planning obligation is considered necessary.

Other issues

8.71 I note the comments of Cambridgeshire Fire and Rescue Service. It has not been specific in its concerns but I note the access road to the new club building at approximately 36m is longer than the 20m allowed distance for a fire appliance to reverse after which turning space is required and has not been

accommodated. However, I note the width of the access is sufficient and I am confident that a fire appliance could attend the site. I have discussed the proposal with the Building Control team who have confirmed to me that this issue would not necessarily prevent the development from going ahead but would require liaison between the developers and the fire service in order to find a solution.

- 8.72 In relation to flood risk, the site lies within Flood Zone 1 representing the lowest flood risk. I do not consider any mitigation measures to protect the site from flooding or to protect off-site land from flooding as a result of the development to be necessary.
- 8.73 Appropriate drainage measures could be secured by an appropriately worded planning condition should Members be minded to approve the planning application.

9.0 CONCLUSION

- 9.1 In my opinion the proposal is acceptable in principle as it provides residential development that is compatible with adjoining land uses and does not result in any unacceptable loss of community facilities.
- 9.2 I consider the visual impact of the development to be acceptable and I am mindful of the comments of the Urban Design team in this regard.
- 9.3 I consider the proposal is unacceptable in that it would introduce a use that will generate significant levels of noise and general disturbance into a quiet residential area with the resultant detrimental impact on the amenities of both existing residents of surrounding properties and future residents of the proposed flats. I am mindful of the comments of the Environmental Health team relating to the failure of the applicant to demonstrate that the amenity relationship between clubhouse and residential uses is acceptable.
- 9.4 The proposed new clubhouse building would lie in close proximity to a silver birch tree of recognised amenity value that is statutorily protected by a Tree Preservation Order. I agree with the Trees Officer that the proposal will result in

- unacceptable harm to the tree and will threaten its future viability.
- 9.5 In relation to car parking provision I am mindful of the significant level of local objection to the level of provision. However, in my view this is in accordance with the Development Plan and would not justify a reason for refusal of the application. Sufficient cycle parking has been provided and the site lies in a sustainable location in relation to the availability of a variety of transport modes.
- 9.6 In relation to other matters including drainage, ecology, renewable energy and disability access I consider that appropriate mitigating conditions could be imposed if Members were minded to grant planning permission.

10.0 RECOMMENDATION

REFUSE for the following reasons:

- 1. The proposed new clubhouse building will introduce significant levels of noise and general disturbance into a quiet residential area through the holding of events that involve live and amplified music and the attendance of visitors with the associated sounds of voices and general disturbance through comings and goings and the use of outdoor areas in close proximity to homes. The submitted noise assessments fail to demonstrate that the amenities of occupiers of properties in Hartington Grove, Cherry Hinton Mews, No. 140 Cherry Hinton Road and the future amenities of occupiers of the proposed 10 flats would not be unduly affected. As such the proposal is contrary to policies 3/4, 3/7, 3/12 and 4/13 of the Cambridge Local Plan 2006.
- 2. The proposed new clubhouse building would adversely affect the health of the silver birch tree, protected by virtue of a Tree Preservation Order, located in the garden of No. 75 Hartington Grove, by virtue of development within the root protection area, works required to allow construction of the building and future pressure to prune the tree to maintain a clearance and allow the PV Panels on the south elevation of the proposed building to work effectively. The tree positively contributes to the visual amenity of the area and its loss would harm the visual quality of

the surroundings. As such the proposal is contrary to policies 3/4, 3/7, 3/11, 3/12 and 4/4 of the Cambridge Local Plan 2006.



PLANNING COMMITTEE

1st March 2017

Application Number	16/19	32/FUL		Agenda tem	
Date Received	3rd N	ovember 2016	_	Officer	Mairead O'Sullivan
Target Date Ward Site Proposal	Newn Kings Erecti reside	College 1 Cra ion of two nev	w buildir modatio	ngs for g	
Applicant		College Deve		its Ltd.	
SUMMARY		Development The p harm the Co	t Plan for roposed ne chara onserva	d develonanter development dev	ls with the owing reasons: opment would appearance of a. This harm d by the public
RECOMMENDA	NOITA	REFUSAL			

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the corner of Cranmer Road and Grange Road. This area accommodates a mix of uses but is predominantly residential and educational. The encompasses two existing buildings; Cranmer Lodge and Grasshopper Lodge. The site falls within the West Cambridge Conservation Area. Although neither of the buildings are listed, Grasshopper Lodge is noted in the Conservation Area Appraisal (CAA) as being a positive unlisted building. It consists of two three-storey late Victorian red brick buildings which have been joined together with both buildings addressing Grange Road. Cranmer Lodge addresses Cranmer Road. There are a number of small ancillary buildings which surround this villa. The plots of both Cranmer Lodge and Grasshopper Lodge include a large number of mature trees and hedge.

- 1.2 To the north of the site is Cripps Court; a four storey residential building which provides student accommodation to Selwyn College. This building dates to 1968 and pre-dates the Conservation Area designation. To the east of the site is the Grade II listed Old Court at Selwyn College.
- 1.3 The southern side of Cranmer Road is characterised by red brick villa buildings on large plots. The houses here are set back from the street with walls and hedges to the front. The West Cambridge Conservation Area Appraisal details that this part of the Conservation Area is notable for the survival of many of the late 19th century residential buildings in their original plots, which tend to be quite narrow but deep, providing large back gardens.
- 1.4 Leckhampton Lane runs along the southern boundary of the site. The lane has a rural character and affords glimpses up into the large gardens of the villas on Cranmer Road. This is a private lane in the ownership of Corpus Christi. There are some buildings fronting onto the southern side of the lane but these are either moderate domestic scale buildings close to the edge of the road or multi storey buildings which are significantly set back behind a heavily treed frontage. The many trees on either side of the lane are important to its character and contribute to its rural quality.

2.0 THE PROPOSAL

- 2.1 The application proposes the erection of two buildings, a villa and garden building, to provide 73 student rooms with kitchen/living facilities and a common room.
- 2.2 The villa building is proposed to the north of the plot and would front onto Cranmer Road; in-filling the gap between Cranmer Lodge and Grasshopper Lodge. During the course of consideration of the application the proposals for the villa building have been amended by the applicants in response to comments received from Cambridge Past Present and Future. Officers did not request these amendments. The villa building as now proposed is to be 2.5 storeys with dormers to the front and rear. There is to be a chimney at either end of the building and it would be finished in red brick. A timber bike shelter is proposed to run along the side of the building. The villa building would provide a total of 22 study bedrooms over 3 floors with a

- kitchen/dining/common room on each floor. One DDA compliant room is proposed on the ground floor.
- 2.3 The proposed garden building is to be sited to the southern end of the site adjacent to Leckhampton Lane. At ground floor level it takes the form of two square blocks with a linking glazed element to allow views through to the garden. However the building is three storey and the upper two levels produce an inverted U format to Leckhampton Lane with a courtyard occupying the open space. It would be a flat roofed structure with large glazed windows and louvred timber screens. It would sit on a brick plinth. There is to be a large common room in the ground floor adjacent to the courtyard. There are 7 bedrooms and 1 kitchen in the western wing and 6 bedrooms, including 1 DDA compliant room, and a kitchen in the east wing. The first and second floors mirror each other; these provide a total of 19 rooms each including 1 DDA bedroom on each floor. There is a lift in the eastern wing of the building to provide access to the DDA rooms. Two kitchens are provided on each floor. The garden building would provide a total of 51 study bedrooms.
- 2.4 A total of 30 trees are proposed to be removed as part of the development; 8 category B trees and 22 category C trees. There is currently a brick wall which separates the two gardens. This is to be removed as part of the proposal. 17 new trees are to be planted to replace those lost and attempt to mitigate the development. Many of these are to be adjacent to Leckhampton Lane to help screen the proposed Garden Building. A central garden is to be provided to occupiers of the scheme. This would consist of an amenity lawn with some ornamental plating as well as a productive garden space.
- 2.5 During the course of the consideration of the application the following amendments/further information was submitted:
 - a) Planning Response Landscape Design
 - b) Response to Conservation Comments

3.0 SITE HISTORY

Reference	Description	Outcome
C/02/0682	New railings on top of an existing wall.	Permitted

C/83/0658 Change of use from residential to Permitted students hostel and erection of connecting link to adjoining students hostel

4.0 **PUBLICITY**

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

5.0 POLICY

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

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning	Sustainable Design and Construction (May 2007)

Guidance					
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)				
	Planning Obligation Strategy (March 2010)				
Material Considerations	City Wide Guidance				
	Arboricultural Strategy (2004)				
	Cambridge Landscape and Character Assessment (2003				
	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)				
	Strategic Flood Risk Assessment (2005)				
	Cambridge and Milton Surface Water Management Plan (2011)				
	Cycle Parking Guide for New Residential Developments (2010)				
	Area Guidelines				
	West Cambridge Conservation Area Appraisal (2011)				

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

6.1 Objection: The applicant must provide a short Transport Statement explaining, inter alia, any changes in traffic generation (all mode) and parking demand resultant from the proposal. Unless and until such information has been submitted the Highway Authority objects to the proposal as there is insufficient information provided within the application to assess the impact of the proposal upon the highway network.

Second comment

6.2 <u>Neutral:</u> Requests further information regarding Proctorial control. An informative regarding the Residents Parking Scheme is recommended.

Cambridgeshire County Council (Transport Assessment Team)

- 6.3 <u>Objection:</u> The County Council have reviewed the additional information provided for the proposed site. There a number of points of clarification and elements of the analysis to be revisited.
- 6.4 <u>Objection:</u> The applicant has provided further information concerning the accident data and has shown that the accidents that have taken place at the junctions in question are not expected to be exacerbated by the proposed development. The

County Council require further reassurances that the students that will be living at the development will be prevented from parking on unrestricted streets the vicinity of the in development. The proctoral control applies to students who have not yet reached MA status; it is not clear what level the post graduate students will be that live at the proposed development and whether they will be excluded from proctoral Therefore the County Council require further information at this stage. Should the Local Planning Authority be mindful to grant planning permission the County Council request that a Travel Plan and Student Management plan be secured which detail how students' resident at the development will be prevented from bringing a car into Cambridge and parking it on Cranmer Road.

Environmental Health

6.5 <u>Supported:</u> The proposal is acceptable subject to the imposition of 4 conditions. These relate to construction hours, collections/deliveries during demolition/construction, piling and dust. The applicant has submitted a combined Phase 1 Desktop Study and Phase 2 Site Investigation in support of the application. There are no concerns regarding contaminated land or ground gas. The Housing Health and Safety Rating System informative is recommended.

Refuse and Recycling

6.6 No comments received.

Urban Design and Conservation Team

I have set out the comments in full because they are highly significant to my recommendation.

6.7 Reasons for Refusal

☐ The proposed development fails to preserve and enhance the character of the west Cambridge Conservation Area

Background information/additional comments:

The West Cambridge conservation area is noted for spacious residential streets lined with mainly detached houses, mostly in red brick, in the Arts and Crafts style. (West Cambridge

Conservation Area Appraisal 1.2 p 2) The many private gardens and continued use and maintenance of the open green spaces and woodland has helped the area retain a less built up semi-rural character contrasting with the city centre. (2.2 p10).

The trees, hedges, gardens and allotments of West Cambridge should be seen in the context of the relative paucity of hedgerows and woodland in the surrounding countryside and the abundance of mature gardens provide a vital green corridor linking the field hedgerows into the city. (3.3 p13, 14)

The conservation area is notable for its many open spaces and for its variety of large gardens, most of them enclosed by high walls and planting, so not easily visible from the public domain. The trees within these spaces are very important in the way they frame views and the buildings themselves. (4.2 p16)

Grasshopper Lodge is seen as a positive unlisted building in the townscape analysis within the CA Appraisal and makes a significant contribution to the conservation area. The large garden of Pinehurst has been retained along with many mature trees. Leckhampton Lane, access lane to Leckhampton House, is now tarmacked but still retains a unique character within this part of the conservation area due to the number of trees along its length with mature gardens behind giving a sense of its past rural character. The section of the lane opposite the site has buildings well set back with mature trees and planting behind the concrete wall.

The Heritage Statement states that Grasshopper Lodge and Cranmer Lodge are not particularly good examples of their type. The inclusion of Grasshopper Lodge as a positive unlisted building in the appraisal is indicative that it is a good example where its style, detailing and building materials provides the streetscape with interest and variety and makes a positive contribution to the conservation area. (5.4 p21). The rear of the lodge still reads as a coherent whole and retains the majority of original built features.

Section 4.07 of the Heritage Statement states that there is no interrelationship between the nearby open spaces and the character of the application site. It neglects to mention the contribution the gardens of the lodges make to the area as outlined in the CAA.

Section 4.15 of the Heritage Statement states that the CAA has not identified any views to the application site as important but does not analyse the positive contribution the large mature gardens make to the CA. The conservation appraisal is clear that the flat topography, many open spaces and long, straight roads within the area all provide ample opportunity for long and short views, or shorter vistas which are often terminated by buildings and trees. The most important views and vistas are marked on the Townscape Analysis maps but there are lesser views in many other locations which are of equal significance in their contribution, so omission of any particular view or vista does not mean that it is of no importance. (4.3 p18)

Whilst the tree groups on the site are not specifically mentioned in the CA the general importance of mature trees and planting is highlighted throughout the appraisal.

Site proposals

to built area. (6.2 p29)

One of the principle issues identified within the CAA is the control of new development. It has been highlighted that the open spaces and unusually large private gardens are potentially vulnerable to future development proposals which could adversely affect the special character of the conservation area. Since the evolution of the Sidgwick site from 1962 there has been a surge in College building programmes both for new colleges and residential blocks. A number of residential accommodation blocks were built from the late 1960s through to the 1990's. Most of these building projects took place on open land but in some cases numbers of large 19th century villas and their gardens were lost to college development, notably for Cripps Court (1964-66) and Robinson College (1981). Both these developments were approved before this section of the West Cambridge Conservation area was designated in 1984. Alongside these new developments there has been a gradual conversion of many family houses into student accommodation with the incremental loss of gardens to cope with the increased demand for car parking. Over time university uses have come to dominate the area although enough private residential property remains to give the area vitality outside term time. Despite the impact of these large college buildings the Grange Road character area retains a domestic scale (6.2 p29) and is notable for the survival of many late 19th century residential buildings in their original gardens. The buildings are set to a common building line visually five to seven metres back from

The buildings do not exist in isolation. They relate closely to each other, to the intervening spaces and the wealth of greenery. Buildings and spaces throughout the area create a continuing and varied sequence of solid and void. Gardens and

the pavement line and there is a high ratio of green open space

grounds are effusions of green which flow around the buildings fusing the area together and creating a rich habitat for a variety of wildlife. (6.2 p29).

The proposed villa is justified as a continuation of the rhythm of buildings and spaces along Cranmer Road. This is a spurious argument as the site is a corner plot and was planned as part of the overall development of the area not a gap created by an extended rear garden. There have been infill buildings and extensions along Cranmer Road however none of these are as large as this proposal and not all have been successful. The proposal is a double fronted house which is too large for the space and thought needs to be given about losing one of the last clearly defined villa and garden spacings which has been eroded in the rest of Cranmer Road.

The idea of a "pavilion" in the garden brings to mind a lightweight structure possibly with a pitched roof and definitely subservient to the host building. This current proposal, in contrast, constitutes over development of these two gardens. Whilst it has been reduced from the pre application proposal the form and scale at three storeys with flat roofs will dominate the two mature gardens and creates an awkward relationship with rear elevation of Grasshopper Lodge.

The addition of a large villa building and even larger three storey pavilion building will fail to maintain the key features of the site and the conservation area as a whole. By filling in the space and removing a number of trees the glimpsed views into these private green spaces will be blocked and the domestic character of the gardens irreversibly changed along with the sense of building to void character which is significant in the conservation area

The loss of the original wall between the gardens of the two lodges and a large section of the garden wall to Cranmer Road will further compromise the strong linear character and separation of the villas and their individual plots. This has already happened at Grasshopper Lodge and the plot next to Cranmer Lodge.

This proposal would see the continued amalgamation of individual villa plots into larger development sites removing original lines of separation and eroding the sense of space and original villa/garden character that this part of the conservation area has managed to retain.

This proposal does not preserve or enhance the character of the conservation area and therefore does not meet the test in the Planning (Listed Buildings and Conservation Areas) Act 1990 and represents significant harm to that character which is not outweighed by public benefit.

Comments in response to applicant's Response to Conservation Comments document

6.8 This will be reported via the amendment sheet.

Senior Sustainability Officer (Design and Construction)

Supported: In line with the requirements of policy 3/1, the 6.9 applicant has submitted a Sustainability Statement outlining a range of measures that will be integrated into the scheme to help deliver sustainable development. These include the use of rain gardens, rills and swales. With regards to the applications approach to energy efficiency and carbon reduction, the application does propose an approach which differs from the Council's current renewable energy generation (policy 8/16). Instead, the application proposes an approach more in line with the Council's emerging local plan policy on carbon reduction; although the approach goes beyond this policy as the scheme has been designed, and will be certified to, the Passivhaus This approach is focussed on utilising a high standard. performance building envelope to radically reduce the energy demand of the building and hence its carbon emissions. While it is noted that this approach represents a departure from the adopted Local Plan and policy 8/16, given the levels of carbon and energy reduction being achieved and the ethos of Passivhaus, which is focussed on high levels of occupant comfort while using very little energy for heating and cooling with rigorous quality assurance processes, this approach is fully supported. A condition is recommended requiring the applicant to submit details of Passivhaus certification to the planning authority prior to the occupation of the building.

Access Officer

6.10 Objection: The provision of 4 rooms is the minimum permitted under the Local Plan or Building Regulations. They all need parking spaces. Not all for need to be designed for wheelchair users; some rooms could be designed for students with sensory impairments. General support for sensory impaired students is needed, re signage, decor contrast, hearing loops in communal room, alarms, etc. The rooms seem very small for student who

are mature and maybe in accommodation for complete years, not just terms. The wheelchair accessible rooms need a total redesign; they are not fit for purpose. Rooms that carers can occupy if needed must be adjacent. Due to shared kitchens adjustable height sinks, surfaces, cookers and tables need to be provided.

6.11 Objection: Unsure what the developer means by DDA compliant. This piece of legislation has been replaced by the Equalities Act. Desks and cupboards need to be adjustable and built with needs of disabled people in mind. Concerned about upper floor bedrooms without a fire evacuation standard lift. Bathrooms in garden building need to be re-designed; current layout would leave wheelchair blocking doorway. Bathroom in Villa building should be re-arranged to allow for a hoist. No mention is given to signage/colour contrast to help visually impaired students. No mention is given to hearing loops, alarm systems to help hearing impaired people.

Head of Streets and Open Spaces (Tree Team)

6.12 Objection: The loss of trees required to accommodate the new buildings will have a material impact on the character and appearance of the area, especially Leckhampton Road, Cranmer Road and Grange Road at the junction with Cranmer Road.

The space available for replacement planting along Leckhampton Road will not allow tree species that will adequately mitigate the loss of amenity brought about by removals.

The Cranmer Road villa has less impact in terms of tree losses but its location blocks the views though to trees in the garden and therefore results in material impact on the nature of the views from Cranmer Road and Grange Road. Again there is limited scope for replacement planting sufficient to mitigate the impact of this building.

Comments in response to applicant's Response to Landscape Design Comments document

6.13 These will be reported via the amendment sheet.

Head of Streets and Open Spaces (Landscape Team)

- 6.14 Objection: There is a strong concern about the loss of trees, loss of green space/garden from each existing individual villa and the impact of additional bedrooms on an much reduced amenity space.
 - ☐ The tree survey and Arboriculture Implications Assessment consider that 32 trees require felling to allow development. This is a very significant proportion of the overall tree cover on this site and we feel it will have a negative impact on the site in respect of the Conservation area character. The two existing distinct properties convey the character of the area including extensive grounds, lawns and treed edges. We feel this character is worthy of retention and the reduction of garden area and tree cover would be a loss to the area.
 - ☐ The size of the amenity space when seen in context between the space previously available for the existing villas and the space provided for the existing villas plus the new villa and student block will be undersized for purpose which we feel is not acceptable.

Conclusion

The landscape team feels the proposals contravene Policies 3/4 Responding to Context, 3/7 Creating Successful Places and 3/11 The Design of External Spaces.

Comments in response to applicant's Response to Landscape Design Comments document

6.15 Landscape has reviewed the submitted responses to our comments. Whilst compelling, there remains the matter that the proposals represent a distinctive change to the character of the area both through the loss of trees and through the addition of buildings and intensification of the external spaces.

Cambridgeshire County Council (Flood and Water Management)

First comment

6.16 Objection: We object to the grant of planning permission on the grounds that insufficient information has been provided to allow us to assess the proposals.

Second comment

6.17 <u>Supported:</u> We have reviewed the submitted additional information. The applicant has addressed our previous concerns in detail and we are therefore content to remove our objection. A condition is recommended regarding the long term maintenance arrangements for the surface water drainage system.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.18 <u>Supported:</u> The proposal is acceptable subject to a condition relating to the surface water drainage scheme.

Walking and Cycling Officer

6.19 No comments received.

Anglian Water

6.20 No objection: A number of informatives are suggested.

Design and Conservation Panel (Meeting of 11th January 2017)

6.21 The Panel's overall comments

The Panel's principal consideration was to determine whether the application site has the capacity to accept the proposed quantum of development proposed and design of the additional buildings without causing significant harm to the character and appearance of the West Cambridge Conservation Area. Overall, it was agreed that the site has the capacity to accept the proposed additional buildings whilst retaining substantial private landscaped spaces. The development of the graduate campus still allows glimpses of the site from Cranmer Road and Leckhampton Lane.

In general, the Panel were comfortable with the scale, height and massing of the Villa and the Garden Building. The approach taken in the designs of the two buildings was felt to be an appropriate response to the different characteristics of Cranmer Road and Leckhampton Lane. Moreover, the proposed palette of materials for both buildings was considered to be appropriate. The Panel, however, expressed the reservations on some aspects of the detailed design of both the Villa and the Garden Building. These are presented below.

The Panel's comments on the Villa

The Panel noted the key design changes that had been made in response to suggestions made through the planning process. The Panel supported the proposal to move the chimneys to the gables, along with the reduced eaves line and a more prominent central opening in the brickwork for the stairwell window, but was not convinced by other proposed changes:

□ The principal entrance court to be sited inside the existing gate of Cranmer Road. The Panel was disappointed to

see that the proposed siting had been constrained. There was some discussion within the Panel about the role of this entrance, and whether it should be regarded as the principal entrance on to the site, or a secondary entrance only used by residents. Perhaps other options could be explored that require the creation of a new opening in the boundary wall on Cranmer Road that directly addressed new Villa, though this would require careful consideration of the historical integrity and contribution to the streetscape of the current wall. Such a move, along with further adjustments to the Villa's Cranmer Road elevation, could provide a better relationship between the new Villa and its 19th century neighbours to the east. The Panel also considered there to be merit in removing the asymmetry to the ground floor of the street elevation. Such a re-appraisal should clarify public, as opposed to student resident, entrances and the siting of cycle parking ☐ The extent of the cycle storage to be sited between the proposed Villa and Cranmer House The Panel noted that such siting will obscure views of the proposed Garden Building and the central landscaped area ☐ The treatment of the single storey element. The original proposals included a single storey element on the west side of the Villa contained under a lean-to roof. In the revised proposals presented to the Panel this element had been changed to having a flat roof, so as to better relate to the adjacent cycle stores. The end result is a rather awkward brick appendage to the side of the garden elevation of the Villa, and it would be preferable to either reinstate the lean-to roof so that it has a better relationship to the Villa, or change the external materials on this element (say timber cladding) so that it reads as part of the bike stores.

The Panel's comments on the Garden Building

The use of brick on the parapet has arguably taken the layering of the facade too far. A comment was made that the building had been 'sandwiched' or capped inelegantly. The Panel suggests that the materials and detailing for the parapet be revisited. The Panel also suggested that the windows at the ends of the corridors could incorporate window seats.

Landscaping

The Panel was supportive of the three over-riding landscape themes and of the proposed general layout of the landscaped spaces. However, if students are to be directly involved in growing vegetables, then practical issues such as storage for garden tools, outerwear for use in the students' vegetable garden etc. need to be addressed. The detailed planting scheme for the whole site should specify flora that will encourage biodiversity.

Lighting

To fully appreciate the impact of the scheme on the surrounding area a lighting strategy should have been presented as an integral component of the development. It was noted that a combination of lights mounted on the buildings and ground level bollards would be used to create a subdued, but safe and well-lit campus. The internal and external lighting of the glazed common room, in the undercroft of the Garden Building, should enhance its presence and its setting.

Treatment of the site's southern boundary

To enhance the streetscape of Leckhampton Lane, and the external appreciation of the Garden Building, it is suggested that the perimeter fence should vary so as to provide both privacy to the student rooms and offer glimpses of the courtyard landscaping and the architectural layering of the structure.

The Panel wishes to be assured that the route from the Blue Badge parking to the DDA bedrooms in the Garden Building will provide attractive and safe access. No detail of the design of this access, between the southern end of Grasshopper Lodge and the screening of the proposed site for the campus bin storage area, was presented.

Sustainability

The Panel applauded the proposed adoption of the Passivhaus approach to the design, construction, specification of materials and mechanical and electrical systems in the two buildings. This will result in significantly less energy use. The achievement of Passivhaus certification could provide a benchmark for new student accommodation in the City. It is hoped that the client and the experienced multi-disciplinary development team have the constancy of purpose to successfully deliver the Villa and Garden Building to the Passivhaus standard.

The conclusions of the Panel meeting were as follows:

The proposed scheme that has evolved through a thoughtful and generally sensitive incremental approach to meeting the client's brief for a site in an area consisting mainly of 19th century family houses, set within generous plots, is a good one. The Panel has high expectations that, subject to successful resolution of the detailed aspects referred to above, the proposed graduate campus for King's College is capable of delivering benefits that more than outweigh any perceived harm to the West Cambridge Conservation Area.

VERDICT - GREEN (5 votes) and 1 abstention.

Disability Consultative Panel (Meeting of 29th November 2016)

- 6.22 As a new build, the Panel felt this was a particularly disappointing proposal that appears from the plans to be too densely developed to comfortably house post-graduate students. With very little communal space provided and 8-10 students sharing each kitchen, the Panel questioned the rationale behind this degree of over-development. The college are also advised to re-visit their approach to accessibility.
- 6.23 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:
	Cambridge Past, Present and Future Corpus Christi College Selwyn College
7.2	The representations can be summarised as follows:
	General Support the project Have been in discussion with applicant regarding project Happy to work with the applicant to ensure smooth management of works
	<u>Design – garden building</u> Request further consideration given to front and back of Garden Building to add interest and ensure character of street scene/conservation area not harmed. Should be additional tree planting to provide screening and reduce visual impact on street scene.
	<u>Design - Villa</u> Concerned that Villa building is inappropriate; neither traditional nor modern. The front elevation requires further detailing.
	Other The proposed garden is acceptable and likely to be of more visual interest than the current lawn Traffic management plan seems adequate
7.3	The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.
8.0	ASSESSMENT
8.1	From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development

- 2. Context of site, design and external spaces (and impact on heritage assets)
- 3. Renewable energy and sustainability
- 4. Disabled access
- 5. Residential amenity
- 6. Refuse arrangements
- 7. Highway safety
- 8. Car and cycle parking
- 9. Third party representations
- 10. Planning Obligations (s106 Agreement)

Principle of Development

8.2 In terms of the proposal to use the site for student accommodation, Policy 7/7 (College and University of Cambridge Staff and Student Housing) of the Local Plan (2006) is relevant. It states development of additional student accommodation within college sites will be permitted. Kings College already accommodates more than 20 students on site and so is compliant with this policy. The Council has recently commissioned and completed an 'Assessment of Student Housing Demand and Supply for Cambridge City Council'. This is also relevant to the determination of the application, in particular in view of the need to balance the harm to heritage against the public benefit accruing assets development.

The NPPG contains the following advice about provision of sites for student accommodation:

Local planning authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus. Student housing provided by private landlords is often a lower-cost form of housing. Encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Plan makers are encouraged to consider options which would support both the needs of the student population as well as local residents before imposing caps or restrictions on students living outside of university-provided accommodation. Plan makers should engage with universities and other higher educational establishments to better understand their student accommodation requirements.

The Council's recently commissioned and completed 'Assessment of Student Housing Demand and Supply for Cambridge City Council' provides information on the student accommodation requirements of a range of educational institutions in Cambridge and assists the Council in addressing this element of the NPPG.

In the absence of a national policy requirement to provide purpose built student accommodation, the ongoing uncertainty about needs beyond the next ten years, and the provision of student accommodation which continues to be made through both allocations and windfall sites, it is considered there is no justification to conclude that the Council's current strategy to address student accommodation in the emerging Local Plan is not reasonable.

However, the emerging Local Plan acknowledges the competing development pressures in Cambridge including student accommodation and it has always considered it important that a balanced approach is taken within the remit of sustainable development in order to support the economic and social needs as well as quality of life and place.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 7/7.

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

8.4 The West Cambridge Conservation Area is characterized by its wide residential streets with mainly detached red brick houses in the Arts and Crafts style, although there are some earlier and more modern buildings that break from this trend. The Conservation Area is notable for its many open spaces and variety of large gardens, most enclosed by high walls and planting. Trees within these spaces are noted to be important in the way that they frame views and the buildings themselves. The Grange Road character area, which the application site falls within, is particularly noted as having a high ratio of green open space to built area. The CAA states that these large open spaces, such as the unusually large private gardens which are characteristic in the area, are potentially vulnerable to future

- development proposals, which could adversely affect the special character of the Conservation Area.
- 8.5 The applicants argue that the application site is an anomaly as it lies on a corner plot and as the gardens of the villas are not visible from the public realm. I do not consider this to be the case; the CAA notes that the gardens of these properties are normally hidden from public view by high walls and planting. The fact that the gardens are not highly visible does not mean that they do not contribute to the character of the area. The height of the wall is a historic feature; the wall rises in height at the location where the green house once stood. It is also a significant feature in the area which allows glimpses through to the large treed gardens.

Proposed villa building

8.6 The proposed villa building is justified by the applicants as being a continuation of the building line on Cranmer Road. The Design and Access Statement argues that it would create a 'consistent rhythm along the south side of Cranmer Road'. The Conservation Officer disagrees with this statement. In her view the proposal is too large for the space. She argues that the gap between Cranmer Lodge and Grasshopper Lodge was planned and although there have been some infill buildings along Cranmer Road not all have been successful and none have been as large as what is proposed. The scale of the proposed building will dominate the street scene. A more subservient scale building may be acceptable in this location but the scale of what is proposed is considered harmful to the solid and void rhythm of this part of the Conservation Area.

Proposed garden building

- 8.7 The proposed garden building is to sit at the southern end of the site adjacent to Leckhampton Lane. The proposed building is of a significant scale and would not be read as a subservient building. Although it would not be highly visible from the public realm it will remove the glimpsed views of open green space and would irreversibly alter the ratio of solid to void which is important to the character of this area of the Conservation Area.
- 8.8 The Statement of Significance contained within the applicant's Heritage Statement argues that Leckhampton Lane is, at best, a

neutral element within the Conservation Area. It also highlights that the lane is a private road and that only glimpses of the lane are available from the public realm at Grange Road. I disagree with both of the above assessments. Although Leckhampton Lane is not specifically referenced in the Conservation Area Appraisal, it is still a notable area. Here, one is afforded glimpses through the trees to the large gardens of the properties on Cranmer Road giving a sense of the rural past. Whilst Leckhampton Lane is a private road, the CAA emphasizes the importance of the preservation of views within the Conservation Area. There is no development on the northern side of the lane and whilst there are some buildings to the south of the lane these are either of a domestic scale and thus not comparable to what is proposed or significantly set back from the lane to allow the trees to dominate the streetscene. The presence of the garden pavilion will change the character of the lane by altering the solid to void ratio and removing the open green character obtained through the views into the large gardens. At ground floor level the glazed linking building would allow some views into the proposed garden area but the upper two floors would close this down and fundamentally change the streetscene. While there may be scope for some form of structure in this location the scale, height and mass of the proposed building is harmful to the visual amenity of the Conservation Area.

- 8.9 The Tree and Landscape Officers have both raised objections to the proposals. They both consider that the significant number of trees which would be removed would have an unacceptable impact on the character of the area. The Tree Officer raises concerns that there will not be sufficient space to allow planting along Leckhampton Lane to adequately screen and mitigate the garden building. She notes that the loss of trees from the villa has less impact but the building would block views through to the garden and its trees which would have a material impact on the nature of views from Cranmer Road and Grange Road.
- 8.10 The applicant has provided a response to the Landscape and Tree Officer comments. They note that the majority of the trees to be removed are category C. The response states that many of the trees within both sites have developed in close proximity to one another which is impacting on the health of these trees. They consider there to be adequate space for tree planting to mitigate the garden building and consider that views into the

garden between the villa and Grasshopper Lodge will be maintained. Whilst views may be possible the open green nature of the space would be destroyed by the addition of the large garden building. It may be possible to include a significant amount on planting on the boundary with Leckhampton Lane however the presence of the garden building will still remove the open character and change the historic solid to void relationship which characterises this area.

8.11 In my opinion the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/11, 3/12 and 4/11.

Harm to Heritage Asset vs. Public Benefit

- 8.12 Paragraph 131 of the NPPF notes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The greater the importance of the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification
- 8.13 As outlined in paragraphs 8.4-8.11, the proposal will cause harm to the character and appearance of the Conservation Area. This harm is considered to be significant but less than substantial.
- 8.14 Paragraph 134 of the NPPF is relevant in the case of less than substantial harm. This states:
 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 8.15 When making an assessment the scales are tipped in favour of the heritage asset and any public benefit must be greater than the harm caused to the heritage asset to be considered acceptable.

Justification of Need and Public Benefit

8.16 The applicant has provided an Accommodation Needs Assessment relating to graduate housing as part of the

application. The college currently provides accommodation to 50% of its graduate students; there are 134 rooms spread out in different locations around the city. This includes 28 at Grasshopper Lodge and 17 at Cranmer House. The college has an aspiration to accommodate 90% of its graduate students while also accommodating a 2% increase in graduate student numbers per annum over the next 15 years. As a result the college has a clear need for additional graduate accommodation.

- 8.17 The applicant has submitted a response to the Conservation Officer's comments. This provides a justification for the proposal where the applicant weights the public benefit against the harm to the Conservation area. A summary of the key points which the applicant considers to be public benefits of the project are as follows:
- Additional high quality accommodation will increase the ability
 of the College to compete nationally/internationally, thus
 contributing to the international standing of the university.
- Includes DDA compliant rooms which the college cannot provide within historic building stock
- Would ease pressure on private rental market
- Would reduce bicycle movements around city by consolidating students on 1 site
- Buildings are environmentally friendly with 100 year design life.
- Avoids need to develop on greenfield site
- Potential for communal spaces to be made available to the local community
- Construction work would secure employment
- 8.18 I have considered the public benefits that have been highlighted by the applicants as follows:

Additional high quality accommodation will increase the ability of the College to compete nationally/internationally, thus contributing to the international standing of the university.

I accept that the College have a need for additional high quality accommodation and this is reflected in Assessment of Student Housing Demand and Supply for Cambridge City Council. However evidence of a demand for student accommodation does not in itself provide justification for harm to heritage

assets. The Council's approach is to seek to balance the demands of a growing city against quality of life and place.

 Includes DDA compliant rooms which the college cannot provide within historic building stock

This is clearly a benefit to the College and would be beneficial to future students but in terms of a public benefit this justification has limited weight.

Would ease pressure on private rental market

It is accepted that providing student accommodation on existing student accommodation sites or windfall sites can have a positive effect in terms of 'freeing up' houses that are occupied by students to the rental market. However the applicant has not quantified this.

 Would reduce bicycle movements around city by consolidating students on 1 site

There may be a reduction in some cycle movements as a result of consolidation if it is assumed that students currently cycle between current areas of accommodation. However the students will still need access city centre and other university departments and the College itself so the public benefit of fewer cycle trips is not significant.

• Buildings are environmentally friendly with 100 year design life.

The NPPF is supportive of sustainable development and this in itself is a public benefit but the contribution of this particular building as an environmentally friendly design is not significant.

Avoids need to develop on greenfield site

I accept that this has the potential to be a significant public benefit and it is an issue for the growth of the City. However in this case I do not consider that the harmful effect on the Conservation Area is outweighed by the risk of further development in the Green Belt. My view is that some development is appropriate on the site as a matter of principle which would help reduce pressure for release of the Green Belt.

Potential for communal spaces to be made available to the local community

This could be a public benefit but has not been quantified by the applicant so can be accorded only limited weight.

Construction work would secure employment

In my view given the scale of development this impact would not have a significant public benefit.

The proposal would provide an additional 73 bedrooms. This would bring the colleges total graduate room provision to 207 rooms. This would be nearly 77% of students with a shortfall of 63 rooms (based on 2016 figures). However it is worth noting that the university predicts a 2% growth to graduate numbers per annum.

8.19 Whilst the college clearly have a great need for additional rooms, it is my view that the freeing up of a number of rooms in the private rental market would not outweigh the harm caused to the character and appearance of the Conservation Area. I have considered the other public benefits listed in the response to the Conservation Officers comments document and in my view these combined with the benefit of freeing up housing would not be extensive enough to outweigh the irreversible harm to the character and appearance of this part of the Conservation Area.

Renewable energy and sustainability

8.20 The proposed development is to be in accordance with Passivhaus principles. The proposal as a result does not seek to provide the required 10% renewable energy requirement as required by policy 8/16. Instead the proposal is more in line with a policy in the emerging plan relating to carbon reduction. The principle is to maintain a comfortable and appropriate internal environment by using the minimum amount of energy possible. This is achieved through design and the use of a high performance building envelope to reduce energy demand and as a result reduces carbon emissions. This approach is supported by the Senior Sustainability Officer subject to condition.

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

Disabled access

- 8.22 The Access Officer has raised some concerns regarding the internal layout of some of the rooms. He has also raised concerns regarding the presence of accessible rooms to the upper floors without a fire evacuation lift. He notes that no reference has been made to signage or hearing loops for visual or hearing impaired students. These comments have been passed to the applicant. Were I minded to recommend approval an informative would also be included to make the applicant aware of these comments.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.24 The proposed villa building would sit roughly in line with the existing Cranmer Villa. There are residential rooms with windows in the east side elevation; facing towards the new building. However there is a significant separation distance of over 17m between the new villa and Cranmer Lodge. As a result I do not consider it would impact on the occupiers of these rooms in terms of enclosure or overshadowing.
- 8.25 The villa would run adjacent to a student room to the northern end of the rear elevation of Grasshopper Lodge. However there is a distance of over 10m between the villa and Grasshopper Lodge. As a result the proposal would not have a significant negative impact in terms of loss of light or enclosure to the occupier of this room.
- 8.26 The garden building is significantly set away from the existing accommodation on site. As a result this would not result in any significant adverse impact to the amenity of any of the existing student rooms.

- 8.27 The Environmental Health Officer considers the proposal would not have any significant adverse impact on the amenity of the surrounding occupiers subject to the incorporation of a number of conditions. However this is not considered to overcome the harm to the Conservation Area. The weighing of harm to public benefit can be found at paragraph 8.
- 8.28 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.29 The proposed study bedrooms are relatively small in size given that they are to accommodate graduate students who may occupy the room for multiple years rather than for single terms. The ensuites rooms within the garden room provide a total of 16.5m²per room (including the ensuites bathroom) and the non-ensuites rooms in the villa provide 13.6m². However a large communal common room is to be provided in the garden building. The occupiers of the units would also have access to the large central lawn and courtyard adjacent to the garden building. As a result the proposals are considered to provide an adequate level of amenity to future occupiers. It should be noted that the 2006 Local Plan does not include any policies relating to internal space standards.
- 8.30 The proposed development combined with the existing student rooms on site would result in a total of 118 student rooms. The total outdoor amenity space to be provided, including the paved courtyard to the garden building, the amenity lawn and the woodland area to the west of the site would provide a total of approx. 1875m² of outdoor amenity space. Whilst this is a significant reduction to the amount of outdoor space currently available to the existing occupier of the site, and I note the objection from the Landscape Officer, I consider this provision to be acceptable in terms of amenity to future occupiers.
- 8.31 In my opinion the proposal provides an adequately 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

- 8.32 A bin store is proposed adjacent the Grange Road to the south of Grasshopper Lodge. The Waste Officer has not commented on the proposal however I consider that the proposed bin store would be adequate were I minded to recommend approval.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.34 The Transport Assessment Team requested clarification regarding Proctorial control and accident data on the surrounding junction. The applicant has provided this information and the Transport Assessment Team are satisfied that the proposed development would not exacerbate highway safety to the surrounding junctions.
- 8.35 There is currently insufficient information to assess whether the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.36 There is adequate cycle parking provision for the proposal. The Transport Assessment Team have requested further information regarding how students would be prevented from bringing a car to site given that the site is proposed to accommodate graduate students who are not currently included in the Proctorial control system. Were I minded to approve the application I would seek to control this element through S106.
- 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 I note that there have been a number of representations in support of the proposal.

9.0 CONCLUSION

9.1 The proposed new buildings would harm the character and appearance of the Conservation Area. Due to the scale of both buildings they would negatively impact on the rhythm of solids and voids which is an important aspect of the character of this part of the Conservation Area. The proposal also results in the loss of a large number of mature trees from the site, whilst additional trees are to be planted the Tree Officer is not satisfied that there is significant space to allow sufficient planting to mitigate the scale of the development on Leckhampton Lane. The combination of the bulk and scale of both buildings with the loss of trees on site would remove the glimpses through to the large treed garden spaces and harm the green character of this part of the Conservation Area. The proposed harm is considered to be significant but less than substantial and has been weighed against the public benefit of the proposal in line with the NPPF. The public benefit of the scheme is not considered to outweigh the harm to the Conservation Area as a heritage asset and as a result the proposal is considered unacceptable and contrary to policy 4/11 of the Cambridge Local Plan (2006).

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed buildings, by virtue of their siting, height, scale and massing, the need to remove mature trees to facilitate the development and the lack of adequate space for new tree planting to mitigate loss of tree together fail to preserve and enhance the character and appearance of this part of West Cambridge Conservation Area. In so doing the development would result in significant but less than substantial harm to the West Cambridge Conservation Area as a heritage asset. This harm would not be outweighed by the public benefits accruing form the development and as a result the proposal is contrary to policies 3/4 3/11, 3/12 and 4/11 of the Cambridge Local Plan (2006) and the National Planning Policy Framework (2012).



PLANNING COMMITTEE

1st March 2017

Application	16/1811/FUL	Agenda		
Number		ltem		
Date Received	11th October 2016	Officer	John Evans	
Target Date	10th January 2017			
Ward	Newnham			
Site	Land Rear Of Cape Building 9 J J Thomson			
	Avenue Cambridge CB3	0FA		
Proposal	Full planning permission for 4376sqm of D1			
-	(Academic) floorspace, along with external			
	landscape, cycle parking, temporary parking area			
	and associated infrastructure including new service			
	road connecting to existing entrance from Clerk			
	Maxwell Road.	J.		
Applicant	Chancellor, Masters and	Scholars of	the University	
	of Cambridge		·	

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The development accords with the Development Plan for the following reasons:

- 1. The proposal is in accordance with Policy 18 of the emerging Local Plan which supports densification of the site.
- 2. The proposed new building is of design high quality and will successfully integrate the in context of surrounding buildings emerging outline the and masterplan strategy for the eastern side of the campus.
- 3. There will be no significant adverse visual impact from or to neighbouring residential properties on the eastern side of Clerk Maxwell Road.
- 4. Noise and amenity impacts arising from the development can be addressed by imposition of appropriate conditions.

A.1 BACKGROUND

Existing West Cambridge Site

- A.1 The application site falls within the West Cambridge Site, a major new academic campus undertaken by the University of Cambridge. The wider campus covers 66 Hectares situated between Madingley Road to the north and the M11 to the west. The site area is wholly within proposals site 7.06 of the Cambridge Local Plan 2006 and site M13 of the emerging Local Plan.
- A.2 An extant 1999 masterplan has been partially implemented. This related to a scheme of 248,272 sq m floor space in total. The principal roads through the site have been implemented along with numerous key buildings including Physics of Medicine, the Cavendish Laboratory's Maxwell Centre, a new academic research building for Materials Science and Metallurgy and new academic research buildings for the University's Electrical Engineering Division. In addition, the East and West Forums and lake area have been developed, which are the main areas of public realm on the campus. (See Appendix 2 –masterplan as implemented).

Future Strategy

- A.3 Policy 18 of the emerging Cambridge Local Plan (which is currently under examination) supports the principle of significant densification of the West Cambridge site, subject to provision of a revised site wide masterplan that takes an 'integrated and comprehensive approach to development'. This would include making more efficient use of land, increasing opportunities to meet employment need, enabling a different approach to place making, and provision of more shared social spaces and other ancillary support services to enhance the vibrancy of the area.
- The draft policy supports land uses on the site for (D1) A.4 educational uses. associated sui aeneris research establishments and academic research institutes. and commercial research (B1(b), where it will support knowledge transfer and/or open innovation. Small scale community

- facilities, amenities, shops and student accommodation are also supported to enhance vibrancy.
- A.5 An application for a new outline planning application for the West Cambridge Site was submitted in June 2016. (See appendix 3: illustrative masterplan). The outline application is still under determination to resolve key issues regarding landscape and visual impact, transport, drainage, trees, environmental and amenity concerns. A single package of amended information will be submitted in March for full reconsultation. It is anticipated that the outline application will be presented to Planning Committee in July/August 2017.
- A.6 The proposed densified West Cambridge development would have a total floorspace of 500,280 sq m (by 2031). This is broken down into 257,900sqm academic and 210,386 sq m commercial floorspace. Phase 1 (2021), which includes the application proposal, would provide 284,310 sq m, composed of 167,159 sq m of academic floorspace and 92,386 sq m of commercial floorspace.

Context for separate full planning application

- A.7 This site falls within the red line boundary of the wider West Cambridge outline application. The reason it is being brought forward ahead of the outline is because the Civil Engineering Building (CEB) is partly funded through the wider UK Collaboration for Research in Infrastructure and Cities (UKCRIC) and the Engineering and Physical Sciences Research Council (EPSRC), with match funding from Cambridge University. The terms of this funding requires the expenditure commitment in 2017/18 with the planning outcome secured at the start of 2017.
- A.8 For this reason, this application will need to be assessed ahead of the outline permission which is currently under determination. Provided there is full scrutiny of the application, prior determination will not in the view of officers prejudice determination of the masterplan.

1.0 SITE DESCRIPTION/AREA CONTEXT

Outline layout

1.1 The application proposal forms a part of the University's 'key phase 1' developments at West Cambridge. The application site is situated on the eastern side of JJ Thomson Avenue to the rear of the Centre for Advanced Photonics and Electronics (CAPE). It falls within 'East Forum Key Place', 'East Green Link' and 'Clerk Maxwell Road site edge' within the Design Guide which accompanies the current West Cambridge outline application.

