



### Planning

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

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

*Published & Despatched: Tuesday, 25 July 2017*

**Date:** Wednesday, 2 August 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  
None on this occasion

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**

To confirm the minutes of the meeting held on 5<sup>th</sup> July 2017.  
(to follow)

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

<b>Part 1: Major Planning Applications (10am)</b>
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**5 17/0172/FUL 34 - 36 MADINGLEY ROAD** *(Pages 17 - 82)*

<b>Part 2: Minor/Other Planning Applications 12.30pm</b>
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**6 17/0381/FUL 71 GREVILLE ROAD** *(Pages 83 - 104)*

**7 17/0382/FUL 11 LICHFIELD ROAD** *(Pages 105 - 118)*

**8 17/0743/S73 LAND ADJACENT TO 1 CAMPBELL STREET** *(Pages 119 - 130)*

**9 17/0478/FUL 1 VINERY WAY** *(Pages 131 - 144)*

**10 17/0155/FUL 9 MAITLAND AVENUE** *(Pages 145 - 162)*

**11 17/0606/FUL 1 SUNNYSIDE** *(Pages 163 - 184)*

**11a 17/0606/FUL 1 Sunnyside Appendix One** *(Pages 185 - 186)*

**12 17/0757/FUL 24 ST PHILIPS ROAD** *(Pages 187 - 194)*

## 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)



<b>Application Number</b>	17/0172/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th February 2017	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	15th May 2017		
<b>Ward</b>	Castle		
<b>Site</b>	34-36 Madingley Road Cambridge CB3 0EX		
<b>Proposal</b>	Erection of a residential apartment development to be arranged within two blocks comprising of ten 2 x bed units and 6 x 1 bed units along with car and cycle parking, hard and soft landscaping following the demolition of the existing buildings on the site.		
<b>Applicant</b>	Madingley Developments Ltd 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>- In my view, the proposal is acceptable in terms of its scale and appearance and would preserve the appearance and character of the conservation area and would not harm the setting of nearby listed buildings.</li> <li>- I consider it would not adversely harm residential amenities, biodiversity or highway safety.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The properties of No.34 and No.36 Madingley Road are large detached properties located on the northern side of Madingley Road. To the north-east lies the Conduit Head Bird Sanctuary which is a City Wildlife Site and is designated protected open space. To the east of the application site lies the Whitehouse No.1 Conduit Head Road, which is a grade II listed building. The north-east corner of the application site borders Salix, Conduit

Head Road which is a Grade II listed building. To the west of the application site are properties No.2, 4 and 6 Lansdowne Road which are detached properties.

- 1.2 The application site falls within the Conduit Head Road Conservation Area. There is a group Tree Preservation Order along the north-western boundary within the site of No.36 Madingley Road and there are individual Tree Preservation Order trees through the centre of the site and towards the north-western boundary. There are also group Tree Preservation Order trees within neighbouring sites to the north-east and east of the site.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes demolishing the two properties on site known as No.34 and 36 Madingley Road. It proposes the construction of two residential apartment blocks comprising of ten x two bed units and six x one bed units along with car and cycle parking and refuse provisions.
- 2.2 The blocks stand a maximum of 9.5m high and comprise of lower ground floor basements which include car parking, two apartments (one in Block A and one in Block B) and bin storage. Block A extends a maximum of 18.9m in width and 21.85m in length (including the terraced area) and Block B extends up to 24.2m in length and 17.6m in width.
- 2.3 Some of the apartments are split over two floors. Block A contains seven apartments (three x one bedroom apartments and four x two bedroom apartments). Block B has nine apartments (three x one bedroom apartments and six x two bedroom apartments).
- 2.4 Details of the proposed materials are included on the application form. The walls will be white render, concrete and dark brick and the roof will be zinc. The windows and doors are to be powder coated composite
- 2.5 The basement contains seventeen car parking spaces and there are two additional car parking spaces at ground floor level. These are accessible from Madingley Road. The entrance/exit to the basement car park will be controlled by a traffic light system.

- 2.6 Bin and bike storage is located towards the front of the site.
- 2.7 Nineteen trees are to be removed from the site which includes trees covered by Tree Preservation Orders and within a Conservation Area. Tree works are proposed to some remaining trees. Enhanced planting is also proposed. Details can be found in the latest Tree Drawing and Tree Survey revision E.
- 2.8 Amendments have been made to the current planning application. These include a revision to the access arrangement for vehicles exiting the site (as shown on drawing number SK04 Rev.A). Vehicles exiting the site will give way to pedestrians and cyclists using the path along Madingley Road. A Transport technical note was also received 28<sup>th</sup> March 2017. A revised Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan Rev.E and updated tree drawing reference 4809-D Rev.E were submitted in response to the revised access arrangement. An email from the agent dated 24<sup>th</sup> April 2017 responded to the Urban Design and Conservation team's comments. In response to the Sustainable Drainage Engineer comments a revised Drainage Strategy Rev.B and email dated 26<sup>th</sup> May 2017 from G.H. Bullard and Associates LLP were received.

### 3.0 SITE HISTORY

Relevant planning history:

Reference	Description	Outcome
16/0531/FUL	Erection of a residential apartment development to be arranged within two blocks comprising ten 2xbed units and six 1xbed units along with car and cycle parking and hard and soft landscaping following the demolition of the existing buildings on the site.	Withdrawn

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/2 3/3 3/4 3/6 3/7 3/8 3/9 3/10 3/11 3/12 3/13  4/2 4/3 4/4 4/6 4/8 4/9 4/10 4/11 4/13 4/14 4/15  5/1 5/4 5/5 5/9 /510 5/14  8/1 8/2 8/3 8/4 8/5 8/6 8/9 8/10 8/11  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)

	<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>
<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 Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p>

	<p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2003)–Western Corridor Area Transport Plan:</p> <p>Conduit Head Road Conservation Area Appraisal (2009)</p> <p>Madingley Road Suburbs and Approaches Study (March 2009)</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)**

*Comments dated 24<sup>th</sup> February 2017:*

- 6.1 The proposal may have implications for the Cambourne to Madingley Road proposals currently under consideration within City Deal. The developer is advised to contact Adrian Shepherd to discuss these proposals. This can be addressed with an informative.
- 6.2 The layout of the access gives priority for the private access over the public highway cycleway footway. The access should be redesigned to reverse this so that users of the private drive give way to users of the public highway. To this end the footway cycleway should be slewed north to provide a 5 metre reservoir for a car to stop off the main carriageway. 2.4 metre by 33 metre visibility splays must be provided to the back of the footway/cycleway for vehicles egressing the site. The kerbed access should be replaced with a vehicle crossover of the footway.
- 6.3 Includes details of conditions and informatives if Highways are satisfied with amended drawings.

*Comments received 10<sup>th</sup> May 2017:*

- 6.4 The Madingley Road cycle route is a busy cycle route.
- 6.5 Unlike Milton Road, where a similar junction to the one proposed was used, this street is of a more rural nature, without continuous cycling facilities throughout and so the Highway Authority seeks to encourage the use of the northern shared use facility as the principle cycling provision on this stretch, providing a route avoiding the complex M11 junction.

- 6.6 The design proposed by the developer is for a private access upon which the residents may well seek to impose car dominance over the cyclists already upon the public highway.
- 6.7 Cyclists seeking to exercise this right, and with the constraints on cycling provision on carriageway on that route, I consider that more higher speed cyclists would be encountered on this shared surface route than that on Milton Road, those cyclists would be at risk.

*Comments received 19<sup>th</sup> June 2017 in response to amended drawings received:*

- 6.8 Yes, drawings are acceptable.

### **Environmental Health**

- 6.9 The development proposed is acceptable subject to the imposition of the conditions/informatives outlined below:

- Conditions
  - construction hours
  - collection during construction
  - construction/demolition noise/vibration & piling
  - dust condition
  - noise insulation scheme
  - ventilation scheme
- Standard Informative:
  - dust condition informative

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

- 6.10 The development proposed is acceptable subject to the imposition of the condition outlined.
- 6.11 It is considered that there will be some impact on the designated heritage assets, but that this can be offset by the use of mitigation methods. There is some public benefit to be gained by providing additional homes in the city and therefore, subject to the applicant clarifying the visualisation methodology and maturity of proposed trees shown on the photomontages, in



addition to the applicant giving further consideration to the usability of the undercroft parking area, the application, on balance, can be supported,. It is considered that the application addresses the relevant paragraphs in the NPPF.

- 6.12 The agent responded to the Urban Design and Conservation team's comments by email on 24<sup>th</sup> April 2017 with a short addendum. It clarified the vegetation shown in the CGI's are shown as per the planting proposals with specimens planted at varying sizes with some up to 6m in height. It also detailed the computer modelling method. An updated basement drawing PL2(21)10 Rev.B includes details of how the ramp will operate and the Transport Statement received 2<sup>nd</sup> February 2017 demonstrates tracking for vehicles using the car parking spaces.

*Comments received 11<sup>th</sup> May 2017:*

- 6.13 The development is acceptable.
- 6.14 The additional information received regarding the comments made by Urban Design and Conservation on the visuals that were submitted with the proposal documents have added clarity to the application. These comments are noted and accepted.

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

- 6.15 The development proposed is acceptable subject to the imposition of the condition requested.

*Additional comments:*

- 6.16 I have some concerns, given the orientation of the main Madingley Road façade and the amount of unshaded glazing, that some of the principle living spaces could be prone to overheating in the summer months, although this is something that can be minimised. The Design and Access Statement makes reference to the larger flats benefitting from a south facing room to encourage solar gain, and while this is beneficial in winter months, in summer months this could lead to overheating. While it is noted the trees fronting Madingley Road may provide some shading, I would recommend that solar control glazing be specified. The specification and installation of the MVHR and role of thermal mass will also require careful

consideration to ensure that this does not lead to unintended internal heat gains in summer months.

6.17 Renewable energy provision - With regards to energy use and reduction in carbon emissions, the hierarchical approach to reducing carbon emissions is supported. The use of MVHR is also supported in terms of the role that it has to play in maintaining healthy indoor air quality, bearing in mind concerns raised above regarding specification and correct installation. The approach to utilising photovoltaic panels is also supported. However, I have a query regarding the approach to the Council's 10% renewable energy requirement. It would appear from the letter from Green Heat containing carbon calculations that the carbon reduction associated with both the photovoltaic panels and the MVHR has been included. MVHR is not a recognised renewable energy technology and as such its contribution to carbon reduction, while welcomed and supported, should not count towards the 10% carbon reduction calculations to meet the requirements of policy 8/16.

6.18 As the general approach to renewable energy and the use of photovoltaic panels is supported, it is considered that these issues could be addressed through the use of a planning condition.

#### **Access Officer**

6.19 Comments to previous application reference 16/0531/FUL still stand.

6.20 The landscaping of this project should not create any routes that have steps without a sloped/ramped alternative route.

6.21 The above ground floor flats being served by individual staircases does not help access that could be gained by communal lifts servicing all above ground flats.

6.22 The stepped parts of the landscaping without alternative ramped routes is unacceptable.

*Comments received 7<sup>th</sup> June 2017:*

6.23 I am not happy with the (platform) lift, I feel landscaping could make pathways with suitable gradients. A lift may stop certain

disabled people using it without assistance, it will need to be maintained, it will need vandal proof security, it will be of less use in inclement weather, it will be restrictive to visitors (who may not have key, etc.).

- 6.24 This has been responded to under paragraph 8.43 of the assessment.

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

- 6.25 No objection. Conditions requested.

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

*Comments received 13<sup>th</sup> March 2017:*

- 6.26 The development proposed is unacceptable and should be refused.
- 6.27 The landscape team feels that the proposals put protected trees and tree belts under pressure for future removal. Functionally, the site is complex and the parking is difficult to access and negotiate which may lead to problems with parking in surface level visitor spaces or elsewhere on the surface to avoid the basement. In the same vein, the cycle parking stores, pushed to the peripheries of the site and distant from the front doors may lead to convenience parking elsewhere on the site. We feel that all of this complexity and difficulty in accommodating basic elements of residential needs is a direct result of overdevelopment.
- 6.28 In response to Landscaping's comments; I have recommend the inclusion of the Arboricultural Method Statement and Tree Protection Plan conditions which I consider will help mitigate the impact on trees to be retained. Tracking diagrams have been provided to demonstrate the car parking spaces are workable. Two cycle parking stores are proposed which are located near to each of the blocks. I consider their position to be acceptable.

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

- 6.29 As Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.
- 6.30 The applicant has demonstrated that surface water can be dealt with on site by using permeable paving and a swale, proposing to reduce the discharge rate, to be more reflective of greenfield rates (2l/s).
- 6.31 We recommend the conditions requested are imposed.

**Cambridgeshire County Council (Growth and Economy)**

- 6.32 No contributions required or can be sought.

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

*Comments dated 20<sup>th</sup> June 2017:*

- 6.33 The development proposed is acceptable subject to the imposition of the condition outlined.
- 6.34 Additional information: All new or altered external surfaces within the site boundary should be of permeable construction.

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

- 6.35 The Applied Ecology report has identified low numbers (3) of pipistrelle bats roosting in the building proposed for demolition. The destruction of this roost is likely to be granted through a low impact Natural England licence if suitable mitigation is in place.
- 6.36 The site adjoins a City Wildlife Sites, known to support Great Crested Newts. The applicant's ecologist has recommended protective fencing during demolition and construction. I would support this.
- 6.37 I would also seek reassurance that the boundary to the City Wildlife Site is not subject to external lighting.

6.38 Conditions and informatives are recommended.

**Growth Projects Officer, Cambridge City Council**

6.39 The site is not applicable for affordable housing (net increase of fourteen dwellings).

**Environment Agency**

6.40 Whilst the Agency has no objection in principle to the proposed development we wish to offer recommendations and informatives.

6.41 For your information this application falls within Flood Risk Standing Advice, being within floodzone 1 and less than 1 ha in area. In line with current government guidance on Standing Advice, it will be necessary, in this instance, for your Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues. Please refer to the relevant standing advice, which can be found at: <https://www.gov.uk/flood-risk-assessment-standing-advice>

6.42 Notwithstanding the above, infiltration drainage, including soakaways, will only be acceptable where the site is uncontaminated.

**Anglian Water**

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

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

6.45 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

- 6.46 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.
- 6.47 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue(s) to be agreed.
- 6.48 Request a planning condition.

**Cambridgeshire Constabulary (Designing Out Crime Officer)**

- 6.49 I have viewed the documents in relation to community safety, crime and disorder and completed a crime and incident analysis for the area covering the last 12 months, I would consider this to be an area of low risk to crime.
- 6.50 There is no mention of crime prevention within the Design and Access statement. This office would be happy to discuss Secured by Design and measures to mitigate against crime and disorder as the application progresses.

**Cambridgeshire County Council (Archaeology)**

- 6.51 Our records indicate that the site is located in a landscape of high archaeological potential set within the hinterland of the Roman town at Cambridge. Archaeological investigations to the south east have identified evidence for extensive Roman settlement and an associated cremation cemetery (HER ECB1015). Further evidence for high status Roman settlement has also been recorded to the west in connection with the Cambridge North West development (HER MCB19118). It is likely that important archaeological remains will survive in the area and that these would be severely damaged or destroyed by the proposed development.
- 6.52 We have provided advice with regard to the previous development proposal for this site (16/0531/FUL) and we would confirm that we still consider this advice to be appropriate.

6.53 We would not object to the proposed development, but would recommend that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95.

### **Cambridge Airport**

6.54 No objection.

6.55 However, we would ask that the Airport be informed of any construction plan for the use of cranes so that they can be assessed to ensure they do not penetrate our safeguarded surfaces.

### **Disability Consultative Panel (Meeting of 28<sup>th</sup> February 2017)**

6.56 The upper storeys have now been designed to be visitable as a result of the Panel's comments made at a previous meeting. Further improvements could be made however as there are still some stepped areas in the grounds with no ramps. There should also be a WC at the entrance level of the maisonettes. The designers are recommended to explore the option of a through-floor or stairlift for the maisonettes to improve their accessibility. Sliding doors between the living room spaces and the bathrooms would also remove potential conflict.

6.57 *Conclusion:* This is a much improved scheme and although may not be suitable for disabled residents, certain adaptations could be made for those who acquire a disability.

### **Developer Contributions Monitoring Unit**

- £4,998 – Towards the provision of and/or improvement of the outdoor artificial pitches at Wilberforce Road, Cambridge CB3 0EQ
- £3,792 – Provision and/or improvement of the children's play area at Storeys Field Play Area.

- £5,082 – Provision of and/or improvement of and/or access to Informal Open Space facilities at Storeys Field.
- £16,332 – Towards the provision of and/or improvement of the facilities and/or equipment at Storey's Field Centre, Newmarket Road, Cambridge.
- No suitable projects were applicable for Indoor Sports contributions.

6.58 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:

### Objections:

- 4, 6, 8, 10 Lansdowne Road
- Daylesford, Conduit Head Road
- Orchard House, Conduit Head Road
- Salix, Conduit Head Road
- Willow House, Conduit Head Road
- 44 Conduit Head Road
- 7a Adams Road
- Cambridge Past, Present and Future

### Support:

- 2 Lansdowne Road

7.2 There have been a large variety of objections received. These are summarised in Appendix A.

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Affordable Housing



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

### **Principle of Development**

- 8.2 According to the National Planning Policy Framework 2012 housing applications should be considered in the context of the presumption in favour of sustainable development. I would argue that this application provides the opportunity to increase housing numbers on a site which is in an accessible location.
- 8.3 The proposal involves the loss of two large family houses and the creation of sixteen one and two bedroom residential apartments located within two blocks. Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses.
- 8.4 Policy 5/10 states that on housing developments of 0.5 hectares or more, or capable of accommodating 15 or more dwellings, a mix of dwelling sizes will be required. The site is under 0.5 hectares but the proposal provides sixteen units on site but this equates to a net increase of 14 units. The proposal does contain a mix of units which comprise of one and two bedroom apartments. I consider this acceptable for a site of this size and the nature of the development which proposes only apartments.
- 8.5 Policy 3/10 of the Local Plan 2006 is not directly relevant to the proposal as the proposal involves the loss of the existing properties on site and their replacement with two blocks of flats, therefore the proposal does not involve residential development within the garden area or curtilage of existing properties. However, many of the parts of the criteria of this policy are covered by other relevant policies.

- 8.6 In my opinion, the principle of the development is acceptable and in accordance with the National Planning Policy Framework 2012 and policies 5/1 and 5/10 of the Local Plan 2006.

### **Affordable Housing**

- 8.7 I agree with the Growth Projects Officer's assessment of the site and that a provision of affordable housing is not required in this instance.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008)

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

- 8.9 The Design and Access Statement explains the design evolution of the scheme since the previous application 16/0531/FUL was submitted and subsequently withdrawn. It also explains pre-application discussions have taken place. In summary, the most notable revisions include a greater separation between the two blocks, greater articulation to the principal facades, Block A has been rotated and stairwells relocated. The flank elevations of the blocks have been stepped down from three storeys to two storeys and better quality materials are proposed. Block A has a reduced footprint and Block B has been increased. External landscaping has been altered to improve disabled access. A Heritage Report has been provided.

### Response to context, scale and massing and heritage assets

- 8.10 The site falls within the Conduit Head Road Conservation Area and contains trees which are the subject of TPOs (Tree Preservation Order). The neighbouring properties to the north and east of the application site known as Whitehouse and Salix on Conduit Head Road are both Grade II listed buildings. No.34 Madingley Road is identified as a positive building in the Madingley Road Suburbs and Approaches Study.
- 8.11 At Chapter 12 of the National Planning Policy Framework (NPPF), Conserving and Enhancing the Historic Environment,

the irreplaceability of heritage assets is discussed. Under paragraph 128, applicants are required to describe the significance of any heritage assets affected including their setting, Paragraph 129 talks of the local planning authority identifying the significance of a heritage asset that may be affected by a proposal and taking that into account when considering the impact of a proposal. The desirability of new development making a positive contribution to local character and distinctiveness is discussed under paragraph 131, and 132 addresses the issue of great weight being given to the conservation of a heritage asset. Paragraph 134 is concerned with development that leads to less than substantial harm and the need for this to be weighed against the public benefits of the proposal. With regard to non-designated heritage assets the effect of an application on their significance should also be taken into consideration when determining an application.

- 8.12 The Urban Design and Conservation team raised concerns with the previous scheme (16/0531/FUL) and in particular the loss of No.34 Madingley Road. A Heritage Statement has been submitted as part of the current application that identifies that it was in the 1980s that the site was divided into two plots, and that the building has been heavily altered with its many extensions. From the evidence provided in the Heritage Statement the Urban Design and Conservation team considers that the building is considered neutral within the conservation area and they accept the loss can be agreed providing the replacement buildings preserve or enhance the character or appearance of the conservation area. I agree with this view given the information provided.
- 8.13 The Conduit Head Road Conservation Area Appraisal refers to the character of the area is of large detached properties in sizeable, mature gardens. It discusses two distinct character areas, the area along the west of Conduit Head Road and the area of Bradrushe Fields, to the east of the road. I agree with the Urban Design and Conservation teams comments that the Madingley Road properties are more in common with the west of Conduit Head Road character area where the area has more piecemeal development.
- 8.14 It is acknowledged that the proposed buildings will stand higher than nearby residential properties at three storeys high, with a basement below. The blocks step down to just over two storeys

high with a flat roof by the boundaries. Towards the boundaries the buildings stand a similar height to neighbouring residential properties. As noted by the Urban Design and Conservation team, the Landscape Visual Appraisal shows there will be no clear views of the additional massing from the vantage points shown. Along Madingley Road, the entrance to the site will provide the clearest view of the site. Block A is set back between 9m and 11m from the front site boundary along Madingley Road and angled Block B is located between 17.7m and 24m from the front boundary. The setback of Block B helps to reduce the bulk of the buildings when viewed from Madingley Road. The proposed additional planting along the boundaries helps provide screening and will soften views. I recommend the inclusion of a boundary treatment and soft landscaping condition.

