



## Planning

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

**Alternates:** Councillors Bird and Page-Croft

*Published & Despatched: Tuesday, 30 May 2017*

**Date:** Wednesday, 7 June 2017

**Time:** 10.00 am

**Venue:** Committee Room 1 & 2, 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 17/0473/FUL - UNIVERSITY SPORTS AND ATHLETIC TRACK, WILBERFORCE ROAD** (*Pages 17 - 68*)

**6 16/1864/FUL - ST EDMUNDS COLLEGE, MOUNT PLEASANT** (*Pages 69 - 114*)

**7 16/2126/FUL - 21-23 MILTON ROAD** (*Pages 115 - 126*)

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

**8 17/0101/FUL - 150 CATHARINE STREET** (*Pages 127 - 146*)

**9 16/2214/FUL - 1 MOYNE CLOSE** (*Pages 147 - 158*)

**10 16/1901/FUL - 147 COLDHAMS LANE** (*Pages 159 - 172*)

**11 17/0251/FUL - 293 CAMPKIN ROAD** (*Pages 173 - 188*)

**12 17/0493/FUL - 190-192 MILL ROAD** (*Pages 189 - 198*)

- 13 17/0236/LBC - CAMBRIDGE RAILWAY STATION (*Pages 199 - 204*)
- 14 17/0452/FUL - 7 CELTIC HOUSE, HOOPER STREET (*Pages 205 - 216*)
- 15 17/0340/FUL - 8 GREEN END ROAD (*Pages 217 - 240*)
- 16 16/2231/S73 - 7A HOLYROOD CLOSE (*Pages 241 - 252*)
- 17 17/0025/FUL - 42 PRETORIA ROAD (*Pages 253 - 262*)
- 18 16/2191/FUL - 5 FERNDALE RISE (*Pages 263 - 280*)
- 19 17/0347/FUL - 8 GERARD CLOSE (*Pages 281 - 292*)

<b>Part 3: Enforcement and General Items</b>
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- 20 TPO 01/2017 AND 17/138/TTPO - LOVELL LODGE HOTEL, MILTON ROAD (*Pages 293 - 304*)
- 21 TPO 05/2017 - 16 BRUNSWICK GARDENS (*Pages 305 - 312*)
- 22 TPO 03/2017 - HORNBEAM HOUSE (*Pages 313 - 322*)

## Meeting Information

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

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

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

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

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

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

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

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

**Development  
Control  
Forum**

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

**Public  
Participation**

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

Members of the public who want to speak about an

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

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

For further information on speaking at committee please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

Further information is available at

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

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

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

## **Representations on Planning Applications**

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

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

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

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

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

**Filming,  
recording  
and  
photography**

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

**Facilities for  
disabled  
people**

Level access to the Guildhall via the Peas Hill entrance.

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

Accessible toilets are available on the ground and first floor.

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

For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**Queries on  
reports**

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

**General  
Information**

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

(updated August 2015)

### **1.0 Central Government Advice**

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

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

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

Guidance is provided in relation to the following:

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

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

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

1.4 **Community Infrastructure Levy Regulations 2010**

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

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

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

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

have been entered on or after 6th April 2010

**Development Plan policy**

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



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

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

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

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

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

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

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

5/7 Supported housing/Housing in multiple occupation

5/8 Travellers

5/9 Housing for people with disabilities

5/10 Dwelling mix

5/11 Protection of community facilities

5/12 New community facilities

5/15 Addenbrookes

6/1 Protection of leisure facilities

6/2 New leisure facilities

6/3 Tourist accommodation

6/4 Visitor attractions

6/6 Change of use in the City Centre

6/7 Shopping development and change of use in the District and Local Centres

6/8 Convenience shopping

6/9 Retail warehouses

6/10 Food and drink outlets.

7/1 Employment provision

7/2 Selective management of the Economy

7/3 Protection of Industrial and Storage Space

7/4 Promotion of cluster development

7/5 Faculty development in the Central Area, University of Cambridge

7/6 West Cambridge, South of Madingley Road

7/7 College and University of Cambridge Staff and Student Housing

7/8 Anglia Ruskin University East Road Campus

7/9 Student hostels for Anglia Ruskin University

7/10 Speculative Student Hostel Accommodation

7/11 Language Schools

8/1 Spatial location of development

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/8 Land for Public Transport

8/9 Commercial vehicles and servicing

8/10 Off-street car parking

8/11 New roads

8/12 Cambridge Airport

8/13 Cambridge Airport Safety Zone

8/14 Telecommunications development

8/15 Mullard Radio Astronomy Observatory, Lords Bridge

8/16 Renewable energy in major new developments

8/17 Renewable energy

8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change

9/2 Phasing of Areas of Major Change

9/3 Development in Urban Extensions

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

10/1 Infrastructure improvements

#### Planning Obligation Related Policies

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

#### 4.0 Supplementary Planning Documents

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

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

4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.

4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

4.7 **Eastern Gate Supplementary Planning Document (October 2011)** Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

- To articulate a clear vision about the future of the Eastern Gate area;
- To establish a development framework to co-ordinate redevelopment within
- the area and guide decisions (by the Council and others); and
- To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 **Material Considerations**

5.1 **City Wide Guidance**

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 5.2 Area Guidelines

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:**

**Cambridge City Council (2002)–Southern Corridor Area Transport Plan:**

**Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:**

**Cambridge City Council (2003)–Western Corridor Area Transport Plan:**

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

**Brooklands Avenue Conservation Area Appraisal (2013)**

**Cambridge Historic Core Conservation Area Appraisal (2006)**

**Castle and Victoria Road Conservation Area Appraisal (2012)**

**Chesterton and Ferry Lane Conservation Area Appraisal (2009)**

**Conduit Head Road Conservation Area Appraisal (2009)**

**De Freville Conservation Area Appraisal (2009)**

**Kite Area Conservation Area Appraisal (1996)**

**Mill Road Area Conservation Area Appraisal (2011)**

**Newnham Croft Conservation Area Appraisal (2013)**

**New Town and Glisson Road Conservation Area Appraisal (2012)**

**Riverside and Stourbridge Common Conservation Area Appraisal (2012)**

**Southacre Conservation Area Appraisal (2013)**

**Storeys Way Conservation Area Appraisal (2008)**

**Trumpington Conservation Area Appraisal (2010)**

**West Cambridge Conservation Area Appraisal (2011)**

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

**Jesus Green Conservation Plan (1998)**

**Parkers Piece Conservation Plan (2001)**

**Sheeps Green/Coe Fen Conservation Plan (2001)**

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

Historic open space guidance.

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

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

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

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

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

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

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

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

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

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

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

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



**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0473/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th March 2017	<b>Officer</b>	Tony Collins
<b>Target Date</b>	13th June 2017		
<b>Ward</b>	Newnham		
<b>Site</b>	University Sports And Athletics Track Wilberforce Road Cambridge CB3 0EQ		
<b>Proposal</b>	The construction of two artificial grass pitches (AGPs), installation of floodlighting to both pitches, replacement fencing to existing pitch, extension of balcony on western elevation of the pavilion, insertion of two sets of doors on north elevation of pavilion, replacement of pitched roof with flat roof on scorer's hut, construction of an electrical substation, car and cycle parking and associated landscaping and drainage works.		
<b>Applicant</b>	Chancellor, Masters and Scholars The University of Cambri... C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">It is not inappropriate development in the Green Belt</p> <p style="padding-left: 40px;">It is in accordance with local and national planning policy on improving access to high-quality opportunities for sport and recreation</p> <p style="padding-left: 40px;">It addresses a priority need identified in the Council's Playing Pitches Strategy</p> <p style="padding-left: 40px;">It would not have harmful impacts on neighbour amenity through noise or obtrusive light impact</p>
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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The University Athletic Ground is on the west side of the city, accessed from a point at the junction of Adams Road and Wilberforce Road. It is bounded to the east and north-west by residential areas, to the north by Cambridge Lawn Tennis Club and Emmanuel College sports ground, and to the west and south by open agricultural land.
- 1.2 The ground lies wholly within the Green Belt. It is defined in the Cambridge Local Plan 2006 as protected open space. The site is not in a conservation area, but the western boundary of City of Cambridge Conservation Area No.2 (West) runs along the north and east edges of the Athletic Ground. None of the trees on the site is protected.
- 1.3 The Coton footpath, an important pedestrian and cycle route from the city centre to the West Cambridge campus of the University, the village of Coton, and areas further west, runs along the northern boundary of the site. This part of the Footpath is a County Wildlife site. The route of the footpath and the triangle of land between the Athletic Ground and Emmanuel College sports ground form part of the Preferred Option catchment area within which the City Deal Board has resolved that a specific route for the proposed Cambridge – Cambourne improved bus service should be sought.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks to create two new full-size (100m x 63m) artificial grass hockey pitches (AGPs) with adjoining technical areas and goal storage areas on a part of the University Athletic Ground which is at present an unmarked open grass area with some shrubs and trees, which has been used for hammer-throwing practice.
- 2.2 The application also seeks to erect 5m high ball-stop fencing and kickboards around the two new pitches and to replace the existing fencing of the existing AGP on the site with the same 5m high fencing. Permission is also sought for new hard standing areas

adjacent to these pitches for access and spectators, and a 1.2m high barrier to separate the hard standing from the pitches.

- 2.3 The application also seeks permission for floodlights for the two new AGPs, and for the permitted hours for floodlight use to be extended.
- 2.4 In addition, the application also seeks permission for the insertion of two sets of ground-floor doors in the north elevation of the existing pavilion, and a new balcony at first floor on the west side of the pavilion, the conversion of the pitched roof of the existing scorers' hut to a flat roof, the construction of a new electricity sub-station, the provision of additional car and cycle parking, and associated landscaping and drainage works

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
88/1362	Erection of university sports pavilion and construction of athletics track.	Refused
88/1495	Erection of university sports complex (outline application) including sports hall, pool hall, athletics track, and artificial playing surfaces.	Refused
90/0673	University sports complex including athletics track, sports hall, practice pitches and car parking.	Not determined; appeal dismissed
90/1144	University sports facilities.	Refused
92/0305	University sport facilities (including two storey pavilion building, athletics track, two all-weather pitches, associated parking and landscaping).	Approved subject to conditions
94/0347	Erection of fourteen floodlighting columns (16m high).	Withdrawn
95/0500	Erection of access road, car park, pedestrian and security	Approved with conditions

	lighting (retrospective).	
97/1237	Erection of eight 16m columns with floodlighting.	Refused
99/0253	Erection of eight demountable floodlighting columns with luminaires (lights and columns to be taken down each year between 5 May and 5 October).	Approved with conditions
07/0939	Erection of floodlights to serve athletics track and existing and proposed hockey pitches.	Approved with conditions
12/0874	Freestanding sign	Approved with conditions

#### 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 3/3 3/4 3/7 3/11 3/14
		4/1 4/2 4/3 4/4 4/6 4/7 4/11 4/13 4/15 4/16
		6/2
		8/2 8/4 8/6 8/8 8/10

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006)</p>

	<p>Greater Cambridge Area Encompassing Cambridge City Council &amp; South Cambridgeshire District Council Playing Pitch Strategy 2015-2031 June 2016</p> <p>Cambridge Walking and Cycling Strategy (2002)</p>
	<p><u>Area Guidelines</u></p> <p>West Cambridge Conservation Area Appraisal (2011)</p>

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

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

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

## 6.0 CONSULTATIONS

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

- 6.1 No significant impact on the public highway, subject to a condition to control visibility of the light source from highway locations.

### **Environmental Health**

#### Construction noise

- 6.2 Recommend standard conditions for: construction collection / delivery hours, details of contractors operations and dust.

#### Operational noise – electricity substation

- 6.3 The approach is generally acceptable, but the proposed location at which environmental noise limiting criteria should be met (i.e. the bedroom windows of nearby noise sensitive premises) is not acceptable. It is required that, in accordance with BS4142:2014, the noise rating level from proposed new plant and equipment should be less than or equal to the existing background level (L<sub>90</sub>) **at the boundary of the application premises**. The standard plant noise insulation condition is recommended to address this issue.

#### Operational noise – hockey pitches

- 6.4 It is important to note that no specific noise assessment methodology / guidance or absolute noise acceptability criteria exists for hockey pitch use. The effects of noise are primarily subjective. The acceptability of proposals requires professional judgement to be applied to a balance of various noise factors and how they combine in any particular situation.
- 6.5 The submitted noise assessment is generally acceptable and has had due regard to national and industry noise standards, best practice and technical guidance. Typical noise levels for AGP use have been ascertained from actual noise measurements of various sporting sessions on four separate AGPs elsewhere, and the *'overall noise level from AGP use'* used in the assessment to predict noise impacts at residential premises is considered representative and acceptable. I agree with the comparative noise assessment that has been undertaken for the *'overall noise level from AGP use'*.
- 6.6 World Health Organisation (WHO) guideline values for community noise, and BS8233:2014 both suggest that to protect the majority of people from being moderately annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 50dB LAeq for a steady, continuous noise. The submitted report concludes that the *'overall noise level from AGP use'* will be below these levels and is therefore acceptable. However both the WHO Guidelines and BS 8233 are really only appropriate for *"anonymous - impersonal noise"* such as

such as road traffic or similar. Noise which is attributable to a particular source or which has a tonal or intermittent characteristic may cause annoyance at lower levels than these and in such cases an assessment linked to background noise levels may be more appropriate.

- 6.7 The Institute of Environmental Management & Assessment (IEMA) guidelines set out key principles for noise impact assessment relevant to all types of project regardless of size. These guidelines accept that a simple change in noise levels using a single noise indicator may fail to adequately reveal the actual noise impact of the proposal. The character and nature of the noise must be taken into account and the guidelines suggest comparing several noise indicators such as the LAeq, LMax and LA90 as a more rigorous approach.
- 6.8 Previous experience suggests that the most important factor in determining the degree of annoyance and disturbance created by hockey pitches and similar facilities is the difference between the future and existing situations in terms of the type and nature of the noise source: in particular, the number of individual maximum impulsive noise levels (such as ball-on-backboard, stick-on-ball, whistles and shouts), degree of intermittency and frequency and pattern of occurrence. Those hearing these noises are likely to be more sensitive to them during the evening and at weekends.
- 6.9 The noise assessment has assessed the intermittent individual impact noises (dB LMax fast) from hockey balls hitting the perimeter fencing and goal baseboards. The application proposes to mitigate these noises by fitting dampening material to all side strike and goal boards. This is acceptable and will adequately deal with this source of noise. The application also proposes neoprene isolators between the perimeter enclosure fence panels and fence posts to minimise noise from ball impacts upon the fence. This is also welcomed.
- 6.10 I have no concerns about the use of pitches 1 and 2 as the recommended mitigation measures proposed, combined with distance separation to existing noise sensitive premises in Perry Court, Wilberforce Road and Adams Road should result in a very limited and negligible noise impact at any time.



- 6.11 However, pitch 3 will be closer to residential neighbours at Perry Court and I am more concerned about potential adverse impact on quality of life / amenity from this pitch. Backboard noise has been addressed by the dampening proposed, but residents here will be able to hear whistle noise, stick-on-ball and shouting when Pitch 3 is in use. Although these will not be at a high intrusive level, the assessment does acknowledge that these noises '*may be noticeable but not intrusive*'. Remaining noise impacts should be mitigated and reduced to a minimum, in particular in the evening and at weekends when residents of Perry Court are more likely to be using their gardens. For this reason, use of Pitch 3 should not be permitted after 1900 on Saturdays or Sundays, nor after 1830 on Bank Holidays.
- 6.12 Although restricted hours of operation are proposed for the artificial floodlighting, no specific hours of use for the pitch are proposed; it is recommended that conditions should be imposed restricting the hours of use of the hockey pitches so that they are generally consistent with times permitted for artificial lighting use.
- 6.13 Conditions are also recommended to prohibit the use of a PA, to prohibit concurrent use of pitch 3 and a competitive athletics meet on the track, to require an Operational Noise Management and Monitoring Plan and to require compliance with the noise insulation scheme.

#### Obtrusive artificial lighting impact

- 6.14 The proposed lighting scheme will fully comply with the Obtrusive Light Limitation recommendations of the Institute of Lighting Professionals (ILP) for a zone classified E2 (rural surroundings with a low district brightness e.g. a village or relatively dark outer suburban location). It is also important to note that the lighting calculations that have been modelled to existing residential premises do not account for any physical obstructions such as planting, trees or fences. These will provide further screening and in reality lighting levels off-site are therefore expected to be lower than calculated.
- 6.15 An acceptable cumulative artificial lighting impact assessment (for all 3 hockey pitches) has been submitted. Providing artificial light is installed and maintained fully in accordance with the submitted lighting report I do not envisage any unacceptable adverse impact

on residential amenity. Therefore no objection in relation to impacts on residential amenity and quality of life from additional lights or altered hours of use.

- 6.16 Conditions recommended to secure artificial lighting compliance and restricted hours of use.

#### Air quality

- 6.17 The potential for any adverse impact on local air quality is nil or at worst negligible.

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

- 6.18 Replacement of real grass by bright green artificial surfacing unlikely to have adverse impact on historic environment. Landscaping also unlikely to have adverse impact on the conservation area. Further floodlighting unlikely to have significant effect on the historic environment beyond the existing floodlighting. Change of roof form on officials' hut seems incongruous. Overall acceptable subject to condition requiring works to pavilion to match existing.

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

- 6.19 No objection: while the loss of the large oak is regrettable, I confirm that the new layout will have less impact on the screening vegetation to the west and north and therefore the arboricultural character of the area. Conditions required on tree protection

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

- 6.20 The Landscape and Visual Appraisal was prepared in accordance with the guidelines of the Landscape Institute and the Institute of Environmental Management and Assessment. The Appraisal methodology is generally acceptable; some of the assumptions, conclusions and judgements are debatable, but the majority of the conclusions on the impact of the development are fair.
- 6.21 We have concerns regarding impact of the accumulation of sports lighting during the hours of darkness and the effect it has locally and in the wider Green Belt context. We recognise that there have

been improvements to the lighting proposals (LED lighting, a more flexible approach to zone lighting, and louvered lights to reduce impact), but regardless of the degree of additional impact, it is essential to achieve the best possible mitigation for the proposals. We would therefore ask for further mitigation in the form of additional and better considered planting on the western and southern boundaries to help soften the effects of both the lighting and the fencing.

6.22 At present the proposal includes the removal of a considerable amount of maturing vegetation but the sketchy proposal for mitigation merely adds plants in gaps in the boundary hedge. Ideally the boundary hedge should be made wider on the outer edge; if this is not possible, there is space to widen the hedge on the inner side.

6.23 The fencing colour should be changed from green to black or the underlying galvanised metal, either of which would be less noticeable against the sky.

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

6.24 No objection, but alterations need to be made to proposed cycle parking areas.

**Cambridgeshire County Council (Flood and Water Management)**

6.25 No objection, subject to conditions to secure a surface water drainage scheme and the long-term maintenance of that scheme once implemented.

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

6.26 Acceptable subject to a surface water condition.

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

6.27 The principle of loss of habitats, principally scrub and grassland, is acceptable subject to mitigation. The habitats are common

nationally, but important locally; the loss on site has been minimised in the proposal. The proposed mitigation proposed in the original application is not sufficient to meet the requirements of the Framework; additional mitigation is required, and a landscape condition is necessary to secure these measures. Conditions are also necessary to safeguard protected species.

### **Senior Sustainable Development Officer**

- 6.28 As previously advised, even though this is a major application, given that there are no substantial buildings involved with this proposal, application of policy 8/16 is not really pragmatic in this case. They have, however, incorporated energy efficiency measures into the scheme notably the use of LED floodlighting, which use 20-30% less energy than the floodlights used on the existing pitches
- 6.29 There are also plans to refurbish the pavilion, and while this falls outside the remit of this application, they are proposing to use this refurbishment as an opportunity to install water efficiency measures to the existing changing rooms and to investigate the use of solar thermal panels for provision of hot water to the changing rooms. I would be very supportive of this approach and am supportive of the application overall.

### **Sports and Recreation Manager**

- 6.30 The City Council and South Cambridgeshire DC Playing Pitches Strategy covers the four main sports utilising open spaces for formal sport and recreation and the plans for hockey within the strategy clearly identify the need for three floodlit artificial sand based pitches and supporting infrastructure at the University's site at Wilberforce Road, as a key strategic priority to accommodate the existing demand and future growth of hockey in Cambridgeshire.
- 6.31 The Playing Pitches Strategy clearly identifies there is a current and future need for more sand dressed floodlit artificial pitches for hockey, with 46 teams (19 men's, 15 ladies' and 12 junior squads) currently active and playing in leagues around the City. Future growth in the demand for hockey utilising Sport England team generation modelling is predicting a further 8 teams being generated over coming years (3 men's, 1 ladies', and 4 junior

teams) taking the active levels up to 54 teams seeking facilities and match play times.

6.32 England Hockey is very supportive of 'hub-based' approaches where sites can accommodate multiple pitches and supporting facilities are available. This proposal provides such a 'hub' and is in line with their national plan and objectives to support the continued growth of hockey at all levels within Cambridgeshire.

6.33 The Playing Pitch Strategy identifies the development of Wilberforce Road as a key strategic priority in the adopted action plan. The additional pitches will provide for City and South Cambs based teams and leagues to be accommodated. This will deliver an objective of the City Council to work with the University estates to open up their facilities for more public use.

### **Sport England**

6.34 Strong strategic support for the proposal. High priority for England Hockey. Benefits for hockey will outweigh the loss of the present grassed area. Possible benefits also for football as it would enable the resurfacing of the existing pitch at Abbey Leisure Centre. No objection.

### **Disability Consultative Panel (meeting of 31<sup>st</sup> January 2017)**

6.35 The AGP surface would need to be wheelchair accessible as the surface would allow for year-round wheelchair games. The path from the car park would need to be made of a bound, non-slip surface.

6.36 Panel would emphasise the need in any future refurbishment of the changing facilities for a Changing Places WC.

6.37 As disabled team sports are growing in popularity, Panel welcome the expansion in pitch provision that will benefit not only the University but the wider community.

### **Access Officer**

6.38 Supports the application

### **Cambridgeshire County Council (Archaeology)**

6.39 No objection to development. Recommend condition to secure scheme of archaeological investigation, and its implementation.

6.40 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 Representations in support of the application have been made by individuals at the following addresses.

### in the city

31 Abbey Road	4 Nine Wells Road
9 Barrow Road	21 Ravensworth Gardens
35 Barrow Road	38 Rock Road
55 Barton Road	7 Rustat Avenue
40 Bermuda Terrace	68 St Barnabas Road
60 Blinco Grove	6 St George's Court
13 Bulstrode Gardens	15 St Thomas' Square
19 Chedworth Street	56 Scholars Walk
314 Cherry Hinton Road	18 Sedgwick Street
32 Chesterton Hall Crescent	21 Sedley Taylor Road
134 Coleridge Road	5 Storey's Way
40 Davy Road	3 Summerfield
9 Eltisley Avenue	Flat 1, 212 Victoria Road
27 Flack End	7 Wilberforce Road
71 Godwin Way	9 Wilberforce Road
69 Grange Road	14 Willers Lane
11 Gresham Place	1B Willow Walk
52 Gunhild Way	71 Woodlark Road
76 Hemingford Road	Wolfson College
108 High Street, Chesterton	12 Wootton Way
54 Hurrell Road	4 Wordsworth Grove
49 Mawson Road	
278a Mill Road	
32 Millington Road	
25 Montague Road	
5 Montgomery Road	
8 Morland Terrace	

in the rest of the sub-region

Aldwyke Cottage, Smiths End Lane, Barley  
11 Comberton Road, Barton  
11 Shangani Road, Bishops Stortford  
35 Thornfield Road, Bishops Stortford  
25 Beechwood Avenue, Bottisham  
52 High Street, Bottisham  
51 High Street, Bourn  
The Old Store, High Street, Brinkley  
The Old Stables, Berkeley House, Burwell  
5 Kentwell Place, Burwell  
100 Low Road, Burwell  
Claytor, Bolts Hill, Castle Camps  
12 Mandrill Close, Cherry Hinton  
20 Green End, Comberton  
Binbrook Barn, Northfield Farm, Comberton  
Manor Barn, South Street, Comberton  
140 High Street, Cottenham  
View Farm House, Park Lane, Dry Drayton  
30 Ringstone, Duxford  
53 High Street, Earith  
12 Chesterfield Way, Eynesbury  
3 Wright's Close, Fen Ditton (2)  
52 Haggis Gap, Fulbourn  
135 High Street, Girton  
13 Burnt Close, Grantchester  
13 Grain Close, Great Shelford  
Longacre, Haverhill Road, Great Shelford  
56 Angle End, Great Wilbraham  
Hadstock House, Walden Road, Hadstock  
8 Main Street, Hardwick  
12 Haslingfield Road, Harlton  
6 Trinity Close, Haslingfield  
14 Scott's Crescent, Hilton  
Hinxton Court, Hinxton  
3A St Peter's Road, Huntingdon  
28 Mill Lane, Impington  
16 Percheron Close, Impington  
107 Waterbeach Road, Landbeach (2)  
4 Cooper's Court, Linton  
5 Abbots Close, Litlington  
The Elephant House, Little Raveley

40 Camel Road, Littleport  
1-3 Hauxton Road, Little Shelford  
16 Hauxton Road, Little Shelford  
26 Hauxton Road, Little Shelford  
68 High Street, Little Shelford  
31 Magdalene Close, Longstanton  
Elm Cottage, The Avenue, Madingley  
4 New Road, Melbourn  
18 Stamford Street, Newmarket  
The Cottage, Fowlmere Road, Newton  
68 Town Street, Newton  
12 South Park Drive, Papworth Everard  
Lakeside Lodge Health Club, Fen Road, Pidley  
7 Bentley Close, Ramsey  
170 Herne Road, Ramsey St Mary's  
33 Burwell Road, Reach  
19 Orchard Way, Royston  
24 Piper's Close, Royston  
3 Sun Court, Gold Street, Saffron Walden  
7 Gorse Way, St Ives  
9 Skylark Close, St Ives  
25 Wren Close, St Ives  
Field House, Shingay-cum-Wendy  
65 High Street, Stretham  
50 Lower End, Swaffham Prior (2)  
Lily Hill House, Manor Farm Road, Waresley (2)  
1 West End, Whittlesford  
Thornbery Hill Farm, Wimpole  
Cambs Past Present and Future

further afield

54 Wilmot Way, Banstead  
17 Tivoli Crescent, Brighton  
24 Lancashire Road, Bristol  
58 Emsworth Close, Bury St. Edmunds  
21 Fordington Dairy, Dorchester  
134 Whispering Pines, Jumeriah Estates, Dubai  
Hope Cottage, Shantock Hall Lane, Bovingdon, Hemel  
Hempstead  
20B Hailey Lane, Hertford  
van Yussumlaan 1, Hilversum, Netherlands  
69 Church Road, Tilney St. Lawrence, Kings Lynn  
1 Brabant Road, Aigburth, Liverpool



1506 Canaletto, 257 City Road, London EC1  
27 Langford Green, London SE5  
45 Roseneath Road, London SW11  
187 Boundaries Road, London SW12  
14 Beech Court, Arterberry Road, London SW20  
11 Spencer Mansions, Queens Club Gardens, London W14  
50 East 28<sup>th</sup> St, New York City, USA  
10 Arthur Street, Nottingham  
79 Bridge Street, Oxford  
101 Hyholmes, Bretton, Peterborough  
132 Northfield Road, Peterborough  
15 Park Home Ave., Peterborough  
Dorset Magna, Rowe Lane, Pirbright  
80 Kings Road, Reading  
10 The Butchery, Sandwich  
24 Ashdell Road, Sheffield  
59 North Street, Stilton  
221 Raeburn Avenue, Surbiton  
41 Lower Green, Tewin, Welwyn Garden City  
80 Wellcroft Road, Welwyn Garden City  
14 Hazeldene Road, Weston-super-Mare  
10 Oakfield Place, Witney

7.2 Representations in support of the application have also been made by the following organizations.

Ashford (Middlesex) Hockey Club  
Bishops Stortford Hockey Club  
Cambridge South Hockey Club  
Cambridge University Hockey Club (with petition of 36 signatures)  
Cambridgeshire Hockey (2)  
Cambridgeshire and Peterborough Sports Partnership  
City of Peterborough Hockey Club  
East Region Hockey Association  
East Region Hockey Umpires Association  
Edgbaston Hockey Club  
England Hockey  
Exeter University  
Middlesex Hockey Association  
Northampton Hockey Club  
Royston Hockey Club  
St Ives Hockey Club  
Wimbledon Hockey Club

### 7.3 The representations in support can be summarised as follows:

- Would make good use of existing ground and facilities, avoiding the need to build elsewhere
- Lack of facilities at present
- In line with English Hockey's national strategy
- Hockey participation growing, especially amongst children (80% for U16's in five years)
- Help in fight against obesity
- Would enable more participation (including adults who have not played since school)
- Would help to accommodate growing hockey participation at schools level
- Would address present particular shortage of facilities for girls
- Would benefit many children who do not have facilities for hockey in their own schools
- Current shortage of pitches results in late training times and lack of playing opportunities, deterring girls from continuing in the sport
- Cambridge City is a particularly large club – this would help to meet current and future demand for pitch time
- Would enable more opportunities for coaching
- Particularly difficult to organize large courses for children without a multi-pitch venue
- Improved opportunities for umpire training
- Would greatly facilitate organization of youth competitions for clubs and schools
- Would reduce traffic through the city by enabling tournaments to use a smaller number of locations
- Would be very helpful to home and visiting teams when multiple teams are involved, enabling players to change, shower and take refreshments at the same location as playing
- Would help to make Cambridge a regional centre for sport, including disabled sport
- County and regional events, summer camps, specialist club training sessions and national performance centres could be held
- Would enable Cambridge more closely to emulate the standard of sports provision available elsewhere in Europe
- Would attract people to live, work and study in the area
- Would enable more prestigious tournaments to take place

- Social benefits of more participation
- Partnership between hockey club, University, and other partners should act as blueprint for future community-led projects
- Hockey 'hub' will encourage more social interaction, more spectating and volunteering, and growth of a community
- Pitches can be used for other sports such as lacrosse, football, ultimate frisbee, rounders and tennis
- Sustainable location
- Has considered needs of neighbours
- Many players cycle, so increase in motor traffic would be limited
- More pitches would reduce the need for activity to go on late
- Restrictions should not be placed on hours of floodlighting

7.4 A petition of 100 signatures in support of the application was received on 4<sup>th</sup> March 2017

7.5 Representations objecting to the application, or seeking conditions have been made by individuals at the following addresses.

10 Adams Road  
 11 Clarkson Road  
 7 Dane Drive  
 75 Gough Way  
 21 Wilberforce Road

and by North Newnham Residents' Association

7.6 The representations objecting or requiring conditions can be summarised as follows:

- Light pollution will add to existing blighting of area
- Light spillage should be minimised
- Long hours of use
- Lighting should not be permitted after 2200
- Existing tree screening is ineffectual because of poor planning, implementation and maintenance
- Slow-growing native tree species not appropriate for screening
- Harm to wildlife corridor
- Mitigation measures on light and noise not sufficient
- Mitigation measures on habitat loss insufficient

- Increased traffic
- Hazard to safety at site entrance
- Noise from hockey balls striking backboards
- Backboard noise should be addressed by dampners
- Noise from public address system
- Need for bus parking
- Need for adequate bus cornering and turning space
- Additional car parking would attract more traffic
- One-way traffic in Adams, Wilberforce and Clarkson Roads should be used when events are staged
- Pitch at Abbey Leisure centre could be retained instead of Pitch 3
- Development, if permitted, should be staggered, with floodlighting on Pitch 3 not permitted until successful landscape screening has been demonstrated
- Wide geographic spread of responses in support suggests a coercive campaign
- Application ignores impact of further growth of University West Cambridge site
- Application ignores potential route for guided busway alongside site
- No attempt to increase cycle access to the site from other directions
- Travel data is insufficient
- Destination of surface water runoff not identified
- Risk of pollution from chemical cleaning of AGPs
- University fortunate to have existing permission

7.7 Representations objecting to the application have also been made by Cambridge Past Present and Future.

7.8 The objections in this representation can be summarised as follows:

- Habitat loss will not be mitigated by proposed landscaping (contrary to paras 109 and 118 of the Framework). Alternatives are required.
- Visual impact of lighting could be reduced by reducing number of poles, reducing height of poles, using poles which could be lowered, or replacing existing lighting with more modern versions.
- Trumpington Sporting Village application might render additional pitches superfluous to need.

7.9 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**

### **Introduction**

8.1 The planning history relating to all-weather pitches and floodlighting on this site is fairly long and complex, dating back to 1992. In 1993 Planning Committee granted permission under C/92/0305/FP for the current athletics track, the pavilion, and two all-weather pitches. One such pitch was constructed, and remains in use. The second all-weather pitch has never been put in place, but as the rest of the development has been implemented, the permission for the second pitch remains extant. In 1999, Planning Committee granted permission (C/99/0253/FP) for eight 16m high floodlight columns. This permission was subject to a legal agreement which required the columns to be demounted between 5 May and 5 October each year.

8.2 In 2007 a new application was made under 07/0939/FUL to erect floodlights to serve the athletics track and both the existing and unimplemented all-weather pitches. The floodlights in this application were to remain in place all the year round. Planning Committee granted permission for these lights in February 2008. The lights serving the athletics track and the existing hockey pitch were erected; permission for the floodlights for the as-yet-unimplemented second hockey pitch remains extant. This permission has established the principle that permanent all-year-round floodlights for sports pitches in this location within the Green Belt are compliant with planning policy.

8.3 In this context, and in the light of consultation responses and representations received and my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development - need
2. Principle of development - Green Belt
3. Context of site and design

4. Renewable energy
5. Sustainable drainage
6. Disabled access
7. Trees
8. Nature conservation
9. Residential amenity
10. Traffic and highway safety
11. Car, cycle and bus parking
12. Third party representations

### **Principle of Development - Need**

- 8.4 Policy 6/2 of the Cambridge Local Plan 2006 states that the improvement of a leisure facility (defined as including those for outdoor sport) will be permitted if it improves the range and quality of facilities and is an appropriate scale for the locality. Paragraph 6.7 of the supporting text specifically notes that intensive-use sports facilities such as floodlit multi-use games areas and synthetic turf pitches contribute greatly to sports development, and proposals for these will be supported providing that there would not be undue intrusion or significant adverse impact on the immediate locality or wider environment. Paragraph 73 of the Framework emphasises the contribution which access to high quality opportunities for sport and recreation can make to the health and well-being of communities, and advises robust and up-to-date assessments of the needs for sport and recreation facilities should be used to determine what provision is needed.
- 8.5 The Greater Cambridge Area Playing Pitch Strategy 2015-2031 includes a full assessment of the existing hockey pitch provision in the area and the present and likely demand. It identifies a significant shortfall in the existing provision, and identifies the provision of two additional floodlit artificial grass pitches (AGPs) at the University Athletic Ground as a Level 1 priority, which should be delivered or worked towards within the first three years from 2015
- 8.6 Representations suggest that retention of the existing AGP at Abbey Leisure Centre or the creation of a Sporting Village in Trumpington might eliminate the need for further pitches. There is no certainty that the Trumpington Sporting Village project will be realised given that this is not an allocated site in the Local Plan. An application for the Sporting Village is currently under

consideration by the Councils, but it is unlikely that officers will be able to support it given that it is a Departure application. Officers do not support the development of additional hockey provision in Trumpington, because the Playing Pitches Strategy has clearly identified Wilberforce Road as the appropriate site for such development and a top priority within the Strategy. The possibility of resurfacing the AGP at Abbey Leisure Centre to help meet the need for pitches for football is noted in the Playing Pitches Strategy as a benefit of providing additional hockey pitches at Wilberforce Road, and this benefit is confirmed by Sport England's advice above on the present application.

