Cambridge City Council

Planning

Date: Wednesday, 10 January 2018

Time: 10.00 am

Venue: Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

Contact: democratic.services@cambridge.gov.uk, tel:01223 457013

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: 1.00pm

- **Part Three**
  General and Enforcement Items
  Start time: At conclusion of Part Two

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

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

2 Apologies

3	Declarations of Interest	
4	Minutes	(Pages 17 - 30)
Part 1: Major Planning Applications (10am)		
5	17/1709/FUL - Lovell Lodge, 365 Milton Road	(Pages 31 - 72)
6	17/1297/FUL - Adkins Corner	(Pages 73 - 100)
7	17/1722/FUL - Whichcote House	(Pages 101 - 132)
8	17/1272/FUL - Land at 300-314 Coldhams Lane	(Pages 133 - 168)
9	17/1542/LBC - Cambridge Union Society, 9A Bridge Street	(Pages 169 - 190)
10	17/1541/FUL - Cambridge Union Society, 9A Bridge Street	(Pages 191 - 242)
Part 2: Minor/Other Planning Applications (1.00pm)		
11	17/1626/FUL - 130 Queen Ediths Way	(Pages 243 - 260)
12	17/1621/FUL - Land Rear of 101 Cavendish Road	(Pages 261 - 290)
13	17/1351/FUL - Doubletree Hotel	(Pages 291 - 324)
14	17/1811/FUL - 65 Fulbourn Road	(Pages 325 - 348)
15	17/1630/FUL - Land adjacent to 4 Strangeways Road	(Pages 349 - 364)
16	17/1481/FUL - 178 Kendal Way	(Pages 365 - 378)
17	17/1894/FUL - 1 Mere Way	(Pages 379 - 396)
18	17/1861/S73 - 8 Cheney Way	(Pages 397 - 406)
19	17/1276/S73 - 3 Fendon Close	(Pages 407 - 422)
20	17/0665/FUL - 245 Coldhams Lane	(Pages 423 - 434)
21	17/1433/FUL - 84 Ditton Walk	(Pages 435 - 460)

22 17/1328/FUL - 35 Milton Road (Pages 461 - 478)

23 17/0615/FUL - 40 St Andrews Road (Pages 479 - 492)

Part 3: General and Enforcement Items

24 EN/0088/17 - Florian House and EN/0087/17 - Romans House (Pages 493 - 508)

25 EN/0164/17 - 60 Nuns Way (Pages 509 - 516)

26 EN/0216/17 - Wests Garage, Newmarket Road (Pages 517 - 518)

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

Alternates: Bird, Holland and Page-Croft

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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
3/10Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
3/13 Tall buildings and the skyline
3/14 Extending buildings
3/15 Shopfronts and signage

4/1 Green Belt

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

5/1 Housing provision
5/2 Conversion of large properties
5/3 Housing lost to other uses
5/4 Loss of housing
5/5 Meeting housing needs
5/7 Supported housing/Housing in multiple occupation
5/8 Travellers
5/9 Housing for people with disabilities
5/10 Dwelling mix
5/11 Protection of community facilities
5/12 New community facilities
5/15 Addenbrookes

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

7/1 Employment provision
7/2 Selective management of the Economy
7/3 Protection of Industrial and Storage Space
7/4 Promotion of cluster development
7/5 Faculty development in the Central Area, University of Cambridge
7/6 West Cambridge, South of Madingley Road
7/7 College and University of Cambridge Staff and Student Housing

7/8 Anglia Ruskin University East Road Campus
7/9 Student hostels for Anglia Ruskin University
7/10 Speculative Student Hostel Accommodation
7/11 Language Schools

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

9/1 Further policy guidance for the Development of Areas of Major Change
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/7 Land between Madingley Road and Huntingdon Road
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
4/2 Protection of open space
5/13 Community facilities in Areas of Major Change
5/14 Provision of community facilities through new development
6/2 New leisure facilities
8/3 Mitigating measures (*transport*)
8/5 Pedestrian and cycle network

8/7 Public transport accessibility
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area
10/1 Infrastructure improvements *(transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects)*

4.0 Supplementary Planning Documents

4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction**: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)**: The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.

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

4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the

demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

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

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

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

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

5.0 Material Considerations

5.1 City Wide Guidance

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other

security measures, to be provided as a consequence of new residential development.

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

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

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

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

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

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

5.2 Area Guidelines

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
Cambridge City Council (2003)–Western Corridor Area Transport Plan:
The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual

development sites in the area should contribute towards a fulfilment of that transport infrastructure.

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

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

Jesus Green Conservation Plan (1998)
Parkers Piece Conservation Plan (2001)
Sheeps Green/Coe Fen Conservation Plan (2001)
Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)
Long Road Suburbs and Approaches Study (March 2012)
Barton Road Suburbs and Approaches Study (March 2009)
Huntingdon Road Suburbs and Approaches Study (March 2009)
Madingley Road Suburbs and Approaches Study (March 2009)
Newmarket Road Suburbs and Approaches Study (October 2011)

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

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

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

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

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

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

PLANNING 6 December 2017
10.00 am - 4.10 pm

Present:

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

Councillor Hipkin, left for item (17/1527/FUL) but returned for the remainder of the meeting.

Other Councillors Present: Councillors Cantrill and Gawthrope

Officers:
City Development Manager: Sarah Dyer
Senior Planner: Charlotte Burton
Senior Planner: Michael Hammond
Planning Enforcement Officer: John Shuttlewood
Planning Officer: Rob Brereton
Planning Officer: Sean O'Sullivan
Planning Officer: Sophia Dudding
Planning Officer: Mairead O'Sullivan
Legal Advisor: Rebecca Williams
Committee Manager: Toni Birkin
Committee Manager: Emily Watts

FOR THE INFORMATION OF THE COUNCIL

17/193/PlanApologies

Apologies were received from Councillor Nethsingha. The alternate councillor was unable to attend.

17/194/PlanDeclarations of Interest

No interests were declared.

17/195/PlanMinutes

The minutes of the meeting of the 1st November 2017 were agreed and signed as a correct record.

It was noted the application 17/0548/FUL at minute 17/180/Plan was before the committee again today and therefore it was recorded in the minutes of this meeting.

17/196/Plan17/0974/FUL - 18 Chesterton Road

The Committee received an application for full planning permission.

The application sought approval for the proposed erection of a mixed use scheme comprising 13 flats and 2 retail units following demolition of existing buildings at 18, 18a, 18b and 18c Chesterton Road, Cambridge.

The Committee received a representation in objection to the application from a resident of Riverside Court representing residents of a number of properties in Riverside Court.

The representation covered the following issues:

i. Appreciated the Officer's recommendation of refusal.
ii. Proposal would impact on Riverside Cottages.
iii. Would result in a sense on enclosure.
iv. Would cause overlooking.
v. Scale and mass were inappropriate.
vi. Loss of trees.
vii. Potential root damage from replacement trees.
viii. Problems of surface water drainage in runoff water being directed towards Riverside Court.
ix. Impact on access routes.
x. Conditions regarding window treatments such as obscure glazing would be hard to police in future.

Garth Hanlon the Applicant's Agent addressed the Committee in support of the application.

Councillor Sargent (West Chesterton Ward Councillor) addressed the Committee about the application as follows:

i. The Council has an opportunity to improve the area around Mitcham's Corner.
ii. Previous inappropriate application had been rejected in this area.
iii. This application would be overdevelopment.
iv. The Emerging Local Plan offers opportunities to create a strong regional identity in this location.
v. Design was poor.
vi. Important views from Jesus Green would be lost.
vii. Progress in the area was to be welcomed but it needed to be protected progress.

The Committee:

Unanimously resolved to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

17/197/Plan17/1527/FUL - 213 Mill Road

The Committee received an application for full planning permission.

The application sought approval for residential led mixed use development with a retail unit. 14 Residential units comprising three 3xbed terrace dwellings, five 2xbed mews units, three 2xbed flats and three 1xbed flats along with access, car and cycle parking and associated landscaping following the demolition of the existing buildings on site.

The Committee noted the clarification on cycle parking detailed in the amendment sheet.

The Committee:

Resolved (by 4 votes to 0 and 3 abstentions) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/198/Plan17/1349/FUL - Brookfields Hospital, 351 Mill Road

The Committee received an application for full planning permission.

The application sought approval for a proposed car parking scheme to provide an additional 53 car parking spaces (including additional disability spaces) and an additional 20 cycle spaces.

The Committee noted the amendment sheet.

The Chair corrected the text of the amendment sheet as follow (words in bold added).

"While I am not able to support the proposal due to the loss of trees and the amenity space required for replacement planting, if the scheme is otherwise acceptable, the arboricultural objection alone is insufficient to justify ***a recommendation of*** *refusal."*

The Committee:

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

Change to Meeting Chair

Vice Chair Councillor Smart took the Chair for the Consideration of application 17/1527/FUL.

Councillor Hipkin was not present for the consideration of this application.

17/199/Plan17/0548/FUL - 60 Trumpington Road

The Committee received an application for full planning permission.

Planning Committee considered this application at the meeting of 1 November 2017 and resolved to accept the officer recommendation. Planning permission has not been issued in the light of concerns raised by a local resident.

The purpose of bringing the item back to Committee is to enable the resident to address the Committee again but with the benefit of reference to annotated plans. The agent/applicant had been advised of this course of action and had been invited to address the Committee in the interests of fairness.

The application sought approval for the demolition of former restaurant, with redevelopment of the site for the erection of 2x3 bedroom and 1x2 bedroom

detached linked dwellings; 1x2 bedroom apartment; 2x1 bedroom apartments; associated cycle and car parking provision and landscaping

The Committee received a representation in objection to the application from the resident of North Cottages who had also spoken in objection on the 1 November.

The representation covered the following issues:

i. North Cottages were 17 unique properties.
ii. The application encroached on land belonging to the owners of the cottages.
iii. Suggested the site plan was inaccurate.
iv. Raised concern about fire risk, stated– 'There should be suitable access for a pump appliance to all existing dwellings on North Cottages and the existing access to the lane should not be made worse'. The comments from the Fire and Rescue Team sent to Mr Hammond had not been uploaded online.
v. Highlighted 'The developer had declared he does not own any part of North Cottages but noted that the owner of North Cottages has not counter signed the application when it was submitted. Another planning officer at the council explained if the correct certificate had not been signed, or if certificate D had not been signed but no notice correctly served the Council would invalidate the application and would not consider the application until it had been made valid'
vi. Issues from a previous application had not been addressed:
    a. Lack of green space.
    b. Overbearing.
    c. Overlooking and impact on neighbour's amenities in 1 North Cottage.
    d. No assessment of the impact on neighbour's window.
vii. Stated that a complaint would be made to the ombudsman if this application was granted

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

The Committee:

Resolved (by 5 votes to 0 and 1 abstention) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

Change of Meeting Chair

Councillor Hipkin resumed his position as Chair of the meeting

17/200/Plan17/1625/FUL - 83 Lovell Road

The Committee received an application for full planning permission.

The application sought approval for a change of use from single C3 Use Class dwelling house to 2 self-contained 1 bedroom flats and 1 self-contained 2 bedroom flat. Single storey rear extension, roof extension incorporating rear dormer, and Juliet balcony at first floor. Associated hardstanding's, amenity space, and parking.

The Committee noted the amendment sheet.

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

The representation covered the following issues:

i. Objected to the change of use from a family home in to a number of smaller dwellings. Affirmed that this would set a precedent in the area.
ii. Highlighted the demand for family homes in the area and raised concern that this proposal provided the opposite type of dwelling needed.
iii. Stated that the proposal would increase demand for parking.
iv. The noise implications would have a detrimental impact on the surrounding neighbours.
v. Rubbish regularly blew off this site onto surrounding neighbours property, raised concern that this issue would worsen if the proposal was approved.

Councillor Gawthrope (Kings Hedges Ward Councillor) addressed the Committee about the application.

i. Highlighted that the application would cause the loss of amenity space.
ii. Stated that Cambridge North Station had already caused parking issues in the area and this application would contribute further to the problem.
iii. Raised concern that the proposed Juliet Balcony at the rear of the property would overlook property numbers 81 and 85.

iv. In a street of family homes this kind of development would set a precedent which was not in keeping with the area, the risk of overdevelopment needed to be taken seriously.

The Committee:

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

17/201/Plan17/0898/FUL - 111 Grantchester Meadows

The Committee received an application for full planning permission.

The application sought approval for the extension of the garage roof including installation of solar panels.

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

The representation covered the following issues:

i. Stated that he had raised an objection when the application had previously come to committee in August 2017, referred to the objections in section 7 of the Officer's report.
ii. Highlighted that the applicant had not considered the advice previously given, to use solar panels which looked more like slates rather than the standard solar panels.
iii. Raised concern that the proposal design was not in keeping with the Conservation Area.