- 8.15 The angled nature of Block B follows the boundary line and orientation of the neighbouring Whitehouse, whereas Block A is set back a similar distance from Madingley Road as No.2 Lansdowne Road. The staggered nature of the position of the two blocks on site helps to soften the bulk and massing of the buildings and provides a 7m separation between the two buildings. The two storey elements include green roofs which add soft landscaping to the site.
- 8.16 The two blocks are larger than the existing dwellings on site but there is space provided around the buildings which avoids them looking cramped on site. The design of the buildings seeks to draw inspiration from nearby listed buildings and the buildings have a Modern Movement style with the flat roofs and ribbon windows.
- 8.17 The Whitehouse is a grade II listed building located to the east of the application site. This building is set back 20m from the shared boundary with the application site. The shared boundary separating the two sites contains mature vegetation which acts as screening from the proposed development. I do not consider the proposal would harm the setting of this nearby listed building.
- 8.18 The rear boundary abuts the Wilderness area and garden of Salix a grade II listed property. Salix the house on this site is located 38m from the shared site boundary but the Wilderness area abuts the site boundary. There is less dense vegetation

along this boundary and there is a low mesh boundary fence separating the two sites. Block B is set back closer to this rear boundary than the current house on the site. At its closest Block B is located 19m from this boundary (17m if including the basement terrace area). The proposal includes new planting of vegetation between Block B and the Wilderness area. The property of Salix is located to the north-east of the application site and much of it will be obscured from view from the proposed blocks by vegetation on the application site and by the boundary with Whitehouse and vegetation within the Salix site. I do not consider the setting of Salix will be adversely affected by the proposal because of the combination of its position in relation to the proposed development and vegetation that will provide some screening of the site.

- 8.19 A third party requested that a third view from Urban Design is requested as they felt that the application differs very little from the last planning application on the site, but the response from Conservation and Urban Design gives an opposing response to those provided for the previous scheme. Both Urban Design and the Conservation team provided joint comments on the current planning application and they find the scheme to be acceptable. I consider that because the comments came from both the Urban Design and Conservation team further comments are not needed from the Urban Design team. I agree with the consultee comments provided. I consider the proposal will preserve the character and appearance of the conservation area and will not harm the setting of nearby listed buildings. It has also been considered that the loss of No.34 Madingley Road which is a positive building in the Madingley Road Suburbs and Approaches Study is considered now to be acceptable. Identification of a building as a positive building in the Conservation Area does raise its profile as a designated heritage asset but does not mean it cannot be demolished.
- 8.20 Third parties comments requested the properties of 34 and 36 Madingley Road be considered for listing. The Conservation team has considered the Heritage Statement and information relating to these properties and has not recommended they be put forward to be listed.

## Movement and Access

- 8.21 The site is not level and drops down from street level. The proposal provides pedestrian access to the both blocks via a ramp and stairs from the front of the site. There are steps and paths that lead to the rear garden area. The car parking is accessible via a ramp that is accessed from Madingley Road. The site is adjacent to a footpath and cycle route which encourages these uses. Two areas of cycle parking are located towards the front of the site. Surveillance from the flats will provide natural surveillance of these areas. Bin storage is located towards the front of the site and within the basement.
- 8.22 The Landscaping team has raised some concerns over distances between the flats and external areas, parking areas and bin and bike stores. I consider the distance from the flats to the external areas to be reasonable as the stairwell and lift serve each block and are located by the central core area of the site. The basement parking is reached by the stairwell and lift located within each block which I consider to be acceptable. I consider the bin and bike stores are acceptable. Table 5.4 of the Design and Access Statement demonstrates the distance to the refuse storage areas from each flat and the distances comply with the requirements of the RECAP Design Guide (SPD). The Council's Arboricultural Officer has considered the position of the bin and bike stores and considers them acceptable in terms of their proximity to trees on site.

## Open Space and Landscape

- 8.23 The two lower ground floor flats include terraces that are below ground level. The Landscaping team have highlighted potential overlooking concerns from users of the communal green space but note this can be dealt with by condition. I consider the hard and soft landscaping condition proposed will mitigate any privacy concerns for these terraced areas.
- 8.24 The Landscaping team questioned the usability of the upper floor triangular shaped terrace areas. The proposal is for one and two bedroom flats and therefore I consider the proposed amenity spaces are adequate for small households. There is also a communal garden area that provides additional amenity space for the residents.

8.25 Table 4.11.1 of the Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan highlights which trees and hedge are to be removed from site (19 trees/hedge). It also highlights the tree works proposed to some remaining trees. The site contains Tree Preservation Order trees and is within a Conservation Area. The proposal does involve the loss of some Tree Preservation Order trees. The report explains that with the exception of T044 tree removals will have little or no impact on the visual amenity or character of the area due to limited stature or low visibility due to location. T044 is a large specimen prominently located close to the frontage on Madingley Road and it notes its loss will have some impact on the publicly visible character of the site. However, it has some defects including severe bark inclusion at stem unions and is not regarded as a long term asset for the site. It also notes that the removal of this tree will provide space for the future development of T038 and T042 which are specimens of higher quality that have the potential to contribute significantly to the character of the site and the local area in the future.

8.26 Drawing number 1747 A2 02 E (Landscape Strategy) identifies new planting proposed. Additional trees are proposed near the front boundary and in particular along the north-western boundary bordering properties along Lansdowne Road to enhance existing boundary planting. Additional tree planting is also proposed to enhance the rear boundary that borders the Wilderness and Salix with the tree line enhanced. Trees are also proposed throughout the site and between the two blocks that will help soften the appearance of hardstanding and buildings on site. The landscaping scheme also includes the addition of shrubs, lawn, rough grass and ornamental planting. I consider the new planting will satisfactory mitigate the loss of trees from the site.

### Biodiversity

8.27 The Applied Ecology Report identifies the nearest statutorily designated wildlife site as Madingley Wood Site of Special Scientific Interest (SSSI) which occurs over 2km to the west.

8.28 The Applied Ecology Report identified low numbers of pipistrelle bats roosting in the building proposed for demolition. The

Council's Biodiversity Officer notes that the loss of the roost is likely to be granted through a low impact Natural England licence if suitable mitigation is in place. He also requests the inclusion of a condition, which I support.

- 8.29 The site is adjacent to a City Wildlife Site that contains Great Crested Newts. The Applied Ecology Report and Council's Biodiversity Officer recommend that protective fencing is installed during the demolition and construction and I agree with the inclusion of the condition suggested.
- 8.30 The Biodiversity Officer has asked if a condition can be included so the adjoining boundary to the City Wildlife Site shall not be externally lit unless otherwise agreed in writing by the local planning authority. I consider this appropriate and reasonable and recommend it be included.
- 8.31 I also support the inclusion of the informatives recommended.

#### Elevations and Materials

- 8.32 The proposed materials will be similar to other nearby listed building. The materials and detailing take inspiration from the listed buildings of Salix, Willow House and Whitehouse along Conduit Head Road. I consider the proposed materials and elevation treatment will compliment the surrounding properties.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/10 and 4/11.

#### **Public Art**

- 8.34 The Design and Access Statement explains that the site historically housed a public house called 'Man Loaded With Mischief' until its closure in 1921. The pub sign had the quote: "A Monkey, A Magpie and Wife; Is the true Emblem of Strife". The application proposes public art on the side elevation of Block A in the form of silver lettering that states the name of the pub that previously occupied the site and the pub sign quote underneath.
- 8.35 In my view, the proposed on site public art provision is acceptable as it recognises the past history of the site.



8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

### **Renewable energy and sustainability**

8.37 The application is supported by an Energy Improvement Statement, Sustainability Statement and Design and Access Statement. It explains the general approach given to sustainable design and construction, which incorporates thermal mass, Mechanical Ventilation with Heat Recovery (MVHR), to help maintain a healthy indoor environment, use of water efficient appliances and sanitary ware and photovoltaic panels. The Council's Senior Sustainability Officer finds the proposal acceptable. Further information is required on some aspects but she considers this can be dealt with by way of a planning condition, which I support.

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

### **Disabled access**

8.39 The Design and Access Statement confirms disabled access will be compliant with Part M of the Building Regulations. External surfaces and parking areas will be paved in a smooth hard material suitable for use by wheelchair users. All doors are to have level thresholds. WC within each apartment have been designed for use for the disabled. Light switches, electrical socket outlets and intercom door entry system are to be located at a suitable height. Consideration is to be given to the interior colour scheme to provide a contrast between elements such as skirtings and signage. A charging point for disabled buggies is to be provided in the downstairs lobby and hearing loops provided in communal areas.

8.40 The proposal includes duplex units that are located over two floors. A disabled lift has been included which serves all floors bar the top floor of each of the two residential blocks, however all of the top floor apartments are duplex so can be reached by

the lift. The lifts also link the basement parking area with the flats.

- 8.41 The Disability Panel commented on the proposal. They noted it *'is a much improved scheme and although may not be suitable for disabled residents, certain adaptations could be made for those who acquire a disability.'* They did highlight there are some stepped areas in the grounds with no ramps. The applicant has responded and proposes a platform lift for access to the rear garden. The Access Officer would prefer a ramp as he is concerned some people would be unable to use it without assistance and there are potential maintenance and weather issues. I note the Access Officer's comments however I consider the provision of a platform lift would provide acceptable disabled access to the rear garden. Visitors are likely to be able to use the lift as they would be meeting residents. I do not consider maintenance or weather conditions are reasons for not allowing a platform lift. I understand that some people may require assistance to use the lift but I consider this acceptable as residents would understand this when deciding whether they wish to reside in an apartment.
- 8.42 The Disability Panel requested WC at entrance level of the duplex apartments and consideration of stairlift or through-floor to aid access and the use of sliding doors within the apartments. I recommend an informative is included if Planning Committee are minded to approve the scheme to highlight these options to the applicant.
- 8.43 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*

*Lansdowne Road*

- 8.44 Even numbered properties No.2 to 6 Lansdowne Road border the site to the north and west. The closest property is No.2 Lansdowne Road which is located 12.4m from the boundary and its rear elevation faces towards Block A. This property is located 16m from Block A. Block A is set in a minimum of 1.9m from this shared boundary.

- 8.45 Block A stands at three storeys high but drops down to around two storeys high (6.7m high) with a flat roof by the Lansdowne Road boundary. Only the floor labelled as the second floor on the drawings has flank windows facing towards Lansdowne Road properties. This top floor is set in 5.3m from the main side elevation of Block A. Terraces are proposed at the front and rear of Block A. There is vegetation along this shared boundary including mature trees, which will be enhanced by additional proposed planting. This will provide some screening to properties along Lansdowne Road, although it is acknowledged that during the winter months it will provide less screening. Block A's rear windows and terraces will face in the direction of gardens and properties at No.4 and 6 Lansdowne Road, these properties are located at least 16.8m from the rear of Block A. I consider the combination of the distance between the windows and terraces and the vegetation along the boundary will avoid an unreasonable level of overlooking to these properties.
- 8.46 In my view, the combination of vegetation screening and Block A stepping down in height towards the boundary, avoids the proposal being overbearing or causing an unreasonable sense of enclosure to properties along Lansdowne Road.
- 8.47 The proposed blocks both have flat roofs which helps to reduce their bulk and I consider the proposal that extends to around two storeys high above ground level towards the boundary will not lead to an unreasonable loss of light to neighbours' due to its position and scale. The trees also act as natural separation between the application site and its neighbours'.

*Whitehouse, Conduit Head Road*

- 8.48 This neighbouring property to the east is located 25m from Block B. There is thick vegetation along the boundary between the site and this neighbour. The proposal steps down to around two storeys high (6.6m high) with a flat roof towards the shared boundary.
- 8.49 In my view, I do not consider the proposal would result in an unreasonable loss of light, outlook, sense of enclosure or loss of privacy to this neighbour due to the distance between Block B and the Whitehouse and the scale of the proposal towards

the boundary and vegetation present that separates the two sites.

*Salix, Conduit Head Road*

8.50 This property is located to the north-east of the application site and the property would be positioned 50m from Block B. The Wilderness part of this property's rear garden would be located 17m from the lower terrace at Block B and 19m from the main building. The property of Salix is angled to the north-east which helps reduce direct views of this property from the proposed blocks. There is a mesh fence along the rear boundary that separates the application site from the Wilderness part of this neighbour's garden. The rear elevation of Block B would directly face the Wilderness. Block A is angled to not directly face this area but would still have views towards this area. The application does propose introducing further vegetation towards the rear boundary. It is noted that Block B sits further back in the site than the house it is to replace. However, it is considered that the distance between Block B and the garden of Salix is sufficient to avoid unreasonable overlooking from the development. A solid fence could be introduced along the boundary to reduce overlooking in particular from users of the communal garden and provide additional privacy between the sites. The existing vegetation and proposed enhanced vegetation will help to reduce overlooking.

8.51 I consider the distance between Salix and the proposed blocks avoids the proposal from being overbearing, creating a sense of enclosure, harming outlook or resulting in a loss of light.

*Light and noise pollution*

8.52 The proposal will intensify the use of the site with sixteen units on site instead of the existing two large houses. It is accepted there is likely to be greater light and noise pollution caused by the proposed development than existing due to the additional units on site and the set back of the blocks on the site. However, I do not consider this will be so detrimental as to justify refusal of the planning application.

### *Overspill Car Park*

- 8.53 Seventeen basement car parking spaces are provided and two at ground level which can be used by visitors. I consider this amount of car parking provision helps avoid residents and visitors needing to park along nearby streets.

### *Construction activities*

- 8.54 I recommend the inclusion of the conditions requested by Environmental Health. These relate to construction hours, construction/demolition noise/vibration & piling, dust, noise insulation scheme and ventilation scheme. These are in the interests of residential amenities.
- 8.55 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*

- 8.56 In my view, the proposed units are all of an acceptable size for one and two bedroom units. The smallest one bedroom units have a floor area of 74.57m<sup>2</sup> and the two bedroom units each have a floor area of 106.89m<sup>2</sup>.
- 8.57 The majority of units have terraced areas with the exception of one bedroom units F15 and F16. The proposal also includes a communal rear garden area for the flats which is between 5m and 28.5m away from each of the apartments. I consider the combination of terraces for all two bedroom units and some one bedroom apartments and the communal area which is accessible for all apartments provides an acceptable provision of amenity space for all apartments.
- 8.58 Environmental Health are supportive of the proposal and I consider the proposed noise insulation and ventilation conditions will ensure an acceptable standard of living accommodation.
- 8.59 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is

compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

- 8.60 A covered bin storage area has been provided towards the front of the site close to the entrance. The refuse stores provide communal coloured wheeled containers (for green waste, dry recyclables and residual waste). Gate widths will be a minimum of 2m. The bin storage area towards the front of the site is located within 10m of the highway. Another refuse store has been provided in the basement solely for use by Block B. On bin collection day, the bins will be moved to the storage area in close proximity to the site access by a Management Company and once serviced and once serviced by refuse Officers, they will be returned to the basement. Kitchens are to be provided with integral separate waste containers to encourage recycling.
- 8.61 The apartments are located between 3.5m and 27.5m from their respective bin storage areas. The RECAP Waste Management Design Guide explains that residents should not have to take their waste and recycling more than 30 metres to a bin storage area. The proposal therefore meets the RECAP Supplementary Planning Guidance. I recommend the inclusion of a refuse condition so further information is provided about the bin storage arrangements and in particular how the bins in the basement are managed and how refuse vehicles will collect waste from the site.
- 8.62 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.63 The Highways Authority originally raised concerns with the access arrangement that gives priority for the private access over the public highway cycleway footway. The Highways Authority requested that this be redesigned so users of the driveway give way to users of the public highway. Visibility splays and vehicle crossover were also requested.
- 8.64 The site is not level and Madingley Road is higher than the application site and slopes down towards the site. Drawings reference SK04 Rev.A (Proposed access arrangements and

visibility) and an updated Site Plan were submitted which showed revisions to the access arrangements which the Highways Authority found to be acceptable. The Highways Authority does not object to the amended drawings. Drawing number PL2(90)01 Rev.D (site plan) has been received since but the details of the access arrangement remain unchanged from the previous drawing with the exception of tree works. The agent explained that it is not possible to provide priority for cycles when vehicles access the site as this would require the whole cycleway to be shifted into the application site and would result in the loss of a number of substantial trees from the Madingley Road frontage.

8.65 Although the Highways Authority finds the proposal to be acceptable, in my view, the site plan does not clearly show that the vehicles leaving the site need to give way to pedestrians and cyclists. I therefore recommend an additional condition to ensure it is made clear that the access arrangement needs to be constructed in accordance with the Proposed Access Arrangement and Visibility drawing. I also recommend the inclusion of the conditions requested by the Highways Authority.

8.66 I consider the use of a traffic light system to access the ramp to and from the basement car park to be an acceptable form of traffic management. This will ensure no cars pass on the ramp. This will be linked to an automated up/over door that will be introduced at the site. I recommend the inclusion of a condition for more detailed information on these arrangements.

8.67 Tracking analysis has been provided to demonstrate that manoeuvring into and out of the car parking spaces in the basement is workable. The car parking spaces labelled F14 are located in front of one another. I consider this is acceptable as they are allocated for the same apartment.

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

### **Car and Cycle Parking**

8.69 In total nineteen car parking spaces are provided. Each apartment will have at least one car parking space. Two of seventeen basement car parking spaces are disabled spaces. Two car parking spaces are located at ground floor level and

one of these is a disabled car parking space. I consider the provision of disabled car parking spaces and on-site car parking provision is acceptable for the proposed development.

- 8.70 The Design and Access Statement explains that 26 cycle spaces will be provided. These are to be located within communal covered and secure cycle stores located by the south and east boundaries. The stores will be fitted with Sheffield cycle stands. The cycle stores roof overhang will be a maximum of 1m and will have sedum (green) roofs.
- 8.71 The proposal provides sufficient cycle parking provision for the occupants of the apartments in accordance with the Cycle Parking Standards within the Local Plan 2006. No visitor cycle parking is proposed. The standards recommend some level of visitor cycle parking, in particular for large housing developments. I consider this could be dealt with by way of condition.
- 8.72 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Drainage and Flooding**

- 8.73 The Environment Agency has no objection in principle and provided recommendations and requested informatives. The application site falls within floodzone 1. The Environment Agency requested the Council respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues.
- 8.74 Anglia Water finds the surface water strategy/flood risk assessment to be unacceptable and recommend the applicant consult with Anglia Water and the Lead Local Flood Authority. They request a condition requiring a drainage strategy to cover the issue. I recommend the inclusion of the condition they have requested.
- 8.75 Cambridgeshire County Council's Flood and Water team (Lead Local Flood Authority) have no objection in principle. They request the inclusion of the safeguarding conditions, which I consider to be acceptable.
- 8.76 The Council's Sustainable Drainage Engineer originally found the proposal to be unacceptable as insufficient information was



submitted. Following receipt of a revised Drainage Strategy and then email dated 26<sup>th</sup> May 2017 from G.H. Bullard and Associates LLP, the Sustainable Drainage Engineer responded on the 20<sup>th</sup> June 2017 and found the scheme to be acceptable providing the inclusion of a condition requested to address the remaining outstanding issues. I consider this condition to be necessary and recommend its inclusion.

8.77 I consider the mitigation conditions recommended will satisfactory address the concerns over potential flooding of the site and neighbouring sites including the Wilderness area to the rear of the site.

8.78 Providing the safeguarding conditions are included I consider the proposal would meet the requirements of policy 8/18 and the National Planning Policy Framework 2012.

**Other issues**

8.79 I recommend the inclusion of the conditions requested by Archaeology and Cambridge Airport as requested by the consultees.

**Third parties**

Response to representations:

Character	See paragraphs 8.9 – 8.33 of the assessment.
Residential amenities	See paragraphs 8.44 – 8.59 in the assessment above.
Oversight	The Landscape Strategy drawing provides a plan view of the proposed planting. Residential amenity has been considered in paragraphs 8.44 -8.59.
Transport and Car Parking	See paragraphs 8.53 and 8.63 – 8.72. A third party questions the reliability of the transport information supplied. The Highways Authority has considered the information and finds it acceptable.

Ecology	See paragraphs 8.27 – 8.31. An objector quoted the Conduit Head Conservation Area Appraisal which refers to The Wilderness as a SSSI. However, this is incorrect and this has been confirmed by the Council’s Nature Conservation Projects Officer.
Runoff	See paragraphs 8.73 – 8.78 of the assessment.
Archaeology	I have recommended the archaeology condition requested by the Cambridgeshire County Council Archaeology team.
Trees	See paragraphs 8.25 – 8.26 of the assessment.
Other	See paragraphs 8.2 – 8.6 above.