- 8.7 This proposal is based on a very thorough assessment of the need for the AGPs and their associated floodlighting, (an assessment supported by considerable anecdotal evidence in third party comments). In my opinion, it would significantly improve the range, accessibility, and quality of facilities, it would enhance sporting provision by maximising the use of an existing facility, and it is of an appropriate scale for the locality. Subject to an assessment against Green Belt policy, the principle of the development is acceptable and in accordance with policy 6/2 of the Cambridge Local Plan 2006, and paragraphs 73 and 74 of the Framework.

### **Principle of development - Green Belt**

- 8.7 The national planning policy context for development in Green Belts is Section 9 of the National Planning Policy Framework (2012). Paragraph 79 of the Framework states that the most important attribute of Green Belts is their openness. Paragraph 80 adds that the purposes of including land within the Green Belt are to prevent sprawl, assist in safeguarding the countryside from encroachment and to preserve the setting of historic towns. Paragraph 81 notes that land within designated Green Belts has a positive role to play fulfilling a number of objectives, including the provision of opportunities for outdoor sport and outdoor recreation near urban areas.
- 8.8 Paragraph 87 states a presumption against inappropriate development in the Green Belt. Paragraph 89 sets a general rule that the construction of new buildings in the Green Belt is inappropriate, but sets out a number of exceptions to this rule, one of which is the provision of appropriate facilities for outdoor

sport and recreation, provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

- 8.9 Cambridge Local Plan 2006 policy 4/1 also notes the general presumption against inappropriate development in the Green Belt, but in the supporting text notes that consideration must be given to national planning policy guidance.
- 8.10 The Cambridge Inner Green Belt Boundary Study (November 2015) defines three purposes for the Cambridge Green Belt:
- To preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre
  - To maintain and enhance the quality of its setting
  - To prevent communities in the environs of Cambridge from merging into one another and with the city
- 8.11 I have indicated above that in my view the provision of the AGP's and associated floodlights is an appropriate facility for outdoor sport, and is based on a very robust assessment of the need in the sub-region. The proposal must also be assessed against the need to preserve openness, and the need to avoid conflict with the three relevant purposes of including land in the Green Belt

#### Impact on openness

- 8.12 I accept the applicants' assertion that the role this site currently plays in maintaining openness is relatively limited, because views into it from the public realm are partly or wholly screened, or (from the west) are mostly from quite distant viewpoints. Nonetheless, it does have some role in preserving the openness of the area. The two proposed pitches would not have any impact on openness. The structures proposed are 16 lighting columns (eight of them in locations around Pitch 2, where extant permission exists), and 5m high ball-catching fences around Pitches 2 and 3. (I address the issue of lighting itself elsewhere – it is not pertinent to the question of openness.) The structures proposed are slender and lightweight. They would not involve any bulky form, or give a strong sense of visual enclosure, and the prominence of the fences would be reduced by existing and proposed planting. Planting would also have some screening effect on the



proposed lighting columns, although even at maturity, it would still leave the columns visible from the public realm to a significant degree. However, I do not consider that the slender forms of floodlight columns have any significant impact on openness.

#### Preventing sprawl and protection of countryside from encroachment

- 8.13 The Cambridge Inner Green Belt Boundary Study 2015 notes that sports pitches are one of the features of this sub-area of the Green Belt, and that they form part of a partial green corridor. This site is already in use as an athletic ground, although there are no specific facilities (apart from the hammer-throwing cage) installed on the western part of the site at present, and this part is characterised by mown grass and shrub/tree planting. The trees and shrubs on site are not protected, however, and this part of the site could be reconfigured as a grass playing pitch without the need for planning permission. Currently, the western part of the site has a sylvan, semi-suburban character, similar to parts of the Grange Road area to the east, but it could not correctly be described as 'countryside'. I am of the view that an additional hockey pitch in this part of the site would not alter its contribution to this sub-area of the Green Belt, and would not result in encroachment into the countryside.

#### Setting of the city

- 8.14 The Inner Green Belt Boundary Study 2015 emphasises the significance of Sector 3 (into which this site falls) in abutting, and providing a short approach to, the historic core, and in giving key views of the city. Lighting columns are already a feature of this site, but they do not form a foreground to any significant views of the city. The Landscape Visual Assessment (LVA) which accompanies the application includes photographic and CGI images of the site from 900m west of the boundary along the Coton footpath, both existing and proposed. The LVA also includes photographs of the site at present from a wide range of viewpoints to the west of the city. These images demonstrate that from this viewpoint, both existing and proposed lighting columns, although perceptible, are too slight a form to have any salience in the landscape or compete with, or detract from the key landmarks such as the towers of the

University Library and the Church of Our Lady and the English Martyrs. Once an observer approaching the city from the west is close enough for the lighting columns to be prominent, the landmarks of the historic core are hidden by trees in the Grange Road area. I am of the view that this screening of the central landmarks occurs to a considerable degree even in the winter, because of the density of planting.

8.15 The LVA also includes views of the proposed floodlights in daylight, at dusk and in darkness, from a viewpoint on the Coton footpath 250m west of the site boundary, and from the Bin Brook, 300m south-east of the site. The CGI images in both cases show that the proposed new columns would be clearly visible during daylight, and the additional luminaires would feature clearly in views during dusk and darkness. However, extant permission already exists for floodlights on Pitch 2, and the proposed Pitch 3 floodlights would be closely grouped with the existing and previously-permitted columns in the landscape.

8.16 I acknowledge the strongly-expressed concerns about the negative visual impact of the proposed floodlights in representations, and I agree that there would be some negative visual impact from eight additional columns and luminaire clusters, and from the light they would emit at night, even in the context of 28 existing or permitted units. In my view however, this impact would be limited and would be reduced, in time, by the effect of planting. I do not consider that it would cause significant harm to the setting of the city, or alter the extent to which this area provides a short approach to the historic core. The visual impact of the pitch surfaces, fencing, pitch surrounds, additional parking area, alterations to the pavilion and new substation would be minimal. I do not consider they would have any impact on the setting of the city.

8.17 The whole of the University Athletic Ground has been in recreational use for a considerable period of time. The athletics track, jumping runways and pits, one AGP and 20 floodlight columns associated with these facilities are already in place, and permission exists for a second AGP and eight further lighting columns. The area on which this application seeks permission for a third floodlit pitch contains the throwing cage, and is already used for hammer, shot and discus throwing in practice and competition. I do not consider that the proposal would lead to loss of openness, sprawl, encroachment into the

countryside, or harm to the setting of the historic city. The application has demonstrated a clear need for the proposed sports facilities, including the additional floodlighting and the extended hours of floodlighting, which is supported by the Council's Playing Pitches Strategy and by Sport England.

8.18 For all these reasons, I have not considered the proposal to be inappropriate development in the Green Belt, and in my opinion, a justification of 'very special circumstances', as set out in Paragraph 87 of the Framework is not required. However, were this interpretation to be questioned, and the proposal therefore considered to be 'inappropriate development in the Green Belt' it is my view that very special circumstances to justify the application would exist. Those circumstances are:

- The very robustly demonstrated need for additional hockey pitch provision in Cambridge and South Cambridgeshire
- The emphasis in Paragraph 73 of the Framework on the contribution made by opportunities for sport and recreation to the health and well-being of communities
- The fact that the two councils' Playing Pitches Strategy not only identifies this site as one of the two appropriate locations for additional hockey pitch provision, but identifies the development of the facility as a high priority
- The firm support of Sport England for the proposal

8.19 Consequently, in my view, the proposal is in accordance with policy 4/2 of the Cambridge Local Plan 2006, and with paragraphs 80, 81, 87 and 89 of the Framework,

### **Context of site and design**

#### Proposed new playing surfaces

8.20 The proposed pitches would have the typical appearance of an AGP. The bright blue colour of the pitch surround contrasts to a degree with the grass and natural planting which forms the background, but in my view this causes no harm to the sports field character of the area, and is in any case, only perceptible only from close quarters or in an aerial view. The impact of the pitches themselves would be negligible, and in my view this aspect of the proposal is fully in accordance with policies 3/4 and 3/14 of the Cambridge Local Plan 2006.

## Fences

- 8.21 5m high ball-stop fences are proposed around both the proposed new pitches and around the existing Pitch 1. These are utilitarian rigid metal mesh fences with a grid size small enough to prevent the penetration of a hockey ball. They have a strong visual presence from close quarters, but would be less prominent from public realm viewpoints because of their transparency, their distance, their relatively limited height, and a degree of screening from existing structures and proposed and existing planting. In my view they are of an appropriate design for this sports field context, and not likely to have any significantly harmful visual impact. Subject to a condition to ensure the use of black or very dark green paint, which would minimise their visibility, the fences would be in accordance with policy 3/4 of the Cambridge Local Plan 2006.

## Lighting columns

- 8.22 The proposed lighting columns (eight more than already permitted) would be slender structures. I have already indicated above that the columns and luminaire clusters would have some negative visual impact. In the context of close proximity to existing floodlights, however, it is my view that this impact would be very limited, and that the columns and luminaire clusters would be in accordance with policy 3/4 of the Cambridge Local Plan 2006.

## Car and cycle parking spaces

- 8.23 The additional car and cycle parking spaces proposed would have only very limited visibility except from close quarters. I do not consider they would have any harmful impact.

## Alterations to the pavilion

- 8.24 At present, the pavilion has a timber balcony with balustrade, supported by timber uprights at first-floor level. This structure extends for approximately 8m around the north end of the building, from the mid-point of the east elevation to the mid-point of the west elevation. The proposal would extend this balcony, in the same form, for a further 13m down the west face of the building. In my view this would be entirely in keeping with

the existing building, and in accordance with policies 3/4 and 3/14 of the Cambridge Local Plan 2006.

#### Alterations to scorers' hut

- 8.25 The scorers' hut is a very small projection from the north elevation of the existing pavilion (5m high, 2.4m wide and 2m deep). It is reached by a short external staircase. The hut currently has a pitched roof; it would be replaced by a flat roof. Although the present pitched roof echoes the pitches elsewhere on the building, the roof of this projection is seen against the background of the horizontal balcony and rectangular windows. I note the adverse comments of the conservation officer about this element of the proposal, but given the very limited size of this amendment relative to the whole building, I do not consider that the use of a flat roof here would significantly detract from the appearance of the building. In my view this alteration is in accordance with policies 3/4 and 3/14 of the Cambridge Local Plan 2006.

#### New sub-station

- 8.26 The proposed new sub-station would be sited alongside the driveway from the site entrance to the pavilion. It would be a brick structure measuring 4m x 4.7m, and approximately 2.5m high, although the precise height and roof design are unclear from the submitted drawings. The building would be visible from the site entrance at Adams Road/Wilberforce Road, but it would be 40m from this junction, and would in my view have very low visual prominence. A condition is necessary to control the roof design, but I consider this building to be in accordance with policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.

#### Landscaping

- 8.27 The proposal includes additional landscaping, including structural planting in gaps in the existing boundary hedges, additional ground cover shrub planting around the overflow car park, and enhanced planting in the area around the northern pond in an area currently of low ecological value. In my view, the design of this landscaping maintains and enhances the

landscape quality of the site. Subject to conditions, the landscape proposals are considered appropriate by the landscape and nature conservation officers, and in my view, the landscaping proposals are in accordance with policies 3/2 and 3/11 of the Cambridge Local Plan 2006.

### **Renewable energy and sustainability**

8.28 Although this is a major application, it is not practicable to apply policy 8/16 because virtually no buildings are proposed. The application has sought to reduce energy use by the type of lighting selected, and the applicant has indicated an intention to improve the sustainability of the pavilion building in future plans for alterations to the building. The Senior Sustainable Development Officer supports the proposal.

8.29 Although the proposal is not strictly in accordance with the letter of Cambridge Local Plan (2006) policy 8/16, I concur with the Senior Sustainable Development Officer that it is not practicable to require such adherence on a proposal of this type without any buildings. In my view, the applicants have suitably addressed the issue of sustainability and the principles and objectives of the Sustainable Design and Construction SPD 2007.

### **Sustainable drainage**

8.30 I accept the advice of the sustainable drainage officer and the lead local flood authority that a condition requiring the submission and implementation of an acceptable surface water drainage scheme is a sufficient safeguard to ensure sustainable drainage, in accordance with Cambridge Local Plan 2006 policy 4/16.

### **Disabled access**

8.31 The new pitches will all have level thresholds and a bound, non-slip surface which is suitable for all-year round wheelchair hockey. The spectator areas will accommodate wheelchairs. 7 new disabled car parking spaces will be provided in close proximity to the pavilion

8.32 The Access Officer and Disability Access Panel both support the application, and in my opinion the proposal is compliant,

with respect to inclusive access, with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Residential Amenity**

### Light

- 8.33 An Obtrusive Light Report (OLR) has been submitted with the application. The environmental health team advise that this report is comprehensive and in accordance with national technical and best practice standards and guidance. It considers the cumulative impact of the floodlighting to all three pitches (one existing, two proposed).
- 8.34 The application includes a number of measures designed to reduce the obtrusive impact of floodlighting:
- 15m-high columns allow a more acute tilt angle of luminaires to reduce glare outside the pitch area
  - Proposed lights have narrow beams to concentrate light on the pitch area only
  - Louvres are proposed to minimise light spill
  - Lights are dimmable and can be operated at lower levels for training
  - Lights can be switched on in thirds to light specific areas where whole pitches are not required
  - Timers will provide automatic cut-off at the end of permitted hours
- 8.35 The proposed floodlights on Pitch 3, which are the only ones for which permission does not already exist, would be 90m from the nearest houses in Perry Court, and 280m from the nearest house in Adams Road.
- 8.36 The proposed lighting scheme will comply fully with the Institute of Lighting Professionals (ILP) Obtrusive Light Limitations for a location in the E2 category. E2 zones are rural surroundings with low district brightness such as a village or a relatively dark suburban location. I also note that the OLR modelling of light levels to existing premises does not take account of any physical obstructions such as trees or fences, and that actual light levels at existing premises are likely to be lower than given.

8.37 In view of the compliance of this application with ILP guidance for E2 dark suburban or village locations, I accept the advice of the environmental health team that the impact of the proposed floodlights on residential amenity and quality of life is acceptable.

8.38 The application proposes that the permitted hours of floodlight use on the three pitches be extended from the existing hours permitted for Pitch 1 in three ways:

- Floodlight use to be permitted from noon onwards on any six days in a given week (rather than from 1430 onwards as at present), to improve safety in poor weather and light conditions.
- Floodlight use to be permitted on all Wednesdays and Saturdays until 1900 (rather than until 1830 as at present)
- Floodlight use between 1830 and 2130 to be permitted on any five evenings other than Sunday\* in any week (rather than any four evenings as at present)

(\* The environmental health officer has raised a query about whether evening use of the floodlights on Sundays is proposed, but in my view, it is clear that the application does not seek to alter the existing prohibition on floodlighting after 1830 on Sundays, and the continuance of this prohibition can be secured by condition.)

8.39 A number of neighbour representations argue strongly that there should be no extension of the existing permitted hours for floodlighting. However, I do not consider that the facility to use the lights early in the afternoon in poor weather is likely to have any significant impact, because the light emitted would have relatively low prominence in daylight, even when it is overcast. Given the compliance of the application with ILP guidance for E2 areas, I do not consider that either of the other two proposed extensions to permitted hours (a half hour extra on Wednesdays and Saturdays, and one additional evening use in the week) are unreasonable.

8.40 I do not consider that additional mitigation against obtrusive light is required. Nor do I consider that it would be reasonable to delay the construction of Pitch 3 while the mitigating effect of new landscaping was assessed. In my opinion the proposal as submitted adequately respects the residential amenity of its



neighbours in respect of obtrusive light and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4, 4/13, and 4/15, and the guidance in Paragraph 125 of the Framework.

### Noise

- 8.41 Since permission for AGP surface and floodlighting on Pitch 2 already exists, the assessment of noise impact from the present proposal must focus on the different impact which would arise from the creation of Pitch 3. Concerns about noise from practice and matches on Pitch 3 must also be considered against the potential for changes on this part of the site which do not require planning permission. The Pitch 3 area currently accommodates the athletics throwing cage and throwing area, and is used for shot, discus and hammer throwing. The trees on this part of the site are not protected. It would be possible, without any permission, for trees and shrubs on this part of the site to be removed and the area prepared and marked out as a pitch for football or other ball sports. I recognize that no permission for floodlights on this part of the site exists at present, and therefore the area could not be used after dusk. I also recognize that there are no backboard impact noises from football. However, this area could be used in daylight hours for football, for example, an activity which would generate the same noise, or possibly greater noise, from shouting, whistles and spectators as hockey. I note also that the main difference, in noise generation terms, between this 'fallback' position and the present application, i.e. winter evenings requiring floodlighting, would affect nearby residents during the time of year when they would be least likely to be using outdoor space, and least likely to have windows open.
- 8.42 The main concern of the environmental health team about noise impact has been with respect to the impact of hockey on the proposed Pitch 3 on the residents of 6-12 Perry Court, because this pitch would be closer to these premises than the existing or previously approved AGPs or the athletics track. It is noted that the submitted noise assessment, which the environmental health officer considers to be generally acceptable, concludes that the '*overall noise level from AGP use*' will be below the 50dB<sub>L</sub>A<sub>eq</sub> level which is recommended by the World Health

Organization to prevent annoyance to nearby residents and is therefore acceptable.

- 8.43 The overall noise level is not the most important issue, however. Advice from the environmental health officer is that in the case of sports pitches, the factors most likely to cause disturbance and annoyance to nearby residents are not overall noise levels, but the number, frequency and pattern of 'individual maximum impulsive noise' occurrences, which in this case would come from impacts of stick on ball and stick on stick, balls hitting backboards and boundaries, whistles, and the shouting of players, officials and spectators. The applicants have also submitted information assessing this element of noise (measured in 'dB LAmax fast' levels), and, in response to concerns expressed by the environmental health team, provided additional information on the baseline levels of dB LA max which were used in the noise assessment. The information concludes that the likely levels of individual maximum impact noise would not be above the existing levels.
- 8.44 The environmental health officer has examined this information, and his conclusion is that while he agrees with the assessment of baseline and likely dB LA max levels, the nature and frequency of impulsive noise from hockey would have a different impact from the noises included in the baseline, which are likely to have been from aeroplanes and helicopters, bird noise, dogs barking and pedestrians and cyclists using the Coton footpath. For this reason, he is of the view that, notwithstanding the conclusions of the noise assessment, some additional restrictions on the use of Pitch 3, particularly with respect to evening use at weekends, are required to avoid unacceptable noise impact.
- 8.45 The conclusion of the environmental health officer on this aspect of noise is that the impact on residents of Perry Court would not be at unacceptable levels, provided that the mitigating measures submitted in the application are implemented, that Pitch 3 is not used in the later part of the evening on Saturdays, Sundays and Bank Holidays, and that restrictions are in place to prevent other more noisy sports (particularly football and rugby) from taking place on these pitches. I accept his advice on this issue. However, although a prohibition on football and rugby is sufficient to avoid unacceptably noisy activities on Pitch 2, the proximity of Perry

Court to Pitch 3 requires a different approach. I accept the contention of the applicant that to prohibit any sport other than hockey on this pitch would be unreasonable, but the menu of acceptable sports here needs to be carefully controlled, especially with respect to the summer months when a demand for activities other than hockey may exist, but must be balanced against the likelihood of neighbouring residents using their outdoor space more extensively. I recommend a condition to secure this control. I am also of the view that as an additional measure to limit possible noise impacts, use of Pitch 3 should only be permitted when Pitches 1 and 2 are already in use, and that when partial use takes place on Pitch 3, the southern end should be used rather than the northern end. I also recommend that the use of Pitch 3 in the evenings be restricted to the same number of days as floodlighting is allowed, to prevent use in the summer months being more intensive than in the winter.

8.46 I address the issue of the impact of the application on traffic below under that heading. The environmental health team have not expressed concerns about noise from traffic, and I do not consider that any increase in traffic to the site is likely to have a significant adverse impact on residential amenity.

8.47 In my opinion, subject to the conditions recommended, the proposal adequately respects the residential amenity of its neighbours with respect to noise and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13, and the guidance in paragraph 124 of the Framework.

### **Trees**

8.48 I agree with the arboricultural officer's advice that although the loss of a large oak is regrettable, the impact of the proposal on the arboricultural character of the area is acceptable. I recommend tree protection conditions in line with the arboricultural officer's advice.

### **Nature conservation**

8.49 The provision of the additional AGP involves the loss of some habitats, principally scrub areas. The initial view of the nature conservation officer was that this was acceptable in principle subject to appropriate mitigation, but that the mitigation proposed in the application as submitted was not sufficient. The

applicant has subsequently submitted a revised scheme for mitigation, with which the nature conservation officer is satisfied. A condition is necessary to ensure that the submitted mitigation is maintained or replaced in the future.

- 8.50 The nature conservation officer is also satisfied that the welfare of protected species on the site can be adequately protected by appropriate conditions. I accept this advice and recommend the conditions he has suggested. Subject to these conditions, in my opinion, the application is compliant with Cambridge Local Plan 2006 policies 4/3 and 4/7, and with guidance in paragraphs 109 and 118 of the Framework.

### **Traffic and highway safety**

- 8.51 I accept that the additional pitch sought in this application above what has extant permission may lead to some increase in traffic to the site. However, the application, and many of the representations in support suggest that increased traffic associated with the potential to accommodate more matches may be offset by a number of factors. These include:

- Drivers bringing several hockey players to practice or to matches may currently have to drive to Wilberforce Road and then to one or more other sites because of the need to use pitches elsewhere in the city alongside this site for both fixtures involving several teams and training for different age groups or competence levels. This pattern would be reduced by the concentration of hockey activity on this site.
- At present, players and officials often return to Wilberforce Road from other hockey pitches after matches for refreshments and socializing. This pattern would be significantly reduced if there were three AGP's on this site.
- It is the case that a significant proportion of users are likely to travel by cycle. I acknowledge that representations from across the sub-region demonstrate that there are many potential users who will live much too far from the city to cycle, but many will live much closer, and the nature of the activity and the age-range of participants both increase the likelihood of cycle use.

- 8.52 The highway authority has not raised concerns about any unacceptable impact on the highway network either locally or city-wide. I do not consider that the traffic implications of the proposal are likely to be unacceptable
- 8.53 The highway authority has not raised concerns about highway safety, and I accept their advice. Neighbour representations raise concerns about conflicting traffic flows at the corner of Wilberforce Road and the manner in which these might be exacerbated by further developments on the University's West Cambridge site, or by the potential routing of a new guided busway through this point. I accept that cycle traffic along Adams Road and the Coton footpath is heavy, but, even taking the likelihood of increased cycle traffic into account, I do not consider that this makes the corner dangerous. Neither the highway authority nor the cycling officer has expressed any concern about this issue. If this junction were eventually to be selected as the start point for a guided busway towards Cambourne, the design of that junction would have to take into account traffic flows by all modes through this point, including those to the University Athletic Ground. The present development would not obstruct the use of this route for a busway, but the route is currently only one possibility within an identified corridor, and it would not be reasonable to limit or refuse the proposal because of the manner in which it might influence the design of a potential junction in the future.
- 8.54 Given the highway authority's position, with which I agree, I do not consider there is any need to develop alternative cycle routes into the University Athletic Ground, as is suggested in neighbour representations.
- 8.55 I note neighbour concerns about cornering space for buses. This is also a matter on which the highway authority has not raised concerns. My inspection of the site suggests that the access point can be negotiated by buses. I acknowledge that there may have been occasions when inconsiderate parking, or unfamiliarity with the location on the part of coach drivers has led to difficulties, but I do not consider that the present application is likely to lead to a significant increase in such incidents and I do not consider that it would be a reason to refuse or to place additional conditions on the application.

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

### **Cycle, car and bus parking**

8.57 The cycling officer has agreed that the level of additional cycle parking proposed is adequate for the additional use expected. She has suggested that minor improvements to layout are necessary to ensure the cycle parking functions effectively. I agree with this view, and I recommend a condition to ensure the necessary amendments are made.

8.58 Additional car parking spaces are proposed. This is not in conflict with the aspiration of the local plan to reduce non-residential car parking space, because the area is available for, and is currently used as, informal car parking space. There would be no increase in actual car parking capacity. Representations have raised concerns about car parking in adjacent streets, and suggested that increased car parking on site is required. I do not agree with this view. Neighbouring streets lie outside the controlled parking zone, and there are significant areas of uncontrolled car parking space on-street. This space could be occupied by those engaged in hockey activities, but the on-street parking space is available to visitors and commuters, and is consequently filled for most of the day, at weekends as well as during the week. The present proposal is unlikely to make any difference to this situation.

8.59 In my view the site has adequate space for parking buses or coaches. I agree that accommodating such vehicles in a way which minimises inconvenience for others using the ground, and those outside, requires sensible management by those organizing events, but I have no reason to suppose that this will not be done, and the magnitude of this issue is likely to increase only slightly as a result of the additional pitch sought in this application. I also accept that buses or coaches might park on-street, but this is a consequence of the uncontrolled parking status of some nearby streets, which I have addressed above.

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 I address the issues raised in representations objecting to, or requiring conditions on, the application, in the table below. Where I have covered the issue in an earlier section of my report, I indicate the paragraph number(s).

<b>Lighting issues</b>	
Light pollution will add to existing blighting of area	8.33, 8.34, 8.36, 8.37, 8.40
Light spillage should be minimised	8.34, 8.36, 8.37, 8.40
Long hours of use	8.36-8.39. Condition 16
Lighting should not be permitted after 2200	Condition 16
Mitigation measures not sufficient	8.34, 8.37, 8.40
Visual impact of lighting could be reduced by reducing number of poles, reducing height of poles, using poles which could be lowered, or replacing existing lighting with more modern versions.	8.16
Development, if permitted, should be staggered, with floodlighting on Pitch 3 not permitted until successful landscape screening has been demonstrated	8.36, 8.37, 8.40
<b>Noise issues</b>	
Noise from hockey balls striking backboards	8.43-8.45 and Conditions 8 and 9
Noise from public address system	Condition 10
Long hours of use	8.41, 8.45, 8.47 and Conditions 9, 12, 13, 14 and 16
Mitigation measures not sufficient	8.41, 8.45, 8.47 and Conditions 8-9
<b>Landscape and nature conservation issues</b>	
Harm to wildlife corridor	8.49, 8.50
Mitigation measures on habitat loss insufficient	8.49, 8.50 and Conditions 19 and 20
<b>Highways and parking issues</b>	
Increased traffic	8.51, 8.52
Additional car parking would attract more traffic	8.58

One-way traffic system for events required	8.51, 8.52, 8.53
Need for bus parking	8.59
Need for bus cornering and turning space	8.55
Hazard to safety at site entrance	8.53
Application ignores impact of further growth of University West Cambridge site	8.53
Application ignores potential route for guided busway alongside site	8.53
No attempt to increase cycle access to the site from other directions	8.54
Travel data is insufficient	8.51, 8.52
<b>Alternative provision</b>	
Pitch at Abbey Leisure centre could be retained instead of Pitch 3	8.6
Trumpington Sporting Village application might render additional pitches superfluous to need.	8.6
<b>Drainage issues</b>	
Destination of surface water runoff not identified	8.30 and Condition 22
Risk of pollution from chemical cleaning of AGPs	The applicants have confirmed that no chemical cleaning is required and none will take place.
<b>Process</b>	
Wide geographic spread of responses in support suggests a coercive campaign	There is no evidence to suggest that the volume of responses in support has resulted from coercion

## 9.0 CONCLUSION

- 9.1 It is my view that this proposal is not inappropriate development in the Green Belt because it seeks to provide appropriate facilities for outdoor sport and recreation for which there is a



proven need, and it meets the conditions set out in Paragraph 89 of the National Planning Policy Framework.

- 9.2 Having received detailed advice from the relevant consultees, and taken into consideration the additional information submitted by the applicants, I am of the opinion that any harmful impacts on nature conservation and landscape are limited in scale, and can successfully be mitigated, subject to the recommended conditions. I also consider that the conditions I have recommended are sufficient to protect nearby residents from any unacceptable impact on their amenity from obtrusive noise or artificial light.
- 9.3 The application would provide high-quality opportunities for sport and recreation, fully in accordance with Paragraph 73 of the National Planning Policy Framework, and would allow the implementation of one of the top priorities in the two Councils' Playing Pitches Strategy. I recommend that it be approved.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
  - i) contractors access arrangements for vehicles, plant and personnel,
  - ii) contractors site storage area/compound,
  - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
  - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

5. 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)

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

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

7. 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)

8. The artificial grass pitches hereby approved as Pitches 2 and 3 shall be constructed and then maintained and retained thereafter fully in accordance with the submitted Acoustic Consultants Ltd 'Proposed Artificial Grass Pitches for Hockey, University Sports Ground, Wilberforce Road, Cambridge - Environmental Noise Report (Reference: 6533/DO/pw - February 2017' and in particular the noise mitigation measures detailed within.

Reason: To protect the health and amenity of neighbouring residents. (Cambridge Local Plan 2006 Policy 4/13)

9. Before first use of the artificial grass pitches hereby permitted an Operational Noise Management and Monitoring Plan shall be submitted to and approved in writing by the local planning authority for approval. This shall include details of site wide measures to be undertaken and implemented to mitigate and reduce noisy activities and anti-social behaviour as far as is reasonably practicable. A written complaints procedure / action plan shall also be implemented. The approved plan shall be implemented in full and adhered to at all times.

Reason: To protect the health and amenity of neighbouring residents. (Cambridge Local Plan 2006 Policy 4/13)

10. Public announcement systems and similar loudspeaker amplification equipment shall not be used in connection with any activities on the pitches hereby approved.

Reason: To protect the health and amenity of neighbouring residents. (Cambridge Local Plan 2006 Policy 4/13)

11. Artificial grass pitch 3 shall not be used when a competitive athletics meet is held on the neighbouring University Sports and Athletics Track.

Reason: To protect the health and amenity of neighbouring residents. (Cambridge Local Plan 2006 Policy 4/13)

12. The artificial grass pitch hereby approved as Pitch 2 shall not be used on any day outside the hours 0900-2130.

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

13. The artificial grass pitch hereby approved as Pitch 3 shall not be used outside the following hours.

- 0900 to 2130 hrs - Mondays to Fridays
- 0900 to 1900hrs - Saturdays and Sundays
- 0900 to 1830hrs - Bank and other Public Holidays

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

14. The pitch hereby approved as Pitch 2 shall not be used for playing or practising football or rugby. The pitch hereby approved as Pitch 3 shall not be used until a list of permitted sporting activities has been submitted to, and approved in writing by, the local planning authority. Use thereafter shall be only in accordance with the approved list.

Reason: To protect the health and amenity of neighbouring residents. (Cambridge Local Plan 2006 Policy 4/13)

15. The artificial floodlighting to artificial grass pitches 2 and 3 hereby approved shall be constructed / installed and then maintained and retained thereafter fully in accordance with the submitted Midlands Lighting Solution Ltd 'University Hockey Pitches, Cambridge - Obtrusive Light Report dated 20th March 2017'.

Reason: To ensure light pollution is minimised. (Cambridge Local Plan 2006 policy 4/15)

16. The floodlighting hereby approved shall only be operated during the following hours:

- 1200 to 1830hrs on any six days in any week
- 1830 to 1900 hrs on Wednesdays and Saturdays
- 1830 to 2130hrs on any five evenings other than Sundays in any one week

At all times the floodlighting scheme shall incorporate automated time control to automatically accord with these times.

Reason: To minimise light pollution and to avoid harm to the residential amenity of neighbours. (Cambridge Local Plan 2006 policies 3/4 and 4/15)

17. No part of the source of floodlighting shall be directly visible to users of the adjacent public highway.

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

18. Prior to commencement and before any equipment, machinery or materials are brought on to the site in connection with the works hereby approved, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with BS5837 2012, shall be submitted to, and approved in writing by, the local planning authority. 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 in them, without the prior written approval of the local planning authority.

Reason: To protect the welfare of trees of amenity value. (Cambridge Local Plan 2006 policy 4/4)

19. No work on site, including excavation and the bringing of pipes on to the site, shall be commenced until a Safeguarding Plan for Protected Species has been submitted to and approved in writing by, the local planning authority. Works shall then proceed only in accordance with the agreed safeguarding plan.

Reason: To safeguard protected species. (Cambridge Local Plan 2006 policy 4/7)

20. No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include 1:500 scale planting plans; schedule of plants, percentage breakdown of the species mix, plant sizes and proposed numbers/densities. All soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out in the first planting season following completion of associated construction works. 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.

Those aspects of the landscape works which provide mitigation for the loss of habitats on site shall be so identified in the submitted details, and those aspects shall not be removed thereafter unless alternative mitigation has previously been submitted to and approved in writing by the local planning authority, and implemented.

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

21. The ball-stop fences hereby approved shall be coloured RAL 6009 Fir Green.

Reason: To ensure development is well-integrated with the immediate locality. (Cambridge Local Plan 3/4)

22. No development hereby permitted shall be commenced until detailed surface water drainage works 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:
- a. 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
  - b. 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.

The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: To avoid the risk of flooding (Cambridge Local Plan policy 4/16).

23. The pitches hereby approved shall not be brought into use until a revised scheme for cycle parking has been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to first use and shall be maintained in the same form thereafter.

Reason: To ensure appropriate cycle parking. (Cambridge Local Plan 2006 policy 8/6)

24. Works to extend the pavilion shall be carried out in materials which match as closely as possible those of the existing building.

Reason: To ensure the extension is integrated into the existing building and the immediate locality (Cambridge Local Plan 2006 policies 3/4 and 3/14)

25. The electricity substation hereby approved shall not be erected until drawings clarifying the roof form to be employed have been submitted to, and approved in writing by, the local planning authority. The substation shall thereafter be constructed only in accordance with the approved drawings.

Reason: To ensure the substation is well-integrated with the immediate locality. (Cambridge Local Plan 2006 policy 3/4)

26. No demolition or development shall take place until a written scheme of archaeological 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 or 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.