CEB Application Site

- 1.2 The CEB forms one part of a chain of proposed modular buildings on the eastern side of the site, with heavily, more intensive uses located to the north and Madingley Road. This series of new flexible workshop buildings is part of an 'inset masterplan' developed by the Department of Engineering and is part of the overall outline masterplan application 16/1134/OUT.
- 1.3 The CEB is located on an existing tarmac car park to the rear of the Roger Needham Building and CAPE. To the immediate north and south are adjacent car park areas divided with relatively young tree planting. Further north is the existing Park and Cycle facility which is accessed off Clerk Maxwell Road (CMR). Beyond this is the Whittle Laboratory, a complex of relatively low buildings set in grass landscaping.
- 1.4 To the east of the proposed CEB site is a landscaped bund containing various native self-seeded trees and vegetation, beyond which is CMR. On the eastern side of CMR are residential properties within The Lawns and Perry Court. To the immediate north of Perry Court is the Cocks and Hens Lawn Tennis Club, an area of Protected Open Space.
- 1.5 The West Cambridge Site is not within a Conservation Area. The edge of the West Cambridge Conservation Area begins to the immediate east of the Lawns and Perry Court.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the erection of a new building for the next phases of the relocation of the Department of Engineering from its existing site on Fen Causeway. The CEB will be a purpose built centre for world leading research in the built environment focussing on the application and development of advanced sensor technology in construction, to promote better quality and safety.
- 2.2 The proposed CEB will have four levels of accommodation, including the basement, with a footprint of 4,500 sq m. This is part of an overall strategy to provide 100,000 sq m of academic floor space in the eastern character area of the revised West Cambridge inset masterplan. It is the first major building to be constructed as part of the Department of Engineering's long term strategy to move all activities to West Cambridge. The building will accommodate 115 employees and 86 post-doctoral students.
- 2.3 The building has a rectangular shaped footprint with a width of approximately 58m and depth of 33m. The building stands 13.9m to the parapet and has four rooftop flues which rise a further 6.6m.
- 2.4 The materials of construction consist of a curtainwall which incorporates glazed and thermochromic panels, grey anodised aluminium hook on rain screen panels with frameless glazed windows integrated into the timber framed curtainwall. The roof level accommodates a green/blue roof system with an integrated PV panel array.
- 2.5 General vehicle access for car parking (including accessible spaces) will be from JJ Thomson Avenue. 51 car parking spaces will be provided on a temporary basis behind the Whittle Laboratory Building to mitigate the car parking loss from the site of the CEB.
- 2.6 The servicing access for the proposed building utilises the existing entrance to the park and cycle facility off CMR. This will be enlarged to accommodate vehicles along the western side of the woodland bund. The CEB building will typically have one small delivery each day with approximately six large heavy goods vehicle deliveries per year.

- 2.7 The development includes provision for 144 cycle parking spaces. The cycle spaces will be located within 72 double cycle stands within 2 cycle shelters.
- 2.8 An EIA Screening Opinion has determined that the current application on its own is not EIA development.

Amended Plans

- 2.9 Amended plans have been received providing new and additional information as follows:
 - Applicant response to key planning issues.
 - Response to scale and massing concerns raised by the Council, including 3 additional verified views and axonometric plans.
 - Revised Transport Assessment and itemised response from PBA.
 - Drainage response, Smith and Wallwork Engineers letter.
 - Applicant response to third party representations.
 - Applicant response to Access issues.
 - Revised planting plan.
- 2.10 The application is accompanied by the following supporting information:
 - 1. Design Statement
 - 2. Transport Assessment
 - 3. Servicing and Operational Management Plan
 - 4. Public Art Statement
 - 5. Archaeology Statement
 - 6. S106 Heads of Terms
 - 7. Ecology Statement
 - 8. Utilities Statement
 - 9. Operational Waste Management Details
 - 10. Air Quality Statement
 - 11. Drainage Strategy

- 12. External Lighting Report
- 13. Construction Environmental Management Plan
- 14. Noise and Vibration Impact Assessment
- 15. Site Investigation Report
- 16. Sustainability Statement
- 17. Energy Statement
- 18. Tree Survey Report

3.0 SITE HISTORY

Reference	Description	Outcome
97/0961/OP	Outline application for the development of 66.45ha of land for University academic departments (73,000sq.m), research institutes (24,000sq.m), commercial research (41,000sq.m) and associated infrastructure	Approved
99/0042/FUL	Erection of three storey building to form Computer Sciences Faculty with associated parking and landscaping. (William Gates Building).	Approved
C/04/0614	Erection of part two part three storey building for academic research "purposes, pursuant to C/97/0961/OP. (CAPE building).	Approved
13/1564/FUL	Construction of an annexe to the Centre for Advances Photonics and Electronics (CAPE) Building	Approved

16/1134/OUT

Outline planning permission with all matters reserved is sought for up to 383,300m2 of development comprising up to 370,000m2 of academic floorspace (Class D1 space), commercial/research institute floorspace.

Submitted
June 2016,
currently
under
determination

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 3/2 3/4 3/6 3/7 3/9 3/11 3/12 3/13 3/15
		4/4 4/9 4/11 4/13 4/14 4/15
		7/1 7/2 7/3 7/4 7/5 7/6
		8/2 8/4 8/5 8/6 8/10 8/16
		10/1

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

Central Government Guidance	National Planning Policy Framework March 2012		
	National Planning Policy Framework – Planning Practice Guidance March 2014		
	Circular 11/95		
Supplementary Planning Guidance	Sustainable Design and Construction (Ma 2007)		
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)		
	Planning Obligation Strategy (March 2010)		
	Public Art (January 2010)		
Material	City Wide Guidance		
Considerations	Arboricultural Strategy (2004)		
	Cambridge Landscape and Character Assessment (2003)		
	Cambridge City Nature Conservation Strategy (2006)		
	Criteria for the Designation of Wildlife Sites (2005)		
	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)		
	Strategic Flood Risk Assessment (2005)		
	Cambridgeshire Quality Charter for Growth (2008)		

Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) Cambridge Walking and Cycling Strategy (2002)Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)Cambridgeshire Design Guide For Streets and Public Realm (2007) Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008) Area Guidelines Conduit Head Road Conservation Area Appraisal (2009) West Cambridge 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, the following policies in the emerging Local Plan are of relevance:

Policy 18 West Cambridge

5.5 Cambridge City Council and the University of Cambridge have agreed a Statement of Common Ground to inform the Local Plan examination. There are now no areas of disagreement between the parties in relation to Policy 18 and its supporting text.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The level of additional traffic proposed to service the site and accessing the car park would not be demonstrable as causing severe impact upon CMR, either in terms of link capacity or safety.
- 6.2 There have been personal injury accidents on CMR, two within the road, adjacent to the park and cycle access, and two at the junction. One of the two within CMR involved a collision between a cyclist and a parked car which would be addressed by the introduction of mandatory cycle lanes, the other a failure to give way between two cyclists. The two at the junction are a failure to give way, and a van and a cycle travelling in the same direction colliding.
- 6.3 The overall level of junction accidents, given the flows on Madingley Road, would not be considered extraordinary, nor is there a pattern.

Cambridgeshire County Council (Transport Team)

Comments on application as amended

6.4 Sufficient information has now been provided to enable the County Council to lift its holding objection subject to mitigation measures.

Updated car parking occupancy survey results

6.5 The proposed reduction in car parking will not have a detrimental effect. Additional surveys undertaken on October 2016 have shown that there were 100 spaces unoccupied in the area surrounding the CEB. The aspirations of the travel plan are to reduce car use which the development is in accordance.

Cycle Parking

6.6 A cycle parking accumulation exercise has been undertaken and demonstrates that based on anticipated arrival and departure profile the 144 cycle parking spaces will be adequate.

Junction modelling

- 6.7 The Transport Assessment states that there will be around 6 large vehicle movements per year accessed from CMR. The number of vehicles would not have a significant impact.
- 6.8 Lockable bollards are proposed for the access off CMR. It is essential that these are kept locked to prevent access by unauthorised vehicles. The applicant has confirmed this will be the case.
- 6.9 Around one small delivery will occur per day, the majority of which will access the site via JJ Thomson Avenue. This will not have a significant impact. The servicing strategy is accepted for this development only. The wider West Cambridge masterplan servicing strategy is yet to be agreed.

Travel Plan

6.10 The Travel Plan information provided in the Transport Assessment (TA) has been revised to reflect the most recent travel survey results. The Travel Plan gives an initial target for reducing car driver mode sharer for 19.8% down to 17.3%. This is accepted as an initial target but should be reviewed in more detail when the interim Travel Plan is submitted prior to occupation of the development and then again after the baseline surveys.

Mitigation

6.11 To improve connectivity an enhanced uncontrolled pedestrian and cyclist crossing is proposed on Madingley Road between Observatory Drive and CMR. This is accepted subject to detailed design. Although this application does not propose this junction to be fully signalised, this will need to be explored as part of the outline application.

City Deal

6.12 The CEB will be considered within the mitigation package for the overall masterplan application.

Comments on application as submitted

6.13 Further information and clarification is required to enable the County Council to fully comment on the application and therefore a holding objection is recommended at this stage.

Car park occupancy

6.14 As part of the Initial Phase of outline development, the University is seeking consent to a total of 2,571 car parking spaces. This provision is 579 spaces lower than the 1999 Consented level of car parking spaces. It should be noted that this has not be finally agreed with CCC yet as further information and justification is required as part of the outline application.

Pedestrian and Cycle Facilities

- 6.15 The signal controlled junction of Madingley Road and Lady Margaret Road is missing a pedestrian phase. This would be a key pedestrian route to the site. The TA should look into what possible improvements could be made here to assist with pedestrians accessing the site.
- 6.16 A plan should be provided showing how the proposals for this site relate to the pedestrian and cycle plans in the outline application submitted in June 2016 to ensure that this development ties in with the aspirations of the masterplan.

Updated traffic data

6.17 Manual Classified Turning Counts were commissioned by the University in June 2015. This was when there were ongoing road works on Madingley Road. It is understood that since then additional traffic surveys have been carried out in October 2016. The most recent surveys should be used in the TA.

Updated accident data

6.18 The Accident data referred to in the TA only goes up to May 2015. This is not accepted and the most recent data should be and updated before this is fully reviewed.

Updated car parking occupancy survey results

- 6.19 An existing car parking occupancy survey was undertaken in March 2015, this is welcomed however this is just one snapshot in time. The TS states that further surveys have been undertaken in Autumn 2016. These results should be provided to demonstrate that the original survey is robust and representative.
- 6.20 This work identifies that in March 2015, of the 410 car parking spaces located to the east of the Roger Needham Building, there were 113 spaces unoccupied i.e., over 25% of the available car parking spaces were unused. Further information is also required detailing whether the buildings on site were fully occupied at the time of the surveys.

Highways England

6.21 No objections.

Environmental Health

Comments on application as amended

- 6.22 Initial Environmental Health comments concluded that additional information and clarifications were required in relation to air quality and operational noise before final detailed comments could be made and an informed decision could be reached.
- 6.23 To avoid operational noise from giving rise to significance adverse impact on quality of life amenity and to ensure that any

other remaining impacts are mitigated and reduced to a minimum acceptable level it is concluded that a comprehensive suite of detailed, precise and effective operational noise and vibration conditions are required. These would also ensure that the operational noise levels are not exceeded in the long term.

6.24 The additional information and clarifications provided for air quality and operational noise are acceptable. The applicant has confirmed that the CEB will be able to operate under these controls and requirements.

Comments on application as submitted

- 6.25 On balance Environmental Health have no objection in principle to this application, providing the following environmental health issues are carefully considered and appropriately controlled by good design and the imposition of conditions to protect the health and quality of life (amenity) of existing residential properties:
 - Construction Phase Environmental Impacts
 - Noise and Vibration Operational
 - Air Quality Operational
 - Odour / Fume / Dust Operational
 - Artificial Lighting Operational
 - Contaminated Land
- 6.26 As the first major building to be constructed as part of the Department of Engineering's masterplan to move all activities of the Department to West Cambridge, it is agreed that it is an important benchmark for the design of future new buildings on the campus.
- 6.27 It is important to note that the recently submitted West Cambridge Site outline application is been considered as Environmental Impact Assessment (EIA) development under planning regulations. This has required the submission of an Environmental Statement (ES) to ensure that the potential and likely significant effects on the environment of a proposed development are fully considered and assessed (together with the economic and social benefits of the development) as part of the decision making process before the planning permission is determined.

- 6.28 In response to the outline application concerns were raised about the robustness and acceptability of the ES noise, air quality and artificial lighting significance of impact assessments that have been undertaken and mitigation proposed. It is understood that these concerns are been considered and an updated ES is likely to be submitted for consideration.
- 6.29 It is important that the cumulative environmental impacts associated with the emerging West Cambridge Site masterplan outline are considered and mitigated as necessary in a holistic, coordinated, integrated and site wide approach. However, it is acknowledged that this stand-alone full application needs to be considered on its own merits.

Urban Design and Conservation team

Comments on application as amended

- 6.30 Previously requested verified views allow assessment of the scale and massing of the scheme from a number of agreed viewpoints.
- 6.31 The Urban Design Team has reviewed the accompanying methodology and submitted verified views:
 - Verified View 01, Clerk Maxwell Road Junction, The Lawns, Position A
 - Verified View 02, Outside No15, Wilberforce Road
 - Verified View 03, Clerk Maxwell Road Junction, The Lawns, Position B
 - Verified View 04, University of Cambridge Maintenance Unit, Laundry Farm
- 6.32 These views provide an assessment of the scheme against the 1999 Masterplan heights, the emerging Outline (16/1134/OUT) as well as the existing situation. These views demonstrate that the scale and massing of the proposed scheme is acceptable from near and longer range views. Accordingly the scheme is supported in design terms.

Comments on application as submitted

6.33 It is not possible to comment on the proposed development and the additional information set out below will be required in order

- to provide comments. Verified views are needed to demonstrate the impact of the proposed scale and massing from agreed viewpoints.
- 6.34 The extant permission established a masterplan (MJP Masterplan) for the West Cambridge development site and has defined the main movement and circulation routes along with a number of new facilities for various University Departments. The MJP Masterplan also established the approach to scale and massing across the development and is a relevant consideration in determining the acceptability of the proposals.
- 6.35 The proposals for UKCRIC are 13.9m when measured to the top of the main building and are therefore 2.8m taller than the MJP Masterplan heights. At a total height of 20.5m to the top of the flues, the proposals are 9.4m taller than the height of 11.1m identified in the MJP Masterplan. The MJP Masterplan does allow for taller elements that add visual interest to the skyline and given that the proposed flues have been conceived as more sculptural forms it is considered that they perform this role.
- 6.36 The impact of the flues along with the overall scale and massing of the development needs to be demonstrated in the verified views to allow us to make an informed assessment and conclude whether a building of this scale in this location is acceptable.
- 6.37 The outline submission 16/1134/OUT identifies 15m maximum heights along the eastern site boundary with additional height of 8m allowed for 'lightning conductors, weather vanes, exhaust flues, telecommunications equipment and aerials' (Parameter Plan 5: Maximum Building Heights). At 13.9m to the top of the main building, the proposals are 1.1m lower than the proposed parameter plan heights of 15m. The flues are 6.6m tall but are lower than the maximum allowable height of 8m identified in the submitted Parameter Plan 5 for application 16/1134/OUT. Whilst the proposals are consistent with the parameter plans submitted as part of outline application 16/1134/OUT, these are being reviewed given the concern about visual impact on longer views and views from nearby streets.

Landscape Team

Comments on application as amended

- 6.38 Additional information provided for this application is welcomed and officers find the proposals acceptable.
- 6.39 Requested verified views from the east and south of the proposed building enable assessment of the visual impact of the scheme. The Landscape Team has reviewed the accompanying methodology and submitted verified views:
 - Verified View 01, Clerk Maxwell Road Junction, The Lawns
 - Verified View 02, Outside No15, Wilberforce Road
 - Verified View 03, Clerk Maxwell Road Junction, The Lawns
 - Verified View 04, University of Cambridge Maintenance Unit, Laundry Farm
- 6.40 The views provide an assessment of the scheme against the 1999 Masterplan heights, the emerging outline (16/1134/OUT) as well as the existing situation and demonstrate that the scale of the proposed scheme is acceptable.
- 6.41 We welcome the amended planting arrangement and species list and find the planting proposals acceptable. Tree loss has been kept to an acceptable level with loss concentrated around the enlarged access off CMR.

Comments on application as submitted

- 6.42 Generally the landscape team are supportive of the proposals, particularly as the building occupies an already developed part of the West Cambridge site. Currently the development site is a car park to the east side of the Roger Needham Building and the Graphene Centre. The site also benefits from a substantial woodland buffer between it and CMR which currently successfully screens the car park from view of the residential properties.
- 6.43 The woodland buffer planting along CMR is an extremely important area of landscape and is crucial to maintain in a healthy condition. It is in need of management in the very near future to prevent it from becoming more overcrowded resulting

in suppression of the viable semi-mature tree planting contained within it. We require a management plan for this woodland buffer planting as well as the tree and woodland stock across the West Cambridge site as a whole.

Historic England

- 6.44 Historic England consider the overall scale, massing, design and materials of the proposed CEB building to be contextually acceptable in relation to the setting of the West Cambridge Road Conservation Area and other nearby designated heritage assets, in accordance with guidance in the NPPF. No objections should your Authority be minded to approve the application for planning permission.
- 6.45 Historic England remains concerned that the considerable increase in scale, massing and height of the proposed masterplan development would result in harm to the setting of a substantial number of heritage assets. The single building proposed would be contextually acceptable. If, as envisaged in the masterplan, the flues are intended to create interest at skyline level, this aim is achieved.

Senior Sustainability Officer (Design and Construction)

- 6.46 The development proposed is acceptable subject to the imposition of conditions in relation to energy standards.
- 6.47 The proposal incorporates a number of sustainable design and construction features and it is clear that the overall design of the proposal has very much been led by the Engineering Department.
- 6.48 The sustainability measures are supported and it is clear that the energy brief has very challenging targets for this development. The Sustainability Statement also provides a comparison of the strategy being taken for this scheme against the bespoke Sustainability Assessment Matrix (SAM) that has been developed as part of the outline application for the wider West Cambridge site.
- 6.49 It is also noted that the energy strategy that accompanies the outline application for the wider West Cambridge site includes a site wide district heating scheme. The Sustainability Strategy

for this proposal does note that some site wide infrastructure will be incorporated into the project including empty ducts for future systems such as district energy systems. As such, the energy strategy for this scheme is supported.

Environment Agency

6.50 No objections subject to drainage and contaminated land related conditions and informatives.

Sustainable Drainage Officer

Comments on application as amended

- 6.51 Further discussion with the applicant demonstrated that due to the difference in levels it would not be possible to combine multiple drainage discharge points from the site. However a maintenance strategy detailing the maintenance requirements for this arrangement has been provided.
- 6.52 There had also been concerns over the proposed phasing of the site. At the time of the submission no detailed information had been received on what plots would require strategic drainage enhancements in order to accommodate the agreed runoff rate and attenuation volumes across the site. This phasing plan has now been completed for the drainage network. It confirms that the CEB site does not require site wide strategic drainage alterations in order to proceed and that all the attenuation for the 1 in 100 year storm event plus a 40% allowance for climate change can be dealt with on plot. This is in accordance with the overall outline drainage strategy.

Comments on application as submitted

- 6.53 There are three surface water discharge points all discharging at 1l/s, these should be combined into one surface water outfall point of 3l/s to minimise the risk of a flow control device blocking.
- 6.54 Following discussions regarding the outline application of the site it has come to our attention that site enabling works in relation to the surface water drainage are required over a much larger area than indicated in the submission before any individual parcel can come forward. This includes alterations to

the pond to increase the attenuation storage provisions. This has not been indicated in the submission therefore further clarification is required.

Cambridgeshire County Council (Flood and Water Team)

6.55 No objections, although further clarification on the surface water drainage features and methodology are required.

Cambridgeshire County Council (Archaeology)

- 6.56 The site was subject to a programme of archaeological investigation in mitigation of the development of the Roger Needham, Cape and William S Gates buildings to the west (HER ECB1015). Consequently further investigation is not required in connection with this development proposal.
- 6.57 We would have no objection to the planning application and we would advise that a condition requiring a scheme of archaeological investigation is not necessary.

Cambridgeshire Quality Panel (Meeting of 10 August 2016)

6.58 The CEB proposals were reviewed by the Cambridgeshire Quality Panel against the four 'C's' of Community, Climate, connectivity and Character on the 10 August 2016. Overall the proposals for UKCRIC were considered to be acceptable and in particular the energy performance of the building but Panel felt that further thought was needed regarding the social spaces. Full comments are contained within Appendix 4.

Disability Consultative Panel (Meeting of 26 July 2016)

6.59 The scheme was generally considered successful. Some concerns remain regarding the future intention to have a centralised reception 'hub' and the distances disabled visitors may need to travel between buildings but it is hoped this arrangement would be carefully managed.

Cambridge City Council Access Officer

6.60 That there is no Blue Badge Parking near the building, 5% of their parking must be Blue Badge. Panel asked for a building

- reception desk. When entering the building it is a long way to either lift.
- 6.61 There should be a wheelchair accessible shower room with changing bench. There may be glare issues with glazing and internal floors. Double doors would be best to be asymmetrical.

Public Art Officer

- 6.62 A site wide approach for public art delivery as outlined in the public art statement is supported.
- 6.63 Thought should however be given to how any art proposal could integrate into the building design and or surrounding landscapes in the future. Opportunities may well arise during the build process as to how the art would become fully embedded in any design. These should be recorded and considered as part of a site wide strategy in the near future.

Natural England

6.64 No comments. The application is unlikely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Cambridgeshire Constabulary (Designing our Crime Officer)

6.65 No comments on the application submission. Further discussions can take place with the applicant if planning permission is granted.

Ministry of Defence (Cambridge Airport Safeguarding)

- 6.66 No objections.
- 6.67 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

Comments on application as amended

- 7.1 The owners/occupiers of the following addresses have made representation on the additional/amended material:
 - 2 Hedgerley Close
- 7.2 The representation can be summarised as follows:
 - The new verified views are not reassuring.
 - The buildings along the periphery of the site should link it to the adjacent neighbourhood in a positive way.
 - Verified View 02 has tree cover obscuring the building.
 - Winter views are less screened and very different.
 - Continued objection to the use of CMR for deliveries. It is a key cycleway, so this is not appropriate.
 - The building will draw all of its water supplies from local supplies.

Comments on application as submitted

- 7.3 The owners/occupiers of the following addresses have made representations:
 - 2 Hedgerley Close
 - 7 Wilberforce Road
 - 3 The Lawns
 - 5 The Lawns
 - 7 The Lawns
 - 10 The Lawns
 - 12 The Lawns
 - 4 Perry Court
 - 6 Perry Court
 - 15 Perry Court
- 7.4 The representations can be summarised as follows:

Concerns in principle

 It is unacceptable that that a major individual building application is made without resolution of the comments made on the outline planning application.

Design Issues

 The size and height of the building is not in keeping with the surrounding area and is not appropriate for the edge of the site in terms of protecting residential amenity.

Amenity concerns

- Object to the inclusion of accent lighting provided by uplighters on the chimneys.
- The proposed building is very urban whereas the neighbourhood is suburban or even rural. Illuminating the chimneys will emphasis this difference.
- Verified View (02) shows the roof profile will be visible at all times of the year.
- Unnecessary light pollution, which will be exacerbated by the additional or further modules over time.
- The need for a permanent access onto CMR is queried. The increase in traffic should be accommodated within the site on the JJ Thomson Avenue access.
- There will be an increase in noise and disturbance to neighbours.
- New pedestrian crossing to the astronomy site could create a complicated possibly unsafe junction.
- The noise assessment does not take account of wind direction.

Access matters

- The transport proposals do not provide safe road use for cyclists.
- Deliveries from CMR are unacceptable.

Drainage

- The building needs to incorporate adequate soak away provision.
- The building has no provision for use of rainwater or grey rainwater harvesting systems.

Clerk Maxwell Road Residents Association (CMRRA)

Comments on application as amended

- 7.5 The funding issue is a matter for the applicant and the application is still significantly premature.
- 7.6 The revised documents have been reviewed and all of CMRRA's major objections and proposed conditions stand.
- 7.7 The visual impact of the proposal has not considered the views of immediate neighbours sufficiently.
- 7.8 The winter scene overall has very limited protection from the mass, size, overshadowing and visual impact of the proposed building. Any new building closer to the edge of the site should be proportionally lower than the existing buildings so that the built skyline is not further increased from neighbouring properties.
- 7.9 Highway comments previously raised still stand.
- 7.10 The acoustic insulation is only to the interior of the building and not the exterior where there is only a 20cm wall and doors compared to the 70cm interior full wall. Any decibel limits for noise impact from the proposed building should be specified at the site edge and not at the edge of CMR or neighbouring properties.

Comments on Application as originally submitted

Comments on the principle of development

7.11 In principle CMRRA support the development of a world class university site, which Engineering will be a part.

- 7.12 CMRRA has already made extensive comments on the outline application (16/1134/OUT) and many of those objections apply to the application proposal. These include representations from Historic England, Madingley Parish Council and internal City Council consultees.
- 7.13 The application proposal is premature ahead of the new masterplan which is eventually agreed for the wider campus. Many statutory consultees are objecting to the overall masterplan and are suggesting it should be amended. Approving the detailed application ahead of the outline masterplan may set a precedent for developments elsewhere in the area and prejudice the masterplan framework.
- 7.14 The consultation process was flawed. The views of residents on the use of CMR for deliveries has not been integrated into the proposals.

Design Issues

- 7.15 The size and height of the proposed building is not in keeping with the surrounding area and is not appropriate for the edge of the site.
- 7.16 The CAPE building is already visible from CMR with an unattractive skyline created by two additions to the roof. The proposed building will be much closer to CMR and therefore more obvious and less screened. Buildings nearer to the edge of the site should be proportionately lower.
- 7.17 The north and south elevations show the building to be considerably higher than nearby existing trees, in the case of the flues over 10m higher.
- 7.18 Overall building height, including any protrusions, needs to be restricted at the edge of the site through the masterplan. It is essential that existing trees and hedgerows are retained.
- 7.19 Visuals within the Design and Access Statement are inconsistent in terms of flues.

Transport and site access

- 7.20 The transport arrangement does not provide a safe road for cyclists.
- 7.21 All access to the proposed CEB should be from within the site, accessed off Madingley Road and not CMR. CMR is a residential road and a designated cycle route which is already busy and dangerous. The outline application proposes a dedicated cycle route along CMR, but the proposed new accesses would compromise this objective. The extant masterplan did not propose any accesses onto CMR.
- 7.22 CMR already suffers from congestion and high density parking from commuters avoiding the Park and Ride Facilities and visitors to West Cambridge. Use of access point 'I-J' identified on the outline masterplan is unclear. The applicants transport assessment is not impartial and is not fit for purpose.

Deliveries

- 7.23 If deliveries are so infrequent (6 per year) a dedicated servicing access appears unnecessary. Appropriate access points should be designed through the masterplan and CEB application.
- 7.24 The scale of the plan and its environmental consequences are opposed.
- 7.25 Use of the current car park entrance on CMR, or any other suggested accesses points along CMR for deliveries are opposed.

Car parking

7.26 CMR suffers from cars parked by users of the West Cambridge Site. Inadequate provision is made to meet existing needs. The masterplan provides a total of 4,390 car parking spaces in 2031 which is only a 40% increase on the original provision. In the first phase of development just 2,571 spaces are proposed which is 579 spaces lower than the extant 1999 permission. The assumption that all 86 post doctorate student will cycle to work seems unrealistic.

Amenity Issues

- 7.27 There will be an increase in noise and disturbance to neighbours. The building should be sited further away from residential areas. The masterplan should require special conditions for buildings near the edge of the site specifically near to existing and planning residential areas. These should include noise restrictions and height restrictions including chimneys and flues.
- 7.28 The 'sound containment box' design has thinner walls on the east side facing residential properties. All roof top plant should be housed in soundproof containers to avoid nuisance to neighbours.
- 7.29 The background noise data makes no reference of weather conditions, in part particular, wind direction. On calm days CMR is generally a low noise area.
- 7.30 Appendix shoes that from 08:00 to 18:00 on a quiet week the sound level is less than 40Db 30% of the time, therefore the background noise level taken, 47 Db, is not representative.
- 7.31 The noise assessment is based on three activities (cement mixing, jack hammers, beam shakers) but over the life of the building there will certainly be different activities. The planning should be subject to all future activities being of an acceptable noise level.
- 7.32 Accent lighting will cause light spillage, is out of context and will be exacerbated over time.
- 7.33 CMR suffers from being used as a parking place for food vans whose customers work on the West Cambridge site. These vans should be provided within car parking on the site.
 - Drainage and water
- 7.34 The building does not have provision for rainwater reuse or grey water systems.

Planning conditions

- 7.35 Any approval must be subject to conditions covering construction phase methods, hours of access and use of the completed building, noise (maximum decibel level), boundary landscaping and general conditions protecting residential amenity.
- 7.36 The planning conditions should clearly state that no construction traffic will use CMR for access or car parking; strict controls for access and delivery times and a plan to minimise noise during construction. The servicing and operational management plan shall not be varied without public scrutiny.
- 7.37 The planning application should make a binding commitment to the future noise levels versus the existing levels and the hours of operation of any potentially noisy activities. There should be a planning condition that all unloading would take place within the building with the acoustic doors closed. Any further need for emergency generators must be conditioned.

Grantchester Parish Council

- 7.38 Refusal recommended until a decision on the outline plans for the site as a whole are available.
- 7.39 Scale and massing of the proposal is excessive.
- 7.40 It is the forerunner to many more buildings on what is planning to be a major new development.
- 7.41 It breaks all precedents in height and massing and will be visible from some of the walks around Grantchester, especially the 'baulk', the historic path that leads round the ancient field of Grantchester.
- 7.42 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
 - 1. Principle of development
 - 2. Context of site, design and external spaces (and impact on heritage assets)
 - 3. Residential amenity
 - 4. Highway safety
 - 5. Car and cycle parking
 - 6. Renewable energy and sustainability
 - 7. Drainage
 - 8. Disabled access
 - 9. Refuse arrangements
 - 10. Public Art
 - 11. Third party representations
 - 12. Planning Obligations (s106 Agreement)

Principle of Development

Current 2006 Local Plan and 1999 Masterplan

- 8.2 Development for University needs will be permitted on the West Cambridge Site, during the local plan period and beyond in accordance with Cambridge Local Plan 2006 policy 7/6 (West Cambridge). Further development which accords with the provisions of the masterplan will be permitted. The broad principle of the application proposal is therefore in accordance with the extant policy 7/6.
- 8.3 In terms of the extant 1999 masterplan, the proposed site falls within the original Design Guidelines Plot C, which states that the buildings should generally be between 8.5 and 12.0m above finished ground level (corresponding to two and three storeys for academic and research uses). Whilst the indicative layout in the 1999 masterplan identified the application site to be used as car parking, the accompanying ES considered the impact of two to three storeys across the eastern side of the site up to the landscaped bund boundary with CMR.
- 8.4 A variation in roof line was encouraged under the 1999 masterplan in order to create interest, and this may include roof

features which extend above the 12m height. Whilst the proposed building is taller at 13.9m, it is approximately the same height as CAPE which was approved earlier in 2013. The overall height of the application proposal is very similar to neighbouring buildings and in that context the principle of the development is not a significant departure from the design principles of the 1999 masterplan. Its acceptability as a separate full planning application therefore turns on its visual impact, particularly from the residential properties to the east along CMR, which is discussed in the relevant design subsections below.

Draft Local Plan Policy 18 and outline Parameter Plans as submitted

- 8.5 The parameter plans submitted as part of the outline application (latest December 2016 revision still under review) will fix the key principles for the development. The Parameter Plans are:
 - Development Building Zones 01
 - Land Use Parameter Plan 02
 - Access and Movement 03
 - Landscape and Public Realm 04
 - Maximum Building Heights 05
- 8.6 Negotiations on the outline application are ongoing across a range of issues and an extensive amendments submission will need to be submitted. The outline application will be brought to this Committee for determination in due course. It is therefore important that this application in no way pre determines the outline application and is considered on its own merits. Whilst I recognise concerns from some third parties that determination is premature in advance of the outline, the application must be assessed on its own merits on the basis of the current situation.

Context of site, design and external spaces

8.7 The key design issue is the detailed design and appearance of the new building in its setting and its relationship with the wider assessment of the outline application 16/1134/OUT.

- 8.8 The proposed building will over time form one of a line of buildings along the eastern edge of the site (subject to approval of the wider outline). However the application proposal is limited to a single building within that modular chain and must be assessed on its own merits.
- 8.9 This wider chain proposes workshops with heavier, more intensive activities are concentrated to the north end of the site, closer to Madingley Road, with a reducing noise gradient to quieter workshop (lighter) uses at the southern end. This is part of the strategy of producing a pedestrian focused environment to the eastern side of the campus in the interests of building connectivity and collaboration between institutes. The eastern end of the campus will eventually be anchored by East Green Link, a key strategic corridor which will be fronted by shared facilities hubs, shared collaborative atrium spaces which will provide an active frontage onto the green corridor.
- 8.10 The CEB will contribute to this overall strategy through its layout orientation and integration with the garden area to the immediate west of the site. The more active edge of the building is well related to the open space opposite and the site planning introduces cycle parking areas that will activate the current ground floor frontages of the Roger Needham building and Graphene Centre. In taking this approach the CEB will reflects the principles of the inset masterplan which demonstrates successful interrelations and integrations between buildings, routes and spaces in accordance with Cambridge Local Plan 2006 3/7.
- 8.11 A new 'street' will be created to the western side of the building that will form the main pedestrian and cycle access to the building. This route will also allow for limited service vehicle access but has been conceived as a pedestrian and cycle priority space. The proposals for this street and associated public realm are considered to be acceptable in design terms.
- 8.12 The east side of the building has been carefully designed and does read as a rear 'service yard'. The associated paraphernalia that typifies such arrangements are contained within the footprint of the building. This approach is supported

- in design terms, which demonstrates a positive response to context in accordance with Cambridge Local Plan Policy 3/4.
- 8.13 While this application does not seek permission for the wider inset masterplan, it has been designed to positively relate to that wider strategy. Nevertheless in isolation, the design of the CEB is positive in context, in accordance with Cambridge Local Plan 2006 policies 3/4 and 3/12.

Height, mass and wider visual impact

- 8.14 The proposed building will not in the view of officers result in significant visual harm from longer views of the site from the south or east. Whilst concerns regarding the visual impact of the proposal from residential properties to the east are noted, officers do not consider that the building should be proportionately lower closer to the boundary with landscaped bund. I do recognise that the proposed CEB building, being constructed on existing car parking, is in front of the existing building line from CAPE and The Roger Needham Building. I consider this siting acceptable because of the substantial 10.5m setback from the landscaped bund and the overall screening the buffer provides. The visual impact of the building has been modelled with verified views (three additional viewpoints provided post submission), which demonstrates that the building will not be unduly dominant or intrusive.
- 8.15 From closer vantage points, the additional verified view 03 demonstrates that the parapet of the building will only be partially visible from CMR. This is because of the very significant landscape bunding which defines the eastern side of the West Cambridge site. The overall width of the section from the application site and the nearest residential street, The Lawns, is such that the visual impact of the development will be minimal. Verified view 03 is modelled using a winter scene which therefore assesses the worst case visual impact.
- 8.16 Officers have considered the photos provided by third parties showing the view of the site from the upper level windows of 3 The Lawns. Whilst it is recognised a larger proportion of the CEB will be visible from first floor level, the degree of visual prominence is not considered to be significantly harmful. In the view of officers the height and mass of the building

- appropriately responds to the site context, in accordance with Cambridge Local Plan 2006 policies 3/4 and 3/12.
- 8.17 Verified view 05 illustrates the next building likely to come forward to the immediate south of the CEB (adjacent to the footpath/cycleway). This future building will be more prominent from the entrance to The Lawns as compared to the application proposals. However, its height, elevational treatment and materials will all be assessed on their individual merits through any future planning application. The design of the adjacent modular block is not material to the determination of the proposed CEB. Because the CEB is a separate full application, design and appearance of the entire chain of buildings on the eastern side of the site is not prejudged.
- 8.18 From middle distance views, verified view 02 shows the building will not be unduly prominent from Wilberforce Road. This is because the parapet height of the building does not break the tree line when viewed from the playing fields at Wilberforce Road. The visual appearance of the building is now consistent with the latest revised outline masterplan landscape and visual impact studies, the eastern edge of which is supported by officers. No harm would result on the West Cambridge Conservation Area heritage asset. The height of the flues will be visible on top of the building, but they are sculptural forms adding general interest rather than another level of accommodation, a view shared by Heritage England.
- 8.19 The outline strategy for assessment of flues is still under review. Detailed guidance on flues is likely to be contained in the Design Guide to direct their form and prominence. However, the flues on the CEB would not create a precedent for the outline strategy on flue heights.
- 8.20 The new verified view 04 from Grantchester shows the building will not be unduly prominent from long views to the south because its height is very similar to the surrounding buildings, the Graphene Centre and CAPE. This gives assurance that approval of the CEB will not compromise ongoing discussions regarding the wider visual impact of the outline masterplan application.

Detailed design and materials

- 8.21 The external appearance of the building is intended to set a high quality benchmark for the rest of the site. The glass in the glazed panels will consist of clear panels and sprandel glass to provide privacy for the building's interior users. The aluminum exterior cladding will provide a high quality finish to the external elevations. The final details of which can be agreed through the imposition of condition 2 (materials).
- 8.22 The external appearance of the building has in part been driven its approach to sustainable design and construction. For example, the natural ventilation to the rooms on the lower ground is assisted by the continuous louvered band which provides a strong horizontal emphasis to the east and west elevations. Thermochromic fins on the western façade provide shading and change in transparency depending on the amount of sunlight. This innovative feature will also provide visual interest and an attractive façade particularly when the building is viewed from oblique angles. This approach demonstrates sustainable construction well integrated into the design in accordance with Cambridge Local Plan 2006 policy 3/12.

External Spaces, landscape and trees

- 8.23 The CEB, the new access road and revised parking layout will result in the removal of 26 individual trees. However, all but one of these trees are category C or U (lower quality specimens). In the view of officers the removal of some trees and vegetation at the point of the widened Park and Cycle access, will not significantly thin the landscaped boundary at its northern end. The majority of trees to be removed are young trees planted in the last 15 years as part of landscaping to the existing car parking areas.
- 8.24 Officers are currently in discussion with the university regarding the detail of the management of the woodland buffer to the east of the proposed building. The long term management and maintenance of the hedge will be secured through planning condition 20 and will ensure an appropriate regime of thinning and planting is put in place to maintain its long term health.

Cambridgeshire Quality Panel

8.25 The Cambridgeshire Quality Panel reviewed the emerging proposal on 9 April 2015. The Panel were supportive of the proposals. A number of specific comments and recommendations were made to further enhance the scheme which are set out in table 2 below. The full minutes are attached as Appendix 1.

Table 2: Quality Panel Issues and officer responses

Issues and recommendations of Quality Panel	Officer response
The presentation included the architects end game vision for a forum building that would enclose the west side of the green space which would help to transform East Green Link. There is no funding at present to deliver this vision so CEB will sit in isolation, possibly for several years.	Phasing of open space is a key issue to be resolved in the outline masterplan. The delivery of key open space, which includes north south corridors to break up the large mass of the development, is the subject of ongoing negotiation.
The Panel recommended further work into the hierarchy of social spaces and looking at the type of interactions and their duration.	The CEB building provides a second floor roof terrace which is a multifunction break out space for social and research related activities. The designs now provide a number of break out spaces and tea points throughout the building to provide staff with alternative venues to their more formal office and laboratory environments.

Ground floor circulation and The orientation of the building, its entrance and relationship with legibility was questioned in CAPE Roger Needham advance of the inset and buildings will provide an easy to masterplan coming forward. navigate environment in both the short and longer term as the eastern side of the campus is built out. The design of the east facing The service route was questioned including how it elevation will not be a service vear blank elevation. Deliveries will be used and security will be handled by a banksman to controlled. the benefit of site security. Further thought is needed The proposed provides save regarding arrivals secure bicycle parking to the by front of the building which is well bicycle, especially with the increasing usage of electric overlooked. and expensive bicycles. Internally, the building provides generous changing facilities, a drying room and three showers. Further details on the Α detailed soft landscaping landscape design specification has been developed is which meets the approval of the needed. Council's Landscape officer. Density of tree planting on While the general principles of the eastern side needs to management of the landscaped be considered. bund have been reviewed as part outline planning of the 19 application, condition will ensure bund the vegetated immediately adiacent the to building is managed at an early stage.

internal and external climate to verify that room control systems will deal with ventilation and glare.

Cost of numerous individual mechanical ventilation units.

Further modelling of the The louvered panel system will provide adequate ventilation to the interior of the building. The building will have an energy management system which can identify the areas of the building which are inefficient or providing optimum performance. This is a cost efficient way of monitoring building performance.

Quality Panel Conclusion

8.26 The outstanding queries of Quality Panel have been satisfactorily addressed through the application submission.

Conclusion

8.27 The proposal is fully supported by the City Council's Urban Design and Conservation and Landscape Teams, and has been robustly assessed for visual impact in the context of the undetermined outline planning application. A high quality building is proposed which is well integrated in context. It is considered that the proposal conforms Cambridge Local Plan 2006 policies 3/4 and 3/12.

Residential Amenity

- 8.28 The key amenity issues are the potential disturbance from deliveries, noise and vibration operational noise, operational odour and dust, artificial lighting, contaminated land, air quality and potential impact of the building in relation to neighbouring residential properties to the east.
- 8.29 Officers have some concern that this development is coming forward early, in advance of an approved new strategic masterplan for the entire West Cambridge Site. It is important that the cumulative environmental impacts associated with the emerging West Cambridge Site masterplan outline are considered and mitigated as necessary in а coordinated, integrated and site wide approach.

8.30 However, this stand-alone full application needs to be considered on its own merits. The proposed conditions will provide a very high level of protection for existing residents from the impact of this development.

Impact on amenity of neighbouring occupiers

Noise and Vibration

- 8.31 Noise and vibration effects associated with operation of the proposed development have the potential to affect amenity of surrounding properties. Officers have thoroughly considered the potential impact on existing residential premises to the east of CMR (The Lawns, Perry Court) approximately 60 to 70 m away.
- 8.32 The potentially noise generating activities inside the building relate to specific engineering activities e.g. concrete mixers, jack hammer and a beam shaker in the main structures workshops. As a general principle the inset masterplan has tried to minimise the impact of workshop buildings along the eastern edge of the site by locating the heavier type workshops to the north end of the site.
- 8.33 To ensure a high degree of noise and vibration protection a structural floating strong floor and acoustically isolated 'Super Floor Box in Box Containment System' will be provided. The main strong floor and concrete lab are both designed to incorporate vibration isolation measures which will reduce the transmission of vibration within the new building.
- 8.34 The structures laboratory of the CEB will incorporate a strong floor which will be on isolated elastomeric pads. The concrete lab will sit on a floating reinforced concrete slab supported on resilient bearings on the raft concrete slab, and this will dampen the vibration levels (also reduces noise generation) by decoupling from the surrounding building structure. In addition, the new building will be coupled with the surrounding ground, resulting in an increased stiffness and damping by the ground itself. This approach is extremely vigorous and demonstrates to the satisfaction of the Council's specialist officers that the noise generating activities will not give rise to breakout distance to the nearest residential properties.

- 8.35 I note comments from CMRRA that the building walls and doors facing east are not as thick as those on the surrounding sides. However, the fact that various building element thicknesses vary does not necessarily mean that the acoustic attenuation performance of a thinner wall is less than a thicker wall. Acoustic performance of building elements is influenced by a number of factors including mass of material (surface density), stiffness and completeness.
- 8.36 What is important is that the external eastern building façade building elements (walls, doors, windows) meet the acoustic performance assumed in the noise impact assessment. If achieved this will meet noise requirements and safeguard local amenity.

Outline Masterplan Strategy

- 8.37 The long term noise / vibration impacts from this development should not be considered in isolation. There are other similar engineering buildings and uses planned for the peripheral Eastern edge of the proposed 'Inset' Masterplan'. In the longer term the cumulative impact of all sound / noise will need consideration and controlled to protect existing background noise levels at noise sensitive premises.
- 8.38 In summary, for this individual full application officers are satisfied that the operation of the building and its noise impacts can be mitigated and reduced to a negligible level. The principle of a further modular chain of buildings on the eastern edge is not prejudged through determination of this application and will be assessed through the outline application and or future full planning applications.

Deliveries

8.39 The servicing access to the CEB will use the existing, although slightly enlarged Park and Cycle access. The submitted 'Servicing and Operational Management Plan' proposes the following mitigation measures for deliveries and collections:

Typically 1 delivery per day from a small van
Approximately 6 HGV deliveries per year
Weekday deliveries between 8am – 6pm
Saturday deliveries between 9am – 1pm

No deliveries on Sundays
All unloading must be done inside the structures lab with
acoustic doors closed
A banksman shall be used when possible to avoid the need for
reversing alarms

- 8.40 I note concerns raised by third parties that proposed servicing of the building from this entrance will conflict with the safely of the use CMR as a cycle route proposed as part of the outline masterplan. However, the Park and Cycle Access is at the top end of CMR, is an existing access point and will not directly affect the amenity for residential properties at the southern end of the street.
- 8.41 In terms of the likely noise impact from the proposed access arrangements, the noise level from a Heavy Good Vehicle (HGV) vehicle moving along the servicing access road and idling outside the engineering building for 10 minutes in any hour has been assessed at both the garden boundary of the nearest residential building and the façade of the residential building at 1st floor level. This assessment is based upon the worst case scenario of an articulated lorry.
- 8.42 The rating noise level from the proposed development is 4dB below typical weekday daytime background noise levels. If deliveries were under taken between 0900 and 1300 hrs on Saturdays the background noise levels would only be exceeded by 1dB. All other deliveries to the building will be made by a small van and noise levels from such a vehicle are much lower (by at least 5dBA if not more) and always less than the typical background noise level. This is a negligible impact. The nine bespoke planning conditions will ensure the proposed regime of servicing is strictly controlled.
- 8.43 Deliveries will take place to the rear of the building within one of two service doors within which vehicles will drive to reduce noise breakout resulting from unloading. The operational use of the building has potential to create break out noise. This risk has however been mitigated through a comprehensive delivery strategy, whereby deliveries are unloaded inside of the main strong floor area. This closely managed regime of servicing can be ensured through the imposition of condition 4.

- 8.44 To ensure operational noise is mitigated and minimised and that the noise levels predicted in the noise assessment are maintained at all times in the long term operational noise and vibration conditions are imposed. Buildings on east peripheral edge of the wider Engineering Department 'Inset' Masterplan will be able to operate under similar operational noise condition requirements.
- 8.45 Proposed condition 4 allows for 12 HGV deliveries per year which is considered reasonable in the context of monitoring and enforceability. Use of the access road to service road will be prevented through the imposition of condition 5.
 - Outline application medium and longer term servicing
- 8.46 Concerns have been raised by CMRRA regarding the servicing strategy for the wider outline planning application. I am mindful that CEB is the first building of a chain of the eastern side of the site which will be served by the new access Road. Whilst there may be sufficient headroom for the next modular buildings on the eastern side of the site in terms of likely noise impact on the nearest residential properties, the longer term strategy of servicing these future buildings will be considered on their own merits.