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

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

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

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

8.81 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.

City Council Infrastructure (Open spaces and Community facilities)

- 8.82 The Developer Contribution Monitoring team has recommended that contributions be made to the following projects:

£4,998 – Towards the provision of and/or improvement of the outdoor artificial pitches at Wilberforce Road, Cambridge CB3 0EQ

£3,792 – Provision and/or improvement of the children's play area at Storeys Field Play Area.

£5,082 – Provision of and/or improvement of and/or access to Informal Open Space facilities at Storeys Field.

£16,332 – Towards the provision of and/or improvement of the facilities and/or equipment at Storey's Field Centre, Newmarket Road, Cambridge.

- 8.83 I agree with the reasoning set out in paragraph 6.57 (DCMU comments paragraph) above that contributions towards these projects meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

- 9.1 In my view the proposal is acceptable in terms of its scale and appearance and would preserve the appearance and character of the conservation area and would not harm the setting of nearby listed buildings. I consider it would not adversely harm residential amenities, biodiversity or highway safety. I therefore recommend approval of the scheme.

## **10.0 RECOMMENDATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. Prior to the commencement of development/construction, a noise assessment of external and internal noise levels and a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced externally and internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and 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: In the interests of residential amenity and to comply with policy 4/13 of the Local Plan 2006.

8. Prior to the commencement of development/construction, details of an alternate ventilation scheme to open windows for the habitable rooms on Madingley Road façade shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from Madingley road. 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: In the interest of residential amenity and to comply with policy 4/13 of the Local Plan 2006.

9. 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)

10. 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 (egg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (egg 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)

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

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

12. No development shall commence until details of visitor cycle parking are submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

13. 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



14. No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

The model condition also indicates:

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

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

Reason: Due to the location of the site and in accordance with policy 4/9 of the Local Plan 2006.

15. 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. 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 and identify where surface water is currently discharged for the existing site. The proposed surface water drainage 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;
  - b. identify the proposed attenuation feature has been designed to incorporate a 300mm freeboard for the 1 in 100 year + 40% allowance for climate change event and exceedance routes should this overtop;
  - c. provide details of mitigation to the risk of blockage to the outfall control and conveyance features between the swales, and
  - d. 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.
2. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.
3. No development hereby permitted shall be commenced until any alterations within third party land have prior approval from the owner and their acceptance submitted to the local planning authority.

Reason: In the interests of drainage and flooding and residential amenity and to comply with policy 8/18 of the Local Plan 2006 and the National Planning Policy Framework 2012.

16. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and shall be submitted and approved in writing by the Local Planning Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Reason: In order to comply with policy 8/18 of the Local Plan 2006 and the National Planning Policy Framework 2012.

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

Reason: in the interests of residential amenity and to comply with policies 4/13 and 8/18 of the Local Plan 2006 and the National Planning Policy Framework 2012.

18. 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 and to comply with policy 8/2 of the Local Plan 2006.

19. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

20. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway and to comply with policy 8/2 of the Local Plan 2006.

21. Details of how the basement car park will operate to allow vehicles to enter and exit shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

22. The visibility splays and vehicular access arrangements shall be constructed in accordance with drawing number SK04 Rev.A (Proposed access arrangement and visibility)

Reason: In the interests of highway safety and to comply with policies 8/2 of the Local Plan 2006.

23. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

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

Reason: for the safe and efficient operation of the public highway and to comply with policy 8/2 of the Local Plan 2006.

25. The access shall be provided as shown on the approved drawings and a width of access of 15 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

26. 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 and to comply with policy 8/2 of the Local Plan 2006.

27. Prior to the occupation of the development, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
- a) The total predicted energy requirements of the development, set out in Kg/CO<sub>2</sub>/annum; and
  - b) A schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme.

The proposed renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and 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).

28. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Drainage Strategy (GHB Reference: 055/2016/FRA Rev A, dated January 2017) prepared by GH Bullard & Associates LLP and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 33% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
- d) Full details of the proposed attenuation and flow control measures
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Measures taken to prevent pollution of the receiving groundwater and/or surface water;

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development and to comply with the National Planning Policy Framework 2012.

29. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework 2012.

30. Details of any cranes to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure they do not penetrate Cambridge Airport's safeguarding surfaces and to comply with policies 8/12 and 8/13 of the Local Plan 2006.

31. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding and to comply with policy 8/18 of the Local Plan 2006 and National Planning Policy Framework 2012.



32. No development shall take place (including any demolition, ground works, site clearance) until a method statement for additional surveys, method statements for demolition and proposed mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To comply with policy 4/6 of the Local Plan 2006 and the National Planning Policy Framework 2012.

33. No development, demolition or earth moving shall take place or material or machinery brought onto the site until a method statement for protective fencing and warning signs has been submitted to and approved in writing by the local planning authority. All protective fencing and warning signs must be erected on site and maintained during the construction period in accordance with the approved details.

Reason: To comply with policy 4/6 of the Local Plan 2006 and the National Planning Policy Framework 2012.

34. The adjoining boundary to the City Wildlife Site (the Wilderness) shall not be externally lit unless otherwise agreed in writing by the local planning authority.

Reason: To comply with policy 4/6 of the Local Plan 2006 and the National Planning Policy Framework 2012.

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

Reason: To comply with policies 4/4 and 4/11 of the Local Plan 2006.

36. 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 Local Planning Authority Tree Officer to discuss details of the approved AMS.

Reason: To comply with policies 4/4 and 4/11 of the Local Plan 2006.

37. 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 comply with policies 4/4 and 4/11 of the Local Plan 2006.

**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 reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

**INFORMATIVE:** The applicant has detailed within the Drainage Strategy that the "swale can be subtly incorporated within the landscaping". The Lead Local Flood Authority would require a detailed plan of this proposal as we would need to ensure that the proposed storage can be provided, amongst the proposed/existing trees.

**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:** 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:** 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:** The Highway Authority would accept dedication of any additional land within the visibility splays.

**INFORMATIVE:** Informative: 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.

**INFORMATIVE:** The developer is advised to contact Adrian Shepherd, Project manager, Public transport projects.  
Email Address - [Adrian.J.Shepherd@cambridgeshire.gov.uk](mailto:Adrian.J.Shepherd@cambridgeshire.gov.uk)  
Phone number - 01223 728110  
To discuss potential implications regarding the City Deal Schemes on Madingley Road.

**INFORMATIVE:** Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001 and Control of Pollution (Oil Storage) Regulations 2001.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

**INFORMATIVE:** The Cambridgeshire Constabulary Crime Prevention Design Team at Huntingdon would be happy to discuss Secured by Design and measures to mitigate against crime and disorder as the application progresses. They can be contacted at [cpdt@cambs.pnn.police.uk](mailto:cpdt@cambs.pnn.police.uk)

**INFORMATIVE:** Traffic Management Plan:

The principle areas of concern that should be addressed are:

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

**INFORMATIVE:** The Disability Panel explained that further improvements could be made however as there are still some stepped areas in the grounds with no ramps. There should also be a WC at the entrance level of the maisonettes. The designers are recommended to explore the option of a through-floor or stairlift for the maisonettes to improve their accessibility. Sliding doors between the living room spaces and the bathrooms would also remove potential conflict.

## APPENDIX A

### Third party representations

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

#### Objections:

- 4, 6, 8, 10 Lansdowne Road
- Daylesford, Conduit Head Road
- Orchard House, Conduit Head Road
- Salix, Conduit Head Road
- Willow House, Conduit Head Road
- 44 Conduit Head Road
- 7a Adams Road
- Cambridge Past, Present and Future

#### Support:

- Lansdowne Road

The representations can be summarised as follows:

#### Objections:

##### *Character*

- The appearance of the very large blocks is out of keeping with the area.
- The proposal would damage the amenity of the Conduit Head Road Conservation Area as it neither maintains nor enhances the appearance of the Conservation Area when viewed from the South.
- The size of the proposal is completely unsuitable for the area. That there are other flats in this conservation area, or, that there will be flats and high-rise buildings on the near North West Cambridge Development (NWCD), should not be viewed as a precedence that has been set - but as a warning not to further erode this conservation area.
- The existing flats in Conduit Head Road are set lower and further back from other properties and are well screened by mature trees. The flats are owned by St John's College and house students.
- Flats are forced into an area too small to accommodate them.
- An attempt has been made to blend the proposed development in the style of some of the existing properties - the attempt fails

due to the height and density proposed. Thereby rendering the proposed development out of character and style and size with existing properties.

- It is understood that Conservation Areas are designed to keep intact the general overall physical appearance of structures to maintain the character of that area.
- This proposal not only intends to demolish both existing domestic independent units, but proposes to replace them with taller, united, modern structures. They are considered detrimental to the character and appearance of the Conduit Head Conservation Area and seems out of scale and inappropriate. They also appear contrary to the Cambridge Local Plan 3/4.
- West Cambridge is already seeing considerable development by the Universities and it must be desirable to retain a proportion of domestic architecture to maintain a suitable balance. The Conservation principles of the area should be strong enough to refuse the proposed development.
- We encourage listing of the two properties for preservation in the future.
- The density in height, width and number of units within the Conservation Area is disproportionate for the plot, therefore not in keeping with the Conservation Area. The heritage of the Conservation Area has predominantly large domestic dwellings on proportionate plots. The only two that don't have single domestic dwellings are set geographically lower in height on their plots and behind mature evergreen screening and cannot be seen from any of the approaching roads or neighbouring properties. They are also much smaller in relation to the surface area of the plots they occupy.
- The scale and massing of the buildings in this location is badly out of context with other dwellings within the conservation area and have a poor relationship to the rest of the site.
- The proposal is at least one full storey higher than other domestic dwellings in the approximate vicinity. No.36 Madingley Road is less than 30 years old. Why demolish either house?
- Huge increase in artificial light from the development will impact neighbours' gardens within the Conservation area and the Wildlife in the Conservation Area which is currently almost exclusively pitch black from dusk until dawn.
- Moving the development back has had a negative impact on surrounding neighbours and conservation area as it forces the

- high density development much further back into the conservation area.
- The site is within the Conduit Head Conservation Area, adjacent to several listed buildings, several TPO trees and part of a wildlife area and is included in the Cambridge Suburbs and Approaches, Madingley Road document, which states: *'Madingley Road is a principal route into the City, and retains its green and open quality closer to the City Centre to a larger extent than other approaches'* Whilst the applicant does not appear to consider the significance of the road, it is clear that as one of the primary routes into the city, its setting and character are vital to the heritage and history of Cambridge.
  - If one was to separate out the two components of the scheme, then the principle of demolition is the first to review. The existing dwellings have modest architectural or historic interest, they are:
    - both substantial family homes that are perfectly viable
    - in a desirable location
    - sit comfortably in the street scene
    - echo the other dwellings along Madingley Road in scale and form
    - sit within large attractive mature gardens at the front and rear
  - The proposal is significant over-development of the site, but it also raised major concerns related to design, scale, mass, materials, transport/highways issues, impact to the conservation area and adjacent heritage assets and impact to ecology and trees.
  - The NPPF requires any proposal to be assessed as the balance between harm and public benefit. Whilst the current proposal may increase the occupancy of the site, there is a question of need of this type of housing in this particular location. Does the proposal preserve and enhance the setting and character of the conservation area? Does it sit comfortably in the setting adjacent to the heritage assets?
  - The architectural design of the proposed new buildings is alleged to respond to the several listed early 20th Century Modernist houses, but fails to replicate their quality and style in a meaningful way.
- The spatial qualities of the existing buildings include generous gardens, open skyline, space around the buildings and distance



from adjacent properties. The proposal lacks these qualities and would neither preserve nor enhance the site and its surroundings.

- Whilst the West and NW Cambridge sites are to include a dense development, the existing development on the north side of Madingley Road retains its more modest growth and is part of what adds character to the conservation area.
- From a planning point of view, trees and vegetation cannot be relied upon and are therefore not material considerations for mitigation of through views.
- The plans want to demolish no. 36 Madingley Road which, on the contrary, is an attractive house completely in keeping with its surroundings. This is a Conservation Area, with small, domestic dwellings and a large number of trees. The proposed development would cut down many of the trees, which will badly affect the attractive and tranquil character of the area.
- The two houses 34-36 Madingley Road represent well the period in which they were built and although not listed, merit preservation in the area setting.
- The Conservation Area Appraisal from 2009 is talking about the continuity of the gardens of both houses into The Wilderness as an important element in the natural character of the whole area.
- The idea that a large block of flats with car parking for the occupiers and their guests is not detrimental to the natural features and the whole character of The Conduit Head Road Conservation area is clearly false.
- To maintain Cambridge as a relatively green city is not an easy task. The City Council has the opportunity to do so here.
- I request; with support of the local residents, that a third opinion is sought from the Urban Design team for this proposal. This application differs very little from the first and has inexplicably received a totally opposing response, which reads more like personal opinion than any appraisal based on planning policy
  - o Firstly *“Conservation issues raised in the previous scheme with regard to no. 34 Madingley Road have been addressed within the Heritage Statement for this application. This shows that the site was only relatively recently, in the 1980s, divided into two plots. Until that point it was a single site. Therefore the proposal to combine the two plots has been justified as a return to the previous layout. This is supported”*
  - o The site was originally one large house and a well removed detached double garage. I know this because it was my home until 1982. It was divided into two large

individual plots and the detached garage was replaced with a single large house. Both houses still stood - as they do today - on significant sized plots. Combining the two plots does nothing to "return it to the previous layout".

- If that is the urban design departments concern, then the second house should be converted back into a garage. To build two blocks of flats 3 storeys high, taking up a significantly larger footprint and sitting much more obtrusively on a single plot is by no means returning it to the previous low built density site of the 1980's.
  - *"The depiction of no. 34 Madingley Road as being a non-designated heritage asset has also been investigated. The Heritage Statement shows that the building has been heavily altered with its many extensions, and that it is not a good example of its building type."*
- The previous conservation area officer was calling for the listing of the building – how can two officers have such conflicting views?
- *"Therefore it can be agreed that the building is neutral within the conservation area and its loss can be agreed provided that any replacement buildings preserve or enhance the character or appearance of the conservation area."*
- As previously mentioned these dominating 3 storey flats do not enhance the character or appearance of the conservation area especially not for those living around it. This second proposal similar in nature to the first, pushes the buildings much further back on the site – so whilst this camouflages their appearance somewhat from the 40mph road users - for the stationary neighbours looking up at it from their gardens, or being looked down upon in their gardens - it does not.
- Nor does any amount of additional planting take away from the fact that from October – May neighbours are significantly overlooked and would suffer huge losses of privacy. I refer back to photographic submissions by ourselves and Salix and your visit Lorna, which showed this clearly to be the case. All pictures were taken on a bright day either at ground level or 1.8m above.
- With regards to the size, the officer reports *"This increase in height will change the character and appearance of the conservation area, but the photomontages show that*

*there will be no disruptively negative, clear views of the additional massing from the vantage points shown in the visualisations.”*

- Why has the officer/s not visited the site in person? Photomontages and site plans can be extremely misleading. We discovered that on your last visit Lorna, when you saw the significance of the exposure and impact to surrounding neighbours' gardens - which is not clear from the visualisations if you don't visit the site. In fact, views toward Salix and no. 4 & 6 Lansdowne Road from the development were noticeably absent.
- In addition, *“When viewed from the air, the overall roof scape is lessened by the use of green roofs over the two storey elements of the blocks.”* How lovely that helicopter users and the passing abseiling community won't be subject to dominating views of this development.
- Furthermore, in drainage strategy appendix G the map provided shows a water channel from the pond in Salix garden leading right up to the boundary line with the proposed development and suggests this is where the SUD's would be situated and overflow into if needed. This channel does not exist. If the development causes flooding onto Salix's land and subsequent damage to this listed building - as a heritage asset - I would ask the planning department to make evident who would be responsible.
- Finally, in the much later submission of additional transport information, two examples have been provided as a comparison to this application in terms of the exit and entry points onto a main highway. Neither compare in relation to this site as they exit onto flat, level ground in a 30mph zone. Not from a steep incline crossing a pedestrian and cycle path into a 40mph zone.
- The Conduit Head Conservation Area Appraisal carried out by the Council states:
  - “Trees and vegetative cover have a major impact on the character of the area, which is reflected through the designation of many individual and group TPOs. The vegetation acts to enclose the area, screening views into the surrounding landscape it also reduces vies through to the private garden spaces and buildings, emphasising the privacy of these areas.”
  - The Conduit Head Conservation Area Appraisal found and names the Conservation Area as “The

Wilderness, a SSSI, to the rear of properties on Conduit Head Road and numbers 34 and 36 Madingley Road, forms an important integrated shared private space. Private gardens and the shared private space of the Wilderness are important to the character of the area. The large plot size compliments that of the houses.”

- “Over the last few decades, a number of the large building plots have been subdivided. This has been to the detriment of the setting of some structures, which now feel oversized and cramped within their building plot. This practice has also eroded the leafy, high quality character of the area.”

- “Subdivision of plots should be actively discouraged in order to maintain the original setting of the buildings”. And “Any development should be set back from the road within a green and leafy setting, in order to maintain the enclosed and secluded character of the area”. Also, that “the relationship between the Wilderness and the houses that back on to it should be preserved.”

- The appraisal was sought for the following purpose “This document has appraised the character of all elements of the Conservation Area. It’s content and the policies should be used to inform the future management of the area.”

### *Residential amenities*

- Adjoining properties will be considerably overshadowed: the proposed development will loom over the inhabitants of Lansdowne Road and Conduit Head Road. This will lead to a significant number of properties adjoining the proposed development, and a significant number of properties around the nature reserve, being overlooked. Any sense of privacy will vanish.
- Noise and disturbance.
- Light pollution.
- The developer chose not to show views into the development from our garden (Salix) or that of 6 Lansdowne as shown in drawing number 1747A202E (which shows view point locations into the site from other properties). This is clearly because these views would not be favourable to the planning application.
- Drawing (number 1747A202E) falsely shows that trees appear to screen 34/36 Madingley Road from our garden. As our photographs show, this is far from the truth.

- The proposed development will move from being 32 metres away from our boundary (Salix), to 17 metres away. And be substantially bigger. This will hugely impact our privacy and that of our family as we play and walk about in our garden.
- The proposed development's height will dwarf that of our house, Salix. This means that our house and other adjoining properties will be overshadowed, overlooked and suffer a significant loss of privacy and light in varying degrees. This extends to ownership of Willow House and beyond, as the first and second floors would have open views over "the nature reserve" - private gardens to our house and Willow House and houses beyond.
- "The nature reserve" as it is referred to in DPA's Design & Access statement is, in fact, our (Salix) private garden (and also the private gardens of other houses as it works its way alongside Conduit Head Road).
- Outlook.
- Overbearing sense of enclosure compared to the current massing and spacing of the in keeping properties on the site.
- Overshadowing and loss of light
- Overlooking and loss of privacy
- No.6 Lansdowne Road would go from having the first floor of one large single occupancy domestic property at No.34 (approximately 30-40 metres from the boundary) having an open view into our house and garden from October – May. To having flats of multi-occupancy having a direct view from October to May every year. Concerned with privacy and impacts on light to both our home and garden.
- The density will increase the occupancy four-fold from the existing two-storey domestic houses and create more opportunities to overlook properties in Lansdowne Road. Proposal is for four storeys high and vegetation will only obscure views partially.

### *Oversight*

- The oversight of the neighbouring properties will be substantial (and increased relative to the previous proposal. The developers do not show the prospect from this direction presumably since it would be detrimental to the acceptance of their proposal.

## *Transport and Car Parking*

- The high and increased density development (increased from c. 6 occupants to as many as 35 occupants) will funnel traffic up an incline across an important pedestrian and cycling route onto a 40 mph road, blinded by vegetational screening to block visibility of the development from the highway. It is inappropriate, as shown on the plans, to overrule the pedestrian and cycle path right of way.
- The number of car parking spaces will encourage car ownership at a time when the City desperately needs a massive reduction in the number of cars on City Roads.
- Concerned with access for bin collections and grocery delivery vans and they could potentially block the flow of traffic and ease of access to and from site by waiting on the 40mph Madingley Road.
- Access to the proposed development is not at all safe for road users and pedestrians.
- Access to the proposed flats as you enter/exit Madingley Road is unsafe. With the opening of the North West Cambridge site - and the new supermarket, the footpath/cycle path will be even busier. The family-oriented bicycles where the children sit in the front will be particularly vulnerable to the dangerous exit/entrance. And as the cars wait to get onto Madingley Road, the cycle path will be blocked.
- Any car looking to leave the drive will effectively block the cycle path and footpath. This is an unsafe volume of traffic exiting and entering for its access and location. Make the cycle path more dangerous. Highway Code 206 should not be altered. Vehicles should remain giving way to pedestrians and cyclists on the pavement.
- Nineteen parking spaces will increase movement into and out of the site by up to 5 x current movement. The trip predictions in the transport statement are most likely inaccurate given it is possible to produce trip rates to fit predetermined preferred figure using the TRICS system. Multi-modal surveys provide the most limited data especially when sample sizes are small. They have been used over only six days in a period of 9 years up to 2014. TRICS is updated on a quarterly basis I would have expected to see recent data being used. All of this considered, it could render the proposed trip rates unreliable.
- The original Design and Access Statement highlighted a severe accident directly opposite the application site which involved a car and cyclist, there has been a further accident. It is our

opinion that the development will exacerbate the likelihood of this pattern of behaviour. Compounded by the increased impact of the North-West Cambridge development which is predicted an increase of over 800 cars using Madingley Road.