Reason: To ensure archaeological remains are properly investigated, recorded and preserved. (Cambridge Local Plan policy 4/9)

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

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

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

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

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

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

**INFORMATIVE:** Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction  
[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012  
[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

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

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

**INFORMATIVE:** The applicant is advised that to be acceptable, the noise management plan required by Condition 9 will need to provide that Pitch 3 shall not be used unless Pitches 1 and 2 are in use simultaneously, and that if Pitch 3 is to be used in part only, that use shall take place at the south end of the pitch, not the north end.

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# Agenda Item 6

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	16/1864/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th October 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	23rd January 2017		
<b>Ward</b>	Castle		
<b>Site</b>	St Edmunds College Mount Pleasant Cambridge CB3 0BN		
<b>Proposal</b>	Erection of extensions to Norfolk Building for common room, 16 student rooms, college offices and research space, cafe and kitchens; erection of 6 family accommodation units; landscaping and cycle parking following demolition of maisonettes.		
<b>Applicant</b>	Dr Richard Anthony St Edmunds College, Mount Pleasant CAMBRIDGE CB3 0BN		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would preserve the character and appearance of the Conservation Area and would respect the setting of nearby Listed buildings.</li> <li>- The proposed student accommodation and communal facilities would respect the amenities of neighbouring occupiers.</li> <li>- The proposed student accommodation would provide a high quality living environment for its future occupants.</li> <li>- The proposed works would preserve the protected trees on-site and off-site that are considered to be of high amenity value.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 St Edmunds College is located on the west side of Mount Pleasant in the Castle Ward of Cambridge. It occupies a large site on the corner of the one-way street of Mount Pleasant which connects Madingley Road with Huntingdon Road. The college offers postgraduate courses to over 500 students and has expanded gradually since the late 1980's. The buildings on site are set well back from the street frontage by way of landscaping and car parking. There are large portions of open space, trees and landscaping around the site, particularly to the south and west of the site.
- 1.2 In terms of the historic buildings, there is the Norfolk Building which runs west-to-east and acts as the main entrance associated with St Edmunds College when arriving to the site. The south-east corner of this building has a high rising circular tower which is readily visible when approaching the site from Mount Pleasant. Extending off the Norfolk Building to the north is the Main Hall element of the building which also has accommodation above. There is a stark difference between the main aspect of the Norfolk Building and this projecting north-wing as there are contrasts in materials and fenestration. These two developments are identified as positive unlisted buildings in the West Cambridge Conservation Area appraisal. Adjoining onto the western end of the main Norfolk Building is the Grade II Listed building of The Chapel which is cited as a Tudor Revival style building which is notable by the fact that it was designed by a Catholic priest who was also a qualified architect. Detached from the Norfolk Building to the south-east is Benet House which is identified as a Building of Local Interest (BLI). To the north of the Chapel there is a row of maisonettes which are used as family student accommodation and a laundry building with student flats above situated around the centre of the site which appear to date from the 1970's/ 1980's.
- 1.3 Since the late 1980's there have been a series of new development within the site. The Richard Laws, Brian Heap, Geoffrey Cook and Library buildings provide additional student facilities and accommodation over four floors and effectively divide the application site in half, with the space to the east being occupied by the more historic buildings and the space to the west being left as an open landscaped green area.

- 1.4 To the north of the site lies Mount Pleasant House which was recently granted planning permission to be demolished and replaced with College accommodation (16/1389/FUL). No.18 Mount Pleasant to the north-east is a BLI. The remainder of the northern boundary is abutted by Blackfriars Dominican Priory, which is a BLI and the Grade II\* Listed Building of Murray Edwards College. Part of the northern boundary with the Blackfriars Dominican Priory is covered by a tree preservation group order (TPO). To the south there are large detached residential properties set within spacious plots, two of which are Grade II Listed, and to the west there are student residential buildings associated with Murray Edwards College. Opposite the site to the east are the Grade II Listed houses between Nos.7 – 17 Mount Pleasant.
- 1.5 The entire site is within the Conservation Area, with the landscaped area adjacent to the street frontage falling within the Central Conservation Area, and the vast majority of the site falling within the West Cambridge Conservation Area. The site is designated as protected open space and falls just outside the Controlled Parking Zone which wraps around the eastern frontage of the site and covers other streets to the north and east. There is an abundance of trees on site, none of which are specifically protected by TPOs, but are protected by virtue of the Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought for the following works:

### Demolition:

- Demolition of existing maisonettes;

### Proposed extensions to Norfolk Building:

- New multi-use hall/ common room with bar;
- 16no. student rooms and kitchen on the third floor;
- 510m<sup>2</sup> of additional floorspace for College offices on the first-floor and accommodation for research space on the second-floor;
- Café and kitchens on the ground-floor and additional kitchen spaces, stores and plant room in a new basement;

### Proposed works on remainder of site:

- Six two-bedroom family student houses in a terrace block in the north-west corner of the site.
- Rearrangement of car parking provision and addition of one disabled parking space.
- Rearrangement of cycle parking and erection of new parking stores to provide a further 44 spaces
- New substation
- Landscape works.

2.2 The proposal has been amended in response to concerns raised by the Streets and Open Spaces Team relating to the impact of the development on trees on and off-site. The amendments consist of alterations to the position of underground servicing works and the foundation detail of the Norfolk Building close to the boundary with the Blackfriars Dominican Priory. The six family houses proposed in the north-western corner of the site have also been re-positioned on the plot to avoid pressure on large trees close to the north-western boundary of the site.

2.3 The proposals have been the subject of extensive pre-application discussions between the Local Planning Authority and the applicant/ agent.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Heritage Statement
3. Planning Statement
4. Archaeological Appraisal
5. Ecology Assessment
6. Surface Water & Foul Water Drainage
7. Ventilation and Extraction Statement
8. Sustainability Strategy
9. A full drawings package



### 3.0 SITE HISTORY

3.1 The site has an extensive planning history. The most recent applications on this site are listed below:

Reference	Description	Outcome
14/2030/LBC	New steps and accessible landscaping to chapel.	Permitted.
14/2029/FUL	New steps and accessible landscaping to chapel.	Permitted.
C/04/0734	Erection of 69 room student residential building, 8 two person apartments and communal facilities including library and lecture room.	Permitted.
C/01/0959	Outline application for the master plan for the future development of the college.	Permitted.
C/00/0068	Extension to laundry room.	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 Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 3/14 4/2 4/3 4/4 4/9 4/10 4/11 4/12 4/13 4/14 4/15 7/5 7/7 8/2, 8/3, 8/4, 8/6, 8/9, 8/10, 8/16

	10/1
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### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Buildings of Local Interest (2005)</p>

	<p><u>Area Guidelines</u></p> <p>Castle and Victoria Road Conservation Area Appraisal (2012)</p> <p>West Cambridge Conservation Area Appraisal (2011)</p>

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

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

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

## 6.0 CONSULTATIONS

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

- 6.1 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

## **Environmental Health**

### Original comments (15/11/2016)

- 6.2 There is ambiguity concerning potential noise impacts causing significant adverse harm to quality of life / amenity regarding the football pitch and amphitheatre. 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.
- 6.3 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. In the event that these matters can be overcome, the following conditions are recommended:
- Construction Hours
  - Collection during construction
  - Construction/ demolition noise/ vibration & piling
  - Dust
  - Odour filtration
  - Contaminated Land
  - Football pitch hours of use
  - Plant noise insulation
  - Lighting
  - Submission of Furnace/ Boiler/Industrial Plant
  - Low NOx Boilers condition
  - Plant noise insulation informative
  - Dust condition informative
  - Odour filtration informative
  - Contaminated land informatives

### Comments on additional information (10/01/2017)

- 6.4 It has been advised that the football pitch is not to be used for formal matches, but will be used for informal kickabouts and training. The pitch will not be artificially lit. There are no longer concerns regarding the use of the football pitch.

- 6.5 There are still concerns regarding the use of the amphitheatre and the original comments on this still stand.

### **Refuse and Recycling**

- 6.6 A short Waste Management Plan should be included to describe how the waste from the new buildings/use will be dealt with. This ought to include detail of any new bin stores and the amounts expected across at least two streams (general waste & dry mixed recycling) though could include others like food waste and bulky/furniture or electrical.

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

- 6.7 The development proposed is acceptable subject to the following conditions:
- Window details
  - Sample panel of facing materials
  - Non-masonry walling systems
  - Roofing details

### **Planning Policy Team**

#### Original comments (14/02/2017)

- 6.8 The retained areas of open space (playing pitch and courtyard areas) are considered to be of a more usable and attractive format than the current open spaces. However, the proposed development involves the loss of some protected open space. The Design and Access Statement explains the College's need to improve their current facilities however supplementary information is needed to explain what alternative sites have been considered and how they have chosen the scheme with the least impact on the site's open spaces. Evidence is needed to demonstrate how the applicant has identified the site's intrinsic qualities and the different means considered to minimise their loss and reduce any detrimental impact while enhancing the remainder of the site.

Comments on additional information (05/05/2017)

6.9 The further information satisfies the request for information to conclude that the proposed scheme will have the least impact on the site's open spaces.

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

6.10 The proposal is acceptable subject to the following condition:

- Implementation of Renewable and Low Carbon Energy

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

Original comments (18/01/2017)

6.11 The loss of trees T22 to T41 has been accepted in principle as part of the Mount Pleasant House application. While substantial replacement planting was originally proposed, the density of the proposed layout has restricted available space for replanting therefore the loss of these trees will have a material impact on the character of the local area. The additional losses of T42 to T47 will exacerbate this impact on the area's character. The condition of these trees, T42 to T47, is acknowledged and consequently they are not considered to be reasonable constraint to development. However, again the density of the proposals in this area makes replacement planting impossible and therefore required tree losses cannot be mitigated in the long term.

6.12 The natural form of T68 and T70 will be impacted by the necessity for significant crown lifting. However even if they are pruned to allow the construction of Block A they are species that are not suitable to being close to development due to all year round needle loss and dropping cones. In addition to the above ground constraints the development requires breach of the RPAs of trees shown to be retained to accommodate foundations, basement and services, which will further impact on tree health and life expectancy.

Comments on amended plans and additional information  
(19/04/2017)

6.13 No objection subject to the following conditions:

- Arboricultural Method statement (AMS) and Tree Protection Plan (TPP)
- Site meeting between the site manager, arboricultural consultant and LPA Tree Officer
- Implementation of AMS and TPP

**Head of Streets and Open Spaces (Landscape Team)**

6.14 No objection subject to landscaping conditions.

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

6.15 No objection subject to surface water drainage scheme condition.

**Nature Conservations Project Officer**

6.16 No objection, subject to bird and bat box condition.

**Anglian Water**

6.17 No objection, subject to surface water drainage condition.

**Cambridgeshire Constabulary (Architectural Liaison Officer)**

6.18 No objection.

**Public Art Officer**

6.19 No comments received.

**Cambridge Water**

6.20 No comments received.

## **Cambridgeshire County Council (Archaeology)**

6.21 No objection subject to condition.

### **Access Officer**

6.22 One of the 16 rooms needs to be built to current accessible standards. At least one house needs to be built to wheelchair home (code 3) standards for student/staff and any possible dependant. Colour contrast décor and signage needs to aid visually impaired users. Hearing loops are needed in receptions, meeting rooms, serveries etc. Firefighting lifts will be needed. It would benefit from the input of an access consultant.

### **Disability Consultative Panel (Meeting of 29<sup>th</sup> November 2016)**

6.23 The Panel failed to identify any accessible units provided as part of this scheme and question the college's rationale which is based on a lack of demand. As family units are provided on this site, the college is advised to consider that this wider group could include dependents with a disability. The disabled parking bay appears too narrow.

### **Design and Conservation Panel (Meeting of 10<sup>th</sup> August 2016) on Pre-application submission**

6.24 The Panel's comments were as follows:

#### **East court cloister**

6.25 The Panel welcome the evolution of the college into a series of courts, with the cloister area as a focal point to the campus encouraging students outside to use this open space. As depicted in View 02 however, there was some concern with the relationship between the cloister and the height of the Main Hall windows which would benefit from further consideration. The Panel were also of the view - having had the benefit of seeing a range of options for the columns supporting the cloister roof – that a more lightweight treatment might be more successful.



## **Central court and Block C**

- 6.26 The fact that some accommodation would only have a view of the Common Room roof was seen as unfortunate. Primarily however, there were concerns that the architectural language of the court was in danger of becoming too 'busy'. Difficulties regarding the location of the stairwell were recognised, but the proposed glazed feature added to the mix of styles – a solution carrying through the use of brick could give a 'calmer' result. Similarly, the design team are encouraged to consider a simplified roof plan for this block, for example a long ridge to match the East and South blocks. This would incidentally, allow for PV provision.

## **Maisonettes**

- 6.27 The location of these dwellings on the built edge is welcomed, where they will help to frame the site. Reservations were raised regarding the provision of public/private space however. Although the need for privacy for these family homes was understood, the private north-facing gardens as proposed were heavily shaded and would therefore be more successful if south-facing. The Panel would encourage the re-using of the bricks following the demolition of the existing properties.

## **Conclusion**

- 6.28 The Panel very much welcome the college's masterplan approach. The provision of more communal spaces through a series of courts is to be applauded. There is further work needed however, particularly regarding the treatment of the stairwell, and the need to generally simplify the architectural palette applied to the new Block C. With the college's built heart located nearer to the road followed by a progression towards quieter, more relaxed space, the Panel would like to emphasise the importance of maintaining the sports pitch as open and informal, as it is vital to how this site is experienced.

## **VERDICT – GREEN (2), AMBER (4)**

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

## **7.0 REPRESENTATIONS**

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

- Cambridge Past, Present and Future

7.2 The representations can be summarised as follows:

- The application is supported.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

7.4 Officers consider that it is appropriate for the Committee to consider this application given its scale, notwithstanding that no objections have been received.

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Public Art
4. Renewable energy and sustainability
5. Disabled access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Archaeology
11. Ecology
12. Drainage
13. Planning Obligations

## **Principle of Development**

### Student Accommodation

- 8.2 Policy 7/7 of the Cambridge Local Plan (2006) supports the development of additional student residential accommodation within existing college sites. I have also considered the following issues:
- a) Amenity considerations;
  - b) Their proximity to the institutions they serve;
  - c) Supervision, if necessary, is provided as appropriate to their size, location and the nature of the occupants; and
  - d) They do not result in a loss of family residential accommodation.
- 8.3 In terms of criterion A, it is established that the site and surrounding area already includes a quantity of student accommodation and student based uses. The additional common room, café and kitchen space associated with the student accommodation would be contained within the heart of the College and a considerable distance from any residential properties and are therefore not anticipated to give rise to any unacceptable environmental or noise problems, subject to conditions. The proposed student accommodation is deemed to be compatible with the proposed and existing uses from an amenity perspective.
- 8.4 The development is situated within the campus of St Edmunds College and I am confident that criterion B has been met. With respect to criterion C, it is understood that St Edmunds College already has procedures for the management and supervision of its students and there are on-site porters who supervise between 08:00 – 24:00hrs, including a night-time call out system. I have recommended a condition for a management plan to be provided prior to occupation to confirm the precise details of this supervision procedure. Subject to meeting this condition, I consider this criterion has also been met.
- 8.5 The existing row of terraced maisonettes in the centre of the site are within the ownership of St Edmunds College and are currently occupied as student family housing. These properties are not deemed to be family residential accommodation in respect of the fact that they are only let to students of the

College. In any case, this unorthodox quantum of family-style student housing is replaced to the same capacity in an improved location in the corner of the site which is deemed to be more appropriate from an amenity perspective. Consequently the proposal does not result in the loss of family residential accommodation and meets criterion D.

- 8.6 In my opinion, subject to condition, the principle of the proposed student accommodation is acceptable and accord with policy 7/7 of the Cambridge Local Plan (2006).

College offices, research space and ancillary facilities (including dining, kitchen and common room)

- 8.7 There is no specific policy in the Cambridge Local Plan (2006) that covers development within a college campus other than for student accommodation. However, the general ethos of chapter 7 (working and studying in Cambridge) is to support in principle development which improves facilities in relation to higher and further education. Paragraphs 18 – 21 of the National Planning Policy Framework (NPPF) (2012) also outline a general support for sustainable economic growth.
- 8.8 It is explained in the accompanying documentation that the College has a significant shortfall in office space for College administration and for research staff. In addition the limited quantity of dining and common room space, as well as the lack of any large multi-use space, has hindered the ability for the College to accommodate more office space on-site.
- 8.9 The provision of the new ancillary facilities would enable the College to take up a greater amount of office space for College administration and research staff and provide an improved quality of office accommodation across the site. The College inputs into Cambridge's role as a world leader in higher education, research, and knowledge-based industries and the proposed works would foster the sustainable economic growth that this sector brings to the City.
- 8.10 In my opinion, the principle of the ancillary College facilities is acceptable.

## Impact on Protected Open Space

- 8.11 The Open Space and Recreation Strategy (2012) identifies the College grounds as having both environmental and recreational importance. Cambridge Local Plan (2006) policy 4/2 states that development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.
- 8.12 In terms of environmental importance, the protected open space is the subject of a high density and variety of trees that naturally provide ecological and amenity value to the site and its surroundings. There are also large areas of well-designed soft and hard landscaping on the site. The Nature Conservations Project Officer has raised no objection to the proposed works subject to a bird and bat box condition. The Tree Officer is also satisfied that the proposal would not have a harmful impact on protected trees, subject to conditions. The trees that are proposed to be removed are deemed to be of a relatively low value and their removal has not been resisted by the Tree Officer. The Landscape Team is also supportive of the proposed works, subject to conditions. In my opinion, given the unanimous positive responses from the relevant consultees, the environmental importance of the site would be retained.
- 8.13 With respect to recreational importance, the existing site is only used for informal football games by students or for training. This space is situated in the north-west quadrant of the site and is not artificially lit and is not of a full match-day standard for football games. In any case, this is being retained as part of this development and I therefore consider the recreational importance of the protected open space would not be degraded.
- 8.14 The majority of the proposed works would be positioned in the centre of the site, close to the existing buildings. The exception to this would be the six student family accommodation buildings that would be in the north-west corner. There is a clear line of demarcation of the site, whereby the land to the east of the Richard Laws building is the subject of the main campus, and the land to the west of this is formed of open landscaped areas. The proposed works on the eastern side would not in my view detract from the character of the open space. The proposed

student family-accommodation in the north-west corner would be tucked away from the key areas of open space and would be designed in a relatively discreet manner. As such, I do not consider the proposed student family houses would harm the character of the open space.

- 8.15 In my opinion, the principle of development in the protected open space is acceptable.

Impact on heritage assets (principle of demolition)

- 8.16 The proposal seeks to demolish the row of terraced maisonettes. These buildings are not nationally or locally listed. They fall within the Conservation Area. The buildings are considered to be of low architectural importance and are clearly later interventions to the College. The Urban Design and Conservation Team has raised no objection to the demolition of these buildings and I agree with this advice.
- 8.17 In my opinion the principle of demolition is acceptable and in accordance with policies 4/10 and 4/11 of the Cambridge Local Plan (2006).

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

North-wing extension

- 8.18 The proposed north-wing extension consists of the four-storey extension to the Norfolk building which projects out to the west of the existing east-wing of the Norfolk building to effectively create a new court within the College grounds which is referred to as the east court.
- 8.19 The proposed extension would accommodate a café and kitchen at ground-floor level, office accommodation at first and second-floor and 16no. student rooms at third-floor level.
- 8.20 In terms of public viewpoints, the proposed extension would only be visible directly from the east along Mount Pleasant. It is from this view that the corner juncture between the proposed new extension and the existing east-projecting wing of the Norfolk building would be most prominent. The proposal utilises a hipped roof at this intersection to provide a seamless

transition between the existing and the proposed development. The eaves and ridge line of the north-wing mirror that of the existing east-wing. The proposed extension would be constructed in red-brick with a pitched tiled roof. The use of red-brick would be similar to that of the south-wing, as opposed to the grey brick on the east-wing, which is considered appropriate in this context.

- 8.21 The proposed four-storey scale of the extension is in keeping with the existing massing present on the site. It reflects the height and form of the south wing of the Norfolk building opposite and responds successfully to the context that it would sit within. The footprint of the proposed extension stops short of the existing south wing, which, with the new alignment of the proposed Common Room, ensures that the new buildings do not encroach on the end elevation of the Listed Chapel building. The roof line of the extension would be relatively simplistic with the introduction of a long ridge line and larger rhythmic gables which complement rather than mirroring those on the Norfolk Building. The central stair tower is brought into the main façade through the use of brick angled cheeks and is now under a gable. This approach has been mirrored on the gable end to the west elevation which has successfully unified these large glazed elements into the building as a whole.
- 8.22 At pre-application stage, the issue of whether the size of the proposed court was too confined in relation to the existing and proposed wings was raised. As part of the accompanying submission a full-analysis of the comparable College courts around Cambridge has been provided which concludes that the proposed court would be similar to that of other College courts. The Urban Design and Conservation Team have raised no objection to this analysis.
- 8.23 The Design and Conservation Panel stated at pre-application stage that there were concerns that the architectural language of the court was in danger of becoming too busy. In response to this, the proposal has incorporated angled brick “cheek walls” to better integrate the stair and lift core into the rest of the façade. The roof form has also been simplified to a series of unified large gables. The panel also raised a concern with the treatment of the cloister walkway that would wrap-around the proposed court. It was originally proposed that the piers of this cloister would be in brick but the panel suggested that a more

lightweight treatment would better relate to the height of the Main Hall windows. This has since been revised to show a series of timber piers and the Urban Design and Conservation Team are supportive of this change.

- 8.24 The Urban Design and Conservation Team are supportive of the proposed north-wing extension, subject to conditions. There is a considerable separation distance from the BLI of the Blackfriars Dominican Priory to the north and I consider no harm to the special interest of this locally listed asset would arise from this proposed development. In my opinion, the proposed extension would integrate successfully into its context, would preserve the character and appearance of the Conservation Area and would respect the setting of the listed chapel.

#### Common room extension

- 8.25 The common room extension would project northwards from the existing south-wing to act as the western-side of the proposed new court. It would not be visible from any public viewpoints. It would read as a stand-alone, modern intervention within the College site. This is achieved through its contemporary form and design which deliberately attempts to provide a successful contrast with the more traditional vernacular already present on the site.
- 8.26 The common room extension would be a double-height, single-storey space, but would be legible as a subservient addition when compared to the four-storey scale of development that surrounds it. It would have a curved-top gable zinc roof that stands out when compared to its surroundings. Whilst it provides a hard-edge to the proposed court, the common room extension would also encourage permeability through from the court to the western periphery of the site by way of its large double-height glazing that allows for views from east to west.
- 8.27 The footprint of this extension would mirror that of the proposed north-wing extension and the existing south-wing of the Norfolk building in terms of depth. This further reinforces the relationship of this space to the proposed east court, while also providing a comfortable separation from the Listed Chapel building.



8.28 This element of the proposed scheme was supported by both the Design and Conservation Panel and the Urban Design and Conservation Team at pre-application stage and there have been no significant changes to this aspect of the proposal.

#### Family accommodation student units

8.29 The proposed family accommodation student units would replace and modernise the existing family student maisonette accommodation. The proposed units would be situated in the north-west corner of the site which is a relatively tranquil part of the College grounds that is detached from the more active eastern side of the site.

8.30 The existing maisonettes are awkwardly positioned in the middle of the site and subsequently are heavily overlooked and provide little if any privacy for the occupants of this accommodation. As St Edmunds College caters for post-graduate courses, many of the students are mature students who require accommodation that allows for their family to also be catered for. In the same way as an orthodox family dwelling, occupants of this type of student accommodation typically aspire for a more private form of living environment, rather than the single-occupancy of student accommodation such as that proposed in the north-wing. As a result, this proposal seeks to better respond to this need by re-positioning this quantum of accommodation into the quieter parcel of the College grounds.

8.31 The proposed family accommodation would be designed to read as a set of three pairs of semi-detached two-storey houses. They would be discreetly sited within the woodland area of the site. The gable-ends of the accommodation would face south-wards and would be heavily glazed to take advantage of the south-facing orientation. The houses would be constructed in a lightweight fashion, with zinc cladding, oak and timber paneling proposed as the main palette of materials. There would be a significant separation distance from the Grade II\* Listed Building of Murray Edwards College to the north and I am of the view that the setting of this nearby heritage asset would be preserved.

8.32 The Design and Conservation Panel had suggested whether south-facing gardens could be included instead of the north-facing gardens proposed. Although I accept that the levels of

light reaching the gardens would be improved if they were south-facing, I am however conscious that the position of south-facing gardens would leave the private amenity areas more exposed and would likely require a significant intervention in the form of soft or hard boundary treatment to privatise off the front of this accommodation. This detachment from the College would in my view be detrimental to the character of the protected open space and would fail to provide the privacy that future occupants of these family accommodation units would be seeking.

- 8.33 The Urban Design and Conservation Team has raised no objection to the proposed works, subject to conditions. In my opinion, the proposed family accommodation units would read subtly within their context and would preserve the character and appearance of the Conservation Area.

#### Landscaping, trees and ancillary works

- 8.34 The Landscape Team is supportive of the proposed works, notably the proposed east court. The proposal also originally included an amphitheater and associated landscaping in the south-western segment of the site. However, this was removed from the application following comments from the Environmental Health Team. The Design and Conservation Panel welcomed the inclusion of the east court into the campus and I agree with this advice. I have recommended hard and soft landscaping conditions for the precise details of this landscaping to be agreed.
- 8.35 The Tree Officer had originally objected to the proposal on two grounds. Firstly, was the impact that the foundations of the north-wing extension and the likely servicing runs would have on the trees running along the boundary of the Blackfriars Dominican Priory, and, secondly, was the impact of the proposed family accommodation units on certain trees in the north-west corner of the site.
- 8.36 In response to this objection, the Tree Officer and agent have had an on-site meeting and additional information and revised drawings have been submitted to address the concerns raised.
- 8.37 The foundation detail of the basement of the proposed north-wing has been amended to ensure that this work would fall

outside the root protection area (RPA) of the trees to the north. In addition, a utilities/ drainage drawing has been submitted to demonstrate that services can be re-run away from this northern boundary to avoid the need to excavate close to the RPAs of the affected trees. The Tree Officer has removed their objection to this issue following the submission of this detail.

8.38 The proposed family accommodation units have been re-positioned slightly to the south and east of their original location to shift the footprint of the buildings further away from the RPAs of two large category B grade trees (Scots Pine and Atlas Cedar) and also avoid the pressure to prune these trees upon completion of development. The Tree Officer has removed their objection to the proposal following the submission of a detailed arboricultural report, tree protection plan and tree constraints plan. The Tree Officer has recommended detailed conditions to be agreed prior to commencement of works and I agree with this advice.

8.39 The proposed cycle stores, bin store and substation buildings would be relatively modest in terms of scale and design. The Urban Design and Conservation Team have raised no objection to these aspects of the proposed development and I agree with this advice.

### Conclusion

8.40 Overall, the proposed development is considered to respond successfully to its context and surroundings in terms of scale, mass and design. The proposed north-wing extension would successfully reflect the existing south-wing of the Norfolk building opposite and would preserve the character and appearance of the Conservation Area. The proposed common room extension and new family accommodation units would provide a successful contrast with the character of the area. The proposed works would not disturb the setting of the Listed chapel. Subject to conditions, the proposed development would preserve the trees of high quality on the site that contribute positively to the character of the area.

8.41 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/14, 4/2, 4/4, 4/10, 4/11 and 4/12.

## **Public Art**

8.42 The indicative images of the proposed scheme show a low-level sculpture erected between the south-east corner of the proposed common room extension and the north-east corner of the Listed chapel. I do not find any conflict with policy 3/7 in respect of public art.

## **Renewable energy and sustainability**

8.43 The proposal includes a combination of passive and active energy efficient measures. The proposal would utilise a combined heat and power system for the Norfolk building extension and air source heat pump technology for the new family accommodation. The Sustainability Officer is supportive of the proposals, subject to condition, and I agree with this advice.

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

## **Disabled access**

8.45 The Disability Consultative Panel had questioned whether there were any accessible units as part of this development. Since these comments were received the application has been amended to demonstrate that two accessible units can be accommodated within the scheme.

8.46 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

8.47 Whilst the proposed development involves works that are of a considerable scale, there is a comfortable separation distance between all aspects of the scheme and its neighbours. As a result, I am of the opinion that the proposal would not introduce

any harmful overlooking, overshadowing or visual dominance to neighbouring occupiers.

- 8.48 The Environmental Health Team has objected to the use of amphitheater due to the lack of information regarding the noise that may arise from this. This has since been removed from the proposal and I therefore consider this objection has been overcome. A management plan has been recommended to ensure that the increase in students on the site and use of the communal areas are well managed.
- 8.49 The Environmental Health Team has recommended a series of conditions in relation to the construction process, noise/ odour from the kitchen, air quality and lighting, all of which have been recommended. The only condition I do not consider is reasonable to impose is restricting the hours of use of the football pitch. This is because the pitch is already in use and I do not consider it would be reasonable to control the hours of use of this outdoor space given that it currently operates with no restrictions. The pitch is not artificially lit and consequently the hours of use of this space are somewhat limited in any case.
- 8.50 In my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/13, 4/14 and 4/15.

Amenity for future occupiers of the site

- 8.51 The proposal would provide 16no. new student rooms and replace the existing six maisonette units with six new family accommodation units. The proposed student rooms would have large communal areas and access to the facilities of St Edmunds College which would be improved as a result of this proposed development. The future occupants would also have access to the large quantity of outdoor space on the site. The site is within walking and cycling distance of local facilities, shops and other City Centre uses. The future occupants of the proposed family accommodation units would have their own private outdoor amenity space, as well as access to the informal open space elsewhere on the site.

8.52 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, 3/14 and 7/7.

### **Refuse Arrangements**

8.53 It is proposed that waste storage for the student accommodation, office accommodation and kitchen/ communal facilities will be sited within the Norfolk building with access from the northern service road. The family accommodation units would have their own bin store at the end of the service road. The Waste Team has raised no objection to the proposed refuse arrangements, subject to a waste management plan being agreed by way of condition.

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

### **Highway Safety**

8.55 The proposed works would not involve any significant works to vehicular access on the site or the existing access onto Mount Pleasant. The Highway Authority has raised no objection to the proposal.

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

### **Car and Cycle Parking**

8.57 The proposal includes one additional car parking space which is a disabled space. This would bring the total provision of car parking on-site up to 41no. spaces. Students are not permitted to bring cars to the site and are subject to the University's proctoral regime for regulating motor vehicles. The site is in close proximity to public transport links and a 10 minute walk from the City Centre (5 minutes cycle ride). The majority of the nearby streets fall within the controlled parking zone. I therefore do not consider car parking to be a necessary requirement for this proposal.

- 8.58 In the event of the development being implemented, there would be 258 students on site. The proposal includes 22 new cycle parking spaces located within storage shelters to the north of the Richard Laws building which would bring the cumulative total of cycle spaces on site to 348. The City Council Cycle Parking Standards requires two spaces for every three bed spaces and one visitor space per five bed spaces which means that a total of 224 spaces would be required. There would be a surplus of 124 spaces above this minimum threshold which would also allow for cycle parking space for College staff, research employees and visitors. The drawings show that Sheffield hoops will be used in the cycle shelters and I have recommended a compliance condition for these to be implemented prior to occupation of the development.
- 8.59 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Archaeology**

- 8.60 The application site is within an area of rich archeological interest, as is the case for the majority of the Castle Ward of the City, and the applicant has prepared a background archaeological and historical review. The Historic Environment Team has raised no objection to the proposed works, subject to condition.
- 8.61 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/9.

### **Ecology**

- 8.62 The site features a wide variety of tree species and vegetation which may be used for foraging and nesting by protected species. Furthermore the maisonettes could be used for bat roosting and consideration as to the impact on this roosting is necessary. The agent has prepared an ecology report which demonstrates that a bat roost survey has been completed and found no evidence of bats using any of the existing buildings that are the subject of demolition. The main evidence of bat roosting was around the Listed chapel which would not be affected by the proposed development. The trees that are proposed to be removed are of low value and have a relatively low nesting capacity compared to the larger trees that are to be

retained. The Nature Conservations Project Officer has assessed the proposal and has raised no objection, subject to a scheme of bird and bat boxes being agreed by way of condition.

8.63 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/3.

### **Drainage**

8.64 The Drainage Officer has raised no objection to the proposed development, subject to a surface water drainage scheme condition being agreed by way of condition.

8.65 In my opinion, subject to condition, the proposal is compliant with paragraph 103 of the National Planning Policy Framework (2012).

### **Planning Obligations Strategy**

8.66 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

8.67 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

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



8.69 The student accommodation would be occupied by post-graduate students of St Edmunds College. The applicant has provided evidence to show that the College has open space and sport facilities available to the future occupants in close proximity to the site:

- Outdoor sports facilities at the University Sports Ground. Sharing of facilities at the College Boat Club with Cambridge 99 rowing club.
- Indoor sports facilities within the College and squash courts nearby at Fitzwilliam College.
- Ample informal open space available within the grounds of the College

8.70 Having reviewed the proposal I am mindful that St Edmunds College has a wide variety of facilities both on-site and off-site that are within walking distance. There would be a net increase of 16 student rooms as a result of this proposed development and given the quantity and quality of existing facilities available to future occupants I consider there is no justification in seeking a contribution in this instance.

## **9.0 CONCLUSION**

9.1 In my assessment of the proposed development, I am of the opinion that the proposed works would preserve the character and appearance of the Conservation Area. The setting of the Grade II Listed chapel on-site, as well as listed buildings off-site, would all be respected by the proposed development. The proposed development would be of a high quality design that responds well to its context and would greatly enhance the facilities for existing and future occupants of St Edmunds College. The proposal would respect the amenity of trees of high value on the application site and this would be secured by way of condition. The principle of further student accommodation is considered compliant with relevant Local Plan policy.

9.2 The application should be approved subject to conditions.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

#### 7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 4/15)

16. Prior to the first occupation of the development hereby permitted, details of the [furnace/ fixed boiler/ industrial plant] to be installed in any building shall be submitted to, and approved in writing by the Local Planning Authority. Any gas-fired CHP shall meet an emissions standard of:

Spark ignition engine: less than 150 mgNO<sub>x</sub>/Nm<sup>3</sup>

Compression ignition engine: less than 400 mgNO<sub>x</sub>/Nm<sup>3</sup>

Gas turbine: less than 50 mgNO<sub>x</sub>/Nm<sup>3</sup>

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 and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

17. The development hereby approved shall utilise low NOx boilers, i.e., boilers that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. Details of the boilers shall be submitted to the local planning authority for approval prior to installation. A manufacturers NOx emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out in accordance with the approved details before first occupation and shall be thereafter retained.

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 and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

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

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

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



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

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

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

21. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

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

22. Prior to occupation of the development hereby approved, the cycle parking shall be provided as shown on drawing numbers 102 06 & 144 02 and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

23. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements shall be retained thereafter.