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application.

i. Stated that he supported the use of solar panels but felt that the proposed product, the standard design solar panel was not in keeping with the Conservation Area and rural surround.
ii. Highlighted that the position of the building was fundamentally important to the objection, because it meant that the panels could be seen whilst walking the entire length of South Green Road. Additionally, due to the size of the proposed panelling it would dominate the street scene.

The Committee:

Resolved (by 5 votes to 2) to reject the officer recommendation to approve the application.

The Committee adjourned at 14:15 to consider the appropriate text necessary to express the reason for refusing the application

The committee reconvened at 14:20

Resolved (by 6 votes to 0) to refuse the application contrary to the officer recommendation for the following reasons:

Due to the extent and monotonous appearance of the proposed solar panels on the south-facing roof slope of the building, the development would have a harmful visual impact in the street and be detrimental to the character and appearance of the Conservation Area. The development would therefore be contrary to Policies 3/7, 3/14 and 4/11 of the Cambridge Local Plan 2006.

17/202/Plan17/1164/FUL - 11 Chedworth Street

The Committee received an application for full planning permission.

The application sought approval for a ground floor extension to the side and rear.

The Committee noted the amendment sheet.

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

The representation covered the following issues:

i. Stated that the proposal was overbearing but the excessive height could be overcome by using alternative materials.
ii. Confirmed that the owners of the neighbouring property had indicated that if this application was successful, they too would consider building a similar extension. Highlighted how it would set a precedent for the area which needed to be considered.
iii. Many plants, shrubs and an apple tree would be damaged or lost due to the building work.

Helene Kotter (Applicant's Agent) addressed the Committee in support of the application.

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application.

i. Recognised the changes made by the applicant to address the issues previously raised about the proposal being overbearing.
ii. Stated that the changes alleviated the impact on neighbouring property number 9 but it did not address the issues for the other neighbouring property, number 13. As such, he was still not sufficiently happy to approve the application.

The Committee:

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

17/203/Plan17/1614/FUL - Withdrawn from agenda

This item was withdrawn from the agenda before reaching Committee.

17/204/Plan17/1624/FUL - 1-2 Purbeck Road

The Committee received an application for full planning permission.

The application sought approval for the conversion and extension of existing dwellings to provide 10 new student rooms.

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

The representation covered the following issues:

i. She had no objection to a new development on this site but she did object to the current application being submitted.
ii. Stated that the applicant had previously applied, and was subsequently granted planning permission to provide affordable homes on the site. However, the latest application sought to build student accommodation instead.
iii. Highlighted the demand for affordable housing in Cambridge.

iv. Affirmed that this proposal would also mean the loss of developable housing stock.
v. Stated that approving this application would set a precedent and send a message to developers who could also do the same thing.

The Committee:

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

The Committee took a break at 14:45

17/205/Plan17/1534/FUL - 4 Green End Road

The Committee resumed at 14:50

The Committee received an application for full planning permission.

The application sought approval for change of use from outbuilding to form new 1 Bed dwelling including forming a first floor by raising the eaves and ridge height and a single storey front extension

The Committee noted the amendment sheet.

The Committee:

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

17/206/Plan17/1697/FUL - 1A and 1B Malletts Road

The Committee received an application for full planning permission.

The application sought approval for the erection of a new dwelling (Land r/o 1a, 1b and 1 Mallets Road).

The Committee:

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

17/207/Plan17/1646/FUL - 30 Dudley Road

The Committee received an application for full planning permission.

The application sought approval for the construction of a single storey dwelling within the rear garden of 30 Dudley Road.

The Committee:

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

17/208/Plan17/0998/FUL - 98 Paget Road

The Committee received an application for full planning permission.

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

The Committee noted the amendment sheet.

The Committee:

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

17/209/Plan17/1091/FUL - 8 Mill Road

The Committee received an application for full planning permission.

The application sought approval for a change of use from a charity shop to a restaurant and new ventilation system.

The Committee noted the amendment sheet.

Roi Vaquero (Applicant) addressed the Committee in support of the application.

The Committee:

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

17/210/Plan17/1740/FUL - 31 Peverel Road

The Committee received an application for full planning permission.

The application sought approval for the erection of one 3 bedroomed detached dwelling.

The Committee noted the amendment sheet.

The Committee:

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

17/211/Plan17/1420/FUL - Brookmount Court

The Committee received an application for full planning permission.

The application sought approval for a change of use application from B1(a) office use to a car licence testing centre (sui generis) use.

The Committee:

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

17/212/PlanEN/0143/16 - 17 Richmond Road

The Committee received a report requesting authorisation to take formal enforcement action.

The report had regard to an alleged unauthorised change of use of a domestic residential dwelling house into a commercial short-term visitor accommodation letting use at the premises.

The report sought authority to serve one change of use Enforcement Notice directed at remedying the harm caused as a result of the breach occurring. The recommendation looked to ensure compliance in the short term and onwards.

The Committee noted the amendment sheet.

The Committee:

Unanimously resolved to accept the officer recommendation:

i. Authorised an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) alleging that there had been a breach of planning control within the last ten years, namely without planning permission, the unauthorised change of use from C3 dwelling house to short term visitor accommodation lets (sui generis) at the premises, specifying the steps to comply and the period for compliance set out in paragraphs 9.2 to 9.4, for the reasons contained in paragraph 9.5.
ii. Authorised the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
iii. Delegated authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of noncompliance with the enforcement notice.

17/213/PlanEN/0335/15 - 83 Searle Street

The Committee received a report from the Planning Enforcement Officer requesting that members instruct officers to withdraw the enforcement notice and close the enforcement investigation.

A Planning Enforcement Notice was served for the removal of a loft dormer following retrospective refusal of planning permission and subsequent dismissal of an appeal by the Planning Inspectorate. New information had to come to light during the enforcement appeal process that on the balance of probabilities shows the dormer likely to be immune from enforcement action.

The Committee:

Unanimously resolved to accept the officer recommendation:

i. Authorised the withdrawal of the enforcement notice as per withdrawal notice description set out below:

NOTICE IS HEREBY GIVEN that Cambridge City Council, in accordance with its powers contained in Section 173A of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) (and without prejudice to its powers to issue another Enforcement Notice) **HEREBY WITHDRAW** the Enforcement Notice issued on the 15th August 2017 relating to 83 Searle Street, Cherry Hinton, Cambridge, Cambridgeshire, CB4 3DD ("the Premises") which required you within the period of six calendar months from the date when the Enforcement Notice would take effect to: -

- Permanently remove the rear loft dormer erected (outlined in blue on attached plan for identification purposes only) at the Land.
- Make good the works undertaken and restore the roof to its former condition using matching materials and colour of the existing roof.
- Remove all resulting materials from the premises.

The said Enforcement Notice was appealed against to the Planning Inspectorate before it came into effect from 14th September 2017. The said Enforcement Notice has no effect as it has been withdrawn due to information received by the local planning authority as part of the said appeal. Dated this 6th of December 2017

ii. Authorised the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the withdrawal notice and notify the Planning Inspectorate of the decision.

The meeting ended at 4.10 pm

CHAIR

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1709/FUL	**Agenda Item**	
Date Received	4th October 2017	**Officer**	Michael Hammond
Target Date	3rd January 2018		
Ward	Kings Hedges		
Site	Lovell Lodge 365 Milton Road Cambridge CB4 1SR		
Proposal	Residential re-development comprising one 2xbed unit, seven 1xbed units and six studio units, along with access, car and cycle parking and associated landscaping following demolition of existing buildings on site		
Applicant	Mr A De Simone		

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

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site consists of a two-storey building on a large corner plot adjacent to Mill Road and Lovell Road. The building was last used as a hotel but has not been occupied since it was damaged by a fire. There is a forecourt car parking area along the Milton Road frontage and there is also an access point from Lovell Road. The surrounding area is predominantly residential in character and is made up primarily of two-storey semi-detached properties.

1.2 There are two trees on the rear of the site which are protected by tree preservation orders (TPOs). The Golden Hind Public House to the west of the site is a Building of Local Interest (BLI).

2.0 THE PROPOSAL

2.1 The proposal seeks planning permission for the demolition of the existing buildings on the site and replacement with a residential redevelopment consisting of one two-bedroom unit, seven one-bedroom units and six studio units. There are also landscaping, access, car and cycle parking works proposed to accommodate this development.

2.2 The proposed building occupies a similar footprint to that of the existing building. The proposed development would be approximately 0.7m higher than the original building and would be three-storeys in scale rather than the current two-storeys. It would have a contemporary appearance and would effectively divide the Milton Road frontage into two blocks by way of a recessed glazed central section. The proposed building would be predominantly flat-roofed with two pitched gables along the Milton Road frontage. The second floor would be clad in zinc with the remainder of the scheme constructed in buff masonry brickwork.

2.3 Cycle parking and bin storage would be accommodated internally within the building and accessed from the communal garden area along the Lovell Road frontage. Four car parking spaces wold be provided and these would be accessed from a widened access off Milton Road. There would be a large communal garden and some private threshold spaces at ground-floor level. There would be some small private balconies for some of the first-floor flats and the proposed second-floor flats would have private terraces. The unit sizes are detailed in the table below.

Flat No.	Number of bedrooms	Internal floor area (m^2)
1 (ground-floor)	1	62.1
2 (ground-floor)	1 (studio)	40.3
3 (ground-floor)	1	57.6
4 (ground-floor)	1	54.1
5 (ground-floor)	1	54.1
6 (first-floor)	1	58.5

7 (first-floor)	1 (studio)	40.3
8 (first-floor)	1 (studio)	40.3
9 (first-floor)	1	57.6
10 (first-floor)	1 (studio)	37
11 (first-floor)	1 (studio)	37
12 (first-floor)	1 (studio)	43
13 (second-floor)	1	60.2
14 (second-floor)	2	99.8

2.4 The application has been accompanied by the following additional information:

1. Drawings
2. Design and access statement
3. Ecology statement
4. Sustainability + energy assessment
5. Tree protection plan
6. Building regulation compliance
7. Planning statement
8. Transport statement

3.0 SITE HISTORY

3.1 The site has an extensive planning history, none of which is considered relevant to this application.

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (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) Planning Obligation Strategy (March 2010)

Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010) Buildings of Local Interest (2005)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

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

- No unbound material;
- No gates erected;
- First use of access;
- Highways drainage;
- Visibility splays;
- Manoeuvring area retained free of obstruction;
- Redundant cross over returned;
- Access as shown;
- Traffic management plan; and
- Informatives

Environmental Health

6.2 No objection subject to the following conditions:

- Construction hours;
- Collection during construction;
- Construction/ demolition noise/ vibration and piling;
- Dust;
- Noise assessment/ insulation scheme;
- Ventilation scheme;
- Unexpected contamination;
- Artificial lighting;
- Informatives

Refuse and Recycling

6.3 No objection subject to informative.

Urban Design and Conservation Team

Original comments (24/10/2017)

6.4 The scheme is acceptable in urban design terms subject to the following amendments:

- Replace the balcony on the rear with a Juliet balcony.
- Provide space for off-gauge cycles.

Comments on revised drawings (08/11/2017)

6.5 No objection subject to the following conditions:

- Materials samples

- Non-masonry walling systems/ cladding
- Windows and doors

Senior Sustainability Officer (Design and Construction)

6.6 No objection subject to renewable energy and water efficiency conditions.

Access Officer

6.7 There needs to be a blue badge size parking space. 5% cycle parking for non standard cycles ie cargo, trike, handcycle. The wheelchair accessible bathroom needs redesigning.

Head of Streets and Open Spaces (Tree Team)

6.8 Whilst this application includes the removal of T1, a 'B' category Cedar subject to a Tree Preservation Order, the suggested planting proposals outlined in the DAS include the provision of a number of replacement trees in order to mitigate the loss of visual amenity from both Lovell Road and Milton Road. It shall be important when producing the detailed landscape proposals that at least one of the proposed trees shall be a species that will provide a significant visual amenity to Milton Road and the surrounding areas as T1 currently offers.

6.9 T2, also subject to a Tree Preservation Order, can be retained and sufficiently protected throughout the demolition and construction phases of development subject to an approved AMS and TPP which shall be implemented throughout the development.

6.10 Tree protection conditions are recommended in the event of approval.

Head of Streets and Open Spaces (Landscape Team)

6.11 No objection subject to the following conditions:

- Hard and soft landscaping;
- Landscape maintenance and management plan;
- Boundary treatment; and
- Green Roof details

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

6.12 No comments received.

Cambridgeshire County Council (Flood and Water Management)

6.13 In the absence of a surface water drainage strategy/FRA we object to the grant of planning permission for the reason that there is insufficient information in order for us to determine the impacts of the proposal.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.14 No objection subject to the following conditions:

- Surface water drainage;
- Foul water drainage;
- Maintenance/ management of surface water drainage

Head of Streets and Open Spaces (Nature Conservation Officer)

Original comments (19/10/2017)

6.15 No ecological information appears to have been submitted with the application.

Comments on additional information (07/11/2017)

6.16 No objection.

Environment Agency

6.17 No objection.

Anglian Water

6.18 No comments received.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.19 There were 199 crimes recorded around the Milton Road/ Lovell Road area and no crime prevention/ security section has been provided within the accompanying information. With this in mind there are concerns around the following:

- Access control.
- Security of doors on cycle and bin stores – cycle theft is of concern in this area and there is currently a problem with rough sleepers finding bin stores to sleep in overnight. These doors should be secure with access control by fob entry allowing only the residents access. There would of course need to be a suitable arrangement with the local authority if the bin stores are to be accessed by refuse collectors.
- Defensible space around the ground floor bedrooms to the Milton Road aspect.
- Exterior lighting.