- There is insufficient car turning space on site and awkward visibility splays onto the road raising concerns about traffic and highway safety.
- There are concerns about the existing ground levels, as the street is higher than from within the site- a feature of the approach into Cambridge along Madingley Road.
- There is no dedicated off site space along Madingley Road for bin Lorries to stop and service the development and due to the increased number of residents this will take longer to do.
- There are concerns about any underground parking due to the potential of flooding.
- Additional vehicles will aggravate congestion already experienced on Madingley Road.
- What concerns us most is the narrow, steep and unsafe exit from the residential apartment blocks, which runs across the joint pedestrian and cycle path alongside Madingley Road. This will endanger the users of the footpath, whose numbers will be considerably increased once the North West
- Cambridge Development is up and running. Nor should cyclists or pedestrians have to give way to cars from private dwellings.

### *Ecology*

- A recent university dissertation (including camera traps and counting) has identified the valuable biodiversity of this rare green, tree rich and watered space. Some of the species are outlined in other objections.
- The wildlife in this area is bound to be drastically disrupted - or possibly, destroyed.
- We object on the basis of the deterioration it will cause to the adjoining city wildlife site. The wider surrounding area is subject to significant development which makes the Conduit Head Road Conservation Area and the enclosed City Wildlife Site even more of an essential haven for the local wildlife. The deterioration will be threefold.
- Extra light, noise, and human activity adjacent to the boundary will reduce the safe area available for wildlife. As others have commented, the current diversity is welcome and enjoys little intervention from a low density of human habitation set well back from the ponds and woodland.

- The increased run-off from the proposed larger buildings will increase the water level in the City Wildlife Site. Recent experience has been that there are already unacceptably high water levels which have facilitated uprooting or simply drowning of a substantial number of trees. Any visit to the site leaves the impression of multiple losses, most recently added to with three more trees lost to storm Doris in February. The run off from the City Wildlife Site is through shallow channels that regularly block with twigs and leaves. In our view it does not form a viable route to increase drainage from the development site.
- The proposed increase in vehicular traffic with 16 rather than 2 units on site, seems likely to increase contamination in the run-off water from chemicals associated with those extra vehicles. The need to pump run-off up from the basement to get above the water table would suggest concentration of those chemicals could be occurring. Clearly water quality is of great significance to the wildlife, not least to the breeding colony of great crested newts.
- Light pollution will have a detrimental and adverse effect on existing wildlife corridors – specifically bat and bird populations and other wildlife (geese, ducks, kingfisher, owl colony, 2 known native woodpecker species, peacocks and great crested newts etc.) within the Conservation Area. Examples of common pipistrelle, commuting common pipistrelle and brown long eared bats have all been documented as active on site in the most recent ecology report.
- Absent from the ecology assessment are the facts from the Natural England documents, where activities that are stated to have a harmful effect on bats and their habitats are “the removal of commuting habitats like hedgerows, watercourses or woodland and changing or removing bats foraging areas and cutting down or removing branches from a mature tree”. The existing tree and shrub habitat on the proposed development site whilst may not be a place of roosting, support a bat colony and its existence.
- Planning policy also recommends that to lessen impact on biodiversity and geodiversity it should "promote preservation, restoration and re-creation of priority habitats and ecological networks." It should also aim to prohibit "the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland"
- There is no mitigation to the ecology and wildlife in the immediate area to address the harm from the development.



- *Runoff*

- The increased roof and hard surface cover will cause increased run-off into the adjoining ponds which have already suffered from flooding.
- We are strongly objecting to the proposed development discharging water into our land (Salix). This was a shocking discovery for us. We have neither been consulted nor given consent for drainage to come into our garden from the proposed flats. Matt Tandy (the responding sustainable drainage engineer) has highlighted that the proposed surface water management strategy is insufficiently designed for purpose. We currently have many soak-aways in our garden to manage waterlogging issues. Notably, our garden sits lower than the houses at 34 and 36 Madingley Road.
- Objection to the significant increase in surface water run off/drainage and its management. The basement car park with predominant clay site will force surface water run off further into the conservation area and wilderness/woodland section behind.
- Proposed surface water management strategy, shows surface water being channeled into a Swale/attenuation pond, which has been highlighted by Matt Tandy (Drainage Engineer) as being insufficiently designed for purpose. It could impact on tree roots and could overflow into private garden of Salix and Will House. The remaining trees can't cope with increased periods of high water levels which have seen recent unprecedented highs.

*Archaeology*

- The development is placed along a major arterial road dating back to the Iron Age, and it is inappropriate to disturb this resource without proper reason.

- *Trees*

- There are 5 TPO trees on the development site. Three of these trees are planned to be felled amongst a total of 18 planned for felling, with significant crowning work and removal of other hedging also proposed. What then is the purpose of a TPO?
- Concerned about root damage during building works to two TPO trees that are proposed to remain.

- *Other*
- The proposal for one and two bedroom flats does not address the main requirement for the City for an increase in the number of family homes.
- Conflicts with policy 3/10 of the Local Plan 2006.
  
- Support:
- We believe that this proposal represents an improvement on the previous proposal.
- Our property (No.2 Lansdowne Road) is the one that is impacted the most by the new development. We consider that the impact of overlooking, loss of light or amenity will be little different from that we already experience.
- This development provides much-needed high-quality accommodation that gives a fresh look to one of the key entries into the city and that complements and enhances the modernist style of the conservation area. A modest number of units of a generous size are proposed and they are of a similar massing and grain of development to the neighbouring blocks of flats (Whitehouse).
- The footprint of the proposed buildings does not take away excessively from the attractive existing gardens, and a high-quality environment will be provided for future residents. This development of the land is more appropriate to the conservation area than alternatives such as multiple single units or multi-occupancy accommodation.
- The level of car-parking within the development is appropriate for its size, and the undercroft residents' parking will be largely out of sight. Given the significant increase in traffic on Madingley Road that will come from the North-West Cambridge development, it is helpful that the transport study for this proposal shows no more than one or two extra vehicle movements in the morning and evening rush-hour.
- It is good that the proposal calls for the removal of only one of the three trees remaining with a TPO, and that this is a low-quality tree.

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.

**PLANNING COMMITTEE**

**2<sup>nd</sup> August 2017**

<b>Application Number</b>	17/0381/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th March 2017	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	10th May 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	71 Greville Road Cambridge CB1 3QJ		
<b>Proposal</b>	Two storey side and rear extension, single storey rear extension and roof extension incorporating rear dormer, and change of use of dwelling to large scale HMO (House in Multiple Occupation) for 8 no. persons, with associated bin and bike storage		
<b>Applicant</b>	Croftmead Ltd 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 proposed extensions are the same as those that have consent under the previous extant planning permission.</li> <li>- The proposed change of use would be acceptable compared to the fall-back situation for a small HMO.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 No.71 is a two-storey semi-detached property situated on the south side of Greville Road. There is a small drive to the front of the site and a long garden with an outbuilding to the rear.
- 1.2 The surrounding area is residential in character and is formed of similar sized semi-detached and terraced properties. The site is in close proximity to Mill Road, the railway station and the city centre.

1.3 The site is not within a Conservation Area and is outside the controlled parking zone. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

2.1 The proposal is for a two storey side and rear extension, single storey rear extension and roof extension incorporating rear dormer and change of use of dwelling to 8 no. person HMO (House in Multiple Occupation).

2.2 The extensions would be the same scale and design as were approved planning permission reference 16/1841/FUL subject to conditions. This consent is extant; however it has not been implemented.

- The two-storey side extension would be approximately 1.2m wide and would match the existing eaves and ridge of the original roof and change the part-hipped roof to a gable end. It would extend approximately 4.4m beyond the existing rear elevation.
- The rear extension would be part single and part two-storey. The two storey element would be approximately 4.5m wide. The single storey element would infill to the boundary with No. 69. The two storey element would have a lean-to roof, set no higher than the existing eaves line of the original roof. The single-storey element would be flat roof approximately 2.8m high.
- The extensions would be brick to match the existing.
- The proposed roof extension would project out of the rear roof plane by way of a near full-height and near full-width box type dormer. The proposed dormer would be clad in zinc.
- The area in front of the property would be paved to provide one car parking space.

2.3 During the course of the application, revised plans were submitted which included:

- laundry facilities shown within the main house;
- a bin and bike store at the rear;
- change from French doors to smaller window on the ground floor rear elevation of the proposed extension.

2.4 An HMO management plan was also submitted during the course of the application.

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/1841/FUL	Two storey side and rear extension, single storey rear extension and roof extension incorporating rear dormer	Approved subject to conditions

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

#### 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1, 3/4, 3/7, 3/11, 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
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003) Cycle Parking Guide for New Residential Developments (2010)

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

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

For the application considered in this report, 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 is considered likely 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 local planning authority should consider.

## **Environmental Health**

- 6.2 No objection. Recommended conditions and informatives:
- construction hours
  - collection during construction
  - piling
  - housing informative

## **Refuse and Recycling**

- 6.3 No comments received.

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

- 6.4 All new or altered external surfaces within the site boundary should be of permeable construction. Recommended condition for surface water drainage works.
- 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 application has been called-in to committee by Councillor Baigent on the following grounds:
- Overdevelopment of the site;
  - This is a residential area and in many ways HMOs are likely to change the area significantly;
  - Parking is already difficult and problematic and an 8-bed HMO is likely to impact on that significantly;
  - The level of public interest in the application.
- 7.2 The owners/occupiers of the following addresses have made representations objecting to the application:
- 2 Greville Road
  - 2A Greville Road
  - 7 Greville Road
  - 9 Greville Road
  - 14 Greville Road
  - 15 Greville Road

- 16 Greville Road
- 18 Greville Road
- 19 Greville Road
- 26 Greville Road
- 27 Greville Road
- 29 Greville Road
- 31 Greville Road
- 33 Greville Road
- 36 Greville Road
- 38 Greville Road
- 39 Greville Road
- 44 Greville Road
- 51 Greville Road
- 54 Greville Road
- 57 Greville Road
- 59 Greville Road
- 62 Greville Road
- 64 Greville Road (2 owners/occupiers)
- 66 Greville Road
- 67 Greville Road
- 68 Greville Road
- 73 Greville Road
- 74 Greville Road
- 75 Greville Road
- 78 Greville Road
- 80 Greville Road
- 25 Kingfisher Gardens, Cambridge

7.3 The representations can be summarised as follows:

- Overbearing and overshadowing impact on neighbouring properties;
- Permanent loss of a needed family home;
- Over-provision of HMOS, one-bed units and bedsits in Cambridge;
- Likely to be occupied by students for which there is an over-provision in Cambridge;
- Scale of development is not appropriate for the location;
- Overdevelopment of the site;
- Potential for HMO to be occupied by up to 10 no. people;
- No existing HMOs on Greville Road;
- Overconcentration of HMO use in the locality;
- Loss of community with transient occupiers including commuters;



- Increase in noise to neighbouring properties including through party wall to No. 69 and from access to the bin/bike store;
- Anti-social behaviour from future occupants;
- Limited shared amenity space and facilities, including laundry;
- Inadequate kitchen facilities;
- Internal laundry facilities are unlikely to provide adequate facilities;
- Poor quality living environment for future occupants;
- Inadequate headroom and limited natural lighting for second storey front room;
- Fire safety for the future occupants.
- No comment from the Residential Team within Environmental Health;
- Concerns about management of the HMO particularly if property is sold;
- Outbuilding providing a laundry in the rear garden would be over-development;
- Lack of parking and increased demand for on-street parking, with impact on residential amenity, bin collection, access for emergency services, cycle and pedestrian safety;
- Future residents are not unlikely to be car users;
- Increase in pollution;
- Pressure on refuse storage and collection;
- Bins put out on the street for collection would impact on pedestrians;
- The management plan is not what has been experienced by local residents at other properties owned by the applicant;
- Implementation of the management plan in the event that the property is sold;
- Negative impact on street scene. Damage to the tree and the loss of the verge, and visual impact of paving the front garden;
- Impact of construction on residential amenity;
- Impact on sewerage network and pressure on utilities shared with No. 73;
- The current application follows consent granted for extensions, and the applicant is 'playing the system', which puts local residents at a disadvantage when commenting on planning applications;
- Only the developer will benefit.

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

## **8.0 ASSESSMENT**

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

- Principle of development
- Context of site, design and external spaces
- Residential amenity
- Refuse arrangements
- Highway safety
- Car and cycle parking
- Surface water drainage
- Third party representations

### **Principle of Development**

8.2 Cambridge Local Plan (2006) policy 5/7 refers to supported housing/housing in multiple occupation and sets the relevant tests. This states that the development of properties for HMOs 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 have assessed the proposal against the three criteria of policy 5/7 in the sections that follow. At the outset, it is important to explain that my assessment must consider the applicant's fallback situation as a material consideration. The fallback situation is that the property could be used as a 6 no. person HMO (referred to in planning terms as a 'small HMO') under permitted development rights, without the need for planning permission. The proposal is for 8 no. persons (referred to as a 'large HMO'), so my assessment must take account of the impact of the 2 no. additional occupants. The number of occupants would be controlled through a condition.

8.4 Notwithstanding this, third parties have raised concern about the loss of family housing and cited an overprovision of accommodation for single occupants within the City. I accept that there is a need for family housing within the City; however there is a range of housing needs including accommodation for single occupants. The Local Plan recognises that HMOs meet an identified need for affordable housing for single occupants, stating in paragraph 5.14 of the supporting text for policy 5/7 that, 'supported housing and housing in multiple occupation add to the mix and range of housing to meet the needs of a diverse community and workforce and helps in the creation of mixed communities'.

8.5 The property could be used as a small HMO (Use Class C4) under permitted development, albeit it could revert back to a dwelling house (Use Class C3) without the need for planning permission. The proposed large HMO would be 'sui generis' (does not fall within a Use Class), so planning permission would be required to convert it back to a dwelling house. The property would remain in residential use and would be capable of conversion back to a dwelling house, subject to planning permission. For this reason, in response to concerns from third parties, in my opinion, the proposal would not result in the permanent loss of a family home. Notwithstanding this, there are no grounds within policy 5/7 or other relevant policies to resist the loss of family housing to other residential uses.

a. Impact on the residential amenity of the local area

8.6 Paragraph 5.14 of the supporting text to policy 5/7 gives the following guidance on assessing the impact of HMOs on residential amenity:

*These uses [HMOs] are residential in character but often have different servicing needs and increased levels of activity associated with them. The location of such provision requires careful consideration to ensure that the proposals respect the character and residential amenity of the local area. An overconcentration of uses, which can affect amenity and character, can have a detrimental impact on a locality.*

8.7 The area is characterised by semi-detached properties with relatively long rear gardens. There are currently no licensed

HMO on Greville Road, however the applicant owns No. 6 Greville Road which was granted permission for extensions by committee in July 2016 and intends to use this as a small HMO under permitted development. In my opinion, there would not be an overconcentration of HMO uses along the street.

- 8.8 I recognize the strong concerns of local residents, however, I must consider the applicant's fall back situation which is to use the property as a small HMO for up to 6no. peoples under permitted development. In my view, it would be very difficult to argue any substantial difference in the impact of the operation on the residential amenity of neighbouring property between a 6 bed and 8 bed HMO in this instance.
- 8.9 The impact on neighbours of HMO uses – whether a small or large HMO - largely depends on how the property is managed. The applicant has provided a HMO management plan, which sets out measures to minimise noise and disturbance. This includes single occupancy of rooms, sound-proofing the building, and management of bikes and bins. I am satisfied that the management plan is acceptable and implementation of this would result in an HMO which does not have a significant impact on neighbouring properties, compared to the fall back situation.
- 8.10 Third parties have raised concerns about the implementation of the management plan. I have recommended that this would be controlled through a condition requiring the operation of the HMO to be in accordance with the management plan. Should the Council receive complaints that the operation of the HMO is not in accordance with the management plan, then this could be investigated as a breach of planning condition, and enforcement action taken as appropriate. In the event that the property is sold, the new owners would be bound by this condition to continue to operate the HMO in accordance with the management plan, or with alternative details submitted for approval. I am satisfied this gives the Council adequate control over the management of the HMO and the means to take action should there be non-compliance.
- 8.11 The nearest residential properties are No. 69 which is the adjoining property to the east, and No. 73 to the west. The application site (no.71) has a rear garden approximately 21m long and backs on to a footpath. As a result of the extension,

the property would be approximately 1.3m from the western boundary. The proposal includes a bin and bike store within the rear garden which would be accessed via the side passageway adjacent to No. 73.

- 8.12 Third parties have raised concerns about noise and disturbance from future occupants using the rear garden. I acknowledge these concerns, however in my opinion, it would be difficult to argue that the 2 no. additional occupants would have a substantial impact compared to the fallback scenario for a small HMO. Moreover, the measures within the HMO management plan – including vetting future tenants and providing contact details for the property manager to neighbouring residents – would reduce the likelihood of unacceptable noise and disturbance compared to a small HMO that could operate without a management plan in place.
- 8.13 Third parties have raised concerns about the impact of noise and disturbance from comings and goings along the side to access the bin and bike stores on the amenity of the occupants of No. 71. The passageway would be approximately 1.3m wide between the side elevation of the extension of the boundary with No. 71. The neighbouring property has a corresponding passageway so the side elevation is set back from the boundary. There are windows on the side elevation. I acknowledge these concerns, however in my opinion, it would be difficult to argue that the 2 no. additional occupants would have a substantial impact in this regard.
- 8.14 No. 71 has a large outbuilding along the boundary close to the rear elevation of the house. Bin and bike facilities would be within stores located against the boundary corresponding to the rear of the outbuilding, which would be against part of the boundary that is approximately halfway down the garden of No. 71. The stores would be covered and in my opinion, the bin and bike arrangements would not result in an unacceptable noise and disturbance or odour impact on the amenity space of No. 71, particularly compared to facilities that could be provided under permitted development for a small HMO.
- 8.15 During the course of the application, concerns were raised about an apparent lack of laundry facilities within the main house, and the possibility that the applicant intended to provide this within a separate outbuilding. The applicant has submitted

revised floor plans which show space for such facilities within the communal living space. While the internal arrangement cannot be controlled through the planning process so that there is guarantee that these facilities will be provided, the plans do not include an external laundry building and the HMO would not benefit from permitted development rights to erect an outbuilding. The applicant would need to apply for planning permission and the impact on residential amenity for neighbours and future occupants of an outbuilding would be assessed at that stage.

- 8.16 Concerns have been raised by third parties regarding the impact of additional demand for on-street car parking on residential amenity. The proposal includes 1 no. car parking space. In terms of planning policy, this provision is in accordance with the adopted maximum car parking standards. The Highways Authority has not objected to the proposal and has advised that the Local Planning Authority should assess the potential impact on residential amenity resulting from an increase in demand for parking. In this regard, I must take into consideration that the property could be occupied by up to 6 no. persons under permitted development, so only the impact from the additional 2 no. occupants is relevant to my assessment.
- 8.17 The site is in a highly sustainable location close to the Mill Road District Centre, and to walking, cycling and public transport routes. The management plan states that bikes will be provided for each room and a bike store will be provided in order to encourage cycling, and I have recommended conditions to control this. The future occupants would be individuals. Given the sustainability of the location and the cycling provision, in my opinion, the future occupants are unlikely to be car-dependent. Moreover, the high demand already for on-street parking is only going to dissuade car-owners from moving in in the first place.
- 8.18 I recognise that Greville Road is subject to on-street parking pressure, including from those parking to use the train station. However, properties along Greville Road have private car parking spaces via a dropped kerb to the front. The proposed scheme would not alter this provision and in my opinion, any resulting demand from the additional 2 no. occupants would not have a significant impact on the residential amenity of neighbouring occupants, access for bin collection or emergency

services, or on cycle and pedestrian safety, particularly compared to the existing or fall-back situation.

b. The suitability of the building or site

- 8.19 I have considered the suitability of the building in terms of the impact on residential amenity of the occupants of neighbouring properties and the wider area above. It is also relevant to consider the suitability in terms of the amenity for the future occupants.
- 8.20 The future occupiers would have access to a large rear garden which would provide an acceptable amount and quality of amenity space. There would be views from the amenity space into the proposed ground floor bedrooms at the rear, and the bin and bike store would be in close proximity to the rear windows. During the course of the application, the ground floor window on the rear elevation was changed from French doors to a smaller window in order to protect the privacy of the future occupants.
- 8.21 Third parties have raised concerns about the amount and quality of the communal living space, shared facilities and living environment in some of the rooms. The Council has no adopted internal space standards and, in my opinion, there would be no policy justification to refuse the proposal on the basis of internal living environment. Nonetheless, 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. The HMO will also be subject to Licensing under other legislation.

c. The proximity of bus stops and pedestrian and cycle routes, shops and other local services

- 8.22 As previously stated, the site is in a highly sustainable location close to the Mill Road District Centre, and to walking, cycling and public transport routes. In my opinion, this is a suitable location in close proximity to the facilities and services that the future occupants are likely to make use of.
- 8.23 For these reasons, in my opinion the proposal meets the tests of policy 5/7 and the principle of development is acceptable. I

have given full consideration to the concerns raised by third parties and have assessed these taking account of the fall-back scenario which is a material consideration that I must give weight to.