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

24. Prior to the occupation of the College building, a student management plan shall be submitted to and approved in writing by the local planning authority. This shall set out measures as to how the student accommodation and communal facilities will be managed on a day-to-day basis, how it would be managed when let during holiday periods, and how any issues arising from its operation in terms of impact on adjacent neighbours will be handled. It shall include the contact name and number of a College representative, made available to local residents and placed as information near to the entrance of the building in a prominent and publicly visible location. The development shall be carried out in accordance with the agreed upon management plan and retained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 7/7)

25. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve a 20% reduction in peak flows and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
  - ii. provide a management and maintenance plan for the lifetime of the development.

iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

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

26. 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.

Reason: To secure the preservation of the archaeological interest of the area either by record or in situ as appropriate (Local Plan 2006 policy 4/9).

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

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

28. The proposed on-site renewable and low carbon technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. Further information shall also be submitted and agreed in writing by the local planning authority in relation to the technical specification of the proposed gas fired Combined Heat and Power System (CHP), including emissions standards. Any gas fired CHP should meet an emissions standard of:

Spark ignition engine: less than 150 mgNO<sub>x</sub>/Nm<sup>3</sup>

Compression ignition engine: less than 400 mgNO<sub>x</sub>/Nm<sup>3</sup>

Gas turbine: less than 50 mgNO<sub>x</sub>/Nm<sup>3</sup>

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

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority.

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

29. 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; refuse or other storage units; and proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports). Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

30. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

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

31. 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, cranes and landscaping.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 4/4)

32. Prior to the commencement of site clearance a pre-commencement 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.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 4/4)

33. 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 protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 4/4)

**INFORMATIVE:** Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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

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

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

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

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

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

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

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

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

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

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



**INFORMATIVE:** To satisfy the odour/fume filtration/extraction condition, details should be provided in accordance with Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69280/pb10527-kitchen-exhaust-0105.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf)

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

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

**INFORMATIVE:** Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** At least one house needs to be built to wheelchair home (code 3) standards for student/staff and any possible dependant. Colour contrast décor and signage needs to aid visually impaired users. Hearing loops are needed in receptions, meeting rooms, serveries etc. Firefighting lifts will be needed. It would benefit from input of Access consultant.

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<b>Application Number</b>	16/2126/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd December 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	23rd March 2017		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Land At 21 To 23 Milton Road Cambridge Cambridgeshire		
<b>Proposal</b>	Installation of a 20 sq metres extension to flat 6 and alterations to the internal layout of flat 5 - minor material amendment to application 15/1529/FUL for the erection of 10 dwellings.		
<b>Applicant</b>	N/A C/O Carter Jonas		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The extension would not harm the street scene and would be appropriate to the building.</p> <p style="padding-left: 40px;">The extension would not have a significant adverse impact on the residential amenity of the occupants of neighbouring properties.</p> <p style="padding-left: 40px;">The proposal would provide an acceptable level of amenity for future occupants.</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site comprises land to the rear of Nos. 19-23 Milton Road on the south western corner of the junction with Westbrook Drive. The site has been developed for 10 no. residential units under consents 15/0363/FUL & 15/1529/FUL. The proposal relates to the building which fronts Milton Road.

- 1.2 To the west is No. 19 which has a shorter garden and is bounded to the side and rear by the application site. The rear of the application site shares a boundary with 17 Milton Road. The site sits within the frontage along Milton Road which is characterised by semi-detached properties. Westbrook Drives leads to the Westbrook Centre which is a large scale office complex.
- 1.3 The site is not within a Conservation Area. The site falls outside the controlled parking zone and the air quality management area. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for a minor material amendment to application 15/1529/FUL for the erection of 10 no. residential units comprising an extension to Flat 6 to provide an additional 20 sqm, and alterations to the internal layout of Flat 5.
- 2.2 As built, Flat 6 is a 2-bed unit on the second floor of the building fronting Milton Road. Flat 6 is within the attic storey of the pitched roof at the front of the building. The rear of the building is a two storey flat-roof element used as a roof terrace. The roof terrace is split to provide private amenity space for Flat 6 and for Flat 5 on the floor below, accessed via an internal staircase.
- 2.3 The proposal is to extend Flat 6 onto the flat-roof to provide an additional bedroom. The applicant states that an existing bedroom would be converted to a study and the unit would remain as a 2-bed unit. Flat 6 would retain a roof terrace on the northern side of the extension. Flat 5 would lose its roof terrace and would be internally rearranged to remove the staircase.
- 2.4 The extension would have a similar appearance to the existing attic storey and would be in pre-patinated zinc cladding.
- 2.5 During the course of the application, revised plans were submitted which increased the set-back of the extension from the parapet walls on three-sides by approximately 1.5-1.8m.

### 3.0 SITE HISTORY

Reference	Description	Outcome
15/1529/FUL	Minor material amendment to application 15/0363/FUL for revisions to cycle parking, car port, bins, private roof garden and a 4msq extension to flat 6.	Permitted
15/0363/FUL	Erection of 10 dwellings to be arranged within two blocks comprising 5 x 1 bed flats and 1 x 2 bed flat at the front with 4 x 4 bed semi-detached dwellings at the rear along with 5 x car parking spaces, cycle parking and hard and soft landscaping	Permitted

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

#### 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/6 3/7 3/14 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	<u>City Wide Guidance</u>  Balanced and Mixed Communities – A Good Practice Guide (2006)  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 objection.

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

6.2 No objection.

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 owner/occupier of the following address has made a representation objecting to the proposed development:

- Unit 1 Kings Court, Kirkwood Road, Cambridge

7.2 The representation can be summarised as follows:

- Plug-in and plug-in hybrid car charging facilities should be included in any approved planning application, not just in this instance, but in all cases of development, alteration, or otherwise, where there is a commercial entity involved, or a developer of 10 homes or more.

7.3 The above representation is 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. Car and cycle parking
6. Third party representations
7. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 The principle of development has already been established by the approval of planning consent reference 15/0363/FUL and the minor material amendment reference 15/1529/FUL which have been implemented. The proposal is to extend the existing residential unit. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

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

8.3 The extension would provide an attic storey above the existing two storey rear element. Following the amendments submitted during the course of the application, the extension would be set back approximately 1.5-1.8m from the parapet wall. The scale and form would be similar to the existing attic storey within the front of the building. In my opinion, as a result of the setback, the extension would not appear to be prominent in views along Westbrook Drive and the rear element would retain the appearance as a subservient element of the building. The Urban Design Team has not objected to the proposal. I have recommended a condition for the extension to be constructed in materials to match the existing building. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.



## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.4 The nearest residential units are No. 19 to the south, No. 25 to the north, and the units in the building to the west within the same development.
- 8.5 No. 19 is a residential property which has a side access and rear courtyard garden which adjoins the application site. The property has an outrigger with ground and first floor windows on the side elevation and rear elevation of the main house.
- 8.6 The rear element of the existing building extends alongside No. 19. The proposed extension would increase the depth of the second floor element at the rear. The extension would be setback from the side of the building. As such, in my opinion it would not result in an overbearing or enclosing impact on No. 19. Due to the orientation to the north of No. 19, the proposal would not have any overshadowing impact.
- 8.7 There would be one bedroom window on the southern elevation facing towards No. 19. This would be set back from the edge of the building and the site boundary, and would be a second floor level, so I am not concerned about overlooking from this window. The revised plans show the roof area on the south and west side of the extension would not be used as roof terrace. I have recommended a condition to control this.
- 8.8 The units to the west of the building comprise terraced dwellings fronting Westbrook Drive with shallow rear gardens. The area between the buildings is used for car parking.
- 8.9 There would be no windows on the western elevation facing towards these units, and the roof area to the west of the extension would not be used as roof terrace, so there would be no overlooking. I am satisfied that the separation distance to these units means that the proposal would not have an overbearing impact.
- 8.10 No. 25 on the northern side of Westbrook Drive has some windows on the side elevation and a rear garden. I am not concerned about the impact of overshadowing due to the separation gap, or from overlooking from the terrace or windows, due to the distance, set-back and parapet wall.

- 8.11 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.
- 8.12 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 3/14.

#### Amenity of future occupiers

- 8.13 Flat 6 as approved has a roof terrace on the southern side and a larger roof terrace on the eastern elevation. Flat 5 below has access to a roof terrace on the northern side, which is accessed via an internal staircase.
- 8.14 The proposal would provide Flat 6 with a roof terrace on the northern side of the extension. While this would be north-facing and would be overshadowed by the proposed extension, in my opinion this would not provide an unacceptable level of amenity, as the unit would still be served by the terrace on the eastern elevation. The unit could potentially be used as 3-bed and occupied by a family, and in my opinion the amount and quality of external amenity space would be acceptable.
- 8.15 Flat 5 would lose its private amenity space as a result of the proposal. This is a 1-bed unit which is unlikely to be occupied by families and is generally considered to have less need for private amenity space. For this reason, the loss of private amenity space for this unit would be acceptable in this instance.
- 8.16 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

#### **Car and Cycle Parking**

Car parking

- 8.17 The proposal would not impact on car parking provision or have a significant impact on demand for car parking spaces.

#### Cycle parking

- 8.18 The approved scheme provided 8 no. cycle parking spaces for 6 no. flats. This provided one space more than the standards required. The proposal would provide additional accommodation which could be used as a bedroom. This would require an additional cycle parking space according to the standards. On the basis of the existing over-provision, I am satisfied that the cycle parking would remain acceptable.
- 8.19 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

#### **Refuse Arrangements**

- 8.20 The proposal does not alter refuse arrangements.

#### **Third Party Representations**

- 8.21 The Council does not have a specific policy requirement for developments to provide car-charging points. The proposed amendments do not significantly increase the number of occupants of the site compared to the approved scheme, which was not required to provide car-charging points. There is no policy requirement for the development to include car-charging points and it would not be reasonable to require the developer to provide this through the current application.

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

- 8.22 The original consents were not subject to a Section 106 Agreement as the development is not more than 10 no. units. The proposed amendment does not trigger planning obligations.

### **9.0 CONCLUSION**

- 9.1 The proposal is for a minor material amendment to a scheme which has been implemented in order to extend an existing unit to provide an additional bedroom. The extension would not harm the street scene and would be appropriate to the building as approved, subject to conditions. It would have no significant

adverse impact on the residential amenity of the occupants of neighbouring properties. The proposal would provide an acceptable level of amenity for future occupants. For these reasons, in my opinion, the proposal is acceptable.

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

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

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

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

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

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

5. Implementation of the development hereby approved shall be in accordance with the programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period that has been approved in writing by the Local Planning Authority under the discharge of condition 12 on planning consent 15/0363/FUL, or in accordance with alternative details that have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

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

6. The windows and doors on the extension hereby approved shall match in design, materials, colours, surface finishes/textures those that have been approved in writing by the Local Planning Authority under discharge of condition 14 on planning consent 15/0363/FUL, or shall be in accordance with alternative details that have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

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

7. The non-masonry walling systems, cladding panels or other external screens (including structural members, infill panels, edge, junction and coping details, and relationships to glazing and roofing) hereby approved shall match in type, colour and surface finishes/textures those details that have been approved in writing by the Local Planning Authority under discharge of condition 15 on planning consent 15/0363/FUL, or shall be in accordance with alternative details that have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

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

8. The flat roof to the south and west of the extension hereby permitted shall at no time be used as a roof terrace for private amenity space.

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

<b>Application Number</b>	17/0101/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th January 2017	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	24th March 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	150 Catharine Street Cambridge CB1 3AR		
<b>Proposal</b>	Erection of five self-contained studios and associated works.		
<b>Applicant</b>	Mr Richard Fella C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would not harm the street scene or the setting of the Conservation Area;</p> <p style="padding-left: 40px;">The proposal would not have a significant adverse impact on residential amenity of neighbouring properties;</p> <p style="padding-left: 40px;">The proposal would provide an acceptable level of amenity for future occupiers.</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site consists of land within the garden of No. 150 Catharine Street to the side of the property. The site is currently laid out as garden including grass and planting. There is a dropped kerb and access to a gravel parking area.
  
- 1.2 The site itself is not within the Conservation Area but is adjacent to the end of the terrace along the eastern side of Catharine Street which is within the Mill Road Area of the Central

Conservation Area. Properties to the north are mainly interwar semi-detached houses. The site is outside the controlled parking zone. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal is for the erection of a two-and-a-half storey building containing 5 no. studios and associated works. The building would front onto Catharine Street with a single entrance stepped slightly forward of No. 150. There would be communal amenity space at the rear and a bin/cycle store at the front. The existing dropped kerb would be retained to provide access to one car parking space at the front of No. 150. There would be no car parking for any of the proposed studios.

## **3.0 SITE HISTORY**

3.1 The planning history comprises:

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/0062/FUL	Erection of a single dwelling with 5 bedsits.	Refused

3.2 The previous application was refused in summary on the following grounds:

- The bulk and detailing would fail to preserve or enhance the character and appearance of the Conservation Area or the street scene.
- The proposal would not provide an adequate level of amenity for future occupiers of the site.
- Visual enclosure and loss of light to No. 150 Catharine Street.

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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



## 5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

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

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

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

#### 6.0 **CONSULTATIONS**

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

- 6.1 The proposal makes no off-street car parking provision for the new residential units. The development is 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.

##### **Environmental Health**

- 6.2 No objection. Recommended conditions/informatives:
- plant noise insulation
  - construction hours
  - piling
  - plant noise informative

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

- 6.3 Unacceptable. The proposed bin storage to the front of the building would create additional clutter in the streetscape and would have a negative impact on the adjacent conservation

area. The rear of the proposed new building is very convoluted at first floor level due to the angled windows for Flat 4. It creates a large bulk on the rear of the building.

- 6.4 The position of the building within the plot is acceptable. The front elevation forms an appropriate contrast with the adjacent buildings and provided it is constructed with appropriate materials, it should work visually in the street scene. The placement of the cycle store to the front of the property should ensure it is easily accessed and therefore will encourage occupants to use it.
- 6.5 The frontage of the building needs to be well kept in order to make a positive contribution to the street scene, which means that issues such as car parking and bin storage need to be appropriately addressed.
- 6.6 Recommended condition:
- materials samples

### **Landscape Architect**

- 6.7 Unacceptable. Raises issues concerning bin storage location. Asks for amended plan to show private space for Flat 2. Notes potential maintenance issue with southern wall. Requests an arboricultural method statement regarding the root zone of nearby street trees.

### **Refuse and Recycling Team**

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

## **7.0 REPRESENTATIONS**

### Support

- 7.1 The owners/occupiers of the following addresses have made representations in support of the application:
- 150 Catharine Street

- 41 Devonshire Road

7.2 The representations can be summarised as follows:

- Support the design.
- Support affordable accommodation.

### Object

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

- 157 Catharine Street

7.4 The representation can be summarised as follows:

- Lack of car parking.

### Neutral

7.5 The owner/occupier of the following address has made a neutral representation:

- 152 Catharine Street

7.6 The representation can be summarised as follows:

- Impact on on-street parking and highway safety.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces and impact on the character of the Conservation Area
3. Residential amenity
4. Refuse arrangements

5. Highway safety
6. Car and cycle parking
7. Trees
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 The proposal relates to the sub-division of the curtilage of No. 150. Cambridge Local Plan (2006) policy 3/10 for the sub-division of existing plots therefore applies. This supports residential development within the garden area or curtilage of existing properties unless it will:
- a. Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise disturbance;
  - b. provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
  - c. detract from the prevailing character and appearance of the area;
  - d. adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
  - e. adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
  - f. prejudice the comprehensive development of the wider area of which the site forms part.
- 8.4 Parts d, e and f are not relevant to this proposal. I have assessed the application against the remaining criteria in the body of my report. In summary, in my opinion the sub-division of the plot is acceptable in principle in accordance with policy 3/10.

## **Context of site, design and external spaces and impact on the character of the Conservation Area**

- 8.5 The site falls between the traditional Victorian terrace within the Conservation Area to the south and the post-war semi-detached properties to the north. While the application site itself does not fall within the Conservation Area, the southern site boundary adjoins the Mill Road Area of the Central Conservation Area and would be visible from within it. The site currently forms a side garden to No. 150 which forms a visual gap between the two periods of housing. The Conservation Team has not objected to the infilling of this gap in terms of the impact on the setting of the Conservation Area, and I agree with this advice.
- 8.6 The building would be two storeys plus an attic. The ridge and eaves height would be similar to No. 150 and slightly lower than No. 148. The building would have a pitched roof with a cat-slide roof over the projecting main entrance. This would have a similar form to the neighbouring properties and the character of the traditional terrace within the Conservation Area. The front elevation would have a projecting bay window on the ground floor which would complement the bay windows on Nos. 150-152. The materials would be brick with zinc clad windows, a timber panel and a zinc roof. There would be a projecting brickwork panel above the main entrance.
- 8.7 The Conservation Team has commented that the front elevation forms an appropriate contrast with the adjacent buildings and provided it is constructed with appropriate materials, it should work visually in the street scene. I agree with this advice and in my opinion, the building would sit comfortably in the gap between the post-war housing and the Conservation Area. I have recommended a condition for materials samples to be submitted, and in addition, for details of window and recess details to be submitted for approval.
- 8.8 At the rear, the building would have a part single / part two storey element in zinc cladding. The first floor element would be cut away on the north eastern corner with a series stepped full-height windows. The Conservation Team has commented that this is a 'convoluted' design which could be simplified. In my opinion, this is in keeping with the contemporary design of the building. The Conservation Team has also advised that it would create a large bulk at the rear of the building. The

building is not within the Conservation Area and it would not be visible in views from the public highway towards the Conservation Area. For these reasons, in my opinion the rear element would not harm the setting of the Conservation Area.

- 8.9 The building would be set back on a similar building line to No. 150, albeit slightly further forward, so that it mediates between this property and the traditional terrace at the back of the footpath. This positioning allows space at the front of the site for some soft landscaping which is shown as including some buffer planting in front of the ground floor window, an area of grass, hard standing to provide access to park in front of No. 150, and cycle and bin stores. While the Conservation Team supports the positioning of the building, they have raised concern about the contribution this area makes to the street scene, which is also a concern of the Landscape Officer.
- 8.10 The cycle and bin stores would be located against the southern boundary of the site. The cycle store would be positioned closest to the front and space is shown for some soft landscaping. While they would be visible in the street scene, as they would be against the boundary and would be viewed in the context of No. 148 behind, in this instance, in my opinion the stores would not be unduly prominent. Moreover, the stores would be in a similar location to the recently refused scheme and this was not a reason for refusal. As such, in my opinion it would not be reasonable to recommend refusal on these grounds.
- 8.11 The Conservation Team has advised that the management of the area at the front including the landscaping and stores is important to ensure the site makes a positive contribution to the street scene. I am satisfied that a condition requiring a detailed hard and soft landscaping scheme could resolve this issue. Given the close proximity of the bin store to the kerb side, I have no reason to doubt that bins would not be returned after collection.
- 8.12 For these reasons, and subject to the recommended conditions, in my opinion, the proposal would not harm the street scene or the setting of the Conservation Area, and the proposal would be in accordance with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

8.13 The neighbouring properties are No. 150 to the north and No. 148 to the south. I am not concerned about the impact on properties on the other side of Catharine Street or backing onto the rear garden due to the separation distances.

#### *No. 150*

8.14 No. 150 is a two storey semi-detached property with a single storey rear element and an outbuilding. The site forms part of the side garden of this property, which would retain a rear garden following subdivision of the site. The property is set back from the road and has off-street parking via a dropped kerb to the application site.

8.15 The proposed building would be to the south of No. 150. The building would have a slightly larger foot-print than No. 150. It would be slightly closer to the front of the site and the part two storey element would extend further to the back, albeit with a cut-away on the side closest to No. 150.

8.16 There is one ground floor window on the side elevation of No. 150 facing towards the application site, which is a narrow slit window serving the living room. This room has a large bay window on the western elevation and a primary window on the eastern elevation. While the building would be in close proximity to this slit window, as this is a secondary window, in my opinion, loss of light and visual enclosure of this window would not have a significant adverse impact on the residential amenity of the occupants of this property. Moreover, this was not a reason for refusal on the previous scheme.

8.17 The impact of the proposal on light to the front and rear living room windows has been assessed by the applicant in their Daylight and Sunlight Assessment. I have reviewed this and the proposal would be acceptable, according to the relevant guidance. The property's kitchen is in the single storey rear element, which is served by one window on the side elevation facing towards the application site. This is the only window and the proposal would be due south of this. I am satisfied that the applicant's assessment demonstrates an acceptable impact on



this window in terms of light. Due to the separation distance of 3.4m to the single storey element and approximately 5m to the two storey cut-back element, I am satisfied the proposal would not have an overbearing impact on this window, as these distances would be similar to outriggers on traditional terraced properties.

8.18 There would be some overshadowing of the amenity space of No. 150. The applicant's Sun Path and Shadow Study shows that there would be some overshadowing of the rear garden of the area immediately at the rear of the property and along the southern boundary throughout the day during the March and September equinoxes, and in the afternoon on the Summer solstice. However, I have assessed this against the relevant BRE guidance which advises that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least two hours of sunlight on 21 March. I am satisfied that the applicant's Sun Path and Shadow Study shows at least half of the garden would receive morning sunlight on the March equinox, thereby meeting this test. For this reason, in my opinion the overshadowing would not have a significant adverse impact on the residential amenity of the occupants of No. 150.

8.19 In terms of overlooking, I am content that the staggered windows on the rear elevation prevent direct views towards the rear of No. 150. There would be some oblique views from these windows, however they are narrow slit windows and in my opinion, would not have a significant loss of privacy for the occupants of No. 150. I have recommended a condition for the flat roof areas on the first and second floors not to be used as private amenity space in order to prevent any overlooking from these areas.

#### *No. 148*

8.20 No. 148 is a two-storey end of terrace property which is orientated with its main door on the side elevation. There are also principal windows to ground floor living rooms on the side elevation and unobscured first floor windows facing towards the application site. The property has part single and part two storey rear elements and a side extension lean-to.

- 8.21 The proposed building would be to the north of No. 148. The two storey building would be approximately 5.4-5.8m from the side elevation at the front and, due to the shape of the plot, would be angled away at the rear.
- 8.22 Due to the positioning of the building further back from the building line of No. 148, the right-hand living room window on the side elevation would be approximately in line with the front of the building, and would look onto a 4.5m high part of the side elevation. The left-hand living room window would look onto a part of the elevation approximately 7m high. This would be similar for the first floor windows positioned directly above. The proposal would result in some visual enclosure on these windows which are habitable living rooms, however I consider that the positioning, separation gap and height of the building would provide an acceptable ongoing outlook from them.
- 8.23 The building would be to the north so would not overshadow No. 148. The applicant has assessed the impact on light to the windows on the north elevation in their Daylight and Sunlight Assessment. I am satisfied this demonstrates the proposal would not lead to a significant loss of light to these windows.
- 8.24 In terms of overlooking, during the course of the application, revised plans were submitted which confirmed that all windows on the first floor side elevation facing towards No. 148 would be obscure glazed in order to prevent overlooking. I have recommended a condition to secure this and to ensure that these windows are fixed. Subject to this and the condition already recommended to prevent access to the flat roof areas, there would be no overlooking towards No. 148.
- 8.25 The cycle and bin stores would be located against the boundary with No. 148 which would be approximately 3m from the living room windows on the side elevation. Given that the proposal is only for 5 no. unit and the close proximity of the bins and cycles to the front entrance of the scheme, I do not foresee any significant issue with noise or smell arising from the location of bin and cycle stores being close to the windows of No. 148. I have recommended a condition to secure the bin and cycle store provision prior to first occupation of the units.
- 8.26 The impact of noise and disturbance during construction on residential amenity of nearby properties could be satisfactorily

addressed through a condition to restrict construction hours, as recommended by the Environmental Health team.

#### Amenity of future occupiers

- 8.27 The future occupants would have access to an area of communal amenity space at the rear. The units would be one-bed studios which are usually occupied by individuals and are generally considered to have less need for private amenity space. The communal garden is therefore considered to provide an acceptable level of amenity within the urban context.
- 8.28 The site plan shows the ground floor unit at the rear would have some private amenity space and landscaping to provide privacy for the future occupants. The unit on the front would have space for a landscape buffer which would provide some defensible space. I have recommended a condition for a landscaping scheme to be implemented prior to occupation of these units. The main entrance to the building projects forward and the cycle and bin stores are located against the southern boundary, in order to minimise noise and disturbance for the occupants of the ground floor unit.
- 8.29 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, 3/10 and 3/12.

#### **Refuse Arrangements**

- 8.30 The Refuse Team advised on the previous application that the capacity should provide 1 x 660 black refuse bin, 1 x 660 blue recycling bin and 1 x 240 green bin. I am satisfied that the proposed site plan shows space for the required capacity. I have recommended a condition for details of the store to be submitted for approval. The site is within 10m of the kerb for collection by the refuse team. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 3/12.

## **Highway Safety**

- 8.31 The proposal would retain use of the existing dropped kerb. The Highways Authority has not objected to the proposal on highway safety grounds. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

### Car parking

- 8.32 The proposal would retain one car parking space for the occupants of No. 150. The proposed units would be car-free. This accords with the adopted maximum car parking standards. The units would be one-bed studios which are usually occupied by individuals. The site is in a highly sustainable location close to the city centre, and to walking, cycling and public transport routes. The future occupants are unlikely to be car-dependent. For these reasons, in my opinion, there would be no policy justification to refuse the proposal on the basis of a lack of car parking or its potential on-street impact.

### Cycle parking

- 8.33 The proposal includes 5 no. cycle parking spaces within a store at the front of the site. This accords with the cycle parking standards and would be in a convenient and secure location. I have recommended a condition for full details of the store to be submitted for approval and for it to be installed prior to first occupation of the units.
- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Trees**

- 8.35 The Landscape Officer has recommended a condition for an Arboricultural Method Statement to consider the impact on the street trees of the hard standing. I am satisfied that the street tree is far enough away that this would not have a significant impact, and I have not applied this condition.

## **Third Party Representations**

8.36 I have addressed the third party representations concerning car parking and highway safety in the relevant sections above.

## **9.0 CONCLUSION**

9.1 The proposal would not harm the street scene or the setting of the Conservation Area. The proposal would not have a significant adverse impact on residential amenity of neighbouring properties. The proposal would provide an acceptable level of amenity of future occupiers.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. Prior to installation of any plant, 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 prior to first occupation of the units hereby approved.

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

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

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

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

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

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

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

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

7. Full details of all external windows and doors, as identified on the approved drawings, including design, materials, colours, surface finishes/textures, recesses and fittings are to be submitted to and approved in writing by the Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

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

8. The windows identified as having obscured glass on the approved drawings 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 3/14).

9. The flat roof areas shall not be accessed except for maintenance or emergency purposes.

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

10. No development other than site clearance and below ground works 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 prior to first occupation of the units hereby approved. These details shall include boundaries; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting). Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

11. Notwithstanding the approved plans, prior to first occupation of the units hereby approved, the bin and cycle stores shall be provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority and retained thereafter.

Reason: In the interests of residential amenity and visual amenity (Cambridge Local Plan 2006 policies 3/10, 4/11, 4/13 and 8/6).

**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.

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<b>Application Number</b>	16/2214/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th February 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	3rd April 2017		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	1 Moyne Close Cambridge Cambridgeshire CB4 2TA		
<b>Proposal</b>	Two storey extension to side and rear and conversion of existing dwelling to 2 x 2 bed flats		
<b>Applicant</b>	Mt Timothy Burbridge 149 High Street Melbourn Herts SG8 6AT		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would be acceptable in design terms and would not have a negative impact on the character of the area</li> <li>- The proposal would not have a significant adverse impact on the residential amenity of surrounding occupiers</li> <li>- The proposed car parking arrangement is considered acceptable given the sustainable location of the site</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site is a two storey brick property at the southern end of Moyne Close. This is a predominantly residential area characterised by two storey detached and semi-detached properties. The properties are predominantly finished in light brick; some have red brick accents and others have elements of timber cladding.

1.2 The site does not fall within the Conservation Area or within the Controlled Parking Zone. There is protected open space to the north of the site (SPO 47 - St Lawrence Catholic Primary School) and an additional pocket of Protected Open Space to the west of the site (AGS 19 - Land west of 43 Ashvale)

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for a two storey side and rear extension and the conversion of the extended property to 2x two bed flats.

2.2 The application has been amended since submission to remove one of the parking spaces as the proposed space would overhang the highway. One off-street car parking space is to be provided. Cycle parking is proposed to the front of the property.

2.3 The proposed extension would extend 2.6m past the side wall for a length of 6.4m. The extension would have a total height of 6.2m dropping to 4.9m at the eaves. The extension is proposed to be finished in materials to match.

2.4 The proposal would provide 2 x two bed flats; one on each floor. Both flats mirror each other in terms of internal layout providing a separate kitchen and lounge with two bedrooms and one bathroom.

## **3.0 SITE HISTORY**

3.1 No site history.

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 3/14 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 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)**

- 6.1 Objection: The car parking spaces within the site of the new dwelling do not have sufficient length to accommodate two cars. Either the extension should be moved back to provide a minimum of 10 metres, or the application amended to indicate a single parking space. In the alternative, the Highway Authority recommends that the proposal be refused.

### **Environmental Health**

- 6.2 No objection: In the interests of amenity, I recommend the standard construction hours condition.

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

- 6.3 No objection: Three conditions are recommended. These relate to surface water drainage, foul water and the use of permeable materials on external surface areas.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 2 Moyne Close
- 41 and 43 Ashvale

7.2 The representations can be summarised as follows:

- The immediate area is characterised by detached and semi-detached dwellings; the proposal for flats would be out of character
- Increased noise disturbance
- Loss of light to 2 Moyne Close
- Proposed parking arrangement is inadequate
- Existing on street car parking indicated as a turning circle
- To access car parking would need to cross busy pedestrian/cycle path
- Existing problem with parking on the street
- No consultation with neighbours prior to submission of planning application
- Bin storage inadequate

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/1 states that Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The character of the

surrounding area is predominantly residential. As a result the proposal accords with policy 5/1

- 8.3 Policy 5/2 relates to the conversion of larger properties. This states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110m<sup>2</sup>; b) there would be an unacceptable impact on parking c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin/bike storage 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 extended property would have a floorspace greater than 110m<sup>2</sup>. The surrounding land uses are considered to be acceptable and not harmful to additional residential use on the site. As a result the proposal meets with criteria a) and e) of policy 5/2. I will assess the proposal against the other criteria in the below paragraphs.

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

- 8.5 The proposed extension would be set back from the principal elevation. The ridge and eaves height would also be lower than the host dwelling. As a result the extension would clearly read as a subservient later addition to the existing building.
- 8.6 The extension would run adjacent to a pedestrian path which connects Moyne Close to the Protected Open Space to the north. The extension is proposed to be set behind a 1.8m fence. Given the subservient scale of the proposed extension I am satisfied that it would not appear unduly prominent against this path.
- 8.7 I recommend a matching materials condition to ensure the extension would be in keeping with the host dwelling and other surrounding properties on Moyne Close.
- 8.8 One of the representations raises concern that the proposal for flats would be out of character as the area is predominantly comprised of detached and semi-detached dwellings. I do not share this view. In my opinion the splitting of the unit would not harm the character of the area and would be in keeping with the residential use of the area. As noted above the propose



extension is considered acceptable in terms of scale and design. I will discuss the impact on neighbouring occupiers and amenity for future occupiers below.

- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/14.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 The proposed extension would extend past the rear wall by 3.3m. This element is significantly set away from the attached neighbour at 2 Moyne Close; with a distance of 2.15m between the proposed extension and the boundary. As noted above, the proposed extension would be subservient to the host dwelling in terms of height. Given the set away from the boundary and the subservient scale of the extension, I am satisfied that the proposed extension would not appear unduly dominant from this neighbour's garden. The extension would not break the 45 degree rule when taken from the nearest first floor bedroom window or the ground floor living area window and as a result I am satisfied that the extension would not appear overbearing. Given the subservient scale and distance between the extension and the boundary, I do not consider there would be any significant impact in terms of overshadowing of this neighbour's garden.
- 8.11 There are no windows proposed to the side of the extension which would overlook the neighbouring garden. There is a first floor window to the rear wall of the extension. This would look toward the neighbour's garden however given there are existing first floor windows in the host dwelling I do not consider this would result in a significant further loss of privacy to the garden of 2 Moyne Close.
- 8.12 The proposed extension would be significantly set away from the neighbour to the west at 43 Ashvale with a distance of over 12m between the extension and the neighbouring house. As a result I am satisfied that there would be no significant impact in terms of overshadowing or enclosure to this occupier. There are no additional windows proposed to the side elevation so there would be no additional overlooking of this neighbour.

- 8.13 I do not consider that the additional residential unit on site would result in any significant increase in noise and disturbance to the surrounding occupiers.
- 8.14 In the interests of amenity, the Environmental Health Officer recommends the standard construction hours condition.
- 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 and 3/7.

#### Amenity for future occupiers of the site

- 8.16 The two flats would share the outdoor amenity. There is a total of 57m<sup>2</sup> outdoor space to the rear of the property and I am satisfied that this would be adequate for a shared garden space given the proximity of the site to Protected Open Space in the area.
- 8.17 The ground floor flat has habitable room windows to the rear elevation serving a lounge and a bedroom. Use of the garden space may impact on the privacy of these rooms. However I am satisfied that this could be dealt with via a condition to ensure some private defensible space would be provided around these windows.
- 8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14 and criterion c) of policy 5/2.

#### **Refuse Arrangements**

- 8.19 The proposed bin store arrangement is not acceptable as it would be directly adjacent to a bedroom window which would result in an unacceptable level of noise and disturbance to occupiers of this room. However, I am satisfied that there is adequate space on the site to provide bin storage. As a result a condition is recommended to ensure details of a revised bin store location are provided prior to the occupation of the flats.

8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and criterion d) of policy 5/2.

### **Highway Safety and Car Parking**

8.21 The Highway Engineer raised an objection to the original proposal as there was not adequate space to accommodate two car parking spaces on site without one of the cars overhanging the highway. The applicant has revised the plans and now proposes only one car parking space. Given the sustainable location of the site I am satisfied that one space would be adequate provision. As a result I am satisfied that the proposal would not have any significant adverse impact on highway safety.

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

### **Cycle Parking**

8.23 Cycle parking is currently proposed next to the bin storage adjacent to the bedroom window noted in paragraph 8.19. As with bin storage, a condition is recommended to require details of cycle storage in an alternative location to be provided prior to the occupation of the flats.

8.24 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/6 and criterion d) of policy 5/2.

### **Third Party Representations**

8.25 I have addressed the majority of the concerns expressed in the third party representations within the body of my report. I will address any outstanding issues below.

8.26 The car parking layout has been amended and no longer requires use of the parking space (marked as turning circle to the side of the site). Concerns have been raised regarding pedestrian and cyclist safety. I note the footpath running along the side of the site which leads to the Protected Open Space to the north of the site. However, I do not consider that the proposed parking arrangement and the provision of 1 off street parking space would impact on the safety of these users.