Cambridgeshire County Council (Education)

6.20 No comments received.

Developer Contributions Monitoring Unit

Community Facilities:

6.21 The proposed development is within 300m of Browns Field Community Centre, which is on the council's 2016/17 target list of community facilities for which specific S106 contributions may be sought. The Community Facilities Audit 2016 has highlighted local need for additional facilities to help mitigate the impact of development. Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £17,584 (plus indexation) is requested towards the provision and / or improvement of the facilities and equipment at Browns Field Community Centre, Cambridge. Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed two specific contributions for this project (16/0617/FUL Haling House, and

16/1299/FUL Water Lane) so there is still scope for this contribution (and up to two others) to be requested.

Indoor Sports:

6.22 The proposed development is within ¾ mile of North Cambridge Academy, which is on the council's 2016/17 target list of facilities for which specific S106 contributions will be sought. The indoor sports audit (2016) highlights that the capacity of this this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, it is proposed that £4,976.50 (plus indexation) is requested towards provision of improvements to indoor sports facilities and equipment at North Cambridge Academy, Arbury Rd, Cambridge CB4 2JF. Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed one specific contribution for this project (16/0617/FUL Haling House) so there is still scope for this contribution (and up to three others) to be requested.

Outdoor Sports:

6.23 The proposed development is within ¾ mile of North Cambridge Academy facility, which is on the council's 2016/17 target list of facilities for which specific S106 contributions will be sought. The outdoor sports audit (2016) highlights that the capacity of this this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, it is proposed that the council requests £4,403 (plus indexation) for the provision of improvements to outdoor equipment storage at North Cambridge Academy, Arbury Rd, Cambridge CB4 2JF. Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed one specific contribution for this project (16/0617/FUL Haling House) so there is still scope for this contribution (and up to three others) to be requested.

Informal Open Space:

6.24 This proposed development is 300m from the open space land adjacent to Browns Field Community Centre. Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, it is proposed that the council requests £4,976 (plus indexation) for the provision of and / or improvements to the informal open space at open space land adjacent to Browns Field Community Centre. Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has not agreed any specific contributions for these projects so there is still scope for this contribution (and up to four others) to be requested.

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

7.0 REPRESENTATIONS

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

Garden Lodge, Lovell Road	3 Lovell Road
5 Lovell Road	12 Lovell Road
46 Lovell Road	47 Lovell Road
50 Lovell Road	55 Lovell Road
57 Lovell Road	60 Lovell Road
87 Lovell Road	93 Lovell Road
241 Milton Road	320 Milton Road
1 Seeleys Court	2 Seeleys Court
3 Seeleys Court	4 Seeleys Court
5 Seeleys Court	

7.2 The representations in objection can be summarised as follows:

- The material colour is out of keeping with the area.
- The design sits awkwardly on the site.
- The density is too high.
- The building will not be in keeping with the surrounding houses in terms of height and scale.

- Insufficient car parking.
- Further car parking on the street will impede emergency vehicle access.
- Highway safety concerns regarding Milton Road/ Lovell Road junction.
- A ban on contractor vehicles parking in Lovell Road or the cycle way should be imposed.
- No EV charging points for electric cars.
- Conditions regarding the reinstatement of curbs, extension of double yellow lines, provision of charging points and grid capacity.
- Overlooking/ loss of privacy
- Overbearing/ enclosure
- The loss of the tree is not supported.
- The consultation process was insufficient and should extend along Lovell Road further.
- No solar power is proposed.
- If bats are roosting in the building then mitigation measures should be undertaken.

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

- 117 Darwin Drive

7.4 The representations in support can be summarised as follows:

- The scheme is well-designed and would provide much needed accommodation in the area.
- Improvement on the current burnt-out hotel.

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

- 317 Milton Road
- Camcycle – The Bike Depot, 140 Cowley Road
- 18 Lovell Road
-

7.6 The representations in support can be summarised as follows:

- A reduction in apartments is suggested to allow for more on-site parking.
- Parking should be increased.
- The Greater Cambridge Partnership should be consulted.

- It is likely that the cycle path outside the front of the site will become busier in a few years when Milton Road is rebuilt with segregated cycleways
- Recommend that the applicants use a higher standard of visibility splay when designing the access driveway to their site
- The applicants should maintain a dropped kerb at the entrance on Lovell Road in order to provide better access to the cycle parking area.
- The provision of 20 cycle parking spaces is welcomed but there should be a way of introducing a larger cycle space for cargo-cycles etc.

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

8.0 ASSESSMENT

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

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

Principle of Development

Residential 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. The principle of developing the site for

residential purposes is considered acceptable and conforms to the provisions set out in the development plan.

Loss of Hotel

8.3 Policy 6/3 of the Cambridge Local Plan (2006) states that development will not be permitted which would result in the loss of existing short-stay tourist accommodation unless the change is to permanent residential accommodation or community facilities for which there is a need in Cambridge. As the proposed development would change the use of the site to permanent residential accommodation, I see no conflict with this policy and consider the loss of hotel use to be acceptable.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 6/3 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

8.5 The existing building has limited architectural merit in my view and the building has no protected status to safeguard its demolition. In my opinion, the principle of demolition is acceptable.

8.6 The proposed development would be a considerable distance from the Golden Hind Public House which is a Building of Local Interest (BLI). I am of the opinion that the proposal would be read in a different context and would not detract from the local interest of the nearby BLI.

8.7 The proposed building would be three-storeys in scale, although it would only be marginally taller than the existing building and similar in height to that of the orthodox two-storey semi-detached properties in the surrounding area. The upper-floor of the proposed development would be recessed behind the front building lines and clad in zinc which would in my view help to break up the level of massing and reduce the perceived sense of scale of the proposed works.

8.8 In my opinion, the proposed building would read from the street scene of Milton Road as having two distinctive blocks by way of the recessed glazed central section which divides the frontage. The appearance of two blocks enables the proposed

development to assimilate more successfully into its context as the footprint to plot size ratio allows the development to read more comfortably within its plot, rather than as one continuous long mass.

8.9 Along Lovell Road, the building line would step back from the frontage dramatically as the built form extends to the rear of the site, following a similar footprint to that of present. The scale of development also drops down to two-storeys at the rear which ensures that the proposal does not appear overly dominant when compared with the domestic residential grain of development along Lovell Road.

8.10 The proposed flat roof form, contemporary fenestration and use of alternative materials would give the proposed development a modern appearance that would contrast with the surrounding context to a degree in my view. However, the pattern of development in the surrounding area is somewhat varied in my opinion and the character of the area is not consistent in its appearance to such an extent as to require future development to conform to a fixed template. There is also an example of a modern development on the opposite side of Milton Road at Pringle House, 418A Milton Road.

8.11 In my opinion, the architectural approach to the development proposed would provide a successful contrast with the vernacular in the surrounding area and would enhance the character and appearance of the area. I have recommended the conditions suggested by the Urban Design Team.

8.12 It is acknowledged that the Architectural Liaison Officer has highlighted the need for defensible space to be provided around ground-floor windows, security control to the bin and bike stores and external lighting. In my opinion, these measures could be secured by way of the relevant conditions and I consider that subject to the details of this being agreed through conditions, the layout of the site would provide a safe and secure environment for future occupants.

8.13 The proposal would involve the removal of a large mature, category ‘B’ Cedar tree situated along the rear boundary of the site which is protected by a TPO. The Streets and Open Spaces Team have not raised an objection to the proposed removal of this tree as three new trees are proposed to mitigate for its loss.

The remaining protected tree would be retained and I have recommended the tree protection conditions suggested by the Streets and Open Spaces Team. The proposed development would provide three reasonable-sized trees planted in prominent locations across the site which would in my view contribute to improving the appearance of the area.

8.14 There would also be landscape improvements in the form of low level hedge planting and the replacement of hardstanding with a turfed communal garden area. The Landscape Team has raised no objection to the proposed works subject to landscaping conditions.

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

Renewable energy and sustainability

8.16 The proposal includes photovoltaic panels to meet the 10% carbon reduction requirement of policy 8/16 of the Cambridge Local Plan (2006). In addition to this there are other sustainability measures such as the use of water efficient appliances, a sedum roof to the rear block and a mechanical cooling with heat recovery (MVHR). The Sustainability Officer has assessed the information submitted and is satisfied that the proposal is acceptable in terms of renewable energy and sustainability, subject to conditions.

8.17 In my opinion, subject to conditions, 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

8.18 The Access Officer has requested that one of the car parking spaces be a blue badge space for disabled users. I consider that this could be secured through the hard and soft landscaping condition. There is no policy basis on which to request for a larger cycle parking space for handcycle or cargo bikes to be provided. The suggested re-design of the wheelchair bathroom of the accessible flat would be controlled

through building regulations and as this is an internal alteration I do not consider it necessary to be amended as part of this application.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.20 The proposed development would not in my opinion have a harmful impact on neighbouring occupiers.

8.21 A shadow study has been submitted with the application which demonstrates that the level of overshadowing would not be significantly worse than at present as the proposed building follows a similar footprint to the present building and is not drastically higher than the existing building. The main windows of no.2 Seeleys Court are situated on the front and rear elevations and the only window at first-floor level on the side elevation, facing towards the application site, appears to serve a non-habitable room. The main garden of this neighbour is situated to the rear and would not in my opinion be adversely affected by the proposed works in terms of visual enclosure or overshadowing.

8.22 There would be a bedroom window at first-floor level which would have oblique views towards this neighbour but these would not compromise the privacy of this neighbour given the limited view offered in my opinion. Notwithstanding this, there are already first-floor side windows for the hotel which allowed for similar views across to this neighbour. The remaining upper-floor side (north-east) facing windows would serve the hallway corridor leading to the flats and an obscure glazed bathroom which consequently would not harmfully overlook this neighbour in my opinion. I have recommended an obscure glazing condition to control this. The proposed second-floor terrace would allow for views across the front of this neighbouring property but subject to a suitable screen being secured by way of condition, I do not consider this terrace would harm the privacy of this neighbour.

8.23 Garden Lodge to the north-west of the site does have first-floor side windows which appear to serve habitable rooms and face towards the proposed development. However, these windows are secondary windows in that the rooms they serve are dual aspect and have clear outlooks to the front and rear respectively. In my opinion, given the layout of this neighbour, coupled with the point that the proposal would be situated in a similar location and of a comparable level of massing to that of the original building, I am confident the proposal would not adversely enclose or overshadow this neighbour.

8.24 The first-floor windows facing towards this neighbour would be high level windows and would not offer any direct views of this neighbour's windows. I have recommended conditions to ensure that the private balconies and terraces of the proposed development all have sufficient screening to prevent any open views across to this neighbouring property. I have also recommended a condition to ensure that the green roof is not at any time used as a terrace given its flat roof design.

8.25 The views from the proposed balconies towards nos.1a and 2b Lovell Road to the south-west would be similar to that of existing first-floor windows and would not compromise the privacy of these neighbours given that the front windows are already visible from the street.

Impact on car parking

8.26 Concerns have been raised regarding the lack of car parking provided for future occupants and the pressure this would have on the surrounding streets.

8.27 The City Council has maximum car parking standards. There are currently six car parking spaces serving the 23 bedroom hotel. The proposal includes four car parking spaces resulting in a net reduction of two car parking spaces on the site. The proposal would however return the dropped kerb on Lovell Road to a regular kerb which would allow for potentially two cars to be parked on the street.

8.28 The nearest bus stop to the site is approximately 45 metres to the south along Milton Road, with a minimum service of a bus every 10 minutes towards the City Centre. In addition, Cambridge North railway station is within an approximate 4

minute cycle ride, providing access to rail services to several major destinations. The King Hedges Road Local Centre is also within walking distance of the site and there are good cycle links into the City Centre in my opinion. The vast majority of the proposed flats are studio and one-bedroom units which typically have a lower car parking demand than larger units.

8.29 In my opinion, the site is situated in a sustainable location and is not wholly dependent on car parking as the main means of transport for future occupants. The proposal includes sufficient cycle parking and there are shops and facilities within walking distance of the site. In addition there are good public transport links to the wider area. Overall I consider the impact on on-street car parking in the surrounding area would be limited and not significant enough as to warrant refusal of the application.