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

- 8.24 In terms of the proposed extensions, the scale and massing is the same as the extensions that have extant consent under reference 16/1841/FUL. This is a material consideration that I must give weight to in the assessment of this application. The fall back situation is that the applicant could implement this consent subject to conditions. It would not be reasonable to recommend refusal on the grounds that the extensions would harm the character of the area. The extensions are in any event relatively modest additions to the property and would result in no visual harm to the street.
- 8.25 The area at the front of the property would be hardstanding for one car parking space. This is the same as the extant consent and thus would also be acceptable. The bin and bike store is proposed to be located at the rear of the site and would not impact on the street scene.
- 8.26 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

### **Residential Amenity**

- 8.27 I have assessed the impact of the proposed use on the residential amenity of neighbouring occupiers and the wider area, and the amenity of the future occupants in the relevant sections above.
- 8.28 The extensions are subject to an extant consent and the fallback situation is that these could be implemented, subject to conditions. The impact of the extensions on neighbouring properties, in terms of overbearing, overshadowing and overlooking, is the same and thus it would not be reasonable to recommend refusal on these grounds.
- 8.29 The impact of noise and disturbance during construction could be satisfactorily addressed through a condition to restrict construction hours. The additional conditions to control delivery



hours and for details of piling recommended by the Environmental Health Team were not applied to the extant consent and it would be unreasonable to impose them on this permission bearing in mind the proposals for the extension are unchanged.

- 8.30 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site, and provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers. I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 5/7.

### **Refuse Arrangements**

- 8.31 During the course of the application, revised plans were submitted which showed a bin store with space for 5 no. bins located at the rear of the site against the western boundary. The Refuse Team has not responded to the consultation, however in my opinion, the capacity would be acceptable. The width of the access would be 1.3m which would allow the bins to pass.
- 8.32 The HMO management plan states that bins will be taken to the kerb on collection days and brought back. It is not clear whether this would be the responsibility of the tenants or whether this would be handled by a management company. Third parties have raised concern that bins would be left on the highway for long periods if this is the tenants' responsibility. It would be in the tenants' interests for the bins to be taken back to the store following collection. This is similar to many other HMOs within the City.
- 8.33 Subject to a condition requiring the store to be provided prior to first occupation, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

### **Highway Safety**

- 8.34 Third parties have raised concern about the impact on highway safety from the demand for on-street car parking and from bins left out for collection. The Highways Authority has advised that the proposal would not have an adverse impact on highway safety and I accept their advice. The placement of bins on the

highway on collection days is a temporary situation and is common across the City. The management plan states that bins will be returned following collection, so I have no reason to believe that this would have a significant adverse impact on highway safety.

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

### **Cycle Parking**

8.36 The proposal includes a cycle store at the rear of the site with space for 8 no. cycle parking spaces. This is in accordance with the adopted standards. Details of the covered store have been provided and are acceptable. I have recommended a condition for these facilities to be provided prior to first occupation. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

### **Surface water drainage**

8.37 The Sustainable Drainage Engineer has recommended a condition for a surface water drainage scheme. As the proposed external works are the same as the extant consent, I have recommended the same condition for the hard standing to be permeable paving, which is reasonable.

### **Third Party Representations**

8.38 I have addressed the third party comments as follows:

<b>Representation</b>	<b>Response</b>
Overbearing and overshadowing impact on neighbouring properties;	The proposed extensions are the same as the extant consent, and thus the impact in this regard is the same and is acceptable.
Permanent loss of a needed family home;	Paragraphs 8.3-8.5.
Over-provision of HMOS, one-bed units and bedsits in Cambridge;	Paragraphs 8.3-8.5.
Likely to be occupied by students for which there is an	The HMO could be occupied by students or non-students.

over-provision in Cambridge;	The provision meets a demand for accommodation for single occupants, including for students.
Scale of development is not appropriate for the location;	The proposed extensions are the same as the extant consent, and thus the impact in this regard is the same and is acceptable.
Overdevelopment of the site;	The proposed extensions are the same as the extant consent, and thus the impact in this regard is the same and is acceptable.
Potential for HMO to be occupied by up to 10 no. people;	I have recommended a condition to limit the number of occupants to 8 no. persons. Occupation for up to 10 no. persons would be in breach of this condition and enforcement action could be taken as appropriate.
No existing HMOs on Greville Road;	Paragraph 8.7
Overconcentration of HMO use in the locality;	Paragraph 8.7
Loss of community with transient occupiers including commuters;	There is no evidence before me that the occupiers of HMOs are less likely to contribute to the community. The HMO management plan includes a minimum tenancy period of 6 months. There is no reason to suggest that a typical occupier such as a young professional would not be respectful to neighbours or not engage in a community-minded way.
Increase in noise to neighbouring properties including through party wall to No. 69 and from access to the bin/bike store;	This is a residential use in planning terms. The HMO management plan include a commitment to insulate the walls. This would be

	enforceable through breach of condition. Noise from access to bin/bike store has been addressed in paragraphs 8.13-8.14.
Anti-social behaviour from future occupants;	Paragraph 8.12
Limited shared amenity space and facilities, including laundry;	Paragraph 8.21
Inadequate kitchen facilities;	Paragraph 8.21
Internal laundry facilities are unlikely to provide adequate facilities;	Paragraph 8.15
Poor quality living environment for future occupants;	Paragraph 8.21
Inadequate headroom and limited natural lighting for second storey front room;	Paragraph 8.21
Fire safety for the future occupants.	This is not a relevant planning matter and would be addressed through separate HMO licensing.
No comment from the Residential Team within Environmental Health;	The HMO would be subject to licensing which is separate from the planning system.
Concerns about management of the HMO particularly if property is sold;	Paragraph 8.10
Outbuilding providing a laundry in the rear garden would be over-development;	Paragraph 8.15
Lack of parking and increased demand for on-street parking, with impact on residential amenity, bin collection, access for emergency services, cycle and pedestrian safety;	Paragraph 8.16-8.18 and 8.34
Future residents are not unlikely to be car users;	Paragraph 8.17
Increase in pollution;	The scale of development compared to the fall-aback situation for a small HMO would not have a significant

	impact in this regard.
Pressure on refuse storage and collection;	Paragraphs 8.31-8.32
Bins put out on the street for collection would impact on pedestrians;	This is a temporary arrangement on bin collection day and would be a similar situation across the City. I do not consider it would have a significant impact on safety or residential amenity.
The management plan is not what has been experienced by local residents at other properties owned by the applicant;	I have recommended a condition for the operation of the HMO to be in accordance with the management plan. Should the Council receive complaints that the operation of the HMO is <u>not</u> in accordance with the management plan, then this could be investigated as a breach of planning condition, and enforcement action taken as appropriate.
Implementation of the management plan in the event that the property is sold;	Paragraph 8.10
Impact of construction on residential amenity;	I have recommended a condition to restrict construction and demolition hours, which is consistent with the previous consent for the extension.
Impact on sewerage network and pressure on utilities shared with No. 73;	This is not a relevant planning consideration.
Negative impact on street scene. Damage to the tree and the loss of the verge, and visual impact of paving the front garden;	The potential damage during construction would be associated with the extension which has planning permission. There was no condition placed on the previous consent for tree protection or landscaping works, so it would not be

	reasonable to recommend such conditions on the current application. I have recommended the same condition as on the previous consent for the extension for the hardstanding to be constructed in permeable paving.
The current application follows consent granted for extensions, and the applicant is 'playing the system', which puts local residents at a disadvantage when commenting on planning applications;	The applicant's approach to the extensions and change of use is not relevant to the assessment of this application, which must be determined on its own merits.
Only the developer will benefit.	This is not a relevant planning consideration.

## 9.0 CONCLUSION

- 9.1 I recognise that there are a substantial number of objections to this proposal. I have addressed the third party concerns within my assessment. I must consider the applicant's fall-back situation for a 6 no. person HMO under permitted development and the extant consent for the extensions, which are material considerations.
- 9.2 In my opinion, it would be very difficult to argue any substantial difference from the impact of the operation of an 8 no. person HMO compared to a 6 no. person HMO in terms of the impact on the residential amenity of the occupants of neighbouring properties and the wider area. The impact of HMOs – whether a small or large HMO in Use Class terms - largely depends on how the property is managed. The applicant has provided an acceptable HMO management plan which would be controlled through a condition. I am satisfied this gives the Council adequate control over the management of the HMO and the means to take action should there be non-compliance.
- 9.3 In terms of a key third party concern regarding the impact of additional demand for parking, the Highways Authority has not objected on highway safety grounds. I have assessed the impact on residential amenity taking account of the fallback

situation for a small HMO under permitted development. In my opinion, the accessibility of the location by non-car modes, the nature of the accommodation for single occupant and the existing demand for on-street parking mean it is unlikely that the future occupants are not likely to be car dependent. The parking provision is in accordance with the adopted maximum car parking standards, and in my opinion, this would not be reasonable grounds to recommend refusal.

## **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 property shall be occupied by no more than 8 no. 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)

4. The property shall operate for the approved use only in accordance with the HMO management plan provided by Croftmead Ltd. submitted in the letter from Don Proctor Ltd. on behalf of the applicant dated 30 May 2017, or in accordance with alternative details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of neighbouring occupiers and future occupants (Cambridge Local Plan 2006 policy 5/7).

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. The area labelled "hardstanding to provide 1 parking space" as shown on drawing no.P02 Rev E shall be constructed in permeable surfacing only.

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

7. Prior to first occupation of the property for the use hereby permitted, the cycle parking and bin storage facilities shall be provided in accordance with the details shown on the approved plans, or in accordance with alternative details that have been submitted to and approved in writing by the Local Planning Authority, and shall be retained thereafter.

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

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



<b>Application Number</b>	17/0382/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd March 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	27th April 2017		
<b>Ward</b>	Coleridge		
<b>Site</b>	11 Lichfield Road Cambridge CB1 3SP		
<b>Proposal</b>	Change of use of garden room to additional room as part of approved HMO (8 to 9 rooms).		
<b>Applicant</b>	Croftmead Ltd C/o Agent		

<b>SUMMARY</b>	<p>The development fails to accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed additional bedroom in the detached outbuilding would provide a poor quality living environment for the future occupant.</li> <li>- The comings and goings of the occupant of the outbuilding to and from the dining and kitchen facilities in the main house would compromise the privacy of the occupant of the ground-floor bedroom of the main house.</li> <li>- The proposed use of the outbuilding as an additional bedroom would adversely disturb the amenity of existing and neighbouring occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site is 11 Lichfield Road. It is a two storey dwelling located on the north side of the road. The area is residential in character. Properties benefit from front and rear gardens but generally the front garden is used for car parking.

1.2 The site falls outside a Conservation Area. The building is not listed or a Building of Local Interest. There are no tree preservation orders on the site. The site falls outside the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks planning permission for the change of use of the property from an eight person HMO to a nine person HMO. This change would be accommodated through the provision of an additional bedroom and en-suite in an outbuilding in the rear garden.

2.2 Planning permission (15/1728/FUL) was granted at the Planning Committee meeting of 6<sup>th</sup> January 2016 for the change of use of the property to an eight person HMO, including rear extensions. The change of use and associated works has been implemented.

2.3 An outbuilding was constructed during December 2016 when the property was only occupied by two persons under the applicants permitted development rights. The outbuilding was used as a garden room which is considered to be an incidental use. The outbuilding has a footprint of approximately 15m<sup>2</sup> and is designed with a flat roof measuring 2.5m to the ridge. The proposal has been amended to show a window on the front (west) elevation to the bedroom.

2.4 This application seeks permission to use this garden room as a bedroom with en-suite. The occupant of the proposed bedroom would have access to communal garden areas, bin and bike storage, the laundry outbuilding, and the dining and kitchen facilities of the main building.

2.5 The application is accompanied by the following supporting information:

1. Covering letter
2. Drawings
3. Photos

2.6 Officer's consider that the application should be determined by Planning Committee due to the level of third party interest raised during this and the former application for this site.

### 3.0 SITE HISTORY

Reference	Description	Outcome
15/1728/FUL	Change of use of three bedroomed semi-detached dwelling to HMO (8 rooms). Part two storey part single storey rear extension (following demolition of garage) and roof extension incorporating rear dormer.	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 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
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	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 Control)**

- 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.

### **Environmental Health Team**

- 6.2 No objection, subject to housing health and safety rating system informative and annex dwellings informative.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

1 Lichfield Road	5 Lichfield Road
6 Lichfield Road	9 Lichfield Road
10 Lichfield Road	15 Lichfield Road
18 Lichfield Road	24 Lichfield Road
39 Lichfield Road	57 Lichfield Road (Chair of Lichfield Road Residents Association)
65 Lichfield Road	175 Coleridge Road

- 7.2 The representations can be summarised as follows:

- Increase in traffic in the area.
- Impact on parking on surrounding streets
- Amount of on-street parking makes it difficult for buses and emergency vehicles to access road.
- Noise and disturbance
- Loss of privacy
- The destruction of the grass verge is an eyesore
- The garden room was supposed to provide a communal space for occupants to meet socially and this would now be lost.
- There are inaccuracies in the previous officer report assessment (15/1728/FUL).
- The previous permission had a condition which restricted the occupancy to 8 persons and it is presumed that this was because 9 persons would not be acceptable.
- There is no precedent for this level of density/ type of development and the proposal would create this.

- The proposal is contrary to Cambridge Local Plan (2006) policy 5/7.
- Noise and disturbance is already experienced at anti-social hours by residents smoking and talking outside the property.
- Condition 11 (drainage) has not been discharged yet and there is the potential to exacerbate drainage issues.

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
5. Car and cycle parking
6. 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 (use)**

- 8.4 In my view, the proposed use of the garden room as an additional bedroom, thus changing the number of occupants from eight to nine persons, would have an unacceptable impact on the amenity of both neighbours and existing occupiers of the house in multiple occupation (HMO).
- 8.5 The occupier of the outbuilding would have to walk past the rear elevation of the main building when accessing the kitchen and dining facilities in the main house. This route would go directly toward and adjacent to the bedroom window of room 3 of the main building. In my opinion, given that this route will be used whenever the occupant leaves/ enters the site, as well as when accessing kitchen and dining facilities, I consider the comings and goings would harmfully deteriorate the privacy of this private bedroom window and cause undue noise and disturbance for this existing occupier. It is appreciated that the rear facing ground-floor windows lead onto the main garden area of the site at present whereby other occupants could congregate outside these windows and cause a degree of noise and overlooking. However, I consider that this relationship is different to that of the proposed sleeping accommodation in the outbuilding. This is because the use of the garden area would naturally be limited to more sociable and predictable times of the day, whereas the movements associated with the occupant of the outbuilding would be more frequent and spontaneous as the occupant may access the kitchen facilities at more sensitive hours for basic amenity reasons. The closing and opening of doors, as well as likely need for external lighting, would consistently disturb the amenity of the occupant of the existing ground-floor bedroom.
- 8.6 The internal communal facilities in the main building are unchanged from that of the previously approved permission (15/1728/FUL). The outbuilding was originally constructed as a garden room/ living area for occupants to use. This garden room/ living space did not constitute part of the approved development (15/1728/FUL) nor was it a requirement that it be available as amenity space in order to provide a satisfactory living environment. I therefore do not consider that it is reasonable to require that it is retained as shared amenity space. However this does not mean that the use of the garden room as an additional HMO room is acceptable.

- 8.7 The fact that there would only be a dining room and kitchen with a combined floor area of approximately 23m<sup>2</sup> for nine occupants, if the garden room is converted, would be likely to have an impact on the dependency on occupants using their bedrooms when not sleeping. Roughly half of this space would be used for cooking preparation and is likely to be crowded during peak meal times, which leaves only a small dining area as the only communal space for occupants to relax, socialise and eat meals. Whilst the intensive use of bedrooms in the main house would not be problematic in terms of impact on neighbours, I am concerned that the likely level of time spent in the rear outbuilding would have an adverse impact on neighbour amenity. The use of the outbuilding for long periods of the day, and, particularly at night, would have a different character to the layout of residential uses in the surrounding area. There would be the potential to create a greater level of noise and general disturbance than might normally be expected to the rear of the site, including by reason of noise from audio equipment and comings and goings to and from the main building. The rear gardens of Lichfield Road properties are tranquil in nature and in my opinion the introduction of this type of accommodation, and the associated movements related to this, would harm the amenities of Nos.9 and 15 Lichfield Road.
- 8.8 It is acknowledged that concerns have been raised regarding the loss of privacy that the side (south) facing bathroom window of the outbuilding would cause. As this window serves a bathroom and is obscure glazed, I do not consider this would compromise the privacy of this neighbour. A condition could be imposed, in the event of approval, for this to remain obscure glazed and have a fixed opening. Although I have concerns regarding the loss of privacy to the ground-floor windows of the main building from movements up and down of the garden, I do not consider this would adversely overlook the rear windows of the two direct neighbours. There are established boundaries at ground level and the views up to first-floor windows would be oblique and not direct enough in my view to compromise neighbour privacy.

### **Suitability of the building**

- 8.9 As explained in paragraph 8.5 of this report, I do not consider there is an obligation for the outbuilding to remain as a



communal living space in light of the fact that this did not form part of the original application. Nevertheless, the intensification of people living on the site and limited communal living spaces would in my view have a knock-on-effect on the amount of time occupiers spend in their bedrooms. The future occupant of the proposed additional bedroom would have to walk over 20m from the bedroom to access the facilities in the dining/ kitchen room and the majority of this route would be external, uncovered and include walking past the bin store. In my opinion, this represents an unacceptable living environment for the future occupant of this room. The future occupant would have to walk a considerable distance to access basic amenity functions which they would need to do on a regular basis. In addition, the quality of this route would be unsatisfactory as a consistent means of access due to odour from the bin store, the lack of privacy because of the views from rear facing windows of the existing property and the general exposure to the elements of the weather by virtue of its external nature.

### **Proximity to public transport, shops and services**

- 8.10 The location of the site in terms of its suitability for a HMO use was established under the previous permission (15/1728/FUL)
- 8.11 In my opinion the principle of development is unacceptable and fails to comply with Cambridge Local Plan (2006) policy 5/7.

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

- 8.12 The physical scale, massing and design of the outbuilding structure is relatively modest and does not appear out of character with the area in my opinion.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.14 The impact on neighbours from the proposed use of the outbuilding as a bedroom has been assessed in the 'Principle of Development' section of this report.

- 8.15 The building measures 2.5m high and is already in situ. I therefore have no concern with the impact of the structure on neighbours with respect to loss of light or visual enclosure.
- 8.16 It is acknowledged that the vast majority of concerns raised relate to the issue of car parking and impact that the existing use has and proposed use would have on on-street parking in the surrounding streets. The application form states that one car parking space is provided on-site. I have also received photographs from third parties showing two vehicles parked on the front drive and two vehicles parked immediately outside on the street, with the grass verge being damaged as a result. The damage to the grass verge is a civil matter between the owner of this verge, likely the County Council, and the applicant. I consider that the application should be assessed on the basis that only one car parking space is catered for on-site as this is what the application form states.
- 8.17 The site falls outside the controlled parking zone and the City Council has maximum parking standards for developments. The site is within walking distance of the Cherry Hinton Road West and East Local Centres which provide basic shops and services for occupants of the HMO. The proposal includes a covered cycle store that is capable of facilitating the nine occupants of the HMO and the site is within cycling distance of the City Centre. There are also frequent public transport links along Coleridge Road. In my opinion, the occupation of the site is not dependent on private car as the main means of transport.
- 8.18 There is evidence that the use of the HMO does result in some additional on-street car parking along Lichfield Road. However, this permission only relates to one additional occupier occupying the premises. In my opinion, I do not consider the additional bedroom would increase on-street parking along Lichfield Road to such an extent as to have an adverse impact on neighbour amenity.
- 8.19 In my opinion the proposal fails to respect the residential amenity of its neighbours and the constraints of the site and I consider that it is not compliant with Cambridge Local Plan (2006) policies 3/4, 4/13 and 5/7.