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

8.27 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.

8.28 The guidance states that contributions should not be sought from developments of 10-units or fewer, 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 extension would clearly read as a subservient later addition and is not considered to harm the character of the area subject to being finished in materials to match. The extension would not have any significant adverse impact on the amenity of the surrounding occupiers in terms of enclosure or loss of light. The proposal would provide an adequately high level of living accommodation for future occupiers of the two flats.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

5. The development hereby permitted shall not be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework (2012)

6. The development hereby permitted shall not be occupied until details of foul water works have been submitted to and agreed in writing by the Local Planning Authority. Foul water works will be implemented in accordance with these agreed details.

Reason: To ensure a satisfactory means of foul water drainage is provided in accordance with the National Planning Policy Framework (2012)

7. All new and altered external surface areas within the site boundary shall be of a permeable construction.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework (2012)

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. The 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).

9. Notwithstanding the approved plans, prior to first occupation of the units hereby approved, cycle parking details 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. Notwithstanding the approved plans, prior to first occupation of the units hereby permitted, amenity space shall be fully laid out and finished in accordance with a plan showing an area of communal amenity space for all units and an area of private amenity space at the rear for the ground floor unit, which has been submitted to and approved in writing by the Local Planning Authority, and thereafter shall remain for the benefit of the occupants of the property.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/7 and 5/2)

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	16/1901/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th October 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	23rd December 2016		
<b>Ward</b>	Romsey		
<b>Site</b>	147 Coldhams Lane Cambridge CB1 3JB		
<b>Proposal</b>	Proposed change of use of property to seven person house in multiple occupation (sui generis) following proposed rear single storey annexe and single-storey rear extension (approved under reference 16/0613/FUL).		
<b>Applicant</b>	Mrs H Oliver 22 Fair Green Reach Cambridge CB25 0DJ UK		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed change of use would respect the amenity of neighbouring properties in terms of noise and disturbance from comings and goings.</li> <li>- The proposed works would be in keeping with the character and appearance of the area.</li> <li>- The proposal would provide an acceptable living environment for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, No.147 Coldhams Lane, is comprised of a two-storey mid-terraced property currently used as a small house in multiple occupation (HMO). The site has a small front garden and long rear garden with a rear pedestrian access to Stourbridge Grove. The surrounding area is residential in

character and is formed of similar sized terraced and semi-detached properties.

1.2 There are no site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks planning permission for the change of use of the property to a seven person HMO (sui generis) following the development of a single-storey annexe building and a single-storey rear extension.

2.2 The proposed single-storey rear extension is identical to that which was approved under permission reference 16/0613/FUL. It would be constructed with a hipped roof and in materials to match the existing property.

2.3 The proposed single-storey annexe building would be constructed in cladding externally with a slate hipped roof measuring approximately 2.5m to the eaves and 3.5m to the ridge.

2.4 There would be a bin and cycle store area at the front of the property for use by the six occupants within the main house and there would also be a separate bin and cycle store for the future occupant of the annexe building, with a means of access along the rear passage to Stourbridge Grove. The annexe would also have its own private garden area.

2.5 The application is accompanied by the following information:

1. Drawings
2. Planning Statement
3. Annexe Link Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/0897/FUL	Change of use to 8 bed HMO (Sui Generis) with a proposed single storey annexe in rear garden.	Refused.
16/0613/FUL	Proposed rear single storey extension.	Permitted.



## 4.0 PUBLICITY

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 3/14 4/13 5/7 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 (Annex 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	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
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#### 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## 6.0 CONSULTATIONS

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

- 6.1 No information on existing or proposed car parking has been provided.
- 6.2 The development may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

### **Environmental Health**

- 6.3 No objection, subject to construction hours condition and housing health and safety informative.

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

## **7.0 REPRESENTATIONS**

7.1 The owner/occupier of the following address has made a representation:

- 139 Coldhams Lane

7.2 The representation can be summarised as follows:

- The proposed development will have an overbearing effect on neighbouring properties.
- There is already a high concentration of multiple occupancy and student properties in the area and the proposal would exacerbate levels of noise and disturbance experienced.
- Additional car parking pressure and traffic movements to area.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

## **8.0 ASSESSMENT**

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

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

## **Principle of Development**

- 8.2 Policy 5/7 (Supported Housing/Housing in Multiple Occupation) of the Cambridge Local Plan (2006) is relevant to test whether the principle of the proposed use is acceptable. Policy 5/7 states that 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 I set out below my assessment of the proposed use in accordance with the above policy criteria:

### Impact on residential amenity

- 8.4 In my view, the proposed use of the dwelling as a seven person HMO would not have an adverse impact on the residential amenity of the local area. The affects from the proposed use would not be significantly different from that of present whereby the property is used as a five bedroom HMO and could be occupied by six persons without planning permission. It is also pertinent to point out that the implementation of permission 16/0613/FUL would allow the property to host six bedrooms. This proposal seeks permission to house seven occupiers (1 per bedroom).
- 8.5 The six occupants within the main house would access the property from the front door and their bin and cycle storage would be stored at the front of the site. This arrangement is present throughout the fronts of properties along Coldhams Lane and I do not consider the comings and goings associated with this would be harmful to neighbour amenity. The majority of the rear garden would be available for use by future occupants and the use of this would be no different to that of present in terms of noise and disturbance.
- 8.6 The proposed annexe has been designed as a mostly self-contained building to accommodate one of the seven future occupants. Internally, it would have its own small kitchenette, bed/ living area and shower room. Externally, it would have its

own amenity space, bin and cycle store area with an access from Stourbridge Grove. Nevertheless, it has been explained that the annexe would be included on the same council tax bill as the HMO, use the same services (gas and electric) and occupiers would have the same access rights to common areas as other occupants of the HMO. The common facilities would include dining and kitchen facilities, as well as washing and drying machines within the main property.

- 8.7 In terms of likely comings and goings that would be associated with the annexe, I do not consider this impact would harm neighbour amenity. The movement of bins and cycles would be isolated to the far end of the garden, well away from the main private outdoor amenity areas and windows of neighbours. Furthermore, the proposed outdoor amenity area would also be at the end of the adjoining neighbours' gardens and I do not consider the noise or visual presence of people using this space, particularly given the restriction of this space to the annexe only, would adversely disturb neighbours. Although the annexe would have an ancillary relationship to the main house, the levels of movements between the annexe and the main property would be relatively low given the facilities provided within the annexe itself. To ensure that the annexe would have a functional link to the overall HMO use and is not sub-divided or used entirely independently, I have recommended a condition for the use of the annexe to be conducted in accordance with the link statement document that has been submitted.
- 8.8 At present there is no dedicated car parking for the existing property. Concerns have been raised regarding the potential impact the proposed use would have on car parking in the area and intensification of traffic. There is on-street car parking along Coldhams Lane but this is not controlled in any way. Furthermore, the occupiers of the existing five bed property could have at least one car per bedroom and the property could be used as a 6 person HMO without planning permission. Therefore, in view of this fall-back position, I do not consider the addition of an extra person to create a seven bed HMO would be materially different to that of the existing situation such that it would have a significant adverse impact on the residential amenity of neighbours or car parking in the area.

- 8.9 Overall, I am of the opinion that the proposed use would not be harmful to the amenity of neighbours in terms of intensification of the site and noise and disturbance. I have recommended a condition to restrict the number of occupants to seven persons to avoid over intensification of the use of the site.

#### Suitability of the building

- 8.10 Having assessed the layout of the property and the site, I am satisfied that there is enough internal space to accommodate the number of occupiers and provide sufficient communal provision such as a kitchen, sitting room and washing facilities. The attic room would have an en-suite and there would also be a large bathroom for use by the five other occupants in the main house. The position of bins close to the ground-floor bay window of bedroom No.1 is not ideal but this relationship already exists at present. The occupants of the main house would have access to the main outdoor amenity space which would be 42m<sup>2</sup> in size and is considered sufficient. Soft boundary treatment is proposed outside the ground-floor oriel window of bedroom No.6 as a means of defensive planting to prevent other occupants from walking in front of this private outlook.
- 8.11 As described in paragraph 8.6 of this report, the annexe would effectively be self-contained with its own internal and external amenities and facilities. The annexe building would occupy a footprint of approximately 29m<sup>2</sup> and would have its own outdoor amenity space of 12m<sup>2</sup>. It would have north-east facing outlooks and roof-lights which would not be overlooked by the occupants of the main building or other neighbouring properties. The annexe would have its own bin enclosure area and cycle stand at the rear of the site with a logical route out to Stourbridge Grove. I have recommended conditions for the precise details relating to refuse arrangements and cycle storage to be provided prior to occupation of the development.
- 8.12 The main bin store area would be situated at the front of the site which is identical to that of present. There is a straightforward route out to the kerbside of Coldham's Lane for collections. Cycle storage would be provided at the front of the site in a small enclosure. The details of how many cycle spaces would be allocated or how these spaces would be secured has not been provided as part of this application. However, there

appears adequate space to accommodate the required cycle parking in this area and I have therefore recommended a condition for these details to be agreed prior to occupation of the development.

- 8.13 In my opinion, the building, following completion of the proposed works, would be suitable for use as a seven person HMO.

Proximity to public transport, shops and services

- 8.14 The location of the site is suitable for a HMO. The site is within walking distance of Coldham's Common and there are shops and services at the Mill Road East District Centre and the Beehive Centre within cycling and walking distance. There are bus stops along Coldham's Lane and sufficient cycle parking would be accommodated on-site. I do not consider the site would be dependent on private car.

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

- 8.15 The proposed single-storey rear extension has already been granted planning permission (16/0613/FUL). This element of the proposed works would be of a relatively modest scale and design and would not appear out of character with the area.
- 8.16 There are a variety of outbuildings present in the surrounding area. The proposed annexe building would occupy a similar footprint to that of the neighbour immediately adjacent at No.149 Coldhams Lane. The proposed building is considered to be of an orthodox design and of a scale that would not appear out of context with its surroundings. I have recommended a materials sample condition to control the appearance of the cladding as it is not clear from the drawings what the type, texture or colour of this cladding would be.
- 8.17 The position of bins at the front of the site would not appear out of character with the area as the majority of properties store their bins in this manner. The principle of a lightweight cycle store at the front of the site would not in my view be harmful to the character or appearance of the area. The floorplan states that this structure would be 1.42m in height which would read as a subservient structure in the street scene. However, given the lack of details regarding the elevational treatment of this

store, I have recommended a condition for scaled elevations and material specifications to be provided prior to occupation of the development.

- 8.18 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 3/14.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.19 The impact on neighbours in terms of noise and disturbance, and car parking, has been addressed in paragraphs 8.4 – 8.9 of this report.
- 8.20 The proposed annexe would not in my view harm the amenity of neighbouring properties in terms of overshadowing, overlooking or visual dominance.
- 8.21 At 2.5m high to the eaves with the hipped roof then sloping away from the site boundaries up to a height of 3.5m, I do not consider the proposed height would be harmful. The outbuilding has been sited adjacent to the outbuilding of No.149 Coldham's Lane and is a sufficient separation distance from the main garden area of this neighbour to prevent it from appearing visually dominant. Similarly, the proposal is set off the boundary with No.145 Coldham's Lane and is considered to be of a height that would not visually dominate outlooks from this neighbour.
- 8.22 The annexe would be situated to the south-east of No.145 Coldham's Lane but in respect of the low eaves and proposed hipped roof, I do not consider the level of overshadowing cast over this neighbour garden would be significant. Any overshadowing would be limited to the latter part of this neighbour's garden and so the impact would be negligible.
- 8.23 The views from the annexe would face north-eastwards and these views would not compromise the privacy of any neighbours.
- 8.24 The impact of the proposed single-storey rear extension on neighbours has already been considered under the previously approved permission 16/0613/FUL. I consider the previous



assessment pertinent to this new application and the impact on neighbours acceptable.

- 8.25 In my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 5/7.

#### Amenity for future occupiers of the site

- 8.26 The amenity for future occupiers has been assessed in paragraphs 8.10 – 8.13 of this report.
- 8.27 In my opinion, subject to conditions, 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, 3/12 and 5/7.

#### **Refuse Arrangements**

- 8.28 This matter has been assessed in paragraph 8.12 of this report.
- 8.29 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

#### **Highway Safety**

- 8.30 The proposal does not involve any works to the public highway and has no impact on car parking arrangements.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

#### **Car and Cycle Parking**

- 8.32 Car parking has been assessed in paragraph 8.8 of this report.
- 8.33 Cycle parking has been assessed in paragraphs 8.11 - 8.12 of this report.
- 8.34 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representation**

8.35 The third party representation has been addressed in the main body of this report.

## **9.0 CONCLUSION**

9.1 The proposed use of the site as a seven person HMO would not adversely impact on the amenity of neighbours in terms of noise and disturbance. The proposed works are considered to be in keeping with the character of the area. The proposal would not give rise to unacceptable pressures on on-street car parking in the surrounding area. Approval is recommended, subject to conditions which include restricting the number of occupants and the use of the annexe.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. The occupier of the proposed annexe hereby approved shall have unrestricted access to the communal living spaces in the host property and the front and rear entrance points.

Reason: To ensure an acceptable level of amenity for occupiers of the annexe and the associated HMO (Cambridge Local Plan 2006 policies 3/4, 4/13 and 5/7)

5. The property, including 147 Coldhams Lane, the extension and the annexe hereby approved, shall be occupied by no more than seven 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)

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

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

7. Prior to occupation of the development hereby permitted, full details of facilities for the covered secure parking of bicycles for use in connection with the house in multiple occupation and annexe shall be submitted to and approved by the local planning authority in writing. The details shall include scaled elevations and information regarding material treatment of the facilities. 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 and to ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12, 5/7 and 8/6)

8. Prior to occupation of the development hereby permitted, details of facilities for the covered bin storage in connection with the annexe 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 and thereafter retained.

Reason: To provide sufficient refuse arrangements for future occupants of the annexe (Cambridge Local Plan 2006 policies 3/12, 4/13 and 5/7)

**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**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0251/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th February 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	12th April 2017		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	293 Campkin Road Cambridge CB4 2LD		
<b>Proposal</b>	Single storey front extension, single storey and part two storey rear extensions, first floor side extension. Change of use to 8-bed HMO.		
<b>Applicant</b>	Mr N Islam 293 Campkin Road Cambridge CB4 2LD		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed change of use would respect the amenity of neighbouring properties in terms of noise and disturbance from comings and goings.</li> <li>- The proposed works would be in keeping with the character and appearance of the area.</li> <li>- The proposal would provide an acceptable living environment for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site, No.293 Campkin Road, is comprised of a two-storey semi-detached property situated close to the road junction between Arbury Road and Campkin Road. There is a hardstanding area the front of the site used for car parking and a large garden to the rear. The Arbury Road Surgery is positioned immediately to the south of the site. The surrounding

area is predominantly residential in character and is comprised of terraced and semi-detached properties.

1.2 There are no site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal, as amended, seeks planning permission for a change of use of the site from a three-bedroom dwellinghouse to an eight person house in multiple occupation (HMO). To facilitate the proposed change of use, the following works are also proposed:

- Single-storey front extension (4m deep, full-width with a lean-to roof).
- First-floor side extension (2.35m wide, over part of the existing single-storey side extension, with a hipped roof).
- Part single-storey and part two-storey rear extension (4.5m deep, part-width with a hipped roof).
- Increase width of dropped kerb at the front of site.

2.2 The application originally sought permission for one of the rooms to be used as a separate studio dwellinghouse. This has since been changed to an eighth bedroom of the HMO rather than a separate studio.

2.3 The application is accompanied by the following supporting information:

- 1 . Design and Access Statement
- 2 . Drawings

## **3.0 SITE HISTORY**

3.1 There is no planning history.

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 3/14 4/13 5/7 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 (Annex 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	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## **6.0 CONSULTATIONS**

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

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

- No unbound material
- No gates erected
- First use of vehicular access
- Highways drainage
- Access as shown
- Highways informative
- Public utility informative

6.2 The above response is a summary of the comment that has been received. Full details of the consultation response can be inspected on the application file.



## **7.0 REPRESENTATIONS**

7.1 The owner/occupier of the following address had made a representation:

- 291 Campkin Road

7.2 The representation can be summarised as follows:

- There have already been noise issues between the existing tenants/ and neighbours.
- The development should be constructed in brickwork to match the existing building.
- A properly constructed bin store should be erected in the front garden.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/7 (Supported Housing/Housing in Multiple Occupation) of the Cambridge Local Plan (2006) is relevant to test whether the principle of the proposed use is acceptable. Policy 5/7 states that 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 I set out below my assessment of the proposed use in accordance with the above policy criteria:

Impact on residential amenity

- 8.4 In my view, the proposed use of the property as an eight person HMO would not have an adverse impact on the residential amenity of the local area. The property could be used as a six person HMO without planning permission, although it is likely that physical extensions to the property would be needed to accommodate this. The applicant is proposing to house eight occupiers (1 per bedroom). I do not anticipate that the levels of noise and disturbance associated with eight persons occupying the site would be detrimental to neighbour amenity. All of the rooms would be contained within the main building and the use of the garden would be similar in nature to that of a small HMO or dwellinghouse in my opinion. The bin store area would be at the front of the site and the cycle parking would be in the rear garden, away from the boundary of No.261 Campkin Road. I do not believe the comings and goings from these two functions would harm neighbour amenity. I have recommended a condition to ensure the maximum number of occupants is restricted to eight to avoid the over intensification of the use of the site.
- 8.5 There is currently room to accommodate three cars on the front of the site and the majority of properties have multiple on-site car parking at the front of their properties. The site includes space for eight cycles to be stored and there are good public transport links into the City. There are also local shops and services within walking distance of the site. As such, I consider the provision of three car parking spaces sufficient to ensure that on-street car parking in the surrounding streets would not drastically increase as a result of this proposed change of use. The extension of the dropped kerb would alleviate the need to undertake multiple manoeuvres within the site for vehicles to enter and exit the site and this would be an improvement to neighbour amenity from a noise perspective in my view.

- 8.6 Overall, I am of the opinion that the proposed use would not be harmful to the amenity of neighbours in terms of intensification of the site and noise and disturbance.

#### Suitability of the building

- 8.7 Having assessed the layout of the property and the site, I am satisfied that there is enough internal space to accommodate the number of occupiers and provide sufficient communal provision such as a large kitchen/ common area and utility room. All of the bedrooms would have en-suite bathrooms. There would be a reasonable separation distance and soft landscaping between the car parking spaces and the front facing windows. I have recommended a condition to ensure that this landscaping is implemented and maintained thereafter. The occupants of the main house would have access to the large garden area which is over 200m<sup>2</sup> in size.
- 8.8 There would be space for bin storage at the front of the site along the south-western boundary. This is acceptable in terms of capacity and collection of bins but a low covered bin store structure is needed for visual amenity purposes. I consider that the details of the bin store can be provided through condition.
- 8.9 Cycle stands are shown in the rear garden along the south-western boundary. Again, the location and number of cycle parking spaces is acceptable but I consider that a secure covered store is needed. There is ample space along this boundary to accommodate a single-storey structure for storing cycles securely and I consider this can be dealt with through condition.
- 8.10 In my opinion, the building, following completion of the proposed works, would be suitable for use as an eight person HMO.

#### Proximity to public transport, shops and services

- 8.11 There is a bus stop less than 30m from the site on Campkin Road and other bus stops along Arbury Road, all within walking distance. The Arbury Court Local Centre is less than 50m away from the site and provides local shops and services for future occupants.

- 8.12 In my opinion the principle of the development is acceptable and in accordance with policy 5/7 of the Cambridge Local Plan (2006).

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

- 8.13 The proposed single-storey front extension would be visible from the street scene of Campkin Road. The application site, as well as all of the other properties along this stretch of Campkin Road, has some form of single-storey garage that projects out to the front. The front building lines of the main buildings and garages is relatively staggered and there is no consistency. The proposed front extension would be larger in scale and mass than these adjacent properties but I do not consider that it would appear prominent or out of character with the area. It would not project any further to the front than the adjacent garage at No.291 Campkin Road and I am of the view that the proposed extension would read as an appropriately proportioned addition to the building.
- 8.14 The proposed first-floor side extension would be partially visible from the street scene. It would be set marginally back from the main two-storey building line and the ridge height would be lower than the pitched roof of the original house. In my opinion, this element of the proposed works would read as a subservient addition to the property and would not harm the character or appearance of the area.
- 8.15 The proposed part single-storey and part two-storey rear extension would not be visible from any public viewpoints. The proposed two-storey extension, at 4.5m in depth and 6.3m wide, would be of a considerable scale and mass. However, its two-storey mass would be set well away from the boundary of No.291 Campkin Road and would be positioned below the eaves and ridge line of the original building. The single-storey element of the proposed rear extension would be of a relatively modest design and scale. In my opinion, given the part-width nature and lack of public views of the proposed two-storey extension, I consider that the proposed rear extensions would not adversely impact the character or appearance of the area.
- 8.16 The proposed works would be constructed in brick and tile to match the existing building and I have recommended a condition to control this.

8.17 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

8.18 The impact on neighbours in terms of noise and disturbance, and car parking, has been addressed in paragraphs 8.4 – 8.6 of this report.

8.19 The proposed front extension would not be visible from any of the neighbour's ground-floor windows and I am confident that no harm would arise from this aspect of the proposed development.

8.20 The proposed first-floor side extension would be set subserviently to the main dwellinghouse and would not be visible from any residential properties in the area. In my opinion, this element of the proposed works would not harm neighbour amenity.

8.21 The proposed two-storey rear extension would be positioned over 4m from the nearest first-floor window of No.293 Campkin Road and would fall outside the 45° line of sight from this adjacent window. As a result, I do not consider this adjacent outlook would be visually enclosed by the proposed development. There may be some overshadowing in the afternoon hours from the proposed two-storey mass, however, given the subservient scale, hipped roof form and separation distance from this neighbour's outlook, I am of the opinion that this would not be great enough to harmfully impact on neighbour amenity. No.291 Campkin Road has been extended at single-storey level close to the application site boundary and the proposed rear extensions would consequently not have any harmful impact on ground-floor outlooks of this neighbour. The neighbour's garden would retain relatively open outlooks to the south-east and east that would not be affected by the proposed development.

8.22 The proposed two-storey rear extension would be visible from rear (north-east) windows of the Arbury Road Surgery. These windows serve consulting rooms of the surgery which are

different to habitable rooms of a dwellinghouse. The windows serve as a means of natural lighting for the rooms and the windows are typically closed with blinds/ curtains for patient confidentiality purposes. The proposed works would be situated to the north-east of the site and there would likely be no harmful loss of light experienced. Therefore, whilst I consider that the proposed two-storey extensions would be prominent from these windows, I am of the opinion that the private nature and use of these rooms means that there would be no material harm to the amenity of the adjacent surgery.

- 8.23 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 5/7.

#### Amenity for future occupiers of the site

- 8.24 The amenity for future occupiers has been assessed in paragraphs 8.7 – 8.11 of this report.
- 8.25 In my opinion, subject to conditions, 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, 3/12 and 5/7.

#### **Refuse Arrangements**

- 8.26 This matter has been assessed in paragraph 8.8 of this report.
- 8.27 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

#### **Highway Safety**

- 8.28 The Highway Authority has raised no objection to the proposed works.
- 8.29 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.30 Car parking has been assessed in paragraph 8.5 of this report.
- 8.31 Cycle parking has been assessed in paragraph 8.9 of this report.
- 8.32 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.33 The concern regarding noise and disturbance has been addressed in paragraphs 8.4 – 8.6 of this report.
- 8.34 The request for a bin store has been addressed and would be controlled through condition.
- 8.35 The request for the proposed works to be constructed in matching materials has been addressed and would be controlled by way of condition.

## **9.0 CONCLUSION**

- 9.1 The proposed use of the site as an eight person HMO would not adversely impact on the amenity of neighbours in terms of noise and disturbance. The proposed works are considered to be in keeping with the character of the area. The proposal would not give rise to unacceptable pressures on on-street car parking in the surrounding area. Approval is recommended, subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. Prior to occupation of development, details of soft landscape works shall be submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme. The soft landscaping works shall be implemented in accordance with the approved details and maintained thereafter.

Reason: To provide a satisfactory level of amenity for future occupants of the site. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 5/7).

5. Prior to occupation of the development hereby permitted, details of facilities for the covered bin storage 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 and thereafter retained.

Reason: To provide sufficient refuse arrangements for future occupants of the site and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/12, 4/13 and 5/7)



6. Prior to occupation of the development hereby permitted, full details of facilities for the covered secure parking of bicycles for use in connection with the house in multiple occupation shall be submitted to and approved by the local planning authority in writing. The details shall include scaled elevations and information regarding material treatment of the facilities. 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 and to ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12, 5/7 and 8/6)

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)

8. The development hereby approved shall be occupied by no more than eight 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)

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

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

10. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

11. Before first occupation of the development hereby permitted, the access shall be provided as shown on the approved drawings and retained in accordance with the drawings thereafter.

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

12. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 Policy 8/2)

13. **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>

14. **INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.
15. **INFORMATIVE:** Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Determined under delegated powers by:

Designation - Development Control Manager

Date:

Declaration of Interest for case officer

Does the case officer have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

- 1 . Yes
- 2 . No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]

Signed .....

Declaration of Interest for officer with delegated powers

Does the officer with delegated powers have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

3 . Yes

4 . No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]

Signed .....

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0493/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd March 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	17th May 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	190-192 Mill Road Cambridge CB1 3LP		
<b>Proposal</b>	Change of Use from Retail (Use Class A1) to Tattoo Parlour (Sui Generis Use)		
<b>Applicant</b>	Mr N Haupt c/o Pure Town Planning		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed change of use from a retail unit to a tattoo parlour is not considered to detract from the vitality and viability of the District Centre.</li> <li>- The proposal would have no harmful impact on nearby properties in terms of noise and disturbance.</li> <li>- No external alterations are proposed and the character and appearance of the Conservation Area would be preserved.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site is comprised of a pair of ground-floor retail units with residential accommodation above. The site is situated on the corner of Mill Road and Cockburn Street. The site is situated within a commercial area along Mill Road with a variety of shops, café/ restaurants and takeaways, all typically with residential accommodation above.

1.2 The site falls within the Central Conservation Area and the Mill Road East District Centre.

## 2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for the change of use of the units from retail (A1) to a tattoo parlour (sui generis). The proposed works only include internal alterations and there are no external works proposed.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Drawings

## 3.0 SITE HISTORY

3.1 There is no relevant planning history.

## 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 4/11 4/12 4/13 6/7 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 (Annex 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	<u>Area Guidelines</u>  Mill Road 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 Control)**

6.1 No objection.

#### **Environmental Health Team**

6.2 No objection subject to hours of use condition.

#### **Planning Policy Team**

6.3 No comments received.

#### **Waste Team**

6.4 No comments received.

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

## **7.0 REPRESENTATIONS**

7.1 The owner/occupier of the following address has made a representation:

- No.17 Suez Road

7.2 The representation can be summarised as follows:

- Mill Road cannot support a second tattoo parlour and there are already nine tattoo shops in Cambridge.
- There has been a massive increase in sub-standard tattoo practice which is dangerous to customers.
- A second tattoo studio will have a direct and detrimental influence on established and trusted businesses in the area.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.



## 8.0 ASSESSMENT

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

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

### **Principle of development**

8.2 Policy 6/7 of the Cambridge Local Plan (2006) states that in district and local centres, change of use from A1 to other uses will not be permitted. At face value, therefore, the policy indicates that the proposal is unacceptable in principle, as it is a sui generis use not falling within the A use class category.

8.3 Notwithstanding this policy conflict, I am of the view that in this case there are material considerations that indicate policy 6/7 is now out of date. These material considerations are threefold. The first is that the adopted policy is overly rigid in the context of the current national and emerging local planning policy. The second is that emerging policy allows for greater flexibility in the percentage of A1 uses in district centres. The third is that a recent appeal decision confirms the first two considerations.

8.4 In considering the relevant appeal, this was for a change of use from A1 to A5 in an alternative local centre within the city (15/0765/FUL / APP/Q0505/W/15/3137889) where the percentage of A1 uses would have fallen well below the 60% threshold. The inspector allowed the appeal and questioned the merits of the reason for refusal against adopted policy 6/7. The concluding paragraph of this decision is copied below:

*"I therefore conclude that the proposed change of use from Class A1 to Class A5 would not have a detrimental effect on the underlying function of the Hills Road Local Centre to meet day-to-day needs as promoted in both CLP Policy 6/7 and emerging*

*Local Plan Policy 72. For the reasons given I have only attributed little weight to the conflict with the provisions of CLP Policy 6/7 with regards to a numerical proportion of A1 uses. This conflict is outweighed by the lack of tangible harm to the vitality and viability of the Local Centre, the economic benefits identified and the consistency with the emerging Local Plan Policy 72, to which I have ascribed more weight given that it better reflects the flexible approach to uses in town centres (and by association local centres) espoused in the NPPF and PPG. In this way the proposal would be in conformity with paragraphs 14, 23 and 70 of the NPPF. It would also accord with the core planning principle at paragraph 17 of the NPPF to support sustainable economic development.”*

- 8.5 It is a fact that emerging Local Plan (2014) policy 72 is more relaxed than current local planning policy in terms of protecting the percentage of A1 uses in district centres. It states that changes of use from A1 to another centre use will be permitted where the number of properties in A1 use would not fall below 55%. A tattooist is defined as ‘another centre use’ in this emerging policy. Although this policy has outstanding objections to it, it does give a sense of the general travel of planning policy in terms of retail protection and district centres.
- 8.6 The Design and Access Statement makes passing reference to the fact that the units have been vacant for several months despite market conditions being buoyant. However, no evidence of this marketing has been submitted to back up this statement and I am therefore not convinced that the site has been actively marketed for A1 use or that this use is unviable.

### Summary

- 8.7 Notwithstanding the lack of marketing, the tattooist use would have an active frontage onto Mill Road that would add to the general vitality of the District Centre. A tattoo parlour is also recognised in the emerging local plan as a suitable ground-floor use in a district centre. It would bring back into use what is currently a vacant building and would be in keeping with the general thrust of paragraphs 23 and 70 of the National Planning Policy Framework (NPPF) (2012) which supports the promotion of competitive town centres and the vitality and viability of these environments. In the relevant Inspector’s decision, as discussed in paragraph 8.2 of this report, it was also concluded

that policy 6/7 of the Cambridge Local Plan (2006) only had little weight when considered against the content of paragraph 215 of the NPPF (2012).

- 8.8 The proposed use as a tattoo parlour would not give rise to any unacceptable levels of odour, noise or littering in terms of its day to day use. There are also no highway safety implications arising from the proposed change of use. The proposal would provide six full-time employees. The council's last shopping survey (2012) shows the percentage of A1 retail units in this District Centre of 75% including vacant A1 uses. The applicant has been asked to provide an up-to-date assessment of the current retail makeup of the District Centre and this will be updated on the amendment sheet accordingly when completed. Whilst a sui-generis use, the applicants have indicated that an ancillary retail element would operate as part of the use, selling mugs, hats, hoodies etc. associated with the tattoo use. I have given this limited weight albeit it confirms the suitability of this type of use as part of a ground floor frontage.
- 8.9 That notwithstanding, the GPDO (2015) has allowed for much more flexibility between the A use classes, to the extent that it is often the case that planning permission is not required for changes for e.g. from A1-A3 where it would have been required before. This has rendered the policy partially incapable of being effective and again points to a conflict between adopted policy, which is 11 years old, and emerging policy/permitted development rights set out in Government guidance.
- 8.10 In light of the current and future direction of travel with regards to retail planning policy, I am of the opinion that the proposed change of use from retail (A1) to a tattoo parlour (sui generis) would not have a harmful impact on the vitality and viability of the Mill Road East District Centre and is acceptable.

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

- 8.11 The proposal involves no significant external works to the building. The only change would be the blocking up of the shopfront door at No.190 Mill Road as shown on the floorplans. The design and access statement states that the shop front is proposed to be amended but this will be considered under a separate planning application. The special interest of the

Buildings of Local Interest at Nos. 184 – 186 Mill Road would not be affected and there would be no material impact on the character or appearance of the Conservation Area. An informative has been recommended to make the applicant aware that separate planning permission and/or advert consent may be needed for changes to the shopfront and signage.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.13 As no external works are proposed, I am confident that no overshadowing, overlooking or visual enclosure would be experienced at neighbouring properties.
- 8.14 No plant work or other means of extraction/ ventilation are proposed and I do not consider any harmful noise or odour would be emitted from the tattooist use.
- 8.15 The premises would have six full-time members of staff and the size and layout of the unit limits the number of customers that would be coming and going to the site. In any case, the site is situated on a busy arterial route into the city and in an area that has a high volume of pedestrian traffic. The hours of use proposed are 10:00 – 18:00hrs Monday to Saturday which is reasonable and would not harm the amenity of residential properties in the local area. A condition has been recommended to control the hours of use accordingly.
- 8.16 In my opinion, subject to condition, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

### **Refuse Arrangements**

- 8.17 The existing retail unit has access to the shared rear yard area which leads onto Cockburn Street. I do not anticipate the refuse requirements of a tattoo parlour would be significantly worse than that of two retail units and consider the existing arrangements to be acceptable.

8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

### **Highway Safety**

8.19 The Highway Authority has raised no objection to the proposed works.

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

### **Car and Cycle Parking**

8.21 There is no change to car parking resulting from this proposed change of use. The site is in a highly sustainable location and the lack of car parking accords with the maximum car parking standards of the Local Plan.

8.22 No cycle parking is proposed under this application. The existing units do not benefit from any dedicated cycle parking, as is the case with the vast majority of other ground-floor units along Mill Road. The site is constrained and there does not appear to be room to accommodate cycle parking within the site. There are public cycle stands positioned sporadically along this part of Mill Road which would provide some means of cycle parking for staff and customers. Given the constrained nature of the site and its surroundings, I am of the opinion that the lack of dedicated cycle parking is acceptable in this instance.

## **9.0 CONCLUSION**

9.1 The proposed change of use is considered acceptable as it would retain an active frontage onto Mill Road and would contribute to the vitality and viability of the District Centre. The proposal would have no material impact on the character or appearance of the Conservation Area and would respect the amenities of nearby residential properties.

## 9.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

- Monday - Saturday = 10:00 - 18:00 hrs

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

**INFORMATIVE:** No consent is granted or implied for any advertisement or alterations to the shopfront facade which may require planning permission and/or advertisement consent.

**INFORMATIVE:** The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457890 or email [Licensing@cambridge.gov.uk](mailto:Licensing@cambridge.gov.uk) for further information. If you offer tattooing, semi-permanent skin colouring, cosmetic piercing, or electrolysis, you must be registered with the council. Apprentices must also be registered. If you work from premises, they must also be registered. Once registered, you will be issued with a certificate of registration.