8.30 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

8.31 The proposed flats would have reasonable internal space standards and provide acceptable outlooks for all habitable rooms. The smallest flats would be single-bedroom studio units that would measure 37m^2 internally which meet the space standards in the emerging local plan (2014). The majority of the units would have access to either private balconies, terraces or garden areas with the remaining units able to use the communal space at the rear. Conditions have been recommended regarding noise insulation and ventilation given the proximity of some of the units to the busy arterial route of Milton Road.

8.32 In my opinion, subject to conditions, 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

8.33 The proposal includes an internal bin store which the refuse team are supportive of. I have recommended a condition for details of the secure locking of this store, likely through a fob or key system, to be agreed prior to occupation of the development.

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

Highway Safety

8.35 The Highway Authority has raised no objection to the proposed works, subject to conditions.

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

Car and Cycle Parking

8.37 Car parking has been addressed in paragraphs 8.27 – 8.29 of this report.

8.38 The proposal includes 18 cycle parking spaces which is above the 15 spaces required by the minimum cycle parking standards. The proposed cycle spaces would be enclosed within the building envelope and would be well spaced apart. I have recommended a condition for details of the secure locking of the cycle parking doors to be agreed as per the comments of the Architectural Liaison Officer.

8.39 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Drainage

8.40 It is acknowledged that there is ambiguity between the advice of the Lead Local Flood Authority and the City Council Drainage Officer. The Lead Local Flood Authority has requested further information be provided prior to determination whereas the Drainage Officer is satisfied that the surface water drainage of the scheme can be dealt with through condition. The Environment Agency has also raised no objection.

8.41 It is also pertinent to highlight that the proposal would be replacing existing hardstanding with soft landscaping at the rear of the site and the paving at the front would also be of permeable construction. The introduction of the green roof would also be an improvement in terms of the drainage capabilities of the site.

8.42 In my opinion, given the Drainage Officer's expertise in this area, I am satisfied that flooding and surface water drainage can be managed through appropriate conditions in the event of approval.

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

Third Party Representations

8.44 The third party representations which have not been in addressed in the main body of this report have been addressed in the table below:

Comment	**Response**
The material colour is out of keeping with the area.	I have recommended a materials sample condition to ensure that the materials will complement the character and appearance of the area.
The density is too high.	I consider the density of the site to be appropriate and would provide a high quality development that respects the character and appearance of the area.
Further car parking on the street will impede emergency vehicle access.	The illegal parking of vehicles on the street is a police matter and I do not consider the proposal would lead to a drastic increase in on-street parking.

Highway safety concerns regarding Milton Road/ Lovell Road junction.	The Highway Authority has raised no objection to the proposed works and the removal of the corner dropped kerb would improve highway safety in my view.
A ban on contractor vehicles parking in Lovell Road or the cycle way should be imposed.	The parking of vehicles on the street during the construction process would fall outside the control of the planning authority. A traffic management plan has been recommended to ensure deliveries and collections are managed without impacting on highway safety.
No EV charging points for electric cars.	There is no policy basis on which to request that EV charging points be required in this case.
Conditions regarding the reinstatement of curbs, extension of double yellow lines, provision of charging points and grid capacity.	The reinstatement of dropped kerbs would be controlled by way of condition. The extension of double yellow lines is a matter for the County Council outside of this planning application. Grid capacity in terms of energy is covered by the renewable energy condition. There is no policy basis on which to request that EV charging points be required in this case.
The consultation process was insufficient and should extend along Lovell Road further.	Neighbouring letters were re-sent as part of the application process. There is no requirement to directly consult all properties along Lovell Road. Site and press notices were published for wider consultation.

No solar power is proposed.	Photovoltaic panels have been proposed as part of this application and would be secured by condition.
If bats are roosting in the building then mitigation measures should be undertaken.	The ecology report did not identify any roosting bats and the Nature Conservation Project Officer has not requested any ecology-based conditions.
• The Greater Cambridge Partnership should be consulted. • It is likely that the cycle path outside the front of the site will become busier in a few years when Milton Road is rebuilt with segregated cycleways • Recommend that the applicants use a higher standard of visibility splay when designing the access driveway to their site	The Greater Cambridge Partnership has been consulted and their comments will be included in the amendment sheet, if and when received. The application must be assessed on the status of the highways as they stand now and the plans for Milton Road upgrades have not been confirmed at this stage. The Highway Authority has raised no objection to the proposed visibility splays.
The applicants should maintain a dropped kerb at the entrance on Lovell Road in order to provide better access to the cycle parking area.	I do not consider this to be necessary. In my opinion the entrance to the cycle store from Lovell Road is acceptable for cycle movements.

Planning Obligations (s106 Agreement)

8.45 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.

8.46 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 (Community facilities, indoor sports, outdoor sports, informal open space and play provision for children and teenagers)

8.47 The Developer Contribution Monitoring Team has recommended that contributions be made to the following projects:

Type	**Project(s)**	**Sum (plus indexation)**
Community Facilities	The provision and / or improvement of the facilities and equipment at Browns Field Community Centre, Cambridge.	£17,584
Indoor Sports	The provision of improvements to indoor sports facilities and equipment at North Cambridge Academy, Arbury Rd, Cambridge CB4 2JF.	£4,976.50

Outdoor Sports	The provision of improvements to outdoor equipment storage at North Cambridge Academy, Arbury Rd, Cambridge CB4 2JF.	£4,403
Informal Open Space	The provision of and / or improvements to the informal open space at open space land adjacent to Browns Field Community Centre	£4,976
		£31,939.50

8.48 I agree with the reasoning set out in paragraphs 6.21 – 6.25 (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

8.49 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 The proposed development would provide an acceptable living environment for future occupiers and would enhance the character and appearance of the area in my opinion. The proposal would respect the amenities of neighbouring properties and would not have a harmful impact on on-street parking in the surrounding area in my view.

10.0 RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

6. 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)

7. Prior to the commencement of development, a noise impact assessment and 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 external building fabric, glazing and ventilation system requirements) and other noise mitigation to reduce the level of noise experienced internally and externally (noise levels in balconies and other external amenity areas) at the residential units, as a result of external noise levels in the area (predominantly traffic noise from Milton Road), shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the internal and external noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

If acceptable internal noise limits can only be achieved with closed windows then alternative means of both whole dwelling mechanical and or and passive background / purge ventilation should be provided to allow residents to occupy the properties at all times with windows closed. The scheme as approved shall be fully implemented before the use hereby permitted is occupied / commenced and shall be retained thereafter.

Reason: To protect the amenity of future occupants of this development from the high ambient noise levels in the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13)

8. Prior to the commencement of development, details of an alternative ventilation scheme for the residential accommodation units / habitable rooms to negate / replace the need to open external windows and doors for ventilation purposes (and to address thermal comfort issues), in order to protect future occupiers from external traffic noise 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 Milton Road. The ventilation scheme shall achieve a purge ventilation rate of at least 2 air changes per hour for each habitable room. Full details are also required of the internal operational noise levels of the alternative ventilation system.

The scheme shall be installed before the use hereby permitted is occupied / commenced and shall be fully retained thereafter.

Reason: To provide an acceptable living for future occupants of this development from the high ambient noise levels in the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13)

9. If previously unidentified/unexpected contamination is encountered whilst undertaking the development, all site works shall immediately cease until the Local Planning Authority has been notified and the additional contamination has been fully assessed and the following remediation approved in writing by the Local Planning Authority:

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

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

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

10. Prior to the commencement of use (or prior to the installation of any artificial lighting) an external artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken (horizontal / vertical isolux contour light levels and calculated glare levels) . Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

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

Reason for all: To protect / safeguard the health and quality of life (amenity) of residential premises in accordance with paragraphs 109, 120, 123 of the National Planning Policy Framework (NPPF), March 2012 and aims of Policy 4/13 of the Cambridge Local Plan 2006.

11. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

12. 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 (Cambridge Local Plan 2006 policy 8/2).

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

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

14. 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 (Cambridge Local Plan (2006) policy 8/2).

15. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

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

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

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

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

18. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided up to the highway boundary and retained free of obstruction.

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

19. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority. The development shall be carried out in accordance with the approved details.

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

20. The windows identified as having obscured glass on drawing number PL(21)02 REV P2 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

21. Prior to occupation of the development hereby permitted, details of the type of screens and/or enclosures of the roof terraces and balconies shall be submitted to and approved in writing by the local planning authority. The screens and/or enclosures shall be implemented in accordance with the approved details and thereafter retained.

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

22. Prior to occupation of development, full details of the on-site storage facilities for waste including waste for recycling and composting shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details of the security/ access of the bin store shall also be provided. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter.

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

23. Prior to occupation of the development hereby permitted, details of the security/ access of the cycle store shall be submitted to and agreed in writing by the local planning authority. The cycle parking for the development provided in accordance with the approved details and retained thereafter.

    Reason: To provide acceptable cycle parking arrangements (Cambridge Local Plan 2006 policies 3/12 and 8/6).

24. 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 supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

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

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

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

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

    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)

28. 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. 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)

29. No development shall take place until full details of green and brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable.

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

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

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

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

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

32. Full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.

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

33. No development shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

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

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

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

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

34. No development hereby permitted shall be commenced until foul water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, they should also be submitted to Anglian Water and their written acceptance of the scheme submitted to the local planning authority. The development shall be carried out in accordance with the approved details.

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

35. 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 and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policy 8/16).

36. Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2006 policy 3/1 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

37. The flat roof area identified as 'Sedum Planted Flat Roof' on drawing no.PL(21)03 REV P2 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 3/12)

INFORMATIVE: Traffic Management Plan informative: The principle areas of concern that should be addressed are:
i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
ii. Contractor parking, for both phases (wherever possible all such parking should be within the 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: Demolition/Construction noise/vibration report

The noise and vibration report should include:

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

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

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

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

-Agreed target levels are likely to exceeded

-Upon the receipt of substantiated complaints
-At the request of the Local Planning Authority / Environmental Health following any justified complaints.
Guidance on noise monitoring is given in BS 5228:2009 Part 1Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

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

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

INFORMATIVE: Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

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

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

Further information may be found here: https://www.cambridge.gov.uk/housing-health-and-safety-rating-system

INFORMATIVE: Asbestos containing materials (cement sheeting) may be present at the site. The agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site. Further information regarding safety issues can be obtained from the H.S.E.

INFORMATIVE: To satisfy the noise insulation scheme condition for the building envelope as required, the Council expects the scheme to achieve the internal and external noise standards recommended in BS8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice".

Internal noise standards shall be achieved in habitable rooms with external windows / doors open and closed. Where sound insulation requirements preclude the opening of windows for rapid ventilation and to facilitate thermal comfort, acoustically treated mechanical and or passive free area ventilation provision may also need to be considered within the context of this internal design noise criteria.

Full details / specifications including acoustic performance certification of the exact windows to be installed and the sound reduction performance / quantities are required. The exact alternative ventilation system details / specifications are also required including calculations of room volumes and extract/intake rates to prove that an acceptable air change rate can be achieved with windows closed. The operational noise of any internal mechanical ventilation system will also need to be assessed and considered to ensure that such noise does not discourage / dissuade use.

For external areas that are used for amenity space, such as balconies, gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. If these levels cannot be achieved then acoustic barriers at ground floor level and or balconies with imperforate screens and acoustically absorptive treatments may be required.

It is recommended that any noise assessment incorporates detailed 3D noise modelling for assessing the acoustic design of the development. The models are used to predict environmental noise propagation in urban environments and allow different noise control measures and layout options to be tested in the model to optimise the design whilst ensuring that an acceptable level of protection against noise is secured.

INFORMATIVE: When designing the accessible toilet for the ground-floor accessible flat, the following should be taken to account:
- The room needs to be a wetroom.
- The door should be sliding.
- If both toilet and shower were in opposite corners, with the shower furthest from the door and a transfer space between both
- The hand bowl could be on wall to passage way.
- The wall between bedroom and shower should have sliding door and potential knock through for a ceiling hoist
- All usual handrails, etc

A blue badge car parking space should be incorporated into the scheme when submitting details of hard and soft landscaping.

INFORMATIVE: When discharging the landscaping, lighting, waste and cycle storage conditions, the following comments of the architectural liaison officer should be taken into account:
- Access control.
- Security of doors on cycle and bin stores - cycle theft is of concern in this area and there is currently a problem with rough sleepers finding bin stores to sleep in overnight. These doors should be secure with access control by fob entry allowing only the residents access. There would of course need to be a suitable arrangement with the local authority if the bin stores are to be accessed by refuse collectors.
- Defensible space around the ground floor bedrooms to the Milton Road aspect.
- Exterior lighting.