## Highway Safety

8.20 The Highway Authority has raised no objection to the proposal on the grounds of highway safety.

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

## Car and Cycle Parking

8.22 Car parking has been assessed in paragraphs 8.18 – 8.20 of this report.

8.23 Cycle parking has been assessed in paragraph 8.19 of this report.

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

## Third Party Representations

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

<u>Comment</u>	<u>Response</u>
<ul style="list-style-type: none"><li>- Increase in traffic in the area.</li><li>- Impact on parking on surrounding streets</li></ul>	This has been addressed in paragraphs 8.18 – 8.20 of this report.
Amount of on-street parking makes it difficult for buses and emergency vehicles to access road	The obstruction of the highway is a police matter and I do not consider it would be reasonable to refuse the application on this basis.
<ul style="list-style-type: none"><li>- Loss of privacy</li><li>- Noise and disturbance</li><li>- The proposal is contrary to Cambridge Local Plan (2006) policy 5/7.</li></ul>	This has been addressed in paragraphs 8.4 – 8.8 of this report.
The destruction of the grass verge is an eyesore	This has been addressed in paragraph 8.18 of this report.
The garden room was supposed to provide a communal space for	This has been addressed in paragraph 8.6 of this report.

occupants to meet socially and this would now be lost.	
There are inaccuracies in the previous officer report assessment (15/1728/FUL).	This relates to a separate application. I have assessed the current application and compiled a separate report.
The previous permission had a condition which restricted the occupancy to 8 persons and it is presumed that this was because 9 persons would not be acceptable.	This condition was imposed to allow officers to re-examine the impact as part of a new application if additional occupants were proposed to be accommodated on the site. It does not emphatically rule out any possibility of additional occupants being accommodated but requires a new application which officers can then assess. I have assessed the proposal and consider it unacceptable for the reasons stated.
There is no precedent for this level of density/ type of development and the proposal would create this.	Any future applications for sleeping accommodation within rear gardens will be assessed on their own merits.
Noise and disturbance is already experienced at anti-social hours by residents smoking and talking outside the property.	This is a matter for the statutory noise complaints team at the City Council team.
Condition 11 (drainage) has not been discharged yet and there is the potential to exacerbate drainage issues.	This is a condition which relates to the former application.

## 9.0 CONCLUSION

9.1 The proposed use of the outbuilding as a bedroom would fail to provide an acceptable living environment for the future occupant of this room. It would also adversely disturb neighbours and the existing occupier of the nearest ground-floor bedroom of the HMO. The comings and goings to and from the outbuilding would harm the privacy of the existing rear ground-floor bedroom. Refusal is recommended.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. The development compromises the privacy of the existing occupier of room 3 of the main building. The route from the proposed bedroom (room 9) to the kitchen/ dining facilities in the main building would be directly outside the rear bedroom window of room 3. The presence of people walking immediately outside this bedroom window and views from this movement, particularly late at night and early in the morning, would compromise the privacy of this bedroom to the detriment of the amenity of this existing occupier. The proposal is therefore contrary to Cambridge Local Plan (2006) policies 3/4 and 5/7.
2. The proposed use of the outbuilding as sleeping accommodation would adversely disturb both other occupiers of the HMO and occupiers of neighbouring houses. There would be limited communal facilities available for the future occupant in the main building and the future occupant would likely spend significant periods of time in the outbuilding. The use of the outbuilding for long periods of the day, and, particularly at night, would introduce a different character to the layout of residential uses in the surrounding area. There would be the potential to create a greater level of noise and general disturbance than might normally be expected within the rear garden environment, including by reason of noise from audio equipment and comings and goings to and from the main building. The rear gardens of Lichfield Road properties are tranquil in nature and the introduction of this type of accommodation, and the associated movements related to this, would harm the amenities of Nos.9 and 15 Lichfield Road, as well as the existing occupiers of the HMO. The proposal is therefore contrary to Cambridge Local Plan (2006) policies 3/4, 4/13 and 5/7.

3. The proposal fails to provide an acceptable living environment for the future occupant of the outbuilding bedroom. The future occupant of the proposed bedroom would have to walk over 20m from the bedroom to access the facilities in the dining/ kitchen room and the majority of this route would be external, uncovered and include walking past the bin store. The quality of this route would be unsatisfactory as a consistent means of access due to odour from the bin store, the lack of privacy because of the views from rear facing windows and the general outdoor exposure that would be experienced. The proposal is therefore contrary to Cambridge Local Plan (2006) policies 3/4, 4/13 and 5/7.

**PLANNING COMMITTEE**

**2<sup>nd</sup> August 2017**

<b>Application Number</b>	17/0743/S73	<b>Agenda Item</b>	
<b>Date Received</b>	4th May 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	29th June 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	Land Adjacent To 1 Campbell Street Cambridge CB1 3NE		
<b>Proposal</b>	Section 73 application to vary condition 2 of permission 15/1950/FUL to permit construction of a dormer window instead of skylight "Velux" window at front and extension of approved rear dormer.		
<b>Applicant</b>	Mr Dusan Cucakovic 4 Clare Street Cambridge CB4 3BY		

<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 front dormer would not harmfully overlook any neighbouring properties.</li> <li>- The proposed front dormer would preserve the character and appearance of the Conservation Area.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site, land adjacent to no.1 Campbell Street, is comprised of an area of land situated between no.1 and no.1A Campbell Street on the west side of the road. The development of permission 15/1950/FUL for the erection of a dwellinghouse has commenced on-site and is in the process of being constructed. The approved development (16/1780/S73) of 16 one-bedroom units opposite the site at 172 – 176 Mill Road is also under construction at the time of writing this report.

1.2 The surrounding area is predominantly residential in character and is formed of two-storey terraced and semi-detached properties designed in traditional brick and slate materials. The

residential properties have small rear gardens and are served by on-street parking on Campbell Street. To the north of the application along Mill Road there are a variety of different uses that serve the surrounding residential properties.

1.3 The site falls within the Central Cambridge Conservation Area.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks to vary the approved drawings of planning permission 15/1950/FUL to permit the construction of a dormer window instead of a skylight on the front elevation. The variation originally sought permission to extend the depth of the approved rear dormer to the dwelling but this was removed from the application following concerns raised by the Urban Design and Conservation Team.

2.2 Planning permission was originally granted for the erection of a two-storey end of terrace dwellinghouse under reference 15/1950/FUL.

2.3 The application is accompanied by the following supporting information:

1. Drawings

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
15/1950/FUL	Erection of a two bedroom end of terrace house.	Permitted.
15/0097/FUL	Erection of a 2 bedroom end of terrace house.	Permitted.
10/0450/FUL	Erection of one 2-bed dwelling.	Permitted
10/1054/EXP	Change of use of office building (B1a) to two residential dwellings, erection of 2 two storey rear extensions and alterations to fenestration.	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 4/11 4/13 5/1 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (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)
	Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u>
	Mill Road Area Conservation Area Appraisal (2011)

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

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

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

## 6.0 CONSULTATIONS

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

6.1 No objection.

### **Drainage Team**

6.2 The proposed development is identified at high risk of surface water flooding. A flood risk assessment should be undertaken in accordance with the National Planning Policy Framework and submitted to the local planning authority.

## **Urban Design and Conservation Team**

### Original Comments (01/06/2017)

- 6.3 The proposed alterations to the approved rear dormer would read as a third storey to this traditionally proportioned end of terrace and would be detrimental to the character and appearance of the Conservation Area.

### Comments on revised drawing (exclusion of rear dormer extension) (05/07/2017)

- 6.4 The proposal has reverted to the approved design for the rear of the building, with the addition of a front dormer which lines up with the windows below. The front dormer was included in the original drawings for application 17/0743/FUL and was supported by the Conservation Team.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 1 Campbell Street
- 2 Campbell Street

- 7.2 The representations can be summarised as follows:

- The proposed extension to the rear box dormer would be harmful to the Conservation Area.
- The proposed front dormer would be harmful to the Conservation Area.
- There are no other examples of front dormers along Campbell Street and this would set a precedent for other front dormers.
- The rear elevation of No.1 Campbell Street is drawn inaccurately.
- The additional mass of the rear dormer extension would block the rear attic window of No.1.

- The front dormer will likely require greater insulation and cladding than shown on the plans which would make the space inside impractical.

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

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces and impact on Conservation Area
2. Residential amenity

8.2 Matters of principle of development, parking, highway safety and refuse storage have been assessed under the original permission 15/1950/FUL and I consider this previous assessment to remain relevant to this application.

8.3 Therefore this assessment will focus solely on the design and residential amenity merits of the proposed front dormer.

### **Context of site, design and external spaces and Impact on Conservation Area**

8.4 The proposed front dormer would be highly prominent in the street scene by virtue of its position on the front elevation. There are no other examples of front facing dormers along Campbell Street on the original terraced properties. There is however three front-facing dormers present opposite the site on the recently approved development at 172 – 176 Mill Road (16/1780/S73).

8.5 The proposed front dormer has been designed to correlate with the position of the approved ground and first-floor windows on the front elevation and this symmetrical relationship is supported from a design perspective. Whilst I appreciate that there are no other examples of front facing dormers along the original terrace, I do not consider the proposed front dormer would harm the character or appearance of the area. The

proposed dormer is of a relatively simple and un-intrusive design and form that sits comfortably within the roof plane. The Urban Design and Conservation Team have raised no objection to the proposed front dormer and I am minded to agree with this advice. It has not been specified what material the dormer would be constructed in and I have therefore recommended a condition for dormer details to be provided prior to construction.

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

**Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.7 The physical mass of the proposed front dormer is a considerable distance from any neighbouring outlooks and would not cause any harmful overshadowing or visual enclosure to neighbours.
- 8.8 The views from the proposed front dormer facing towards neighbours would be no worse than that of the existing first-floor windows present along Campbell Street and I am of the opinion that neighbour privacy would be retained.

**Third Party Representations**

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

<u>Comment</u>	<u>Response</u>
<ul style="list-style-type: none"> <li>- The proposed extension to the rear box dormer would be harmful to the Conservation Area.</li> <li>- The additional mass of the rear dormer extension would block the rear attic window of No.1</li> </ul>	<p>This has been removed from the proposed development.</p>

<ul style="list-style-type: none"> <li>- The proposed front dormer would be harmful to the Conservation Area.</li> <li>- There are no other examples of front dormers along Campbell Street and this would set a precedent for other front dormers.</li> </ul>	<p>This has been addressed in the main body of this report.</p>
<p>The front dormer will likely require greater insulation and cladding than shown on the plans which would make the space inside impractical.</p>	<p>This is a building regulations matter and not a planning consideration.</p>
<p>The rear elevation of No.1 Campbell Street is drawn inaccurately</p>	<p>The applicant is only required to accurately draw the application site and the development to which it relates to.</p>

## 9.0 CONCLUSION

9.1 The proposed front dormer is considered to preserve the character and appearance of the Conservation Area. The proposed dormer would not give rise to any adverse overlooking of neighbouring properties. 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 permission ref. 15/1950/FUL.

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 dormer hereby approved shall not be constructed until details showing the materials of the dormer, including their cheeks, have been submitted to and approved in writing by the local planning authority. The dormer 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)

4. Conditions 3 to 6 of planning permission 15/1950/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to 15/1950/FUL have been discharged, the development of 17/0743/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.

5. The first floor side window identified on the side elevation on drawing number (15 1261 001C) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

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

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

7. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006).

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

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



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

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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<b>Application Number</b>	17/0478/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th March 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	19th May 2017		
<b>Ward</b>	Romsey		
<b>Site Proposal</b>	1 Vinery Way Cambridge, CB1 3DR Amendments to planning approval 16/0670/FUL granted 07/09/2016 to raise roof ridge approximately 150mm.		
<b>Applicant</b>	Mr Fabre Lamb 1 Vinery Way Cambridge CB1 3DR		

<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 increase in roof ridge by 150mm would not adversely impact on neighbour amenity.</li> <li>- The proposed works would be in keeping with the character and appearance of the area.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site, no.1 Vinery Way, is comprised of a two-storey semi-detached property situated on the west side of Vinery Way. The property is constructed in a combination of render and brick with a tiled pitched roof. There is a small garden at the front of the site and a small garden to the side. The surrounding area is residential in character and is formed primarily of two-storey semi-detached and terraced properties.

1.2 The site falls outside the Central Conservation Area.

## **2.0 THE PROPOSAL**

2.1 The proposal is near-identical to that which was approved under planning reference 16/0670/FUL. This sought permission for a

single-storey extension and first floor extensions and the replacement of the existing conservatory and sheds with a workshop and store.

- 2.2 The difference between the previously approved scheme and that which is now proposed is that the roof ridge of the first-floor extension would be raised by 150mm from approximately 6.85m to 7m in height.
- 2.3 The application has been called in for determination at Planning Committee by Councillor Baigent due to concerns regarding the additional height imposing on the neighbouring property at No. 174 Vinery Road.
- 2.4 The application is accompanied by the following supporting information:

1. Drawings

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/0670/NMA1	Non-material amendment on application 16/0670/FUL for roof ridge to be raised approximately 150mm to permit insulation and ventilation gap	Withdrawn.
16/0670/FUL	Extension to ground floor, first floor extension, replacement of existing conservatory and sheds with workshop and store. Relocation of off-street car hardstanding. Removal of bins and cycles to off-street edge.	Permitted.
05/0630/FUL C/99/0551	Erection of a conservatory. Single storey side extension to existing dwellinghouse.	Permitted. Permitted.
C/96/0219	Change of use and alterations to a mixed retail/residential property to form 2 self contained residential units (C3).	Permitted.
C/89/1164	Extension to shop (single storey front shop extension).	Refused.

#### 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	3/4 3/7 3/11 3/14 4/11 8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<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 Control)**

6.1 No objection.

#### **Environmental Health Team**

6.2 No objection subject to construction hours and piling conditions.

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

### 7.0 REPRESENTATIONS

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

- 174 Vinery Road

7.2 The representation can be summarised as follows:

- The extension as a whole should not be approved as the plot is already overdeveloped.
- Strongly objection to any further changes to this building.

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. Context of site, design and external spaces and impact on Conservation Area
2. Residential amenity
3. Highway safety
4. Third party representations

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

8.2 The proposed side extensions would be visible from the street scene of Vinery Way. The proposed first-floor rear extension would not be visible from any public viewpoints.

8.3 The proposed first-floor rear extension is a relatively modest addition to the original dwellinghouse and would not have any significant impact on the character and appearance of the area.

8.4 The proposed first-floor side extension has been designed with a hipped roof which enables it to be read as a subservient addition to the existing property. The additional depth at first-floor level would result in the front elevation appearing more prominent and elongated in the street scene. However, the use of projecting bay windows at ground floor and first-floor level at the end of the extension does give the building a contemporary and interesting feel when viewed from Vinery Way, and also helps to break up the massing. The proposed first-floor extension is set back from the road and does not, in my view, appear overly prominent or alien in the context of the area. The

proposed single-storey side extension would project an additional 6.6m beyond the first-floor element and replace the existing conservatory. I consider this element of the proposed works to be minor and would not detract from the character and appearance of the area.

- 8.5 The proposed works would not appear prominent from the end of the Conservation Area which is situated to the south-west of the application site. I do not consider the proposal would have a detrimental impact on the character and appearance of the Conservation Area.
- 8.6 In my opinion, the additional 150mm increase in roof height would not result in the proposed extension appearing out of character with the area. The proposed extension would remain below the highest point of the original roof plane of the building and would remain legible as a later addition to the original property and subservient in scale.
- 8.7 It is acknowledged that the neighbour at no.174 Vinery Road has raised concerns regarding the overdevelopment of the plot the proposed works would represent. Whilst I appreciate that a large proportion of the plot would be occupied by later additions to the original dwellinghouse as a result of the proposed extensions, I do not consider the extensions would result in the application site appearing overdeveloped. There is still a comfortable separation distance from the public highway and there appears to be sufficient garden space retained for the occupants of the dwelling. It is noted from the third party representation that a previous application (11/0960/FUL) had to be amended due to officer concern regarding overdevelopment of the site at 174 Vinery Road and impact on 176 Vinery Road. The previously approved application at 1 Vinery Way was amended to overcome officer concern regarding the extent of the first-floor side extension and the harm this would have caused on the street scene of Vinery Way. Although I accept that the level of development proposed is akin to that originally proposed under planning reference 11/0960/FUL, I do not consider this prejudices the level of development proposed. Each application has been assessed on its own merits and I am of the opinion that the proposal is acceptable in this instance.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.



## **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 The main consideration is the impact of the proposed works on no.3 Vinery Way and no.174 Vinery Road.

### No.3 Vinery Way

- 8.10 No.3 Vinery Way is comprised of a semi-detached property situated to the north-east of the application site.

- 8.11 With respect to overlooking, I am of the view that the proposed works would not compromise the privacy of this neighbour. New windows would be implemented on the north (side) elevation where there are currently no windows. However, the views from these windows would be limited to the side elevation of this neighbouring property where there are no primary habitable outlooks. There is a small secondary side window at ground-floor level on this neighbouring elevation but the main window for this room is on the rear (west) elevation. Therefore, I do not consider the introduction of first-floor windows on the north elevation would harmfully overlook this neighbour. The views from the ground-floor windows would be similar to that of the existing conservatory windows.

- 8.12 The proposed first-floor side extension would be over 12.5m from the side wall of this neighbour. The proposed ground-floor extension would be approximately 5m away from this neighbouring side wall. As there are no primary outlooks on the side elevation, I do not consider the proposed works would appear visually oppressive from this neighbouring property.

- 8.13 In terms of overshadowing, I am of the opinion that the proposal would not lead to a significant loss of light at this neighbouring property. The proposed ground-floor extension is deemed to be of a modest scale and mass and would not result in any significant overshadowing. The proposed first-floor extension would be set over 12m away from this neighbouring property and would be designed with level eaves and ridge heights and a hipped roof. In my opinion, the design of the extension would ensure that the levels of overshadowing would be similar to that of present and would not harm this neighbour's amenity.

## Impact on no.174 Vinery Road

- 8.14 No.174 Vinery Road is comprised of a semi-detached property situated to the west of the application site. The orientation of the site in relation to this neighbour is such that the shared boundary tangents at a slight angle gradually away from this neighbour's building. This neighbour has previously raised concerns regarding overshadowing and visual enclosure that the proposed development would cause.
- 8.15 The proposal would not result in a harmful loss of privacy at this neighbouring property. Additional rooflights are proposed along the west (rear) elevation facing towards this neighbouring property. However, these would serve for natural lighting purposes as opposed to key outlooks for the rooms that they serve. The rooflights would be high on the roof plane and would only provide limited outlooks towards this neighbour. I have recommended a condition which restricts the insertion of any new rooflights 1.7m above finished floor level to protect this neighbour's amenity. I have also recommended a condition to prevent the flat roof adjacent to the first-floor master bedroom from being used as an external terrace.
- 8.16 The proposed extensions would be situated to the east of this neighbour and so there would inevitably be a degree of overshadowing cast in the morning hours. A shadow study has been prepared showing the impact of the proposed works at 9AM and 10AM during April and September respectively. This demonstrates that there would be an increase in overshadowing over part of the garden as a result of the proposed extension. It has also been demonstrated that the first-floor extension would not break the 45° line of this neighbour's ground-floor kitchen window in elevational view but would narrowly break the 45° line in plan form. The proposed ground-floor extension is of a low eaves and ridge height and would not adversely overshadow this neighbour. I will assess the impact of the proposed first-floor side extension on each of the nearest rear facing windows of this neighbour.
- 8.17 Firstly, no.174 has a ground-floor kitchen/ dining room window in close proximity to the proposed first-floor extension. As described in paragraph 8.16, the proposal would break the 45° line taken from the centre of this neighbour's window in plan form but would respect the 45° line in elevation form. The

proposed extension would likely have an overshadowing impact on this neighbour in the morning hours due to its length and close proximity to this window. However, the room that this window serves also has a larger glazed patio door further to the west which would help to ensure that the levels of sunlight and daylight reaching this room remain acceptable. The development complies with the BRE guidance which states that additional daylight and sunlight assessments are not necessary in this scenario. Consequently, on balance, whilst the proposal would likely lead to a loss of light in the morning hours at the nearest affected ground-floor window, I am of the opinion that the levels of overshadowing would not be significant enough as to warrant refusal.

8.18 Secondly, there is a first-floor rear bedroom window in close proximity to the proposed first-floor extensions. The proposed first-floor extension has been designed with a hipped roof that is no higher than the existing roof form. Whilst I accept that the levels of light reaching this neighbouring window would likely be reduced by the proposed works, I consider this impact would not be significant enough as to warrant refusal.

8.19 Finally, at second-floor level, there is a rear facing bedroom window. This window is situated higher than the proposed first-floor extension and I am therefore comfortable that the levels of light reaching this room would not be significantly affected.

8.20 The BRE Site Layout Planning for Daylight and Sunlight (2011) guidance document states that it is recommended that at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. The shadow study demonstrates that the levels of light reaching the garden would be reduced and indicates that the southern half of the garden would likely be overshadowed by the proposed extension. The latter half of this neighbour's garden would receive similar levels of sunlight to that of present. The levels of light reaching the whole of the garden in the afternoon hours would not be affected by this development. In my opinion, I consider that half of the garden would still receive sunlight for more than 2 hours and that the impact on the garden is acceptable.

8.21 The proposed works would not in my opinion visually dominate this neighbour's outlooks. The proposed single-storey extension is deemed to be relatively modest in terms of scale and

massing and this would not harmfully visually enclose neighbouring windows or the rear garden.