<b>Application Number</b>	17/0236/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	2nd March 2017	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	27th April 2017		
<b>Ward</b>	Petersfield		
<b>Site</b>	Cambridge Railway Station Station Road Cambridge Cambridgeshire		
<b>Proposal</b>	Installation of 6 iVision advertising display units within the station foyer		
<b>Applicant</b>	Mr Thomas Johnston 991 Great West Road Brentford TW8 9DN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal would not harm the special interest of the Listed Building.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Cambridge Railway Station is a Grade II listed building located at the eastern end of Station Road and within the Conservation Area. The surrounding area is currently going through CB1 regeneration development which is comprised of new residential and commercial developments with contemporary building design to create a high quality interchange for visitors and local people.

## 2.0 THE PROPOSAL

- 2.1 Listed building consent is sought for the installation of 6 ‘iVision’ advertising display units within the station foyer.
- 2.2 During the course of the application, extra information relating to the fixing details and photomontages was submitted.

2.3 The application is accompanied by the following supporting information:

1. Design and Heritage Statement
2. Drawings

2.4 The proposal is entirely within the confines of the ticket hall and therefore advertisement consent is not required for the proposal.

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/1117/FUL	Proposed installation of two ATM's through two windows on the station platform. Security infill panels incorporating the ATM's are to be placed in front of these openings.	Permitted
15/1936/LBC	Retail fit out of an existing unit to be occupied by the West Cornwall Pasty Co. Installation of condenser unit within the refuse store and alteration to the window between the refuse store and store room to allow for cabling.	Permitted
14/0096/LBC	Refurbishment of north wing and southern range, including conversion of two windows to doors	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 Plan 2006	Local	4/10

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

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

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

## 6.0 CONSULTATIONS

**Cambridgeshire County Council (Highways Development Control)**

## 6.1 No objections

### **Urban Design and Conservation team**

## 6.2 Original comments

There is no objection to the concept of these advertising units being in the ticket hall but there is not enough detail to assess the scale of and precise locations of the particular totems proposed.

Additional information required:

- Internal elevations or photomontages show totems in relation to the LB. It is not necessary to draw the whole interior of the ticket foyer but just a typical example, showing relative sizes of totems, doors, ceiling heights, architectural features [plaster mouldings], etc.
- Details showing fixings to flooring [stating whether floors are historic or modern] and power supply routes for totems and how power gets to the units.

### Final Comments

The photomontages submitted show that the 'totems' to be placed between the street side doors are not taller than the entrances and, hence, should not be visually over-dominant. Those illustrating the 'totems' to be placed on the platform side of the hall indicate that they will not obscure the decorative plaster mouldings on the walls in this area. The threaded anchor rod fixings into the floor are acceptable. There is still no information about how the services get to the 'totems' but that can be obtained via a planning condition.

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

## **7.0 REPRESENTATIONS**

7.1 Councillor Richard Robertson has commented on this application, which can be summarised as following:

- The digital panels would be so large that they would be visually intrusive in this listed building
- The applicant has not demonstrated that there is clear understanding of the building's importance in the national and Cambridge context (Policy 4/10 requirements).
- The application should have included an assessment relating to concerns to preserve the integrity of the arches.

## **8.0 ASSESSMENT**

- 8.1 The proposed freestanding 6 digital display panels would be installed internally within the Station entrance hall on two elevations. 4 digital panels would be installed next to the main entrance and adjacent to the pillars which form part of the architectural feature of the listed building. Another 2 digital panels would be installed next to the entrance to the platforms after the ticket barriers. They would be 2.3m tall and 1m wide with the digital display occupying an area of 1.5m high by 0.8m wide.
- 8.2 During the course of the application, photomontages relating to the siting of the panels to demonstrate the visual relationship with the listed building have been submitted by the applicant. In light of these photomontages, the Conservation Officer supports the proposal. It is noted that the scale of these digital panels is large. Cllr Robertson objects to the application for this reason, advising that the panels are so large that they would detract from the setting and appearance of the listed building. However, the height of the panels would be set below both entrances, and compared with the scale of the internal feature arches, they would be relatively low.
- 8.3 The view of officers is that these digital panels would not be visually dominant. The majority of features at pedestrian height within the hall are typical of modern day railway station foyers (automated barriers, ticket machines, ticket offices, retail outlets, directional signage and train information displays). The panels would form part and parcel of the pre-existing collection of temporary railway 'furniture' within the hall and would not significantly detract from its setting. They would not be permanently affixed to the listed building and the installations are reversible. On this basis, I consider the proposal would not give rise to a significant adverse impact on the significance of

the listed building. The Conservation officer shares the same view.

- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/10.

## 9.0 RECOMMENDATION

**APPROVE**, subject to the following conditions:

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) of the Planning and Compulsory Purchase Act 2004).

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

Reason: In the interests of good planning.

3. Full details of all services runs including electrical and data trunking/conduits, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the panels. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10).

**INFORMATIVE:** Condition 3 cannot be discharged by submission of installers' technical drawings, etc. but needs to refer specifically to where service runs penetrate, cut through or are buried in / attached to historic fabric.

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0452/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th March 2017	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	8th May 2017		
<b>Ward</b>	Petersfield		
<b>Site</b>	7 Celtic House Hooper Street Cambridge CB1 2PB		
<b>Proposal</b>	First floor extension to create a 1 bed flat above existing ground floor flat		
<b>Applicant</b>	Mr Dan Waldman 7 Celtic House, Hooper Street CAMBRIDGE CB1 2PB		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal does not harm the amenity of neighbouring properties</li> <li><input type="checkbox"/> The proposal provides sufficient cycle and bin storage</li> <li><input type="checkbox"/> The proposal provides sufficient car parking space</li> <li><input type="checkbox"/> The proposal provides acceptable living condition for future occupiers</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is Celtic House, comprised of 7 1-bed flats which is located behind properties No.116- 138 Gwydir Street and accessed from the passageway next to 3 Hooper Street. The application site lies adjacent to the west of the Courtyard on Sturton Street. The surrounding area is predominantly residential and is comprised of a mixture of terrace units and detached houses.

1.2 The site falls within the Central Conservation Area and the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 The proposal is for a first floor extension to create a 1 bed flat above an existing ground floor.

2.2 It will replace the existing pitched and hipped single storey roof with a full gable end pitched roof to match the rest of the building. It will incorporate a pitched dormer window to match the details of the south end of the building.

2.3 The application is accompanied by the following supporting information:

1. Drawings

2.4 The application has been amended with the revision of the first floor living window to direct overlooking into the site and the insertion of an obscure panel.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/85/0432	ERECTION OF 7 NO. ONE-BEDROOM DWELLING UNITS (SUBMISSION OF RESERVED MATTERS) (AS AMENDED BY LETTER DATED 21 JUNE, 1985 AND ACCOMPANYING DRAWINGS)	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 Plan 2006	Local	3/1 3/4 3/7 3/10 3/14 4/11 4/13 5/1 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95  Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)

## 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

## **6.0 CONSULTATIONS**

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

- 6.1 Following implementation of any permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any permission that the Planning Authority is minded to issue with regard to this proposal.

### **Urban Design and Conservation team**

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

### **Environmental Health Team**

- 6.3 No objections subject to a condition regarding construction hours.

### **Drainage**

- 6.4 No objections. The applicant could consider the use of SuDS within the final design to reduce runoff from the site and provide betterment to the local area.



## **Tree officer**

6.5 No objections subject to a condition seeking an Arboricultural Method Statement

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:

- 114 Gwydir Street
- 129 Gwydir Street
- 130 Gwydir Street

7.2 The representations can be summarised as follows:

- Overlooking to No.114, the extension at the end next to no.114 was refused when the original building was built for this reason.
- Unneighbourly parking and delivery times from constructions might cause danger for residents within the area.
- Increased parking pressure from construction vehicles.
- Noise pollution from continuous construction works on Gwydir street and Hooper Street.
- Could granting this planning permission be delayed until after two major construction works within the area finish.

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 impact on the Conservation Area
3. Residential amenity

4. Refuse arrangements and Cycle Parking
5. Noise and disturbance
6. Third party representations

### **Principle of development**

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. The policy generally supports additional residential development within the City:

“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.

- 8.3 The site is situated within an established residential area I therefore consider that residential development on this site could be supported. In my opinion, the principle of the development is in accordance with this policy.

### **Context of site, design, and impact on Conservation Area**

- 8.4 The proposed new flat will extend over the existing flat No.7 at the northern end of the existing building. It will match the existing building details in terms of matching brick, roofing and incorporate a small pitched roof dormer, which will maintain the symmetrical design to the south end. In my opinion, the proposed extension will respect the existing building and improve the symmetrical appearance of the building as a whole. The Conservation Officer comments that there are no material conservation issues with this proposal. I share the same view and consider that the proposal would preserve the character and appearance of the Conservation Area.
- 8.5 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

#### Overbearing and overshadowing

- 8.6 The proposed new flat would be located at the north end of building. It would incorporate a blank gable wall adjacent to the

garden of 114 Gwydir Street. Two high level windows to a kitchen and bathroom would face the Courtyard development to the east. To the west a new first floor dormer would be provided. The revised plan shows a 4 pane dormer, the two northerly most panes are obscure glazed, with the two southerly most panes angled south westwards into the site. The dormer would sit a significant distance to these residential buildings on Gwydir Street (24m to the back of their outriggers, 13m to the back of their rear gardens). No. 114's garden is some 31m long from its rear outrigger and extends all the way across the back of the site.

- 8.7 Due to it's the proximity, the proposed extension would partially overbear the end of No.114's rear garden and overshadow it. No.114 has a long garden and from my site visit I noted that the end part of it is not well used. In my view, the proposed extension, whilst adjacent to the boundary would not significantly impact on its overall enjoyment or use.

#### Overlooking

- 8.8 There will be two high-level ribbon windows installed to the east elevation of the new flat which will serve only as the light source to the kitchen and the bathroom. As they will be facing the blank wall of The Courtyard, they would not create overlooking.
- 8.9 To the west elevation of the new flat, a new dormer window will be installed for the living room. During the course of the application, the applicant submitted a revised plan. This is now an oriel style dormer window with angled glazing to the new flat, of which the north part will be obscure glazed and the south part will be clear-glazed that will direct the outlook from the new flat to the southwest side rear gardens of Gwydir Street. As these rear gardens have been overlooked by the existing windows of Celtic house, I do not envisage introducing the new dormer window would exacerbate the situation. The revised proposal addresses the overlooking issue and would not give rise to significant adverse impact on the privacy of the surrounding properties.
- 8.10 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

### Amenity for future occupiers

- 8.11 The arrangement of windows for the new 1 bed flat will be similar to other existing flats in Celtic House. All of the rooms would have windows which would provide light into them and whilst the view from dormer would be partially restricted, the overall amenity for future occupants here would be satisfactory.
- 8.12 The site is located in a sustainable location, with adequate cycle provision, close to services and facilities in the immediate area, as well as within walking distance to nearby bus stops. In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

### **Refuse Arrangement and Cycle Parking**

- 8.13 The proposed and existing block plans suggest the location of the cycle and bin storage will be set close to the entrance of the application site without change. In my opinion, the size of the current cycle and bin storage, which is measured 5.3m long and 3.5m deep, will be sufficient to accommodate one extra cycle parking space and bin storage required for an extra flat.

### **Highway Safety and Car Parking**

- 8.14 There are 10 car parking spaces provided for current occupiers living in the Celtic House. There is no change in terms of car parking space provision. In my opinion, with the increase of one extra 1 bed flat the application site would still have adequate car parking for future occupiers.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/10

### **Noise and Disturbance**

- 8.16 Concerns have been raised regarding future construction works such as unneighbourly construction vehicle parking and increased parking pressure from construction vehicles. Objectors suggest recently the area of Gwydir Street and Hooper Street has had ongoing multiple construction works and granting permission for this application would aggravate the

situation. However, the proposal is only for one flat and in my opinion the small scale of development would not give rise to significant exacerbation of the current situation. I have recommended conditions to control construction hours and delivery times.

### **Third Party Representations**

<b><u>Comments</u></b>	<b><u>Response</u></b>
Overlooking to No.114	This has been addressed in section <b>8.8 to 8.10</b>
Unneighbourly construction parking and Increased car parking pressure from construction vehicles	This has been addressed in section <b>8.16</b>
Unneighbourly construction delivery hours	This has been addressed in section <b>8.16</b>
Noise pollution from construction works	This has been addressed in section <b>8.16</b>
Could granting this planning permission be delayed after major construction projects finish within the area	The Local Planning Authority has no power to delay construction on site other than to refuse planning permission. I do not consider that this is a reasonable ground for doing so.
The extension at the end next to no.114 was refused when the original building was built.	This is not entirely correct. It may have been the case that the existing plans for Celtic House when they were approved took more account of the rear garden of no. 114 and this is reflected in the current design. However, it is not the case that a scheme for an extension over this part of the building has been refused. From my site visit, this part of the garden of no. 114 is not well used and is a significant distance away from the main house. On this

	basis, my view in the current context of the site is that the relationship of scale and proximity is acceptable.
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## 9.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

5. Prior to 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 tree works, 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.

**INFORMATIVE:** Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0340/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th February 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	24th April 2017		
<b>Ward</b>	East Chesterton		
<b>Site</b>	8 Green End Road Cambridge CB4 1RX		
<b>Proposal</b>	Erection of 5no. one bed dwellings (following the demolition of the existing dwelling), together with car and cycle parking, landscaping and associated infrastructure.		
<b>Applicant</b>	N/A C/O Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal is considered acceptable in principle and in terms of design.</li> <li>- The proposal is not considered to have a significant adverse impact on the amenity of the surrounding occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a detached bungalow on the north eastern side of Green End Road near the junction with Milton Road. This is a predominantly residential area but is within close proximity of the Kings Hedges Road Local Centre.

1.2 The existing site is accessed from Green End Road. There is a footpath which runs along the southern boundary of the site which connects Green End Road to Gainsborough Close. The ownership of this site is ambiguous and at the moment it is semi-overgrown.

- 1.3 This part of Green End Rad has a mixed character. There are a range of different house types. The site and the property to the north are both bungalows whilst to the south is a terrace of five houses. Directly across the road from the site there are a pair of semi-detached dwellings and two detached properties. Materials used in the immediate area are also varied with some properties being wholly brick, others render and others a mixture of the two.
- 1.4 A cycle lane runs along this part of Green End Road on the outer edge of the footpath outside of the site. A bus stop is also located directly outside the site. The existing dwelling has off-street parking and a garage.
- 1.5 The site does not fall within a conservation area or the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the erection of 5 x one bed dwellings with associated landscaping following the demolition of the existing bungalow on site.
- 2.2 The proposed building would have a flat roof that slopes down adjacent to the boundary with the shared access to 2 and 2A Green End Road. The total height of the building would be 5.4m dropping down to 3.8m near this boundary. The building is to be set back from the street but marginally further forward on the site than the existing bungalow. Plots 2-5 would face south and would be accessed from footpaths leading off of the existing footpath to the south of the site. Plot one would address the street, facing west, and would be accessed from Green End Road. Due to the proposed layout, the building will maintain frontage onto Green End Road.
- 2.3 The proposed building would have a regular rectangular form but is designed to be lower in height than the existing bungalow. The building is to be finished in buff brick with a natural slate roof and aluminium windows. There is to be natural coloured zinc cladding to the front elevation.
- 2.4 Cycle storage for two bikes is to be provided in front of each dwelling. A shared refuse store is proposed behind some existing planting on the south eastern end of the site.

2.5 The site edged red has been amended since the application was submitted as the plans submitted showed works to the area surrounding the footpath which runs adjacent to the southern boundary of the site. Some of this footpath is now incorporated within the site edged red. A revised certificate (certificate C) has been signed. As the owner of the land is unknown an advert was placed in the newspaper.

### 3.0 SITE HISTORY

3.1 No site history.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/13 4/15 5/1 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
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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)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)

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

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

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

## 6.0 CONSULTATIONS

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

*First comment*

6.1 Objection: The site currently benefits from the ability to turn vehicles within the site to enter and leave in forward gear. This facility would be removed. Green End Road is a busy route serving the City of Cambridge and, as such, carries high flows of traffic, including a high proportion of pedestrians and cyclists. The frontage of the site is a busy dual use facility. Vehicles reversing across the highway would impact upon highway safety and interfere with vehicular flows. For this reason the Highway Authority recommends that this proposal be refused. If the Planning Authority is minded to approve the application a number of conditions are recommended.

*Second comment*

6.2 Objection: Additional information has been provided in the form of a manoeuvring diagram for a large car entering the site and turning to leave in forward gear. This shows the vehicle requiring land outside the control of the applicant.

*Third comment*

6.3 Support: The applicant has now provided a tracking diagram demonstrating that a car can enter and leave the site in forward gear, thus overcoming the Highway Authority's objection. The conditions originally recommended are still relevant. A further condition related to the manoeuvring area is also requested.

## **Environmental Health**

6.4 Support: The proposal is acceptable subject to conditions in relation to construction hours, piling, the ventilation scheme and glazing, and an informative relating to dust.

## **Landscape**

*First comment*

6.5 Objection: There is some ambiguity about what is occurring between the existing footpath and the site's red line boundary. In order to facilitate the access to the development we feel the red line boundary needs to be extended to encompass all areas of work, including any remedial works to the existing footpath. We recommend that the boundaries between gardens extend at full height (1800mm) from the dwelling face for one panel, and then reduce to 1500mm +300mm trellis. This will provide more privacy for the tenants. The frontage at 1200mm is

acceptable given the presence of a hedge. A condition will be placed to review boundary treatments.

*Second comment*

- 6.6 Support: Two conditions are recommended in relation to boundary treatment and hard and soft landscaping. Recommend that the boundaries between gardens extend at full height (1800mm) from the dwelling face for one panel, and then reduce to 1500mm +300mm trellis. This will provide more privacy for the tenants. The frontage at 1200mm is acceptable given the presence of a hedge, however, we note that the hedge will not be as tall as shown on the plans within the first few years. A condition will be placed to review boundary treatments.

**Drainage**

- 6.7 Objection: There is insufficient information regarding surface water drainage to make an assessment. Requests details of how surface water would be disposed of as part of the 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.

**7.1 REPRESENTATIONS**

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

- 15 Gainsborough Close (Gainsborough Close Residents Association)
- 2A Green End Road x2
- 6 Green End Road
- 34 Green End Road

- 7.2 The representations in objection can be summarised as follows:

- There are existing parking issues on the road, the opening of Cambridge North Station will exacerbate this.
- The access to 2/2A Green End Road cannot be obstructed
- Dwellings cannot be accessed from shared drive to 2/2A Green End Road

- Concerned as was not notified about the application
- There is already a bus stop outside the dwelling. The additional dwelling will add to congestion at the shared entrance to 2, 2A and 6 Green End Road
- City Deal will result in the loss of on street parking on Green End Road
- Do not believe future owners would not own cars
- The flat roof design is out of keeping
- The footpath where the houses would be accessed from has no ownership on the land registry and is informally maintained by the residents association
- Agree there would be more overlooking of the footpath but dwellings themselves will have a lack of privacy
- The removal of planting and opening up of the area around the side footpath will destroy the open nature of that part of the development will clash with the currently rural aspect of the footpath which is liked by local residents
- Side footpath has no lighting
- Bin store is inadequate
- Bins would obstruct the footpath
- Concerned about highway safety, particularly in relation to vehicles reversing across the highway.
- Note comments from Drainage Engineer regarding inadequate information
- Concerned about overlooking of conservatory and garden of 6 Green End Road
- One bedroom properties like this are not the sort of 'affordable' housing the city needs.
- Request piling/dust/construction hour and traffic management conditions be imposed
- Overshadowing/loss of light to No.6 Green End Road

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

- 65 Circus Drive

7.4 The representations in support can be summarised as follows:

- This site will deliver 5 affordable size new homes, close to the new station that would be ideal.
- Design looks well thought out

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The character of the surrounding area is predominantly residential. As a result the proposal accords with policy 5/1

8.3 The proposal splits the plot creating 5 residential units in place of one existing residential unit. As a result policy 3/10 which relates to the sub-division of plots is relevant. This policy requires consideration to be given to the impact on amenities of neighbours (part a), amenity space/car parking (b), impact on the character of the area (c), affect on listed buildings/BLI (d), impact on trees (e) and whether the proposal would compromise comprehensive redevelopment (f). In this case parts (d) and (f) are not relevant. I have addressed the other parts of policy 3/10 below

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

8.4 Units 2-5 face south and are accessed via paths from the existing footpath which runs along the south end of the site.



However unit 1 turns around, facing west, and addresses the street. Therefore a frontage onto Green End Road is maintained.

- 8.5 The proposed new building is to have two storeys but would have a total height of 5.8m. Whilst the building which it is to replace is a single storey bungalow, the proposed new building would have a height approx. 0.5m lower than the existing building. The proposed new building would be set back from the street but marginally further forward than the existing bungalow. However, given that the new building would be of a lower height, I am satisfied that it would not appear unduly prominent in the street.
- 8.6 As noted in paragraph 1.3, this is a very mixed area of Green End Road with a variety of different house types and materials. As a result I am satisfied that the proposal to use buff brick with lead cladding to the front would be acceptable in principle. A material sample condition is recommended.
- 8.7 I note that one of the representations raises concerns regarding the flat roof design of the proposal. Whilst there are no similar buildings in the immediate area, the area has a mixed character and I am satisfied that the proposed new building would not harm this character of the area nor would it negatively impact on the streetscene.
- 8.8 Bike stores are proposed to the front of each unit. These are modest buildings measuring a total of 2.7m x 1m with a total height of 1.5m. The stores are to be clad in cedar and would be set back from the footpath. I am satisfied that these would be acceptable in terms of design. A shared bin store is proposed adjacent to the southern boundary of the site within close proximity to the footpath running along the boundary. This would also be a relatively modest cedar clad building measuring 2.4m x 4.1m with a total height of 2.4m. This would be set back from Green End Road. The existing cluster of trees to the front of the site, which is proposed to be maintained, would screen the store from view. The store would be quite visible from the footpath to the south of the site however I do not consider it to be unduly dominant given its relatively low height and the fact that it would be set back from the footpath by 1.8m.

- 8.9 One of the representations raises concerns regarding the loss of vegetation and impact on the setting of the footpath to the south of the site. The representation argues that the development would clash with the currently rural aspect of the footpath. I don't share this view. Whilst the footpath is quite overgrown and surrounded by dense vegetation it is also surrounded by houses and within close proximity to a busy road. Whilst much of the vegetation would be removed, a cluster of trees to the south west of the site and a cherry tree to the southeast of the site are to be maintained. Two additional trees are also proposed within the site including one close to the southern boundary. I am satisfied that there would be adequate greenery throughout the site. In my view, the opening up of the space around the footpath would increase surveillance and allow for greater use of this path.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.11 The proposed new building would be significantly set away from the neighbour to the south at 10 Green End Road. There is a distance of over 12m from building to building and 11m between the new building and the boundary of this property. As a result I am satisfied that there would be no significant impact on terms of enclosure to this occupier. Given the orientation of the plots the proposal would not result in any overshadowing or loss of light to this property. There are a number of first floor windows on the southern elevation which serve the bedrooms of units 2-5. These are deep set with timber louvres and an obscure glazed lower pane. As a result I am satisfied that there would be no significant increase to overlooking of the garden of 8 Green End Road.
- 8.12 The proposed footprint of the new building would be significantly longer adjacent to the boundary with 6 Green End Road. However the height of the building would be lower than the existing bungalow. The height of the roof also drops down significantly from 5.4m to 3.8m close to the boundary with this neighbour. The access to the dwellings at 2 and 2A Green End Road also runs between the application site and no.6. As a

result there would be a distance of 7.9m building to building and 4m between the new building and the garden boundary. Due to the increase to the length of building along the boundary there would be some additional enclosure to the garden of 6 Green End Road. However, in my view this would not be sufficient grounds for refusal given the low height near the boundary and the separation distance. There are no windows to the side elevation of no.6, other than those in the garage, which would be impacted by the development.

- 8.13 The applicant has provided some shadow plans to show the impact of the proposed new building. No existing shadow plans have been submitted so it is not possible to make a direct comparison. The proposed plans show some overshadowing to the garden of no.6; however this would be limited to some overshadowing during winter and equinox mornings. I am satisfied that this impact would not be significantly harmful to warrant a refusal of permission.
- 8.14 There are only roof lights serving the first floor rooms on the northern side elevation. The applicant has submitted a plan showing that these would be 1.8m above the finished floor level. As a result I am satisfied that the proposal would not result in any significant overlooking to no.6 Green End Road.
- 8.15 The proposed new building would run in close proximity to the property to the east of the site at 2 Green End Road with a distance of 3m between the buildings. There are two circular windows on the ground floor side elevation of no.2 which face the development. I have not managed to access this property but am satisfied that these windows appear to be obscure glazed, high level windows which do not provide any significant light or outlook to the rooms which they serve. As a result I do not consider the proposal would appear overbearing to these occupiers. Given the orientation of the plots the proposed new building would not result in any significant overshadowing of the garden of no.2.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/10 and 4/13

## Amenity for future occupiers of the site

- 8.17 The proposed units all accommodate one bedroom so could not be occupied by a family and would more than likely be occupied by a single person or a couple. As a result I am satisfied that, although the outdoor amenity space proposed is relatively small, it would provide an adequately high living environment for future occupiers. The Landscape Officer suggests that boundaries between the gardens should extend at full height (1800mm) from the dwelling face for one panel, and then reduce to 1500mm +300mm trellis to provide tenant with privacy. I consider this to be an acceptable solution and recommend that these details are required via condition prior to the occupation of the units.
- 8.18 One of the representations raises concerns regarding privacy for future occupiers of the units. They note that whilst the proposal would increase surveillance to the footpath along the south of the site, it would also result in more movement on this path which would impact on privacy to occupiers of these dwellings. I share the view that the proposed new dwelling will increase surveillance to this pathway. However, the dwellings are set back over 7m from the path with some landscaping to the front of the dwellings. As a result I do not consider that, even with an increase to movement on this path, there would be any significant impact to the privacy of these dwellings.
- 8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 3/10 and 4/13.

## **Refuse Arrangements**

- 8.20 One of the representations raises concerns that there is inadequate space for bin provision. I am satisfied that the proposed store can accommodate 3 x 1100L bins. I am also satisfied that the movement of bins on collection days would not result in any serious obstruction of the footpath.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.22 The Highway Engineer raised concerns regarding the original proposal as the proposed car parking space would not maintain the ability to maneuver around the site and exit the site in forward gear. The plans have been revised and the current proposal has overcome the Highway Engineer's concerns. As a result, subject to a number of conditions, I am satisfied that the proposal would not have any significant adverse impact on highway safety.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.24 Two cycle parking spaces are proposed within cedar clad cycle stores to the front of each new dwelling. This exceeds the required provision of 1 cycle parking space per bedroom and is considered acceptable.
- 8.25 One visitor/disabled car parking space is proposed to the front of the property. As noted above the Highway Engineer is satisfied that the revised space would not impact on highway safety. Given the sustainable location of the site, close to the cycle infrastructure, a bus stop and the Kings Hedges Road Local Centre, and the cycle parking provision within the site, I am satisfied that this provision would be adequate.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Drainage**

- 8.27 The Drainage Engineer has raised an objection as the applicant has not provided details of surface water drainage. I consider that these details can be provided via a pre-commencement condition given that the site does not fall within flood zone 2 or 3.

### Third Party Representations

8.28 I have addressed some of the third party representations within the body of my report. Please see below for my response to any outstanding issues.

<b>Comment</b>	<b>Response</b>
There are existing parking issues on the road, the opening of Cambridge North Station will exacerbate this.	See paragraph 8.25
The access to 2/2A Green End Road cannot be obstructed	A construction traffic management plan is recommended. This would control issues such as contractors parking and how deliveries are managed.
Dwellings cannot be accessed from shared drive to 2/2A Green End Road	Unit 1 would be accessed from Green End Road. Units 2-5 would be accessed from the footpath to the south of the site.
Concerned as was not notified about the application	The occupier of 2A Green End Road was mistakenly not notified about the application when it was submitted. This was rectified following a complaint from this neighbour. 2A was given 21 days to submit comments and a site visit was conducted to assess the impact on this property.
There is already a bus stop outside the dwelling. The additional dwelling will add to congestion at the shared entrance to 2, 2A and 6 Green End Road	I note the location of the existing bus stop but do not consider the additional congestion from 1 car parking space on site would result in any significant congestion around this shared access
City Deal will result in the loss of on street parking on Green End Road	I note the plan to remove on-street parking on Green End Road but am satisfied with the proposed arrangement. See paragraph 8.25.

Do not believe future owners would not own cars	See paragraph 8.25
The flat roof design is out of keeping	See paragraph 8.7
The footpath where the houses would be accessed from has no ownership on the land registry and is informally maintained by the residents association	Noted. The applicant has extended the site edged red to include some of this path. An amended certificate (Certificate C) has been signed and an advert placed in the Cambridge News.
Agree there would be more overlooking of the footpath but dwellings themselves will have a lack of privacy	See paragraph 8.18
The removal of planting and opening up of the area around the side footpath will destroy the open nature of that part of the development will clash with the currently rural aspect of the footpath which is liked by local residents	See paragraph 8.9
Side footpath has no lighting	Noted. This is not considered a constraint to development
Bin store is inadequate	See paragraph 8.20
Bins would obstruct the footpath	See paragraph 8.20
Concerned about highway safety, particularly in terms of vehicles reversing across the highway	See paragraph 8.22
Note comments from Drainage Engineer regarding inadequate information	See paragraph 8.27
One bedroom properties like this are not the sort of 'affordable' housing the city needs.	All residential units contribute to the housing stock. The dwellings are not proposed as 'affordable units'.
Request piling/dust/construction hour and traffic management conditions be imposed	Noted. The EHO has recommended conditions related to piling and construction hours. The Highway Authority has recommended a condition

	relating to traffic management.
Overshadowing/loss of light to No.6 Green End Road	See paragraphs 8.12-8.14

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

8.29 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.

8.30 The guidance states that contributions should not be sought from developments of 10-units or fewer, 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 development is considered acceptable in terms of design and not considered harmful to the character of the area. The proposal would not have a significant adverse impact on the amenity of the adjoining occupiers in terms of overshadowing, loss of light, enclosure or loss of privacy. The Highway Authority is satisfied that the revised car parking proposal would not have an adverse impact on highway safety. The proposed new dwellings would provide an adequately high living environment for future occupiers.

### **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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



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

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

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

3. No 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, 3/11 and 3/12)

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

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

5. 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)

6. 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)

7. Prior to the commencement of development (apart from demolition works), details of a ventilation scheme as an alternative to open windows for plots 1 & 2 shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall achieve at least 2 air changes per hour. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

Reason: To protect the amenity of future occupiers of units 1 and 2 (Cambridge Local Plan 2006 policies 3/7, 3/10, 3/12 and 4/13)

8. Prior to the commencement of development (apart from demolition works), a noise insulation scheme detailing the acoustic / noise insulation performance specification of the glazing within plot 1 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of future occupiers of unit 1 (Cambridge Local Plan 2006 policies 3/7, 3/10, 3/12 and 4/13)

9. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

10. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

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

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

12. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

13. Two 2.0 x 2.0 metres visibility splays shall be provided within the site. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

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

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

15. 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 in accordance with policy 8/2 of the Cambridge Local Plan (2006)

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

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

17. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework (2012)

18. The windows identified as having obscured glass on drawing number 381 P-02 Rev A 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.)

19. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new first floor windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

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

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

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

**INFORMATIVE:** Before the details of the surface water drainage are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- ii. provide a management and maintenance plan for the lifetime of the development.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

**INFORMATIVE:** The principle areas of concern that should be addressed by the traffic management plan 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:** Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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

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

**INFORMATIVE:** Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction  
[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012  
[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

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

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	16/2231/S73	<b>Agenda Item</b>	
<b>Date Received</b>	22nd December 2016	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	16th February 2017		
<b>Ward</b>	Castle		
<b>Site</b>	7A Holyrood Close Cambridge Cambridgeshire CB4 3NE		
<b>Proposal</b>	Section 73 application to vary condition 2 of planning permission 13/1799/FUL dated 06/03/2014 for the erection of a three bedroom bungalow to allow the relocation of the dwelling.		
<b>Applicant</b>	Mr Michal Januszkiewicz 7a, Holyrood Close Cambridge CB4 3NE		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It is considered the repositioning of No.7a Holyrood Close is acceptable in terms of its context and appearance and will harmonises with the surrounding area.</li> <li><input type="checkbox"/> In my opinion, it would not adversely harm neighbours' amenities.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is located to the north of the City and is located at the end of Holyrood Close. The site contains a recently constructed single storey detached bungalow. The garden and driveway areas have not yet been completed.
  
- 1.2 No.7 Holyrood Close borders the curtilage of the new bungalow to the west. To the north is No.6 Holyrood Close. Holyrood Close is characterised by bungalows. The rear south and east

site boundaries border the rear gardens of No. 12, 14 and 16 Carisbrooke Road. To the south-west lies No.15 Fontwell Avenue. These nearby properties are two storeys high.

- 1.3 The site is not within a Conservation Area and there are no listed buildings close by. There are no Tree Protection Orders and the site is outside the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 A bungalow was approved planning permission (reference 13/1799/FUL) at West/Central Area Committee on 6<sup>th</sup> March 2014. However, the bungalow was not constructed in accordance with the approved drawings and therefore the current application has been submitted.

- 2.2 The applicant's reason for the repositioning of the bungalow is to achieve disabled access and parking in accordance with Building Regulations and to meet the requirements of the UK power network. A reason given is that the electricity service cabinet needs to be hung on the front wall of the building and sited where it will not cause an obstruction or be exposed to damage from vehicles. The applicant did not want to dig close to the fence due to the unstable nature of the clay soil.

- 2.3 The bungalow has been set back 0.5m further from the front boundary and the building has been set away an additional 0.4m from the side boundary with No.6 Holyrood Close.

- 2.4 It is located 3.2m away from the shared boundary with No.6 Holyrood Close and the bungalow is located 8.8m from the rear boundary with Carisbrooke Road. At its closest it is positioned 3.8m from its side boundary with No.16 Carisbrooke Road. The front elevation of the bungalow is set back 1.5m from the shared boundary with No.7 Holyrood Close.

- 2.5 The dimensions of the bungalow remain unchanged. It extends between 11.2m in length and 7.8m in width.

### 3.0 SITE HISTORY

Reference	Description	Outcome
13/1799/FUL	Additional 3 bedroom bungalow to create separate dwelling in garden of existing dwelling.	Approved with conditions

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

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

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

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

## 6.0 CONSULTATIONS

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

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

## **Environmental Health**

- 6.2 The development proposed is acceptable.
- 6.3 It is important to note that the construction hours condition 5 of permission 13/1799/FUL will require implementation regarding any permitted s73 works

## **Access Officer**

- 6.4 I would support this as there are so few bungalows built.