Construction Impacts

- 8.47 In terms of construction servicing, there will be no servicing of the site from CMR. All construction vehicles will approach the site from the West from JJ Thomson Avenue. This can be ensured through the imposition of condition 3 which secures the construction and environmental management plan for the site.
- 8.48 In the interests of amenity and to be consistent with the approach that is likely to be taken for the West Cambridge Site outline planning application a Construction Environmental Management Plan (CEMP) planning condition is recommended and will be required through the imposition of condition 3.
- 8.49 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Air Quality

- 8.50 The outline planning application submissions lacks sufficient detail and assessment on a number of environmental health related issues and strategies including air quality. This notwithstanding this full application was accompanied by an Air Quality Screening Note which is proportionate given the size of the proposal.
- 8.51 The building design has been carefully considered to minimise local air quality impacts. Because the only heat source for the building is an electrically driven ground source heat pump system the building does not contain any combustion plant whatsoever. This means emissions of NOx and particulate on the site are zero. This is welcomed and can be secured by condition 11.
- 8.52 In addition, there is also a commitment to ensure that any long term (in the context of the wider Cambridge West masterplan) air quality traffic impact mitigation that is attributable to traffic will be implemented and secured as part of an overarching West Cambridge approach. This is likely to include measures to aid sustainable transport through a travel plan and modal shift away from the private car and provision of electric vehicle charging infrastructure through the future car parking proposals.

Odour and fumes

8.53 The approach detailed is generally acceptable but further detailed design information of equipment and systems for the purpose of extraction and filtration of odours, fumes and dust or similar particles is required and proposed 12 condition is recommended.

Contaminated Land

8.54 The ground investigation undertaken has confirmed the absence of significant land contamination. No mitigation measures or further intrusive works are required regarding contaminated land.

Shadow and overlooking Impacts

8.55 Because of the distances involved, the limited height of the CEB and the role of the substantial vegetated bund, there will be no issues of overlooking, shadow impact or loss of light. Wider visual impact is discussed in the design subsection.

Amenity for future site users

- 8.56 Future expansion of the design and layout is intended to minimise disruption for existing site occupiers during the future building works. This is through locating stair cores and non-working spaces at the north and south flank of the building.
- 8.57 The restrictions on opening window set out in condition 7 does not apply to the upper floor offices, which will give building users choice to ventilate the internal spaces. 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 or 3/10) and 4/13.

Highway Safety

8.58 The County Highways Authority has assessed the proposed widen access from the existing Park and Cycle facility and is content that there would be no significant adverse harm to highway safety. This is because the access already serves the Park and Cycle Facility and there will be not be significant intensification which might result in harm to the public highway.

Outline Masterplan Strategy

8.59 At present the current TA proposes measures to remove parked cars from CMR which currently allows uncontrolled car parking for approximately 85-90 cars. This results in a reduced quality cycle connectivity and increased vehicle use on the street. Under the current outline application this car parking will be replaced with two mandatory cycle lanes. This would in the longer term address the issue the issue of existing parking and is likely to reduce the issue of street traders raised by CMRRA. This principle will be considered when the outline application comes to Committee for determination in due course.

8.60 The strategy of some limited servicing provision to the northern end of CMR would not in the view of the Highways Authority create a conflict with future on road cycle lanes on CMR. In my opinion the proposal makes adequate regard to the undetermined outline permission and is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.61 The proposed maximum car parking standards applied for CEB have been have been derived from those applied to the adjacent North West Cambridge Development (NWCD) and analysis of current usage for car parking across the West Cambridge site. The maximum standard applied is 1 car parking space for each 4 members of staff. This is the same as the Cambridge Local Plan 2006 maximum standards outside of the Controlled Parking Zone. Under these standards a total of 31 car parking spaces (including 2 accessible spaces) would need to be provided. Through the separate West Cambridge outline application, monitoring will be undertaken of surrounding residential streets and the need to support a residents only controlled parking zone scheme.
- 8.62 Notwithstanding the above, using the Future Person Trip Assessment (table 6.9 Transport Assessment) the applicant has carried out a daily car parking accumulation assessment. This estimates 34 car parking spaces (including 2 accessible spaces) is required. Whilst this maximum estimated demand is a worst case scenario and does not reflect the changes in travel demand management at West Cambridge, the County Highways Authority is in agreement this is an appropriate standard for the proposed CEB.
- 8.63 The proposed building will result in the loss of 145 car parking spaces from the existing car park. The University will provide an additional 51 spaces to the Park and cycle facility in order to mitigate this loss. The net loss of car parking through the development is 94 spaces.
- 8.64 Car parking across the West Cambridge Site is under utilised. The car park occupancy survey undertaken in March 2015 showed 113 spaces unoccupied east of the Roger Needham

Building. On this basis, there would be an estimated short fall of 15 car parking spaces. This short fall can however be accommodated within across under used communal car parking at other locations on the West Cambridge Campus. The net reduction of car parking is summarised in table 4 below:

Table 4: Summary of Car Parking

Car Parking	Car parking spaces
Loss of car parking spaces	-145
through site development	
Provision of temporary	+ 51
spaces adjacent to the Whittle Laboratory	
Increased car parking requirement	+34
Under occupied car parking east of Roger Needham	113
Potential shortfall in car parking spaces	15

Outline Masterplan Strategy

- 8.65 The wider approach to car parking is currently subject to the ongoing transport assessment work for the outline planning application. However the TA as submitted for the outline sets out the University's long term commitment to managing car parking. It is currently proposed that the maximum number of car parking spaces reduces towards the later phases of West Cambridge, reflecting the increased frequency and coverage of public transport in future. This will however need to be carefully managed and timed to follow wider transport improvements.
- 8.66 Whilst the application proposal is for full planning permission, it will form a part of Key Phase 1 of the main outline application. As part of this initial phase, the University's is seeking consent for a total of 2,571 car parking spaces. This provision is 579 spaces lower than the 1999 extant permission. Whilst this overall modal shift from private car use to sustainable modes

will be determined through the outline permission, approval of the CEB with not prejudice the outcome of these negotiations. This is because it has been clearly demonstrated that there is an over provision of car parking adjacent to the application site.

8.67 In summary, in the view of officers, adequate car parking is retained to meet the needs of future building occupiers in the short to medium term. The approach to car parking provision for the CEB is fully in accordance with the emerging outline strategy of reducing car trips and travel demand management. Approval of this application will not prejudice the Council's position in relation to the ongoing work associated with the outline Transport Assessment (16/1134/OUT). In my opinion the proposal is therefore compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Cycle Parking

8.68 The development proposes 144 cycle spaces are proposed which accords with the cycle parking standards identified within Section 8 of the West Cambridge TA. The standards are 1 space for every 2 members of staff and 1 space for all students. The cycle parking will be conveniently located to the front of the building and is well related to the adjacent landscaped garden. A minor reconfiguration to the end Sheffield Stands, together with appropriate ground markings can ensure provision is made for trailers and larger bicycles. This can be ensured through the imposition of condition 20.

Outline Masterplan Strategy

8.69 To accommodate the likely 3,600 students and 7,200 staff within Key Phase 1, the initial development will be provided with around 7000 cycle parking spaces. Their distribution will come forward with each reserved matters. The University is also investigating cycle hubs to provide a further pooled facility. The County Council are content with the standards identified for cycle parking and are content that approval of this full application does not prejudice assessment of the outstanding masterplan outline application 16/1134/OUT.

Renewable energy and sustainability

- 8.70 The application proposes a hierarchical approach to energy provision which has been driven by the Engineering Department. The overall strategy has set very challenging sustainability targets, and, if met will provide an exemplary approach to sustainability. The measures include achievement of BREEAM excellent rating; proposed use of Green Roofs above photovoltaic panels; innovative use of materials; water efficiency measures and use of prefabricated elements to reduce on site construction waste.
- 8.71 Two renewable energy technologies are proposed as part of the hierarchical approach, photovoltaic panels and a ground source heat pump which will provide all heating and cooling. Carbon emissions will be reduced by a total of 42%. Building performance will be controlled through the imposition of conditions 15 and 16.

Outline Masterplan Strategy

- 8.72 It is noted that the emerging outline energy strategy for the wider West Cambridge site is focussed on a site wide approach to energy provision and work is currently on going to investigate the energy sources that would power a site wide heat network. However, the outline strategy does also note that some earlier buildings on the site, notably the CEB, would precede the construction of the energy centre associated with this network and as such would need their own energy solution.
- 8.73 The proposed ground source heat pump is in keeping with the medium term energy strategy for the West Cambridge site, which includes the use of heat pumps to serve the heat network, located within individual building plots. The Sustainability Strategy for this proposal does note that some site wide infrastructure will be incorporated into the project including empty ducts for future systems such as district energy systems. As such, the energy strategy for this scheme is supported. In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Drainage

- 8.74 Surface water runoff has been successful mitigated on the plot. A phasing plan has now been completed for the drainage network. It confirms that the CEB site does not require site wide strategic drainage alterations in order to proceed and that all the attenuation for the 1 in 100 year storm event plus a 40% allowance for climate change can be dealt with on plot. Strategic infrastructure required for the wider outline application are not necessary for this development to proceed.
- 8.75 The scheme successful integrates a green roof which has wider water quality and biodiversity benefits. Overall the application successfully addresses sustainable drainage issues in accordance with Cambridge Local Plan policy 3/7 and 8/18.

Refuse Arrangements

8.76 The proposed building integrates refuse stores to the southern side of the building. The Environmental Heath Team are satisfied that the likely weekly waste collection is an acceptable requirement and will not give rise to undue noise and disturbance rather than the operational servicing requirements discussed in the subsection above. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Outline Masterplan Strategy

8.77 Refuse requirements are being considered in the context of servicing arrangements for the wider West Cambridge Site. Measures to reduce waste will be set out in the Sustainability Assessment Matrix which provides objectives for new occupants on the site.

Disabled access

- 8.78 The application has been considered by Disability Panel and the application has made changes to the internal fittings and arrangements to improve the reception desk and WC areas.
- 8.79 Whilst the Council's Access Officer considers the lifts might be more conveniently located, the design rationale for their position is acknowledged In my opinion the proposal has positively

addressed inclusive access into the design, in accordance with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Public Art

8.80 The applicant does not consider the application to be of sufficient size to justify an onsite public art contribution which would offer wider public benefit. Whilst it is recognised the size and location of the CEB does not provide the optimum location for public art, there is not currently a strategic framework for West Cambridge to prioritise projects. Officers are satisfied that a scheme for public art, either on site or in the immediate locality, can be satisfactorily agreed through the imposition of planning condition 17. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Outline Masterplan Strategy

8.81 The University is committed to developing a site wide public art strategy which will identify different themes and priorities for public art across the site. This will be developed by the University over the coming months and provide the strategic framework for reserved matters applications in the future. The key area for incorporating public art is likely to be the Shared Facilities Hub which is currently at pre application stage.

Third Party Representations

8.82 The issues raised have been addressed in the above report and are mapped in table 5 below:

Table 5: Summary of third party representations

Issue	Report section
The application proposal is premature ahead of the new masterplan which is eventually agreed for the wider campus.	Paragraph A8, 8.6.

All access to the proposed CEB should be from within the site, accessed off Madingley Road and not CMR. CMR is a residential road and a designated cycle route which is already busy and dangerous. The proposed building will	Paragraphs 8.9, 8.46, 8.58, 8.59. Paragraphs 8.14
be much closer to CMR and therefore more obvious and less screened.	
and Access Statement are inconsistent in terms of flues.	statement are indicative only. 2 additional accurate axonometric plans have now been submitted which give a more accurate impression of the building in context. These images are not however 'verified views', which have also been submitted to analyse the impact of the building.
If deliveries are so infrequent (6 per year) a dedicated servicing access appears unnecessary.	Paragraph 8.11, 8.39 – 8.46.
The background noise data makes no reference of weather conditions, in part particular wind direction. On calm days CMR is generally a low noise area.	In this area of the City the ambient noise levels are typically dominated by relatively steady distant diffuse traffic noise from the M11 to the west. Prevailing winds in the City are from the south west (downwind of the M11). Noise levels can be lower when the wind is in the opposite or an alternative direction (upwind of the M11). When the

survey was undertaken a variety of wind directions occurred on different days so this is acceptable and includes days when wind direction is upwind of the M11.

BS 4142 comparison of noise rating level with representative background noise level. Why take 40th percentile?

Appendix shows that from 08:00 to 18:00 on a guiet week the sound level is less than 40dB 30% of the time. therefore the level background noise taken. 47 dB, is not representative.

The use of 40th percentile of baseline noise levels to determine representative noise levels is considered acceptable. It is also important to note that for this assessment the method of obtaining 'typical' representative background noise levels included discounting the highest 20% of values in order to ensure outlying erroneous atypical values are discounted.

Reference to noise rating level of the Beam Shaker at the garden boundary of the nearest property would be 51dB and 54dB at 50Hz 63Hz respectively. and 40th Measured at the percentile daytime background noise level is 55dB and 54 dB at 50Hz and 60Hz respectively which above the 47db background measured level.

The 51dB and 54dB at 50Hz and 63Hz linear unweighted noise levels respectively quoted in the noise report and mentioned above are not directly comparable to the background 47dB(A) levels. If they are Aweighted these levels would be 21 and 28 dB(A) respectively.

In any case the levels are below corresponding background 1/3 octave levels are not considered tonal and are at the low end of the threshold of hearing.

These low frequency noise components should not be audible and no impact is envisaged.

	(NB. When a measurement is "A" weighted the sound level meter is responding in a similar way to the human ear)	
The noise assessment is based on three activities (cement mixing, jack hammers, beam shakers) but over the life of the building there will certainly be different activities. The planning should be subject to all future activities being of an acceptable noise level.	The noise impact assessment has considered the noisiest activities currently undertaken at the existing Engineering Department. The noise levels used in the assessment are relatively high and it is unlikely that any new or unforeseen will be much greater. However, to ensure that the amenity of residential premises is protected at all times in the long term, an operational noise 'rating level' limits condition 9 is recommended for various times of the day: Day (0800 – 1800hrs), Evening (1800 – 2300hrs) and Night (2300 – 0800hrs) time periods.	
Any further need for emergency generators must be conditioned.	This is addressed by condition 10.	
The servicing and operational management plan shall not be varied without public scrutiny.	Noted.	
It is not anticipated that machinery noise would normally be operated outside of the daytime period (8am to 6pm) – this needs to be a planning condition.	This is noted but providing the operational noise levels do not exceed the cumulative operational noise 'rating level' limits condition as recommended above (condition 9) existing quality of life / amenity will be protected.	

Object to the inclusion of accent lighting provided by uplighters on the chimneys.	All illumination has been removed from the proposed flues. In addition, details of all other external lighting will be required through the imposition of condition x.
CMR suffers from being used as a parking place for food vans whose customers work on the West Cambridge site.	This will also be addressed
The building does not have provision for rainwater reuse or grey water systems.	Paragraph 8.75.

Planning Obligations (s106 Agreement)

- 8.83 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.

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

Transport Infrastructure

- 8.85 County Council officers have confirmed that mitigation measures are needed to address the demands imposed on the transport network as a result of the development. Officers at the County Council have assessed the transport information submitted by the applicants and have reached the view that the proposed enhanced uncontrolled pedestrian and cyclist crossing on Madingley Road between Observatory Drive and Clerk Maxwell Road is considered acceptable. The detailed design of the full signalisation of this junction will need to be reviewed as part of the outline planning application.
- 8.86 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policy 10/1 and the Planning Obligation Strategy 2010.

City Deal

8.87 The CEB will be considered within the mitigation package for the overall masterplan application.

Planning Obligations Conclusion

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

9.0 CONCLUSION

9.1. This building forms the first part of a proposed series of buildings on the eastern side of the West Cambridge campus for the Department of Engineering. These proposals are in themselves part of the wider overall emerging new masterplan for the West Cambridge site that is subject to a separate current outline application yet to be determined. However, this proposal is coming forward as an independent full application at the present time because of funding issues which require expenditure to be committed in 2017/18. Thus, this application has to be considered on its own merits, whilst ensuring that it

- does not prejudice the objectives of the emerging wider site masterplan/outline application.
- 9.2. Policy 18 of the emerging Local Plan supports densification of the West Cambridge site and the principle of this development accords with this policy. The proposed development would be of high quality design and will successfully integrate in the context of surrounding buildings and the emerging outline masterplan strategy for the eastern side of the campus. The visual impact of the development has been assessed individually and in the context of the wider outline application and it is considered that there will be no significant impacts arising, including for surrounding residential properties.
- 9.3. Other issues arising from the development including transport impacts, car parking and cycle provision have been assessed individually but also in the context of the wider emerging outline application masterplan and it is considered that all matters have been addressed satisfactorily, subject to imposition of appropriate conditions. A number of concerns have been raised from local residents about noise and amenity impacts including those arising from the provision of servicing from Clerk Maxwell Road. These have been considered in detail and will be addressed by the imposition of appropriate conditions.
- 9.4. The application is therefore recommended for approval, subject to completion of a S106 agreement to address transport mitigations.

10.0 RECOMMENDATION

APPROVE subject to completion of the S106 Agreement and the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004. 2. Prior to any above ground works, a sample panel of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the Local Planning Authority. The sample panel shall be at least 2m x 2m and show the proposed palette of materials (including plant screening, metal cladding, brickwork/masonary) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until the completion of the development.

Reason: To ensure that the external appearance of the development is in keeping with the existing character of the area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

- 3. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the consideration of the following aspects of demolition and construction:
 - a) Demolition, construction and phasing programme.
 - b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 - c) Construction/Demolition shall only be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
 - d) Delivery and collection times for construction/demolition purposes shall only be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
 - e) Soil Management Strategy having particular regard to contaminated land.

- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration impact assessment methodology, mitigation measures, vibration monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Vibration
- i) Maximum vibration levels.
- j) Dust management / monitoring plan and wheel washing measures. Non-Road Mobile Machinery (NRMM) demolition or construction works or similar, emissions standards
- k) Prohibition of the burning of waste on site during demolition/construction.
- I) Site artificial lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.
- s) Prior notice and agreement procedures for works outside agreed limits.

- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.
- ii. Non-Road Mobile Machinery Plant Condition

All Non-Road Mobile Machinery (NRMM) of net power between 37kW and 560 kW used during construction works or similar, shall meet the emissions standards in Stage IIIA of EU Directive 97/68/EC (emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery - as amended) for both Nitrogen Oxides (NOx) and Particulate Matter (PM). If Stage IIIA equipment is not available the requirement may be met using the following techniques:

- Reorganisation of NRMM fleet
- Replacing equipment
- Retrofit abatement technologies
- Re-engineering

All eligible NRMM shall meet the requirement above unless it can be demonstrated that the machinery is not available or that a comprehensive retrofit for both PM and NOx abatement is not feasible. In this situation every effort should be made to use the least polluting equipment available including retrofitting technologies to reduce particulate emissions.

Developers will be required to provide a written statement of their commitment and ability to meet the requirement within their Construction and Demolition Management plans.

An inventory of all NRMM, including evidence of emission limits for all equipment must be kept on site and all machinery should be regularly serviced and service logs shall be kept on site for inspection. This documentation should be made available to local authority officers as required. Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air quality Objectives in accordance with the National Planning Policy Framework (NPPF) and policy 4/14 of the Cambridge Local Plan (2006).

- 4. All collections from or deliveries to the site during the operational phase shall only be permitted / undertaken as follows:
 - a) between the hours of 0800 hrs and 1800 hrs Monday to Friday, 0900 hrs and 1300hrs on Saturdays. There shall be no collections or deliveries on Sundays and any Bank / Public Holiday.
 - b) all Heavy Duty Vehicle deliveries/collections (HDV defined as any vehicle over a maximum gross weight of 3.5 tonnes) shall only occur inside the main structures workshop / lab strong floor area and support space (as detailed / annotated on Drawing Number EM00025-GAL-CE-GR-DR-A-40020 Ground Floor Plan), with the external acoustic doors fully closed at all times save for the entry and exit of the vehicle, no external unloading or loading of HDVs is permitted.
 - c) when deliveries/collections occur directly via external acoustic doors into the main structures workshop / lab strong floor area and or support space these said areas shall not be in use (no noise generating experiments, tests or similar noise generating activities permitted in main structures workshop / lab strong floor area and support space in order to limit internal noise breakout).
 - d) the only exception to b. and c. above shall be general trade waste collections which shall be permitted externally.

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

5. With the exception of general trade waste collections only 12 Heavy Duty Vehicle (HDV - defined as any vehicle over a maximum gross weight of 3.5 tonnes) collections from or deliveries to the site and approved use shall be permitted per year (24 HDV movements to and or from the site in total).

With the exception of general trade waste collections there shall be no more than 1 HDV collection / delivery occurrence per any single hour period (no more than two vehicle movements per any hour)

A detailed log record of the date, time of arrival / departure, vehicles details (vehicle make and model) and vehicle registration details of all HDV collections and deliveries to the site shall be kept at all times and retained for a rolling period of 2 years. At the request of the local authority the said log shall be made available within a maximum period of seven days.

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

6. The eastern service road (as detailed / annotated on Drawing Number. EM00025-GAL-CE-XX-DR-A-4001 - Proposed Site Layout) shall only be used by vehicles servicing the development / building hereby approved. For the avoidance of doubt the said service road shall not be used to service any other existing building on the West Cambridge Site present at the time of the grant of permission apart from temporarily during the construction stage.

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

7. The storage of materials, the use of forklifts or similar equipment used for the lifting, carrying and movement of materials / items including loading and unloading activities and the use of powered plant and equipment associated with the approved use shall not be permitted externally at ground floor level on the eastern façade / side of the main building to the eastern service road.

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

8. Save for all external windows into office rooms on the first and second floors, when noise generating academic and research activities are undertaken within the ground floor CSC workshop, sensor maintenance room, mains structures workshop (inc strong floor and support space), concrete and durability laboratory and first floor void over main structures workshop / lab and façade engineering laboratory as highlighted on the attached Eastern Elevation (Drawing Number. EM00025-GAL-CE-XX-DR-A-42020 - West & East Elevation) all external windows and doors that serve those spaces shall be kept closed at all times during those activities. All activities associated with the approved used shall be carried out internally.

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

9. The 'rating level' (as defined in BS 4142: 2014 – *Methods for rating and assessing industrial and commercial sound* - or any successor document) of all sources of sound / noise immissions, from and attributable to operation of the site and approved use when collectively measured at the property boundary of any residential property (for avoidance of doubt this is the actual property boundary inclusive of external amenity areas such as property / garden boundaries or similar) shall not exceed the Operational Sound / Noise Rating Levels in the table below:

Operational Sound / Noise Rating Levels

Operational Sound / Noise Rating Levels (all free field)					
Monday to Friday	Saturday and Sundays (including public holidays)	Time Period			
42 dB LAeq, 1 hour	42 dB LAeq, 1 hour	Day (0800 – 1800hrs) during any single one hour reference period			
42 dB LAeq, 1 hour	41 dB LAeq, 1 hour	Evening (1800 – 2300hrs) during any single one hour reference period			
40 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for indiviual events	37 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for indiviual events	Night (2300 – 0800hrs) during any single 15 minute reference period			

Noise rating levels shall be measured directly or derived from a combination of measurement and calculation using propagation corrections. All noise measurements and rating levels shall be carried out in accordance with the requirements of of BS 4142: 2014 and BS 7445- Parts 1 to 3: Description and measurement of environmental noise, or as superseded.

Following written notification from the Local Planning Authority (LPA) that it is their view that the above Operational Sound / Noise Rating Levels are been exceeded the applicant shall undertake a noise impact assessment (methodology and approach shall be submitted to and approved in writing by the LPA in advance) to assess compliance with the said levels.

The noise impact / compliance scheme assessment shall be commenced within 21 days of the notification, unless a longer time is approved in writing by the LPA.

The applicant shall provide to the LPA a copy of the impact / compliance scheme assessment within a time period to be agreed.

If the said assessment confirms non-compliance with the operational noise rating levels the applicant shall submit in writing to the LPA a noise mitigation scheme employing the best practical means to ensure compliance with the said operational noise rating levels. Following the written approval by the LPA of the scheme and a timescale for its implementation the scheme shall be activated forthwith and thereafter retained.

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

10. a) Prior to any above ground works a detailed noise and vibration insulation / mitigation scheme for the eastern façade of the building, in order to minimise and control the level of noise/vibration emanating from the approved use and to protect the amenity of residential properties shall be submitted to and approved in writing by the Local Planning Authority.

The said noise and vibration insulation / mitigation scheme for the eastern façade of the building shall include:

- i. sound reduction indices (R) of the airborne sound insulation properties / performance (in octave and 1/3 octave frequencies) for each external building façade construction element- walls/panels, windows and doors including any acoustic doorsets. The sound reduction index performance for each element shall be certified by official "third party" laboratories according to relevant international and or national standards.
- ii. the airborne sound insulation performance of the external composite building façade
- iii. detailed architectural construction and engineering specifications and drawings (with sections) for each composite element of the external eastern building façade and the main structure workshop inclusive of strong floor (structural floating strong floor and acoustically isolated 'Super Floor Box in Box Containment System')

- iv. operational noise data for any acoustic door opening / closing mechanism
- v. administrative/management noise mitigation controls, as appropriate

The noise and vibration insulation / mitigation scheme for the building shall be in accordance with the principles, operational noise / vibration levels and mitigation measures and recommendations detailed in the submitted 'Noise and Vibration Impact Assessment - Prepared by Max Fordham, Submitted as part of the planning application for the Civil Engineering Building On the West Cambridge Site, Madingley Road, Cambridge - Version Rev F Dated October 2016 including APPENDIX C - VIBRATION IMPACT ASSESSMEN Ground vibration planning statement: Smith & Wallwork Ltd 7th October 2016 (rev 1) ' and shall demonstrate compliance with the operational sound / noise rating levels detailed in condition xxx above.

The development shall be constructed, operated and fully maintained thereafter in strict accordance with the noise and vibration insulation/mitigation scheme as approved.

b) Before the development/use hereby approved / permitted is occupied, a scheme for the insulation of operational plant and equipment to include mechanical and electrical building services and electricity transformer in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority.

The noise insulation / mitigation scheme shall be in accordance with the principles, operational noise levels and mitigation measures and recommendations detailed in the submitted 'Noise and Vibration Impact Assessment - Prepared by Max Fordham, Submitted as part of the planning application for the Civil Engineering Building On the West Cambridge Site, Madingley Road, Cambridge - Version Rev F Dated October 2016' and shall demonstrate compliance with the operational sound / noise rating levels detailed in condition 9 above The scheme as approved shall be fully implemented before the use hereby permitted is commenced and retained thereafter.

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

11. Prior to occupation of development an updated Servicing and Operational Noise Minimisation Management Plan / Scheme shall be submitted in writing to the Local Planning Authority (LPA) for approval. This shall include details of site wide measures to be undertaken and implemented to mitigate and reduce noise activities / operations. The approved plan / scheme shall be implemented and retained thereafter unless otherwise approved in writing by the LPA and shall be reviewed and revised as necessary at the reasonable request of the LPA.

The Plan / Scheme should include consideration of but not exhaustively the following:

- a) Advice and policy for drivers of service vehicles to minimise noise
- b) Consideration of the integration, interrelationship and connectivity with any future proposed engineering blocks / buildings that will form part of the eastern edge of the wider CUED 'Inset' Masterplan
- c) Implementation of a complaints procedure for verifying and responding to complaints about noise / vibration

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

12. Heating and cooling of the building shall only be provided by a ground source (GSHP) heat pump system with heat recovery. The use of any combustion appliances / plant shall not be permitted. "Combustion appliance" means a fixed appliance which is designed to burn solid fuel, gas, oil or any other fuel source.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development and to contribute toward National Air quality Objectives in accordance with the National Planning Policy Framework (NPPF) and policy 4/14 of the Cambridge Local Plan (2006)

13. Prior to the occupation/use of the development, details of equipment and systems for the purpose of extraction, filtration and abatement of odours, fumes and dust or similar particles shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration details / scheme shall be installed before the use hereby permitted is commenced and shall be retained thereafter.

Any approved scheme or system installed shall be regularly maintained in accordance with the manufacturer's specification / instructions to ensure its continued satisfactory operation to the satisfaction of the Local Planning Authority.

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

14. Prior to the installation of any artificial lighting an external artificial lighting scheme / impact assessment 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 (external and internal building lighting) and an artificial lighting impact assessment with predicted lighting levels at proposed and existing properties shall be undertaken (including horizontal / vertical isolux contour light levels and calculated glare levels). Artificial lighting on and off site shall meet the Obtrusive Light Limitations for Exterior Lighting Installations Environmental Zone - E2 in accordance with the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded) and any mitigation measures to reduce and contain potential artificial light spill and glare as appropriate shall be detailed.

The artificial lighting scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of nearby properties. (Paragraph 125 of the National Planning Policy Framework and Cambridge Local Plan 2006 policy 4/13)

15. Prior to commencement of development on site, or within 6 months of commencement, a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'excellent' shall be submitted to, and approved in writing by, the Local Planning Authority.

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

16. Prior to the occupation, or within 6 months of occupation, a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development unless otherwise agreed in writing by the Local Planning Authority.

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

17. The approved renewable energy technologies shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policy 8/16).

18. Prior to occupation of the building hereby approved, full details of a scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme will need to meet the Council's requirement for public art as set out in the Planning Obligation Strategy 2010 and the associated public art plan for Cambridge. The approved scheme for public art shall be carried out in accordance with the approved details not later than 6 months after the first occupation of the building or within a timeframe set out and agreed within the submitted scheme.

Reason: In the interest of creating successful, high quality, attractive environments, Cambridge Local Plan 2006 policy 3/7.

19. No occupation of the proposed CEB shall take place before a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

20. No occupation of the proposed CEB shall take place before a woodland and management and maintenance scheme has been submitted for the landscaped bund to the immediate east of the application site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

21. Prior to occupation of the development, details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

22. Prior to the occupation of the building hereby approved, full details of a travel plan detailing the measures taken to promote sustainable travel modes shall be submitted to and approved by the Local Planning Authority. The travel plan shall be implemented in accordance with that agreed.

Reason: In the interests of promoting sustainable travel modes for future users of the building, Cambridge Local Plan 2006 policy 8/3

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

- a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.
- b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- -Agreed target levels are likely to exceeded
- -Upon the receipt of substantiated complaints
- -At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

INFORMATIVE: Dust condition informative

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

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007": http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf

- -Guidance on the assessment of dust from demolition and construction http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf
- 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
- -Control of dust and emissions during construction and demolition supplementary planning guidance https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: Ventilation associated with fume and microbiological cupboards / cabinets shall be installed (including consideration of flue / exhaust termination discharge heights that are required for adequate dispersion) in accordance with national and industry standards, codes of practice and technical guidance, such as:

- Building Regulations
- BS EN 14175 'Fume Cupboards' Parts 1 to 7
- BS 7989:2001 Specification for recirculatory filtration fume cupboards
- BS 5726 various Microbiological safety cabinets.

INFORMATIVE: Building ventilation fresh air intake louvres / points

To ensure no recirculation of emissions inside the building from any proposed fume cupboards, dust extraction systems, combustion plant or similar, it is recommended that any fresh air intake louvres / points for building ventilation or heating, ventilation and air conditioning or handling (HVAC) systems are located as far from flues/stacks discharge terminations as possible and where possible upwind of the flues/stacks.

INFORMATIVE: Food Registration / Safety Informative

As the premises may have a kitchen providing food for staff or similar or facilities for food preparation the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and foods storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 for further information.

Appendix 2

Extant 1999 masterplan – existing condition







Appendix 3

Outline Masterplan in context- 16/1134/OUT









CAMBRIDGESHIRE QUALITY PANEL

REPORT OF PANEL MEETING

Scheme: UKCRIC, Civil Engineering Building, West Cambridge

Date: Wednesday 10th August 2016

Venue: Shire Hall Room 128, Cambridgeshire County Council, CB3 0AP

Time: 9:30 -12:30

Quality Panel Members

David Prichard (Chair)

Simon Carne

Steve Platt

Luke Engleback

Nick James

Ashley Bateson

Panel secretariat and support

Alokiir Ajang, Cambridgeshire County Council Judit Carballo – Cambridgeshire County Council

Local Authority Attendees

John Evans – Senior Planner, Cambridge City Council

Applicant and Representatives

Mark Parsons – Planning, University of Cambridge

Brian Williams - Project Manager, University of Cambridge

Peter Swallow – Architect, Grimshaw Architectcs

Neven Sidor – Partner, Grimshaw Architects

Jeremy Climas – Engineer, Max Fordham

1. Scheme description and presentation

Architect/Designer Grimshaw Architects

Applicant University of Cambridge

Planning status Pre - determination



2. Overview

The proposed application is located on the eastern side of JJ Thomson Avenue to the rear of the Centre for Advanced Photonics and Electronics (CAPE). It falls within 'East Forum key place', 'East Green Link' and the Clerk Maxwell Road eastern edge of the campus. The site is within the Design Guide which will accompany the West Cambridge outline application.

The pre-application proposal is for the next phase of the relocation of the Department of Engineering from its existing site on Fen Causeway. The University has appointed Grimshaw to generate an 'Inset Masterplan' for the Department and to design UKCRIC which is the first building to be funded. The development comprises four levels of accommodation with a floor-space of 4,500 sq. m. This is part of an overall strategy to provide 100,000 sq m of academic floor-space on the east side of the revised West Cambridge masterplan.

Due to funding constraints the UKCRIC building will need to progress in advance of any outline approval of the revised Masterplan and will therefore need to be a full application. The proposal will take into account all of the parameter plans, design guidelines and constraints as if it was a reserved matters application, enabling the scheme to be consistent with the wider masterplan being generated by Aecom.

The University has to date engaged in three pre-application meetings with officers at the City Council and the application has been presented to community forums and the disability panel.

The University is looking to engage with the Cambridgeshire Quality Panel in advance of submitting the scheme in mid-September.

3. Cambridgeshire Quality Panel views

<u>Introduction</u>

The Panel welcomed seeing the Civil Engineering Building at such an early stage of the West Cambridge development. As the first building in the long terrace of laboratories on the eastern boundary, this scheme is the prototype and will set the standard for the rest of the development.

During the presentation the Applicant provided google 3D glasses with internal visuals of the building. The presentation included the architects' end-game vision for a forum building which would enclose the west side of the existing green space; this would create an attractive sheltered courtyard in front of UKCRIC and help transform the East Green Link into a street. Regrettably, there is no funding at present to deliver this vision so the UKCRIC building will sit in isolation, possibly for several years.

The Panel appreciated the presentation of the Inset Masterplan which sets the context, but noted the review was of the building only.



The Panel's advice reflects the issues associated with each of the four 'C's' in the Cambridgeshire Quality Charter. The comments below include both those raised in the open session of the meeting and those from the closed session discussions.

Community

The Panel felt there was a noticeable contrast in the level of attention and detail given to the social strategies for the building in comparison to the thoroughly researched and presented environmental strategies.

The Panel believes further detailed layout studies could encourage serendipitous interactions within circulation spaces and suggested extending the accommodation staircase to upper floors since vertical circulation is otherwise by lift or fire stairs. As in modern office designs, informal meeting spaces would complement the formal social spaces which are provided - the café, coffee points and team meeting rooms. Externally, the courtyard could be the reference point for this building offering sheltered seating areas and identify the entrance.

The Panel recommended further work into the hierarchy of social spaces and looking at the type of interactions and their duration. The 'Well Measured' aim of the brief suggests the collection of access data would be extremely valuable in understanding how to increase interactions within and around this and future buildings.

Connectivity

Car and cycle routes and arrivals were discussed at the meeting. The Applicant explained that the multi storey car park will establish a strong north south pedestrian route which will be at first floor level and link all future buildings along this eastern edge. This route would be indoors and become the main inter-departmental concourse. The Panel was concerned that this concept would only work if all future building briefs could comply and could fund such links, meanwhile all circulation would be at ground level where the current section shows a covered route which the Panel thought was simple and practical. The need for way marking was highlighted since this building sets up the third layer of development at the back of the site.

The Panel questioned the "ladder" circulation concept, which may be logical for the end game master plan however, in the interim other desire lines may prevail; it assumes that people move in predictable ways and this may not always be the case.

The service route was discussed; the Panel questioned how this will be used and security controlled. As currently conceived it is a long straight façade which could benefit from inflections that offer more overlooking and passive surveillance.

Further thought is needed regarding arrivals by bicycle especially with the increasing usage of electric and expensive bicycles. The Panel recommended considering the provision of secure storage close to the cyclists' showers and changing rooms since convenient design is an important influence on behaviour change.

Character



The building needs to provide attractive and efficient research space.

The building's strong design synthesis of architecture and engineering was appreciated, however landscape design must be included to complete the composition and add identity and character to the arrival experience. The architects explained that the University had not yet appointed a landscape designer; the Panel believe this input is urgently required if all aspects of design are to be integrated.

The junctions in internal and external pedestrian routes could be given greater character and identity; introducing colour or material changes into the communal areas could help way finding and create a more intimate and distinctive necklace of places.

The interior architecture could celebrate the intended flexibility and adaptability demanded in the brief. The high degree of servicing changes anticipated poses a design challenge to avoid the ad hoc installations often prevelent in institutional buildings.

There is an opportunity to explore the courtyards to develop their characters and functions in relation to the wider master-plan concept. There is a need for a Landscape vision for the external spaces.

The Panel was intrigued by the "zero bling" concept and supported the idea of having the structure and services on display as an on-going reminder of changing needs and technologies. However; it was concerned that the building presently lacks soul. The steel and concrete structure with high ceilings no doubt answers the brief in terms of adaptability but currently the interiors looked rather monochromatic.

It was explained that the west elevation fins could be adjustable and even moved to optimize solar shading; these subtle inflections could add character to the façade.

Although outside the terms of reference for this review the Panel noted concern that the overall aims of the masterplan are not lost through fragmented implementation. It is important that each phase of development creates a distinctive place.

Climate

The Panel applauded the Applicant for the bespoke Energy/Cost Metric devised to evaluate design options. The Applicant explained the building is designed for a 100 year life span, construction will optimize off-site fabrication and will achieve BREEM excellent standards.

The challenges of highly glazed façades and how to tackle overheating and glare were discussed and further modelling will be done to verify how the internal environment will perform and be controlled within each room. Solar studies of the courtyards and the interior and exterior of the building were encouraged.

Concerns were raised about the cost of numerous individual mechanical ventilation units and how this may cause a maintenance challenge in terms of cost, disruption and overall design control. The Panel discussed other academic developments where plant is centralised and combined with a heat recovery system.

The density of tree planting on the long eastern façade and how this screen will grow and change over time needs to be considered by the Landscape designer.



The Panel supported the proposed green and blue roofs and noted the explanation for flexibility in provision of photovoltaic arrays which can if viable be retrofitted and sit above the bio-diverse roof coverings.

4. Conclusion

The Panel congratulated the client and its design team on its fascinating and sophisticated energy brief and climate considerations, however it felt the social spaces deserved a similar level of rigour and creativity.

The Panel made the following recommendations. Further details can be found above:

- Be mindful of future connectivity through the site; interim routes must be legible and at ground level.
- The service route and eastern façade need articulation and landscape design input.
- Consider the ecology of the green roofs eg St Gallen Hospital and Migros Mall in Switzerland.
- Further modelling of the internal and external climate to verify that room control systems will deal with ventilation and glare.
- Further consideration of how in-room plant can be adapted and maintained without undue disruption and ad hoc installations.
- The Panel liked the idea of a "Petri-dish" concept for social interaction and felt the presentation undersold the thought given so far.
- The Panel admired the "Zero Bling" approach and the ambition for a flexible and adaptable building. This ambition could be the character defining influence that adds soul. The landscape must be a formative part of the design, integrated in the manner achieved already between engineering and architecture.
- The Panel were concerned that the building is being delivered ahead of the masterplan, the Applicant must be mindful that good intentions are not lost or compromised in the process.

5. Declaration of Interest

David Prichard declared interest in that his former practice (MacCormac Jamieson Prichard Architects) designed the original West Cambridge Master Plan but he was not the partner in charge and had left to establish a new practice (Metropolitan Workshop) in 2005.



1st March 2017

Application Number	16/18	0/FUL	Agenda Item	
Date Received	18th (ctober 2016	Officer	Rob Brereton
Target Date Ward Site Proposal Applicant	Trump Tangl Propolands	ecember 2016 Ington Wood Gazeley Rosed 2 storey of ape design d C E Wilkinson	•	CB2 9HB
SUMMARY		a boundary with the loss impact the simpact is no warrant refracceptable. The loss of however wheretaining of balance acceptable.	of the proposal wand the wall/landscaping of oak tree (streetscene, he ot significant usal and is sen assessed other trees or eptable.	oposal, its addition of ing coupled T4) visually owever this enough to therefore regrettable against the against the site is on will have an
RECOMMENDA	ATION	APPROVAL	· · · · ·	

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site is on the southern side of the private Gazeley Lane. Gazeley Lane is a private single lane road characterised by detached dwellings in large plots surrounded by mature vegetation. There is no distinct architectural style on this lane.

- 1.2 Currently there is no residential accommodation or outbuildings on the site as prior approval was deemed not required for the demolition of a two storey detached property and all outbuildings on site under reference 16/1416/DEMDET.
- 1.3 The site is not within a Conservation Area however there are 8 trees protected by Tree Protection Status (TPO). There is also a group TPO designation on the trees aligning Gazeley Lane to the front of the site.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a two storey dwelling and associated landscape design.
- 2.2 The proposed two storey dwellinghouse is of contemporary design and cross shaped in plan with two single storey infill elements to the rear. There are four two storey gable ends on this property. One faces Gazeley Lane, one is on the rear elevation and the other two make up the side elevations of the property. The central gable protrudes 1 metre in front of the main front facade. The single storey infill element to the south west is flat roofed. The single storey element to the south east has a part lean to roof and part flat roof, which is used as a roof terrace.
- 2.3 The two storey gabled ended element running east to west is 9.2 metres tall to ridge, 24.2 metres wide and 7.6 metres deep. The two storey gable ended element running north to south is 8.2 metres tall to ridge, 5.9 metres wide and 16.7 metres deep. The single storey infill element to the south west is 5.2 metres deep and 3.3 metres tall, with a depth of 5.2 and 6.3 metres. The single storey element to the south east has height of 3.3, a depth of 7 metres and a width of 6.3 metres.
- 2.4 Contemporary design features proposed for this dwelling include a mixture of sized glazing, vertical larch cladding used on both the elevations and the roof slope, zinc cladding on the bay windows and red brick used on the gable ends. Associated landscaping and a new access are also proposed including permeable paving, patios, raised beds and open green spaces.
- 2.5 The proposal will remove T4 a mature Oak tree of circa 12 metres tall. This tree has TPO status and is located in the north

western corner of Gazeley Lane. G2 is a set of 2 Goat Willow trees also of TPO status and proposed to be removed to make way for the revised entrance. The two other trees proposed to be removed do not have TPO status, these are a Magnolia (T3) and a multi-stemmed shrub.

Amendments

- 2.6 The original red edge of the plan only covered half of the site with the other half outlined in blue. This was amended to outline the entire site in red, the whole site will therefore be adjudged as only one planning unit in this application.
- 2.7 Amendments have setback the front gable and front facade from Gazeley Lane, reduced the size of the kitchen and added a 1.8 metre brick wall 0.6 metres indented from the boundary with planting in front.
- 2.8 The front gable of the original scheme was 0.3 metres from Gazeley Lane and the front facade was 2.35 metres away. This amended was because of concerns the proposed dwellinghouse would dominate and be out of keeping with the streetscene. The dwelling was therefore moved 1.4 metres south and the protrusion of the front gable decreased by 1 This amendment impacted tree T2 detrimentally therefore a further amendment was received decreasing the depth of the kitchen by 1.9 metres and the width by 0.2 metres, removing the terrace above and removing the carport. This amended proposal will be assessed in the paragraphs below.

3.0 SITE HISTORY

Reference	Description	Outcome
16/1416/DEMDET	Prior notification of the	Prior
	demolition of brick residential	notification
	building together with	not required
	detached garage and ancillary	
	outbuildings. The demolition is	
	also to include removal of	
	ground floor slab and	
	foundations associated with	
	the property.	

18/2016 This reference covered a Tree TPO upheld

Preservation Order for a T1 by

an Oak tree, T9 a beech tree, committee*

T4 an Oak tree, T2 a beech tree, G1 3 Beech trees

(grouping).

16/1470/FUL Demolition of existing dwelling Withdrawn**

to be replaced by 2x 5 bed

dwellings.

14/1210/FUL Refurbishment of Main Approved

House, demolition of extensions and construction of new extensions to rear and

sides.

C/82/0714 Erection of detached dwelling Approved

house

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.

^{*} These trees were given TPO status as there was worry they could be lost due to the redevelopment of the Tanglewood site without any consent. This TPO designation was disputed by the agents of this application and the Planning Committee of 3rd February 2017 ruled to uphold the TPO status of these trees.

^{**} This application was withdrawn after concerns about impacts to TPOs were voiced by the Cambridge City Council Tree Officer.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	3/1 3/4 3/7 3/11 3/12
Plan 2006		4/3 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	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Appendix A)
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	City Wide Guidance Arboricultural Strategy (2004)

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 will have any significant adverse impact upon the operation of the highway network and the amendments have not changed this opinion.

Environmental Health

6.2 No objection subject to conditions on construction hours, collection and delivery hours, piling and mitigation of dust. Amendments have not changed this position.

Urban Design

6.3 Urban Design originally objected to the proposal as the south eastern first floor terrace overlooked the adjacent property Gazeley, and the red outline of the proposal subdivided the proposal into two planning units. Amendments adding a 1.8 obscurely glazed screen to this terrace and the red line boundary outlining the whole site were considered to overcome their concerns and the amended application is now supported in design terms subject to a condition requiring samples of materials.

Head of Streets and Open Spaces (Tree Team)

6.4 The Tree Officer objected to the original scheme as there were concerns about the impact trees will have on light, both inside and outside the scheme, and the impact leaf litter and fruit will

have on maintaining the two first floor terraces, putting pressure on these trees. There was also concern that the foundations of the kitchen and carport would have a detrimental impact on the root protection zone of T2.

Regarding the loss of trees on the site it was stated no objections were voiced to the loss of T5, T3 and G2. The loss of T4 will impact on the character of Gazeley Lane but this impact is not considered to be a reasonable constraint to development if there are no other reasons for refusal. There is therefore no formal objection to the removal of this tree subject to realistic retention of all other valuable trees on and adjacent to the site.

The amended design removes the carport, removes the south west first floor terrace and decreases the floor area of the kitchen so that less area is within the root protection zone of T2.

The tree officer confirms this proposal has an acceptable impact on the root protection zone of T2 and states the site's ownership, the desires of the first occupants and the proposed maintenance are not material consideration in planning, therefore concerns regarding future pressure to prune/remove additional trees once the property is occupied are still maintained.

No objection is therefore concluded subject to conditions requiring an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), a meeting must take place to agree the content of these documents, conditions limiting Permitted Development rights and detailing landscaping.

Landscape Architecture

6.5 Landscape Architecture originally objected to the proposal as the proposed kitchen and carport were in the root protection zone of the TPO'd Copper Beech T2 and the garden room and store were also in a root protection zone.