- 8.22 The proposed first-floor extension, at 4.7m in depth, would be noticeable from the garden and rear facing ground-floor and first-floor windows of this neighbour. However, I do not consider this relationship would be visually oppressive. The proposed first-floor extension has been set 2.5m away from this neighbour's side boundary and would be designed with a hipped roof to reduce the bulk of the extension. The proposed extension would likely be visible from this neighbour's first-floor rear bedroom window. Nevertheless, the slight tangent in terms of the site orientation means that this extension would appear in more of a peripheral view rather than being directly in front of this neighbouring window. The separation distance between this window and the proposed extension is considered to be sufficient to ensure that it would not be visually enclosed.
- 8.23 As previously discussed, the 45° line from the nearest ground-floor window would be narrowly clipped by the proposed extension in plan form. However, this room is served by another outlook which would not be significantly affected by the proposed development. Furthermore, the separation distance between the first-floor element and this window is considered to be reasonable and the proposal only marginally protrudes into this neighbour's 45° line. In my opinion, the proposed extension would not visually enclose the ground-floor outlooks of this neighbouring property.
- 8.24 When standing in the garden of No.174, the proposed first-floor extension would be visible when looking out to the east. On the other hand, the views out to the north-east, north, north-west and west would be similar to the existing situation. In addition to this, the setting of the first-floor element away from the site boundary would help to alleviate the visual presence of the works. Overall, although the proposed extensions would be visible from this neighbour's rear outlooks and garden, I do not consider these works would harmfully enclose any of these key outlooks.
- 8.25 In considering the additional 150mm in height of the proposed first-floor extension, I am of the view that this would not result in the amenity of No.174 being adversely impacted in terms of overshadowing, loss of light or visual enclosure. The additional

mass proposed is not considered to be of such a scale as to harmfully impact on this neighbours amenity.

- 8.26 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.

### **Highway Safety**

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

### **Third Party Representation**

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

## **9.0 CONCLUSION**

- 9.1 The proposed increase in the ridge height of the proposed first-floor extension would not, in my opinion, introduce any harmful impact to the neighbour at No.174 Vinery Way in terms of overshadowing, loss of light or visual dominance. The proposed extension would remain in keeping with the street scene and would not adversely affect the character or appearance of the 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. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

5. Any rooflights inserted into the roof of the first-floor of the development hereby permitted shall be installed no lower than 1.7m above the finished floor level of the first-floor unless otherwise agreed in writing by the local planning authority.

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

6. The flat roof adjacent to the first-floor room labelled 'Master Bedroom' on drawing no. 15.170.01 - 403 E of the development hereby permitted shall not be used as an external terrace and shall only be accessed for maintenance purposes only.

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

**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.

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

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**PLANNING COMMITTEE**

**2<sup>nd</sup> August 2017**

<b>Application Number</b>	17/0155/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st February 2017	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	29th March 2017		
<b>Ward</b>	East Chesterton		
<b>Site</b>	9 Maitland Avenue Cambridge CB4 1TA		
<b>Proposal</b>	Extension and conversion of existing dwelling into four flats.		
<b>Applicant</b>	Mr Steve OConnor 9 Maitland Avenue Cambridge CB4 1TA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed extensions and alterations are considered acceptable in terms of their appearance, position and scale.</li> <li>- It is considered the proposal would not harm residential amenities.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site contains a semi-detached property on the north-eastern side of Maitland Avenue. It is paired with No.11 Maitland Avenue which is located to the south-east. To the north lies No. 7 Maitland Avenue. A depot is located beyond the rear garden to the north-east.

1.2 The site is not within a conservation area or controlled parking zone.

**2.0 THE PROPOSAL**

2.1 The proposal involves extending the property with a first floor side extension, a single storey rear extension and roof dormer. It also proposes the conversion of the property into four flats (two x two bed flats and two x one bed flats).

- 2.2 Ground floor flat 1 is accessed from the side of the property and is a one bed unit. Its bedroom is located at the front of the building with the lounge area to the rear. Flat 2 are accessed from the front of the building. It is a two bedroom ground floor flat with one bedroom at the front of the property and one at the rear adjacent to a living area. Upstairs are maisonettes labelled flats three and four on the plans. They are accessed from the front of the building. Flat three is a one bedroom unit with a bedroom at loft level and living space at first floor. Flat four has living space in the loft and two bedrooms in at first floor level.
- 2.3 The proposed single storey rear extension extends 5.735m in width, 3.765m in depth and between 2.65m and 3.35m high. The extension infills a gap adjacent to an existing single storey side/rear extension at the property. The proposal also involves replacing the flat roof on the existing single storey rear extension with a sloped roof.
- 2.4 The proposed first floor extension is located above an existing single storey side extension. It measures 4.25m wide (the additional roof above is 4.4m wide), 7.25m in depth and 4.8m to 8.4m high. It is set back 0.5m from the front elevation and 0.25m from the roof ridge.
- 2.5 The proposed rear dormer extension is located on the original part of the roof. It extends 5.9m wide, 3.5m in depth and 3.4m high. It is set down 0.5m from the ridge, 0.4m from the eaves and 0.3m from the side boundary with No.11 Maitland Avenue.
- 2.6 The proposed walls will be constructed from red facing brickwork to match existing, Marley Eternit Cedral Boarding will be used on the dormer walls in colour slate grey C18. The roof will be constructed from either Redland Plain tiles to match the existing property or Sarnafil single ply roofing system with lookalike lead roll features added. Aluminium powder coated edge trims colour anthracite grey RAL 7016.
- 2.7 New and replacement windows, fascia and soffits on the house will be UPVC double glazed in anthracite grey colour.
- 2.8 A bin and bicycle store is proposed in the rear garden. The bin and bike store extends between 1.7m and 1.8m high. Four bike stands are provided that can cater for eight bikes. It will be

constructed from closed boarding stained teak on the walls and Sarnafil Oea Single Ply System with PPC proprietary edgings and fake lead roll feature strips coloured in mid grey.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/00/0579	Erection of single storey side extension and replacement of conservatory with single storey rear extension.	Approved
16/1829/FUL	Roof extension to rear, first floor side extension and single storey rear extension and conversion of existing semi-detached dwelling into 4 No flats.	Withdrawn

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/14 4/4 4/13 5/1 5/2 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 (Annexe A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u>  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Strategic Flood Risk Assessment (2005)  Cambridge and Milton Surface Water Management Plan (2011)  Cycle Parking Guide for New Residential Developments (2010)  Roof Extensions Design Guide (2003)

### 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)**

*Comments received 6<sup>th</sup> February 2017:*

- 6.1 The proposal provides off-street car parking at less than one space per dwelling unit.
- 6.2 Recent guidance contained within the National Planning Policy Framework and the IHT guidance on best practice in car parking provision moves away from maximum levels of provision and advises that parking provision for new residential development is based upon levels of access to a private car for existing residential uses in the surrounding area. It is advised that the Planning Authority should assess the impact of the proposal in regard to the guidance provided within the National Planning Policy Framework in tandem with the Local Plan Parking Standards.
- 6.3 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
- 6.4 Cars may park giving clearance to the planters in front of the main building, to avoid damage to the vehicle.

- 6.5 It is suggested that these planters are moved back to provide some additional clearance, lest cars obstruct the footway instead.
- 6.6 If, despite the above, the Planning Authority is minded to grant a permission to this proposal in its current form please add the conditions and informatives requested.

*Comments received 21<sup>st</sup> April 2017:*

- 6.7 The Highway Authority has no comment to make upon the amended plans. The previous comments of the Highway Authority still apply

### **Environmental Health**

*Comments received 20<sup>th</sup> February 2017:*

- 6.8 The development proposed is acceptable subject to the imposition of the conditions outlined below:
- Construction hours
  - Unexpected Contamination Condition

*Comments received 27<sup>th</sup> April 2017:*

- 6.9 The development proposed is acceptable.
- 6.10 I have no comments to make regarding the amendments. My recommendations within my memo dated 20<sup>th</sup> February are still pertinent to this application.

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

*Comments dated 14<sup>th</sup> February 2017:*

- 6.11 The development proposed is acceptable subject to the imposition of the conditions requested.
- 6.12 The two ground floor flats should include additional planting or landscape treatment along the frontage to create defensible threshold space outside the windows as these are mainly bedroom spaces. The planters provided to end the car parking bays could be incorporated into this planting or converted into

hedges or other planting. We feel it appropriate to use a raised planter or low hedge in this location as it will prevent overspill of vehicle headlights being intrusive to the ground floor flats.

*Comments dated 2<sup>nd</sup> May 2017:*

- 6.13 Please move the planters to underneath the ground floor windows along the frontage to create defensible threshold space as these are mainly bedroom spaces. We feel it appropriate to use a raised planter or low hedge in this location as it will prevent overspill of vehicle headlights being intrusive to the ground floor flats.
- 6.14 It is unclear why the cycle store has become uncovered. We feel this is inappropriate in a residential setting where providing covered storage as per the previous submission is relatively straight-forward. Please provide reasoning if this provision is unachievable.
- 6.15 We are comfortable with the proposals to relocate the street tree.

*Comments dated 24<sup>th</sup> May 2017:*

- 6.16 The development proposed is acceptable. Landscape is happy to support the application
- 6.17 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:
- 7, 12 Maitland Avenue

## 7.2 The representations can be summarised as follows:

### Comments in response to the original drawings submitted:

- Only 3 car parking spaces have been provided for 4 dwellings. This conflicts with the Local Plan 2006 and policy 3/10 point b and increases parking pressure on Maitland Avenue and will cause congestion.
- Propose that the developer modifies the existing plans to only provide for 3 dwellings, keeping the existing ground floor extension as one dwelling and converting the existing house into 2 dwellings (including the further extension of the ground floor behind the house). This would preserve the existing look and feel of the street and also solve potential parking problems as at least one space would be provided per dwelling.
- A first floor extension is out of character with the other properties on Maitland Avenue. Again, according to the Cambridge Local Plan 2006, Section 3/10, Sub-division of Existing Plots, point c.
- Shadow survey shows proposal overshadows No.7 Maitland Avenue.
- Concerned with location and scale of bin and bike store by No.7 Maitland Avenue.
- The extended property will be large and its style out of keeping with the surrounding houses on Maitland Avenue, which only have single-storey extensions. The anthracite grey colour for the fascias, soffits, and windows is particularly out of keeping with surrounding houses.
- Conversion into flats will increase noise and remove a family home from housing stock.
- Second floor living area has rooflights will overlook bedrooms at No.10 and 12 opposite.
- Demolition of front wall and extending dropped kerb would remove a tree. These trees' success are vital to keeping Maitland Avenue an avenue at all.

### No.7 Maitland Avenue's response to the amended drawings:

- After carefully considering the latest revised plans, I have no objections to the planned modification of No.9. Raised concerns with the bin store.



*A further amended drawing was received. Below is No.7 Maitland Avenue's response:*

- Since the height of the bin/cycle store has been reduced to 1.8m, I am happy that it won't encroach on my property

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. Refuse arrangements
6. Highway safety
7. Car and cycle parking

### **Principle of Development**

8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.

8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Local Plan 2006.

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

- 8.5 The proposal has been modified and amended drawings were received on 18<sup>th</sup> April and 9<sup>th</sup> May 2017. These removed the first floor side/rear extension from the proposal and amended the bin and bike store.
- 8.6 The proposed first floor side extension is set back from the front wall of the property and down from the roof ridge which helps to distinguish it as a subservient extension. I therefore do not consider the extension would unbalance the pair of semi-detached properties at No.9 and 11 Maitland Avenue. The proposal includes a single storey rear extension and bin and bike storage area which are not visible from the public realm due to their height and position. The rear dormer would not be easily seen from the street due to its position. The materials on the extensions would either match or be similar to the existing materials. I consider the proposed extensions are acceptable in terms of their scale, position and appearance and would respond positively to their context and draw inspiration from the surroundings.
- 8.7 The proposal involves new and replacement UPVC double glazed windows, fascia and soffits on the house in anthracite grey colour. The colour of the materials does contrast with the majority of properties along the street which have white fenestrations. Although, there is some variation along the street as for example one property along the street has wooden windows and doors. In my view, the proposed choice and colour of materials would be acceptable in terms of their appearance and it would provide a distinctive property that successfully contrasts with others along the street.
- 8.8 There is a communal garden area at the rear of the property and raised planters at the front of the property that provide soft landscaping at the site. The proposal does involve relocating a sapling tree to enable the dropped kerb to be enlarged. The Landscaping team does not object to relocating the street tree. I consider the repositioning of the street tree to be acceptable,

however the applicant is advised to contact Cambridgeshire County Council to gain consent as the tree is located on a grass verge on the Highway.

- 8.9 In my opinion the proposal is compliant with policy 3/4, 3/7, 3/14, 4/4 of the Local Plan 2006.

### **Disabled access**

- 8.10 The proposal provides two ground floor flats and two upper floor flats. The ground floor flats are accessed via the front or side of the property and have private patio areas at the rear as well as access to the rear communal garden. These are the most accessible flats.
- 8.11 Three car parking spaces are provided at the front of the property. Although none are specifically designed as disabled car parking spaces, the two outer spaces are adjacent to 2m wide pedestrian's routes along one side and therefore these may be suitable for some people with disabilities.
- 8.12 I consider this minor scheme is acceptable in terms of disabled access.
- 8.13 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*

- 8.14 The proposed single storey extension and dormer extension will be located adjacent to its semi-detached pair of No.11 Maitland Avenue. This neighbouring property is located to the south-east of the application site and has not been extended. I consider the combination of the height, depth and position of the single storey extension and dormer would not adversely harm this neighbouring property in terms of outlook or sense of enclosure. No flank windows are proposed and therefore there will be no loss of privacy to this neighbour. This neighbour's position to the south-east helps to avoid it experiencing an unreasonable loss of light from the proposal.

- 8.15 To the north-west lies an end of terrace property No.7 Maitland Avenue. This neighbouring house is positioned at an angle to No.9 Maitland Avenue. Revisions have been made to the proposal to reduce the impact on this neighbour. The proposed upper floor extension and the bin and bike store have both been reduced in scale. The proposed first floor extension and addition of sloped roof to the existing single storey rear extension are located between 1.2m and 1.41m from the shared boundary with this neighbour. No.7 Maitland Avenue's single storey side and rear extension is located a minimum of 1.5m from this boundary and the upper floors of the house are located at least 6.5m from the shared boundary.
- 8.16 The proposed bin store measures a maximum of 1.8m high which is lower than the height of a boundary fence that could be constructed under permitted development. I therefore do not consider it would adversely harm the occupiers of No.7 Maitland Avenue in terms of residential amenity. I consider both the alterations to the roof of the single storey extension and the first floor side extension would not lead to a loss of privacy to this neighbour as the proposed upper floor window and high level ground floor window will be obscure glazed. It is considered the position of the first floor extension along with the other extensions proposed would not harm outlook or create a sense of enclosure to this neighbouring property nor to its side or rear gardens due to their position and scale. The orientation of No.7 Maitland Avenue to the north-west means this neighbour would experience a small reduction in light to the rear garden, however this is minimal as confirmed by the updated Daylight and Sunlight Study and I do not consider it is a justifiable reason to refuse this planning application.
- 8.17 A neighbour has raised privacy concerns for No.10 and 12 Maitland Avenue which are located on the opposite side of the street. They are concerned with the introduction of second floor rooflights. These neighbouring properties are located at least 21m from the property of No.9 Maitland Avenue. I do not consider the rooflights would adversely harm the amenity of these neighbouring properties because of their position.

- 8.18 To the rear of the site is a storage depot. It is located at least 21m from the proposed extensions. I do not consider the proposal would adversely impact on this storage depot.
- 8.19 The proposal involves converting a property into four flats. There will therefore be more residents in the building and more comings and goings. However, I do not consider this would lead to an unreasonable increase in noise and disturbance to neighbouring properties due to the size and number of flats provided.

*Overspill car parking*

- 8.20 Concerns have been raised about car parking pressures along the street as three car parking spaces have been provided for four flats. The proposal is for two x one bed flats and two x two bed flats. According to the Car Parking Standards within the Local Plan (2006) the proposal should provide a maximum of four car parking spaces. As this is a maximum standard, I consider the provision of three car parking spaces to be acceptable. The majority of properties along the street provide on-site car parking. The proposal includes one bedroom flats which may have less demand for car parking spaces. The site is also within walking distance from Green End Road and Milton Road which are both well served by buses and cycle routes which reduces the need for a car. The proposal provides cycle storage for all flats. I therefore consider the provision of three on site car parking spaces for the four flats to be acceptable.

*Construction activities*

- 8.21 I agree with Environmental Health's recommendation and for the inclusion of the conditions they requested. This includes a construction activities condition which I consider will help to protect neighbours' amenities during the building stage.
- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

### Amenity for future occupiers of the site

- 8.23 I consider the proposal provides acceptable sized flats for the future occupiers. The ground floor flats each have a patio area at the rear and all flats have access to a rear communal garden which is accessible via a path along the side of the property. The upper floors contain one and two bed units, which both have access to the rear communal garden space. Two bedroom units can accommodate a family and therefore access to the garden is considered important in this location. I consider the proposed outdoor amenity space to be acceptable for the four units.
- 8.24 A bin and bike store is provided in the rear garden. Raised planters have been provided in front of the proposed ground floor bedrooms to provide some defensible space to these rooms.
- 8.25 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

### **Refuse Arrangements**

- 8.26 The bin storage area is located less than 25m from the kerbside and therefore accords with the RECAP design guide SPD. I consider the bin storage provision to be acceptable.
- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.28 The Highways Authority does not object to the proposal. It highlighted there may be additional demand for off street parking which I have addressed under paragraph 8.20. It recommends moving the planters to give more room for vehicles to park. However, each space is 5m long and I consider this is adequate space to park a vehicle and I therefore

do not consider it necessary to request this amendment. I consider the proposal is acceptable on highway safety grounds.

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

### **Car and Cycle Parking**

- 8.30 Car parking provision has been discussed under paragraph 8.20 above.

- 8.31 Eight covered cycle parking spaces are provided which exceeds the minimum provision set out in the Local Plan 2006. I consider the proposed storage area is acceptable and meets the policy requirements.

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

## **9.0 CONCLUSION**

- 9.1 In my view the proposed extensions, alterations and conversion of the property into four flats are acceptable in terms of their scale, position and appearance and would not adversely harm neighbours' amenities.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. 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. If during the works suspected contamination or suspect ground conditions are encountered, the LPA should be informed in writing, the suspect materials shall be fully assessed and an appropriate remediation scheme agreed in writing with the LPA. The applicant/agent needs to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

Reason: In the interests of public safety and to comply with policy 4/13 of the Local Plan 2006.

5. 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 and to comply with policy 8/2 of the Local Plan 2006.



6. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to comply with policy 8/2 of the Local Plan 2006.

7. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway and to comply with policy 8/2 of the Local Plan 2006.

8. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

9. The upper floor flank window shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The development shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of No.7 Maitland Avenue (Cambridge Local Plan 2006, policy 3/14).

**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.

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

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

**INFORMATIVE:** The proposal involves moving a street tree. You should gain permission from Cambridgeshire County Council prior to moving the tree as it is located along a highway verge.

**INFORMATIVE:** 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.

**PLANNING COMMITTEE**

**2<sup>nd</sup> August 2017**

<b>Application Number</b>	17/0606/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	5th April 2017	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	31st May 2017		
<b>Ward</b>	Abbey		
<b>Site</b>	1 Sunnyside Cambridge CB5 8SG		
<b>Proposal</b>	Erection of two storey dwelling adjoining 1 Sunnyside following the demolition of existing garages.		
<b>Applicant</b>	Mr A Bacon 4 High Street Great Shelford CB22 5EH		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would not harm residential amenities or be detrimental to highway safety.</li> <li>- It is considered the proposed dwelling would harmonise with the adjoining properties and is acceptable in terms of its scale and appearance.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The property is a semi-detached house located on the corner of Sunnyside and The Westering. The front elevation fronts south-west on to Sunnyside and the north-western site boundary borders The Westering. Its semi-detached pair is No.3 Sunnyside which lies to the south-east. The rear garden borders the property of No.55 The Westering to the north-east.

1.2 The site is located within a height referral area for all structures.

## 2.0 THE PROPOSAL

- 2.1 The proposal involves the erection of a two storey dwelling adjacent to 1 Sunnyside following the demolition of a garage.
- 2.2 The proposed storey house has two bedrooms and is located adjacent to No.1 Sunnyside. It extends between 6.85m and 9.8m in length and 4.6m in width and the main two storey part of the house is between 5.1m to the eaves and 7.85m high to the ridge. It has a single storey rear projection that extends between 2.95m and 4.1m high with a pitched roof.
- 2.3 The new dwelling will be constructed from fair faced brickwork with render to match existing. The roof will be constructed from plain tiles to match existing. The windows will be white UPVC.
- 2.4 The proposal includes two off street car parking spaces, one for the existing property of No.1 Sunnyside and the other for the new dwelling. Separate bike and bin stores are provided for both these properties.

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/72/0845	Erection of single-storey extension to existing dwelling house and erection of double garage	Approved subject to conditions
16/0319/FUL	Conversion of 3 bed dwelling house to 1x 1 bed flat and 3x 2 bed flats following two storey side extension and roof extension incorporating rear dormer window.	Withdrawn
16/1432/FUL	Conversion of 3 bed dwellinghouse to 4 x 1 bed apartments following a single and two storey extension.	Refused and dismissed on appeal

A copy of the Inspector's Decision letter in relation to the appeal is attached.