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

## **7.0 REPRESENTATIONS**

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

- 6 Holyrood Close
- 12, 14 Carisbrooke Road

- 7.2 The representations can be summarised as follows:

### *Objections:*

- Submitted plans alongside the application 16/2231/S73 are not accurate. No 7A extends further from No 6 in the front and extends an additional 1.8m at the back of the property. As No7A is already built, it is crucial that the submitted plans are accurate and correct, to avoid any future conflicts.
- No 7A is located directly to the south of No 6 and the 1.8m extension at the rear of the property, together with the high pitched roof blocks the sunlight and over-shadows the garden area of No 6.
- Condition 6 of the planning permission 13/1799/FUL should be retained in any future planning permissions relating to the planning application 16/2231/S73. Considering No7A is already extended at the rear of the development, it is now very important to ensure no future development can be carried out

that is linked to No7A which would lead to over-development of the site.

- This bungalow has already been extended 1.8m towards 12 Carisbrooke Road. No further extensions to this property and no dormer windows to be allowed overlooking my property.
- The bungalow appears to be closer to 14 Carisbrooke Road than I had anticipated. The reason for this change is understandable but I do hope no further retrospective changes and extensions will arise.

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. Disabled access
4. Residential amenity
5. Highway safety, car and cycle parking
6. Third party representations
7. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 Planning permission 13/1799/FUL accepted the principle of the residential bungalow on site. It was deemed to comply with the principle of policies 3/10 and 5/1 of the Local Plan 2006. I consider the principle remains acceptable.

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

#### Response to context

8.3 Visually the bungalow would appear the same as that approved under permission 13/1799/FUL. Therefore, my view is that its design and scale remain acceptable. I consider the

amendments to the position of the bungalow to be satisfactory, as it retains space around the bungalow and a garden area. It will also be set further back from the two closest residential dwellings.

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

### **Disabled access**

- 8.5 Part of the reason for the amendments to the position of the bungalow, are to achieve disabled access requirements under Building Regulations. The Access Officer supports the application. In my view, I consider the proposal improves disabled access to the property and I consider the amendments are acceptable.

- 8.6 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

- 8.7 No.6 Holyrood Close is located to the north of the bungalow subject to this application. The bungalow at No.7a Holyrood Close projects around 1.8m beyond the rear building line of No.6 Holyrood Close. There is a 3.2m gap between the two buildings. I consider the distance between the buildings, combined with the position of the solid wooden boundary fence along the shared boundary, avoids this neighbour from experiencing an unreasonable loss of light as a result of the proposal. I do not consider this neighbour would experience a loss of privacy or outlook as a result of the proposal.
- 8.8 The repositioning of the bungalow would result in the bungalow being located up to 0.5m closer to the properties and rear gardens of No.12, 14 and 16 Carisbrooke Road and No.15 Fontwell Avenue. As No.7a is a single storey bungalow I do not consider this would adversely harm the amenities of these nearby neighbours'. Previous planning permission reference 13/1799/FUL included conditions 6 and 7 which removed permitted development rights to protect neighbour amenity. I

recommend the conditions on this previous permission are replicated on this current application.

- 8.9 I do not consider the proposal would adversely harm the neighbouring property of No.7 Holyrood Close as the building is set slightly further back from this neighbour, compared to that originally approved.
- 8.10 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

### **Highway Safety, Car & Cycle Parking**

- 8.11 The Highway Authority does not object to the proposal. The proposal has created additional space in the parking area to meet disabled access requirements. I consider the proposal to be acceptable in terms of both highway safety and car parking.
- 8.12 Condition 4 (cycle parking) has not been discharged for permission 13/1799/FUL, although the condition should have been discharged before the commencement of development. I recommend an alteration to the wording of this condition so details are submitted prior to occupation of the bungalow.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/10.

### **Third Party Representations**

- 8.14 A neighbour has raised concerns with the accuracy of the drawings. Amended drawings were received which specifies the position of the bungalow from the boundaries and to address the inaccuracies on the previous drawing. I measured the distance of the bungalow from the boundaries on site and consider the written dimensions to be acceptable.
- 8.15 If Planning Committee are minded to approve this application, I recommend the conditions from the original permission reference 13/1799/FUL are replicated on the decision notice.



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

- 8.16 There was a S106 Unilateral Undertaking for the original permission reference 13/1799/FUL and the contributions required were paid last year.

## **9.0 CONCLUSION**

- 9.1 I consider the repositioning of the bungalow at 7a Holyrood Close to be acceptable in terms of its appearance and context and in my view the repositioning would not adversely harm neighbours' amenities.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. 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.

2. Conditions 3-7 of planning permission 13/1799/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to 13/1799/FUL have been discharged, the development of 16/2231/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

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

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

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

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

5. 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)

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

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

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

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

**INFORMATIVE:** The Council has produced a guidance to provide information to developers on waste and recycling provision which can be accessed from the City Council website via the following link:-

<https://www.cambridge.gov.uk/waste-and-recycling-provision-information-developers>

**INFORMATIVE:** You need to submit a discharge of condition application for Condition 4 (Cycle Parking) as this has not been received but development has started on site.

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<b>Application Number</b>	17/0025/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	8th February 2017	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	5th April 2017		
<b>Ward</b>	West Chesterton		
<b>Site</b>	42 Pretoria Road Cambridge Cambridgeshire CB4 1HE		
<b>Proposal</b>	Retrospective temporary change of use to office (B1A).		
<b>Applicant</b>	Holy Trinity Church 42 Pretoria Road Cambridge Cambridgeshire CB4 1HE		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed temporary change of use would not have an unacceptable impact on the amenities of occupiers of neighbouring properties.</li> <li><input type="checkbox"/> The proposed temporary change of use will not harm the character or appearance of the Conservation Area.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 42 is on the eastern side of Pretoria Road. It is a two storey end of terrace property of traditional design with such features as a castellated bay window and timber sash window frames.
- 1.2 This property is located within the De Freville Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 Retrospective planning permission is sought for the temporary change of use to office (B1a).
- 2.2 The applicants have provided the following information to explain their need for the temporary change of use:

*Holy Trinity Church uses its property at Pretoria Road to house ordained members of staff. However, the previously resident Associate Vicar retired in August, leaving a vacant property while we recruit to fill the role. Holy Trinity has recently embarked on an ambitious building project to renovate the church building and improve office and meeting room facilities. While this work is being carried out, the staff team must work from an alternative location. It was decided that it was in the best interests of the Church to utilise the otherwise empty property at 42 Pretoria Road, rather than paying commercial rates for working space. It remains our hope that the post of Associate Vicar will soon be filled and the property returned to its intended purpose. The building programme has an end date of 30 September 2017, and on completion the staff team will move back to the Church, whether or not the post has been filled. We request a temporary change of use to allow some of the staff to use 42 Pretoria Road as the base for some of the Church work. As a charity the cost saving of utilising this available resource is significant and I hope this can be taken into consideration by the planning department, along with the temporary nature of this arrangement.*

- 2.3 Originally the applicants had sought a temporary change of use to Non-residential institutions (D1) after this clarification the description was amended to a temporary change of use to office (B1A). All neighbouring properties and consultees were re-notified of this amendment.

## **3.0 SITE HISTORY**

There is no planning history of relevance to the proposal.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 4/13 5/4 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 (Annex A)
	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in

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

- 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**

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

- 6.1 No adverse impacts are envisaged to highway safety. Users of the proposal do not qualify for Residents' Permits of any kind within the existing Residents' Parking Schemes operating on surrounding streets. If the facility is open outside the hours of operation of the Residents' Parking Scheme the development may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

### **Conservation Team**

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

### **Environmental Health**

- 6.3 Further details are required on what activities the "office base" will entail as the use class D1 includes health centres, nurseries, schools, church halls and non-residential education and training centres. Environmental Health did not comment on



the amended description and further information provided by the applicant.

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

## **7.0 REPRESENTATIONS**

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

- No. 41 Pretoria Road
- No. 44 Pretoria Road
- No. 43 Pretoria Road

- 7.2 The representations can be summarised as follows:

- The proposal conflicts with the Cambridge Local Plan 2006 as it leads to the loss of residential accommodation. This is an area of high demand for residential properties. It could be let or sold if not needed by the Holy Trinity Church.
- The property is used outside of business hours.
- The use of the building by many members of staff conflicts and undermines the quiet residential character of the area which is a conservation area of residential character
- The application form states there will be no loss of any residential units.
- Very little information has been submitted with the application.
- There is not very much detail about what "office use" entails, for example, it appears that they have video recording equipment in the ground floor sitting room and bright white lighting blazing out from un-blinded windows both day and night.
- The proposed change of use has already been in place, without permission, for seven months.
- 14 employees will be on site in the day. This is a significantly higher number of people than a family of say 4 to 6 people. The property is not suitable for that number of people. It is not part of the function of a property in a residential area to have that number of people coming and going from the property. Conversely the property is then unoccupied

overnight and at the weekends which brings with it security risks for this property and neighbouring properties.

- Granting planning permission will set an unacceptable precedent when it comes to converting residential properties into offices.
- The applicant is only concerned about the financial implications for the church and not the impact to local residents. The financial interests should not be taken into account and do not justify the change of use.
- There has been no attempt by the users to consult with neighbours.
- Hours of opening seem much longer than indicated in the application as do the number of people coming and going from the property.
- 20 or more visitors per day results in traffic generation which adversely affects the character of the Conservation Area.

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. Highway safety, car and cycle parking
5. Third party representations

### **Principle of Development**

8.2 Policy 5/4 *Loss of Housing* of the Cambridge Local Plan 2006 states that the change of use of residential accommodation to other uses will not be permitted unless any of five criteria are met.

8.3 The proposed change of use does not comply with any of these criteria. However, the building has been and will be only in office use for approximately the next 3 months, while works are

taking place on the Holy Trinity Church on Market Street. As such the proposal will not result in the permanent loss of residential accommodation and in this regard I consider it complies with the aims of the policy. The Holy Trinity Church is a registered charity and it is understandable that they would use one of their vacant buildings while re-development is taking place for admin purposes. A condition is recommended to be added to ensure this change of use is temporary and if there is any office use in this building after the date it will be subject to potential enforcement action.

- 8.4 I am therefore of the opinion that, on balance, the proposal does not conflict with policy 5/4 of the Cambridge Local Plan (2006).

### **Impact on the Conservation Area and the Existing Property**

- 8.5 No physical works are proposed as part of this application. It is therefore considered the proposed change of use would not impact both the appearance of the Conservation Area and the character of the existing property. The proposed temporary change of use is located in a sustainable location and I considered of a minor scale, therefore the traffic generated is also not, in my opinion, considered to affect the character or appearance of the Conservation Area.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### *Noise and disturbance*

- 8.7 Several neighbours have objected to the disturbance caused by having an office use within a residential street. I accept that this office use involves more comings and goings than would be expected for a residential property. However, office uses and residential uses are in the majority of cases seen as compatible uses and I do not consider that the increase of activity for a temporary period would justify a refusal of planning permission in this instance. Pretoria Road is quite an active street with many pedestrians and cyclists using the bridge, near No. 42 at

the end of the road. In my opinion therefore the comings and goings of these pedestrians and cyclists would partially mask the movements in and out of No. 42. Some neighbours have objected to disturbance late at night and early in the morning, a condition is recommended to restrict the hours of use to curtail this disturbance. Regarding the impact from lighting within the property, planning consent cannot reasonably control light emissions that take place within a building, whether it be residential or commercial.

- 8.8 It must also be reiterated that this arrangement would be only for a specified short time period.
- 8.9 In my opinion the temporary 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.

### **Highway Safety, Car and Cycle Parking**

- 8.10 The Highway Authority has raised no concerns regarding the impact on highway safety. The proposed temporary change of use does not have any car parking spaces. This is less than the maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. There are bus stops on Chesterton Road and is within walking distance or cycling distance of shops on Chesterton Road and the City Centre. It is, therefore, my view that it would be unreasonable to refuse the application for this reason. It is not considered reasonable for permanent cycle storage to be provided at this dwelling for a temporary period.

### **Third Party Representations**

- 8.11 The majority of concerns raised by third parties have been addressed in the main body of the report above. Those not addressed are considered in the table below.

<b>Concern</b>	<b>Response</b>
Application form states there will not be a loss of residential units	There will not be a permanent loss of a residential unit as this proposed use is temporary.
Little information has been	It is my view sufficient

provided with the application	information has been proved to determine this application.
Property being vacant at night is a security risk.	This is not a material issue that would justify a refusal of planning permission
Unacceptable precedent	Each planning application is considered upon its own merits. See paragraph 8.4
Financial implications for applicant	This is not a planning consideration in this instance.
No attempt has been made by applicant to contact neighbours and explain situation.	This is not considered a planning issue.
Hours of opening would appear much longer than indicated on application form.	After clarification it was indeed determined that the opening times originally are not as specified in the application form. A condition is recommended to encompass the times this building is in temporary office use. It is my view these opening hours will not adversely impact occupiers of neighbouring properties.

## 9.0 CONCLUSION

9.1 I am of the opinion that the proposal will not result in the permanent loss of residential accommodation and it therefore complies with the aim of policy 5/4. I consider the temporary nature of the use is such that it will not have a significant detrimental impact on the amenities of occupiers of neighbouring properties. I also consider the use is such that it will not have any detrimental impact on highway safety. I therefore recommend that the application is approved subject to conditions.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

1. The change of use hereby permitted shall be discontinued (from the building) and the site restored to its former residential use, on or before 1st October 2017.

Reason: The development is considered inappropriate for more than a temporary period. (Cambridge Local Plan 2006 policies 3/4, 3/7, 4/11 and 4/13)

2. The temporary use hereby permitted shall not be carried out other than between the following hours:

7.00am - 9.00pm Monday to Friday

9.00am - 12.00pm Saturdays and Sundays

(No opening on Bank Holidays)

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

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	16/2191/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th January 2017	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	21st March 2017		
<b>Ward</b>	Abbey		
<b>Site</b>	5 Ferndale Rise Cambridge CB5 8QG		
<b>Proposal</b>	Two storey rear extension and change of use from C4 HMO (6 persons) to No.4 one bedroom flats.		
<b>Applicant</b>	Ms Karen Murray 79 Redwing Rise Royston SG8 7XD		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed change of use would not have a detrimental impact on the amenities of occupiers of neighbouring properties.</li> <li><input type="checkbox"/> External works proposed would not have an adverse impact on the streetscene or the character of the existing dwelling.</li> <li><input type="checkbox"/> The proposal would enable the provision of four one bedroom flats and help meet housing need.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 5 is on the northern side of Ferndale Rise, a residential cul-de-sac located just off Ditton Walk. It is a two storey semi-detached House in Multiple Occupation (HMO) for 6 persons. A two storey side extension adjacent to the boundary with no. 4 Ferndale Rose was permitted in 2003 and has been built. A 3m deep lean-to ground floor extension presently extends across the entire of the rear of the property.

## 2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a two storey rear extension and change of use from C4 HMO (6 persons) to four one-bedroom flats.
- 2.2 The first floor element of the rear extension would be 3m deep by 6.9m wide, extending to within 1m of the boundary with no. 6 to the southeast and abutting the boundary with no. 4 to the northwest. The ground floor element of the rear extension would be a full 8m wide, with the indent adjacent to no. 6 comprised of a lean-to roof 1m wide, which would slope away from the boundary.
- 2.3 Two flats (F1 and F2) would be located on the ground floor and two flats (F3 and F4) would be located on the first floor. All of the flats would be accessed from the front entrance door. Bin and bike stores are proposed within the front garden of the property. Space for the parking of one vehicle would remain on the front driveway.
- 2.4 The proposal originally included an external staircase and balcony to the rear. An amendment was received to remove these features and the ground floor has been reorganised to allow for a central corridor so that all four flats can access the rear amenity space internally.
- 2.5 Further consultation from neighbours was sought on this amended design.

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/03/1134	*Change of use from single dwelling house to a house in multiple occupation for 8/9 persons	Refused and Dismissed at appeal
C/88/0220	Erection of single-storey rear extension to existing dwelling house.	Approved
C/87/0060	Erection of two storey side extension to existing dwelling house.	Approved



3.1 \*This application was adjudged under the previous Local Plan and was dismissed at appeal. The Inspector gave four reasons for dismissing the application:

1. Sufficient bin storage for 8/9 occupants located to the front of the property would have an unacceptable impact on the streetscene.
2. Insufficient cycle storage was provided.
3. The proposal did not have a sufficient communal living area for 8/9 occupants.
4. The addition of several residents more than usually housed in one property would have an unacceptable impact on the amenity of adjoining residents.

3.2 For completeness, I attach a copy of the appeal decision as an appendix to this assessment.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning 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.

## 6.0 CONSULTATIONS

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

- 6.1 No objection: The development may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

## **Environmental Health**

- 6.2 No objection: Subject to a condition on limiting construction hours.

## **Drainage**

- 6.3 No objection: Subject to a condition on surface water drainage works

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:

- No. 104 Birdwood Road
- No 2 Ferndale Rise
- No. 3 Ferndale Rise
- No. 4 Ferndale Rise

- 7.2 The representations can be summarised as follows:

- The proposed balcony and external stairway will overlook the rear garden of No. 6 Ferndale Rise and No. 7 Ferndale Rise.
- Changing No 5. Ferndale rise from one property to 4 will impact the main out-pipe to the combined sewer, which has a history of blocking up.
- The proposed extension will overshadow the rear garden of No. 4 Ferndale Rise
- The proposal does not have adequate off street parking and will lead to further on-street parking pressures on Ferndale Rise. This would make this road difficult to turn on in emergency situations.
- No. 5 has already had the benefit of a large extension and approving bedsits will set an unacceptable precedent on the road.
- During construction scaffolding may have to be erected on No. 4's land.

- This proposed subdivision would negatively add to the already too high number of flats on this road, further changing its quiet residential character.
- The additional residents will add to the excessive noise and disturbance on the street.
- Construction noise will also create unwanted disturbance.
- No. 3 Ferndale Rise has ground floor extension to the rear of its property (not shown in the plans submitted) which runs out directly behind the garage on our property. This has a large full length window (approx. 4m in length and floor to ceiling) that directly faces the proposed rear extension.

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. Highway safety, car parking
5. Third party representations

### **Principle of Development**

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is my view that the proposal - in providing 4 separate self-contained flats - complies with policy 5/1 of the Local Plan.

8.3 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110 square metres; b) the likely impact on on-street parking would be unacceptable, c) the living accommodation provided would be unsatisfactory; d) the

proposal would fail to provide for satisfactory refuse 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 floorspace requirement of policy 5/2 is met (190sqm) and, being located on a residential street, the subdivision of the existing HMO into four units is entirely appropriate in terms of land use. The proposal therefore meets the requirements of parts a) and e) of policy 5/2 of the Local Plan.
- 8.5 Parts b), c) and d) relate to matters of detail and are addressed later in this report.

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

- 8.6 The scale, the hipped roof design and the use of matching materials would result in an acceptable addition to the rear of the property that would complement the character of the existing dwellinghouse and appear subservient in nature.
- 8.7 Since the appeal decision, permitted development rights have changed substantially and planning permission is not required for C3 dwellings to change use to six-bedroom HMO's under class C4. This is a material consideration relevant to the application. As such, the property currently operates as a lawful C4 use and the front garden is used for informal bin and bike storage for 6 people. The property has no side passage because it has been previously extended. As such and from my site visit, I noted 5 wheelie bins being stored prominently on the frontage, some poor quality cycle racks installed adjacent to no. 6. and an open front boundary. The general appearance is poor and unkempt.
- 8.8 The proposal seeks to formally locate bin and bike storage for the four flats to the front of the property. The flats are shown as sharing three large communal bins which would be situated along the boundary with no. 6 (in what I assume is a bin storage structure), whilst cycle parking is located in the centre of the frontage, perpendicular and partly directly adjacent to the road. The layout of the cycle parking in particular appears awkward for users and insecure. Overall, there is an opportunity in this case to provide an improved layout for the frontage for bicycles, either located adjacent to the boundary with no. 4 or within a

structure in the rear garden, to be accessed through the newly created central hallway. The first of these options would involve the removal of the car parking space. In my view, a rearrangement of the bike and bin storage should also include the provision of new hard and soft landscaping to the front, including a new boundary wall and surfacing.

- 8.9 Subject to conditions in these respects being secured and met – notwithstanding the appeal decision - I am of the opinion that the end result would be an improvement on the existing situation and the proposal would be compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and part d) of 5/2.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### Noise and Disturbance

- 8.10 The proposal could result in an intensification of use of the site but could also result in a lesser number of occupants, as the units are not particularly large, one of which only has space for a single bed. I am of the opinion that any intensification would be slight and that the use – in terms of comings and goings - would be largely comparable to the existing HMO.

- 8.11 A condition restricting construction hours is recommended to ensure disturbance is not detrimental at unsociable hours.

#### Overshadowing and Enclosure

- 8.12 Nos. 4 and 6 Ferndale Rise are the two immediately adjoining neighbours. In the paragraphs below, I assess issues of overshadowing and enclosure on these properties. All other neighbouring properties are considered to be located a sufficient enough distance away to dispel any potential detrimental impacts.

#### *No. 4 Ferndale Rise*

- 8.13 The proposed two storey rear extension adjoins the boundary with No. 4 Ferndale Rise and would extend 3 metres along this boundary at 2 storeys. No. 4 is northwest of the proposed extension and has an attached garage and single storey

outbuilding along the shared boundary. I therefore consider - given the limited 3m depth of the rear extension - that neither the rear amenity space nor outlook from rooms within No. 4 would be harmfully enclosed. A 45 degree plane was taken from the eaves of the proposed two storey rear extension which cuts below the mid-point of the habitable rooms in the rear elevation of No. 4 Ferndale Rise. No harmful overshadowing would therefore arise.

#### *No. 6 Ferndale Rise*

- 8.14 The ground floor of the proposal adjoins the boundary with No. 6 and extends 3 metres along it. This replaces the existing single storey extension which is of a similar depth. The roof pitch would slope away from the boundary as opposed to the present pitch which slopes up to the host dwelling, but the differences at ground floor are marginal.
- 8.15 The first floor of the proposal is indented 1 metre away from this boundary. As recommended by BRE guidance, a 45 degree plane was taken from the proposed first floor eaves. This cuts just below the mid-point of the French doors of no. 6. The French doors constitute a large glazed opening and a 45 degree angle taken horizontally from the rear of the extension would not cut beyond the centre point of the doors. I note that the proposal site is also to the NW of no. 6. This analysis indicates that any loss of light to no. 6 would be acceptable. I recognise that a 3m deep first floor extension close to the boundary of no. 6 would partly enclose the outlook from its windows and the immediate part of its rear garden but my view is that the length at this height is relatively modest and any enclosure would not so be harmful as to warrant a refusal of planning permission.

#### Overlooking

- 8.16 The proposal originally included an external balcony and stairs off the rear. These have been removed with the revisions and the rear of the scheme now has only two bedroom windows looking towards the host property's garden. Any overlooking of adjacent gardens would be oblique and my view is that the arrangement of windows presents an entirely acceptable solution in terms of safeguarding privacy.

- 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, 3/14 and 4/13.

*Amenity for future occupiers of the site*

- 8.18 The proposed flats would share a large communal garden which would be accessible from the hallway running centrally through the house. This is considered to be an acceptable level of amenity provision for future occupants. Outlook from the bedroom windows of flats F1 and F2 to the front may be impacted by the proposed bin and bike stores, but as indicated earlier in my assessment, a landscaping scheme for the frontage could greatly improve this relationship. A landscaping scheme could also provide some buffering in the rear garden to F1 and F2's dining rooms to provide a degree of private space.
- 8.19 In my opinion and subject to condition, the proposal would provide an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7 and part c) of policy 5/2.

**Highway Safety and Parking**

- 8.20 The Highway Authority has raised no concerns regarding the impact on highway safety. One off-street car parking space is shown to be maintained on the current plans but my view is that a well thought out landscaping scheme for this frontage would probably result in its removal. The Council's parking standards are expressed as maximums, as outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. There are bus stops on Newmarket Road and the site is within walking distance or cycling distance of shops on Newmarket Road and the City Centre. I appreciate that third party representations fear that competition for on-street car parking may increase with flats as opposed to a HMO, but there is no policy basis for a refusal in this case.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and part b) of policy 5/2.



## 8.22 Third Party Representations

<b>Concern</b>	<b>Response</b>
External balcony and stairwell	Removed from proposal via an amendment.
Impact of development on sewer	Not dealt with under planning consent, dealt with under building control consent.
Impact on light to No. 4 Ferndale Rise	Paragraph 8.13
Development does not have adequate off-street parking	Paragraph 8.20
Setting a precedent	Every case is adjudged on its own merits.
Scaffolding on No. 4's land during construction	Not dealt with under planning consent, this is a civil matter dealt with under the Party Wall Act.
Subdivision of property	Principle acceptable, paragraphs 8.2-8.5. In my view the development would not represent over-crowding. The occupants of each flat would have access to the rear garden and have sufficient amenity.
Noise and disturbance	Paragraphs 8.10 – 8.11
Overlooking and loss of light to No. 3's rear extension	The main issues are impacts on nos. 4 and 6. My view is that no. 3's property and extension with large 4m long dining room window (floor to ceiling) is sufficiently far away to not be adversely affected. I appreciate that the view from the window serving a dining area is across the gardens and the extension may be visible from it, but at 3m depth, it would not in my opinion

	dominate the view and should not in any case present a defining constraint to extending the rear of a property once removed physically from it. Winter light is low and it would be unreasonable to expect this factor to form an overriding constraint to the extension of the property.
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## 9.0 CONCLUSION

- 9.1 The subdivision of the property to provide four one-bedroom flats is acceptable. The appeal decision has been superseded by new adopted policies and legislative changes which have resulted in a HMO operating from the site which has existing unsatisfactory refuse and cycle storage arrangements. Subject to condition, the front of the property would be re-landscaped and the bin and cycle storage regularised. I do not consider any significant harm to residential amenity to arise from the scheme. As such, I am of the opinion that the proposal complies with the development plan and I recommend that it is approved subject to conditions.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. No occupation of the flats shall commence until details of facilities for the secure parking of bicycles and storage of bins 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 appropriate provision for the secure storage of bicycles and bins. (Cambridge Local Plan 2006 policies 5/7 and 8/6)

5. 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)

6. No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the local planning authority. All new or altered external areas within the site boundary should be of permeable construction.

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

7. 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 prior to the occupation of the flats.

These details shall include:

- 1: means of enclosure, including a new boundary wall adjacent to Ferndale Rise;
- 2: hard and soft surfacing and landscaping for the frontage of the site; and
- 3: hard and soft surfacing and landscaping for the immediate spaces to the rear of the ground floor flats to provide private amenity space/buffering;

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development to improve the frontage of the site and safeguard to the amenity of the ground floor flats (Cambridge Local Plan 2006 policies 3/4 and 3/11).



# Appeal Decision

Site visit made on 24 August 2004

by **David Stephenson** OBE BSc(Eng) CEng MICE

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
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Date

06 SEP 2004

**Appeal Ref: APP/Q0505/A/04/1142817**

**5 Ferndale Rise, Cambridge, Cambridgeshire CB5 8QG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
- The appeal is made by Miss K Murray against the decision of Cambridge City Council.
- The application Ref: C/03/1134/FP, dated 15 October 2003, was refused by notice dated 17 December 2003.
- The development is described as the change of use as single dwelling to HMO (retrospective).

**Summary of Decision: The appeal is dismissed.**

## Preliminary Matters

1. The dwelling has already been in use as a house in multiple occupation (HMO) and I am dealing with this case on the basis that it is seeking authorisation for the change of use.

## Main Issues

2. I consider that the main issues in this case are the effect of the development firstly on the character and appearance of the surrounding area, and secondly on the living conditions of occupiers of adjacent dwellings in terms of noise and disturbance.

## Planning Policy

3. Section 54A of the Act requires that planning applications and appeals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan includes the Cambridge Local Plan adopted in 1996 within which I consider that Policies HO10, HO12, E01 and TR22 are relevant to this case. Policy HO10 outlines the circumstances where HMOs would normally be permitted, in which case Policy HO12 indicates criteria against which proposed HMO development would be assessed. Policy E01 seeks to prevent development, including changes of use, that amongst other things would cause noise affecting existing nearby residential areas.
4. The Council has issued its *Housing Development & Design Guide* dated 2001 which is described as Supplementary Planning Guidance (SPG). Although I have not been informed of its status with reference to public consultation I consider its contents regarding waste and noise nuisance as reasonable and can attribute significant weight to these aspects. SPG has also been issued for *Car and Cycle Parking Standards*, superseding the standards in the Local Plan referred to in Policy TR22. I understand this has undergone a 2-stage consultation process and was adopted in 2003 so I can attribute considerable weight to its contents.

## Reasons

5. Ferndale Rise is a short cul-de-sac of 2-storey residential properties. It is not an area of mixed use or a main road and in these respects the use of the building as an HMO would not meet 2 of the circumstances listed in Policy HO10. The appeal property is a 2-storey semi-

detached dwelling that has been extended at full height to the common boundary with the adjacent property, No 4, abutting the garage of this dwelling, and extended at single storey across the full width at the rear. The buildings along this side of the road are in close relationship with each other and there is no space between the appeal property and the 2 properties on either side of it.

6. At the time of my visit the accommodation within the house consisted on the ground floor of a bedroom and 2 further habitable rooms in use by the Appellant, a hallway leading to a galley kitchen leading in turn to the rear garden, 2 further bedrooms and a bathroom. On the first floor there were 5 rooms in use as bedrooms, and a bathroom. In all 8 rooms were in use as bedrooms, although the plans showed that one of the Appellant's rooms was intended as a bedroom which would make a total of 9.
7. Turning to the criteria in Policy HO12, there is no explicit guidance for cycle parking for an HMO in the Council's SPG, but the Council has suggested 8 cycle parking spaces. Bearing in mind the expected occupiers I do not consider that this is unreasonable, taking account of the guidance for cycle parking for both residential dwellings and student residential accommodation in the SPG. Apart from 2 low metal rails embedded in the ground in the front garden, however, there was no cycle parking, and none that meets the advice in the SPG for a parking stand that gives good support and a convenient place to secure the cycle frame. Even if there was, in my opinion it would look out of place in a residential road. Cycles can be taken through the house via the hall and kitchen to the rear garden for better security, but in my view this is an unsatisfactory and inadequate solution. The lack of provision for cycle parking is inconsistent with the requirement of Policy HO12(c).
8. I noted 3 general-waste and one recyclable-waste 'wheelie' bins in the front garden. Although these may be sufficient to cater for the waste generated, they were conspicuous in the appearance of the street and there was nowhere to place them out of sight. I do not consider that there is adequate refuse storage space provided as required by Policy HO12(d), and in my opinion this harms the appearance of the area. I conclude on the first main issue that the development is detrimental to the character and appearance of the surrounding area.
9. Turning to the second main issue, the house does not appear to have any communal living area for occupiers to eat, relax or entertain visitors. The consequence in my view is for bedrooms to be used by individuals for general living purposes. Some of the rooms abut rooms in the adjoining house, but there is no evidence that any soundproofing has been, or is intended to be, installed. In addition to this noise source, the intensive use of a relatively small semi-detached house close to neighbouring properties would generate more disturbance through comings and goings and more noise in general than would a lawful use within Class C3 (Dwellinghouses) as defined in the Town and Country Planning (Use Classes) Order 1987. In my opinion this would be intrusive for occupiers of neighbouring dwellings and I conclude on the second main issue that this would be harmful to the living conditions they could reasonably expect to enjoy. This is inconsistent with LP Policies HO12(e) and E01(b).
10. The Council have indicated that the proportion of HMOs in the surrounding area is not excessive and that the matter of communal living space for shared dwellings is not relevant to this case and I see no reason to disagree. There is a small garden to the front of the building that is laid to gravel and in my view this could only readily accommodate one car. Again the SPG does not cover car parking standards in the case of an HMO, but the Council has indicated that 2 car parking spaces would be required. I note, however, that the standards in any case define a maximum level of car parking, and I place some weight on the Appellant's submission that the occupiers of the house would normally be students without cars, so I consider that the space available would be adequate. Despite there being

no inconsistency with Criteria (a) and (b) of Policy HO12, and my conclusion that car parking provision would be adequate, these are insufficient in my opinion to outweigh the harm I have identified above and the conflict with the remainder of Policy HO12.

11. The consequences of intensification of use of the building as a result of multiple occupancy, as I have identified at paragraphs 7-9 above, in my view creates an impact that can not be readily absorbed in this residential area. In this third respect, together with the previous 2 I have identified, the use of the building as an HMO does not fall within the circumstances normally acceptable in accordance with Policy HO10.
12. I conclude that the development is detrimental to the character and appearance of the surrounding area and to the living conditions of occupiers of adjacent dwellings due to unreasonable noise and disturbance. I further conclude that it is in conflict with Local Plan Policies HO10, HO12 and E01.

#### **Other Matters**

13. I note the other matters raised by the Appellant. I am not aware of the circumstances under which other HMOs not on main roads may have been allowed, but in any case their existence does not in my view outweigh the harm in this case. Although other properties in Ferndale Rise may be rented out this does not stop the road being residential, there being no properties with other lawful uses. Ditton Walk may be mixed use, but in my view the commercial and industrial properties are too far away to have any material bearing on the use of the appeal dwelling. The lack of complaint from neighbours does not necessarily indicate that development is not harmful, and I have determined this case on its own merits based on my observations and the information before me. Approval of work under regulations other than planning does not itself convey any tacit planning permission. If the Appellant feels that she has established a lawful use over an extended period of time then this is matter that should be taken up with the local planning authority in the first instance possibly in the context of an application for a Certificate of Lawful Use or Development under Section 191 of the Town and Country Planning Act 1990, as amended.

#### **Conclusion**

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

#### **Formal Decision**

15. I dismiss the appeal.

INSPECTOR





**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2017**

<b>Application Number</b>	17/0347/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th February 2017	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	25th April 2017		
<b>Ward</b>	Abbey		
<b>Site</b>	8 Gerard Close Cambridge CB5 8NQ		
<b>Proposal</b>	Change of use from a single dwelling to a House in Multiple Occupation (HMO) (sui generis) and erection of single and two storey extensions to the side and rear. Erection of cycle and bin store and 1.5 metre high fence to front.		
<b>Applicant</b>	Mr Alan Croft 8, Gerard Close Cambridge CB5 8NQ		

SUMMARY	<p>The proposed HMO use and proposed extensions are considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The development would not have a significant detrimental visual impact on the street.</li> <li><input type="checkbox"/> The proposed extensions and change to HMO use would not have a significant detrimental impact on neighbouring properties or highway safety</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 8 Gerard Close is a two storey semi-detached property located on the northern side of Gerard Close. The dwelling is not Listed, A Building of Local Interest or within a Conservation Area.