After more information was provided in an updated AIA report No: RT-MME-123322 Rev A. The landscaping officer stated this document addressed their concerns and the scheme is acceptable subject to a condition on boundary treatment.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.6 No objection to standard condition on surface water drainage. No additional comments have been received on the amended scheme.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.7 No objection subject to a condition on external lighting and recommendations of the ecology study being followed. No additional comments have been received on the amended scheme.
- 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. If any further consultation is received regarding the amended proposal they will be summarised in the amendment sheet prior to Planning Committee.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
 - The Lees, Gazeley Lane
 - Little Kersland, Gazeley Lane
 - Fairfield, Gazeley Lane
 - Menai, Gazeley Lane
 - 11 Wingate Way
 - Unit 112, Lancaster Way Business Park, Ely
 - The Lodge, 4 Gazeley Lane
 - 15 High Street, Trumpington
 - 19 High Street, Trumpington
- 7.2 The representations can be summarised as follows:
 - Loss of the Oak tree T4 has an unacceptable impact on the streetscene which is a Category A tree and one of the largest on the lane.

- Category of trees has been downgraded in subsequent Arboricultural Reports provided by the agent.
- Trees were TPO'd recently under 18/2016 and the loss of any is unacceptable.
- The argument for felling a tall Oak tree to preserve a small Mulberry tree is unfounded.
- The front facade of the proposed house will have an unwelcome intrusion on views from Gazeley Lane.
- Computer generated images are misleading.
- A large house can be accommodated without the removal of trees on this site.
- The proximity of the trees to this large dwelling will decrease light to future residents.
- The new building(s) will increase traffic in a narrow lane with a narrow entrance.
- While the red line boundary has changed to outline the entire site, it is clear from internal fencing that this site is still going to be subdivided to give a plot to another dwelling and the agent has made this clear in previous documents.
- Too many revisions have been allowed to the agents and applicants. This application should be withdrawn.
- All trees with TPO status must be protected on site.
- Other buildings on the road are located further indented from the boundary with Gazeley Lane.
- Building works may impact access to Gazeley Lane and inconvenience residents.
- The height and size of the building would look oppressive against the streetscene.
- Other plots along Gazeley Lane are not as densely developed.
- Bat habitats could be lost with the removal of trees.
- The proposed house and car port will detrimentally impact the root protection area of the large Copper Beech T2.
- The proposed house is twice the size of the previous property and larger and taller than most of the other houses on Gazeley Lane.
- The proposal overlooks neighbour Gazeley to the east. Whether or not this is in the applicants ownership is immaterial.
- Personal circumstances are not material to adjudging a planning application.
- Property Menai will be overlooked from the proposed elevated western terrace.

- While normally an application is assessed on its own merits as it is clear the agents and applicants wish to subdivide the site and erect another dwelling this must be taken into account.
- The design is ill-conceived with a barn-style adopted both in elevation and physical mass, which fails to reflect the residential nature of the area within the existing built settlement of Trumpington and along the southern side of Gazeley Lane.
- The proposed frontage with Gazeley Lane is an increase of approximately 6m over the original dwelling and will appear overly dominant in this semi-rural location.
- The bulk and position of the dwelling will increase the sense of enclosure to Gazeley Lane.
- South Cambridgeshire Householder Design Guide states that window must be a minimum distance of 25 metres form facing neighbouring properties.
- Paragraph 131 of the National Planning Policy Framework (NPPF) states that, when determining planning applications, local planning authorities should take into account the desirability of a new development making a positive contribution to local character and distinctiveness.
- There are considerable constraints to have two drainage systems on this plot.
- New replacement trees must be planted.
- Proposed wood cladding will be covered in moss.
- A Section 106 agreement should be entered into to curtail the development of more than one dwelling on this site.
- 7.3 A letter of representation was also received from Councillor O'Connell, she objected to the application on the following grounds.
 - Although fewer trees will be felled as a result of this application, the boundary between the two halves of the site has not moved when compared to withdrawn application 16/1470/FUL.
 - Unless the applicants can demonstrate the western site is viable, the application should not be permitted. The location of the boundary will inevitably mean either a significant loss of valuable trees, or of the western half of the site being permanently unusable and becoming dilapidated due to lack of maintenance.

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

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
 - 1. Principle of development
 - 2. Context of site, design and external spaces
 - 3. Impact on trees
 - 4. Residential amenity
 - 5. Refuse arrangements
 - 6. Highway safety
 - 7. Car and cycle parking
 - 8. Drainage
 - 9. Third party representations

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. It is noted previously there was one dwelling on this site and the surrounding area is predominantly residential. It is therefore my view that the proposal complies with policy 5/1 of the Local Plan.

Context of site, design and external spaces

8.3 Gazeley Lane is characterised by detached dwellings in large plots surrounded by mature vegetation. The area has a semi-rural feel and dominated by greenery rather than building stock. This was especially true of the two storey detached dwelling which was previously on the site. Prior notification was deemed not required to demolish this building and its outbuildings as the agent provided the relevant documentation to Environmental Health and Highways to comply with the Town and County Planning (General Permitted Development) Order 2015, Part 11, Class B.

- 8.4 The proposed dwelling is much larger in scale than the previous house on site but is not considered out of context as there are many large dwellings on this road. It is located in a similar position to the previous dwellinghouse in the north eastern corner of the plot. Much effort has gone into amending the original proposal to set back the proposal from the streetscene and bring its two storey bulk in line with neighbouring properties. Previously the combination of the gable end being 0.3 metres from Gazeley Lane and the front facade being 2.35 metres away coupled with the loss of T4 a circa 12 metre tall TPO Oak was considered to have an unacceptable impact on the streetscene and warranted refusal. The front facade of the proposal is now 3.7 metres set back from the boundary and the central gable 2.4 metres from the boundary with Gazeley Lane and a 1.8 metre brick wall with hedging in front have been added 0.6 metres away from the boundary. The proposed building is still of considerable bulk at 24.2 metres wide and 9.2 metres tall to ridge dwelling and the application will involve the felling of the TPO Oak which together will result in a significant visual impact to the streetscene. However, I feel that the increased set back from the front boundary, the decreased protrusion of the front gable end, the addition of a brick wall with landscaping in front will, on balance, make a previously unacceptable scheme, acceptable.
- 8.5 It is noted there is no predominant architectural style on Gazeley Lane. Efforts have been made for this large dwelling to blend in with its wooded surroundings including the use of vertical Siberian Larch cladding on both the elevations and the pitched roof. While the design is contemporary using a mixture of sized glazing, zinc/internal rainwater goods and zinc clad bay windows it also used some more traditional elements such red brick used on the gabled ends, a chimney and pitched roofs. It is considered this design is of high quality and takes into account its context. Urban Design is content with the design of this proposal and has voiced no objection subject to a condition being samples of materials assessed prior on commencement.
- 8.6 In my opinion the proposal is, on balance, compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Impact on trees

8.7 Regarding the loss of trees on the site it was stated no objections were voiced to the loss of T5, T3 which are not TPO status. Planning Committee upheld the Tree Protection Order 18/2016 which covers 8 trees on this site on February 1st 2017. G2 is a set of 2 Goat Willow trees which have TPO status not under 18/2016, the Tree officer has not objected to their removal as they are of low amenity value.

One of these TPOs under 18/2016 is T4, an Oak 12 metres tall will be lost as part of this application. This Oak is located in the north western corner of this site and faces the streetscene on Gazeley Lane. Cambridge City Council's Tree Officer stated:

The loss of T4 will impact on the character of Gazeley Lane but this impact is not considered to be a reasonable constraint to development if there are no other reasons for refusal. There is therefore no formal objection to the removal of this tree subject to realistic retention of all other valuable trees on and adjacent to the site.

It is therefore considered on balance that while this tree clearly has a substantial contribution to amenity of Gazeley Lane, both visually and environmentally the loss of this tree when compared to conservation of the other 7 (TPO'd trees) is not a reasonable constraint to this development.

The Cambridge City Council Tree Officer confirms that the amended kitchen area and the removal of the carport has an acceptable impact on the Root Protection Area of T2 (Copper Beech) as set out in the provided Arboricultural Impact Assessment RT-MME-123322 Rev C.

It is therefore considered this proposal has been amended to just be on balance acceptable when it comes to its impact on the health and amenity value of trees within the Tanglewood Site subject to conditions on monitoring construction, limiting permitted development rights and ensuring landscaping does not harm trees.

The nature conservation officer also considers bats will not be adversely impacted by this proposal subject to a condition on outdoor lighting.

8.8 In my opinion the proposal is, on balance, compliant with Cambridge Local Plan (2006) policy3/4 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposed dwellinghouse is located 15 metres away from Gazeley to the east, 20.7 metres away from the flats of Gilmerton Court to the north and 28.6 metres away from Menai to the west. All other properties are considered to be located a sufficient distance away to dispel any potentially detrimental impacts.
- 8.10 Two windows are proposed in the first floor facing Gazeley, one is to an ensuite and other to bedroom 4. The bathroom window is recommended to be conditioned to be obscurely glazed. The bedroom window is recommended to be conditioned to be obscurely glazed up to 1.7 metres. This is considered acceptable as this bedroom is duel aspect. Bedroom 4 also has a rear roof terrace which has a 1.8 metre tall obscurely glazed privacy screen along the eastern elevation. The trees between these properties also help to screen any impacts of enclosure on the side garden of this property. It is also noted that Gazeley has a significant amount of amenity space which will be not be impacted. It is therefore considered that the proposal would have an acceptable impact on this property.
- 8.11 8 windows are proposed at first floor in the front elevation. 6 of which are narrow slit like windows to two ensuite bathrooms and are recommended to be conditioned to be obscurely glazed. The other two are much larger windows, one is to a stairwell and the other to a study/office. As the opposite flats are located across the carriageway 20.7 metres away behind a mature screen of trees it is considered they would not be detrimentally overlooked, therefore obscure glazing is not required.
- 8.12 One window faces Menai and it is a high level opening into the double height living room, therefore future residents would not be able to view out of it. Originally there was a roof terrace above the kitchen at first floor this has been removed and is now a sedum roof.

- 8.13 Many neighbours have objected to the subdivision of the site. This amended application is only adjudging the site as one planning unit and if other applications are received to subdivide the site, each will be assessed on its own planning merits.
- 8.14 Environmental Health has recommended conditions to ensure the amenities of neighbouring occupiers are not unduly impacted during construction. These include limiting the construction hours and construction delivery hours, controlling piling and mitigation against airborne dust.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.
 - Amenity for future occupiers of the site
- 8.16 There is an adequate amount of amenity space for future occupiers and the landscaping plan provided shows characterful amenity space. Outlook form the majority of windows in considered acceptable, however, there are some concerns that sunlight into the kitchen and bedroom 3 may be impacted by T2 a 30 metre tall Copper Beech. In is considered that some dappled light would penetrate these rooms and this impact was not significant enough to warrant refusal.
- 8.17 In my opinion the proposal provides a high-quality amenity space and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.18 The bin store behind a 1.8 metre high brick wall is considered satisfactory for the number of units proposed and complies with the RECAP Waste Management and Design Guide 2012.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.20 The Highway Authority has adjudged the proposed new entrance will not have an adverse impact on highway safety. Sufficient vehicle parking has been provided on site, while no cycle parking has been indicated there is sufficient room to place this on site and this could be included in the garden room. A condition is recommended to determine where cycle parking will be provided prior to commencement.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Drainage

- 8.22 Subject to a standard condition it is considered that the proposal will not have an adverse impact on drainage on the site and surrounding area.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/18.

8.24 Third Party Representations

Concern	Response
Loss of Oak tree T4	Para 8.2 and 8.5
Categories of trees	The tree officer has been on site
changed by applicants	several times at this address and
	granted the TPO 18/2016 and is
	therefore well aware of all trees
	significance and advice has been
	given accordingly.
Loss of TPO'd trees	TPO'd trees can be felled as part of
	a planning application.
Felling large Oak tree to	This argument was rejected by the
preserve Mulberry tree	tree officer and is therefore not part
	of this assessment.
Impact of front facade on	Para 8.2
Gazeley Lane	
Computer generated	These are not core drawings to this
images misleading	application but a supplementary
	document.
Daylight to future residents	Para 8.14

Traffic increase to the Lane	The proposal replaces one dwelling and the level of vehicular moves is considered to be similar.
Subdivision of site	Para 2.6
Too many revisions considered	Statement of Community Involvement has been followed and neighbours have been given the opportunity to respond to amendments.
Indentation from the boundary with Gazeley Lane	Para 8.2
Building works impact on amenity	Para 8.11
Height and size building	Para 8.1 and 8.2
Other plots are less developed	Para 2.6 and 8.1
Bat habitats	Para 6.7 and 8.5
Car port and house foundations will impact RPZ of T2 (Copper Beech)	Para 2.8, 6.4 and 8.6
Size of house	Para 8.1 and 8.2
Overlooking Gazeley	Para 8.6
Personal circumstances of applicant	Not material to planning application
Overlooking Menai	Para 8.9
Poor design	Para 8.3
SCCC Guidance	Not material to this planning application
NPPF Para 131	Para 8.1 and 8.2
Drainage	Para 6.6
Replanting new trees	Para 8.14 and no policy requirement
Moss on wooden cladding	This is a maintenance issue
Section 106 to stop more	Para 2.6 another dwelling on site
than one building be built	would require planning permission.
on site	Therefore a Section 106 is not required.

9.0 CONCLUSION

The loss of the mature TPO Oak is regrettable and it will impact 9.1 upon the visual quality of Gazeley Lane. The scheme as originally submitted involved both the loss of this tree and the introduction of a dwelling of considerable scale and mass with a prominent forward gable projection that was set close to Gazeley Lane. This combination of factors was felt to result in an unduly prominent development within the lane and an unacceptable level of harm to the visual quality of the streetscene. Whilst the amended scheme also involves the loss of the TPO Oak, again regrettable, the dwelling has been redesigned to lessen the extent of the forward gable projection and to set back the overall mass thus reducing the impact on the lane. I am mindful that no other protected trees will be harmed as part of this application, the design of the dwelling itself is of high quality and a new boundary wall with landscaping to the front has been introduced to help soften the impact on the lane. As a result I now consider that the reduced impact on the visual quality of the lane would not justify a refusal of the application and, on balance, the proposal is acceptable. For the reasons given in the report I also consider the impact on neighbouring amenity to be acceptable.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

 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)

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

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

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

5. 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

6. 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)

7. 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)

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

Reason: To ensure that the health and wellbeing of TPO'd tree is maintained. (Cambridge Local Plan 2006 policy 4/4)

9. Prior to the commencement of site clearance a precommencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be monitored, retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To ensure that the health and wellbeing of TPO'd tree is maintained. (Cambridge Local Plan 2006 policy 4/4)

10. The first floor window of the en-suite facing east and the 6 first floor bathroom windows facing north shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

11. The first floor bedroom window facing east shall be obscure glazed up to a minimum 1.7 metres above finished floor level to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

12. The first floor 1.8 metre tall screen as depicted in drawing PL104 Rev B (Side Elevation East) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, it should be erected prior to commencement of use and thereafter retained.

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

- 13. Prior to the installation of any external lighting on the rear elevation or in the rear garden of Tanglewood, Gazeley Lane, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To avoid disturbance to foraging bats on the adjacent County Wildlife Site (Cambridge Local Plan 2006 policies 4/3 and 4/6)

14. 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 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 which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: In order to safeguard against the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site (Cambridge Local Plan 2006 policy 4/16).

15. 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)

16. 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 (includina include planting plans; written specifications 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)

17. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse shall not be allowed without the granting of specific planning permission.

Reason: To ensure that the health and wellbeing of TPO'd trees is maintained (Cambridge Local Plan 2006 policy 4/4).

18. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To ensure that the health and wellbeing of TPO'd trees is maintained (Cambridge Local Plan 2006 policy 4/4).

19. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To ensure that the health and wellbeing of TPO'd trees is maintained (Cambridge Local Plan 2006 policy 4/4).

20. Notwithstanding the provisions of Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse(s), shall not be allowed without the granting of specific planning permission.

Reason: To ensure that the health and wellbeing of TPO'd trees is maintained (Cambridge Local Plan 2006 policy 4/4).

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

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

INFORMATIVE: for drainage condition:

- All external surfaces should utilise permeable paving.
- Details of the location and size of soakaway required with supporting calculations.
- A plan showing where within the boundary of the site the 1 in 100 year event + 40% climate change allowance will be stored with supporting calculations.

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

- 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

-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

PLANNING COMMITTEE

1st March 2017

Application Number	16/2040/FUL	Agenda Item	
	21st November 2016	Officer	Michael Hammond
Target Date Ward	16th January 2017 Trumpington		

Site The Cottage Gazeley Road Cambridge CB2 9HB Erection of dwelling and creation of new vehicular **Proposal**

access.

Mr Trevor Corner **Applicant**

SUMMARY	The development accords with the Development Plan for the following reasons:
	 The proposed development is in keeping with the character and appearance of the area.
	 The proposed works would not harm the amenity of neighbouring occupiers.
	 The proposal would provide an acceptable living environment for future occupants
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- The application site, The Cottage, is comprised of a detached 1.1 property and associated garden land on the north side of Gazeley Road. There are a variety of trees and shrubs on the site. To the west of the site are the flats of Gilmerton Court and the associated garages of these properties. The north, east and west of the site is comprised predominantly of large detached properties along Gazeley Road and Long Road set within spacious plots.
- A small strip of the south-west corner of the site is covered by a 1.2 TPO group order.

2.0 THE PROPOSAL

- 2.1 The proposal, as amended, seeks planning permission for the erection of a dwelling in the rear garden and the creation of a vehicular access onto Gazeley Road.
- 2.2 The proposed dwelling would be three-storeys in scale with a part-hipped, part-pitched roof measuring approximately 6m to the eaves, 9.6m to the ridge and 10.4m to the highest point of the chimney. The walls of the dwelling would be constructed in a combination of brick and render and the roofs are proposed in predominantly slate with some zinc cladding. The building would occupy a footprint of approximately 160m².
- 2.3 The proposal would consist of a basement level and ground-floor, which would accommodate most of the main living spaces, and the upper first and second-floors would host the five proposed bedrooms. There would be a rear garden area of roughly 150m² with space for two cars to park at the front of the site. A bin and cycle store would be situated at the front of the site.
- 2.4 The proposed development has been amended to change the windows on the north elevation at first and second-floor level from fully clear glazed to obscure glazed up to a height of 1.7m.

3.0 SITE HISTORY

Reference C/90/1037	Description OUTLINE APPLICATION FOR ERECTION OF DETACHED DWELLING (RENEWAL OF UNEXPIRED CONSENT)	Outcome Permitted.
C/87/1023	OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED DWELLING HOUSE.	Permitted.
C/66/0523	Modernisation and alterations of existing cottage for use as a dwelling house	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	3/1 3/4 3/7 3/10 3/11 3/12
Plan 2006		4/4 4/13
		5/1
		8/2 8/4 8/6 8/10
		10/1

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

Central Government	National Planning Policy Framework March 2012
Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95 (Appendix A)

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	City Wide Guidance
Considerations	Arboricultural Strategy (2004)
	Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection subject to construction hours and piling conditions.

Refuse and Recycling

6.3 No comments received.

Head of Streets and Open Spaces (Tree Team)

6.4 No objection subject to replacement planting condition.

Head of Streets and Open Spaces (Landscape Team)

6.5 No objection subject to landscape, boundary treatment and landscape maintenance conditions.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.6 No objection subject to surface water drainage and foul water drainage conditions.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

Little Kersland, Gazeley Road	The Lodge, 4 Gazeley Road	
Fairfield, Gazeley Road	Menai, Gazeley Road	
Gazeley, Gazeley Road	Tanglewood, Gazeley Road	
Beaumont House, Gazeley	108 Long Road	
Road		
106 Long Road		

- 7.2 The representations can be summarised as follows:
 - The proposed development is out of proportion with the surrounding area.
 - The development is not in keeping with the character of the area.
 - The proposal is of a form, scale and massing that is too large for the size of the plot and inappropriate to the surrounding pattern of development.
 - Overbearing
 - Overshadowing
 - Overlooking/ loss of privacy.
 - Gazeley Road should be treated as a private road and not a public road.
 - How will vehicular access be maintained while work is done?
 - It will not be possible to connect the sewer/ foul water drainage of the proposed dwelling to the existing drain along Gazeley Lane.
 - In order to connect to the foul water drainage they may need to remove TPO trees.
 - The lane is not suitable for increased traffic movements.
 - The tree feeling that took place in July 2016 removed a healthy beech tree that was an irreplaceable biodiversity asset.
 - Construction works should not take place at weekends.
- 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

- 8.7 The proposed dwelling would be visible from the street scene of Gazeley Road. Gazeley Road is comprised predominantly of large detached properties set within spacious garden plots. The pattern of development on the north side of Gazeley Road is typically one where dwellings are set back from the road and the footprint and building lines are relatively similar.
- 8.8 The proposal would take its layout from that of the neighbouring property at Beaumont House immediately to the east which was approved and constructed recently (10/1278/REM). In my opinion, from a layout perspective, the proposed dwelling would sit comfortably within its plot and would relate positively to the existing urban grain present along Gazeley Road.
- 8.9 The key distinction between the proposal and that of Beaumont House from a layout point of view is that The Cottage, which already exists on the plot, would be relatively close to the proposed dwelling. Notwithstanding this, I consider that the proposed development would not appear overdeveloped or cramped in the plot and there would be sufficient garden land for the existing property to integrate successfully within the context of the area.
- 8.10 The general scale and massing of the proposal is informed by that of the neighbouring property at Beaumont House and the proposed dwelling would be slightly lower in height than this neighbour. The proposed dwelling would be situated between the two-storey building of The Cottage to the south-west and the more grand scale of Beaumont House to the east. Although it would relate more to Beaumont House, the proposed development would be subservient in both height and width to this adjacent property, which, in my view, would act as a sensitive transition between the existing building and this neighbour.
- 8.11 The fenestration of the building would have a relatively simple palette of materials (brick, render and slate) with the zinc cladding to the cheeks of the dormer and the single-storey roof

elements giving the proposed building a contemporary feel. There would be a consistent rhythm of windows on the south elevation facing onto Gazeley Road and I consider this frontage to be acceptable. There is an eclectic mix of housing typologies present along Gazeley Lane, with arts and crafts style properties to the south and east, as well as some traditional and neo-Georgian forms of architecture further along Gazeley Lane. I have recommended a condition relating to material samples to ensure that the proposed materials are acceptable in design terms.

- 8.12 The proposal would involve the removal of three trees adjacent to the proposed access point onto the site, one of which is a large Leylandii tree which is prominent in the street scene. There are also some trees in the rear of the garden which would be removed. None of the trees that are proposed to be removed are protected. The Tree Officer and Landscape Team are both satisfied that the proposal is acceptable, subject to sufficient replacement planting being implemented. I am comfortable that this replacement planting can be secured through the landscaping condition.
- 8.13 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.14 The main consideration is the impact on the adjoining neighbours and the host dwelling of The Cottage.

Impact on flats of Gilmerton Court

8.15 There is a row of two-storey flats on Gilmerton Court situated approximately 20m to the west of the three-storey mass of the proposed building. I am of the opinion that this 20m separation distance is sufficient to ensure that these neighbours would not be visually oppressed or harmfully overshadowed by the proposed works. There would be a first-floor side (west) bedroom window which would face out towards the windows of these neighbours. However, the 20m window-to-window

separation distance is in my view adequate to ensure that the privacy of these neighbours would not be compromised.

Impact on The Cottage

8.16 The host dwelling of the site, The Cottage, to the south, has two north-facing bedroom ground-floor and first-floor windows but these would only face out onto the single-storey outbuilding for the bin and cycle store and the dwelling itself would largely be in peripheral view from these outlooks. The proposed works are situated to the north-east of this dwelling and there would be no significant loss of light experienced. The first-floor level windows proposed facing to the south would be high level or obscure glazed and would not allow for direct views towards the host dwelling's windows. The second-floor south-facing bedroom window would only have oblique views back towards the host dwelling and I do not consider the privacy of the host dwelling would be compromised by this outlook. The host dwelling would retain an adequate amount of garden space for its occupants. The access road would be set away from the main windows of this neighbour and there would be adequate boundary treatment and soft landscaping around the host dwelling to protect this neighbour from noise and disturbance associated with people and vehicle movements.

Impact on Nos.106 and 108 Long Road

8.17 Nos.106 and 108 Long Road are situated to the north of the application site. The applicant has provided a shadow study which demonstrates that there would be no overshadowing of either of these neighbour's gardens. There would be some loss of light experienced at the end of these neighbour's garden but they would still receive well in excess of the two hours of sunlight over 50% of the garden recommended by the BRE Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice (2011). There would be a separation distance of over 35m between the rear (south) facing windows and outlooks of these neighbours. In my opinion, although the proposed dwelling will be visible from these outlooks, this separation distance is more than sufficient to ensure that these habitable outlooks would not be visually enclosed by the proposed development. The original design of the proposed dwelling included fully glazed north facing windows which would have allowed for views over this neighbour's garden, which they do not currently experience. The upper floor windows of the adjacent property at Beaumont House are predominantly obscure glazed or do not allow for views over the gardens of Long Road properties. As a result, the proposed north facing upper floor windows were amended to include obscure glazing to a height of 1.7m to prevent views across the gardens of these neighbours. In my opinion, subject to these windows remaining obscure glazed by way of condition, I am of the opinion that the privacy of these neighbours would not be compromised.

Impact on Beaumont House

8.18 Beaumont House is situated immediately to the east of the application site. The three-storey mass of the proposed dwelling would occupy an identical footprint to that of Beaumont House and I am therefore confident that the front (south) and rear (north) facing outlooks of this neighbour would not be visually enclosed or overshadowed by the proposed works. This neighbour has a side (west) facing second-floor bedroom dormer window but the proposed development would not break the 25° line taken from the centre of this adjacent window. As a result I do not consider this outlook would be visually dominated by the proposed works. There would be some overshadowing of the small rear garden of this neighbour, but the larger front garden would not be affected by the proposed development, and they would still receive well in excess of the two hours of sunlight over 50% of the garden recommended by the BRE Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice (2011). The upper floor windows of the proposed dwelling on the rear (north) elevation would be obscure glazed up to 1.7m in height which would prevent any harmful overlooking over the rear garden of this neighbour. The view from the second-floor front (south) bedroom window across the front garden of this neighbour would not compromise the privacy of this neighbour given that this area of garden land is relatively exposed at present. I do not anticipate that vehicle movements and comings and goings along the access road would harmfully disturb this neighbour and this relationship would be similar to that of other properties along Gazeley Lane. The access road would be set off the boundary of this neighbour and soft landscaping would run along the boundary as well.

Increase in traffic movements

- 8.19 It is acknowledged that neighbours have raised concerns regarding the increase in traffic movements the proposal would cause along Gazeley Road. However, given the number of existing properties that use this access, I do not anticipate the comings and goings associated with the two car parking spaces proposed would have an adverse impact on the amenity of the users of this road. In order to ensure that this access road is not blocked during the construction process, I have recommended a traffic management plan condition.
- 8.20 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.
 - Amenity for future occupiers of the site
- 8.21 The proposal would provide a five-bedroom dwelling in a semirural context with two car parking spaces. Adequate bin storage cycle storage has been provided in a secure covered location in front of the proposed dwelling. Future occupants would have access to a reasonable sized garden of 150m² which would provide sufficient private outdoor amenity space. The site is well served by bus stops along Trumpington Road, which also provides good cycle links into the City Centre.
- 8.22 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

8.23 The proposal would provide a covered bin store in front of the proposed dwelling. Although the drag distance to Gazeley Road is beyond the maximum distances stipulated in the RECAP Waste Management Design Guide (2012), this relationship would be similar to that of other properties along Gazeley Road. As a result, I am of the opinion that the refuse arrangements are acceptable.

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

Highway Safety

- 8.25 The Highway Authority has raised no objection to the application.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.27 Two car parking spaces would be provided on-site which is in accordance with the maximum car parking standards of the Cambridge Local Plan (2006).
- 8.28 The proposal would provide four cycle parking spaces in a secure covered store which accords with the minimum cycle parking standards of the Cambridge Local Plan (2006).
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Drainage

- 8.30 The drainage officer has raised no objection to the application on the grounds of drainage, subject to a surface water drainage condition and I agree with this advice.
- 8.31 The drainage officer has also recommended a condition relating to foul water drainage. However, this is not a planning consideration and is the subject of building regulations. Therefore, this condition has not been recommended.

Third Party Representations

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

Comment	Response
The proposed development is out	See paragraphs 8.7 – 8.12 of this
of proportion with the surrounding	report.
area.	
The development is not in	
keeping with the character of the	
area.	
The proposal is of a form, scale	
and massing that is too large for the size of the plot and	
inappropriate to the surrounding	
pattern of development.	
Overbearing	See paragraphs 8.14 - 8.18 of
Overshadowing	this report.
Overlooking/ loss of privacy	·
Gazeley Road should be treated	It is the understanding of officer's
as a private road and not a public	that Gazeley Road is a private
road.	road and not part of the adopted
	public highway.
How will vehicular access be	A traffic management plan
maintained while work is done?	condition has been recommended.
It will not be possible to connect	This is a building regulation
the sewer/ foul water drainage of	matter and not a planning
the proposed dwelling to the	consideration. If the applicant
existing drain along Gazeley	needs to undertake works to TPO
Lane.	trees in order to connect to the
In order to connect to the foul	necessary utilities then they will
water drainage they may need to	have to apply for a separate
remove TPO trees.	application to undertake works/
	remove the relevant trees if
	needed.
Construction works should not	The standard construction hours
take place at weekends.	condition has been applied which
	allows work between 0800 hours
	and 1300 hours on Saturdays. I do not consider it reasonable to
	restrict working hours any further
	than this.

The tree feeling that took place in	This tree was not protected and
July 2016 removed a healthy	its removal did not require the
beech tree that was an	consent of the Local Planning
irreplaceable biodiversity asset.	Authority.
The lane is not suitable for	See paragraph 8.19 of this report.
increased traffic movements.	

Planning Obligations (s106 Agreement)

- 8.33 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.34 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

9.1 The proposed residential development would not harm the character and appearance of the area and would respect the amenity of neighbouring properties. The layout, scale and form of the proposed dwelling are reflective of the surrounding context of Gazeley Lane. The proposal has been carefully designed to avoid overlooking of neighbouring properties. The proposed dwelling would provide an acceptable living environment for future occupants. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

5. 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).

6. The windows on the north elevation at first-floor and secondfloor level, and the windows on the south elevation at first-floor
level, as shown on drawing number 16/963/PL 01 REV A shall
be obscure glazed to a minimum level of obscurity to conform to
Pilkington Glass level 3 or equivalent prior to occupation 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, 3/10 and 3/12).

7. 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, 3.10 and 3/12)

8. No development shall take place until 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.

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, 3/10, 3/11 and 3/12)

9. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. 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 that the landscaped areas and trees are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/10, 3/11, 3/12 and 4/4)

- 10. 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 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 which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: To minimise flood risk (Paragraph 103 of the National Planning Policy Framework (2012)).

INFORMATIVE: In order to meet the hard and soft landscaping condition (no.8) the following information should be submitted to the Local Planning Authority:

Hard Landcape works shall include:

- proposed finished levels;
- means of enclosure;
- car & cycle parking layouts,
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- external lighting layouts;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports).
- hard boundary treatments

Soft landscape works shall include:

- works proposed to restore, mitigate or replace planting at key aspects such as between neighbours, along street frontages or in the vicinity of existing trees and hedges which are being retained.
- Tree planting strategy and specification of new trees
- Tree pit details
- Soft boundary treatments

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

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilege of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.



PLANNING COMMITTEE

1ST MARCH 2017

Application Number	16/20	60/FUL	Age Iter	enda n	
Date Received	23rd I	November 2016	Off	icer	Lorna Gilbert
Target Date Ward	West	January 2017 Chesterton	۸ ،	D 10	0.04
Site	Milton 2BD	Road Library <i>i</i>	Ascham	Road Ca	mbridge CB4
Proposal	library seven (comp along landso buildin	orising two 2xbe with cycle caping, followin ng on site.	ty facility flats or ed units parkin g the dei	y at ground the the same and five and molition of the same and the same and the same are are and the same are and the same are are are are are are are are are ar	nd floor with upper floors 1x bed units) associated
Applicant	Camb	oridgeshire Cou	nty Coun	cil	
SUMMARY		Development In development In development	Plan for t my opi velopmer context a	nion, the	ing reasons: e proposed nds well to d harmonise
		WO	uld not		ne proposal ntally harm es.
RECOMMENDA	TION	APPROVAL			

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is occupied by a single storey Library, located at the junction of Ascham Road and Milton Road. To the north-east lies St Laurence's Church and the north-western boundary borders No.2 Ascham Road. Ascham Road is a predominantly residential area; however Milton Road Primary School is located at the end of the street.
- 1.2 The library is constructed from red brick and built circa 1930s.

1.3 There are Tree Preservation Order trees close to the north-western, north-eastern, south-western and south-eastern site boundaries.

2.0 THE PROPOSAL

- 2.1 The proposal is to demolish the existing single storey library and replace it with a building up to three storeys high. It would also have single and two storey elements. The ground floor would be used as a library and a flexible space. The flexible space can be used by groups or can be opened up and used by the library.
- 2.2 The first floor will be occupied by four flats and the second floor by three flats. In total seven flats are provided on the upper floors and these comprise of 5 x 1 bedroom flats and 2 x 2 bedroom flats.
- 2.3 A shared amenity garden space is provided at the front of the building by Milton Road and a community garden at the side of the building facing Ascham Road.
- 2.4 The Tree Preservation Order trees fronting on to Milton Road will be retained. Four trees fronting Ascham Road will be removed and replacement planting is proposed.
- 2.5 The new library will provide 295sq.m of library space including 64sq.m of flexible community space. The existing library provides approximately 285sq.m.
- 2.6 The library will provide a flexible community space that can be used as two separate rooms or opened up to create a single large space or opened up to spill into the rest of the library.
- 2.7 The Planning Statement explains that the existing Library is nearing the end of its useful life due to underlying structural issues which require regular surveying and maintenance. As a result, it has high running costs which threaten the long-term viability of the community asset. Furthermore, it is unable to provide the flexibility and community elements.
- 2.8 The application is accompanied by the following supporting information:

- Design and Access Statement
- 2. Planning Statement
- 3. Sustainable Drainage Systems Assessment June 2016
- 4. Transport Statement
- 5. Utilities Assessment June 2016
- 6. Softworks Specification
- 7. Desk Study January 2016
- 8. Bat Roost Assessment February 2016
- 9. Arboricultural Impact Assessment
- 10. Noise Assessment
- 11. Local Services and Amenities
- 12. Drawings

3.0 HISTORY

16/1130/FUL	Erection of a mixed-use development	Withdrawn
	comprising a library and community	
	facility at ground floor with 10No	
	1xbedroom residential flats on the upper	
	floors along with cycle parking and	
	associated landscaping, following the	
	demolition of the existing building on	
	site.	

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

4/4 4/13 4/14
5/1 5/11 5/12 5/14
8/2 8/4 8/6 8/9 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012
	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95 (Appendix A)
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	City Wide Guidance
Considerations	Arboricultural Strategy (2004)
	Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).
	Cambridge Landscape and Character Assessment (2003)
	Cambridge City Nature Conservation Strategy (2006)
	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)

Strategic Flood Risk Assessment (2005)

Cambridge and Milton Surface Water Management Plan (2011)

Cambridge Walking and Cycling Strategy (2002)

Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)

Cambridgeshire Design Guide For Streets and Public Realm (2007)

Cycle Parking Guide for New Residential Developments (2010)

Air Quality in Cambridge – Developers Guide (2008)

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

Environmental Health

Comments from 16th December 2016:

The development proposed is unacceptable and should be refused.

There is ambiguity concerning the potential noise impacts (of Milton Road traffic noise) causing significant adverse harm to the quality of life / amenity of future residents of the development. There is inadequate traffic noise mitigation and acoustic design consideration for external amenity areas to allow an informed decision to be reached about the acceptability of the proposals. It has not been demonstrated that significant or any other adverse noise impacts can be reduced and minimised to an acceptable level within the amenity areas.

These are fundamental material considerations that should not be left to conditioning. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure a high quality design and a good standard of amenity for all future occupants/users of the site.

Further details are also required on the use and hours of operation of the community facility.

Comments dated 24th January 2017:

I refer to my memo comments dated 16th December 2016. Refusal of the application was recommended due to inadequate

traffic noise mitigation and acoustic design consideration for external amenity areas for future residents.

I have been re-consulted on an email of Peter McKeown of Carter Jonas dated 6th January 2017. The email does not improve upon the amenity area acoustic design previously commented upon and therefore my comments and recommendations of my aforementioned memo are pertinent to this application. A possible solution would be for the shielded rear amenity space currently planned to be used by the community rooms only, to be allocated for resident use only and for the community room users to share the front amenity space.

The email details the hours of use for the community rooms. Further information is required on what use the community rooms will serve. Amplified music/voice is likely to disturb due to residential rooms being located above and therefore the community rooms would not be acceptable for noisy activities such as birthday parties with provided music. Meetings and community gatherings may be acceptable in the absence of amplified voice/music.

Urban Design and Conservation Team

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

Access Officer

There needs to be a blue badge parking space.

All double doors must be electronically controlled or asymmetrical with one leaf being 900mm.

There needs to be an induction loop at the reception.

All signs and colour contrast of décor needs to aid visually impaired people.

Desk and chair design must aid disabled people.

I do not agree with their statement `The public element of the proposal is all contained within the ground floor of the building thus there is no requirement for lift access'. The residents and

visitors to the flats may have disabilities and therefore to become Code 2 homes they would need lift access. With an aging community and already 12% of Cambridge residents being disabled a lift would future secure the building for the residents.

Head of Streets and Open Spaces (Tree Team)

Comments dated 16th January 2017:

The proposal has been amended to accommodate the retention of additional trees, which is supported; however I maintain concerns regarding the loss of the Lime, T8 and would prefer to see a layout that fully respects all the Limes, which are a significant feature of the area.

Should the application be otherwise considered acceptable, the second plum T6 should be removed and replaced with a semi-mature lime, to be managed as a pollard and to mirror the retained T9 to frame the main part of the new building.

Conditions are recommended.

Comments dated 3rd February 2017:

Further to receipt of the additional information I confirm that while I appreciate that trees losses will have a negative impact on the site in the short-term, proposed planting is acceptable to mitigate this in the longer-term and I therefore support to the application. It should however be noted that the replacement Lime will not be planted in the highway as stated in section 6.8 of the AIA, but within the curtilage of the site.

Notwithstanding the tree protection section of the Arboricultural Impact Assessment, I confirm that the previously requested condition is still required. In additional to the tree protection information already given the required Arboricultural Method Statement will need to include, tree pruning, and would recommend carrying out the cyclical removal of regrowth from the Limes before development commences, services information, site access, storage compound and the location of facilities.

Head of Streets and Open Spaces (Landscape Team)

Comments dated 30th January 2017:

This is in line with what we have agreed so I can support the application in full now. Conditions are recommended.

Environment Agency

The Agency has no further comment to add to those made under the previous application 16/1130/FUL. Under the previous application it requested informatives.

Cambridgeshire Constabulary (Designing out Crime Officer)

No objection. They offer their advice in relation to the security of the site; cycle store and access stores if required.

Cambridgeshire County Council (Archaeology)

No objection. The site should be subject to a programme of archaeological Historic Building Recording secured through the inclusion of a condition.

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

Cambridgeshire County Council (Growth and Economy)

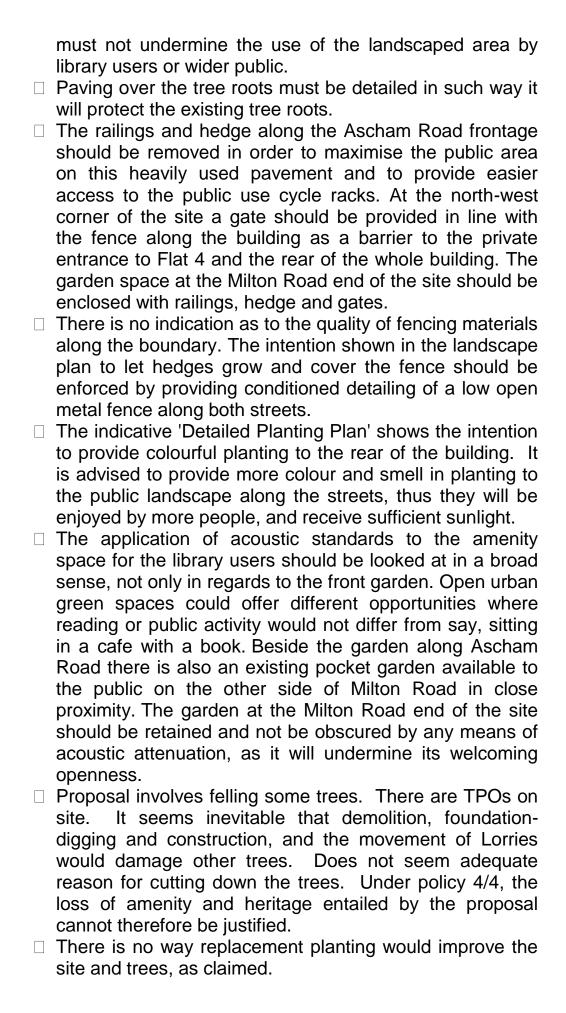
The application is not classified as 'major development' and as Lead Local Flood Authority we are not a statutory consultee for this type of application. We will therefore not be making any comments.

7.0 REPRESENTATIONS

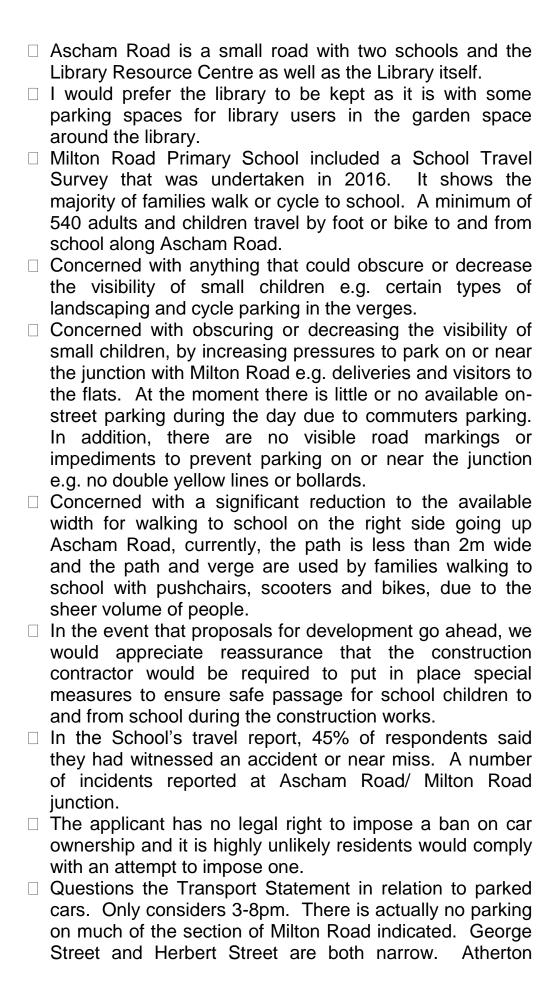
☐ 3, 7, 9, 13 Ascham Road

7.1	The owners/occupiers of the following addresses have made representations:
	 22, 29 Highworth Avenue 26 Chesterton Hall Crescent

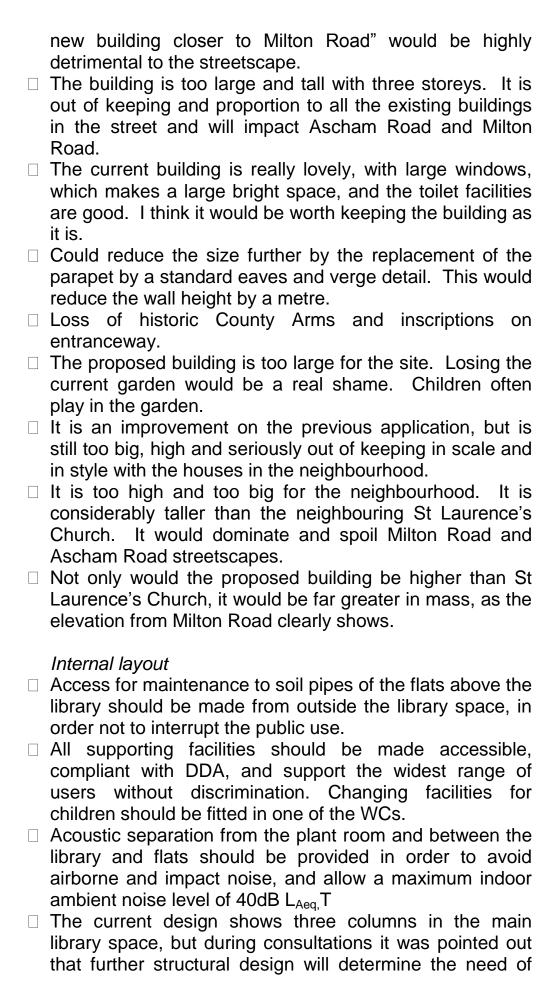
 126 Milton Road 6-7, 7 Atherton Close 35, 42 George Street 16 Harvey Goodwin Avenue 53 Hertford Street 31 Leys Avenue 28 Orchard Avenue 44 Victoria Park Unit 1 Kings Court, Kirkwood Road Friends of Milton Road Library (6 Gurney Way) Milton Road Primary School
7.2 The representations can be summarised as follows:
Object:
Landscaping and amenity space
 How high will the boundary fence be? Would not wish to see a high fence all the way around the site with restricted access which changes the feel of what is now a publicly owned and used public space. Unclear if there is access to the managed shared amenity garden space from the library or not. There should be access. Narrow gate from the street into shared amenity space. Make it difficult to access the bike racks and could restrict access. The amenity space cannot be accessed from the main entrance because bike racks are in the way. Be better to have bike racks in the amenity shared garden and a clear path from the main entrance of the library to the shared garden with bike racks further along the perimeter. Shared amenity garden appears to be less accessible. Should be accessible and easy to reach for including those with mobility issues and people wanting to read a book.
 Community space seems to be enclosed and not easily accessible.
Unclear which tree will be removed.Hope the retention of existing vegetation and trees where
possible and/or desirable happens. Description of the protected and conditioned. Gate for flats residents to the front garden.