#### 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 4/4 4/13 4/14 4/15 5/1 5/5 8/2 8/4 8/6 8/10 8/18 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

	Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Balanced and Mixed Communities – A Good Practice Guide (2006) Cambridge Walking and Cycling Strategy (2002) 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 The application site has no existing properly constructed crossing of the footway to access the car parking identified to the front of the property.
- 6.2 This is simply a low kerb, not a dropped kerb.
- 6.3 The location for the access as identified lies at the exit of a bend in the road with restricted visibility.
- 6.4 The Highway Authority would resist the creation of a new formal access at this point for reasons of safety and therefore recommends that the application be REFUSED planning permission in its current form.
- 6.5 Provision of a second space adjacent to the proposed space to the rear of the property would be an acceptable option, but would require (as does the option currently proposed) the construction of a proper vehicular crossing of the footway.
- 6.6 If, following provision of the above alterations to the access, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, please add the conditions and informatives requested.

### **Environmental Health**

- 6.7 The development proposed is acceptable subject to the imposition of the conditions/informative outlined below:
  - ConditionsConstruction hours and Piling
  - Informative

Dust

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

- 6.8 The development proposed is acceptable subject to the imposition of the conditions outlined below:
- Hard and soft landscaping
  - Boundary treatment
- 6.9 The landscape team is pleased with the design for this site. Previous applications resulted in constrained and inappropriate amenity areas for the development. The current scheme of one new dwelling with an ideal proportion of amenity space, functions well. The new parking area and cycle/bin store area is convenient and still allows for a functional garden space.
- 6.10 It may be of benefit to consider a reduction in the height of the hedge along the corner 'frontage' to provide better visibility around the bend.

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

- 6.11 The development proposed is acceptable subject to the imposition of the drainage condition requested.
- 6.12 Additional comments: The existing and proposed site layout plan (Dwg No. 17018 / 04 b) identifies a proposed connection to the existing foul sewer. This approach is not supported and will not be approved.

### **Cambridge International Airport**

- 6.13 No objection.
- 6.14 Ask that the Airport be informed of any construction plan for the use of cranes so that they can be assessed to ensure they do not penetrate our safeguarding surfaces.
- 6.15 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.



## 7.0 REPRESENTATIONS

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

- 3, 10, 12 Sunnyside

7.2 The representations can be summarised as follows:

- No.3 Sunnyside's garden already receives limited light in the afternoon and the proposal will reduce light from even earlier and be completely in shade for the main time the children want to play there.
- Loss of privacy to garden of No.3 Sunnyside as more people will see into it.
- Already a parking problem in Sunnyside and more people living here will only exacerbate this.
- Many young children live in Sunnyside and additional traffic will only increase the danger to them and reduce highway safety.
- Inadequate provision has been made for bike and waste bin storage.
- Very few houses have a single vehicle. Many vehicles are forced to park on the street which leads to damaged paths and reduced pedestrian access. Reduced street parking from the introduction of the rear car parking space (currently unused). Vehicles will be forced to park on the corner and creates a safety risk for pedestrians who will have to walk in the road, drivers and children who play in the street.
- Visual impact on the street turning two semi-detached houses into a small terrace. While a similar development has been completed on the Homing, this has had a detrimental effect on the character and design of the street making it look disproportionate to the rest of the street. The extension to No.1 would do the same to Sunnyside.
- New building will be significantly smaller inside than the existing properties.
- Question the impact that the building of a single property will have on the housing shortage in the country in general.
- Reduction in green space to the existing residence and the poor provision for the proposed extra dwelling.
- Noise.
- Detrimental effect on the 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 (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 (Housing Provision) of the Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site contains a residential dwelling. The surrounding area is characterised by residential use and Marshalls is in close proximity. I consider the proposal complies with this policy.

8.3 Policy 3/10 (Sub-division of existing plots) explains how *residential development within the garden area or curtilage of existing properties will not be permitted if it will:*

- a) have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;*
- b) provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;*
- c) detract from the prevailing character and appearance of the area;*

*d) adversely affect the setting of Listed Buildings, or buildings or gardens of local 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 The proposal will not affect any Listed Buildings or Buildings of Local Interest nor the comprehensive development of the wider area.

8.5 The previous application for the site reference 16/1432/FUL was for an extension and conversion of the property into four x one bed apartments. This scheme was refused then dismissed at appeal. It should be noted that the Inspectorate did not object to the principle of a residential development on the site. The reasons the Planning Inspectorate dismissed the appeal are that: *The proposed development would not offer a good level of accommodation for the future occupiers of the upper floor units, and would as a result cause significant harm to their living conditions.*

8.6 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 3/10 of the Local Plan 2006. The sections below will consider the impact on neighbours' amenities, vehicular access and the will consider the prevailing character and appearance of the area.

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

#### Response to context

8.7 The scheme has been revised since the previous planning application reference 16/1432/FUL was dismissed at appeal. The current proposal seeks to add an additional property next to No.1 Sunnyside. No.1 and 3 Sunnyside are presently a pair of semi-detached houses and the addition of a new dwelling will create a terrace. The proposal has however been designed to appear subservient to the existing semi-detached pair of houses. This is done by setting the front wall of the new dwelling back by 0.5m from No.1 Sunnyside and lowering the roof ridge height. Features of the existing houses have been

incorporated into the new dwelling such as the choice of materials, front bay window and hipped roof.

- 8.8 The proposed dwelling is located in a prominent location at the corner of the street. Further along The Westering at the junction with The Homing lies a house numbered 31 The Homing which has been extended with a two storey side and single storey rear extension (reference C/91/0401) which was approved in June 1991. This was approved prior to the current Local Plan's adoption. There is a wooden fence with a hedge above along The Westering which provides screening to the extension from the street. There is also a hedge along the side and part of the front of No.1 Sunnyside that provides some screening along the corner of the street. However, the extension is similar to what was approved at the opposite end of the street and I consider the set back of the property from the street helps to highlight that the new dwelling is subservient. I do consider the proposal to be bulky but a condition could be included to ensure the hedge is retained at a lower height as requested by Highways. The proposed design and scale is similar to the previous scheme (reference 16/1432/FUL) and its design and scale were not given as reasons for refusal for this previous scheme or for the appeal being dismissed. On balance I consider the site is capable of accommodating a two storey house providing appropriate soft landscaping is incorporated into the proposal.
- 8.9 The proposal results in the loss of garden space at the side of the property. The proposal does however remove an existing driveway, garage and shed from the rear and this space will form a car parking space and garden area. There is a noticeable loss of soft landscaping with the introduction of a new dwelling. Some new planting is proposed, which is encouraged. I recommend the inclusion of the conditions requested by Landscaping to ensure appropriate hard and soft landscaping are provided on site. In my view the retention of the boundary hedge helps to soften the appearance of the new dwelling and provides valuable soft landscaping when viewed from the road.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/14.

## **Residential Amenity**

### *Impact on amenity of neighbouring occupiers*

- 8.11 The proposal for a new two bedroom house adjacent to No.1 Sunnyside and No.55 The Westering introduces a new household to the street. There will therefore be more residents coming and going from this new property. I consider the additional unit could lead to an increase in noise, however I consider it would be relatively minimal due to the size of this property and it would not warrant refusal of the application.
- 8.12 One rear upper floor window is proposed which serves a bathroom. This would not directly face the upper floor side window at No.55 The Westering due to the set back of this neighbouring property from the road. I do however recommend it be conditioned to be obscure glazed and non-opening due to the proximity of neighbours' gardens at No.1 and 3 Sunnyside. A first floor flank window and front bedroom window are proposed that serve upstairs bedrooms. These are located a minimum of 21m from the nearest properties of No.58 and No.60 The Westering on the opposite side of the street. I therefore consider the proposal would not lead to a loss of privacy to neighbouring dwellings
- 8.13 No.1 Sunnyside is located south-east of the proposed house and No.55 The Westering is located to the north-east. The proposed two storey house stands adjacent to No.1 Sunnyside. Three existing ground floor flank and upper floor windows will be removed from No.1 Sunnyside. However these serve a stairwell, hallway and a store and their removal will not harm light reaching habitable rooms at the property.
- 8.14 I do not consider the proposal would lead to a detrimental loss of light to neighbouring and nearby properties due to its position and distance from these dwellings and gardens. The proposed single storey rear projection on the new dwelling will project 0.5m beyond the existing single storey rear extension at No.1 Sunnyside and therefore I do not consider this will result in a detrimental loss of light to this neighbouring property or garden.
- 8.15 As the proposal is located at the side of No.1 Sunnyside I do not consider it would lead to a sense of enclosure, overbearing

or outlook to neighbours due to its distance from neighbouring properties and gardens.

- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 4/13.

*Amenity for future occupiers of the site*

- 8.17 The previous application (16/1432/FUL) was dismissed on appeal due to the standard of the proposed upper floor flats accommodation. This was due to the size of the rooms and distance to the communal garden area. In my view, the current planning application has overcome these reasons for refusal. This is by providing a two bedroom dwelling house instead of four flats. I consider the proposal provides reasonable sized accommodation for a two bedroom dwelling. The new dwelling also has its own garden which I consider to be acceptable for a dwelling of its size.
- 8.18 No.1 Sunnyside will remain as a three bedroom house and has its own garden which I consider to be satisfactory.
- 8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/10.

**Refuse Arrangements**

- 8.20 There is sufficient space to provide bin storage as shown on the amended drawing. Two separate bin stores are provided for the new dwelling and No.1 Sunnyside. I consider the proposal to be acceptable in terms of the provision and location of the stores.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## Highway Safety

- 8.22 The Highways Authority has raised an objection to the proposal as they resist the creation of a new formal access at the front of the property as it is at the exit of a bend in the road with restricted visibility.
- 8.23 It should be noted that the previous scheme reference 16/1432/FUL included a car parking space at the front of No.1 Sunnyside. The Highways Authority originally objected but then provided further comments on 16<sup>th</sup> September 2016 that read: *'the issue could be resolved by the removal of the hedge or its reduction in height to under 800mm, together with the removal of it from the areas of the pedestrian visibility splays (plus, of course the construction of a proper vehicle crossing)'*
- 8.24 The Planning Inspectorate also referred to the impact of the development on the local highway network in the previous appeal decision (reference 16/1432/FUL). It stated *'I did not observe any particular traffic issues at my site visit, and no sufficient evidence is before me which suggests that the proposed development would cause any significant harm in this regard.'*
- 8.25 I therefore consider this issue can be overcome with the provision of a condition if Committee are minded to approve the scheme. I recommend a condition to reduce the height to 0.8m high and its removal from the areas of the pedestrian visibility splays. An informative can be included to advise the applicant to contact the Highways Authority in relation to the construction of a vehicular crossing.
- 8.26 The application provides two on site car parking spaces which is in accordance with the maximum parking standards set out within the Local Plan 2006. The site is located in a suburban location. Buses serve Newmarket Road which future occupiers could use. There is a policy compliant level of cycle parking which would encourage residents to use bicycles. I note the concerns of the neighbours' regarding a potential increase in on street parking issues. However on balance, I do not consider the potential increase in vehicles using the street and parking pressures are so detrimental as to warrant refusal of the

application. I also note the previous scheme for four flats was considered acceptable in this regard.

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

### **Car and Cycle Parking**

- 8.28 The proposal provides two on-site car parking spaces for the occupiers of the existing property and new house. This is in accordance with the maximum car parking standards as set out within the Local Plan 2006.

- 8.29 The Local Plan 2006 also includes minimum cycle parking standards. The proposal should provide a cycle parking space per bedroom. The proposal provides four cycle parking spaces per dwelling which exceeds the minimum standards. The cycle parking is located in timber sheds in the back garden of each of the properties. Each rear garden has an access gate. In my view, the provision is satisfactory.

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

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

- 8.31 National Planning Practice Guidance 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. The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

## **9.0 CONCLUSION**

- 9.1 It is considered the proposed new dwelling would not harm neighbours' amenities or harm road safety and would harmonise with neighbouring properties in terms of its scale and appearance.



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

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

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

5. No development shall take place until details 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)

6. The upper floor rear window on the new dwelling shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To avoid harm to residential amenities and to comply with policy 3/10 of the Local Plan 2006.

7. Notwithstanding the approved drawings, 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. 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% 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.
  - c. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: to comply with the National Planning Policy Framework 2012.

8. 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)

9. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; 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)

10. No unbound material shall be used in the surface finish of the driveway/driveways 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 and to comply with policy 8/2 of the Local Plan 2006.

11. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access/accesses unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

12. The access or accesses 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 and to comply with policy 8/2 of the Local Plan 2006.

13. Prior to the bringing into use of the new parking spaces, the following pedestrian visibility splays shall be provided, and these areas shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high:

- a) The northernmost parking space serving the new dwelling - a 2.0m x 2.0m splay to the south side, and a splay measuring 2.0m back from the highway and the remaining distance to the boundary on the northern side.

- b) The space serving the existing dwelling - a 2.0m x 2.0m splay to the west side.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

14. Prior to the bringing into use of either of the accesses, hereby permitted, the boundary hedge running adjacent to the highway and between the required pedestrian visibility splays shall be reduced to a maximum height of 0.8 metres and thereafter retained as such.

Reason: For highway safety reasons and to comply with policy 8/2 of the Local Plan 2006.

15. Prior to occupation of the new dwelling hereby approved, the accesses shall be provided as shown on the approved drawings and retained free of obstruction thereafter.

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

**INFORMATIVE:** Cambridge Airport should be contacted if any cranes are required in the construction of the new dwelling for airport safety reasons.

**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://www.iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://www.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:** Prior to the commencement of the first use the vehicular access or accesses where it crosses/they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

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

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

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

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## Appeal Decision

Site visit made on 1 February 2017

by **R W Allen B.Sc PGDip MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 February 2017

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**Appeal Ref: APP/Q0505/W/16/3161942**

**1 Sunnyside, Cambridge CB5 8SG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr A Bacon (Trafalgar Homes (Cambridge) Ltd) against the decision of Cambridge City Council.
  - The application Ref 16/1432/FUL, dated 27 July 2016, was refused by notice dated 27 September 2016.
  - The development proposed is the conversion and extension of an existing three bedroom semi-detached house to provide 4no one bedroom apartments.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the future occupiers of the proposed units.

### Reasons

3. The Council states that No 1 Sunnyside's current floor area is 90sq.m and thus below the 110sq.m threshold set by Local Plan policy 5/2 (a) to permit conversions of properties into flats. However, as is the case before me paragraph 5.5 of the preamble to the policy allows such properties to be extended in order to exceed the threshold and facilitate such conversions. Accordingly there would be no conflict with this element of the policy.
4. Local Plan policy 5/2 also states, as set out in criterion (c), that conversions will not be permitted where the living accommodation provided would be unsatisfactory. All the proposed units would not be particularly large, but it is the upper floor units and notably unit 4 as indicated on the submitted drawings which I find somewhat objectionable. These units would be uncomfortably small, offering rather diminutively sized rooms to function as a combined living room, dining space and kitchen. This would in my judgement be unpalatable and inadequate for the future occupiers of these units even for single occupancy, and would not in my judgement amount to a satisfactory level of accommodation as self-contained units.
5. The proposed development would provide a communal garden space, and it is not necessarily unreasonable for occupiers the upper floor flats to have to walk further to access it than those residents on the ground floor. However, as indicated on the proposed drawings, the future occupiers of the proposed upper

floor flats would have to leave the curtilage of the property and access it via the public highway, which I do not find would be a welcomed or satisfactory arrangement. While the outdoor space for the future occupiers of the ground floor units would be small and somewhat exposed, I am not persuaded that the communal garden space behind it would be so frequently used that it would cause significant harm to privacy to the future occupiers of the those units.

6. The appellant refers to developments in the area where similar floor spaces and garden sizes were approved by the Council. However, insufficient evidence has been submitted in which I can draw any direct comparisons to them. In any event, I have made my decision on the evidence before me. The appellant has also referenced space standards in an emerging Local Plan and that only one unit falls marginally short of it. However, the Council says this document is in its infancy and that little weight can be afforded to it, which is a view I concur with.
7. I therefore find for the reasons given above that the proposed development would not offer a good level of accommodation for the future occupiers of the upper floor units, and would as a result cause significant harm to their living conditions. It would not accord with Local Plan policy H/2 which I have already discussed above. It would also not accord with Local Plan policies 3/7, 3/10 and 3/14. These state that development will be permitted which demonstrates that it is designed to provide attractive high quality and safe living environments; that residential development within the garden area or curtilage if existing properties will not be permitted if it will provide inadequate amenity space for the proposed properties; and that extensions to buildings will be permitted if they retain sufficient amenity space. As the Council has already cited Local Plan policy 3/14, I do not find Local Plan policy 3/12 is particularly relevant to the appeal.

### **Other Matters**

8. Concerns have been raised by residents in respect to the effect of the proposed development on the local highway network caused by increased traffic in the area. I did not observe any particular traffic issues at my site visit, and no sufficient evidence is before me which suggests that the proposed development would cause any significant harm in this regard. The Council has not raised this as an issue.

### **Conclusion**

9. For the reasons given above I conclude that the appeal should be dismissed.

*R Allen*

INSPECTOR

<b>Application Number</b>	17/0757/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th April 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	22nd June 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	24 St Philips Road Cambridge CB1 3AQ		
<b>Proposal</b>	Single storey rear extension		
<b>Applicant</b>	Mr S Miah 11 Hayster Drive Cambridge CB1 9PB		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The design of the proposed extension is considered acceptable and would not have an adverse impact on the character and appearance of the Conservation Area.</li> <li>- The proposed extension would not have a significant adverse impact on the residential amenity of either of the adjoining occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The site is a two storey terrace dwelling on the south eastern side of St Philips Road between the junction with Cavendish Road and Sedgwick Street. This is a predominately residential area within the Mill Road Area of the Central Conservation Area. The area is characterised by terraced houses which are mainly finished in brick occasionally with accents of render.

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for a single storey rear extension. The extension is proposed to protrude 6m from the rear wall. It is to have a pitched roof with a total height of 3.5m dropping to 2.5m at the eaves. The extension is

to provide a larger kitchen/dining room to the property. The extension is to be finished in materials to match the host dwelling.

2.2 The application has been called into planning committee by Councillor Anna Smith. She has called the application in on the grounds that she considers the proposal to be overdevelopment of the site, that it would result in a loss of light to the neighbours and that it would be an incongruous form of development.

**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 3/14 4/11

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

Central Government Guidance	National Planning Policy Framework March 2012
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	National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>Area Guidelines</u>  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 Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.

## **Urban Design and Conservation Team**

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

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

## **7.0 REPRESENTATIONS**

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

- 156 Tenison Road
- 22 St Philips Road
- 33 St Philips Road

7.2 The representations can be summarised as follows:

- The proposed mass and scale of the extension is out of character
- Would dominate, overshadow and enclose the garden of no. 26 which is much smaller than No.24's garden
- Intensified use would cause increased pressure on on-street car parking
- Would be overbearing, cause overshadowing and loss of light to kitchen of 22.
- Intensification of use would cause added noise and disturbance to surrounding residents
- Potential to increase the amount of renters in the HMO.

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

## **8.0 ASSESSMENT**

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

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

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

- 8.2 The proposed extension would not be visible from public viewpoints as it is to the rear of the property. The extension is single storey with a relatively low eaves height. Given its scale, it would clearly read as a subservient later addition to the property. A number of properties on St Philips Road have similar style single storey rear extensions; including the adjoining neighbour at no. 22. I note that the extension at no.22 is not as large as what is proposed, this was constructed under permitted development and is approx. 3m in length, however there are many larger single storey extensions in the area that are similar to that which is proposed.
- 8.3 The extension is to be finished in materials to match and I have recommended a condition to ensure that this is the case.
- 8.4 The Conservation Officer considers there to be no material conservation issues with the proposal. I share this view.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.6 The neighbour at no. 22 has an existing extension to the rear of the property which has recently been constructed under permitted development. This is approx. 3m in length. The proposal at no.24 would extend beyond this extension by approx. 3m. I am satisfied that the proposed extension, given its relatively low height and its siting adjacent to the existing extension, would not have a significant adverse impact on the amenity of no. 22 in terms of enclosure or visual dominance. Given the relatively modest scale of the proposal, with low eaves height and a roof which is to slope away from the

boundary, I am satisfied that there would be no significant impact in terms of overshadowing of this neighbouring garden.

- 8.7 The proposed extension would be set off the boundary with no.26, by approx. 2.5m, with a passage providing additional separation between the extension and this neighbouring garden. I note that the garden of no.26 is shorter than the application site and that No.24s garden narrows further south. However, given the relatively low height of the extension and the significant set away from the boundary, I am satisfied that the extension would not result in any significant overshadowing of the garden or rear windows nor would it appear unduly dominant when viewed from this garden.
- 8.8 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 4/13.

### **Third Party Representations**

- 8.9 The representations express concerns about an increase in noise and disturbance and issues with car parking associated with the use of the building as an HMO. The application seeks full planning permission for an extension and does not seek a change of use. I can only assess the application on the basis of what has been applied for and as noted above the extension is considered to be acceptable.
- 8.10 A C3 dwelling house can change to a small HMO without the need for a change of use as this is permitted development. However, if the building were to be occupied by more than 6 people it would be classed as a large HMO (sui Generis) and a planning application would be required for change of use. This does not form part of the current application and the impact of this use cannot therefore be assessed.

### **9.0 CONCLUSION**

- 9.1 The proposed extension would not be visible from the public realm. It is of a modest scale and considered in keeping with the prevailing form of development. The extension is not considered to have any significant adverse impact on the amenity of the surrounding occupiers in terms of overshadowing



or enclosure. The use of the property as a HMO cannot be assessed as part of this application.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

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