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.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1297/FUL	**Agenda Item**	
Date Received	7th August 2017	**Officer**	Mairead O'Sullivan
Target Date	2nd October 2017		
Ward	Coleridge		
Site	Adkins Corner Perne Road Cambridge CB1 3RU		
Proposal	New block to rear containing three 3xbed residential units with roof terraces following demolition of existing retail storage space at first floor and changes to the external appearance of the existing elevations along with revised access arrangements from Perne Road, courtyard at first floor level, car and cycle parking and associated landscaping.		
Applicant	SJK Properties Ltd		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed new block and works to the existing building are considered acceptable in terms of design (subject to shopfront details). - The proposal would not have any significant adverse impact on the amenity of surrounding occupiers. - The proposal would provide a good standard of amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the corner of Perne Road and Cherry Hinton Road. The ground floor is comprised of a number of retail units with car parking to the front. Most of the upper floors are in residential use. A number of units were recently

granted prior approval for change of use from B1(c) office use to C3 residential use. Most of these units are accessed from the rear of the building.

1.2 The remaining space to the rear is used for storage and servicing for the retail units. Car parking for customers of the retail units is to the frontage.

1.3 The façade of the building currently looks run down and in need of upgrade. The building is finished in brick with a railing and balcony running along the whole of the first floor. There are four existing retail units at ground floor. Budgens occupy the largest unit and have covered most of the shopfront in vinyl decals. A bookmakers, pharmacy and carpet shop occupy the remaining smaller units which front onto Perne Road.

1.4 Outside of the application site, but still within the same applicant ownership, is a Kwik-Fit garage with residential units above. This has not been included within the application as the garage has a long term lease of the unit.

1.5 The site lies within the Adkins Corner local centre.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the construction of a residential block to the rear of the site comprising of 3 no. x 3 bedroom units with roof terraces. This will follow from the demolition of existing storage space at first floor which serves the existing retail unit. Alterations are proposed to the existing elevations along Perne Road including re-cladding and upgrading the façade. A revised access and servicing arrangement is proposed. At the moment the large retail unit is serviced from the rear. Large lorries reverse from Perne Road along the access and are unloaded into the rear storage area. The revised proposal would see a dedicated loading bay added to the front. This will overcome the need to stop traffic. Following the revised servicing arrangement and removal of the storage block, a courtyard with car parking and landscaping is proposed to the rear. This will also incorporate bike and bin storage for the residential units.

2.2 The application has been revised since submission. There were concerns that the original proposal would not have provided an

adequately high standard of amenity for future occupiers of the flats. The application has been amended reducing the number of units and the size of the units from 4no. x 4 bedroom units to 3no. x 3 bedroom units. The external courtyard area at first floor has been increased in width and the new block has been shifted further north. A roof terrace has been introduced to provide the new units with south facing amenity spaces. The balconies to the existing units, which were to be removed, have been reinstated. Secure cycle parking has been provided. Additional cycle parking has also been provided to the front of the retail unit. A platform lift has been incorporated. The applicant has confirmed that the units will have a level threshold to allow wheelchair access.

2.3 Much of the upper floors are already in residential use. The remainder of the units, which have yet to be converted, have received prior approval to change from office to residential (17/1315/B1C3). This change does not require planning permission and is not included as part of the current application. As it stands, these existing residential units are poor quality and in need of an upgrade. The access arrangement is also poor with the units being accessed from the rear; in close proximity to the retail servicing area. The existing storage block encloses the area where the units are accessed from and means that the access arrangement is fragmented with this block preventing a through access.

3.0 SITE HISTORY

3.1 The site has an extensive planning history; the relevant most recent history is shown in the below table.

Reference	Description	Outcome
17/1315/B1C3	Prior Approval notification of proposed change of use of the corner office on first and second floors from B1(a) (offices) to Class C3 (dwellinghouses)	Prior approval granted
11/0337/FUL	Proposed change of use of Class B1(a) offices and surplus storage/welfare accommodation into 6no residential units.	Permitted

09/0829/FUL	Replacement of existing public telephone kiosk combining public payphone service and ATM service. The proposal involves shifting the kiosk back by 0.5m. The proposal requires the provision of 4 protective bollards at the request of the Crime Prevention Officer.	Permitted

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (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> 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) The Cambridge Shopfront Design Guide (1997)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account,

especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

6.1 No objection: The proposal seeks to justify a low level of car parking provision. Most of the units are substantial. The proposal will require an alteration to the existing Traffic Regulation Order controlling on-street car parking. This must be a pre-commencement condition if the planning authority is minded to approve the application. The Traffic Regulation Order is subject to consultation. Informatives are also recommended.

Second comment

6.2 No comment to make on the revised plans. The previous comments still apply.

Environmental Health

6.3 No objection: Conditions are recommended regarding demolition/construction hours, collections and deliveries during demolition/construction, dust, plant noise insulation, traffic noise insulation, and delivery times to the commercial units. Informatives are requested regarding plant noise insulation and dust,

Refuse and Recycling

6.4 No comments received.

Urban Design and Conservation Team

First comment

6.5 Objection: The principle of development is acceptable and does not appear to have a significant impact on neighbouring occupiers. The number of units is placing significant pressure on the provision and quality of amenity space. The existing balconies are removed leaving these units without any private amenity space. The first floor courtyard is enclosed and would be constantly in shade. A light study is requested for the new flats given their proximity to the existing building. The arrival space is narrow and not well overlooked. All cycle parking is externalised and unsecure. Concerned that part of the site, the Kwik-Fit building, is outside of the application. Query how access to the allotments would work. The revised plans give a horizontal emphasis to the frontage and the loss of the balconies removes the domestic quality of the upper floors. There are concerns about the use of timber cladding.

Second comment

6.6 No objection: The number of units has been reduced and south facing roof terraces have been introduced. The balconies to the existing units have been reinstated. The width of the courtyard has been increased; details of the landscaping to the threshold spaces should be conditioned. The new units are now closer to the northern boundary; this results in a small increase to shading at noon on 20th March to the rear garden of 10 Perne Road but the rear of the property remains unaffected and this increase is not considered significant. The principle of cycle storage lockers is acceptable but details should be conditioned. Cycle parking should be allocated for increased security. The reinstatement of the balconies is welcome. Details of how signage is incorporated into the ground floor retail unit, stallrisers, and a signage zone should be incorporated. Details of the materials for the refurbishment of existing and the construction of the new units, including colour and junctions between materials, should be conditioned.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.7 No objection: The proposed development provides an opportunity to reduce surface water runoff from the site and include SuDS into the drainage design to provide water amenity, biodiversity, quality, and quantity benefits. A condition requiring surface water drainage details is requested.

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

7.0 REPRESENTATIONS

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

- 11 and 16 Brooklyn Court
- 336 and 340 Cherry Hinton Road
- 1 Lorris Court
- 9, 10, 12, 24 and 32 Perne Road
- Camcycle
- Resident of St Johns College

7.2 The representations can be summarised as follows:

- Concerned that increased number of residences will cause noise disturbance
- Supported the original proposal but the amended proposal would have a much greater impact on the amenity of surrounding occupiers.
- The new building would harm the amenity of surrounding occupiers in terms of overlooking, privacy, noise and visual impact.
- Light disturbance to surrounding gardens from new building
- Shadow plans are misleading and the impact on the houses on Perne Road, in terms of loss of light, is ignored
- Will increase traffic congestion in an already busy area
- Concerned about increased demand for on-street car parking
- The new servicing arrangement, to the front of the property, would be unsafe for pedestrians
- How will deliveries take place to the front when this space is currently taken up with car parking

- Request that deliveries do not take place before 7 am as they cause noise disturbance to local residents.
- The change to parking restrictions will be a problem for nearby residents
- Would harm aesthetic of area
- Urban design officer still has concerns
- Insufficient cycle parking
- No large-sized cycle parking
- Lack of covered cycle parking
- No cycle parking for employees of the shop
- Unclear how the residents' cycles are accessed
- The artists impression of cycle stands shows incorrect usage of Sheffield stands and would be impractical
- Concerned about loss of chemist/pharmacy; this is important to the elderly population who live in the nearby retirement blocks as other pharmacies are too far away to walk.
- The existing building can be improved without the need for a new block.

7.3 The owner/occupier of 10 Perne Road had originally written in to support the application but has now withdrawn support for the proposal. Their objection is included in the above summary of comments.

7.4 Councillor Rosy Moore has commented on the application. Her comments can be summarised as follows:

- The new design is more imposing on neighbours
- Overdevelopment of the site
- Removes all amenity space and does not provide a quality living environments for future occupiers.

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

8.0 ASSESSMENT

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

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

3. Renewable energy and sustainability
4. Disabled access
5. Residential amenity
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligations (s106 Agreement)

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development of windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses. Therefore, the development of housing is acceptable, however, considerations should be taken into account e.g. impact on neighbour amenity and visual aesthetics.

8.3 The proposal reconfigures the retail provision at ground floor. This would result in the loss of a number of smaller units. However, the total amount of retail floorspace would remain the same and as a result the proposal does not trigger policy 6/7. A number of representations raise concerns about the loss of the chemist/pharmacy. This use is not protected and there is no planning reason to resist its loss given that the amount of retail space on site remains unchanged.

Context of site, design and external spaces

8.4 The original proposal to alter the existing public facing façade was considered unacceptable. The balconies to the first floor were to be removed which would have resulted in the loss of the domestic appearance of the upper floors. The proposal was considered to have an unacceptable horizontal emphasis and whilst the building is in need of upgrade, the original proposal was not considered to be acceptable in design terms.

8.5 The proposal has been substantially revised and improved. The balconies have been reinstated. The façade is to be clad in insulated white render. Some pre-cast concrete cladding has been added to break up the render and help to add some vertical emphasis. The balconies maintain the domestic feeling of the upper floors and break up the mass of the building. The

Urban Design Officer has requested some further detail of the signage area for the retail units and the addition of a stallriser. The applicant will provide these details and an update will be provided on the amendment sheet.

8.6 The use of timber cladding to the rear was questioned by the Urban Design Officer. The applicant has provided a response confirming that additional measures could be taken to prevent damage to the cladding. We are satisfied that this is achievable. The proposed palette of materials is considered to be acceptable in principle. Further details are required by conditions 3 and 4.

8.7 The new residential block will not be prominent in any public views. The new addition replaces a storage area to the rear which looks fragmented and has no architectural merit. The proposal will improve the appearance of this space to the rear. Details of the materials to be used in the new block are required by condition to ensure it would be finished to a high standard.

8.8 The residential units would be accessed from Perne Road. New gates are to be provided, both car and pedestrian; details of which are requested via condition. This will create a private space to the rear for the residential units. The only access the retail units will have to this space to the rear is the shared refuse storage area. Cycle parking and car parking would be provided within this space. The residential units are all accessed at first floor level. Two stairs will be provided, and a platform lift, to bring occupiers to a shared first floor courtyard space.

8.9 The rear of the existing building would be re-clad in timber. The new block would have a flat roof with north facing terraces to the rear and sloped roof elements adjacent to the terraces with glazing. Timber cladding would be incorporated into the ground and first floors rising to act as balcony screens for the north facing terraces. The remainder of the block would be clad in fibre cement tiles.

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

Disabled access

8.11 There were concerns that as all of the residential units were on the first floor with stair access the proposal would not comply with policy 3/7 which states that development should have consideration for the needs of those with disabilities to ensure places are easily and safely accessible. A platform lift has been provided adjacent to the western stairs as part of the revisions to the scheme. The applicant has confirmed that all units will have level threshold access.

8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.13 The revised proposal shifts the building in the rear closer to the northern boundary and as a result closer to the nearest neighbouring garden at 10 Perne Road. This results in an increase to overshadowing of the garden. The only time when there would be any significant overshadowing would be 12.00 on 20th March and the shadowing would only affect the southern side of the garden; the house itself would not be in shade. Given the overshadowing would be for a limited time and as a substantial part of the garden and the house itself remains unaffected, I am satisfied that this impact would not be significantly harmful to warrant refusal. The Urban Design Team share this view.

8.14 Although the residential block to the rear of the site has moved closer to the garden of 10 Perne Road, there is still a substantial distance between the block and the neighbouring site, with the rear accessway providing 5m of separation between the new block and the boundary of number 10. As a result I am satisfied that the proposal would not cause any significant enclosure to this neighbouring garden; whose main outlook is to the east.

8.15 There are rear terraces which face towards the gardens of these properties on Perne Road. These are shown to include a screen which is integrated with the timber cladding on the rear elevation. This would prevent any overlooking of the gardens of

the properties to the north on Perne Road. Details of all roof terrace screens are recommended to be dealt with via condition. This includes the provision of a cross-section to ensure the screens would be adequately high to prevent any overlooking. There are no windows in the end rear wall of these units. The kitchens of the units are served by high level glazing which would provide light to these rooms but prevent any overlooking. There are some bedroom windows that face toward these gardens but views from these windows would be obscured by the timber cladding.