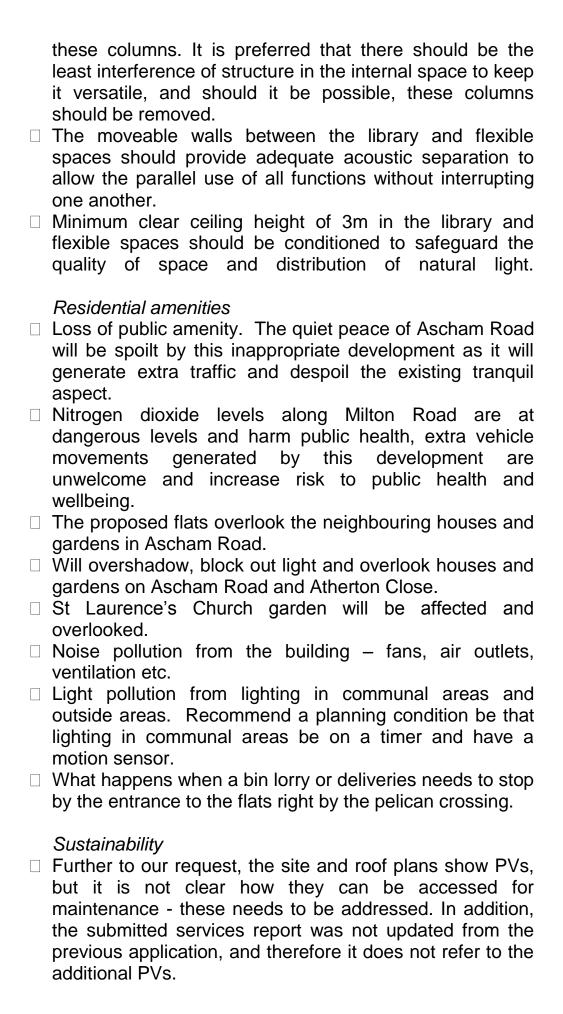


	The proposal is to have no public space.
	Car and bicycle parking, traffic, and highway safety
	Where are the people in the new flats going to park? Pressure on the surrounding area.
	Parking pressures. People park on Ascham Road when working nearby and often causes problems for coaches and other vehicles trying to get to school. Already chaos at school drops off and pick up times. Safety concerns for
	school children. Concerned about use of highway verge for a large amount of off-site bicycle parking. It will clutter and obstruct the
	main walking approach to the primary school. Loss of amenity: visitor bicycle parking is currently on site at Milton Road library.
	How will cycle parking be accessed? Will it entail loss of
	current car parking spaces? What will the design be? Concerned with the creation of residential flats. No additional parking is available. It is already a very busy
	and potentially dangerous corner. Fear the increased parking demand on Ascham Road will
	deteriorate the already dangerous traffic situation on Ascham Road further. It is the main access road to schools besides residential properties.
	Concerned to not find analysis of the impact of the changes proposed in the Great Cambridge City Deal in
	the Transport Statement. The GGC Deal plans propose to close access to Highworth Avenue from the Milton
	Road – Elizabeth Way roundabout and to significantly cut down on or remove on-street parking on Milton Road. A
	go ahead of these plans would in my opinion invalidate the Transport Statement.
	The previous application tried to avoid having an impact
	on surrounding streets by restricting car ownership on one bed flats. By reducing the number of units from 10 to 7,
	and adding 2 no. two bed units, it is reasonable to enforce
	the same principle on this development. Four cycle parking spaces are accessed separately from
_	the front garden. It would be advisable to combine these with the other spaces along Ascham road without the
	need to use the gate. Existing library users already have difficulty finding
	parking to access its services.

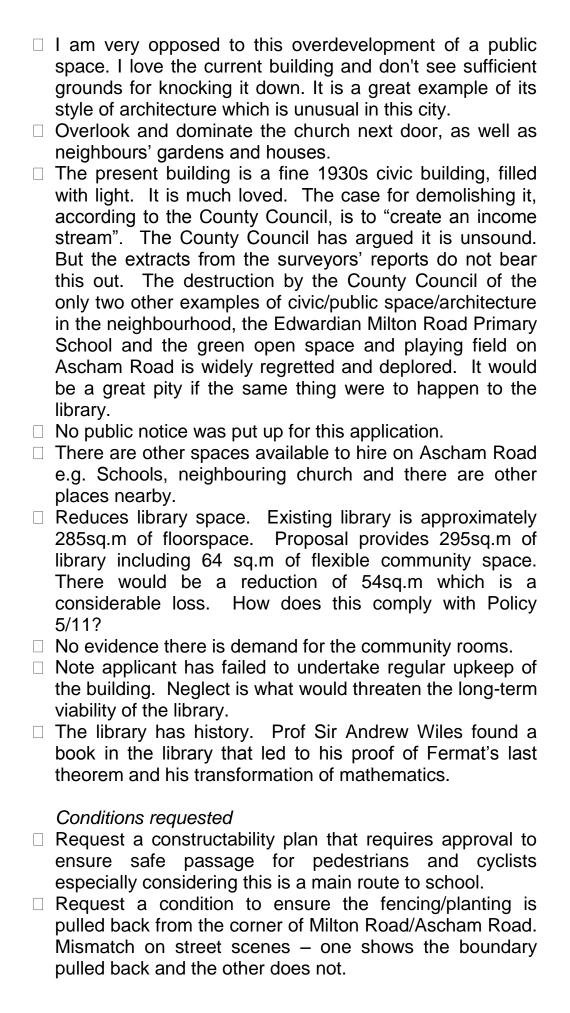


Close is omitted from the applicant's list. It is almost always full.
Ascham Road is congested during the day. It would be impossible for emergency vehicles to gain access. Coaches and Lorries are frequently stuck. Proposal
would not meet requirements of policy 8/2 of the Local Plan.
Appears to have ignored paragraph 35 of the NPPF in reference to sustainable transport modes. Seek assurance that plug-in hybrid car charging facilities will be included in any approved planning application, not just in this instance. This is the only realistic way to clean up Cambridge air.
Design and scale
The building will dominate the entry to the road and will be
out of keeping with its surroundings. Could be improved with an inward facing dormer with
access to the roof to make the solar panels easily accessible, add a green roof, add insulation to the buildings and have potential for a beehive on the roof, avoid air conditioning and provide recycling facilities.
Materials are stated in the design and access statement but not in application form. Materials should be conditioned.
Cladding to the angled bays and dormer windows returns
should be in high quality metal. The frontage articulation of the lower flexible space no. 2,
linking between the two blocks, is the weaker point in the current design. It is currently set back only slightly from the frontage of the flexible space no. 1, while in height it is substantially lower than the frontages on both sides. It is recommended that the difference between the facades will be made more accentuated preferably by pushing the frontage to its left (also in buff brick) out, so it will not be
perceived only as a token.
There is an existing garden available to the public at the Milton Road end of the site and the retention of most of this facility is welcomed. The proposal to locate the new building slightly forward towards Milton Road aligns to the
building line of the houses on Milton Road. The further proposal by the Environmental Health Officer to "place the





The low roof over the link between two residential blocks on Ascham Road could benefit from a green roof, and aid in the attenuation of rain water. □ Due to increased access around the building and bigger footprint, the areas of paving should be detailed as permeable to rain water, which will assist in reducing surface water around the building. The 35 m² permeable paving area has not been updated since the previous services report, but the extent of paving has been extended to all sides of the building since. ☐ There is a large permanent pool of water across most of the pavement outside the Library entrance during the winter and after rain in the summer. Despite attempts to eliminate it by the highway authority, it cannot be sorted. It is dangerous and inconvenient. Has this been considered? Will the development exacerbate this? Accessibility ☐ The main doors into the library and side doors into the social spaces should be step free, with a low threshold to allow wheelchair access from the outside. ☐ The proposal made by the Friends for the removal of the blind corner on the pavement at the junction of Milton Road and Ascham Road has been addressed in the new plans by a chamfered corner. However pedestrian movements (which are very heavy at the beginning and end of the school day) will be much easier if the Lime tree on the corner is left to stand alone without low level planting around it as suggested by the Urban Design Officer. Currently there is a service pillar along the fence in the place where new paving is suggested. Unless relocated as part of the works this will undermine the design intention. (On that matter, please note an existing site plan and a topographical survey were submitted with the previous application 16/1130/FUL, but were not submitted with the current application) Other Improvements and maintenance of public buildings should come from the public purse and not be funded through a deal with the private sector. ☐ The library, as it stands, is and has been an asset to the community for decades and the building itself a characteristic landmark. It should be repaired not replaced



Support:

Design supported.
New application is excellent and I really like the design
and the accommodation it provides.
Vast improvement on the previous application and we
generally support it.
Effort has been made by developers to make changes
and take on board comments made.
Significant improvement to previous 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. Disabled access
 - 4. Residential amenity
 - 5. Refuse arrangements
 - 6. Highway safety
 - 7. Car and cycle parking
 - 8. Third party representations

Principle of Development

- 8.2 Policies 5/11 (Protection of Existing Facilities), 5/12 (New Community Facilities) and 5/14 (Provision of Community Facilities Through New Development) of the Local Plan 2006 are of relevance to the replacement library.
- 8.3 Policy 5/11 is concerned with the loss of community facilities and that the facility can be replaced to at least its existing level and quality within the new development. The current library has a floor area of 285sq.m and the replacement D1 use class equates to 295sq.m. Therefore there is a 10sq.m gain in floorspace. In my view the new facility will exceed the existing

level of quality as it is a new building that caters for the required need.

- 8.4 A third party has argued that they consider there will be a loss of Library space under the new proposal as two flexible rooms are provided and question whether it complies with policy. However, both the library and flexible rooms are community facilities and therefore I do not consider there to be a loss of community facilities. I therefore consider it would comply with relevant policy.
- 8.5 I argue that the proposal meets the requirements of policies 5/12 and 5/14 as it is to replace an existing facility and I consider it is in a sustainable location as it is adjacent to Milton Road which is well served by public transport and has cycle paths.
- 8.6 The proposal involves the creation of seven residential flats on the upper floors. Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 5/11, 5/12 and 5/14 of the Local Plan 2006.

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

Response to context, scale and massing

- 8.8 Policy 3/4 (Responding to Context) and policy 3/7 (Creating Successful Places) and policy 3/12 (The Design of New Buildings) are of relevance to this section.
- 8.9 The current planning application was submitted following the withdrawal of the previous planning application reference 16/1130/FUL. The previous application was for 10 residential units and a replacement library. The proposed scheme has overcome the issues raised by Urban Design and Conservation to the previous scheme. They support the current proposal subject to conditions.

- 8.10 Urban Design and Conservation considers the overall scale and massing to be acceptable in design terms. The Milton Road frontage forms a similar scale and building line to the adjacent St Lawrence's Church to the northeast whilst the smaller 1.5 storey element relates to the scale and building line of No. 2 Ascham Road.
- 8.11 Urban Design and Conservation supports the pitched roof arrangement with twin gables on the Milton Road frontage as it helps break up the scale of the building when viewed from street level. This approach also continues the gable frontages of Nos. 71 & 73 Milton Road and St Laurence's Church either side of the proposal site.
- 8.12 The proposed 11.5m setback on Milton Road and 3m setback on Ascham Road (measured from back edge of pavement) is supported by Urban Design and Conservation. The building line relates to the arrangement of the existing library as well as the adjacent St Laurence's Church and No. 2 Ascham Road and will allow the retention of mature trees on these two street frontages.

Movement and Access

- 8.13 The main library entrance will remain on Ascham Road. Some of the existing features will be retained such as the stone surround, crest, timber doors and clearstory window of the existing entrance. This is supported as they help to reinforce that the building has a civic function and lets the library's entrance be clearly read.
- 8.14 There are two further entrances to the flexible spaces which are accessed from Ascham Road. The majority of the flats will gain access to the upper floors via an entrance off Milton Road with the exception of flat 4 which is accessed from Ascham Road.
- 8.15 Bin and bike stores for the flats are located to the rear and side of the building and the library bicycle

Open Space and Landscaping

8.16 There is a provision for usable open space at the front and side of the building. This will be shared between the library/community space and residents of the upper floor flats.

- 8.17 Four trees (T6, T7, T8 and T11) will be removed from the Ascham Road side of the site and replaced. T6 will be replaced with a Lime tree to mirror tree T9. Streets and Open Space and Landscaping do not object to the loss of the trees or the proposed replacement tree. Soft landscaping including a hedge will be located by the boundaries.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/4.

Renewable energy and sustainability

- 8.19 The planning application is classed as a minor planning application and therefore there is no requirement for a Sustainability Statement. However, the applicant is keen to introduce some renewable measures in the form of PV Panels on the site. These measures are supported.
- 8.20 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.21 The Access Officer has commented on the planning application. He has requested some features such as; double doors to be electronically controlled or asymmetrical with one being 900mm; an induction loop at reception, signs and colour contrast of décor to aid visually impaired people, the desk and chair design to aid disabled people. Ideally he would also like to see the provision of a blue badge parking space and a provision for a lift to the upper floors for the flats, although he accepts these cannot be enforced.
- 8.22 If approved, I recommend an informative to highlight the features requested by the Access Officer.
- 8.23 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

Relationship with adjacent dwellings

- 8.24 The adjoining neighbours are No.2 Ascham Road to the north-west and to the north-east lies St Laurence's Church, Milton Road. Beyond the church lies Atherton Close. No.73 Milton Road and No.1 Ascham Road face the site and are located to the south-west on the opposite side of the street.
- 8.25 The closest residential property to the application site is No.2 Ascham Road. This contains a two storey detached dwelling. The south-eastern site boundary contains a garage at ground floor with room above that is attached to the main part of the dwelling. It contains no upper floor flank windows. There is a ground floor glazed flank opening. There are no proposed upper floor windows that directly face this neighbouring property or its garden. The use of angled windows help to direct views away from this neighbouring property and its garden. The ground floor of the proposed building has doors facing this neighbour for bin and bicycle storage and a plant room. However a boundary fence separates the two sites. The proposed entrance to the flats and Library space are located off Ascham Road and Milton Road and are not directly by this neighbouring property.
- 8.26 The proposed replacement building extends up to 3.6m high at a distance of 1.6m from the shared boundary. It increases up to 5.5m at a distance of 3.5m from the boundary. The pitch of the part of the one and a half storey part of the building nearest this neighbour extends up to 8.9m high at 6.7m away from the shared boundary. The highest part of the building (three storeys) extends to 11.4m high at 15m away from the shared boundary. The house at No.2 Ascham Road is set back 1m from the boundary. As the building lowers by this neighbouring property I do not consider it would adversely harm outlook or the amount of light reaching this neighbouring property or its garden.
- 8.27 St Laurence's Catholic Church is set back from the street a similar distance to the existing Library. The buildings are a similar length. The adjacent Church building is single storey.

There are associated buildings beyond the Church to the northeast. The proposed new building has first floor windows that serve bedrooms, a bathroom and a stairwell that face towards this neighbouring site. As the adjacent church is not in residential use and does not contain upper floor windows, I do not consider it would result in an unreasonable loss of privacy to this neighbour.

- 8.28 The church has windows along the south-western elevation and north-east elevation. The ground floor windows on the south-western elevation already experience overshadowing from the existing single storey Library due to the close proximity of the buildings. I therefore do not consider the proposed new building would be detrimental to the amenity of this neighbouring building.
- 8.29 No.73 Milton Road and No.1 Ascham Road are located on the opposite side of the street. They are orientated to the southwest. I do not consider they will experience an unreasonable loss of light, outlook or privacy due to the position of these neighbouring properties (17m away) from the back of the footpath on the application site.

Noise and disturbance

- 8.30 In my opinion, the seven residential units and replacement library with flexible rooms would not result in a detrimental level of noise to neighbouring properties. The upper floor flats do not have balconies. There is an existing front garden on site. This would continue to be used by the library users with access also given to the community rooms and residential flats. I do not consider the potential intensification in its use and the use of the side garden would adversely affect neighbours' amenities.
- 8.31 Environmental Health recommends a plant noise insulation. I consider it necessary to include this condition to protect neighbours' amenities in terms of the plant room noise.
- 8.32 The agent proposes the opening hours for the library/community space to be Monday to Saturday 08:00 to 23:00 and Sunday and Bank Holidays from 09:00 to 18:00. It is recommended conditions be attached to limit these opening hours and another that would preclude any amplified music

from being played within the ground floor to avoid unreasonable levels of noise disturbance to neighbouring properties.

Overspill car parking

- 8.33 There is currently no on site car parking provision for the library and none is proposed for the replacement library, flexible space and the seven residential flats. The site is located at the junction of Ascham Road and Milton Road. Milton Road is well served by buses and has a cycle path.
- 8.34 Milton Road is also designated as a bus priority scheme, which could also provide walking and cycling improvements in the Greater Cambridge City Deal. It seeks to make these travel options more attractive to reduce congestion. It is considering creating bus lanes, bus priority signals and possibly close some roads.
- 8.35 The proposal includes five x one and two x two bedroom residential units. The site is located within a sustainable location near to the city centre. There are a number of services in walking distance nearby along Milton Road and Chesterton Road including a doctor, dentist, chemist, bank and supermarket. The location of the development helps reduce the need to own a car.
- 8.36 It is accepted that the development is likely to put some additional car parking pressures on Ascham Road and nearby streets such as Atherton Close, Gurney Way, Hurst Park Avenue, Highworth Avenue Chesterton Hall Crescent, George Street and Herbert Street as nearby streets are outside of the Controlled Parking Zone. Milton Road has a mixture of double yellow lines and parking restrictions. Parking is permitted on Milton Road in marked bays on the western side of the road between the Ascham Road and Gilbert Road Junctions. A number of third party concerns are in relation to parking pressures and highway safety. It is noted there are schools located off Ascham Road.
- 8.37 A Transport Statement has been submitted as part of the planning application. It considers the suitability of the site as a car free development. There are bus stops near and opposite Ascham Road on Milton Road which stop regularly through the day (half hourly Monday to Saturday) and takes 6 minutes to

travel to Drummer Street bus station. There are other bus stops at Mitcham's Corner where four different buses stop. The bus stops are around 500m from the site. The Transport Statement identifies there is off-street parking provision available through websites such as 'JustPark.com' where spaces can be privately rented on a daily, weekly or monthly basis. Residential Travel Packs will be provided to residents to promote non-car modes of travel, including the option of joining the Zipcar Car Club in Cambridge.

8.38 I acknowledge the concerns raised over increased parking pressures on already busy roads in Cambridge as a result of the new development. However, on balance I consider the lack of on-site parking spaces for the development to be acceptable. The existing library does not have parking provided. The proposal provides cycle parking provision for use by residents, library and flexible space users which will help encourage bicycle use. The site is also well served by buses and there are options to rent private parking spaces if needed. It should be noted that the car parking standards are maximum standards in the Local Plan 2006. I consider the scheme to be located in a sustainable location, near to the city centre and would be acceptable as a car free development.

Construction activities

- 8.39 I recommend the inclusion of a construction hours condition, collection during construction, construction/demolition noise/vibration and piling, dust condition and contaminated land condition as recommended by Environmental Health. In the interests of residential amenities and environmental reasons.
- 8.40 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

8.41 Environmental Health has raised concerns with the outdoor amenity space particularly at the front of the site being used by residents of the flats. This is because there is ambiguity concerning the potential noise impact of Milton Road traffic noise that could cause significant adverse harm to the quality of life/amenity of future residents of the development. It would be difficult to add acoustic barriers to the front garden due to the height of the barriers required and the potential impact on the nearby trees and for design reasons.

- 8.42 Environmental Health has suggested shielding the rear amenity space and for residents to use this only and for the community room users to share the front amenity space. The garden at the side of the building on Ascham Road is smaller than the front garden. This could be conditioned for use by residents only if Planning Committee is minded to approve the scheme.
- 8.43 Alternatively, I propose that residents be given access to both the front and side gardens. Then they have the option of using the quieter side garden if they would prefer. Due to the side garden's proximity to the flexible space I consider it could still be used as a Community garden if needed. The front garden could be used as a shared garden as originally proposed.
- 8.44 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Trees

- 8.45 Tree Preservation Order Trees T6, T7, T8 and T11 would all be removed to accommodate the development. Replacement planting is proposed for each of the trees to be removed. The extent of building encroachment into the Root Protection Areas (RPAs) of T7 and T8 would result in a major level of root loss that would be intolerable for the trees. A crown reduction would be required for the eastern face of T9, where current crown spreads would conflict with the new building.
- 8.46 T6 is to be replaced by a new lime tree, ultimately to match T9. T11 is considered to be a low quality tree of little prominence, when considered against the backdrop of larger trees that would remain. Measures are proposed to works in the Root Protection Areas of trees to be retained e.g. excavation will be limited, protective fencing erected.

- 8.47 Streets and Open Space and Landscaping support the proposal. The Council's Arboriculturalist notes that tree losses will have a negative impact on the site in the short-term; however proposed planting is considered acceptable to mitigate this in the longer term. They note that the replacement Lime will need to be planted within the curtilage of the site. Tree conditions are proposed which I consider are necessary. The Arboriculturalist has requested the Arboricultural Method Statement includes, tree pruning, and recommends carrying out the cyclical removal of regrowth from the Limes before the development commences, services information, site access, storage compound and the location of facilities.
- 8.48 I consider the information provided meets the criteria set out in policy 4/4 of the Local Plan 2006.

Refuse Arrangements

- 8.49 Access to refuse has been considered and refuse provision has been provided in line with Cambridgeshire County Council's RECAP Waste Management Guide. A total of 5840 litres of refuse provision is provided in various locations around the site. Refuse for flat 4 is located on the north-western side of the building. Access to the library refuse store and remaining apartments bin storage is accessed from the north-eastern side of the building.
- 8.50 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.51 Policy 8/2 (Transport Impact) of the Local Plan 2006 explains that 'developments will only be permitted where they do not have an unacceptable transport impact. Proposals must include sufficient information in order for the likely impact to be assessed'.
- 8.52 The site is located near to Milton Road Primary School, Castle School and Chesterton Community College. Milton Road Primary School is accessed from the end of Ascham Road. Third party comments have highlighted the proximity of the schools to the site and comments were received from Milton Road Primary School. The school highlights that the majority of

their students and families make their way to school and back along the pavement outside the existing library on Ascham Road. They provided a School Travel Survey report taken in the early part of 2016 and have asked for it to be considered when making a decision on this application. It notes most people travel to school by walking or cycling. A minimum of 540 adults and children travel by foot or bike to and from school along Ascham Road. It also highlights where accidents and near misses have been reported. They are concerned with anything that could lead to obscuring or decreasing the visibility of small children such as certain types of landscaping, cycle parking in the verges; increasing pressures to park on or near the junction with Milton Road e.g. flat deliveries; a significant reduction to the available width for walking to school on the right side going up Ascham Road. They have asked that in the event the proposal goes ahead they would appreciate reassurance that the construction contractor would be required to put in place special measures to ensure safe passage for school children to and from school during the construction works.

8.53 The footpath around the site on Milton Road and Ascham Road will remain the same as existing (minimum of 2m). The grass verge will also remain unaltered. The proposal originally included adding a path cutting into the site to help with access across the corner of the site. However, this has had to be removed due to the impact it would have had on the Tree Preservation Order trees at the front of the site. There will be alterations to trees along Ascham Road with the removal of four trees (T6, T7, T8 and T11) with replacement planting on the Ascham Road frontage within the site. As the trees are replacement trees and within the application site I do not consider this would reduce visibility for pedestrians. parking is contained within the site and I do not consider the landscaping would hinder pedestrians' visibility. anticipated that the level of deliveries would be significantly different to existing as the upper flats are in residential use. A number of conditions are proposed by Environmental Health which I recommend. These include a construction hours and collection during construction conditions. I also recommend the inclusion of an informative for the Contractor to have dialogue with Milton Road Primary School about when construction works will take place that may affect students getting to and from school

- 8.54 The Highways Authority has commented on the proposal. They note that 'no car parking provision is proposed for the development and so the development is considered likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity'.
- 8.55 A Transport Statement has been provided as part of this planning application. Paragraph 8.37 includes details of the statement. The Highways Authority does not object to the proposal. I consider the proposal would not be detrimental to highway safety.
- 8.56 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.57 The Local Plan 2006 contains maximum car parking standards. The proposal does not provide car parking provision. Paragraphs 8.33-8.38 and 8.51-8.56 have considered the impact of a car free development. I consider the proposal meets the requirements of policy 8/10 and the car parking standards of the Local Plan.

Cycle parking

- 8.58 Policy 8/6 of the Local Plan 2006 refers to developments providing cycle parking in accordance with the parking standards. The library and flexible room use is considered to fall under the category 'place of worship, public halls and community centres' which requires 1 space per 15m2 of public floor area. The proposal provides 295sq.m of D1 use class. This equates to a need for 19.67 spaces. There is a provision of 17 cycle spaces shown at the front of the building along with 4 staff spaces at the rear. This equates to 21 spaces in total and exceeds the minimum requirement.
- 8.59 The standards require one space per bedroom up to 3 bedroom dwellings. There is a provision of five x one bed flats and two x two bed flats. Therefore the residential flats require nine cycle

- parking spaces. Ten cycle spaces are provided for the flats, which exceeds the minimum standards.
- 8.60 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.61 Most of the representations received have been addressed in the main body of the report. Additional points are addressed below.
- 8.62 Details of the boundary treatment, gates and accessibility to the garden and bicycle spaces will be dealt with by condition.
- 8.63 Reference has been made to issues concerning the treatment of water on the site. A drainage condition has been recommended.
- 8.64 The history of the library is not a material planning consideration. The building is not a Building of Local Interest or Listed.
- 8.65 A third party has mentioned the inclusion of a plug in charging point for cars under paragraph 35 of the NPPF.

9.0 CONCLUSION

9.1 consider conclusion. the proposed replacement library/community facility and flats would assimilate well into its surroundings, and would have an acceptable impact on the character of the area. Whilst the proposal involves the loss of existing trees, the scheme includes replacement planting in order to mitigate for this loss. I consider that conditions can be added to any permission to ensure that the development would not harm the amenities of adjacent residents, and that the relationship between the library/community use on the ground floor and flats above would be an acceptable one in terms of the amenities of future occupiers. The proposed development would be a car-free scheme but, in view of the sustainable location of the site, notably in relation to the population it would serve, as well as the fact that an adequate level of cycle provision is proposed, I consider the development would not have an adverse impact upon highway and pedestrian safety.

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

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

6. Completion report:

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

- (a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.
- (b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

11. 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)

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

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

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

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

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

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

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

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

15. No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

The statement of significance and research objectives;

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

A brief for the archaeological work can be obtained from the Historic Environment Team, Growth and Economy, Cambridgeshire County Council upon request.

Reason: To comply with policy 4/9 of the Local Plan 2006.

16. 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, 3/7 and 3/14)

17. Prior to demolition a method statement for the controlled demolition and salvage of the stone surround, crest, timber doors and clearstory windows on the existing entrance 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 appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/14)

18. 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 specifications planting plans; written 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)

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

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

Reason: to accord with policy 4/4 of the Local Plan 2006.

20. Prior to the commencement of site clearance a precommencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS. Confirmation that the meeting has taken place shall be provided in writing to the Local Planning Authority.

Reason: to accord with policy 4/4 of the Local Plan 2006.

21. 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)

22. The Library/community space shall be open only between 08:00 and 23:00 Monday to Saturday and 09:00 and 18:00 Sunday and Bank Holidays.

Reason: To protect residential amenities and to accord with policy 4/13 of the Local Plan 2006.

23. No amplified music shall be played on the ground floor of the building at any time.

Reason: To protect residential amenities and accord with policy 4/13 of the Local Plan 2006.

24. 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:

-provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to 2 l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

-provide a management and maintenance plan for the lifetime of the development.

-the surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To accord with the National planning Policy Framework 2012

INFORMATIVE: All double doors must be electronically controlled or asymmetrical with one leaf being 900mm.

There needs to be an induction loop at the reception.

All signs and colour contrast of décor needs to aid visually impaired people.

Desk and chair design must aid disabled people.

Ideally access to the residential flats and a blue badge parking space should be provided.

INFORMATIVE: The Designing Out Crime Officer, Cambridgeshire Police HQ have offered their advice in regards to the security of the site; cycle store and access doors if required. They can be emailed on cpdt@cambs.pnn.police.uk

INFORMATIVE: Pollution Control:

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

Drainage from parking areas that will discharge, directly or otherwise, to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

INFORMATIVE: Foul Water Drainage:

All foul sewage shall be discharged to the public foul sewer with the prior approval of AWS.

INFORMATIVE: Surface Water Drainage:

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

The sewerage undertaker should be consulted regarding the availability of capacity in the surface water sewer.

Where soakaways are proposed, and permitted, for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

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

- 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

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

INFORMATIVE: To satisfy the plant 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.

PLANNING COMMITTEE

1st March 2017

Application Number Date Received	22nd			Agenda Item Officer		
Target Date Ward Site	West			athouse	Kimberley Roa	ıd
Proposal Applicant	Mr Ar City	ndrew Musto	n ge Row		replace with nev	
SUMMARY		Developme	The represerve appears area. It is corwoold	olaceme re the ance of nsidered	ollowing reasons: nt boathouse wil character and the conservation that the proposa trimentally harm	ii b n
RECOMMENDA	ATION	APPROVA	L			

1.0 SITE DESCRIPTION/AREA CONTEXT

- The City of Cambridge Boathouse is located on the north-1.1 eastern side of the River Cam. It is a part single and a part two storey building. The ground level slopes down towards the river. The Cambridge 99 Rowing Club Boathouse borders the site to the north-west and the First Trinity Boathouse to the The properties and gardens of No.90 and 92 south-east. Kimberley Road are located to the north-west and No.1-3 Beaulands Close along with the rear gardens of Nos. 89 and 91 De Freville Avenue are located to the north-east.
- 1.2 The site is located within the Central Conservation Area, the Cambridge Airport Air Safeguarding Zone (15m), Controlled Parking Zone and Flood zones 2 and 3. There are two mature

trees to the north-east of the site. These do not have Tree Preservation Orders but are protected by virtue of their location within the Conservation Area.

1.3 The neighbouring First Trinity Boathouse and the nearby St Catherine's College Boathouse are both Buildings of Local Interest.

2.0 THE PROPOSAL

- 2.1 The proposal involves the demolition of the existing boathouse and its replacement with a new boathouse.
- 2.2 The proposed replacement boathouse has three levels. The lower floor will be used for the storage of the rowing boats. The first floor includes a club room and bar with toilets and changing rooms. The second floor will be used for gym training.
- 2.3 It will measure 10.24m in width and a maximum of 27m in length. It extends between 3.77m and 10.9m high. It will be constructed from fairfaced concrete blocks and profiled steel cladding.
- 2.4 To fit in 5 racks of boats they require a clear internal height of 3.5m. In order to store oars vertically at the rear of the ground floor they need a higher clearance as an oar is 3.96m long and to allow suitable clearance above and below to prevent damage, This is why the roof over the rear part of the ground floor is set at the proposed height as this gives and internal height of 4.55m.
- 2.5 The agent has provided information for the right of access for boathouses downstream which will remain via the padlocked gate into Beaulands Close at the rear of the boathouse. That is a straight run along which minibuses and trailers can travel. Minibuses and similar vehicles will still be able to use the narrower gap between CCRC and Cambridge 99 RC with adequate space. The gap will be 2.9m (9 feet 6 inches technically) wide at its narrowest point and minibuses are 2.059 m wide without mirrors and 2.474 m wide with mirrors. The agent explains vehicles presently get along the route past the projecting staircase with no issues.

- 2.6 Trailers do not use this route at present but are loaded / unloaded elsewhere. If they were to use the route, the space at the land end of the route is not changing (the proposed building at the rear will not be coming further out), and there is space at the river end to manoeuvre on the hard surface without affecting the neighbours. The agent has advised that the gap between CCRC and First Trinity will probably not be used any more than it is at present, and if so only by cyclists or pedestrians as the easiest route for vehicles will still be between CCRC and Cambridge 99 RC. They expect continued use by vehicles of the present route.
- 2.7 The application is accompanied by the following supporting information:
 - 1. Design Statement
 - 2. Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan in Accordance with BS 5837:2012
 - 3. Ecology Survey Report
 - 4. Flood Risk Assessment
 - 5. Disability Provision Statement
 - 6. FRA permit
 - 7. Daylight & Sunlight Report (dated 13.4.16)
 - 8. Sunlight study of amenity space at 92 Kimberley Road
 - 9. Daylight & sunlight study of 89 De Freville Avenue
 - 10. Notice Under Article 13

3.0 SITE HISTORY

Relevant site history:

Reference	Description	Outcome
C/78/0040	Erection of a boat house and	Approved
	ancillary accommodation.	
C/79/0753	Erection of boathouse.	Approved
C/80/0278	Erection of extension to existing	Approved
	boat house.	
C/83/0812	Erection of boat house with club	Approved
	facilities.	
C/83/1016	Erection of boathouse (amended by letter and drawing)	Approved

C/88/0548	Extension to boathouse (outline application for first floor side extension)	Approved
C/90/0562	Refurbishment of boathouse (provision of balcony fire escape and replacement workshop)	Approved
C/91/0574	Erection of first floor extension (renewal of outline permission C/0554/88)	Approved
C/02/0251	Replacement of existing doors to boat bays.	Approved with conditions
16/0275/FUL	Demolish existing boat house and replace with new.	Withdrawn

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government	National Planning Policy Framework March 2012
Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
	Planning Obligation Strategy (March 2010)
Material	City Wide Guidance
Considerations	Arboricultural Strategy (2004)
	Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).
	Cambridge Landscape and Character Assessment (2003
	Cambridge City Nature Conservation Strategy (2006)
	Cambridge City Wildlife Sites Register (2005)
	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
	Strategic Flood Risk Assessment (2005)

Cambridge and Milton Surface Water Management Plan (2011)
Cambridge Walking and Cycling Strategy (2002)
Cambridgeshire Design Guide For Streets and Public Realm (2007)
Buildings of Local Interest (2005)
Area Guidelines
Riverside and Stourbridge Common Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

For the application considered in this report, there are no site specific 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 should have no significant impact on the public highway, should it gain the benefit of planning permission,

subject to the incorporation of the requested condition and informative requiring a traffic management plan.

Environmental Health

6.2 The development proposed is acceptable subject to the imposition of the conditions and an informative relating to construction hours, piling, dust and plant noise.

Urban Design and Conservation Team

6.3 The development proposed is acceptable subject to the imposition of conditions requiring sample materials and photographic archiving of the existing building.

Head of Streets and Open Spaces (Landscape Team)

6.4 The Landscape Team has no objections to the proposed development.

Head of Streets and Open Spaces (Trees)

- 6.5 Given the information provided in the AIA, I am satisfied that the new boathouse can be constructed without material damage to either trees' root system, although tree protection details would need to be approved.
- 6.6 I therefore have no formal objection subject to tree protection conditions.
 - Response to the updated Tree Survey, Arboricultural Impact Assessment (submitted 21st October 2016):
- 6.7 No change to original comments. The tree protection status has been updated.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Original comments: 12th July 2016:

- The current proposal is unacceptable as it will increase flood risk:
 The proposal has a larger footprint that will block more flow and displace more water in flood zone 3.
 The proposals should allow water to flow more easily through the building in the event of a flood.
 Flood resilient construction should be employed.
 A safe means of access and egress from the first floor. The stairs currently land in flood zone 3 and therefore in the event of a flood safe access and egress will not be possible from the first floor.
- 6.9 In response the agent revised the proposal to include openings for flood water to enter and exit the building. These revisions are shown on the revised drawings 09L and 11G.
 - Sustainable Drainage Engineer comments 5th September 2016:
- 6.10 The Sustainable Drainage Engineer confirmed that the revised drawings address the original concerns.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.11 The development proposed is acceptable. I would encourage the applicant to install nest boxes for swifts and / or house sparrows as an ecological enhancement to the site.

Environment Agency

6.12 It is for the local planning authority to determine whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework.

Environment Agency position – Floodrisk

6.13 The flood risk assessment (FRA) (ref: WCP) dated 10 May 2016 for the proposed replacement Boat House on Kimberley Road, Cambridge has been reviewed.

6.14 The proposed development will only meet the requirements of the National Planning Policy Framework if the measures detailed within the FRA are implemented and secured by way of planning condition.

Disability Consultative Panel (Meeting of 26th July 2016)

- 6.15 The conclusions of the Panel meeting were as follows:
- 6.16 As this is a new build, the Panel were disappointed that more effort had not been made to introduce some accessible features such as a platform lift etc. that would meet Sport England's standards and make the boathouse accessible to disabled rowers and spectators as well as making it a more suitable venue for private functions. It may not be among the larger boathouses but further work could be done to make the site more accessible and therefore more inclusive.
- 6.17 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 Tunnacliffe has requested that the application be called in to Planning Committee due to the sensitive location of the site and the neighbour impact.
- 7.2 The owners/occupiers of the following addresses have made representations:

Cambridge University Boat Club, Goldie Boathouse,
Kimberley Road,
39 De Freville Avenue
90, 92 Kimberley Road
29 High Street, Harston and Briggs Mortimer (both on
behalf of Beaulands Close Management Ltd, the freehold
owners of 52 residential apartments adjacent to the City
Boathouse)
Right of Light Consulting - on behalf of the owners of 89
De Freville Avenue

Access
Concerned the access route linking to Kimberley Road could be blocked during construction. A second access is between the Cambridge '99 Rowing Club and the City of Cambridge Rowing Club. It is critical that the stated roadway width of 2.9m becomes available as soon as the construction has been completed and remains clear of bikes, boats, trailers etc thereafter. It is the sole access to 7 boathouses for emergency vehicles. Cambridge University Clubs can accept a short term closure of the roadway at the rear of the building to construct a retaining wall, provided they can guarantee that an alternative access route between City of Cambridge and Cambridge '99 Rowing Club remains open to them for the duration of this closure.
Limited alteration to previous scheme
The only alteration to the previous scheme appears to be a reduction in the size of the flat roofed extension by 300mm in height and 500mm in length. This has a minimal effect of reducing the impact on the new house to be built at the rear of 89 De Freville Avenue.
Impact on residential amenities
Loss of light. Overbearing and impact on outlook. Impact on views to the river. Disagree with the daylight and sunlight assessment submitted as it says it would have very little impact on 92 Kimberley Road. The majority of daylight entering 92 Kimberley Road is from the south and west. The report has failed to consider the impact on No.92's garden to the west. The report incorrectly states that there are no relevant amenity spaces to assess and fails to consider the main bedroom window on the southern elevation. Garage at No. 92 Kimberley Road is used for storage as there is a space on the access road for parking. The impact of the development on the approved dwelling in 89 De Freville Avenue's garden would breach BRE guidance on
Daylight and Sunlight and result in an unacceptable loss of light to the proposed bedroom, kitchen and dining room windows.

7.3 The representations can be summarised as follows:

Loss of privacy. There is no stated need for the increased height. Flooding could affect nearby homes.
Trees
Want all recommendations for the retention and protection of T001 and T002 trees to be adhered to. The original planning application included discussions about crowning two trees in Kimberley Road. The only trees in this area are a large tree on Beaulands land and the horse chestnut tree. Permission will not be granted for the crowning of the tree on Beaulands Land as it provides screening to the developments. We also value the horse chestnut tree and request that this is retained.
Cycle Parking
Horizontal rail is not a suitable storage method. Local Plan guidance states that secure cycle storage provision should be made. We feel it could not accommodate the number of bikes required.
Visual impact
The new boathouse represents overdevelopment. Significant increase in scale, massing and floorspace. There is a firm building line for the boathouses. Each boathouse is stepped back from its neighbour. To move the boathouse forward 1.5m would make it out of character and fails to comply with policy 3/4 of the Local Plan.
Disabled access
No proper provision is made for access by the disabled.
Conditions requested
Liaison officer be appointed, use safety hoardings, Health and safety of nearby residents and visitors needs to be considered, working hours complied with, advise neighbours in advance of any noise/vibration or nuisance likely to cause disturbance and noise kept to a minimum, joint areas be kept clean and tidy (dirt and dust), no parking of contractors vehicles in front of

neighbours' gates, access provided to homes at all times, building contractors respect neighbours' privacy, request the current road markings be repainted when works are completed and any damage to the road made good.

- At no point in the future must the flat roof (north-east side) be made usable or accessible and no new windows or openings introduced to the north-east elevation which could lead to overlooking.
- ☐ After construction all existing access rights across any land that City own is maintained, and that the site has a dedicated area for the loading and unloading of boats, and the turning of trailers.
- 7.4 A Councillor site visit took place in January 2017 and a daylight and sunlight study for the approved house at 89 De Freville Avenue was received. No further comments were received.
- 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. Flooding
 - 3. Context of site, design and external spaces (and impact on heritage assets)
 - 4. Disabled access
 - 5. Residential amenity
 - 6. Refuse arrangements
 - 7. Highway safety
 - 8. Car and cycle parking
 - 9. Third party representations

Principle of Development

- 8.2 Policy 6/2 (New Leisure Facilities) of the Local Plan 2006 explains that 'development for the provision or improvement of a leisure facility will be permitted if:
 - a) It improves the range, quality and accessibility of facilities;

- b) It is of an appropriate scale for the locality; and
- c) It would not have a negative impact upon the vitality and viability of the City Centre, including the evening economy.
 - Where sports facilities are provided through educational development community use may be sought through planning obligations'.
- 8.3 Policy 6/2 is of relevance to the proposal as the application provides a replacement sports facility. In terms of criteria a) it provides a boathouse which is needed as the existing boathouse is in use. The replacement boathouse is designed to improve the quality of the facilities available for the City of Cambridge Rowing Club. A Disability Provision Statement has been provided. It explains that disabled rowing utilises specialist boats which this boathouse does not have. However, these are provided at a boathouse adjacent to the City of Cambridge Boathouse. The social functions at the application Clubhouse are limited to the Club. I consider the proposal provides a quality boathouse which will be used by rowers at this boathouse. The access arrangements to the boathouse are similar to existing and disabled rowing facilities are provided at the neighbouring boathouse. Criteria b) will be considered in the following section. In terms of criteria c) I do not consider a replacement boathouse would have a negative impact upon the vitality or viability of the City Centre due to its nature.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 6/2 of the Local Plan 2006.

Flooding

8.5 Section 10 of the National Planning Policy Framework (2012) explains how local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and It also explains that when new demand considerations. development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed suitable adaptation Inappropriate through measures. development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should apply a

sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

Applying the Sequential Test
If necessary, applying the Exception Test
Safeguarding land from development that is required for
current and future flood management
Using opportunities offered by new development to
reduce the causes and impacts of flooding; and
Where climate change is expected to increase flood risk
so that some existing development may not be
sustainable in the long term, seeking opportunities to
facilitate the relocation of development, including housing
to more sustainable locations.

- 8.6 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.
- 8.7 The site is within Flood Zones 2 and 3. The application proposes a replacement boathouse. It is in close proximity to the river as required for a boathouse. The neighbouring buildings along the river's edge are also used as boathouses. The ground floor will be most vulnerable to flooding and will only be used for boat storage. It should be noted that the Environment Agency has given the City of Cambridge Rowing Club a permit to demolish and replace the existing boathouse. I consider that the site is appropriate for a replacement boathouse providing flood risk is mitigated.
- 8.8 The Environment Agency and the Sustainable Drainage Officer responded to the consultation for this planning application.
- 8.9 The Environment Agency considers that the proposed development will only meet the requirements of the NPPF if the measures detailed within the Flood Risk Assessment submitted as part of the planning application are implemented and secured by way of planning condition on any planning

- permission. I consider the condition they requested to be appropriate and recommend its inclusion if planning permission is granted.
- 8.10 The Sustainable Drainage Officer's original comments raised concerns with the proposal. However, amended drawings numbered 09L and 11G were provided on 30th August 2016 in response to their concerns. The drawings incorporated openings for flood waters to enter and exit the building. The Sustainable Drainage Officer is satisfied with the amended drawings.
- 8.11 I consider the location of the replacement boathouse to be compatible with its proposed use. The ground floor will be used for boat storage which I consider acceptable in this location. I consider with the inclusion of the condition requested by the Environment Agency, the proposal would be acceptable and accords with the National Planning Policy Framework 2012.

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

Existing boathouse

8.12 The ground level lowers towards the river (the south-west part of the site). As measured from ground level the existing boathouse extends between 2.9m and 5.9m in height. It is a part single storey and a part two storey building. It extends between 4.4m and 7m in width. It is widest at the rear. The existing boathouse extends a total of 16.4m in length and has a front balcony that projects a further 1m at first floor level.

Proposed boathouse

8.13 The proposed replacement boathouse as measured from ground level, extends between 3.77m and 10.9m high. It has a maximum of three levels. The second floor utilises the roof space. It has a total width of 10.24m. It measures between 26m and 27m in length at ground floor level and the upper floors extend 20.9m in length, with a first floor front balcony that extends out an additional 2.85m.

Response to context

- 8.14 The site lies within the Central Conservation Area and is located adjacent to First Trinity Boathouse which is designated as a Building of Local Interest. Adjacent to this neighbouring boathouse is St Catherine's College Boathouse and Jesus College Boathouse which are both Buildings of Local Interest and beyond these are Goldie Boathouse, Corpus Christi and Sidney Sussex Colleges Boathouse and Clare College Boathouse which are Listed Buildings.
- 8.15 Historic maps show a building of similar size to the boathouse on its footprint dating back to at least 1886. The existing boathouse has a relatively modern design and is smaller than the adjacent boathouses. The development provides the scope to enhance the character of the area and improve the appearance of the site and enhance the building when viewed from the opposite side of the river. The replacement building would be a similar height to the adjacent boathouses and, whilst coming forward of its existing position, would be located in a similar position to the boathouses to either side. The proposal to replace the existing building with a pitched roof works in context as it reflects the adjacent buildings. I consider the scale, massing, footprint and form of the proposed replacement building would be acceptable, and would not detract from the character and appearance of the Conservation Area or the setting of the nearby Buildings of Local Interest or Listed Buildings. With regards to the detailing and materials, there is a lot of variety in the area.
- 8.16 A third party disagrees with the Conservation Officer's comments and believes there is a firm building line for the boathouses. The CRA Boathouse, Cambridge 99 Rowing Club Boathouse and Goldie Boathouse project out slightly further forward than the other existing boathouses located between CRA Boathouse and Jesus College Boathouse. I consider that although many of the boathouses follow a building line, I observe that not all of the boathouses follow this building line. I therefore consider the location of the proposed replacement boathouse forward of the existing boathouse's position to be acceptable and would not adversely harm the visual appearance of the boathouses along this stretch of the river.

Movement, Access and Layout

- 8.17 Existing access routes to and around the boathouse will be maintained. With no car parking spaces provided on site, which is the same as for the existing boathouse. People using the boathouse are therefore encouraged to walk, cycle or use public transport.
- 8.18 I consider the proposed boathouse provides attractive built frontages and provides active frontages along the front and side elevations. The proximity of residential buildings to the rear prevents the inclusion of windows along this elevation. However, existing windows on nearby residential properties to the north helps provide surveillance to the northern access route.
- 8.19 The proposed boathouse will be larger than existing and will offer improved facilities. At present some rowing boats are stored by the side of the building. Additional storage space will allow more rowing boats to be accommodated within the building.
- 8.20 A bin store is located beneath the stairs on the side elevation. I recommend a condition be included to ensure this is enclosed and visually complements the area.

Scale and massing

8.21 The scale and massing of the proposed boathouse are greater than that of the existing boathouse, however it is considered that the proposal relates well to the other boathouses along the river. Its form is similar to other boathouses with boat storage at ground level, changing facilities and bar at first floor. The existing and proposed replacement boathouse both have front balconies.

Open Space and Landscape

Landscaping

8.22 There is limited space around the building for open space. Space is located at the front of the building where boats are taken in and out. The Urban Design and Conservation team and Landscaping team both find the scheme to be acceptable.

I consider the proposal to be acceptable considering the nature of the proposal and that it replaces an existing boathouse which has limited open space.

Ecology

8.23 An Ecology Report was provided as part of this planning application. The Biodiversity Officer finds the proposal acceptable. They do however, encourage the applicant to install nest boxes for swifts and/or house sparrows as an ecological enhancement to the site. I recommend an informative recommends the inclusion of nest boxes.