## 2.0 THE PROPOSAL

- 2.1 Planning permission is sought for change of use from a single dwelling to a House in Multiple Occupation (HMO) (sui generis) and erection of single and two storey extensions to the rear. It also includes the erection of cycle and bin stores and a 1a5 metre high fence to front.
- 2.2 The proposed two storey side extension is the same depth as the existing property, 3.2 metres wide, 7 metres tall to the ridge and 4.5 metres tall to eaves. The proposed two storey rear extension is located off the proposed side extension. It is 4 metres deep, 6.4 metres tall to the ridge and 4.5 metres tall to the eaves. The single storey rear extension is located between this rear extension and the boundary with No. 7 Gerard Close. It varies from 6 metres deep to 4 metres and has a lean-to roof with a ridge height of 3.3m and an eaves height of 2.6 metres. The ground floor would contain 2 double bedrooms, a single bedroom, a kitchen/dining room and another kitchen. The first floor would contain 3 double bedrooms and one single bedroom. All bedrooms are en-suite. The HMO would have a maximum of 12 bed spaces.

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/03/1245	Erection of a single storey side and rear extension to existing dwelling house.	Approved

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003) Cycle Parking Guide for New Residential Developments (2010)

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

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

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

- 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**

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

- 6.1 No objection to the proposal on highway safety grounds. However, also state the development may impose additional parking demands upon the on-street parking on the surrounding streets potentially impact neighbours amenity. The Planning Authority may wish to consider this when assessing this application.

### **Environmental Health**

- 6.2 No objection subject to condition on construction hours and two informatives on the housing health and safety rating system and the management of houses in multiple occupation.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following address have made a representation:

- 5 Gerard Road

- 7.2 The representation can be summarised as follows:

- The proposed HMO will attract more vehicles to the area and create parking issues.
- The rear extension will overshadow the rear garden of No. 5 Gerard Road

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/7 of the Cambridge Local Plan (2006) states that the development of properties for multiple occupation will be permitted subject to the potential impact (A) on the residential amenity of the local area, (B) the suitability of the building or site, (C) the proximity of bus stops and pedestrian and cycle routes, shops and other local services. These impacts will be assessed in the paragraphs below.

8.3 Supporting paragraph 5.14 to this policy states that the provision of HMOs adds to the range of housing to meet the needs of a diverse community and workforce and helps in the creation of mixed communities. However, it goes on to say the location of such provision requires careful consideration to ensure that the proposals respect the character and residential amenity of the local area. This will be assessed in the paragraphs below.

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

#### *Proposed side/rear two storey extension*

8.4 Both the front and side elevations are visible to the streetscene as this property is on a corner plot. The proposed two storey side/rear extension on the eastern elevation is 3.2 metres wide and extends the depth of the existing dwellinghouse plus a further 4 metres to the rear. The roof of the proposed side extension matches that of the existing property and is gable ended on the side elevation. The proposed rear return has a hipped roof form. Both of these roof forms are subservient in

ridge height when compared to the existing dwellinghouse. The brickwork and roof tiles would match those on the existing property. A condition will be added to ensure this. I consider therefore this element of the proposal would have an acceptable impact on the appearance of the streetscene and character of the property.

#### *Proposed single storey rear extension*

- 8.5 The proposed single storey rear extension is between 4 and 6 metres deep. This proposed extension is located between the proposed two storey rear return and the boundary with no. 7 Gerard Close. It has a height to eaves of 2.6 metres and to ridge of 3.3 metres. It is therefore considered minimal in scale and would not impact the character of the dwelling.

#### *Other proposed works*

- 8.6 There are also works proposed to take place in the front garden including a bin store and a visitor cycle store. These timber enclosures are of an acceptable design and minimal scale and in my opinion would not detrimentally impact the streetscene.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/4, 3/7, 3/14 and 5/7 (B).

### **Residential Amenity**

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

##### Overshadowing and enclosure

- 8.8 The proposed two storey rear return is located on the rear boundary with No. 5 Gerard Road and extends 4 metres. This property has a large outbuilding in the end of its rear garden. The overshadowing and enclosure impact to this neighbour's rear amenity space is considered acceptable. This is because the proposal would mainly overshadow and enclose the rear part of this neighbour's garden which is built upon. The main amenity space located close to the rear elevation of No. 5 would not be detrimentally impacted. No. 5 is some 13 metres away from this extension.

- 8.9 The proposed single storey rear extension adjoins the boundary with No. 7 Gerard Close. It extends 4 metres along this boundary before indenting away and extending a further 2 metres. This extension has a lean-to roof with an eaves height of 2.6 metres and a ridge height of 3.3 metres. As recommended by BRE Guidance a 45 degree plane was taken from mid-way from the slope of this roof. This plane cuts below the mid-point of the kitchen window. It is therefore considered that light to this habitable room would not be detrimentally impacted. I am of the opinion that the minor scale of this extension would not have an adverse enclosure impact on the rear garden of No. 7 Gerard Close.

#### Noise and disturbance

- 8.10 The proposal would result in an intensification of use of the site. In my opinion, the impact this would have on neighbours largely depends on how the development is managed. I have recommended a condition to seek a management plan for the property and in this case consider it is justified given the no. of people potentially residing at the property.
- 8.11 Building works are disruptive and in order to minimise this I recommend that construction hours are restricted by condition, along with the hours of collections and deliveries. I have conditioned a maximum number of people living at the property to 12.
- 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, 3/14 and 5/7 (A).

#### **Amenity for future occupiers of the site**

- 8.13 The 12 occupiers would share a large communal garden and bedrooms 6 and 7 would also have access to small private gardens. This is considered to be acceptable. All proposed windows would also have an acceptable level of outlook.
- 8.14 In my opinion the proposal provides an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7, 3/14 and part c) of policy 5/2.

## **Refuse Arrangements**

8.15 A sufficient amount of bin space in a secure store has been provided for the amount of bins required for a 12 bed HMO.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

## **Highway Safety, Car and Cycle Parking**

8.17 The Highway Authority has raised no concerns regarding the impact on highway safety. No off-street parking is proposed. This is less than the maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. There are bus stops on Whitehill Road and it is within walking distance or cycling distance of shops on Barnwell Road and the City Centre. It is, therefore, my view that it would be unreasonable to refuse the application for this reason. It is also noted this is not an area of parking control and on-street parking is available.

8.18 The Highway Authority recommend a condition is added regarding the up keep of a kerb. As no works are proposed to the kerb I do not consider this condition is warranted.

8.19 A communal cycle store is proposed in the front garden. Seven enclosed cycle parking stands are proposed for residents and a further two stands for visitors. This meets the requirements of Appendix D of the Cambridge Local Plan and is acceptable.

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

## **8.21 Third Party Representations**

<b>Summarised issues</b>	<b>Response</b>
Overshadowing the rear garden of No. 5 Gerard Road	See paragraphs 8.10
Vehicle parking	See Paragraph 8.19



## 9.0 CONCLUSION

- 9.1 I am of the opinion that the physical extensions proposed would not harmfully impact the amenities of local residents or the appearance of the streetscene. The proposal is located in a sustainable location and has sufficient amenity space for 12 persons. The application is therefore in my view compliant with all relevant national and local policies. I therefore recommend that the application is approved subject to conditions.

## 10.0 RECOMMENDATION

**APPROVE** subject to following conditions:

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

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

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

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

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

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

4. The House of Multiple Occupation hereby permitted shall have a maximum of 12 occupants.

Reason: In the interests of the neighbours' residential amenities and to accord with policies 3/7, 5/7 and 4/13 of the Local Plan 2006.

5. Prior to the occupation of the building, a management plan for the property shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of: who will be managing the property; how neighbours can make contact to report any amenity issues; how issues will be addressed; how external spaces/functional provisions will be managed (lawns, bins, bikes etc.); and what new tenant guidance will be issued re: acceptable standards of behaviour/use of the premises including bins storage etc. The management of the property shall be carried out in accordance with the approved details.

Reason: In order to ensure the use of the property does not adversely impact the amenity of adjacent residents (Cambridge Local Plan policies 5/7 and 4/13).

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

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

**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, habitable rooms without adequate lighting or floor area etc. Further information may be found here: <https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>.

**INFORMATIVE:** Management Regulations apply to all HMOs (whether or not they are licensable) and impose certain duties on managers and occupiers of such buildings. Persons in control of or managing an HMO must be aware of and comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations stipulate the roles and responsibilities of the manager and also the occupiers of HMOs. Further information may be found here: <https://www.cambridge.gov.uk/houses-in-multiple-occupation>

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CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 7<sup>th</sup> June 2017  
WARDS: Kings Hedges

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 01/2017**

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### **1.0 INTRODUCTION**

- 1.1 A Tree Preservation Order (TPO) has been served to protect trees at Lovell Lodge Hotel, 365 Milton Road, Cambridge CB4 1SR
- 1.2 An objection to the order has been received; the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm, confirm the TPO subject to modification or not confirm the TPO.

### **2.0 RECOMMENDATION**

- 2.1 The TPO is confirmed subject to the modification detailed in the report.

### **3.0 BACKGROUND**

- 3.1 Tree Officers were notified of potential tree works being conducted via an enquiry that came through regarding the protected status of the trees on site. Following a site visit it was noted that there were three trees, two Cedar and Poplar that were worthy of consideration for TPO. T1, Cedar had suffered some storm damage in the February storms with a broken, hanging branch. It was also noted that the site was derelict following a fire with signs of renovation activity including a skip on site. It was then considered probable that a planning application to renovate the derelict hotel or redevelop the site was going to be submitted in the near future and given that the site is neither in a Conservation Area nor were the trees protected by a TPO, it was foreseeable that the trees could be removed pre-emptively before a planning application was submitted.

3.2 Subsequent to the objections a tree works application has also been received to fell trees.

#### **4.0 POWER TO MAKE A TPO**

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

##### 4.1.1 Expedience

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

##### 4.1.2 Amenity

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

##### 4.1.3 Suitability

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

#### 4.2 Suitability of this TPO

##### 4.2.1 Expedience

Tree(s) are considered under threat from pre-emptive removal prior to the renovation of the hotel following a fire which occurred at some point last year (2016) and since storm damage was suffered during the February 2017 storms.

#### 4.2.2 Amenity

All three trees provide a high degree of visual amenity being visible from the public highways of Lovell Road and Milton Road as well as from the private properties immediately adjacent to Lovell Lodge Hotel.

#### 4.2.3 Suitability

The trees are considered suitable to their surroundings, despite being fairly close to both the existing hotel and also to neighbouring properties, they have existed on site for many years unprotected without any significant issues to these properties.

### **5.0 CONSULTATIONS**

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

5.2 Following such consultation an objection has been received to the TPO from an Arboricultural Consultant working on behalf of the site owner.

### **6.0 CONSIDERATIONS**

6.1 The objection is made on the following grounds:

6.1.1 There was a delay between the time the order was issued and when the order was received. As a result of this, T1 was removed without the knowledge it was subject to a newly created TPO. As the tree was not present at the time the order was served it should be removed from the order.

6.1.2 Cedar T2 is in close proximity to the building of Lovell Lodge Hotel and neighbouring property of Garden Lodge. The tree is currently causing damage to both the Hotel's parking area and the neighbouring driveway.

6.1.3 T2 is too close to adjacent properties, the tree has a substantial future growth potential and the species is known for long heavy limbs which can break out and cause damage to cars, property and potentially people.

6.1.4 T2 would require regular heavy pruning to keep it clear of structures, causing an unbalanced and top heavy wind sail.

6.1.5 T2's current location within predominantly hard standing is likely to be detrimental to the tree's health; this is illustrated by extensive deadwood within the crown.

6.1.6 T3, a Lombardy Poplar is within close proximity to both the hotel building and neighbouring properties. Poplars are known to snap out and fail as they mature. The form of the fork area of T3 is such that the included limbs could break-out and hit structures. Given the proximity to the neighbouring buildings this is an unacceptable risk.

6.1.7 In order to prevent stem failure, it would be feasible to substantially reduce the height of the tree to reduce the risk. This however would detract from the visual amenity of the tree and the purpose of the TPO.

6.1.8 The trees are not accurately plotted and the current plan indicated that the trees are further from structures that is actually the case.

6.2 Officer's response to the objection.

6.2.1 Whilst the cedar tree (T1) was present at the time of the Officer's site visit and at the point the order was issued (1<sup>st</sup> / 2<sup>nd</sup> March 2017), given the nature of the property, it is plausible that the owner of the tree and the contractors conducting the work were not aware of its inclusion within a TPO. This is considered to be a reasonable defence therefore officers would recommend removing T1 from the order and not pursuing the matter legally.

6.2.2 It was noted that on a subsequent site visit carried out on 26<sup>th</sup> March 2017 that T2 is within close proximity to the building of the hotel and overhangs the front garden of the neighbouring Garden Lodge. The block paving driveway of the hotel has been laid very close to the trees stem and lifting of the paving was noted close to the base of the tree. Due to the amount of debris elsewhere on the driveway it was not possible to confirm or deny any further damage to the paving albeit if there was some more damage, this could have arisen from the root action of T1 which has subsequently been removed along with other trees and vegetation not included within the Order. The damage observed did not appear excessive and could be easily remedied without removing the tree.

6.2.3 It is agreed the tree is not yet fully mature and has the potential to get to a significant size and stature. Whilst it is agreed that on occasion mature Cedars have the potential to lose limbs, officers would argue



that any tree has the potential to drop branches especially in storm conditions. Regular inspections conducted by a suitably qualified and competent tree expert should highlight any foreseeable weaknesses which can be proactively dealt with before failure occurs. Officers would also argue that the tree has stood in this position for at least 40 years without the need to be removed due to health and safety concerns.

6.2.4 At the time of inspection there were no apparent conflicts arising from the tree's size and proximity to the structure and it is felt that future pruning to maintain an acceptable clearance between the tree's canopy and the adjacent properties would be appropriate and infrequent. The lifting of the lower branches as the tree grows taller could be done in stages and if conducted by a suitably qualified and experienced tree contractor following current British Standards, this would not result in a top heavy / unbalanced crown.

6.2.5 It is agreed that the growing conditions are not optimal but it appears that the tree is coping with the challenging conditions well. Extensive deadwood was not observed during the site visit. Deadwood was noted but this was likely to be as a result of natural shading out of lower / interal branches and as a result of poor previous pruning where stubs had been left. In any case, this deadwood is currently stable and could be removed without the need for a tree works application to be submitted. The TPO would not stop the tree owner from improving the ground conditions by removing / altering the amount of impermeable surfacing so long as no damage was caused to the roots of the tree.

6.2.6 Indeed T3 is close to neighbouring properties and Poplar as a species do have a reputation of being structurally unstable at times however this tree is already considered mature and there were no signs of such historic branch failure present during the site visit. It the opinion of officers that the structural formation of the cited fork is not untypical of the species and the unions are not considered to be excessively included.

6.2.7 It is agreed that substantially reducing the height would detract from the visual amenity of the tree. Reviewing the evidence provided in the objection and following the second site visit officers do not agree that substantially reducing the height of the tree would be considered necessary and would add that the tree has stood in its current position for between 80 – 100 years without protection from a TPO and the tree owners have not seen the need to remove the tree as a result of unacceptable risk and no compelling reasons why this

situation has changed since a TPO has been placed on the tree has been provided. If specific and detailed information is provided showing the contrary then remedial work can be satisfactorily considered under a tree works application.

6.2.8 Any inaccuracy in the plan is not considered to be a material objection to the TPO itself. The purpose of the plan is to identify the trees on-site and is not required to be exact or to scale, it simply needs to be accurate enough to identify which trees are included and which trees are not included within an order with no doubt or ambiguity. Officers believe the plan currently serves this purpose and have not been asked to clarify which tree is which by the tree owner, objector nor any other interested parties. The plan can be amended if committee believe it is not a sufficiently accurate representation.

### **6.3 Conclusions to above**

- 6.3.1 T1 was removed without the knowledge of its protected status therefore officers agree it is reasonable to remove it from the order.
- 6.3.2 The close proximity of T2 to neighbouring properties can be dealt with through routine maintenance work of crown lifting / reducing back from buildings as it grows to its ultimate size.
- 6.3.3 The damage currently being caused to the block paving by T2 is considered minor and can be repaired without the removal of the tree. An alternative surface choice could be considered to reduce the likelihood of future damage occurring.
- 6.3.4 The health and safety concerns over T3 have not been evidenced; the tree has stood in that position for many years without issue. If remedial works are considered necessary this can be dealt with under a tree works application with the appropriate level of evidence being supplied.
- 6.3.5 Having a TPO on these trees prevents their removal prior to a planning application being submitted ensuring they are given the appropriate consideration throughout the planning process.

## **7.0. OPTIONS**

7.1 Members may

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

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 01/2017 with the amendment of removing T1 from the Order and for clarity renumbering T2 and T3 to T1 and T2 respectively.

## **9.0 IMPLICATIONS**

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

### **BACKGROUND PAPERS:**

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

TWA 17/138/TTPO

City of Cambridge Tree Preservation Order 01/2017

Site photographs

To inspect these documents contact Robert Murison on extension 8531

The author and contact officer for queries on the report is Robert Murison on extension 8531

Date originated: 17/05/2017

Date of last revision: 17/05/2017

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View of T3, T2 and T1 (left to right) as taken from Lovell Road, outside Garden Lodge. Image taken 1<sup>st</sup> March 2017



View of Lovell Lodge Hotel as taken from the junction of Lovell Road and Milton Road Image taken 1<sup>st</sup> March 2017. Please note, the removal of T1 now increases the amenity value of T2 due to increased visibility from Milton Road.



View of the base of T2 showing the extent of damage to driveway observed during site visit - taken 26<sup>th</sup> April 2017.



View of T3 showing proximity to neighbouring property (No.2 Seeleys Court) - taken 26<sup>th</sup> April 2017.



CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 7th June 2017  
WARD: Market

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 05/2017**

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### **1.0 INTRODUCTION**

1.1 A TPO has been served to protect a tree at 16 Brunswick Gardens

1.2 As an objection to the order has been received the decision whether or not to confirm the order is brought before Committee.

1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

2.1 The tree preservation order is confirmed.

### **3.0 BACKGROUND**

3.1 A section 211 Notice was received to significantly reduce the crown of a Birch tree by reducing height by 4m and crown thinning by 20%. Officers concluded that there were no arboricultural nor overbearing practical reasons to carry out the works in the manner proposed, which would be detrimental to tree health and appearance and consequently to amenity. A TPO was therefore served.

### **4.0 POWER TO MAKE A TPO**

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

#### **4.1.1 Expedience**

If there is a risk of trees being cut down or pruned in ways that would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In

some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

#### 4.1.2 Amenity

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

#### 4.1.3 Suitability

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

### 4.2 Suitability of this TPO

#### 4.2.1 Expedience

A TPO was expedient because we received a s.211 Notice of intended tree works, works that would have a significant impact on the tree's appearance and long-term health.

#### 4.2.2 Amenity

The tree is clearly visible from Brunswick Gardens and is one of four in a communal courtyard planted as part of the landscaping scheme associated with development. The trees offer a significant contribution to the character of the area.

#### 4.2.3 Suitability

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

## **5.0 CONSULTATIONS**

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation objection has been received to the TPO from 16 Brunswick Gardens.

## **6.0 CONSIDERATIONS**

- 6.1 The objections are made on the following grounds:
  - 6.1.1 The tree is too tall and takes light from the house.
  - 6.1.2 The tree sways dangerously in the wind and a complaint has been received from number 15.
  - 6.1.3 12 years ago it was suggested that the tree could be removed and replaced in 10 years.
  - 6.1.4 The tree is not exotic or interesting and the size is not suitable to the courtyard.
  - 6.1.5 Roots are close to storm and foul drains which have needed to be cleared in the past.
- 6.2 Officer's response to the objection.
  - 6.2.1 The tree's height is typical of the species. Removing 4m from the top will bring below gutter level and will result in prolific regrow that will further block light to the property.
  - 6.2.2 Officers noted no indication of defect at the time of visit to suggest that the tree swayed beyond that typical for the species.
  - 6.2.3 It is not clear why it was suggested 12 years ago that it would be appropriate to remove and replace the in 10 years and despite any alleged suggestion of this nature officers are aware of no arboricultural nor overbearing practical reasons to justify its removal now.
  - 6.2.4 There is no evidence presented to suggest the tree is causing damage to or blocking drains. Notwithstanding this, given the proximity of the tree to service runs the works in the manner proposed would not reduce the potential for roots to damage or block drains in the future.

## **7.0. OPTIONS**

- 7.1 Members may

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

## 8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 05/2017.

## 9.0 IMPLICATIONS

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

Appendix 1 Photo

Appendix 2 Plan

### BACKGROUND PAPERS:

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

TWA 17/095/TTCA

City of Cambridge Tree Preservation Order 05/2017

Objection letter

To inspect these documents contact Joanna Davies on extension 8522

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

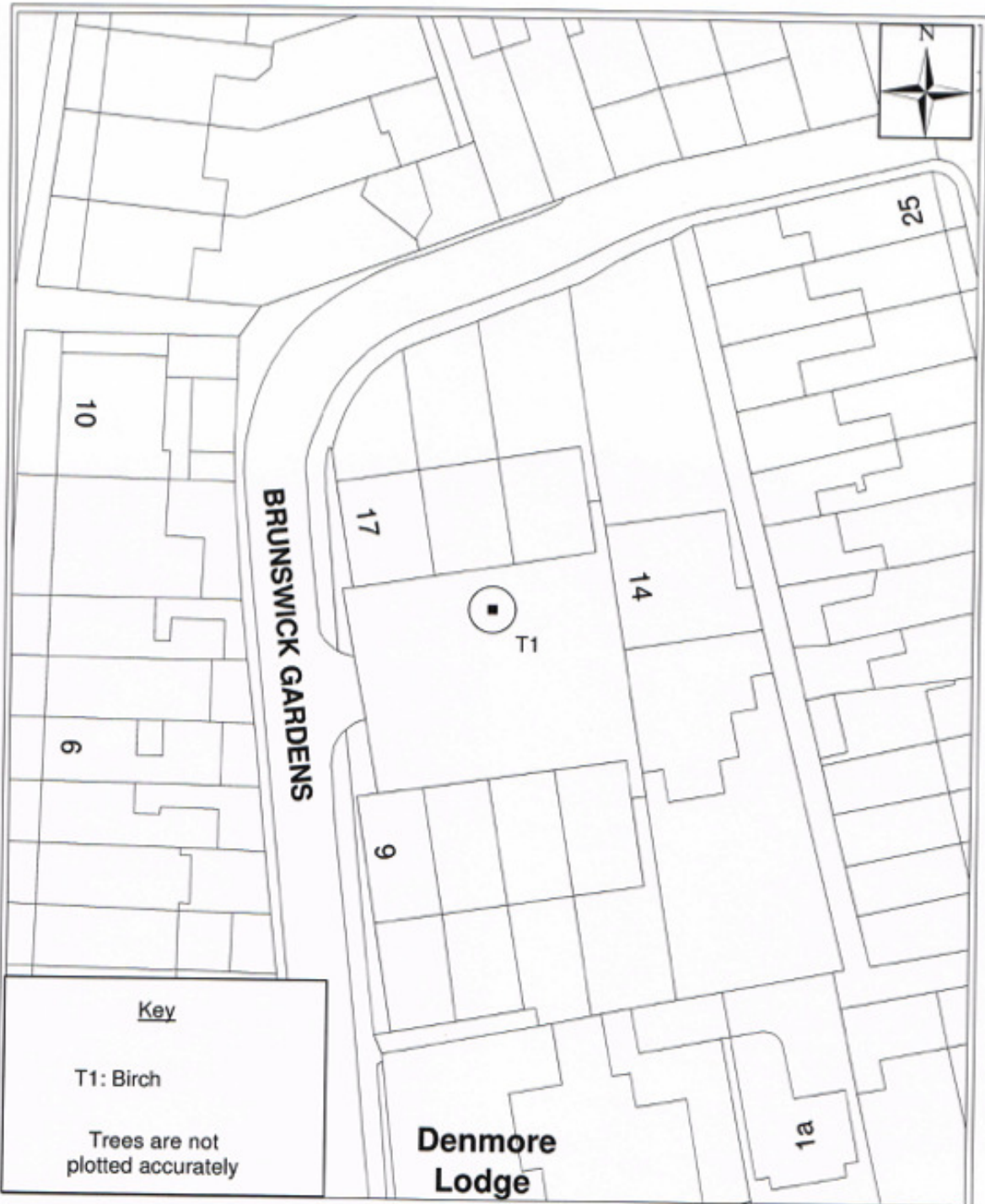
Date originated: 18.05.2017

Date of last revision: 19.05.2017

Appendix 1



## Appendix 2



**Key**

T1: Birch

Trees are not plotted accurately



City of Cambridge  
 (16 Brunswick Gardens)  
 Tree Preservation Order No.05/2017

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Date:	13 April 2017
Prepared by:	Rebecca Wilding
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:400

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CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 7<sup>th</sup> June 2017  
WARDS: Trumpington

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 03/2017**

---

### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect a tree at Hornbeam House, Shaftesbury Road.
- 1.2 As an objection to the order has been received and as a tree work application has also been received, to which we have also received an objection, the decisions whether or not to confirm the order and whether or not to permit the works detailed in the application are brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.
- 1.4 Members are also to decide whether or not to allow the tree works proposed in application 17/198/TTPO

### **2.0 RECOMMENDATIONS**

- 2.1 The tree preservation order is confirmed without amendment.
- 2.2 The works detailed in tree work application 17/198/TTPO are allowed, subject to condition.

### **3.0 BACKGROUND**

- 3.1 As the site is located in a conservation area a s.211 Notice was received informing the Council that it was proposed to fell a Lime tree in the property's back garden. Officers concluded that there was insufficient justification for the tree's removal presented in the s.211 Notice and that the tree's removal would be detrimental to amenity. A TPO was therefore served.

3.2 An objection to the TPO was received and following a site meeting to discuss, a tree work application was received to remove epicormic growth to 4.5m crown lift and semi-pollard.

#### **4.0 POWER TO MAKE A TPO**

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

##### 4.1.1 Expedience

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

##### 4.1.2 Amenity

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

##### 4.1.3 Suitability

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

#### 4.2 Suitability of this TPO

##### 4.2.1 Expedience

Receipt of s.211 Notice for tree's removal

##### 4.2.2 Amenity

The tree is located in the property's rear garden but is clearly visible from Shaftesbury Road through gaps in properties and over Hornbeam House. It is a native tree beneficial to the environmental and wildlife.

#### 4.2.3 Suitability

The tree is considered to be suitable to its surroundings, despite being close to the boundary with 3 Shaftesbury Road. The species is tolerant of pruning therefore the tree can be managed in its location to retain its amenity contribution while reducing any negative impact on its immediate surroundings.

## 5.0 CONSULTATIONS

- 5.1 Following standard consultation, the Council received a number of objections to the felling of the tree as detailed in 17/079/TTCA.
- 5.2 A TPO must be served upon anyone who has an interest in land affected by the TPO and following such consultation objection has been received to the TPO from Lesley Dickinson (Trees in Planning Ltd) on behalf of the property owner.
- 5.3 In addition to the objection to the TPO from Hornbeam House the Council received support from the neighbouring property, who has a legal interest as the tree overhangs their boundary, and from a number of other local residents.

## 6.0 CONSIDERATIONS

- 6.1 While some of the objections to the felling of the tree related to private screen and the application that permitted the construction of Hornbeam House, others mirrored officer concerns regarding the impact the felling would have on public amenity and character of the conservation area.
- 6.2 The objection to the TPO is made on the following grounds:
  - 6.2.1 The TPO was served 3 days after the s.211 Notice expired.
  - 6.2.2 The tree is structurally weak with signs of some fractures at the former pollard point and there are several cavities.
  - 6.2.3 If a limb failed along the compressed fork it would potentially hit no 3 Shaftesbury Rd and Hornbeam House, therefore removal is partly on health and safety grounds
  - 6.2.4 The tree has dead wood and signs of dieback.

6.2.5 The tree has very limited amenity value and pruning it will further reduce amenity value.

6.2.6 An increase in tree planting off-site but immediately adjacent to the Hornbeam House boundaries by neighbours.

6.2.7 In addition to the above objections the objector has requested that consideration be given to the following points;

management of other trees in the area, possibly without permission,

local opposition to Hornbeam House and opposition to the tree's removal, some of which the applicant considers to be factually incorrect,

the tree work application submitted concurrent to the objection is an interim measure and does not in any manner infer or imply that the retention of the tree is appropriate in this case.

6.2.8 In addition to the objection received to the TPO we have received and objection to the latest tree work application 17/198/TTPO, to prune the tree. It is an objection to 'any work to this tree other than, that which is strictly necessarily to maintain its long-term health and viability.'

### 6.3 Officer's response to the TPO objection.

6.3.1 The LPA may serve a TPO on any tree at any time. The 6 week time frame referred to in s211 (3)(ii) of the Town and Country Planning Act applies to the notifier and does not restrict the power given to the LPA under s.198(1) to serve a TPO.

6.3.2 There is a tight bifurcation where the stem branches and evidence of decay where branches have been previously removed. There is no indication of included bark or other weakness at the bifurcation and the applicant has not shown that any decay is sufficient to compromise the tree structurally. Works proposed following an on site meeting with the tree officer and arboricultural consultant would reduce any risk of limb failure. Should evidence be presented to support a claim that the tree is not structurally sound, the suitability of retaining the tree can be reassessed through a tree work application.

6.3.3 Insufficient evidence has been presented to support the proposed removal of the tree on health and safety grounds. Until such evidence is presented, officers believe that proposed remedial work will reduce wind loading over any alleged weakness and significantly reduce the risk of structural failure.

6.3.4 The extent of dead wood in the crown is typical for a tree of this age and species. Dead wood may be removed at any time without the need for a tree work application. Officers noted no overall crown dieback during visits.

6.3.5 The tree is clearly visible from Shaftesbury Road from a couple of angles and therefore offers a significant contribution to visual amenity. Tree work proposed in tree work application 17/198/TPO will result in a height reduction but this will not materially impact on the views to the tree between properties.

6.3.6 While increased planting off site may impact on the reasonable enjoyment of Hornbeam House in the future and may decrease the prominence of the Lime, at present officers do not consider this to be sufficient justification for the tree's removal.

6.3.7 Officers do not consider the additional comments detailed in 6.2.7 above to be a material consideration in whether or the TPO should be confirmed and whether or not the tree works proposed should be allowed.

6.3.8 While insufficient evidence has been present to support the claim that removal of the tree is reasonable to address health and safety concerns and allow the reasonable enjoyment of Hornbeam House, officers believe that considered pruning is justified to reduce the detrimental impact the tree has on light to and usability of the Hornbeam House garden and to reduce any risk of failure associated with the visually apparent defects to an acceptable level, without materially impacting on the tree's amenity value.

## **7.0. OPTIONS**

### **7.1 Members may**

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Allow the proposed tree works.
- Refuse the proposed tree works

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 03/2017 but allow the tree works proposed in tree work application 17/198/TTPO subject to conditions clarifying the extent of work allowed.

## 9.0 IMPLICATIONS

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

Appendix 1 Photo

Appendix 2 Plan

### BACKGROUND PAPERS:

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

TWA 17/079/TTCA

TWA 17/198/TTPO

City of Cambridge Tree Preservation Order 03/2017

Objection from Trees in Planning

To inspect these documents contact Joanna Davies on extension 8522

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

Date originated: 17.05.2017

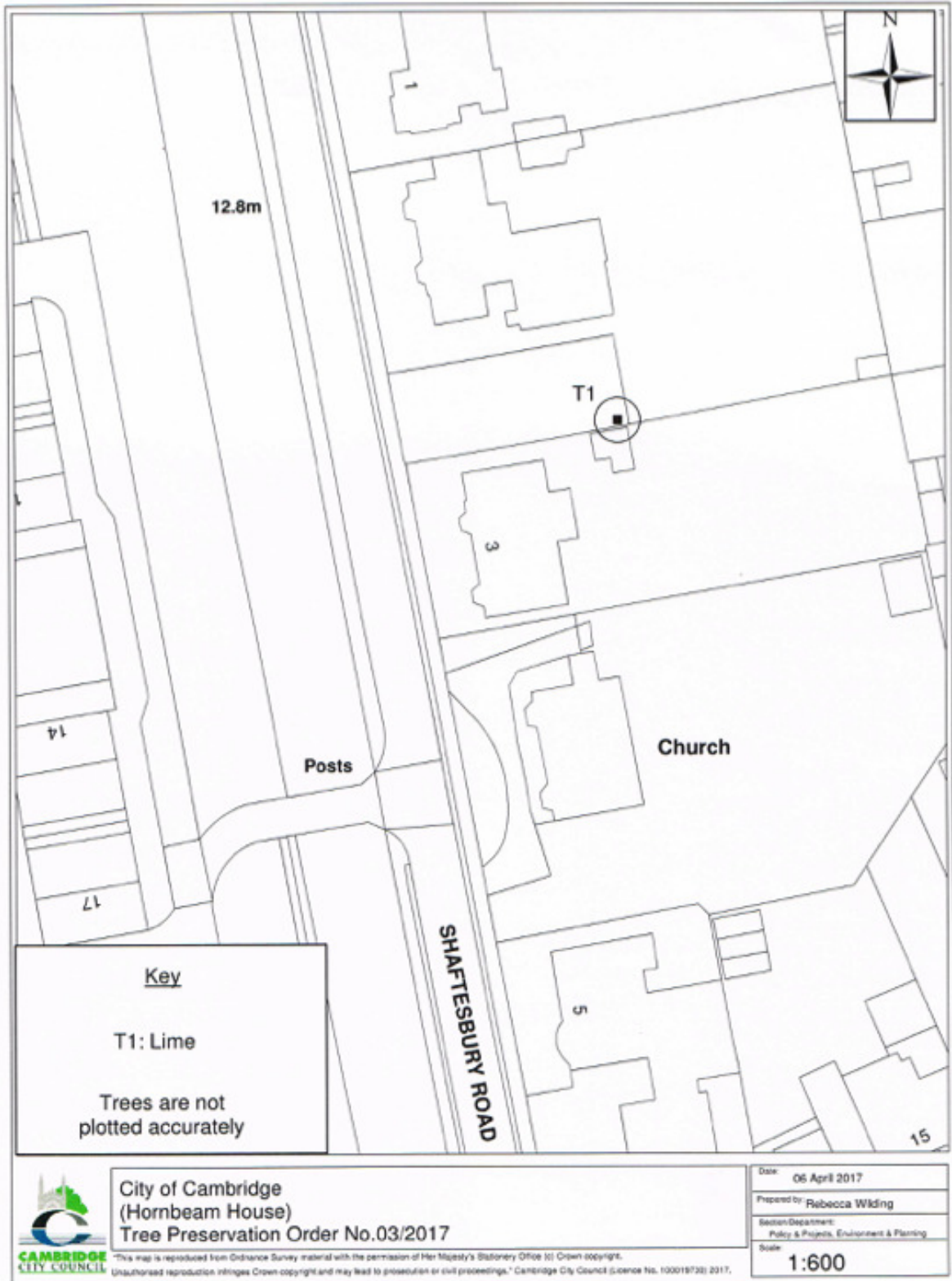
Date of last revision: 19.05.2017

Appendix 1



## Appendix 2





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