8.16 The existing residential units are already enclosed by the existing storage area and the access to these units is poor and fragmented. The revised arrangement will create two coherent access points to the residential units, which currently are accessed from two unconnected stairs from the rear with no through way. The first floor courtyard has been widened and would now be a more welcoming space. The amenity spaces to the new units would be adjacent to a number of bedroom windows to the existing units. However I am satisfied that a screen could be provided to these terraces to ensure there would be no overlooking issues. A condition is recommended requiring approval of these details.

8.17 The proposal will result in an increase in the number of residents using the rear of the site. However, the revised servicing arrangement would significantly reduce the amount of vehicular movements to the rear and as a result I am satisfied that the proposal would be an improvement in terms of noise and disturbance to the surrounding occupiers to the rear of the site. The inclusion of a secure access point will ensure that the space to the rear is mainly accessed by the occupiers of the residential flats and will improve the security of the rear of the site.

8.18 The Environmental Health Officer has requested conditions regarding plant noise insulation and traffic noise insulation to the new units. Other conditions are requested to protect amenity during construction. A condition is also requested to control the hours of deliveries to the retail units. These are all considered to be acceptable and are included as conditions no’s 8 – 13.

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

Amenity for future occupiers of the site

8.20 The reduction in the number of units proposed and the shifting of the building to the north has allowed an increase to the width of the first floor courtyard. This area would no longer appear cramped and although it is enclosed by buildings, the revised arrangement would be adequately wide and would now be able to get some light so would become a more usable space. The courtyard includes some shared and other private area with planting. This will be 6.6m wide. Some planting would be provided to demarcate the boundaries. The reintroduction of balconies to the existing residential units means that these occupiers will no longer rely on the courtyard as their only amenity spaces.

8.21 The revised design of the new block reduces the number and size of the units meaning there is more space and less pressure for space from additional users. The provision of a south facing terrace to these occupiers' means there would be an attractive outdoor amenity space for these units which are sufficiently large to accommodate a family (approx. 18.6 sqm). Occupiers of these units also have some semi-private space to the front of the units by the courtyard and a small enclosed north facing terrace (6.76 sqm) which allows a space for storage, drying clothes, etc.

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

Refuse Arrangements

8.23 A shared bin storage facility for the residential units is to be provided on the ground floor adjacent to the retail bin storage area. This area is within close proximity to the western stairs and is relatively easily accessible to all of the units. I am satisfied that this arrangement would be acceptable. The only

access the retail occupiers would have to the rear is for bin storage. A condition is recommended to ensure that this is the case and another condition to ensure that all storage is provided internally within the allocated retail spaces and not within the private residential area surrounding the car parking to the rear.

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

Highway Safety

8.25 The Highway Authority has stated that a Traffic Regulation Order (TRO) is required for the amendment to the car parking arrangement to the frontage. This process is subject to consultation. I understand from the applicant that they have submitted the relevant information to the County Council but as an objection was received, the application needs to be heard at a committee. The revised servicing arrangement is essential to the acceptability of the proposal and the additional block to the rear would not be feasible if servicing was to also remain to the rear of the unit as it would cause noise disturbance and potential safety issues for occupiers. A Grampian condition is recommended requiring that the TRO is in place prior to commencement of any works.

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

Car and Cycle Parking

8.27 The original cycle parking arrangement was uncovered and unsecure. As the residential units are on the upper floors there was also no surveillance of the cycle parking. This was considered unacceptable and has been amended. The revised arrangement involves locker cycle store. This would provide a more secure arrangement and is considered acceptable in principle but details are required via condition. Some additional cycle parking stands are also to be provided to the front of the retail unit as there is currently a lack of cycle parking to serve the retails units.

8.28 A total of 12 car parking spaces are provided to the rear. This provision would serve the residential flats and is considered acceptable given the sustainable location of the site.

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

Third Party Representations

8.30 I have addressed the majority of the issues raised by the third party representations within the body of my report but I will deal with any outstanding matters in the below table.

Representation	**Response**
Concerned that increased number of residences will cause noise disturbance	See paragraph 8.17
Supported the original proposal but the amended proposal would have a much greater impact on the amenity of surrounding occupiers.	The impact on the amenity of surrounding occupiers is assessed in paragraphs 8.11-8.17
The new building would harm the amenity of surrounding occupiers in terms of overlooking, privacy, noise and visual impact.	See paragraphs 8.13-8.19
Light disturbance to surrounding gardens from new building	I do not consider there would be any significant light disturbance given the limited amount of glazing to the rear
Shadow plans are misleading and the impact on the houses on Perne Road, in terms of loss of light, is ignored	I am satisfied that the shadow plans are accurate. The impact on no.10 in terms of overshadowing is assessed at paragraph 8.13
Will increase traffic congestion in an already busy area	I do not consider that the 3 additional units and revisions to the retail units would have any significant impact on traffic congestion.

Concerned about increased demand for on-street car parking	I am satisfied that the proposed car parking arrangement would be adequate
The new servicing arrangement, to the front of the property, would be unsafe for pedestrians	Details of the TRO required to change the parking to the frontage will be dealt with by the Highway Authority. The Highway Engineer has not raised any concerns.
How will deliveries take place to the front when this space is currently taken up with car parking	This is subject to a TRO to amend on street car parking. See paragraph 8.25
Request that deliveries do not take place before 7 am as they cause noise disturbance to local residents.	No deliveries are permitted before 07:00 as the revised servicing arrangement will result in large vehicles and unloading taking place in close proximity to residential windows. See recommended condition 13.
The change to parking restrictions will be a problem for nearby residents	I have no concerns regarding the change to car parking subject to the TRO being approved by the Highway Authority.
Would harm aesthetic of area	The proposed design is considered acceptable.
Urban design officer still has concerns	See paragraph 8.5. An update will be provided on the amendment sheet
Insufficient cycle parking	I am satisfied that the revised cycle parking arrangement is acceptable.
No large-sized cycle parking	There is no policy requirement for larger cycles.
Lack of covered cycle parking	Covered and secure cycle parking has now been provided
No cycle parking for employees of the shop	Some additional stands have been provided to the front of the retail unit.
Unclear how the residents' cycles are accessed	The resident's cycle would be accessed from the rear. Details are to be provided via condition.

The artists impression of cycle stands shows incorrect usage of Sheffield stands and would be impractical	This plan has been superseded. Cycle lockers are now to be provided. Details are recommended to be dealt with by condition.
Concerned about loss of chemist/pharmacy; this is important to the elderly population who live in the nearby retirement blocks as other pharmacies are too far away to walk.	See paragraph 8.3
The existing building can be improved without the need for a new block	I can only assess the application on the basis of what has been applied for.
The new design is more imposing on neighbours	See paragraph 8.13
Overdevelopment of the site	The proposal is considered acceptable in terms of design and is not considered to have any significant adverse impact on surrounding occupiers.
Removes all amenity space and does not provide a quality living environments for future occupiers.	The revised proposal provides more amenity space for future occupiers and reduces the number of additional occupiers of the site.

Planning Obligations (s106 Agreement)

8.31 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

8.32 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a

maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development, with an uplift of three units, and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

9.1 The proposal is considered to provide an improvement to the streetscene by upgrading the run-down façade. The proposal requires a Traffic Regulation Order to permit works to the highway which would allow a revised servicing arrangement. This is required as a pre-commencement condition to ensure that the revised servicing arrangement is achievable. The proposal would cause some overshadowing of part of the garden of 10 Perne Road but this is not considered significantly harmful to warrant refusal of permission.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

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

5. Prior to the occupation of the residential units, large scale plans of the cycle parking for the residential units shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be installed in accordance with the approved details prior to the occupation of the residential units and shall be retained thereafter.

   Reason: To ensure adequate cycle parking is provided to the residential units (Cambridge Local Plan 2006 policies 3/4 and 8/6)

6. Prior to the commencement of development, the amendment to the Traffic Regulation Order, controlling on street parking which is required to facilitate the revised servicing arrangement, must be approved and in place.

   Reason: To ensure the revised servicing arrangement can be achieved and to protect the amenity of future occupiers (Cambridge Local Plan 2006 policies 3/4 and 8/2)

7. Following the approval of the Traffic Regulation Order and prior to the occupation of the residential units, all servicing of the retail units to the rear (other than the collection of refuse) shall cease. All servicing shall be carried out to the front of the retail units in accordance with the Traffic Regulation Order.

Reason: To Protect the amenity of future occupiers of the residential units (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/12)

8. 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)

9. 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)

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

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

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

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

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

    Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13)

13. Deliveries to the commercial units shall only take place between the following hours:

    Monday to Saturday: 07:00 - 21:00
    Sundays and Bank Holidays: 09:00-19:00

    Reason: To protect the amenity of the existing occupiers of the site (Cambridge Local Plan 2006 policies 3/4 and 4/13)

14. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

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

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

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

16. Notwithstanding the approved plans, prior to commencement of development, details of screens to the north facing first floor roof terraces and the south facing second floor roof terraces shall be submitted to and approved in writing by the Local Planning Authority. Details shall include cross-sections to show the height of the screens.

    Reason: To protect the amenity of surrounding occupiers (Cambridge Local Plan 2006 policy 3/4 and 3/12)

17. The balconies to the front of the building shall be implemented in full prior to the occupation of the residential units.

    Reason: To ensure there is adequate amenity space for future occupiers (Cambridge Local Plan 2006 policies 3/7 and 3/12)

18. The platform lift shall be installed prior to the occupation of the residential units.

Reason: To ensure the residential units are accessible to wheelchair users (Cambridge Local Plan 2006 policies 3/7 and 3/12)

19. All storage for the retail units shall be internal and within the allocated retail space. No storage shall take place in the external space surrounding the residential car parking to the rear.

Reason: To protect the amenity of future occupiers of the residential flats (Cambridge Local Plan 2006 policies 3/7, 3/12 and 4/13)

20. Prior to the occupation of the residential units, details of the proposed gates and associated access arrangements from Perne Road, and details of low level lighting to the path, shall be submitted to and approved in writing by the Local Planning Authority. The gates and lighting shall be installed in accordance with the approved details prior to the occupation of the residential units and shall be retained thereafter.

Reason: To ensure the space to the rear is secure (Cambridge Local Plan 2006 policies 3/7 and 3/12)

INFORMATIVE: Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

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

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

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

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

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

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

INFORMATIVE: Before drainage details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to a achieve a 20% reduction in peak flows 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.
c. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
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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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1722/FUL	**Agenda Item**	
Date Received	5th October 2017	**Officer**	Charlotte Burton
Target Date	4th January 2018		
Ward	West Chesterton		
Site	1 Whichcote House Springfield Road Cambridge CB4 1HY		
Proposal	Change of use and conversion of Whichcote House from student accommodation to provide 11no. C3 (dwellinghouse) units, along with car and cycle parking and associated landscaping.		
Applicant	Whichcote Land Ltd		

SUMMARY	The development accords with the Development Plan for the following reasons: The principle of change of use to residential is acceptable. The proposal would enhance the appearance of the building and the street scene The proposal would not have a significant adverse impact on residential amenity or highway safety;
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site comprises Whichcote House which is a three storey building fronting Springfield Road and open space at the rear of the site onto Milton Road. There is parking at the front of the site and landscaping along the boundaries.

1.2 The property comprises 8 no. flats, individual study rooms, a common room, utility room and laundry facilities. The last occupation was for students or members of King's College, however the property is currently vacant.

1.3 There is an extant consent on the site for demolition of the existing building and the erection of a student accommodation block providing 48 no. student rooms for graduates, which was granted consent in November 2015 (15/1302/FUL). The approved scheme was for a block up to three storeys high on the Springfield Road and Milton Road frontages.

1.4 The site excludes the area to the west of Whichcote House which is currently used as open space associated with the property. Planning permission was granted in August 2017 for the erection of 3 no. terraced dwellings with associated parking, access and landscaping arrangements fronting Milton Road (17/0489/FUL).

1.5 Springfield Road is a narrow road off Milton Road with traditional terraced properties on either side. The site is located at the northern end where the road terminates at Springfield Terrace, which connects Milton Road to Herbert Street.

1.6 The northern boundary of the site runs along Springfield Terrace where this is a pedestrianized lane. Nos. 1-8 Springfield terrace are two storey properties with small front gardens.

1.7 To the south are Nos. 37 and 39 Springfield Road which share an access. No. 37 is a traditional two storey end of terrace. No. 39 is a more recent infill development set back from the road which is attached to the rear of No. 37. The properties share a courtyard. No. 37 has extant consent for change of use from residential property (C3 use) to a bed and breakfast (C1 use) (15/2362/FUL), however it is understood that this was never implemented. Planning permission has been granted for extensions and alterations to convert No. 37 into an extension to No. 39 to create a single dwelling (17/0435/FUL).

1.8 The site is not within the conservation area. The site is outside the Controlled Parking Zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

2.1 The proposal is for change of use and conversion of Whichcote House from student accommodation to provide 11 no. C3

(dwellinghouse) units, along with car and cycle parking and associated landscaping. The units would comprise:

- 3 x 1-bed flats
- 8 x 2-beds flats

2.2 The external alterations to the building include the inset balconies on the first floor and roof terraces on the second floor, the resizing of existing windows and cladding. The front elevation would be clad in timber on the ground floor with zinc on the first and second floors. The zinc cladding would be continued on the side and rear elevations of the second floor. The rear second floor elevation would be rendered in a grey colour.