Trees

- 8.24 A Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan were submitted as part of the planning application. Two individual trees were identified which are a Beech and Horse Chestnut. The report recommends a 4m crown lift from ground level where branches overhang the existing building for the Horse Chestnut and a 7m crown lift from the ground level where branches over hang existing building for the Beech tree. Both trees would be retained.
- 8.25 Third party comments have been received from Beaulands Close Management Ltd and they note that the Beech tree is on Beaulands land and they do not consent to it being crowned as it provides screening to the developments both at City Boathouse and behind 89 De Freville. It should however be noted that a property owner has the right to prune branches overhanging their property back to the boundary without consent from the tree owner. The tree is protected by its location within the conservation area. If the application is permitted the applicant will have the necessary permission to prune a tree in a conservation area and the owner would need to get an injunction to stop the applicant pruning it.
- 8.26 The Tree Officer has commented on the planning application. She has no objection providing the tree conditions she has recommended are included if the application were to be approved. She is satisfied that the new boathouse can be constructed without material damage to either trees' root systems.

8.27 The proposal would retain the Beech and Horse Chestnut trees located near to the boathouse. I support the retention of the trees. I consider the crowning of the branches that overhang the existing boathouse to be acceptable and would comply with policies 4/4 and 4/11 of the Local Plan 2006.

Elevations and Materials

- 8.28 It is considered that the design of the boathouse is appropriate for this type of building. It includes masonry at ground floor level and metal sheeting for the upper level and roof. I recommend the inclusion of a materials sample condition as recommended by the Urban Design and Conservation team. This will help to ensure the proposed fair-faced concrete blocks are treated appropriately. The blocks will need to be laid so they form an appropriate external wall which works with the character of the conservation area, with narrow mortar beds and finished joints.
- 8.29 The Urban Design and Conservation team also request that the fully glazed windows on the upper floors need to be framed so they are finely detailed. It is important that there are no heavy concrete floors visible through the glass to improve the visual appearance of the building.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/3, 4/4, 4/10, 4/11 and 4/12.

Disabled access

- 8.31 The Disability Panel has expressed disappointment that more effort has not been made to introduce some accessible features such as a platform lift and to make the boathouse accessible to disabled rowers, spectators and to make it a more suitable venue for private functions.
- 8.32 In response to these comments a Disability Provision statement has been provided to support the application. It explains that the City of Cambridge Boathouse does not have the specialised boats required for disabled rowing but a neighbouring boathouse does have these along with disabled WC and changing facilities. The provision of a platform lift would reduce

the number of boats able to be stored on site (by 5-8 boats) so the applicant is reluctant to install a platform lift. They also note that the clubhouse social functions are limited to the club. I consider their response helps to explain the lack of disabled facilities on site. As a neighbouring boathouse is able to provided disabled rowing facilities, I consider this helps to justify the lack of disabled facilities at the City of Cambridge boathouse which is a constrained site.

8.33 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

Relationship with adjacent dwellings

Boathouses

- 8.34 The proposed replacement boathouse is located between the boathouses of Cambridge 99 Rowing Club Boathouse and First Trinity Boathouse. Due to the use of the proposed neighbouring buildings I do not consider the proposed replacement boathouse would adversely harm these neighbours' amenities.
- 8.35 Nearby boathouses have requested that at least one of the access routes by the City of Cambridge Boathouse is maintained during construction and that the proposed access road width is maintained as shown once approved. I see these as valid concerns. If the application were to be approved I recommend the Traffic Management Plan condition be included as requested by Highways. If Planning Committee are minded to approve the application I have also recommended a standard condition be included that it is approved in accordance with the drawings. This would ensure the access routes are kept at the size proposed. The Design and Access Statement also confirms the 2.9m wide access on land owned by Cambridge 99 will remain and be unaffected by the proposed development.

- 8.36 No.92 Kimberley Road is located to the north-west of the replacement boathouse and on the opposite side of the access road that links to Kimberley Road. This single storey house that has been constructed to maximise light, with high level windows located around the property along with standard glazed windows. Most windows (excluding the high level ones) are located on the south and western elevations of the property. The outdoor amenity space is located to the south-west of the main property.
- 8.37 The applicant has supplied a Daylight and Sunlight report (dated 13th April 2016) that assesses the impact of the replacement boathouse on No.92 Kimberley Road. Seven windows were assessed at this property, these are on the southern facing elevation by the access road and on the western elevation the windows closest to the boathouse. It assessed the Vertical Sky Component, Available Sunlight Hours and Daylight Distribution and it concluded that all the windows meet the BRE Guidance. A further study was submitted dated 12th October 2016 of the outdoor amenity space at No.92 Kimberley Road. The report demonstrates that the BRE guidance are also met for this area.
- 8.38 A neighbour does not agree with the daylight and sunlight study as the report states it 'would have very little impact on 92 Kimberley Road and the residents would experience no effect or a minimal reduction in light'. They believe it would impact upon light reaching this dwelling and its garden. However, I consider that as the report has been conducted in accordance with the BRE guidance its results are valid.
- 8.39 The proposed boathouse has no windows on the rear elevation facing towards No.92 Kimberley Road. High level side windows are proposed on the north-west elevation of the boathouse at first floor level, which avoids overlooking of nearby properties. The windows at second floor are located on a wall set in 1.2m and are located towards the front of the building. They are partially screened by the roof of the boathouse. Due to the position of these windows I do not consider they will lead to a loss of privacy to neighbours. In my opinion the high level rooflights would not affect the privacy of neighbours.

8.40 The proposed boathouse is larger than the existing boathouse. The rear part of the boathouse remains single storey. The replacement boathouse extends to 3.77m high at the rear in comparison to 2.9m high as existing. The rear roof section on the main part of the replacement building is hipped which helps to lessens the impact of the proposal. An access road separates the site from No.92 Kimberley Road. On balance, I consider the replacement boathouse would not be detrimental to the outlook or lead to a sense of enclosure to No.92 Kimberley Road due to its position and scale at the rear.

Dwelling approved planning permission on land behind 89-91 De Freville Avenue

- 8.41 Planning permission (reference 15/1710/FUL) was granted in January 2016 at Planning Committee for a single storey detached dwelling. It would be sited to the north of the access road linking to Kimberley Road and to the north-east of the replacement boathouse. It has not yet been constructed. The new house's footprint forms an 'L' shape which helps to reduce the impact of the proposed boathouse on this dwelling. This is because the part of the site nearest to the boathouse is where the building is set back. Following the submission received by Right of Light Consulting on behalf of the owners of 89 De Freville Avenue, a daylight and sunlight study has been carried out to assess the impact of the development on the approved dwelling. This demonstrates there will be no detrimental loss of light to the new property from the proposed boathouse.
- 8.42 There are no rear facing windows on the boathouse. High level glazing is proposed on the south-east elevation at first floor level. I do not consider this nearby property would experience a loss of privacy as a result of the proposal.
- 8.43 A large Horse Chestnut tree helps to screen the replacement boathouse from this dwelling. Due to the setback position of this dwelling, I do not consider the replacement boathouse would be detrimental to outlook or lead to a sense of enclosure to this dwelling.

No.89 and 91 De Freville Avenue

8.44 The proposed new dwelling at the end of the rear gardens of No.89 and 91 De Freville Avenue has been approved planning

permission but has not yet been built. This new dwelling would be located on the piece of garden land closest to the boathouse. If this were to be built this new dwelling along with the existing trees including the Horse Chestnut tree, Beech tree and trees within the gardens of these properties would help to screen much of the proposed boathouse from these properties and gardens along De Freville Avenue. If this new dwelling were built I do not consider the proposal would result in an unreasonable loss of light, outlook or privacy to these neighbours' properties or gardens.

8.45 As the new dwelling approved planning permission is yet to be built I shall also consider the impact of the proposal on these neighbours' without this new dwelling constructed. properties of Nos. 89 and 91 De Freville Avenue have long gardens. I do not consider the proposal would lead to an unreasonable loss of light, privacy or outlook to these properties located to the north-east of the site as these properties are located over 40 metres from the proposed boathouse. neighbour is concerned about loss of light to their garden as a result of the proposal. These neighbours to the north-east have a solid wooden fence/gate along their boundary opposite the boathouse site. The replacement boathouse remains sited the same distance from this neighbour's boundary (over 6m). The proposed single storey rear element of the proposed boathouse extends to 3.77m high for a depth of between 1.8m and 2.8m before it rises a further 3.2m high to the edge of the hipped roof and then rises a further 1.6m to the top of the rear hipped roof. At its maximum height it measures 10.9m high. I consider the combination of the single storey structure and hipped roof help to reduce the impact on the amenity space of No.89 and 91 De Freville Avenue. The Horse Chestnut and Beech tree and trees in the rear of these gardens provide some screening to these amenity spaces. As the rear gardens of these properties are relatively large I do not consider there would be an adverse loss of light to these neighbours' gardens to the north-east.

Other nearby buildings

8.46 The boathouse is accessible via an access road linking to Kimberley Road. No. 90 Kimberley Road, the Fitzwilliam boathouse and CRA Boathouse are located adjacent to this access road. Beaulands Close properties are located to the east of the proposal. I do not consider these buildings and

gardens would experience a loss of light, outlook or privacy due to their position. The impact of the proposal upon the access route has been discussed under paragraph 8.35.

Concern over use of flat roof

8.47 A neighbour has requested a condition that the flat roof of the single storey extension is not useable or accessible and no further windows are added. No rear windows and doors are proposed and therefore I do not consider it necessary to include a condition to prevent access to this area. If a subsequent application requests doors or windows adjacent to this area then it can be dealt with as part of that application.

Impact on parking

- 8.48 The Design and Access Statement considers traffic and parking arrangements. There is currently no vehicular parking facilities at the current boathouse and none will be provided for the new boathouse. Deliveries currently park in front of the building and this will continue with the new boathouse. Most people travel to the existing boathouse by foot or bike. The boathouse hopes there will be an increase in the number of people using the facility but anticipates these will come from existing boathouses.
- 8.49 In my opinion, I consider it is unlikely that the proposed replacement boathouse will lead to a significant increase in car parking demands along nearby streets. As the application proposes a replacement building rather than a new boathouse, I consider the pressure on car parking will not differ greatly compared to existing. Kimberley Road is closest to the boathouse and this street is within a Controlled Parking Zone. This will help to retain street parking for resident permit holders.

Noise and disturbance

- 8.50 It is unclear if there will be any fixed mechanical plant (rooftop or otherwise) associated with air conditioning or extraction. Therefore in line with Environmental Health's comments I recommended a plant condition be included due to the proximity of residential dwellings.
- 8.51 In the interests of amenity I recommend demolition/construction hours, piling and dust conditions if the application were to be

- approved as requested by Environmental Health in the interest of residential amenities.
- 8.52 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.53 Bin storage will be provided beneath the stairs to the replacement boathouse. As full details of the bin storage has not been provided I recommend the inclusion of a condition to ensure the provision appears acceptable.
- 8.54 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.55 The Highways Authority considers that the proposal should have no significant impact on the public highway subject to the inclusion of a traffic management plan condition and informative. I consider this to be justifiable considering the potential impact on access routes used by residents and nearby boathouses.
- 8.56 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.57 The revised elevation drawing includes an extended bar along the side of the proposed boathouse to hold 30 bicycles. The agent has also explained in an email on 19th October 2016 that there is room for additional bicycle storage within the building if needed. The Design and Access Statement explains the cycle storage rail will be offered for use to Trinity students as both boathouses are rarely used at the same time. I recommend a condition be included to demonstrate that 30 bicycles could be accommodated along the bicycle storage rail.
- 8.58 The proposal is for a replacement boathouse. The site is constrained and there is insufficient space to accommodate off

street car parking. No on-site car parking is currently provided for the existing boathouse. Kimberley Road is within a Controlled Parking Zone. The majority of the users to the boathouse arrive by bike or on foot. Under these circumstances, I consider it acceptable that the proposal has no on-site car parking provision under these circumstances.

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

Third Party Representations

- 8.60 A third party is concerned that the current proposal has had limited alterations to the previous scheme. Each application is assessed on its own merit.
- 8.61 Another third party queries why the additional height is needed. The purpose of this planning application is to improve the current boathouse facilities. At present some boats are stored along the side of the building. The proposal will provide additional boat storage space and improved facilities for the rowers. The proposed boathouse will be a similar height to its neighbouring boathouses.

9.0 CONCLUSION

9.1 In conclusion, I consider the proposal would be acceptable in terms of its scale and appearance and would preserve the character of the conservation area and nearby BLIs and Listed Buildings. I also consider it 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.

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

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

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

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

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

5. 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)

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

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

7. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. The works shall take place in accordance with the approved details.

Reason: in the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

8. The development permitted by this planning permission shall be carried out in accordance with the approved FRA WCP (Ref: ms/4965) and the following mitigation measures detailed within the FRA: 1. Finished floor level of the boathouse will be set at 4.54m.ODN. 2. The boathouse will be designed to allow flood waters to pass through the front and back walls up to 5.60m.ODN and allow the entire internal main area of the ground floor to flood. 3. Flood resilience measures will be incorporated into the design of the boathouse, as detailed in the 'Risk and mitigation' section of the FRA.

Reason: To comply with the National Planning Policy Framework 2012.

9. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the

development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). Reason: To protect trees of amenity value and accord with policies 4/4 and 4/11 of the Local Plan 2006.

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

Reason: To protect trees of amenity value and accord with policies 4/4 and 4/11 of the Local Plan 2006.

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

Reason: To protect trees of amenity value and accord with policies 4/4 and 4/11 of the Local Plan 2006.

12. Before starting works, samples of the facing and roofing materials to be used shall be provided on site. This will include a sample panel of the fairfaced concrete blocks to agree the mortar finish. These details are to be agreed in writing with the local planning authority. The development shall be constructed in accordance with the approved materials and the quality of the approved materials shall be maintained throughout the development.

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

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

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

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

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

15. No development shall commence until details of facilities for the covered, secure parking of 30; number bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

16. No external lighting shall be installed other than in accordance with details that shall previously 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: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/13)

INFORMATIVE:

We encourage the installation of nest boxes for swifts and/or house sparrows as an ecological enhancement of the site.

INFORMATIVE:

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

INFORMATIVE:

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. A sustainable scheme for the disposal of uncontaminated surface water will be required. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

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

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

INFORMATIVE: - Traffic Management 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 curtilege of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

PLANNING COMMITTEE

1st March 2017

Application Number	16/1956/FUL	Agenda Item	
Date Received	22nd November 2016	Officer	Rob
			Brereton
Target Date	17th January 2017		
Ward	Castle		
Site	30 Canterbury Street Car	nbridge CB4	I 3QF
Proposal	Construction of a baseme	ent under the	e front part of
<u>-</u>	our property		•
Applicant	Mr Andrew Thompson		
• •	30 Canterbury Street Car	nbridge CB4	13QF
	,	J	

SUMMARY	The development accords with the Development Plan for the following reasons:
	 The development would have an acceptable impact on the character of the Conservation Area.
	☐ The development would not have a significant adverse impact on residential amenity.
	 Recommended conditions will ensure construction nuisance will be at an acceptable level.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 30 Canterbury Street is a traditional two storey dwellinghouse located at the north-western end of a terrace of 8 dwellings on the north side of Canterbury Street, a residential street of mainly terraced properties.
- 1.2 The property is located within the Castle and Victoria Road area of the Central Conservation Area. The property is not Listed or a Building of Local Interest.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the construction of a basement under the front part of the building of No. 30. The basement would be under the original footprint of the building and does not include the modern extension to the rear.
- 2.2 The proposed basement will have a sunken lightwell in the front garden containing a sash window, three high level windows facing the laneway on the side elevation and an elevated lightwell at 45 degrees in the rear courtyard between the main house and the rear extension.
- 2.3 The application proposed a lightwell in the side passage but following local residents concerns has been removed and windows have been inserted in the side wall of the house instead. All works proposed now take place within the red line boundary of the applicant.
- 2.4 The application has been referred to committee at the request of Councillor Holland.

3.0 SITE HISTORY

Reference	Description	Outcome
08/1566/FUL	Construction of a dormer window	Approved
	in roof.	
06/0457/FUL	Extension of rear ground floor;	Approved
	installation of dormer window to	
	rear roof to make roof space	
	habitable and installation of a	
	wind generator.	
	•	

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	3/1 3/4 3/7 3/11 3/14
Plan 2006		4/11 4/13
		8/2 8/18

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Area Guidelines	Castle and Victoria Road Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account,

especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection subject to a condition on no demolition or construction works commencing on site until a traffic management plan has been agreed with the Planning Authority.

Environmental Health

6.2 No objection subject to a condition on limiting construction hours and an informative on the Housing Health and Safety Rating System.

Conservation

- 6.3 No objection subject to conditions requiring a construction method statement and a system of monitoring nearby buildings for movement during construction.
- 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	One	representa	tion was also	receiv	ved from Councillo	or Holl	and
	whor	n objected	to this applica	ition ar	nd has called this a	applica	tion
	into	planning	committee.	Her	representations	can	be
	sumr	marised as	follows:				

No pre-application	consultation	has	taken	place	between	the
applicant and the r	neighbour.					

	☐ A method statement is required to determine impact prior to determination to assess the impact on neighbours and the Conservation Area.
	☐ Impact on water/sewerage/underground pipes should be assessed.
	 Impact of construction traffic on highways during construction.
	☐ Anglia Water should be notified as there are issues in the area.
	☐ The proposed building works would block or impact access to a private right-of-way.
	 □ The development does not satisfy policy 3 /4 Responding to Context, policy 3/6 Ensuring Coordinated Development, 3/14 Extending Buildings, 4/11 Conservation Areas.
7.2	The owners/occupiers of the following addresses have made representations to the proposal:
	 No. 26 Canterbury Street No. 28 Canterbury Street No. 32 Canterbury Street No. 34 Canterbury Street No. 2 Pegler Court, Willingham
7.3	The representations can be summarised as follows of the proposal:
	☐ The proposed lightwell in the front facade would ruin the symmetry of the Victorian terrace.
	☐ A street facing basement would be out of keeping with character of the area and set a radical precedent for the locality.
	 Vegetation to the front of the property would be lost. Some London Boroughs that have more experience of basement applications; have introduced restrictions on such development in Conservation Areas by for example by restricting the size of basements in front gardens or resisting lightwells.
	☐ The proposed front lightwell is very shallow and would not allow much light to penetrate.
	 Applicants' reasons for basement are unfounded. Lightwells in the side elevation are into a shared pedestrian access.

Construction would seem impossible to take place all within
the applicants land and not using the side passage.
Excavation and construction would take a prolonged period of time in this constrained site causing much disruption.
Concern as to how basement construction will impact terrace
houses built in the 1900s and how this will be monitored
during construction.
Dust and noise during construction is a concern.
How will party wall be shored up during construction?
No. 30's rear garden cannot be used for construction as this
property has a rear extension.
The installation of the proposed windows into the shared
pedestrian access will encroach onto No. 32's land. No. 30
has no legal right to this access.
The proposal along with other approved application will make
this 2 storey terrace house into a 4 storey house which is out
of keeping with the area.
There is a questionable amount of ventilation for the
proposed rooms in the basement.
Side elevation windows could cause a trip hazard on the
alleyway.
· · · · · · · · · · · · · · · · · · ·
No guarantees have been given by the applicant that costs
would be covered if any damages have been caused.
No thorough methodology of how building works will take
 place has been provided.
The proposal risks destabilising drainage which is already
problematic elsewhere in the street.

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

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
 - 1. Principle of development
 - 2. Context of site, design and impact on heritage assets
 - 3. Residential amenity
 - 4. Highway safety
 - 5. Surface water drainage

6. Third party representations

Principle of Development

8.2 Policy 3/14 supports the extension of buildings providing the impact on the character of the area and neighbouring amenity would be acceptable. These issues are considered further below.

Context of site, design and impact on the Conservation Area

- 8.3 Councilor Holland and a number of residents have raised concerns about the impact on the character of the Conservation Area. The property is the end of a terrace of 8 that are unusual in this part of the street as they have small front gardens, behind low boundary treatments.
- 8.4 The proposed development will be underneath the original footprint of the building and does not include the modern extension to the rear.
- 8.5 The only part of the basement that will be evident in the streetscene would be the window at the lower level and the lightwell around it. The window is of similar design and size to the existing windows on the front elevation and therefore would be in context with the existing character of the building. The lightwell around the window will be slightly wider and half the depth of the garden, which would leave an area for planting around it. As the works are generally below ground level, I do not consider that the alteration to the front of the property will have a negative impact on the character or appearance of the Conservation Area.
- 8.6 The front elevation of the building will appear altered. However the proposals will preserve the character and appearance of the conservation area provided that the method for creating the basement does not affect the stability of the existing building or that of the adjacent properties.
- 8.7 The three proposed side elevation high level windows are considered minimal in scale and would not detrimentally impact the character of the property or the appearance of the surrounding Conservation Area. Similarly the 45 degree surface

lightwell to the rear would not in my opinion have a detrimental impact on the character of the dwellinghouse especially when considered against the large single storey extension permitted to the rear.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposed lightwells would not overlook adjoining neighbours. The front facing sash window will face a blank wall, the three side facing windows are above 1.7 metres and therefore high level and the rear surface lightwell is angled to view the sky.
- 8.10 Much of the letters of representation received object to how this proposal could potentially impact residential amenity whilst construction is taking place. It is considered that a condition can be added to ensure residential amenity would not be adversely impacted during construction.
- 8.11 The Conservation Team has advised that a Method Statement describing the means of creating the new basement will be required via condition. This shall be submitted to and approved in writing by the Local Planning Authority prior to commencement. This should detail the means of excavation, stabilising the existing buildings during the works, spoil disposal, creating new walls / floors, moisture drainage systems and ventilation.
- 8.12 The Conservation Team has also recommended that a system of monitoring the nearby buildings for movement during excavation be required via condition. This would normally be a civil or Party Wall matter. However, given the harm that would be caused to the Conservation Area if any building in the terrace were to be undermined by works, it is likely this condition could be justified. The applicant has agreed in principle with the condition but has queried the likely frequency and precise requirements of the monitoring and whether this will be likely to exceed requirements under the party wall act. I will

- discuss this further with the Conservation Officer and update Members in the Amendment Sheet.
- 8.13 Conditions controlling dust and construction hours will also be added to ensure adjoining neighbours are not unduly impacted during construction.
- 8.14 No. 32 Canterbury Street is also concerned that the private right of way between it and the subject dwelling could be blocked during construction. This is a civil matter rather than a planning matter and it is not therefore reasonable or possible to require the applicants to prove how construction will be carried out in terms of legal rights of access.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14 subject to the compliance with conditions.

Amenity for future occupiers of the proposal

- 8.16 The proposed basement contains one large room which is triple aspect. The front facade window is 0.5 from a vertical blank wall and it is therefore considered a low level of daylight will penetrate this window. However with the combination of three high level windows and a surface lightwell to the rear it is considered that the overall level of daylight to this room is acceptable. The other small room has no windows and is indicated as a storage room which is acceptable.
- 8.17 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Highway Safety

8.18 Highways have voiced no objection on Highway Safety grounds subject to a condition requiring a traffic management plan. This condition will be added to control the movement of vehicles during construction to and from site, ensuring as little inconvenience to highway users as possible.

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

Drainage

8.20 As concerns have been voiced regarding surface water drainage Anglian Water have been consulted. Any comments received will be reported to members on the Amendment Sheet.

8.21 Third Party Representations

Concern	Response
Front lightwell out of character	Para 8.5
Precedent	Para 8.2
Vegetation will be lost	Para 8.5
Little light can penetrate through front lightwell	Para 8.16
Reasons for basement	Not a planning consideration
How will the proposal be constructed from only applicants land	Para 8.14 and not a planning matter
Duration of construction	Not a planning consideration
How construction will impact adjoining structures	Para 8.12
Dust and noise during construction	Para 8.13
How party walls will be shored up	Not a planning matter but a civil matter under the party wall act.
No method of construction	Para 8.11. No planning requirement to have this upfront if can be conditioned.
Side elevation windows open onto private right of way	Para 8.9
A basement is out of character	Para 8.2, 8.5 and 8.6
Construction errors	Not a planning consideration, proposal must achieve Building Regulations and this is a civil matter.

No communication between applicant and	Not	а	planning
neighbours prior to application	require	ment.	
Impact on underground pipes	This is	s dealt	with by
	Buildin	g Regu	lations.
Impact of construction traffic	Para 8	.18	
Impact on drainage	Para 8	.20	

9.0 CONCLUSION

9.1 The proposal is minor in nature and I consider it has an acceptable impact on the streetscene of the Conservation Area and the character of the dwellinghouse. I am of the opinion that the proposed basement will not detrimentally impact the neighbouring properties. Many letters amenity of representation have voiced concerns that the construction of this basement will cause a lot of inconvenience. Much of their concerns are not planning matters, but will be dealt with by the Party Wall Act or Building Control. In my opinion the addition of technical conditions will ensure any disturbance during construction is kept to an acceptable minimum.

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.

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

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

4. No development shall commence until 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

5. A Method Statement describing the means of creating the new basement shall be submitted to and approved in writing by the Local Planning Authority. This should detail the means of excavation, stabilising the existing buildings during the works, spoil disposal, creating new walls / floors, moisture drainage systems, ventilation, etc. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 3/14 and 4/11)

6. A system of monitoring the nearby buildings for movement during excavation is to be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. Should movement outside the agreed parameters be detected, work on site will cease and the Local Planning Authority and structural engineers will be notified immediately. Thereafter the monitoring shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing. Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 3/14 and 4/11)

7. 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

INFORMATIVE: The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

INFORMATIVE: 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.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf



PLANNING COMMITTEE

16/1905/FUL

Application

01st March 2017

Agenda

Number	10/13	J3/FUL	•	Item	
Date Received	1st No	ovembe	er 2016	Officer	Rob Brereton
Target Date Ward Site Proposal Applicant	27th December 2016 Romsey 150 Coldhams Lane Cambridge CB1 3HH Erection of 1.5 storey dwelling with frontage onto Cromwell Road and the retention of two parking spaces for 150 and 150a Coldham Lane. Mr A de Simone				
SUMMARY		Develo	opment Plan The location ouilding wou at odds with	for the following for the following for the following for the streets of the following for the followi	ccord with the wing reasons: design of the e and appear ene. close the rear and 150a
		-	orovided for	future occup d vehicular	parking would
RECOMMENDA	TION	ON REFUSAL			

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site is located on the southern side of Cromwell Road and faces the junction with the entrance to Nuffield Gym. The site is to the rear of the rear gardens of Nos. 150a and 150 Coldham's Lane and is currently used for parking for these properties. The site is entirely made up of hardstanding and is accessed off a rear laneway from Cromwell Road.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a one and a half storey dwelling with frontage onto Cromwell Road and retention of two parking spaces for Nos. 150 and 150a Coldham's Lane.
- 2.2 This building is 9.5 metres deep by 5 metres wide and 6.6 metres tall to the ridge and 4.5 metres to the eaves. The building proposes using fibre cement cladding, masonry brickwork and slate roof tiles. The ground floor would contain a bedroom and bathroom. The first floor would contain an open plan living area and kitchen/dining room. The front door of the property would face Cromwell Road. Vehicles would access the site from the rear laneway and park within two undercroft car parking spaces in the western elevation. A bin store and cycle store for two bicycles is located to the eastern side of the site and hard and soft landscaping is also proposed.

3.0 SITE HISTORY

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 Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 3/10
		5/1
		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)	

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)

Object: to the proposal the car parking layout does not provide 6.1 sufficient space to turn a car conveniently to enter and leave the site in forward gear. A 6 metre distance behind the cars would be necessary for this. The parking is very close to the access onto Cromwell Road and so cars may well reverse out onto Cromwell Road, to the detriment of highway safety, particularly given the proximity to the signal controlled junction.

Environmental Health

- 6.2 No Objection: Acceptable subject to standard conditions.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0	REPRESENTATIONS		
7.1	The owners/occupiers of the following addresses have made representations:		
	□ 95 Brampton Road□ 17 Romsey Road□ 222 Cromwell Road		
7.2	The representations can be summarised as follows:		
	The proposal is a good use of space and provides further needed accommodation of this size in this location. The proposal is out of character. The proposal is taller than all other outbuildings and would set a precedent. Adequate parking provision has not been provided. Overlooking of No. 222 Cromwell Road.		

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

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is therefore my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

8.4 The proposal is located in a prominent position on Cromwell Road between the 2 storey semi-detached No. 150a Coldham's Lane and two storey terrace property No. 222 Cromwell Road. The distance between these buildings is 30.5 metres and the view from the street is of relatively open rear and front garden spaces associated with these properties. There is a laneway between these two properties, which contains mainly single storey flat roofed garages and outbuildings. The laneway is not characterised by mews dwellings or domestic structures of anything like the scale of development proposed. It is therefore considered the mass of a 1.5 storey building, 6.6 metres tall to ridge and at the depth proposed (9.5m), would jar with the subservient outbuilding character of this laneway and the surrounding garden lands when viewed from the streetscene of Cromwell Road.

- 8.5 This is because the proposal is stepped considerably forward of No. 222 Cromwell Road meaning the building would be very prominent in its positioning and scale. By way of contrast, No. 222 is located 10 metres from the highway and the proposal is within 0.1 of the highway. The proposal, with its gable end front façade and 9.5m depth does little to disguise its bulk. Even with some limited landscaping contained within the frontage, I am not persuaded that the scheme would look anything other than incongruous when seen in views up and down Cromwell Road.
- 8.6 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Light

8.7 The rear façade of No. 150 Coldham's lane is 14.5 metres away from the side elevation of the proposal. Similarly the rear facade of No. 150a Coldham's lane is 13.3 metres away from the side elevation of the proposal. These distances are considered sufficient to dispel any detrimental impacts to the daylight entering habitable rooms.

Enclosure

8.8 The length of Nos. 150 and 150a's gardens will remain the same as part of this application. There is a gap of 2.1 to 1 metres between the rear boundary wall of these properties and the proposed side elevation of the proposal. The gardens and the main outlook from them would face onto the proposed blank side elevation 4.5 metres tall to the eaves with the entire 9.5m length visible. Compared to the existing situation, there would be a marked change in visual enclosure to both of these gardens. Although not of sufficient harm to warrant as a singular reason for refusal, to my mind, the awkwardness of this relationship is undesirable and is not akin to a typical domestic outbuilding scale one might otherwise expect to see in a garden environment. As such, my view is the scheme is contrary to policy 3/10 in terms of enclosure.

Privacy

8.9 Two full height narrow windows, 1.1 metres wide are proposed in the first floor living area facing west. Because of their location and width they will have limited views of No. 222 Cromwell Road front amenity space, 7.3 metres away. If I was inclined to recommend approval for this application this impact could be overcome with a condition for louvers or obscure glazing. The 7.3 metre distance between the proposal and the boundary with No. 222 Cromwell Road is otherwise acceptable.

Impact on 152

- 8.10 As No. 152 Coldham's Lane has a single storey outbuilding located beside the proposal no detrimental impact is envisaged to this property's amenity space. All other neighbouring properties are considered to be located a sufficient distance away from neighbouring properties to dispel any potential detrimental impacts.
- 8.11 In my opinion the proposal does not respect the residential amenity of its neighbours and the constraints of the site 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

8.12 No private amenity space for future occupiers of this one bedroom unit has been provided. Whilst it is unlikely that children would be living at the property, it is contained within a predominantly suburban (low density) location where it could reasonably be expected that a degree of private space for an professional occupier (young etc.) could be accommodated. Some soft landscaping between Cromwell Road and the parking area is shown on the plans, but this would be a far cry from private space provision and is more akin to a landscape buffer. Whilst the Council does not have external space standards, in striving to create good quality homes (large or small) in suburban locations where land density is low, the provision of private garden space should go hand-in-hand with good design (NPPF paras 56 and 57). In coming to this conclusion, I do not consider the close proximity to Coldham's Common to be an adequate excuse for the lack of provision as part of the development. Private garden space is just that,

private, and is convenient and within the control of the occupier to use as they see fit (read, sit out upon, dry one's washing etc). Public open space, especially of the sort provided at the Common, does not afford the same type of amenity.

- 8.13 Outlook for the proposed first floor windows is acceptable. However, the ground floor bedroom window is located 0.3 metres away from the carriageway of Cromwell Road. This is a busy road and the full 2m high x 2m wide window would appear to provide very little privacy of future users of the bedroom. I would expect that future occupiers would feel exposed and their privacy impinged upon and that as a result the bedroom would be mainly or permanently internally shielded from external view. This is not a satisfactory arrangement of internal and external spaces and points towards poor design.
- 8.14 In my opinion the proposal does not provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that this is not compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/11 and 3/12.

Refuse Arrangements

- 8.15 The bin store is considered satisfactory for the number of units proposed and complies with the RECAP Waste Management and Design Guide 2012.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

8.17 The Highway Authority has concerns the car parking layout does not provide sufficient space to turn a car conveniently to enter and leave the site in forward gear. A 6 metre distance behind the cars would be necessary for this and this proposal has a 4.5 metre distance. The parking is very close to the access onto Cromwell Road and so cars may well reverse out onto Cromwell Road, to the detriment of highway safety, particularly given the proximity to the signal controlled junction. I share this concern, a 3.8 metre depth will be lost when compared to the existing situation giving a vehicle very little

- room to reverse to turn around especially when both spaces are full.
- 8.18 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.19 Policy 8/10 promotes lower levels of private car parking particularly where good transport accessibility exists. The subject building is located just off Coldham's Lane which has excellent transport links to the city centre and contains many shops/services. The proposed cycle store is considered adequate to comply with policy 8/6.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

9.0 CONCLUSION

9.1 The proposed development would be too prominent and not be in keeping with the surrounding streetscene. The proposal would create a detrimental level of a visual enclosure to the rear gardens of Nos 150 and 150a Coldham's Lane. No amenity space has been provided and size and positioning of the ground floor window so close to the street would lead to a lack of privacy for future occupiers. The proposed vehicular parking is a danger to highway safety.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. By reason of its siting, scale and depth, the proposal would result in an overly dominant built form that would appear too prominent against the rear gardens of Coldham's Lane properties, the front gardens of Cromwell Road properties and adjoining single storey outbuildings. For these reasons, the proposal would be harmful to the character of the area and contrary to policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan 2006.

- 2. The height, length and siting of the proposed building would lead to an unacceptable level of enclosure to the outlook from the rear gardens of Nos. 150 and 150a Coldham's Lane to the detriment of the amenities of their occupiers. The development is therefore contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.
- 3. No private amenity space has been provided which is unacceptable and poor design for this suburban location. The size and positioning of the ground floor window is located too close to Cromwell Road and would lead to a lack of privacy for future occupiers. The scheme therefore does not provide an appropriate standard of residential amenity for future occupiers and is not compliant with Cambridge Local Plan (2006) policies 3/7, 3/10, 3/11 and 3/12 and NPPF (2012) paragraphs 56 and 57.
- 4. The car parking layout does not provide sufficient space to turn a car conveniently to enter and leave the site in forward gear. A 6 metre distance behind the cars would be necessary for this. The parking is very close to the access onto Cromwell Road and so cars may well reverse out onto Cromwell Road to the detriment of highway safety, particularly given the proximity to the signal controlled junction. The proposal is therefore not compliant with Cambridge Local Plan (2006) policy 8/2.

PLANNING COMMITTEE

1st March 2017

Application Number	16/1407/FUL	Agenda Item	
Date Received	28th July 2016	Officer	Charlotte Burton
Target Date	22nd September 2016		
Ward	Queen Ediths		
Site	28 Fendon Road Cambridge CB1 7RT		
Proposal	Part two storey part single storey rear extension, two storey front elevation, change of use of garage to habitable accommodation and change of use to three flats		
Applicant	Mr D Hazel 28 Fendon Road Cambridge CB1 7RT		

SUMMARY	The development accords with the Development Plan for the following reasons:
	The proposed extensions would have an acceptable impact on the residential amenity of neighbouring properties.
	The proposal would provide an acceptable level of amenity for future occupiers.
	The proposed front and rear extensions would enhance the appearance of the building and would not harm the character of the streetscene.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 28 is a two-storey detached property on the eastern side of Fendon Road. The property is red brick with a tiled hipped roof. The site has off-street parking on the front drive and a large garden to the rear.

- 1.2 The surrounding area is residential in character and is formed of similar-sized detached properties. To the east of the site lies a large recreation ground.
- 1.3 The site is not within a Conservation Area. The property is not listed and is not a Building of Local Interest. It is not within the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal is for a part two storey / part single storey rear and side extension, two storey front elevation to form a bow frontage, and change of use from dwelling to three flats, with associated landscaping, parking, bin store and cycle store.
- 2.2 During the course of the application, revised plans were submitted which included the following amendments:
 - ☐ Relocated proposed bin and cycle stores to the front of the site.
- 2.3 The application is accompanied by the following supporting information:
 - 1. Design and Access Statement
 - 2. Drawings

3.0 SITE HISTORY

Reference 15/1368/FUL	Description Two storey rear extension and single storey side extension (following demolition of garage and store)	Outcome Permitted
15/0838/FUL	Two storey rear extension and single storey side extension (following demolition of garage and store)	Withdrawn

4.0 PUBLICITY

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

5.0 POLICY

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

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

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

Central Government	National Planning Policy Framework March 2012
Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

Material	City Wide Guidance
Considerations	Cycle Parking Guide for New Residential
	Developments (2010)

5.4 <u>Status of Proposed Submission – Cambridge Local Plan</u>

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

6.1 No objection.

Sustainable Drainage Engineer

6.2	No objection. Recommended conditions: ☐ Details of surface water drainage scheme
	Environmental Health
6.3	No objection. Recommended conditions: Construction hours Piling
6.4	Recommended informative: Housing health and safety rating system

Refuse and Recycling team

- 6.5 No comment received.
- The above responses are a summary of the comments that have been received. Full details of the consultation responses 6.6

	can be inspected on the application file.
7.0	REPRESENTATIONS
7.1	The owners/occupiers of the following addresses have made representations:
	□ 26 Fendon Road□ 30 Fendon Road
7.2	The representations can be summarised as follows:
	 Support in principle for renovation of building in poor state of repair, however current proposal not sympathetic. Proposed extension is large and out of keeping with the size of the existing houses in the road. Proposed flats out of character with other family houses on the road. The property is likely to be used for HMO which will lead to increased noise and disturbance. Insufficient parking and noise and disturbance as cars are moved around. Plans are unclear about access to the front door, or about access for bikes and bins. Unclear about proposed brick material. Overshadowing from rear extension on No.30 rear rooms, conservatory and garden, and from front extension. Likely to be used to provide temporary accommodation for visiting hospital workers, so no real benefit to Cambridge. Frontage, rear garden and exterior will not be well maintained. Bowed frontage is out of keeping with the character of the road.
	 Unclear whether the footpath on the eastern site boundary would be retained

- 7.3 A consultation on the revised site landscaping plan closes on 24 February and any representations received will be reported on the amendments sheet.
- 7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
 - 1. Principle of development
 - 2. Context of site, design and external spaces
 - 3. Residential amenity
 - 4. Refuse arrangements
 - 5. Highway safety
 - 6. Car parking
 - 7. Cycle parking
 - 8. Third party representations

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider that additional dwelling units on this site could be supported.
- 8.3 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties or non-residential properties into self-contained dwellings will be permitted except where:
 - a) The residential property has a floorspace of less than 110m2;
 - b) The likely impact upon on-street parking would be unacceptable;
 - c) The living accommodation provided would be unsatisfactory;
 - d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and

- e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.4 The property would have an external floor space of more than 110m2 and therefore meets part a. I have assessed the impact on parts b-e in the relevant sections below and, in summary, in my opinion the proposal meets the criteria of policy 5/2, subject to conditions, and the principle of development is acceptable.

Context of site, design and external spaces

- 8.5 The property is located on the south eastern side of Fendon Road in a row of predominantly detached properties set back from the road with front gardens and a landscaped verge. The area is residential in character. The properties are typically post-war and individually designed, although red brick and render are common. The existing property is relatively poor quality compared to its neighbours and, in my opinion, has an unattractive frontage, however the red brick and traditional features blend in with the street scene.
- 8.6 The proposal includes a front extension to create a bow frontage. The box would project a maximum of 0.9m from the existing front elevation and would have a parapet which would project approximately 0.4m above the eaves. The property would retain the existing hipped roof. The windows would be arranged on a grid around a central front door. The front elevation would be smooth render with a brick plinth and edge to the parapet, brick quoins and brick headers.
- 8.7 Third parties have raised concern that the proposed bow front is out of character with the street scene. There is a mixture of building styles along Fendon Road and each of the properties is individually designed. As such, in my opinion, the proposed bow front while unusual would not conflict with the prevailing character of the street scene. The symmetrical arrangement of openings would, in my view, enhance the elevation. The depth of the front extension and the height of the parapet wall would not make it unduly prominent within the street scene. The use of render would match the neighbouring property and the brickwork detailing would be an attractive feature.
- 8.8 Also on the frontage, the proposal includes a single storey side extension to replace the existing garage, which would be visible

from the street. This element already has planning permission under the extant consent on the site (15/1368/FUL), albeit with a smaller window on the front elevation. Nonetheless, in my opinion, the scale and design would be appropriate for the street scene and the extension would appear subservient to the main house.

- 8.9 The proposed layout of the area in front of the building would provide some soft landscaping to enhance the streetscene. I have some concerns about the design of the cycle store annotated on the drawings with 'greysheeting', which would be located at the front of the site in a prominent position. I have recommended a condition for further details to be submitted so that materials can be controlled. No details have been provided regarding boundary treatments, and as such, I have recommended this is agreed through conditions. Subject to this, in my opinion, the external spaces would be acceptable.
- 8.10 The rear extensions would not be visible from the street and as such are less sensitive. The two storey extension would have hipped roof which would be lower than the ridge height of the existing building. Nonetheless, as the extension would be subservient to the existing house and would not be visible from the street scene, in my opinion, it would not harm the character of the area, subject to a condition for brickwork to match the appearance of the existing building. The proposed extensions are the same as those that were approved under the extant consent, which is a material consideration.
- 8.11 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.12 The nearest neighbours are the two adjacent properties - Nos. 26 and 30 Fendon Road. The extant consent for the rear extension is a material consideration as it provides a fallback situation. The impact of the rear extension on residential amenity – in terms of overlooking, overbearing and overshadowing – would be the same as the fallback situation. As such, in my opinion, the impact of the rear and side extensions on residential amenity would not be reasonable

planning grounds on which to refuse the current application. Nonetheless, for completeness, I have addressed these below, as I consider the impact to be acceptable.

☐ Side and rear extensions

- 8.13 In terms of overlooking, the proposed extension would have windows in similar positions to that of the existing rear elevation. The existing rear dormer and first floor windows on the side elevation would be removed. As a result, I consider that the overlooking from the proposed extensions would be acceptable.
- 8.14 Regarding overshadowing, the proposed works, by virtue of the orientation of the site to the northeast of No. 26, would not have an impact on light to this property. The main consideration is the impact on No. 30 which is to the north east and has a rear conservatory, rear facing windows and a large garden area.
- 8.15 The conservatory is situated to the southeast of the rear elevation, adjacent to the boundary with the application site. The windows of this conservatory that face out towards the southeast are already partially blocked by the wall of the existing side garage of No. 28 and so do not receive high levels of direct sunlight. There are also windows on this conservatory that face out towards the southeast and northeast but these windows only receive direct sunlight during the early morning hours due to the orientation of these windows to the sun's path. While there may be a slight increase in overshadowing during a limited period of time in the late morning and early afternoon hours from the extension, I do not consider this overshadowing will be so significant as to adversely harm the amenity in respect of this conservatory.
- 8.16 The windows on the rear elevation of No. 30 all face southeastwards and serve predominantly habitable rooms such as a kitchen and bedrooms. The proposed two-storey element of the extension will likely lead to an increase in overshadowing of the windows closest to the application site, but, again, this would be for a relatively limited period of the day and the amount of light these windows receive overall will not be significantly affected by the proposed development. Furthermore, the proposed two-storey extension has been designed with a hipped roof and set away from the boundary of

this neighbouring property. I consider these design measures are acceptable in reducing the impact of overshadowing over these neighbouring windows to a level that would not significantly harm this neighbour's amenity.

- 8.17 Finally, the garden space closest to the rear of the house would likely experience a degree of overshadowing during the middle of the day for a limited period of time. However, for the same reasons set out in the preceding paragraph, the design measures and extent of overshadowing is not considered to be so significant. Furthermore, the garden is of a considerable size and so the vast majority of the garden will not be significantly overshadowed by the proposed development.
- 8.18 In terms of visual enclosure and dominance, the proposed single-storey extension, by virtue of its scale and height, coupled with the detached nature and separation distances between properties, will not be perceived as visually enclosing or dominant from neighbouring properties. The main consideration is the impact of the proposed two-storey extension on neighbouring properties.
- 8.19 No. 26 Fendon Road is situated to the southwest of the application site and has several rear (southeast) facing windows on both floors, as well as some northeast facing windows on the side of a recent single-storey extension to this neighbouring property, which all serve habitable rooms. The proposed extension would not break the 45° line from the nearest rear facing windows. The proposed extension has also been set in marginally from the existing width of the dwelling to help mitigate the impact of enclosure on this neighbouring property. The northeast facing windows on the extension of this neighbouring property would be able to see the proposed extension. However, these windows would be situated approximately 9.5m from this proposed extension and this extension does have a southeast facing window which would not have a view of the proposed extension. In my opinion, whilst the proposed extension will be visible from the neighbouring windows, I do not consider the proposed extension would visually dominate this neighbour, particularly given that the proposal does not break the 45° line of this neighbours windows and is set away from this neighbour with a subservient ridge height and hipped roof.

- 8.20 No. 30 Fendon Road is situated to the northeast of the site and has a rear conservatory and rear facing windows which serve habitable rooms. As discussed, the conservatory of this neighbour does not have a positive outlook towards the application site and so I do not consider the proposed extension will exacerbate the levels of visual dominance any worse than at present. The proposed extension would not break the 45° line from the nearest first-floor window of No. 30 and the extension would be set approximately 3m away from the shared boundary with this neighbour. As a result, I do not consider the proposed extension will visually dominate the outlook from this neighbouring property.
- 8.21 It is worth stating that under permitted development rights, the applicants could extend out to the rear by up to 3m (where more than 2m away from the neighbouring boundary (such as the relationship with No. 30) without the need for planning permission (subject to meeting other criteria of these permitted development rights). Therefore, an assessment as to what the harm of the additional 0.4m proposed, particularly on no. 30, would have needs to be taken into account. I am of the opinion, that this additional 0.4m is unlikely to raise any significantly different residential amenity issues compared to that of a two-storey 3m deep extension, 2m away from the boundary.

☐ Front extension

8.22 I am satisfied that the proposed front extension would not lead to a significant overshadowing or enclosure on neighbouring properties, due to the scale of the projection and the separation distance between the bow front and the site boundary.

□ Change of use

- 8.23 Third parties have raised concerns about the impact of noise and disturbance from the increased number of units on the site. In my opinion, the property has a relatively large plot with space around it, so that there would not be an unacceptable impact.
- 8.24 Third parties have also raised concern about noise and disturbance from car movements due to a lack of car parking. The existing property already has a large area of hardstanding at the front which provides space for multiple cars to park. The site is in a highly sustainable location close to public transport

- links. In my opinion, the proposal is unlikely to generate a significant number of additional car movements compared to the existing situation.
- 8.25 During the course of the application, revised plans were submitted which relocated the bin store from the rear of the site to the front. The bin store provides space for three bins for each unit. I have concerns about the impact on residential amenity of the neighbouring property in terms of noise and odour from having 15 no. bins against the shared boundary. In my opinion, the units should have a communal bin store. As such, I have recommended a condition for further details of the bin store and management arrangements to be submitted.
- 8.26 In my opinion, the impact of noise and disturbance during construction on the residential amenity of nearby properties could be satisfactorily addressed through a condition to restrict construction and delivery hours.
- 8.27 Subject to the recommended conditions, it is my view that 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, 3/14 and 5/2.

Amenity of future occupiers

- 8.28 The ground floor unit has two bedrooms which have windows on the front elevation. During the course of the application, revised plans were submitted which provided more space for a landscape buffer in front of the ground floor bedroom windows. I have recommended a condition for details of a soft landscaping scheme for the area in front of the building, which should be implemented before the end of the first planting season following first occupation. In my opinion, this overcomes my previous concerns about noise and disturbance from car parking and the bin/cycle store, and overlooking affecting the amenity of the occupants of this room.
- 8.29 The ground floor unit also has a bedroom window on the side elevation facing towards the shared access. As this bedroom has a dual aspect, in my opinion, the future occupants could protect their privacy should they wish to do so, without having a significant adverse impact on their residential amenity.

- 8.30 At the rear, the ground floor unit would have bedroom, lounge and kitchen windows. I have concerns about overlooking from communal open space at the rear. The applicant has not submitted a landscaping scheme showing how the open space would be laid out, however, in my opinion, given the size of the plot, there would be space for defensible space in front of these windows, as well as providing a communal area of open space beyond. Furthermore, given the ground floor unit is 3-bed, an area of private amenity space should be provided for this unit. I have recommended a condition for the position of boundaries and boundary treatments to be submitted for approval, which would allow the space to be subdivided to provide private amenity space.
- 8.31 Subject to the comments above, I am satisfied that the future occupants would have access to an adequate amount and quality of amenity space at the rear of the site.
- 8.32 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/14 and 5/2.

Refuse Arrangements

8.33 During the course of the application, revised plans were submitted which relocated the bin store from the rear of the site to the front. The bin store provides space for three bins for each unit. I am satisfied that the bin store provides the required capacity and is in a convenient location. However, I have concerns about the impact on residential amenity of the neighbouring property in terms of noise and odour from having 15 no. bins against the shared boundary. As such, in my opinion, the units should have a communal bin store. I have recommended a condition for further details of the bin store and management arrangements to be submitted. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/13 and 5/2 in this regard.

Highway Safety

8.34 The Highways Authority has not objected to the proposal on highway safety grounds and I accept their advice. For this reason, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car Parking

8.35 The proposal includes three car parking spaces. Third parties have raised concern about inadequate car parking spaces, however the proposed provision is in accordance with the adopted maximum car parking standards outside the controlled parking zone. Moreover, the site is in a highly sustainable location within cycling and walking distance of the city centre, Addenbrooke's Hospital and public transport links. For this reason, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle Parking

8.36 During the course of the application, revised plans were submitted which relocated the cycle store from the rear of the site to the front. The cycle store provides four spaces which meets the adopted standards. I am satisfied that the store meets the required dimensions and is in a convenient location, however I have concerns about the proposed materials given the store's location at the front of the site, and it is not clear whether the store would be secure. For this reason, I have recommended a condition for further details of the cycle store to be submitted. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

8.37 Response as follows:

Comment	Response
Support in principle for renovation of building in poor state of repair, however current proposal not sympathetic.	Noted.

Proposed extension is large and out of keeping with the size of the existing houses in the road.	Paragraph 8.10.
Proposed flats out of character with other family houses on the road.	I do not consider that the proposed flats would be out of character with the residential area in principle.
The property is likely to be used for HMO which will lead to increased noise and disturbance.	The proposal is for conversion of the property to three flats and I have considered the impact of this use on residential amenity in the relevant section of my report. If the property was used as a HMO by 7 or more unrelated people then this would require planning permission and an assessment of this use would be made accordingly.
Insufficient parking and noise and disturbance as cars are moved around.	See paragraphs 8.24 and 8.35.
Plans are unclear about access to the front door, or about access for bikes and bins.	In my opinion, this has been resolved through the amended plans and the recommended condition for a detailed landscaping plan.
Unclear about proposed brick material.	I have recommended a condition for the bricks to match the appearance of the existing.
Overshadowing from rear extension on No.30 rear rooms, conservatory and garden, and from front extension.	See paragraphs 8.14 – 8.17.
Likely to be used to provide temporary accommodation for visiting hospital workers, so no real benefit to Cambridge.	The proposal would provide a mix of units which would contribute to meeting an evidenced demand in the city.

Frontage, rear garden and exterior will not be well maintained.	The maintenance of the property is not a relevant planning matter.
Bowed frontage is out of keeping with the character of the road.	See paragraph 8.7.
Unclear whether the footpath on the eastern site boundary would be retained.	I have recommended a condition for details of boundary treatments to be submitted and for these to be installed prior to first occupation.

9.0 CONCLUSION

9.1 There is an extant consent for the side and rear extensions is a material consideration, and I am satisfied the extensions would be acceptable in terms of response to context and residential amenity. The main considerations are therefore the proposed front extension, landscaping and the change of use. I am satisfied that, subject to conditions, the proposal meets policy 5/2 for the conversion of large properties, and the other relevant development 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.

 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. The brickwork 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)

- 7. 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 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.

Reason: In the interests of flood risk.

8. Notwithstanding the approved plans, 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 store, the dimensions and appearance of the storage facility including materials, and the arrangements to enable collection from the kerbside. approved facilities shall be provided prior to the first occupation of the units hereby permitted and shall be retained thereafter.

Reason: To protect the amenities of nearby residents /occupiers and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/11, 4/13 and 5/2).

 Notwithstanding the approved plans, prior to first occupation of the units hereby approved, the cycle store shall be provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be retained thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and to protect the visual amenity of the area. (Cambridge Local Plan 2006 policies 3/11, 5/2 and 8/6).

10. Prior to first occupation of the units hereby permitted, details of soft landscape works for the area in front of the building shall be submitted to and approved in writing by the local planning authority. Such details shall include planting plans; a schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. The soft landscaping shall be planted in accordance with the approved details before the end of the first planting season following first occupation of the units hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and 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 5/2)

11. Notwithstanding the approved plans, prior to first occupation of the units hereby permitted, the boundary treatments shall be provided in accordance with details that have been submitted to and approved in writing by the local planning authority. Such details shall include a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatments shall be retained thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of residential amenity (Cambridge Local Plan 2006 policies 3/11 and 5/2).

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

PLANNING COMMITTEE

1ST March 2017

Application Number Date Received	16/2021/FUL		Agenda Item Officer	Michael
Target Date Ward Site Proposal	Change of u	Street Cambrid	HMO with up	Hammond to 9 persons.
Applicant	Mr Zafar 56	Sturton Stree	t Cambridge	CB1 2QA
SUMMARY	-	developmer opment Plan The proposicharacter at Conservation	al would pi nd appearar	reserve the
		The propose use would nearby prope	respect the	•
		The propos		

1.0 SITE DESCRIPTION/AREA CONTEXT

RECOMMENDATION | APPROVAL

1.1 The application site, no.56 Sturton Street, is comprised of a large two-and-a-half storey dwelling situated on the east side of Sturton Street. There are two car parking spaces at the front of the site and a large garden to the rear. The building is constructed in a combination of brick, stone and render, with a pitched tiled roof, and has been extended at ground-floor, first-floor and roof level. The Cambridge Islamic College is immediately to the north of the site. The surrounding area is predominantly residential in character and is formed of two-storey semi-detached and terraced dwellings.

future occupants.

1.2 The site falls within the Central Conservation Area.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the change of use of the property from a dwellinghouse to a 9 bedroom house in multiple occupation (HMO), with a maximum of 9 persons occupying the premises. The proposal also includes single-storey rear extensions.
- 2.2 The proposed single-storey rear extensions would involve extending out from the rear wall by 2m at near full-width with a lean-to roof measuring approximately 2.5m to the eaves and 3.6m to the ridge. The existing flat roof single-storey extension, which projects deeper into the garden, would then be replaced with a pitched roof extension that is the same depth and roughly 0.7m wider. This replacement extension would be constructed with a pitched roof measuring 2.5m to the eaves and 3.5m to the ridge. The proposed works would be designed in matching slate and render to the existing building.
- 2.3 The two existing car parking spaces at the front of the site would be retained. The garden at the rear of the property would also be available for use by future occupants and bin and cycle storage would be stored in this garden.
- 2.4 Planning permission was refused at the Planning Committee meeting of 2 November 2016 for a 10 bedroom HMO, including single-storey rear extensions and a rear roof extension, for the following reason:
 - "The proposed additions to the dwelling, in particular the addition of the roof dormer, by virtue of their poor design, would neither preserve nor enhance the character and appearance of the Conservation Area. As such the proposal is contrary to Cambridge Local Plan 2006 Policies 3/14d and 4/11."
- 2.5 The applicant seeks to overcome this reason for refusal by removing the roof dormer from the new application and subsequently reducing the number of bedrooms down from 10 to 9.

3.0 SITE HISTORY

Reference 16/1442/FUL	with up to 10 persons. Single storey rear extensions and roof extension incorporating	Outcome Refused.
C/81/0753	additional rear dormer window. Erection of single-storey extension to front of existing dwelling house	Permitted.
C/79/0964	Erection of extensions and alterations to existing roof to provide additional bedroom to existing dwelling house	Refused.
C/79/0626	Erection of first floor extension, together with second floor extension, to existing dwelling house	Permitted.
C/77/0222	Erection of single storey and first floor extension to existing dwelling house.	Permitted.
C/70/0052	Extension to form two additional bedrooms	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	3/1 3/4 3/7 3/11 3/14	
		4/11 4/13
		5/7
		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)
Material Considerations	City Wide Guidance Cycle Parking Guide for New Residential Developments (2010)
	Area Guidelines Mill Bood Area Conservation Appraisal
	Mill Road Area Conservation 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 Control)

6.1 The development is likely to impose additional parking demands upon the on-street parking on the surrounding streets. Whilst this is unlikely to result in any significant adverse impact upon highway safety, the Planning Authority may wish to consider the impact upon residential amenity.

Urban Design and Conservation team

6.2 This house has been completely altered from the original Victorian semi with numerous additions to the front and rear, cladding and new window openings. It does not enhance the conservation area. This revised application has removed the large proposed box dormer which did not follow the roof extension design guidelines and would have been detrimental to the character of the conservation area. The remainder of the additions are relatively minor and the removal of the long flat roofed extension with a smaller pitched roof one is a positive change. The previous comment on the potential to harm the amenity of the conservation area with more cars and bins has

been ameliorated by the latest proposed small increase from the current eight rooms to nine.

Drainage Officer

6.3 No objection subject to condition.

Environmental Health Team

6.4 No objection, subject to construction hours condition and housing health and safety informative.

Waste Team

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

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations objecting to the planning application:
 - 83 Sturton Street
 - 16 Sturton Street
 - Petersfield Area Community Trust
- 7.2 The representations can be summarised as follows:
 - Loss of privacy
 - Out of character with the area
 - Pressure on on-street parking.
 - The proposal would set a precedent for other HMOs in the Conservation Area.
 - Land ownership query over ownership of Islamic College
 - HMO use class proposed is not correct and application should be assessed as student accommodation.
- 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
 - Context of site, design and external spaces and Impact on Conservation Area
 - 3. Residential amenity
 - 4. Refuse arrangements
 - 5. Highway safety
 - 6. Car and cycle parking
 - 7. Third party representations

Principle of Development

- 8.2 Cambridge Local Plan (2006) policy 5/7 states that 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 other local services.
- 8.3 The application has been assessed against each of these criteria within the 'Residential Amenity' section of this report.

Context of site, design and external spaces and Impact on Conservation Area

- 8.4 The proposed works are all situated to the rear of the site and would not be visible from the street scene or other public viewpoints.
- 8.5 The proposed single-storey rear extensions are relatively modest in scale and design and would not appear out of context with the existing building or surrounding area. At single-storey in scale and extending out to a depth of 2m at near full-width, I do not consider the proposed single-storey additions would unbalance the rear elevation of the building or represent an overdevelopment of the site.

- The reason for refusal of the previous permission related 8.6 specifically to the proposed rear box dormer as this would neither preserve nor enhance the character and appearance of the Conservation Area. This has now been removed from the proposal entirely and I consider that the previous reason for refusal The Urban has been overcome. Design and Conservation Team has raised no objection to the revised scheme and I agree with this advice. Overall, I am of the opinion that the proposal would preserve the character and appearance of the Conservation Area and is acceptable.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The proposed near full-width single-storey rear extension would not be visible from any ground-floor windows of neighbouring properties and I am confident that this element of the proposed works would not harmfully impact on the amenity of neighbours.
- 8.9 The proposed change in the roof form of the rear-most single-storey aspect from a 2.7m high flat roof to a pitched roof with an eaves height of 2.5m and ridge of 3.5m would not detrimentally impact on the amenity of the neighbour at no.54 Sturton Street. The rear-most building line would not be increased in depth and the alteration in roof form would not harmfully overshadow or visually dominate the nearest ground-floor window of this neighbour. The views out to the rear would be no worse than the existing first-floor and rear dormer windows and I am of the opinion that neighbour privacy would not be compromised by the proposed development.
- 8.10 The proposed change of use from an eight bedroom house to a nine person HMO would result in an increase in movements to and from the site. However, I do not envisage this increase would be significant enough to adversely impact on neighbour amenity. The material use of the site would be similar to that of present and the day-to-day activities and use of outdoor amenity space of a large HMO would not in my view result in any harmful noise and disturbance impacts on neighbours.

There is currently no restriction on the number of people occupying the property and it is conceivable that at least one of the eight bedrooms is occupied by two persons. Therefore, I do not anticipate there would be any more than one additional person occupying the premises as a result of the proposed change of use. Bin and cycle storage would be situated in the rear garden with an independent access from the street which would not involve people coming and going along the windows or amenity spaces of any neighbouring properties. Vehicle movements on-site would mirror that of present as the existing two car parking spaces would be retained. In my opinion, the change of use would not harmfully impact on the amenity of neighbours from a noise perspective. A condition has been recommended to restrict the number of occupants to nine persons to protect neighbour amenity.

- 8.11 In my opinion the proposal would not lead to a significant increase in on-street parking along Sturton Street. The proposal would provide sufficient levels of cycle parking and the site is also well served by frequent bus routes to the south of the site along Mill Road. The Mill Road (West) District Centre is less than 400m away from the site and there are good cycle and walking links into the City Centre. As a result, I consider the site to be in a sustainable location and not reliant on private car use as the sole means of travel. The City Council has maximum parking standards and there is no policy requirement for on-site car parking. Notwithstanding this, the proposal would retain the existing two car parking spaces which would fall within the aforementioned maximum standards of the Cambridge Local Plan (2006). The intensification of the site from the change of use may increase vehicle movements to the site but I do not foresee this increase would exacerbate on-street parking to such an extent as to harmfully impact on the amenity of nearby properties.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 5/7.

Amenity for future occupiers of the site

8.13 The proposal would provide nine bedrooms which would all have acceptable outlooks and would have their own en-suite

bathrooms. A large kitchen/ common room would be provided on the ground floor which leads onto the outdoor amenity space which would cover an area of approximately $85m^2$. Nine cycle parking spaces would be provided in the rear garden and two car parking spaces would be retained at the front of the site. A bin storage area would be situated in the rear garden with a straightforward route to drag bins out to the kerbside of Sturton Street on collection days. The Mill Road (West) District Centre is less than 400m away from the site and there are good cycle and walking links into the City Centre.

8.14 In my opinion the proposal provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/14 and 5/2.

Refuse Arrangements

- 8.15 The proposed positioning of bins in the rear garden and means of access onto Sturton Street on collection days is acceptable.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/7.

Highway Safety

- 8.17 The Highway Authority has raised no objection to the proposal on the grounds of highway safety.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.19 Car parking has been addressed in paragraph 8.11 of this report.
- 8.20 The proposal indicates nine cycle spaces in the rear garden. This is acceptable in principle but a condition has been recommended for details of the type of cycle parking facilities to be provided as this information has not been provided in the application.

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

Third Party Representations

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

Comment	Response
Out of character with the area.	The proposed works are
	considered to preserve the
	character and appearance of the
	Conservation Area.
Loss of privacy.	See paragraph 8.9 of this report.
Increase in parking pressure	See paragraph 8.11 of this report.
The proposal would set a	Any future applications for
precedent for other HMOs in the	changes of use from
Conservation Area.	dwellinghouses to HMOs
	occupied by seven or more
	persons (sui generis) will be
	assessed on their own merits.
Land ownership query over	The applicant has provided the
ownership of Islamic College	correct location plan with a blue
	line around the college.
HMO use class proposed is not	The applicant has not applied for
correct and application should be	the site to be used as a
assessed as student	residential institution (C2). The
accommodation.	occupation of the HMO by
	students of the Islamic College
	would still fall within the planning
	use class of a large HMO (sui
	generis).

9.0 CONCLUSION

9.1 The proposed works to the property would not harmfully overshadow, overlook or visually enclose any neighbouring properties. The proposal is considered to preserve the character and appearance of the Conservation Area. The proposed change of use of the property to a nine person HMO would not harm the amenity of properties in the surrounding area in terms of noise and disturbance, as well as on-street parking. The proposal would provide an acceptable standard of

living environment for future occupants. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

 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 property shall be occupied by no more than nine people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2006 policies 3/7 and 5/7)

5. Prior to occupation of the property, full details of facilities for the covered secure parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

6. In the event that the existing surface water drainage strategy for the dwelling is to be altered, a scheme for the disposals of surface water and foul water shall be provided to and agreed in writing with the local planning authority prior to the commencement of works. The development shall be carried out in accordance with the approved scheme.

Reason: To minimise flood risk (Paragraph 103 of the National Planning Policy Framework (2012)).

7. 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)

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



PLANNING COMMITTEE

1st March 2017

Application Number	16/1878/FUL	Agenda Item	
Date Received	25th October 2016	Officer	Michael Hammond
Target Date	20th December 2016		
Ward	West Chesterton		
Site	121 Milton Road Cambrid	ge CB4 1XE	
Proposal	Retrospective change of use from A1 Sandwich Bar to A3 Cafe with proposed installation of flue duct at the rear.		
Applicant	Mr Serkan Arslan 121 Milton Road Cambrid	ge CB4 1XE	

SUMMARY	The development accords with the Development Plan for the following reasons:
	 The café use does not detrimentally impact on neighbour amenity.
	 The proposed flue duct would not harm the amenity of neighbours, subject to condition.
	The change of use is considered to be acceptable in the Local Centre.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is situated on the western side of Milton Road and is within a row of units designated as a District and Local Centre.
- 1.2 The site falls outside of the controlled parking zone and there are no other site constraints.

2.0 THE PROPOSAL

2.1 The proposal, as amended, seeks full planning permission for the retrospective change of use from an A1 Sandwich Bar to an A3 restaurant/ cafe.

- 2.2 Planning permission (15/2351/FUL) was granted in March 2016 for the change of use of no.121 Milton Road from a D1 surgery to an A1 sandwich bar. Since the permission was implemented, the restaurant/ café element has intensified to a degree where this is now the predominant use of the site. The applicant therefore seeks retrospective permission for the change of use of the premises from a sandwich bar to a restaurant/ café.
- 2.3 To facilitate the restaurant/ café use, the applicant seeks to erect an extract flue to allow for hot food to be prepared on-site. The flue was originally proposed to be situated close to the main two-storey rear wall and rise above the ridge of the existing flat roof. This has since been changed to show the flue being positioned further to the rear of the site on top of the single-storey rear extension element and set below the ridge of the building.

2.4	The application is accompanied by the following information:
	□ Plans
	□ Design and access statement
	 Technical mechanical/ ventilation details of flue.

3.0 SITE HISTORY

Reference 15/2351/FUL	Description The proposal application is for	Outcome Permitted.
C/96/0902	change of use from D1 surgery to A1 sandwich bar. Change of use from shop (Class	APC dated
	A1) to dental surgery (Class D1) on ground floor (1st floor to remain in residential use)	05.02.1997
C/88/0107	CHANGE OF USE FROM GROUND FLOOR SHOP TO INSURANCE BROKERS (CLASS A2)	
C/82/0757	Change of use from retail shop (part only) to office	PERM
C/71/038	Construction of shopfront and fascia	APC dated 16.08.1971

4.0 PUBLICITY

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

5.0 POLICY

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

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

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

Central Government Guidance	National Planning Policy Framework March 2012
	National Planning Policy Framework – Planning Practice Guidance March 2014
	Circular 11/95 (Annex A)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for

consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

Original Comments

6.2 Further information regarding noise and vibration impacts of flue on neighbours is required.

Comments on additional information

6.3 No objection subject to construction hours, odour compliance and opening hours conditions.

Refuse and Recycling

6.4 No response received.

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

- 6.5 No response received
- 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

123 Milton Road

- 7.1 The owners/occupiers of the following addresses have made representations:
 113 Milton Road
 115 Milton Road
- 7.2 The representations can be summarised as follows:
 - The existing limited parking on the slip road is not respected or patrolled by Cambridgeshire Highways
 - Lack of car parking and pressure on surrounding streets.
 - The addition of a frying range will turn this into a takeaway.
 - What time will the business close?
 - The applicant has made threats which have since been reported to the police.
 - Impact of flue on no.123's bedroom window.
- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
 - 1. Principle of development
 - 2. Context of site, design and external spaces
 - 3. Residential amenity
 - 4. Refuse arrangements
 - 5. Highway safety
 - 6. Car and cycle parking
 - 7. Third party representations

Principle of Development

8.2 Policy 6/7 of the Local Plan (2006) states that change of use from A1 to A3 in Local Centres will only be permitted provided the percentage of A1 uses does not fall below 60%.

- 8.3 The applicant has stated that the sandwich bar use (A1) was implemented following the grant of planning permission last year, but this was only for a very brief period of time. The site has been operating as a restaurant/ café (A3) for the vast majority of the time since the occupier took over the premises.
- 8.4 In the strictest application of policy 6/7 of the Local Plan (2006), the application should have been accompanied with a survey of the Local Centre to ascertain whether the percentage of A1 uses does or does not fall below 60% following this change of use.
- 8.5 However, in assessing the application pragmatically, given the limited period of time that the sandwich shop use (A1) operated for, and the fact that the current use (A3) replaces what was previously a dentist (D1) which would not have required the application of this policy, I do not consider the strict test of this policy to be necessary in this instance.
- 8.6 Policy 6/10 of the Local Plan (2006) states that developments for use classes A3 will only be permitted:
 - a) Where the proposal will not give rise to unacceptable environmental problems or nuisance and the individual and cumulative impact of the development is considered acceptable; and
 - b) Where it is an existing centre.
- 8.7 The site is situated within the Arbury Road/ Milton Road Local Centre and criterion B is considered to be met.
- 8.8 The site is situated along Milton Road which is a busy arterial route into Cambridge that experiences relatively high volumes of car and pedestrian traffic. There are two existing takeaway (A5) uses present in close proximity to the west of the site. The frequency of people coming and going to the café use is less than that of the adjacent takeaways which typically have a higher turnover of customers and operate later into the evening. The design and access statement states that the hours of use are limited to 07:00 19:00hrs which is the same as those originally proposed for the sandwich bar use (15/2351/FUL). The Environmental Health Team has not objected to the hours provided that they are controlled by way of condition.

- 8.9 The introduction of a flue and hot food cooking on the site has the potential to harm neighbour amenity from an odour/ air quality perspective. At present, the building is not served by an extract flue and hot food cooking is limited accordingly. It is proposed that a flue will be erected on the rear elevation of the single-storey rear aspect of the building. The applicant has submitted technical supporting details regarding the type of ventilation which has been assessed by the Environmental Health Team. The Environmental Health Team is satisfied that the odour associated with this particular use, based on the information provided, would not have a harmful impact on neighbour amenity. However, the ventilation proposed is specific to this particular operator and the granting of planning permission for an A3 use could have a different occupier in the future which may be a different type of restaurant or have a larger size of kitchen. As a result, a condition has been recommended to ensure that the development is carried out in accordance with the flue details and that, in the event that a different occupier operates from the site, details of extraction shall be provided prior to use.
- 8.10 It is acknowledged that concerns have been raised regarding the lack of car parking in the front forecourt and the subsequent pressure this will put on the adjacent forecourts along the Local Centre. The proposal does not include any customer car parking. There is some car parking along the other forecourt areas to the east and west along Milton Road but these are typically reserved for premises which they are situated in front of. The City Council has maximum car parking standards and there is no requirement for car parking. The site is in a sustainable location, well served by public transport links and within walking and cycling distance of a wide catchment of residential properties in the local area. There are six cycle racks on the forecourt which provide ten cycle parking spaces, above the minimum requirements of the Local Plan (2006). In my opinion, the site is not dependent on private car as the main means of customer access to the site and the impact on the surrounding area in terms of on-street parking is not significant enough to have an adverse impact on residential amenity.
- 8.11 In my opinion, the principle of the development is acceptable and in accordance with policies 6/7 and 6/10 of the Local Plan (2006).

Context of site, design and external spaces

- 8.12 The proposal does not involve any significant changes to the existing building.
- 8.13 The proposed flue would not be highly visible from public view points and would be set below the ridge line of the existing building. I do not consider this would harm the character or appearance of the area and is acceptable.
- 8.14 In my opinion, the proposal is compliant with policies 3/4, 3/7 and 3/15 of the Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 The impact of the use of the site as a café, and the odour associated with the flue, on residential amenity has been assessed in paragraphs 8.8 8.10 of this report.
- 8.16 The physical addition of the flue is situated away from neighbouring windows and I do not consider this would harmfully overshadow or visually dominate neighbouring outlooks.
- 8.17 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Refuse Arrangements

8.18 The plans show the same refuse arrangements as those permitted under the previous permission for the sandwich bar (15/2351/FUL). The café use has different waste storage requirements to that of a retail use. There appears to be adequate space within the rear yard area to accommodate the number of bins required for this type of development. Therefore, I have recommended that within 3 months of permission being issued, details of the refuse arrangements shall be submitted to and agreed in writing.

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

Highway Safety

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

Car and Cycle Parking

- 8.22 The proposal would provide two dedicated staff parking spaces as the rear of the site using the existing parking arrangements. Car parking and cycle parking for customers has been addressed in paragraph 8.9 of this report.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

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

The existing limited parking on	This is a matter for the
the slip road is not respected	Highway Authority and not a
or patrolled by Cambridgeshire	planning consideration under
Highways.	this application.
Lack of car parking and	This has been addressed in
pressure on surrounding	paragraph 8.8 of this report.
streets.	
The addition of a frying range	The frying of food on the
will turn this into a takeaway.	premises is permitted under
	the café (A3) use. If hot food is
	being taken away from the site
	then this may constitute a
	change of use to a hot food
	takeaway (A3). If this becomes
	the predominant use of the site
	then a new application will be
	required which will be
	assessed on its own merits.
	assessed on its own inchis.

What time will the business	The premises will close at
close?	19:00hrs in the evening under
	the agreed hours of use which
	will be controlled by condition.
The applicant has made	This is a police matter and not
threats which have since been	a planning consideration.
reported to the police.	
Impact of flue on no.123's	This has been addressed in
bedroom window.	paragraph 8.9 of this report.

9.0 CONCLUSION

9.1 In conclusion, I consider the retrospective change of use does not impact on neighbour amenity and complies with policy in terms of the principle of the use. The proposed flue duct at the rear of the building would not unduly disturb neighbours in terms of odour and is visually acceptable. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

 No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays. Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

4. The premises shall not be open for members of the public outside the hours of 07:00 - 19:00.

Reason: To protect the amenities of nearby properties (Local Plan 2006 policies 4/13 and 6/10).

Within 3 months of this permission being granted, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall include a timescale for provision and shall identify the specific positions of where wheeled bins, or any other means of storage, will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided in accordance with the agreed timescale and retained as such thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12, 4/13 and 6/10

6. Within 3 months of this permission being granted, the flue duct hereby permitted shall be installed in accordance with drawing no. 19.10.09 and the document titled "Specification & Defra Report" dated 25 November 2016 and retained in accordance with these details thereafter. In the event that the A3 use of the site differs from the use stated within the Revised Design and Access Statement dated 2nd December 2016 (submitted in support of Planning Application reference 16/1878/FUL), in terms of the type of cooking on the premises, full details of the odour filtration/extraction system of the new occupier shall be submitted to and approved in writing by the local planning authority prior to use and retained as such thereafter.

Reason: To protect the amenities of nearby residents/occupiers (Cambridge Local Plan 2006 policies 4/13 and 6/10)

INFORMATIVE: The flue system shall be designed in accordance with Annex B and C of the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," (January 2005) and/or its subsequent amendments.

Agenda Item 17

CAMBRIDGE CITY COUNCIL

REPORT OF: Director of Planning and Economic Development

TO: Planning Committee DATE: 1st March 2017

WARD: Abbey

PLANNING ENFORCEMENT REPORT FOR:

Address: 49 Whitehill Road, Cambridge, Cambridge CB5 8LU

Details of Alleged Breaches of Planning Control:

Without planning permission, the unauthorised change of use of the Premises to a large scale House in Multiple Occupation (Sui Generis), the unauthorised change of use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main building at the Premises as a separate self-contained unit of accommodation, and the unauthorised use of the outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate self-contained unit of accommodation.

SUMMARY	A Planning Enforcement investigation has been carried out and ascertained that four breaches of planning control have occurred at the premises.
RECOMMENDATION	Serving one Enforcement Notice encompassing the three change of use breaches at the premises that occurred at the same time, whilst under enforcing the removal of the outbuilding through the fallback position of the outbuilding being used for 'incidential' use within The General Permitted Development Order.
NOTICE TYPE	Enforcement Notice Material Change of Use x1.

1 INTRODUCTION

- 1.1 49 Whitehill Road is a semi-detached two storey house on the west side of the road close to its junction with Thorleye Road. A number of extensions have been undertaken to the house and at the time of the initial site visit by the planning enforcement officer a large outbuilding had been erected in the rear garden.
- 1.2 During the site visit it was ascertained that the site was occupied as follows:

House – landlord and 6 family members and two tenants Self contained part of house – two tenants Garden room – two tenants Total = 12

1.3 The site is not in a Conservation Area and there are no protected trees, listed buildings or Buildings of Local Interest (BLI) in the vicinity. The site is not in the Controlled Parking Zone (CPZ).

2 PLANNING HISTORY

2.1 Planning applications

12/0880/FUL	Two storey side extension and single	Granted
	storey rear extension	Permission
13/0010/FUL	Single storey front extension	Granted
		Permission
13/1125/FUL	Two storey side, single storey front,	Granted
	single storey/part two storey rear	Permission
	extensions	
16/1286/FUL	Retrospective single storey detached one	Pending
	bedroom dwelling	Refused

2.2 Planning Enforcement

Current Investigation ref:EN/0065/16.

3 COMMENTS OF ENFORCEMENT INVESTIGATION

3.1 The site was initially referred to the Planning Enforcement Team by officers from the city council Environmental Health Team on 24th February 2016 and a joint site visit by officers from both teams took

- place on 15th March 2016. Evidence was obtained during this visit in relation to the alleged breaches of planning permission.
- 3.2 A request for information from the owner relating to findings of the site visit was made on 18th March 2016 to which the owner replied that the builder who undertook works at the premises would reply with the information. Council records show that no reply was received.
- 3.3 The owner was advised of numerous breaches of planning control at the premises on 11th April 2016.
- 3.4 Two Principal planning officers visited the premises on 8th July 2016 where they met the owner and discussed the breaches of planning control that had occurred.
- 3.5 A case review was initially carried out and no retrospective planning applications have been received for any of the four breaches identified and listed below:

Without planning permission, the unauthorised change of use of the Premises to a large scale House in Multiple Occupation (sui generis)

Without planning permission, the unauthorised change of use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main dwellinghouse at the Premises as a separate unit of self-contained accommodation.

Without planning permission, the unauthorised erection of an outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises.

Without planning permission, the unauthorised use of the outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate unit of self-contained accommodation.

3.6 It is considered that planning conditions could not overcome the identified planning harm described in the reasons for service of the notice with regard to these unauthorised changes of use and operational development at the premises at the time of writing this report.

- 3.7 It is noted that the breaches would be immune from enforcement action after 4 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the unauthorised changes of use and operational development would benefit from planning consent after 4 years.
- 3.8 Despite the multiple natures of breaches at the premises it is recommended in the interests of planning clarity to serve one enforcement notice covering the alleged three unauthorised uses at the Premises. This matter was reviewed by Principal Planning Officers on 10th February 2017 and a decision was taken not to serve a notice requiring the demolition of the outbuilding at the premises. It is recognised that a structure approximately of the same dimensions would benefit from permitted development rights if erected for use incidental to the activities at the rest of the premises. The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the outbuilding at the premises to be used in such an incidental manner of use. In relation to each breach, all interested parties are to be served with notice to carry out the requirements of the notice.

4 RELEVANT PLANNING POLICIES AND OTHER MATERIAL CONSIDERATIONS

4.1 The National Planning Policy Framework states:

'Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.'

4.2 National Planning Policy Guidance states:

Para 17b-003: 'There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control'.

4.3 Cambridge Local Plan 2006

- 3/1 Sustainable Development
- 3/4 Responding to context
- 3/7 Creating successful places
- 3/10 Sub-division of Existing plots
- 3/12 The Design of New Buildings
- 3/14 Extending buildings
- 4/3 Safeguarding features of amenity
- 5/2 Conversion of Large Properties
- 5/7 Supported housing/Housing in multiple occupation
- 8/6 Cycle Parking

5 INVOLVEMENT OF OTHER COUNCIL DEPARTMENTS OR OTHER AGENCIES

- 5.1 During the course of the investigation contact has been made with the following agencies/departments to seek to address issues at the site which fall outside of the planning enforcement remit but which other departments may be able to address:
 - Environmental Health Officers have been contacted in respect of the living arrangements and have advised that a HMO licence has been granted.
 - Highways stated when consulted on the recent retrospective planning application that additional parking demands at the premises may lead to loss of residential amenity.
- 5.2 The planning enforcement officers have taken into account the parking comments and will work with HMO Licencing Officers to assist where possible as the service of an enforcement notice may lead to a variation of the HMO licence at some point in the future.

6 CONSIDERATION OF ENFORCEMENT OPTIONS

- 6.1 It appears to the Council that the breaches of planning control have occurred within the last 4 years.
- 6.2 The Council has no record that planning permission has been granted for the works outlined above.

- 6.3 It is considered that planning conditions could not overcome the identified planning harm described within the reasons for service of the Enforcement notice with regard to these unauthorised changes of use and operational development.
- 6.4 It is noted that the breaches would be immune from enforcement action after 4 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the unauthorised changes of use and operational development would benefit from planning consent after 4 years.
- 6.5 Despite the multiple natures of breaches at the premises it is recommended in the interests of planning clarity to serve one enforcement notice covering the alleged three unauthorised uses at the Premises. This matter was reviewed by Principal Planning Officers on 10th February 2017 and a decision was taken not to serve a notice requiring the demolition of the outbuilding at the premises. It is recognised that a structure approximately of the same dimensions would benefit from permitted development rights if erected for use incidental to the activities at the rest of the premises. The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the outbuilding at the premises to be used in such an incidental manner of use. In relation to each breach, all interested parties are to be served with notice to carry out the requirements of the notice.
- 6.6 It is noted in this investigation that the existence of one breach may affect the chances of planning consent being permitted in relation to another breach at the premises. It is also acknowledged that a notice served in relation to the alleged unauthorised erection of the outbuilding at the Premises, would require the demolition of a structure that would likely to be granted planning permission as incidental in use to the activities at the rest of the premises. Such uses include those not normally found inside the main dwelling house at the Premises and therefore the outbuilding if allowed to remain should not contain any cooking facilities, sleeping accommodation or items that can reasonably be expected to be contained within the main building. There are various examples of case law which reflects what is deemed to be incidental. Whilst an enforcement notice stating for such facilities or items to be removed from the outbuilding may seem onerous, it should be seen as an example of where the use of enforcement notices can lead to instances of underforcement where it is considered practicable and correct to do so.

7 POLICY CONSIDERATIONS

- 7.1 Enforcement is a discretionary power and the Planning Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.
- 7.2 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Enforcement Policy and the City Council's Corporate Enforcement Policy.
- 7.3 Consideration should be given to the Human Rights Act 1998 and to the Equality Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equality Act. The duty is to have due regard to the need (in discharging its functions) to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a
 protected characteristic and those who do not. This may include
 removing, minimising disadvantages suffered by persons who
 share a relevant protected characteristic that are connected to that
 characteristic; taking steps to meet the special needs of those with
 a protected characteristic; encouraging participation in public life
 (or other areas where they are underrepresented) of people with a
 protected characteristic(s).
 - Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion or belief. sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

7.4 Officers consider that the service of the Enforcement Notices, referred to above, with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the public interest to achieve the objective of upholding national and local planning policies.

8 OTHER MATTERS

- 8.1 The following issues have also been raised in respect of the enforcement investigation by the complainant/developer
 - Personal circumstances
 - Costs

Consideration has been given to the points raised however, it is concluded that these would not override the need to remedy the breach of planning control in this instance.

9 RECOMMENDATION

Without planning permission, the unauthorised change of use of the Premises as a large scale House in Multiple Occupation (Sui Generis), the unauthorised change of use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main building at the Premises as a separate self-contained unit of accommodation, and the unauthorised use of the outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate self-contained unit of accommodation.

9.1 (i) To authorise an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) alleging that there has been a breach of planning control within the last four years, involving the unauthorised material change of use of the Premises into a large scale House in Multiple Occupation, (Sui Generis), the unauthorised change of use of part of the ground floor of the main building at the premises as a separate self-contained unit of accommodation and the unauthorised use of the outbuilding at the premises as a separate self-contained unit of accommodation, specifying the steps to comply and the period for compliance set out in paragraphs 9.2 and 9.3, for the reasons contained in paragraph 9.4.

- (ii) to authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
- (iii) to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notice.

9.2 Steps to Comply

- 9.21 Permanently cease the use of the Premises as a large scale House in Multiple Occupation (sui Generis).
- 9.22 Permanently reduce the number of persons living at the premises to no more than six(6) where the premises are not entirely inhabited by members from one family.
- 9.23 Permanently cease the use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main dwelling house at the Premises as a separate unit of self-contained accommodation.
- 9.24 Permanently cease the use of the single storey outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate unit of self-contained accommodation.
- 9.25 Permanently remove all but one set of kitchen and cooking facilities from the Premises, including the outbuilding.
- 9.26 Permanently remove all beds and bedding materials not in storage from the outbuilding.
- 9.27 Permanently remove the shower from the outbuilding.

9.3 Period for Compliance:

Four [4] month(s) from the date the notice comes into effect.

9.4 Statement of Reasons:

(i) It appears to the Council that the breach of planning control has occurred within the last four years (Section 171B(1)).

The applicant has undertaken development without the benefit of planning permission

- (ii) The change of use of the Premises into a large scale House Multiple Occupation includes the provision accommodation for 12 persons over 8 bedrooms which results in a highly intensive use of the site. This results in an unacceptable living environment for the current and future residents through: cramped living conditions; cramped external amenity space, particularly in the rear garden between buildings; and, noise and disturbance and a poor level of privacy to occupiers of the ground floor rear selfcontained unit of accommodation and through the coming and goings of people to and from the bike shed, the outbuilding used as a separate unit of self-contained unit of accommodation and in their use of the garden. This gives rise to conditions unlikely to result in a high quality living environment for the current and future occupiers of the site. This is contrary to Policies 3/1, 3/4, 3/7, 3/10, 3/14, 5/2 and 5/7 of the Cambridge Local Plan 2006.
- (iii) The change of use of the Premises as a large scale House in Multiple Occupation results in an insufficient level of garden space for occupants. Properties in this area generally have much larger gardens and given that the House in Multiple Occupation is occupied by a high intensity of people, adequate garden space is critical to providing a high quality living environment for future occupiers. This results in a failure to provide a high quality living environment for occupiers. This is contrary to Cambridge Local Plan (2006) policies 3/7 and 5/7.
- (iv) The creation of а separate self-contained accommodation to the ground floor rear of the main dwelling house at the premises in conjunction with the use of the rest of the main dwelling house as a large scale HMO results in a highly intensive use of the site. This results in unacceptable living environment for the current and future residents through: cramped living conditions; cramped external amenity space, particularly in the rear garden between buildings; and, noise and disturbance and a poor level of privacy to occupiers of the ground floor north-east facing self-contained unit of accommodation through the

coming and goings of people in their use of the garden in close proximity to bedroom windows. This results in a failure to provide a high quality living environment for current and future occupiers of the site. This is contrary to Policies 3/1, 3/4, 3/7, 3/10, 3/14, 5/2 and 5/7 of the Cambridge Local Plan 2006.

- Insufficient private amenity space has been provided at the (v) premises for the large scale HMO use, the use of part of the unit of self-contained floor as a separate accommodation and the use of the outbuilding in the rear garden as a separate unit of accommodation. outbuilding occupies a large footprint within the rear garden and significantly reduces the amount of amenity space for all three properties, in an area which is characterised by long Residents using the shared rear garden at rear gardens. No.49 Whitehill Road would be able to look into windows of either the main building or the single window serving the retrospective studio dwelling. Occupants of all dwellings would be able to overlook the outdoor amenity space and therefore it does not provide adequate private amenity space for either dwelling. This is contrary to policies 3/10, 3/7 and 3/12 of the Local Plan (2006).
- (vi) The introduction of the self-contained unit of accommodation in the outbuilding located in the rear garden of the property increases the comings and goings to the property. Occupants and visitors to the self-contained unit of accommodation in the outbuilding walk along the side of the main dwelling of No.49 Whitehill Road and this may give rise to conditions resulting in noise disturbance to the main dwelling and fails to comply with policies 3/10 and 4/13 of the Local Plan (2006).
- (vii) Insufficient details have been received regarding bin and bicycle storage for either the main dwelling of No.49 Whitehill Road, the ground floor separate unit of accommodation or the retrospective studio dwelling. This is contrary to policies 3/7, 3/12 and 8/6 of the Local Plan (2006).
- (viii) The use of the outbuilding at the Premises as a separate unit of self-contained accommodation detracts from the prevailing character and appearance of the area. The nearby properties

are characterised by long gardens to the rear that do not contain separate units of self-contained accommodation. The introduction of the use of the outbuilding as a separate unit of accommodation is therefore at odds with the predominant character of the area. This is contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Local Plan (2006).

- (ix) It is considered that planning conditions could not overcome the identified objections with regard to this unauthorised change of use.
- 9.5 Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

BACKGROUND PAPERS

Site visit site notes 8.7.16 Site visit photographs 8.7.16

APPENDICES

Plan detailing layout of site 'Premises'

The contact officer for queries on the report is John Shuttlewood on extension 457326.

Report file: N:\Development Control\Planning\Committee\Committee Items for Submission to Committee Services\Planning Committee\2017\March 1st 2017

CAMBRIDGE CITY COUNCIL

Cambridge City Council

DRAFT ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT Town and Country Planning Act 1990 (TCPA 1990)

IMPORTANT NOTICE - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Served by: CAMBRIDGE CITY COUNCIL (the Council)

1. ENFORCEMENT NOTICE

This is a formal notice issued by the Council because it appears that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the TCPA 1990, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THIS NOTICE RELATES

Land at 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU, shown edged red on the attached plan (the Premises).

3. ALLEGED BREACH OF PLANNING CONTROL

Without planning permission, the unauthorised change of use of the Premises as a large scale House in Multiple Occupation (Sui Generis), the unauthorised change of use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main building at the Premises as a separate self-contained unit of accommodation, and the unauthorised use of the outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate self-contained unit of accommodation.

4. REASONS FOR ISSUING THE NOTICE

- (i) It appears to the Council that the breach of planning control has occurred within the last four years (Section 171B(1)). The applicant has undertaken development without the benefit of planning permission
- (ii) The change of use of the Premises into a large scale House in Multiple Occupation includes the provision of accommodation for 12 persons over 8 bedrooms which results in a highly intensive use of the site. This results in an unacceptable living environment for the current and future residents through: cramped living conditions; cramped external amenity space, particularly in the rear garden between buildings; and, noise and disturbance

and a poor level of privacy to occupiers of the ground floor rear self-contained unit of accommodation and through the coming and goings of people to and from the bike shed, the outbuilding used as a separate unit of self-contained unit of accommodation and in their use of the garden. This gives rise to conditions unlikely to result in a high quality living environment for the current and future occupiers of the site. This is contrary to Policies 3/1, 3/4, 3/7, 3/10, 3/14, 5/2 and 5/7 of the Cambridge Local Plan 2006.

- (iii) The change of use of the Premises as a large scale House in Multiple Occupation results in an insufficient level of garden space for occupants. Properties in this area generally have much larger gardens and given that the House in Multiple Occupation is occupied by a high intensity of people, adequate garden space is critical to providing a high quality living environment for future occupiers. This results in a failure to provide a high quality living environment for occupiers. This is contrary to Cambridge Local Plan (2006) policies 3/7 and 5/7.
- (iv) The creation of a separate self-contained unit of accommodation to the ground floor rear of the main dwelling house at the premises in conjunction with the use of the rest of the main dwelling house as a large scale HMO results in a highly intensive use of the site. This results in an unacceptable living environment for the current and future residents through: cramped living conditions; cramped external amenity space, particularly in the rear garden between buildings; and, noise and disturbance and a poor level of privacy to occupiers of the ground floor north-east facing self-contained unit of accommodation through the coming and goings of people in their use of the garden in close proximity to bedroom windows. This results in a failure to provide a high quality living environment for current and future occupiers of the site. This is contrary to Policies 3/1, 3/4, 3/7, 3/10, 3/14, 5/2 and 5/7 of the Cambridge Local Plan 2006.
- (v) Insufficient private amenity space has been provided at the premises for the large scale HMO use, the use of part of the ground floor as a separate unit of self-contained accommodation and the use of the outbuilding in the rear garden as a separate unit of accommodation. The outbuilding occupies a large footprint within the rear garden and significantly reduces the amount of amenity space for all three properties, in an area which is characterised by long rear gardens. Residents using the shared rear garden at No.49 Whitehill Road would be able to look into windows of either the main building or the single window serving the retrospective studio dwelling. Occupants of all dwellings would be able to overlook the outdoor amenity space and therefore it does not provide adequate private amenity space for either dwelling. This is contrary to policies 3/10, 3/7 and 3/12 of the Local Plan (2006).
- (vi) The introduction of the self-contained unit of accommodation in the outbuilding located in the rear garden of the property increases the comings

and goings to the property. Occupants and visitors to the self-contained unit of accommodation in the outbuilding walk along the side of the main dwelling of No.49 Whitehill Road and this may give rise to conditions resulting in noise disturbance to the main dwelling and fails to comply with policies 3/10 and 4/13 of the Local Plan (2006).