2.3 The ground floor units would have private defensible space. The open space at the rear would remain as communal garden, providing approximately 105sqm of amenity space. The existing trees and hedge along the Springfield Road boundary would be retained, as would the trees along the northern and southern boundaries. The landscaping would be enhanced with planting beds around the edge of the building. An accessible ramp would be provided from the front around the side of the building to the rear.

2.4 The existing gravel area in front of the building would be hard surfaced. 6 no. car parking spaces (including one accessible space) would be provided at the front of the site. 16 no. cycle parking spaces would be provided within the ground floor with access from the front elevation, and a further 10 no. spaces would be provided in a cycle store at the rear adjacent to the southern boundary. 2 no. visitor spaces would be provided in front of the building.

2.5 The existing bin store to the side of the building on the northern boundary would be retained and extended to provide communal facilities.

2.6 The application is accompanied by the following supporting information:

1. Covering Letter
2. Design and Access Statement
3. Sustainability Report
4. Drawings

3.0 SITE HISTORY

3.1 The relevant planning history comprises:

Reference	Description	Outcome
17/0489/FUL	Proposed erection of 3No. terrace dwellings with associated parking, access and landscaping arrangements fronting Milton Road	Approved subject to conditions
16/1873/FUL	Change of use and conversion of Whichcote House from student accommodation to provide 10 no. C3 (dwelling house) units. Addition of a third floor extension to provide a further 1no. 3-bed flat. Associated cycle parking, bin store, car parking and landscaping.	Refused (Appeal pending decision)
15/1302/FUL	Demolition of existing building and construction of a replacement graduate student accommodation building including creation of new/altered pedestrian and vehicular accesses and landscaping including works to trees.	Approved subject to conditions
C/70/0707	Erection of block of eight flats with playroom, pram store and six studies and parking facilities.	Approved subject to conditions
C/63/0135	Use of land for erection of flats.	Approved subject to conditions

3.2 The recent application 16/1873/FUL was refused by the planning committee on the following grounds:

1. The impact of the increased height and massing on Springfield Road and Springfield Terrace would be unduly dominant and fails to respond well to the site context contrary to Cambridge Local Plan (2006) policy 3/4 and fails to create an attractive frontage to positively enhance the streetscape contrary to Cambridge Local Plan (2006) policy

3/7 and would represent poor design contrary to the National Planning Policy Framework (2012).

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 4/4 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 (Appendix A)

Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	City Wide Guidance Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

For the application considered in this report, the following policies in the emerging Local Plan are of relevance and are referred to in the assessment below:

- Policy 46 – Development of student housing

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

6.1 The proposal proposes a level of car parking provision within the site significantly less than one space per dwelling unit. No justification is provided within the proposal regarding car

parking provision. The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development is therefore considered likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider

Landscape Architect

6.2 No objection subject to conditions for hard and soft landscaping scheme, boundary treatments, and landscape maintenance and management plan.

Environmental Health

6.3 No objection subject to conditions for ground contamination, plant noise insulation and to control construction and delivery/collection hours.

Sustainable Drainage Engineer

6.4 No objection. Recommended condition for a surface water drainage scheme.

Lead Local Flood Authority (Cambridgeshire County Council)

6.5 No objection.

Environment Agency

6.6 The site falls within the Flood Risk Standing Advice. It will be necessary for the Council to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues. Infiltration drainage, including soakaways, will only be acceptable where it has been demonstrated by the applicant that the land is uncontaminated.

Anglian Water

6.7 No comments received.

Cambridge Water

6.8 No comments received.

Senior Sustainability Officer (Design and Construction)

Initial comment

6.9 A renewable energy statement is required.

Comment on Sustainability Statement

6.10 No objection subject to conditions regarding water efficiency and renewable/low carbon technologies. The choice of photovoltaic panels is supported. Note that one of the flats is to use an air source heat pump to meet its requirements. Recommend targeting higher standard of water efficiency.

Cycling and Walking Officer

6.11 No comments received.

Access Officer

6.12 No comments received.

Designing Out Crime Officer (Cambridgeshire Policy Headquarters)

6.13 No objection.

Waste Team

6.14 No comments received.

Developer Contributions Monitoring Unit

Community Facilities

6.15 The proposed development is within 1 mile of the Akeman Street Community House site.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of £13,816 (plus indexation) is requested towards the provision of and / or improvement of community facilities and equipment as part of the Akeman Street Community House redevelopment.

So far, the council has not agreed any other specific contributions for this project. The council has proposed, but not formally agreed two further specific contributions for this project.

Indoor Sports

6.16 The proposed development is within 400m of the Chesterton Community College sporting facility, which is on the Councils 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Councils Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of £5,514.50 (plus indexation) is requested towards the provision of blackout blinds to the main hall to enable the provision of activities to include glow sports and beats fitness at Chesterton Community
College, Gilbert Road, Cambridge CB4 3NY.

So far, the council has not agreed any other specific contributions for this project. The council has proposed, but not formally agreed two further specific contributions for this project.

Outdoor Sports

6.17 This proposed development is within 700m of Chesterton Recreation Ground, which is on the council's 2016/17 target list

of outdoor sports facilities for which specific S106 contributions may be sought.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £4,879 (plus indexation) for the provision of and / or improvements with regard to the pavilion extension / pitch works at Chesterton Recreation Ground.

So far, the council has proposed only one specific contribution for this project (ref 14/0790/FUL former Cambridge City Football Ground) so there is still scope for this contribution (and up to three others) to be requested. The council has though proposed, but not formally agreed two further specific contributions for this project.

Informal Open Space

6.18 This proposed development is within 700m of Chesterton Recreation Ground.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £4,961 (plus indexation) for the provision of and / or improvements to informal open space at Chesterton Recreation Ground.

So far, the council has agreed only one specific contribution for this project, and proposed two further contributions, so there is still scope for this contribution (and one other) to be requested.

Play provision for children and teenagers

6.19 This proposed development is within about 800m of Chesterton Recreation Ground play area. Chesterton Recreation Ground play area is on the councils target list of facilities for which specific S106 contributions will be sought. This highlights the scope for improving the play area equipment and facilities in order to mitigate the impact of local development.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £5,056 (plus indexation) for improving the play area

equipment and facilities at Chesterton Recreation Ground play area.

So far, the council has not agreed any specific contributions for these projects so there is still scope for this contribution (and up to four others) to be requested. The council has though proposed, but not formally agreed one further specific contribution for this project.

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

7.0 REPRESENTATIONS

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

- 12A Springfield Road
- 20 Springfield Road
- 21 Springfield Road
- 24 Springfield Road
- 28 Springfield Road
- 31 Springfield Road
- 33 Springfield Road
- 38 Springfield Road
- 42 Springfield Road
- 28 Pepys Court

7.2 The representations can be summarised as follows:

- Overdevelopment
- Inadequate parking
- Increase in traffic
- Access and highway safety
- Increase in noise and disturbance
- Impact on residential amenity
- Poorly integrated into the street
- Inadequate refuse storage and collection arrangements
- Overshadowing neighbouring properties, loss of privacy and natural light.
- Out of character with surrounding context

- Proposed zinc cladding on second floor would be overpowering
- Trees along Springfield Road should be retained
- Impact of construction
- Creation of access from Milton Road has begun

7.3 The owners/occupiers of the following addresses have made **neutral** or **supportive** representations:

- 32 Springfield Road
- The Bike Depot, 140 Cowley Road (Camcycle)

7.4 The representations can be summarised as follows:

- Scheme improved from the previous application
- Proposal will improve frontage and general feel of outdated building.
- No objections to cycle parking arrangement.
- Provide spaces for larger cycle types.
- Improve Springfield Terrace connecting Springfield Road to Milton Road

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Refuse arrangements
7. Third party representations
8. Affordable housing
9. Planning Obligations (s106 Agreement)

8.2 In assessing this application, the decision on the previous application for residential conversion and extension (16/1873/FUL) with the sole reason for refusal relating to the increased height and mass of the additional storey is a material consideration that I have given appropriate weight to in my assessment below.

Principle of development

8.3 The principle of change of use from student accommodation to residential use was accepted during the previous application (16/1873/FUL). For completeness, the assessment is rehearsed below.

8.4 The existing use is for student accommodation comprising 8 no. flats and 4 no. studies. There are no policies within the adopted Cambridge Local Plan (2006) to resist the loss of student accommodation. The emerging Cambridge Local Plan 2014 replacement draft policy 46 includes provision to resist such loss unless adequate accommodation is re-provided or it is demonstrated that the facility no longer caters for current or future needs.

8.5 The emerging local plan is a material consideration, however the National Planning Policy Framework (NPPF) (2012) makes it clear that the weight that can be given to policies within emerging plans depends upon the extent to which there are unresolved objections to the draft policy (paragraph 216). Policy 46 has been the subject of objections that have yet to be resolved through the examination process. As such, the Policy Team has advised that there are no policy grounds on which to resist the loss of student accommodation in principle and I agree with this position.

8.6 There is an extant consent on the site for a graduate student scheme which would represent an increase in the number of student rooms on the site from 30 no. beds to 48 no. beds (15/1302/FUL). This consent could be implemented subject to discharge of pre-commencement conditions, however there is no obligation for the applicant to complete the scheme. Should consent be granted for the current application, the applicant would have the option of which consent to implement. The potential lapsing of the student accommodation consent is not a material consideration.

8.7 Cambridge Local Plan (2006) policy 5/1 supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider that C3 (dwelling house) use and additional units could be supported in principle.

Affordable housing

8.8 The affordable housing requirements have been considered taking the proposed development together with the approved scheme for 3 no. dwellings the western part of the site fronting Milton Road which is with this same ownership (17/0489/FUL). The two schemes together would provide 14 no. units on a site 0.14ha. This would be below the threshold for affordable housing set out in Cambridge Local Plan (2006) policy 5/5 and thus affordable housing is not required.

Context of site, design and external spaces

8.9 Whichcote House is a three storey building on a large site, which is an anomaly within the otherwise fine grain of the traditional terraced properties along Springfield Road and surrounding streets. Due to its size, the building is relatively prominent along Springfield Road, albeit set back from the street with landscaping including a treed screen in front. The building is outdated and the site in need of upgrading, in my opinion.

8.10 The current proposal has removed the proposed third storey which was the sole reason for refusal of the previous scheme. It was the increase in the height and massing of the building that was a concern on the previous application (16/1873/FUL). The previous reason for refusal does not refer to the materials, alterations to window openings or addition of balconies/roof terraces, which were previously considered acceptable.

8.11 The proposed cladding, alterations to the window openings and addition of balconies/roof terraces would update and enhance the appearance of the building in my opinion. The proportions, arrangement and materials would be appropriate for the building and would not harm the character of the area. I do not consider the zinc on the second floor to be overbearing. In my opinion, this would have the appearance of a set-back roof

storey which would visually lower the scale of the building. This is a high quality material that is used extensively within the City. The balconies would relate well to the projections on the existing building and would not significantly increase the bulk of the building. I have recommended conditions for material samples and window details. Subject to this, in my opinion the proposal would enhance the appearance of the building and the street scene.

8.12 The proposal would retain important trees and landscaping along the boundaries, and would enhance the appearance of the site through new hard landscaping at the front and planting beds around the edge of the building to soften its appearance. I have recommended the conditions requested by the Landscape Officer for a detailed hard and soft landscaping scheme including boundary details and management plan to be submitted for approval. The trees along the boundaries are important to the street scene and I have recommended a condition for tree protection details to be submitted for approval in order to ensure these trees are retained.

8.13 The site would function well in terms of providing good internal and external access to the communal space at the rear. The cycle parking would be in a convenient location for users, and the proposal would retain and extend the existing bin store, which is acceptable. No elevations of the cycle and bin stores have been provided, so I have recommended a condition for these details to be submitted for approval.

8.14 Thus, in my opinion, the current proposal is acceptable and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.15 The nearest residential neighbours are Nos. 1-8 Springfield Terrace to the north, Nos. 37 and 39 Springfield Road to the south, and Nos. 46 to 44 Milton Road to the south west. The impact on Nos. 32-42 Springfield Road on the opposite side of the street and the relationship with the approved scheme on the Milton Road side of the wider site is also considered.

8.16 The proposal would not materially alter the scale and mass of the building and therefore would not impact on neighbouring properties in terms of overshadowing, loss of light or overbearing, compared to the existing situation. This assessment therefore considers the potential overlooking impact from the addition of roof terraces and the alterations to the window openings, and the wider impact on the residential area.