- (vii) Insufficient details have been received regarding bin and bicycle storage for either the main dwelling of No.49 Whitehill Road, the ground floor separate unit of accommodation or the retrospective studio dwelling. This is contrary to policies 3/7, 3/12 and 8/6 of the Local Plan (2006).
- (viii) The use of the outbuilding at the Premises as a separate unit of self-contained accommodation detracts from the prevailing character and appearance of the area. The nearby properties are characterised by long gardens to the rear that do not contain separate units of self-contained accommodation. The introduction of the use of the outbuilding as a separate unit of accommodation is therefore at odds with the predominant character of the area. This is contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Local Plan (2006).
- (ix) It is considered that planning conditions could not overcome the identified objections with regard to these unauthorised changes of use.

Mindful of the National Planning Policy Framework, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control. Consideration has been given to the Human Rights Act and officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). The Council has also had regard to its public sector equality duty under S.149 of the Equality Act 2010. Officers consider that the service of an enforcement notice with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies.

5. WHAT YOU ARE REQUIRED TO DO

You must:

- (i) Permanently cease the use of the Premises as a large scale House in Multiple Occupation (sui Generis).
- (ii) Permanently reduce the number of persons living at the premises to no more than six(6) where the premises are not entirely inhabited by members from one family.
- (iii) Permanently cease the use of part of the ground floor of the main dwelling house (outlined pin bluggen attached plan for identification

purposes only) at the Premises as a separate unit of self-contained accommodation.

- (iv) Permanently cease the use of the single storey outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate unit of self-contained accommodation.
- (v) Permanently remove all but one set of kitchen and cooking facilities from the Premises, including the outbuilding.
- (vi) Permanently remove all beds and bedding materials not in storage from the outbuilding.
- (vii) Permanently remove the shower from the outbuilding.

6. TIME FOR COMPLIANCE

The periods for compliance with the steps set out in paragraph 5 are: Four (4) month(s) from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on, 3rd April 2017 unless an appeal is made against it beforehand.

Signed: Date: 3 March 2017

Director of Planning and Economic Development

On behalf of: Cambridge City Council

PO Box 700 Cambridge CB1 0JH

ANNEX

CAMBRIDGE CITY COUNCIL has issued an enforcement notice relating to land at 49 Whitehill Road, Cambridge Cambridgeshire CB5 8LU, and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this Annex.

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be **received** by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) **before** the date specified in paragraph 7 of the notice.

If you want to appeal against this enforcement notice you can do it:

Online at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs).

By getting enforcement appeal forms from the Planning Inspectorate on 0117 372 6372 or by e-mailing the Planning Inspectorate at enquiries@pins.gsi.gov.uk.

In exceptional circumstances you may give notice of appeal by letter or e-mail. You should include:

The name of the local planning authority.

The site address.

Your address.

The effective date of the enforcement notice.

This should **immediately** be followed by your completed appeal forms.

The Planning Inspectorate's address and contact details are as follows:

The Planning Inspectorate PO Box 326 Bristol BS99 7XF

Direct line: 0303 444 5000

Email: enquiries@pins.gsi.gov.uk

Under section 174 of the TCPA 1990 you may appeal on one or more of the following grounds that:

In respect of any breach of planning control which may have been constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged.

Those matters have not occurred.

Those matters (if they have occurred) do not constitute a breach of planning control.

At the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.

Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990.

The steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach.

Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed. Not all of these grounds may be relevant to you.

If you appeal under ground (a) of section 174(2) of the TCPA 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £330. You should pay the fee to Cambridge City Council.

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 are attached for your information.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken

within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Persons served with a copy of this enforcement notice are as follows:

The Owner(s), 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU The Occupier(s), 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU The Occupier(s), Ground floor flat, 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU

The Occupier(s), Rear Outbuilding, 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU

Any Person With a Known Interest in, 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU

SHOFINA KHATUN HAQUE, 49 Whitehill Road, Cambridge, Cambridgeshire, CB5 8LU

MORTGAGE EXPRESS of P.O. Box 88, Croft Road, Crossflatts, Bingley, West Yorks BD16 2UA and of Bingley Operations Centre, Main Street, Bingley, West Yorks BD16 2LW.



Agenda Item 18

Agenda Item

CAMBRIDGE CITY COUNCIL

REPORT OF: Director of Planning and Environment

TO: Planning Committee 1/3/2017

WARDS: All

LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINT REFERENCE 16 006 971

1 INTRODUCTION

- 1.1 The LGO has upheld a complaint relating to the determination of a planning application for an access control barrier to a private road (retrospective). The LGO did not find that any of the failures identified amounted to 'significant injustice'. A copy of the LGO decision is attached.
- 1.2 In summary the Ombudsman's final decision was as follows:

The Ombudsman found fault as a result of Mrs M's complaint about the way in which the Council considered a retrospective planning application for an automatic barrier. The case officer failed to explain in the report that she had not viewed submitted video and photographic evidence. Nor did she tell Mrs M this in advance to allow her the chance to provide it in a different format. The fault caused no 'significant injustice' in the words of the LGO, because the officer provided the planning committee with a separate summary of this evidence and accepted what Mrs M said it contained.

2. **RECOMMENDATIONS**

- 2.1 To note that the Local Government Ombudsman has upheld a complaint relating to the determination of a planning application.
- 2.2 To note that in these circumstances, the Head of Legal Services, as the Council's Monitoring Officer, has an obligation to report the findings to the Executive. The Executive is obliged to set out what

action has already been taken in respect of the findings, what action it intends to take and the reasons for taking the action.

3. THE COMPLAINT AND THE LGO INVESTIGATION

- 3.1 The complainant complained that the Council failed to properly consider a retrospective planning application for an automated barrier across a nearby private road when it granted planning permission and that the Council failed to properly investigate her complaint. As a result she considered the barrier impacts on her quality of life. The LGO investigated these issues under the following headings:
 - Overlooking video evidence
 - Inaccuracies in report
 - Failure to consider noise impact
 - The (Internal Complaints Investigator) complaint process

I have used these headings to set out details of the complaint and the LGO decision below.

Overlooking video evidence

- 3.2 As part of her representations in response to consultation on the planning application the complainant submitted a dossier to the case officer which included video and photographic evidence, part on paper and part on disc. She offered to convert the photographs/video images to a different format if this was necessary to allow access to them.
- 3.3 The case officer was unable to access the photographs/video material because these had been blocked by the Council's IT security system. She relied only on the written submissions from the complainant when she prepared her Committee Report. She did not respond direct to the complainant to advise that she had not been able to view the video material or request its submission in a different format. However it was made clear on the Amendment Sheet that photographs/video was not assessed. The assumption was that the photographs/video supported the written material which was referred to.
- 3.4 The LGO view is that the Committee report refers to the photographs/video and the reasonable inference to be drawn from that is that the case officer had viewed and considered this evidence. The LGO considered that the Council was at fault because there was a failure to clarify what had been viewed. The LGO also found fault

with the Council because the case officer did not contact the complainant to explain why she was unable to view the material and to invite a submission in an alternative format.

3.5 However, the LGO did not consider that the inaction by the Council amounted to 'significant injustice' because the fact that the photographs/video were not viewed was made clear on the Amendment Sheet and an objector raised the issue in the public speaking section of the agenda item. The Committee determined the application in the light of this situation and had the opportunity to adjourn while the material was made accessible if they felt this had been necessary.

Inaccuracies in report

- 3.6 The complainant referred to a number of inaccuracies in the Committee Report/Committee debate as follows:
 - a) The Chair referred to the road as a dead-end and it is not.
 - b) Inadequate explanation of the fact that the location of yellow lines meant that waiting vehicles were outside the complainant's house
 - c) The Committee did not note a Councillor's attempt to mediate between the residents and the applicants.
 - d) Inadequate explanation of the facts about the previous gate.
- 3.7 The LGO did not find fault with any of these issues.

Failure to consider noise impact

- 3.8 The complainant complained that the Council failed to investigate complaints about noise and that her independent noise survey was not properly considered as part of the application.
- 3.9 The LGO did not find fault in relation to these issues. The LGO accepted that the Council had made reference to the complainant's noise survey in the report and Amendment Sheet and that the noise report was available to the Committee. The LGO considered that complaints about noise had been properly dealt with by the Environmental Health team.

The (Internal Complaints Investigator) complaint process

3.10 The complainant considered that her complaints had not been properly considered. The LGO was satisfied that complaints had

been addressed by the ICI and did not find fault with the way in which the Council had dealt with the complainant's complaints.

4 LGO AGREED ACTION AND FINAL DECISION

- 4.1 The LGO recommends the following action within 4 weeks of the decision (by 20 February 2017):
 - a) Send the complainant a written apology for the fault identified
 - b) Confirm it has acted on and implemented the complaints officer's (ICI) recommendations
- 4.2 A written apology has been sent from the Director of Planning and Environment.
- 4.3 The recommendations of the ICI were as follows (a copy of the ICI letter is attached):
 - 1. The City Council should review its approach and written guidance to planning officers in respect of handling planning application representations supported by digital photographs / video.
 - 2. The City Council should ensure that any guidance agreed is clearly communicated to the public to ensure they understand the acceptability of certain formats of information.
 - 3. The City Council should ensure that members of the public are given clear information about how they might submit / resubmit digital material or have it assessed in an alternative way.
- 4.4 In response to these recommendations case officers were briefed of the ICI decision when it was published in July 2016. This has been followed up by a further briefing in January 2017 following final decision and recommendations by the LGO.
- 4.5 The Council does not currently provide any guidance about what type of format information can be supplied in when making representations on planning applications. However the neighbour consultation letter is in the course of being updated to include a recommendation that third parties contact the case officer to discuss submission of photographs/videos and information in digital format. Planning officers are well aware of the need to access all submitted material or find alternatives as an outcome of this ICI/LGO investigation.

5 **IMPLICATIONS**

- (a) **Financial Implications** The LGO has not recommended the payment of any compensation.
- (b) **Staffing Implications** Planning officers have been briefed about the outcome of the investigations by the ICI and LGO.
- (c) **Equality and Poverty Implications** An equality impact assessment has not been carried out in respect of this report.
- (d) **Environmental Implications** This report has no climate change impact.
- (e) **Procurement** There are no procurement implications.
- (f) **Consultation and communication** No consultations were necessary to prepare this report.
- (g) **Community Safety** No direct or indirect community safety implications.

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

LGO final decision (23/01/2017)

ICI decision letter (29/07/2017)

Planning application file on Public Access webpages.

To inspect these documents contact Sarah Dyer on extension 7153.

The author and contact officer for queries on the report is Sarah Dyer on extension 7153.

Report file:

Date originated: 13 February 2017 Date of last revision: 13 February 2017



Complaint reference: 16 006 971

Complaint against: Cambridge City Council



The Ombudsman's final decision

Summary: The Ombudsman found fault on Mrs M's complaint about the way the Council considered a retrospective planning application for an automatic barrier. The case officer failed to explain in the report that she had not viewed submitted video and photographic evidence. Nor did she tell Mrs M this in advance to allow her the chance to provide it in a different format. The fault caused no significant injustice because the officer provided the planning committee with a separate summary of this evidence and accepted what Mrs M said it contained.

The complaint

- Mrs M complains the Council failed to properly:
 - a) Consider a retrospective planning application for an automated barrier across a nearby private road when it granted planning permission; and
 - b) Investigate her complaint about it.
- 2. As a result, the installation of this barrier impacts on her quality of life.

The Ombudsman's role and powers

The Ombudsman investigates complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. She must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, she may suggest a remedy. (Local Government Act 1974, sections 26(1) and 26A(1))

How I considered this complaint

I considered all the information Mrs M sent, the notes I made of the telephone conversation I had with her, and the Council's comments, a copy of which I sent her. I also sent her and the Council a copy of my draft decision. I considered their responses.

What I found

5. Mrs M and her family have lived in their home for 2 years. It is near to a newly installed automatic barrier running across the entrance to a private road. Vehicles stop at the barrier and wait until it is opened. Before, the road had a metal swing

- gate which Mrs M said was permanently left open. The gate was 6 metres further away than the new barrier.
- The old gate was replaced with a new access control barrier without proper planning consent. The landlords for the site sent the Council a retrospective application at the start of 2016. The Council approved it. Mrs M is unhappy with the way the Council dealt with the application. She complains the family is disturbed nightly from vehicles waiting at the barrier, particularly taxis for example. This is because all her bedroom windows face the road.
- 7. Mrs M has the following concerns about the planning and complaint processes:

Overlooking video evidence

- As part of her submissions, Mrs M sent a dossier to the planning case officer. This included video and photographic evidence. It was partly on paper and partly on disc. The Council confirmed she offered to turn these images in to power point slides if it would help. Officers did not respond to the offer. In response to my draft decision, the case officer accepts she should have asked Mrs M to provide it in another format. Mrs M states the video provided evidence of the nuisance they were experiencing and its impact on their quality of life.
- The Council confirmed officers did not view the video because its security system prevented it. The case officer could not access the video or photographic evidence in the format sent. The officer confirmed it would have helped to have seen the video evidence but the planning committee was aware she had not viewed it. The case officer relied on the descriptive text Mrs M provided. She had no reason to doubt what this said.
- 10. The Council confirmed there was no policy or guidance for case officers about reviewing this type of evidence. The complaints officer found the planning committee was aware the material was not accessed.
- As the case officer reported that she accepted the accuracy of the submission, the complaints officer did not uphold Mrs M's complaint but recommended the Council should:
 - Review its approach and written guidance to planning officers about handling planning application representations supported by digital photographs/evidence;
 - Ensure any guidance agreed is clearly communicated to the public so they understand the acceptability of certain formats of information; and
 - Ensure members of the public are given clear information about how they might submit/resubmit digital material or have it assessed another way.
- 12. The Council accepted these recommendations and will act on them.

Analysis

- There is a reasonable assumption by those making representations that planning officers will consider and take account of the material they submit at the very least to see whether they raised material planning considerations.
- The case officer's report refers to the video and photographic evidence. It fails to explain the officer had not viewed it but relied on the descriptive text Mrs M provided. A reasonable inference drawn from the report was the officer had viewed and considered this evidence. This was not the case. The failure to clarify in the report what the officer had viewed of this evidence was fault. The officer accepts her report should have noted her inability to view the files.

Final decision Page 406

- It was also fault not to explain to Mrs M in advance why the officer was unable to view the evidence. This would have given Mrs M the opportunity to provide them in another format which in turn may have given her greater confidence in the planning process.
- I am not satisfied these failures caused Mrs M a significant injustice. This is because the amendment sheet for the committee explained why the officer had not viewed this evidence. The minutes of the meeting also records an objector speaking to the committee about the officer's failure to view photographic and video evidence. Had the committee thought it necessary, it could have adjourned to view the evidence or asked for it in a different format. In any event, the planning officer told the committee there was no reason to doubt what Mrs M said about this evidence. While the officer accepted it, what weight to give it was ultimately for the committee.

Inaccuracies in report

- Mrs M pointed out the following inaccurate information was given to the committee:
 - The chair of the committee wrongly said the road beyond the barrier led to a
 dead end. The case officer confirmed pedestrians could walk through the end
 of the road. The complaints officer noted the chair's remark was said during the
 committee members' debate which is not open to the public. The chair quickly
 moved on leaving no chance for officers to correct him. The case officer saw
 no need to correct it because it was not fundamental to the decision;
 - Failing to explain that because of existing double yellow lines, waiting vehicles
 were forced to wait outside her house with the engine running, headlights and
 radio on. The complaints officer upheld this complaint but could not conclude it
 would have made any difference to the committee decision;
 - Failing to note a councillor's attempts to mediate. The complaints officer did not consider its omission from the report was fault: and
 - Failing to present facts about the previous gate properly, particularly about it securing the site. The complaints officer found the case officer's description fair.

Analysis

- I found no fault on the complaint about the reference to the private road as a dead end. It was effectively a dead end to vehicles.
- While it would have given members clearer information had the report referred to the extent of the double yellow lines, I am satisfied this information was before the committee anyway. This is because the Council's website for this application contains a photograph showing the barrier with double yellow road markings.
- I am not satisfied the report's failure to mention the councillor's mediation attempts is fault. This is because this was not a material planning consideration.
- Nor am I satisfied the case officer's description of the previous gate was fault. The report summarised representations received some of which said the gate was locked. The report accepted the previous gate was probably rarely closed.

Failure to consider noise impact

Mrs M complains the Council failed to investigate complaints about noise because of the operation of the barrier. Nor did it properly consider her independent noise survey during the application process.

- The case officer's report confirms receipt of video and photographic evidence of disturbances. It went on to say it was unclear whether these reports were selective or unbiased. As noted, the officer confirmed she did not view this evidence.
- The senior planner confirmed Mrs M's noise report was taken seriously. Recordings were taken over a 4 day period from outside one of her bedroom windows. Information to the committee in the amendment sheet said it contained 9 separate noise events over 5 nights between 11pm and 7 am above 60 decibels. It noted this was due to waiting taxis and customers. The case officer's report noted there was no data from before the change with which to compare it.
- The Council noted the previous barrier could have been used more than it had which would have resulted in the same levels of disturbance and noise as the new barrier. In addition, an automatic swing barrier could have been installed under permitted development rights. These rights are given by Parliament and allow certain types of work without the need to formally apply for planning consent. While the Council notes the noise survey recognises noise disturbance when property windows are left open, bird calls contributed to the excess noise.
- The complaints officer did not uphold her complaint as the case officer considered the noise impact.

Analysis

- I am satisfied the noise report was considered before planning consent was granted. The case officer made a brief summary of the report itself but gave more detail about it in the amendment sheet that went to the committee. The noise report was also available to the committee.
- The case officer's report noted the environmental health officer's comments that the operation of the barrier itself was relatively quiet. It was quieter than the manual use of the previous gate. It also noted the comments about increased vehicular activity because the barrier had the potential to cause noise as well. The environmental health officer confirmed the Council had no power to take enforcement action for statutory nuisance from noise in the street.
- I found no fault on this complaint. The planning officer referred to the noise report and summarised it. What weight to give to it was for the committee. In addition, I also note that the landlords could have installed a slightly smaller barrier under permitted development rights anyway which would have led to similar consequences in terms of residents' amenities.
- The Council provided further details when I expressed concern about the way it considered enforcement powers for statutory nuisance from noise in the street under section 79 (1) of the Environmental Protection Act 1990. This lists what amounts to a statutory nuisance. This section was amended by section 2 of the Noise and Statutory Nuisance Act 1993. Section 79 (1)(ga) refers to 'noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street'. It does not apply to 'traffic'.
- The Council explained that in November 2015, the environmental health team received 2 complaints about noise in the street. These were mainly about people talking and vehicle movement, including reversing. The officer decided talking and noise from vehicle movement did not fall within the 1990 Act.
- The Council states idling engines only came to its attention in March 2016 when the environmental health officer was consulted about the application. The Council

accepts noise from idling engines does fall within the 1990 Act. It needs witnessing and considered to be a statutory nuisance. Whether or not an incident amounts to a statutory nuisance depends on the location, time, frequency, impact on the community, and a matter of the officer's judgement. The officer advised Mrs M to contact its out-of-hours service.

The complaint process

When Mrs M complained to the Council about the failings with the way it dealt with this application, she says her complaints were overlooked or dismissed.

Analysis

I am satisfied the Council properly considered her complaints. This is because I have seen the independent complaints officer's correspondence with Mrs M that addresses her complaints. I found no fault on this complaint.

Agreed action

- 35. I considered our internal guidance on remedies.
- The Council will, within 4 weeks of the final decision on this complaint, do the following:
 - a) Send Mrs M a written apology for the fault identified; and
 - b) Confirm it has acted on and implemented the complaints officer's recommendations.

Final decision

The Ombudsman found fault on Mrs M's complaint against the Council. This did not cause Mrs M a significant injustice.

Investigator's decision on behalf of the Ombudsman



Enquiries to:

Corporate Business Support Team

T: 01223 457325

E: independent.complaints.investigator@cambridge.gov.uk





29th July 2016

Formal Complaint against Cambridge City Council (CCC) – Planning Services

I write further to your email of complaint sent to me on 27th May 2016 in respect of a service complaint 659472, concerning the retrospective planning permission granted for a barrier at

Your complaints have not been resolved at stage 2 of the City Council's procedures and were passed to me for an independent review; I have now completed my review and set out my findings, conclusions and recommendations below.

My role

My role is to investigate complaints concerning administrative and procedural actions and decisions that have failed to be resolved at departmental level. As the Independent Complaints Investigator I try to resolve the matter as the final stage in the City Council's internal complaints procedure.

Your complaint

Your complaints to me concerned the fact that in your view there were faults in the process of assessing and presenting the application to the Planning Committee which resulted in them reaching an unsound decision based upon an inaccurate assessment of the planning application. In that regard you feel overall that the City Council has been negligent in handling this planning application.

In terms of identifying specific complaints to support your view you have identified to me six areas where these failures have occurred. I have summarised these in the general complaint headings below and in the body of my report I have explored in some detail each area in order to arrive at an individual and collective finding.



Specific Complaints Summary

That Cambridge City Council in processing planning application 16/0117/FUL) made the following process errors which impacted on the Planning Committee being able to reach a sound decision:

1.	The case officer failed to properly assess your photographic and video
	evidence which was not looked at and therefore not considered. If the case
	officer had looked at the evidence then the officer report would not have been
	incomplete, inaccurate and biased.
2.	The case officer presented incorrect information in the verbal briefing to the

- 2. The case officer presented incorrect information in the verbal briefing to the committee. This information included incorrect numbers and location of objectors; lack of information about 'yellow lines' on the road, statement about a 'dead end' should have been corrected and failure to mention a police report.
- 3. Comments by about lobbying should not have been posted online and the case officer report should have referred to police efforts in the past to stop mopeds riding on the pavement to avoid the barrier.
- 4. The Environmental Health Officer should have referred to your noise report in his comments. Why has the City Council not undertaken its own noise and disturbance survey if they remain unconvinced. How can the case officer criticise the absence of a noise study by the complainant before the barrier was installed when it was a retrospective application.
- 5. The case officer's report incorrectly refers to the barrier replacing a gate that previously secured the site.
- 6. The case officer's report should have referred to previous efforts by Councillor Tunnacliffe to mediate between the residents and

My Review

I have received and considered copies of the correspondence you have supplied to me and from the Council in respect of these matters. I have reviewed the Councils process in handling stages 1 and 2 of the complaints procedure and the written responses provided to you by

In addition. I have met and spoken with

In addition,	I have met	and spoken	with		in ·	terms o	f the o	verall p	rocesses
applied and	l normal be	est practice,	and						who had
knowledge	of the app	lication and	reviev	wed the	e plani	ning co	mmitte	e repo	ort by the
planning off	icer		before	e it was	place	d on the	e Comr	nittee /	Agenda.
I have also	reviewed	the Pre-Cor	nmitte	e Amer	ndmen	t Sheet	prepa	red by	/
		W	hich c	ontains	addit	ional ir	nforma <u>t</u>	<u>ion</u> su	pplied to
planning Co	mmittee M	embers prio	r to the	e case l	being o	discuss	ed on		ا
have also	reviewed	the report	which	was s	sent to	o mem	bers c	of the	Planning
Committee		and th	e mini	utes ar	nd voti	ng dec	ision ir	n appr	oving the
application.									_

I have undertaken a general site visit to orientate myself to the location and examined images and plans relevant to the application put forward to the planning committee. Given all the material made available to me I feel I am in a well-informed position to make my findings and recommendations.

Background Summary

This retrospective planning application was to install a barrier which had already been erected. The barrier sits at the entrance to solve the solve that it is located 6m further south than the gate which it replaced. The barrier spans the full width of the road but still allows pedestrian access and is 0.95m in height when closed and consists of a control box and rising barrier arm.

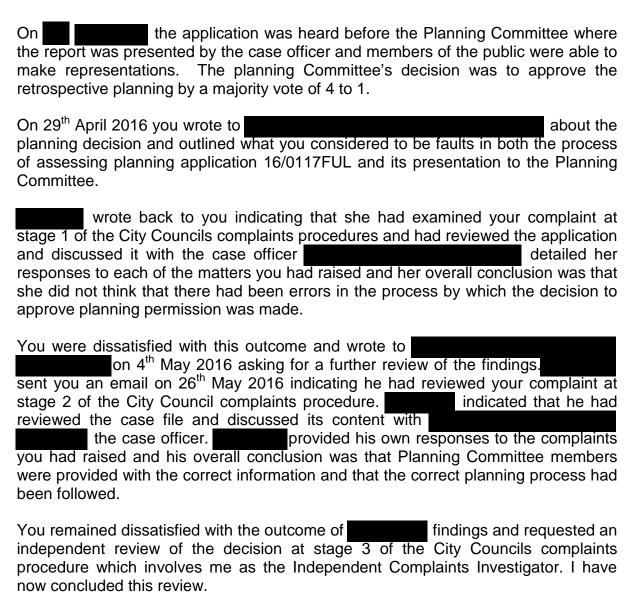
The application was the subject of a number of objections by local residents including yourself. These objections primarily cited concerns about loss of residential amenity. The key concern that has been raised by residents being the noise and disturbance associated with the use of the barrier.

A number of people also raised concerns regarding motorcycles/bicycles/mopeds mounting the pavement to avoid the barrier and access and highway safety concerns concerning the small space left for turning at the bottom of and an increase in the number of cars and vans parking at the bottom of .

The application was supported by a smaller number of residents overall including the landlord's agents. The reason for support included there has been a gate for many years which had been shut and regularly locked over the past two years. Prior to the erection of the barrier there were issues relating to damage to road surface/bollards/walls. In the past members of the stand guard to prevent vehicles entering to the barrier was therefore felt to offer a much needed deterrent especially with the high usage of the boathouses at weekends.

As part of your objections you submitted a noise survey which was undertaken over the 4th to 8th March 2016. This indicated that sac location where short high level events are enhanced by the low background noise. In addition you submitted a survey with video and photographic evidence of the type of disturbances you were encountering.

In commenting on these submissions the case officer indicated in her report to Planning Committee that their value was limited and commented that there was no previous noise survey undertaken against which to compare events. In addition that it was unclear whether these reports were selective to only monitor disturbances involving residents/visitors to report of noise incidents.



My Findings

My findings are based on having now reviewed the available correspondence and records and having asked questions of key staff and other interested parties who have knowledge of this case and the processes applied in how this specific planning application was handled, assessed and progressed. I have undertaken this approach to determine if your case has been subject of any maladministration by the City Council. My findings are as follows:

That Cambridge City Council in processing planning application made the following process errors which impacted on the Planning Committee being able to reach a sound decision:

Complaint 1: The case officer failed to properly assess your photographic and video evidence which was not looked at and therefore not considered. If the case officer

inaccurate and biased.
The response provided to you by and clearly indicates that the case officer did not review the photographic and video evidence you submitted.
I can appreciate from your perspective that it is a reasonable assumption that where such supporting evidence is submitted that it will be viewed by those who are trying to correctly assess any given situation. In my discussions with she accepted that it would have been helpful to have seen the evidence, but restated that the Planning Committee was aware the material had not been viewed. That was highlighted in the Pre-Committee Amendment Sheet prepared for members by
I have made enquiries as to whether there were any Council rules that required case officers to access all the material submitted and I could not find any information or guidance in that regard.
in his response to the same circumstances also commented that the case officer had not viewed the material but relied upon the written summary of the events. He went into more detail quoting extracts from the Amendment Sheet where could not be accessed on City Council machines due to internet security issues.
The extract also clarifies that and had no reason to doubt the videos and photographs would not support the statements being made.
In terms of process, separately do not believe the absence of viewing this material would have significantly affected the Planning Committee's decision.
It is my finding that factually it is correct that the case officer did not access the material and she has outlined why this was the case. It is also factually correct that at the present time the City Council has no policy or written guidance on the extent to which case officers should pursue the reviewing of such supporting material. On that basis it would be correct to conclude on the balance of probability that the initial assessment of all the information you submitted was incomplete.
In respect of whether the non-viewing and assessing of this information might have led to the Planning Committee receiving an overall incomplete, inaccurate, biased report and recommendation my finding is as follows.
The Pre-Committee Amendment sheet submitted by to Committee Members makes it clear the material has not been accessed and explains why. It would therefore be clear to Planning Committee members the limitations of the

assessed material.

In respect of the final report and recommendation being based on inaccurate and biased information, the same Pre-Committee Amendment sheet does not question the likelihood that the video and photographs will not accord with the written statements you have made.

In fact the comments 'I have no doubt the videos and photographs back up the written objection and I do not consider it necessary to have viewed them formally to have reached my conclusion' makes the point clearly to Committee members. On that basis has accepted the accuracy of your submission and therefore it is difficult to see how this view can be biased against evidence you have submitted.

In these specific circumstances, I therefore cannot find that the non-viewing of the video and photographic evidence by the case officer led to the completion of an incomplete, inaccurate and biased report.

This complaint has however identified a gap in the written advice and guidance that is available to case officers, to ensure that there is transparency and consistency in the way that they are expected to assess and manage material submitted in a digital format.

Members of the public and third parties submitting representations about planning applications, whether in support or objection, should be clear on the approach the City Council takes to such material. In addition there should be some guidance on expectations in terms of how much material a case officer is expected to assess before arriving at an informed decision appropriate to the application under consideration.

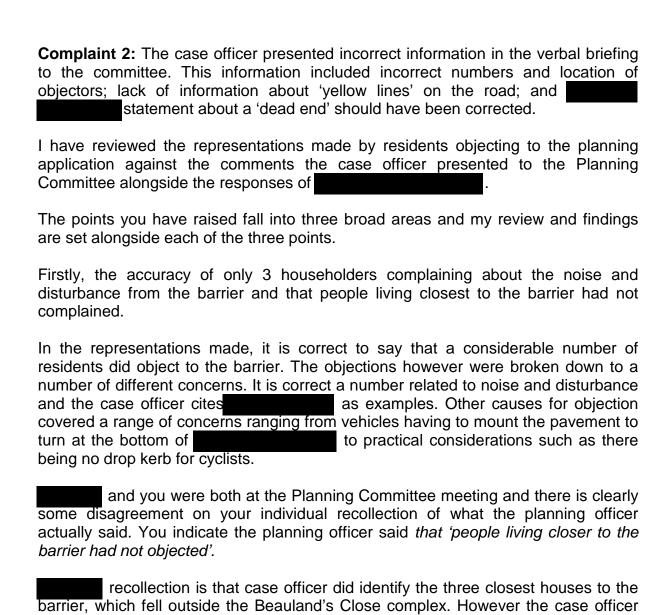
Further that if it is decided some material may be excluded from assessment, due to the format in which it is presented, then there should be guidance which ensures the parties making the submission are notified of this and given the opportunity to resubmit that material or have it assessed in an alternative way.

The above observations from this case indicate there are some learning points for the City Council and I have articulated these at the end of my report for the City Council's consideration.

Complaint 1 Conclusion

For the reasons set out above, I do recognise the non-viewing of the material you submitted does indicate an incomplete assessment of your representation.

I cannot however, on the balance of probability, given the content of the Pre-Committee Amendment report, uphold your view that in these specific circumstances this led to the final case officer's report being significantly incomplete, inaccurate or biased. Consequently I do not find that the Planning Committee was unable to make a sound overall decision.



I am not in a position to make a finding on which recollection is correct and therefore need to rely on the aspects of each statement which are not in contention. My finding is that both interpretations indicated there were objections on the grounds of noise and disturbance and these did arise from residents in close proximity to the barrier.

did not say that objections were only received from occupiers of those addresses.

Other residents made other grounds for objection and these may have varied in line with their own proximity to the barrier. It is my finding therefore, that the Planning Committee members would have been clear that these representations had been made and therefore would be an issue they should consider, in making their own minds up on the significance of the information.

Second, the lack of identification of existing yellow lines into a presented visual aid and the knock on effect of where traffic might then have to park up as a delivery base.

I note that does not directly respond to this question in her stage 1 response but concludes that she did not think that 'the lack of specific reference to the arrangements of yellow lines undermined the ability of the Committee to appreciate that vehicles would need to park close to houses in supports this view.

It is my view that the question you pose has two aspects namely; should the yellow lines have been clearly referenced and referred to and secondly would their omission have led to the Planning Committee not understanding the need to consider the impact of vehicles that may need to park up near to the barrier if it was closed.

In respect of the first issue, I uphold your view that the yellow lines are an important factor in being able to place the impact of any parking up of vehicles in context. It is my view that it would have been better for the planning officer to clarify this feature existed.

In respect of the second issue as to whether this factor alone would have led the Planning Committee to arrive at a different overall decision and therefore this lack of clarification was sufficient to undermine the process I cannot conclude that this would be sufficient grounds to arrive at that outcome. It is relevant that Committee members aside of the reference to yellow lines, had already been presented with representations concerning the parking up of vehicles. Your own written evidence (discussed in complaint 1) which is accepted by the planning officer, references where delivery vehicles were parking.

My finding is that the planning officer should have specifically referenced the yellow lines to highlight their proximity to the barrier. However this omission alone, given the other available evidence presented in the committee report, was unlikely to have been sufficient grounds to infer that it undermined committee member's ability to make a valid and informed decision as you have suggested.

Third, the incorrect statement made by that that is 'a dead end' for traffic when in fact it allows access to the boat house and roadway beyond. In addition that there should have been reference to a police report / survey indicating the safety concerns of bikes, motorbikes and moped mounting the kerb to avoid the barrier and creating a danger to pedestrians and playing children.

has agreed that that it is possible to walk/cycle through Beauland's Close and in that sense the access road is not a dead end. Having visited the site myself I agree it is not a dead end. agree that the comments made by were at that stage of the process, where the Committee had read the committee report and amendment sheets, listened to objector's views and

the case officer's presentation and response to questions. This was therefore at the stage where Councillors on the Committee were expressing their personal views.

It is not open to members of the public to contribute to the debate by Committee members but there is a role for officers to respond to questions and to correct inaccuracies. In this case however made this comment and immediately moved to the vote leaving no opportunity for officers to interject. took the view that it was not necessary to interrupt the Chair to correct the comment made because it was not fundamental to the decision that was about to me made.

Complaint 2 Conclusion

Having broken down each of the elements of this particular complaint, I have set out the rationale for my findings accordingly. If the collective nature of these elements is considered it is my finding on the balance of probability test, that none of the individual element in this complaint amount to maladministration which would indicate an undermining of the Planning Committee decision or process. Consequently I am unable to uphold this particular complaint.

Complaint 3: Comments by about lobbying should not have been posted online and the case officer report should have referred to police efforts in the past to stop mopeds riding on the pavement to avoid the barrier.

I have looked into this complaint and the appropriateness of the content of on line comments. I have also looked at these comments which you indicated affected decision to comment on the merits or otherwise of this planning application, based on a police survey around the safety issues of the barrier.

It is my finding that comments are factually accurate from his perspective, as an employee of the Highway Authority. The comments plainly set out that organisation expectations that it cannot be seen to be party to any lobbying on behalf of individuals.

I do not therefore uphold your view that these were personal views or that it was not his job to make clear the Highway's Authority's position on what was being asked. In that regard therefore I do not find the content, or the fact that the comments were placed in the public domain detrimental to the application process. I note your reference to the fact that are related. I have found no evidence of any conflict of interest in both parties approach to their professional role in this application process.

In respect of the case officer not bringing to the attention of the Committee members information about a police report, I can confirm that it is not usual for the Council to consult directly with the police on planning applications of this nature.

I also note that when you spoke to the police, the officer declined to comment. It is your view that Sergeant Wragg indicated to you that having read comments on line that; 'he was not going to be lobbied by a member of the public to write comments on 16/117FUL'.

This makes it difficult for any third party, such as the case officer or the Planning Committee members to rely accurately on what the police's actual position might be. I can appreciate that had the police chosen to contribute to the process formally, then this may have added support to the safety concerns of those making representation.

Whilst the case officer was therefore not able to actually reference any police perspective, it would have been open to those making representations in writing or at the Committee meeting on 27th April 2016 to raise this point.

I have not been provided with any information to indicate that this occurred during the meeting. If it did occur however then Planning Committee members would have had this information in their mind and could have considered its merits.

In respect of this element of your complaint; I do not agree that the case officer deliberately or intentionally withheld this information as you suggest. I accept that the case officer may have been aware of a police report, but with the police declining to comment on its content, its mere existence is of little value to Committee members if it cannot be properly referenced or relied upon.

Consequently I do not find that its mere existence would have been of such significance that 'there would have been a different outcome because of the revealed safety issues' as you suggest.

Complaint 3 Conclusion

Having examined both elements of this complaint it is my finding on the balance of probability test that there is no evidence to support your view that comments were inappropriate and should not have been in the public domain where he and his agency have made clear their position on not being drawn into lobbying.

In respect of the police choosing not to make comments about their own safety survey, I accept some report may exist but the fact that the police felt unable to be drawn on the content, makes it difficult for the case officer to present this issue with any certainty. The mere notification of the reports existence is of little tangible value to Planning Committee member's decision making.

Consequently my findings are that neither of these elements amount to maladministration or would have been able to form the basis of a refusal of planning permission. I do not find that they amount to a 'major failing in presenting the whole picture' as you suggest. I am unable therefore to uphold this particular complaint.

Complaint 4: The Environmental Health Officer (EHO) should have referred to your noise report in his comments. Why has the City Council not undertaken its own noise and disturbance survey if they remain unconvinced. How can the case officer criticise the absence of a noise study by the complainant before the barrier was installed when it was a retrospective application.

I have noted the responses provided to you by
I have focused in on comments that the case officer worked with an experienced Principal Planner to review the EHO comments. Additional information is then provided to the Planning Committee members by way of a Pre-Committee Amendment sheet. indicates that this 'is a reasonable alternative to providing further information to the EHO'.

I have reviewed the EHO report and in that context the information in question being sought concerned a range of factors. The ECO also posed independent questions, such as potential noise disturbance arising from vehicles stopping within the site, being shifted to and concentrated outside the site in De Freville Avenue. I have noted these comments support some original representations made that when the ambient noise is low at night for instance, taxis leaving their engines running and headlights on while waiting to collect passengers outside the barrier, does lead to some loss of amenity for residents in the immediate area. I also note the EHO's advice makes reference to a possible remedy. That being a condition to ensure the barrier is raised between the hours of 23:00 and 07:00 hrs, as the most significant impacts will occur at night.

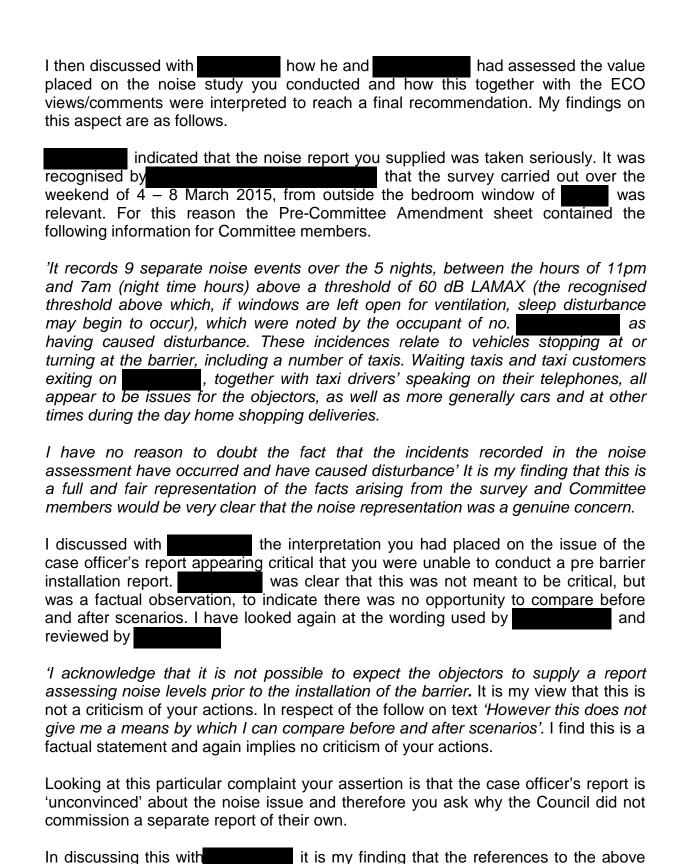
With these considerations in mind, I met with assessment to discuss the reassessment he conducted with the case officer and how reasonable and fairly this was represented in the Pre-Committee Amendment sheet, that was submitted to Planning Committee members in advance of the planning meeting.

In that regard my findings are as follows: confirmed that initial Planning Committee report had identified the level of representation concerning noise as a real issue and one which may make it possible to refuse planning permission on the grounds of impact of noise. Whilst I have already covered the non- viewing of some of your submitted video evidence, I note that in the context of noise that the case officer commented in the report:

'The objector (yourself) supplied both written information and videos/photos of incidences of noise disturbance to me as part of their original objection' and further; 'I reviewed the written information and took this into account as part of my recommendation. This written documentation of noise disturbance to no.

provides details of what is contained within the video/photograph files... I have no reason to doubt the videos and photographs back up the written objection and I do not consider it necessary to have viewed them formally to have reached my conclusion'.

On that basis I find that initial report was properly cognisant of the noise issue.



narrative from the Pre-Committee Amendment sheet, does indicate the noise to be a genuine issue. The role of the case officer is to assess in planning legislation and planning policy terms whether its existence causes 'sufficient harm' to justify a

refusal of planning permission on these grounds. was directly involved in reviewing rationale for her recommendation and the additional information supplied to Committee members by way of the Pre-Committee Amendment sheet.

The Amendment sheet clearly indicates the process of assessment, which fairly considered the following information; The EHO views, and the feasibility of imposing conditions for the barrier to remain up after 23:00hrs, the EHO's comments regarding the impacts of road traffic noise in relation to statutory nuisance and the enforcement powers available to the Council, the benefits of the instillation from the applicant's perspective, and importantly the applicant's available fall- back position.

This latter consideration is very relevant in planning terms, as the applicants would also be in their rights to install an automatic swing gate 1m or below in height. This would result in the same noise issues from occurring and would result in the Council having no control over the operation of the gate. Retrospective planning was primarily required in this case as the barrier arm when raised is above the 1metre permitted under permitted development.

I also note the case officer's remarks to Planning Committee members in the Pre Amendment sheet with regard to the imposition of conditions as suggested by the EHO and noise consultant. '10 officers considered this was not reasonable because of the previous and possible fall-back positions available to the applicants.'

Complaint 4 Conclusion

In respect of this particular complaint, it is my finding that the case officers Committee Report and Pre-Committee Amendment sheet, did provide the Planning Committee members with evidence of a fair assessment of the relevant facts, linked to the applications merits or otherwise. Further that this approach was a reasonable alternative to providing further information to the ECO.

I find that your noise concerns were recognised and accepted by and . However in the round the case officer considered that the noise impact associated with the use of the barrier from the perspective of sufficient grounds to justify a refusal of the application was limited. The accepted nuisance and loss of amenity was primarily confined to the night-time and when bedroom windows were open.

Applying the balance of probability test it is my finding in respect of the elements of this specific complaint, that there is insufficient evidence to indicate that the City Council has not fairly or properly followed its planning assessment process, or that it is indicative of 'faults in the process of the council' as you have suggested. For these reasons set out above I cannot therefore uphold this specific complaint.

Complaint 5: The case officer's report incorrectly refers to the barrier replacing a gate that previously secured the site.

I have examined the case officer report where this issue is mentioned and the comments made by and and I. I can appreciate that there is an inference the previous gate may have been primarily closed and therefore akin to a barrier which permanently down.
I note that comments that Google maps, indicates that the gate in place prior to the barrier was open. In reviewing the case officers report I note that at paragraphs 8.9 makes it clear that 'the gate which was previously installed was left open much of the time but it could have been closed on a more regular basis'.
It is my finding that this is a fair representation of the facts before the barriers installation and Planning Committee members would therefore have been aware that the proposed plans were not the same as a barrier being permanently down, but the effect was similar.
Complaint 5 Conclusion
On the balance of probability test, I can find no grounds to support the view that members of Planning Committee reading the planning officer's report would not be clear of the gates status before the current barrier was erected. I therefore cannot uphold your complaint that the Committee report 'mislead to the Committee members' as you suggest.
Complaint 6: The case officer's report should have referred to previous efforts by to mediate between the and
In respect of this complaint, I have read the various representations made and can confirm as has indicated to you that did not make a written representation and therefore it would not be normal to include his actions in the Committee report.
I also discussed this with and and who reviewed the planning officer's final report and the content of the Pre-Committee Amendment sheet provided to Planning Committee members.
I am satisfied that the case officer was aware that involvement in this application and was trying to undertake some mediation with the applicants and objectors. In terms of whether this information should have been included in the Committee Report I find that it falls into a similar category as the police report; namely that its mere existence does not add any real value in planning application terms and again it has not been submitted for representation as a relevant factor by
I can appreciate from your own comments, that it was viewed that the work undertaken by indicated that the applicants were not minded to enter into any mediation. Discussions with

these are areas that planning officers would not get involved in; as there is the potential that any officers comments made in the Committee Report may be interpreted as biased to one party over another. Fundamentality however, this type of issue would not be a relevant or deciding factor upon which a decision to approve or reject an application might be based.

Complaint 6 Conclusion

For the above reasons I am not able to uphold this particular complaint that the case officer's report should have referred to previous efforts by mediate between the residents and members. I do not find therefore that this omission was a breach of the City Council planning process.

Overall Findings:

In respect of your view that the City Council in processing planning application made process errors which impacted on the Planning Committee being able to reach a sound decision I make the following finding:

I have carefully reviewed each of the complaints you have raised and broken them down where necessary in order to properly examine the specific aspects raised. I have focused on whether there are sufficient grounds which might indicate that the City Council's handling of planning application was flawed in terms of its process and presentation to Planning committee.

In all six complaints raised I have not been able to find evidence that would uphold the specific complaint and consequently looking at the overall complaint I can find no evidence to support your view of the City Council's actions.

I have found in complaint 1, an identified gap in the written advice and guidance that is available to case officers to ensure that there is transparency and consistency in the way that they are expected to assess and manage material submitted in a digital format. This I consider to be a learning point which I recommend the City Council should address.

In discussions with and and during the examination of the case file, Planning Committee report and Pre-Committee Amendment sheet, it was evident that this case did have a high number of areas of representation calling for careful assessments to be made.

This case has highlighted that where multiple assessments are having to be made, even if they are justified on their own merits, there is a need to ensure their accumulative impact does not undermine public confidence in the transparency of any final recommendation which is made by the case officer.

Whilst I am satisfied in this case that this process has taken place, I have raised with and and the importance of maintaining a robust reviewing process for case officers reports prior to submission to Planning Committee. This is

particularly required where there are significant and / or varied representations for consideration by the case officer. has assured me the review process is something that is kept under regular review.

Learning Points / Recommendations:



This case highlights a learning point which may have direct relevance to maintaining the public's confidence in the City Councils administration process and delivery of its planning services.

- 1. The City Council should review its approach and written guidance to planning officers in respect of handling planning application representations supported by digital photographs / video.
- 2. The City Council should ensure that any guidance agreed is clearly communicated to the public to ensure they understand the acceptability of certain formats of information.
- 3. The City Council should ensure that members of the public are given clear information about how they might submit / resubmit digital material or have it assessed in an alternative way.

Recommendations

1. That the Director of Planning and Economic Development notes this independent reviews finding and the learning point identified for further consideration and communication within planning services staff to support the on-going development of best practice.

Further Action

Finally whilst I can appreciate you may be disappointed by my overall findings I would like to advise you that if you are dissatisfied with the outcome of my investigation, you may refer your complaint to the Local Government Ombudsman whose contact details are: Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH.

Yours sincerely