- Overlooking

8.17 There would be terraces on the first and second floor front and rear elevations. The terraces on the front elevation would be over 15m from the front elevation of the Springfield Road properties opposite and views would be screened by the existing trees. The terraces on the rear elevation would be approximately 9m from the boundary with gardens of the approved 3 no. dwellings. I am satisfied that this would be an acceptable relationship. There would be oblique views from the front and rear terraces towards the rear gardens of Nos. 46 to 44 Milton Road and Nos. 37 and 39 Milton Road, however I am satisfied that this could be overcome through the use of screens. I have recommended a condition for details of the screens to be submitted and to be installed prior to occupation.

8.18 Window openings have been enlarged by lowering the cill levels. However, the enlarged part of the windows are proposed to be obscured, so would not affect the existing situation in terms of the views afforded towards neighbouring properties.

- Wider area

8.19 Third parties have raised concerns about inadequate car parking and the resulting impact of additional demand for car parking on residential amenity. The proposal includes the retention of 6 no. car parking spaces, which is the same as the existing situation. However, this is less than one space per unit and the site is outside the controlled parking zone, where future residents would be able to on-street. The Highways Authority has advised that this could generate additional demand for on-street car parking. The car parking provision is in accordance with the Council's adopted maximum standards, which seeks to encourage the use of sustainable transport modes. The site is

close to the city centre, to shops and services in Milton Road, and to public transport and cycle routes, so the future occupants would not be car dependent. Moreover, the existing car parking situation on surrounding streets is likely to dissuade car-ownership. For these reasons, in my opinion, the demand for on street parking would not have a significant adverse impact on residential amenity compared to the existing situation.

8.20 Third parties have raised concerns about additional noise and disturbance caused by the proposed residential use. The pattern of usage in terms of the timings of comings and goings and the nature of the use would be more similar to the neighbouring residential properties compared to the existing student use. I do not consider that there would be a significant intensification of use of the site.

8.21 Concerns have also been raised about the impact of noise and disturbance during construction. The Environmental Health team has recommended conditions to control construction and delivery/collection hours. I accept this advice and in my opinion these conditions are reasonable given the constraints of the site.

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, 3/14 and 4/13.

Amenity of future occupiers

8.23 The 2-bed units would have access to patio areas or roof terraces which would provide some amenity space. These roof terraces are only 1m deep however they are relatively wide. Moreover, the occupants would also have access to an area of communal amenity space at the rear of the site, which would also be available for the occupants of the 1-bed flats. The occupants of the one-bed units are less likely to be families who generally have more need for private amenity space. In my opinion, this would provide an acceptable level of amenity. The proposed living spaces would provide a good level of amenity for the future occupants.

Highway Safety

8.24 Third parties have raised concerns about the suitability of the existing access and the impact on Springfield Road as a result of an increase in the number of occupants on the site. The existing accesses from Springfield Road would be retained. These would provide vehicular access to the same number of car parking spaces. The Highways Authority has advised that the proposal would have an acceptable impact on highway safety, and I accept their advice. Third parties have commented that access should be provided from Milton Road, however the application site does not include the Milton Road frontage. The Highways Authority does not consider this to be necessary in order to make the proposal acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.25 The existing 6 no. car parking spaces would be retained, including one to be converted to an accessible space. While this would be less than one car parking space per unit, this is in accordance with the adopted maximum car parking standards. I have assessed the car parking provision in terms of highway safety and residential amenity in the relevant sections above. In my opinion, there would be no policy or other material considerations to recommend refusal on these grounds.

Cycle parking

8.26 The proposal includes 16 no. cycle parking spaces within the ground floor and a further 10 no. cycle parking spaces in a cycle store at the rear adjacent to the southern boundary. 2 no. visitor spaces would be provided in front of the building. This is in accordance with the adopted cycle parking standards. The cycle parking for residents would be secure and covered. No elevations for the cycle store at the rear have been submitted, so I have recommended a condition for these details to be submitted for approval.

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

Refuse arrangements

8.28 Third parties have commented that the existing provision is inadequate and results in bins being left near to the front of the site creating an eyesore. The refuse storage and collection arrangements use the existing bins store on the northern boundary of the site, which would be extended. The stores show capacity for approximately 4760l capacity, which is in accordance with guidance. The store would meet the guidance in terms of the distance for residents, however would exceed the drag distance to the highway. The applicant has stated that the bins would be moved to and from the kerb for collection by a management company. This is a common arrangement for developments of this scale. I have some concerns about the width of the path from the bin store alongside the car parking space, however I am satisfied that this can be resolved through the landscaping condition. I have recommended a condition for management details to be submitted for approval.

Environmental Impacts

8.29 The Environmental Health team has referred to a ground investigation report that it received to discharge a condition on the previous residential consent (15/1302/FUL), which identifies relatively significant contamination risks. They note that the site includes communal gardens and therefore have recommended conditions for remediation works in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters. I accept the advice of the Environmental Health team that such work is required, however I am not comfortable with relying on a report submitted to discharge a condition on an alternative scheme. Therefore have requested the full suite of contaminated land conditions to cover this.

8.30 The Sustainable Drainage Engineer supports the proposal subject to a condition for a surface water drainage scheme. As there would be no increase in the footprint of the building, in my opinion this condition would not be necessary or reasonable. The condition requiring landscaping details can be used to secure permeable surfaces, and I am satisfied that this will cover the drainage concerns.

8.31 The Senior Sustainability Officer is satisfied with the Sustainability Statement subject to conditions to target higher water efficiency and for the installation of renewable energy technologies, in accordance with Cambridge Local Plan (2006) policies 3/1 and 8/16. I accept this advice.

Planning Obligations (s106 Agreement)

8.32 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.

8.33 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

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

	Projects	**Contributions sought**
Community Facilities	Towards the provision of and / or improvement of community facilities and equipment at part of the Akeman Street Community House redevelopment, Cambridge.	£13,816 (plus indexation)
Indoor Sports	Towards the provision of blackout blinds to the main hall to enable the provision of activities to include glow sports and beats fitness at Chesterton Community College, Gilbert Road, Cambridge CB4 3NY.	£5,514.50 (plus indexation)
Outdoor Sports	For the provision of and / or improvements with regard to the pavilion extension / pitch works at Chesterton Recreation Ground.	£4,879 (plus indexation)
Informal Open Space	For the provision of and / or improvements to informal open space at Chesterton Recreation Ground.	£4,961 (plus indexation)
Play provision for children and teenagers	For improving the play area equipment and facilities at Chesterton Recreation Ground play area.	£5,056 (plus indexation)

County Council Infrastructure

8.35 Contributions were not sought from the County Council towards education or libraries on the previous application (17/0489/FUL). This position is considered to be the same for the current proposal.

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

Third Party Representations

8.37 I have addressed the third party comments relating to the impact on residential amenity, impact on the street scene, landscaping, car and cycle parking, refuse arrangements, access and highway safety in the relevant sections above.

9.0 CONCLUSION

9.1 The current proposal follows on from the previous refused scheme (17/0489/FUL) and seeks to address the sole reason for refusal by removing the previously proposed additional storey. In my opinion, this has overcome the concerns on the previous scheme and the proposal is acceptable. The proposed residential use is acceptable in principle and accords with Cambridge Local Plan (2006) policy 5/1. In my opinion, the proposal represents an opportunity to enhance this outdated building and improve the contribution that it makes to the street scene. I acknowledge the concerns of residents with regard to the impact of additional demand for on-street car parking, however in my opinion, the site is a highly sustainable location and the provision is policy compliant, so this would not form reasonable grounds of refusal. The recommendation is for approval subject to conditions and completion of the S106 Agreement.

10.0 RECOMMENDATION

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

   (a) Desk study to include:
   -Detailed history of the site uses and surrounding area (including any use of radioactive materials)
   -General environmental setting.
   -Site investigation strategy based on the information identified in the desk study.
   (b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:
(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors
(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:
a) Include details of the volumes and types of material proposed to be imported or reused on site
b) Include details of the proposed source(s) of the imported or reused material
c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
d) Include the results of the chemical testing which must show the material is suitable for use on the development
e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

9. Prior to commencement of development, details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the Local Planning Authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the Local Planning Authority .

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

10. Prior to construction/installation of external cladding and rendering, samples of the materials to be used shall be submitted to and approved in writing by the local planning authority. Thereafter, 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 and 3/14).

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

    Reason: To ensure that the window and doors are appropriate to the context of the building (Cambridge Local Plan 2006 policies 3/4 and 3/14).

12. Prior to first occupation for the use hereby permitted and notwithstanding the approved plans, obscure glazed panels within window openings to be identified shall be installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The obscure glazing shall be to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall be installed in accordance with the approved details and thereafter retained.

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

13. Prior to first occupation for the use hereby permitted and notwithstanding the approved plans, screens to the balconies and roof terraces shall be provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details shall include the positioning, height and materials for the proposed screens. The screens shall be installed in accordance with the approved details and thereafter retained.

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

14. Prior to first occupation for the use hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
b) 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;
c) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas;
d) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected.
Development shall be carried out in accordance with the agreed details and retained thereafter. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4 and 3/11).

15. Prior to first occupation for the use hereby permitted, cycle and bin store facilities shall be provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be retained in accordance with the approved details.

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

16. Prior to first occupation, details of waste and refuse management arrangements shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the management arrangements for the collection and return of bins to and from the highway. Thereafter the development shall be carried out in accordance with the approved details.

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

17. Prior to the installation of external plant, a scheme for the insulation of the plant in order to minimise the level of noise emanating from said plant shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before use of the plant is commenced.

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

18. Prior to first occupation for the use hereby permitted, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

    Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2006 policy 3/1 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

19. Prior to first occupation for the use hereby permitted, renewable energy technologies shall be installed in accordance with a renewable energy statement which shall be submitted to and approved in writing by the local planning authority prior to installation. This shall demonstrate that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources and shall include the following details:
    a) The total predicted energy requirements of the development, set out in Kg/CO2/annum.
    b) A schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme.

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).

20. 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)

21. 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)

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

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

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

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

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

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

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1272/FUL	**Agenda Item**	
Date Received	4th August 2017	**Officer**	Mairead O'Sullivan
Target Date	3rd November 2017		
Ward	Romsey		
Site	Land At 300 - 314 Coldhams Lane Cambridge CB1 3HN		
Proposal	Construction of 14 x 3 bedroom houses, formation of access, landscaping, garden areas, drainage, parking and supporting infrastructure, following demolition of 308 Coldhams Lane. Front porch and single storey rear extension to 306 Coldhams Lane.		
Applicant	Mr David Mark 26 St Andrew Street Hertford SG14 1JA		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed works are considered to respect the character of the area - The proposal is not considered to have any significant adverse impact on residential amenity
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site incorporates 306 and 308 Coldhams Lane; a pair of semi-detached two storey dwellings, and a portion of garden land from surrounding properties 300-314 Coldhams Lane.

1.2 This is a predominantly residential area although there are a number of other uses within close proximity to the site including St Philip's primary school to the south of the site and the C3 centre to the west; both in D1 use.

1.3 This part of Coldhams Lane has a mixed character with a range of detached, semi-detached and terraced properties finished in

both brick and render. Properties in the vicinity mainly face onto the street but there is another cul-de-sac development directly to the west of the site at Coldhams Grove. Most of the properties are set back from the street with front gardens or off-street car parking to the front.

1.4 St Philips Primary School is located to the south of the site. This is accessed from Vinery Way but also can be accessed by pedestrians from an access off of Coldhams Road which is located between 314 and 318 Coldhams Lane and runs parallel to the eastern boundary of the site.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the construction of 14 x 3 bedroom properties on garden land to the rear of 300 - 314 Coldhams Lane following the demolition of 308 Coldhams Lane. Extensions are proposed to the front and rear of number 306 Coldhams Lane. The application also includes the formation of an access, landscaping, parking and supporting infrastructure.

2.2 There are three separate house types proposed within the new development. House type A consists of house number 8-14 and is comprised of one terrace of three (no's 8-10) and one terrace of four properties (no's 11-14). These are located on the western side of the site and are orientated so as to run almost parallel to the properties on Coldhams Lane. These are to be two storey buildings with rooms in the roof. They would have a mansard roof and be finished in Mystique facing brick. The roof would be zinc with stone copings and a small box dormer to the rear. These would have porches to the front and some timber cladding around one of the first floor windows. Parking spaces are located adjacent to these units with soft landscape surrounding. All of these units would have cycle stores to the rear. Number 8 would also have a bin store. The remaining type A units would use the shared bin store which is proposed in the north western corner of the site.

2.3 House type B is located on the south eastern side of the site and would be orientated perpendicular to the houses on Coldhams Lane. There are two pairs of semi-detached properties in the style of house type B. These units are also finished in Mystique brick with zinc roofs incorporating stone

copings. These units would have a pitched roof with front and rear dormers. The front join together as a pair and are to be clad in timber. The rear dormers are individual and much smaller; these are clad in zinc to match the roof. House Type B have integral garages which are to have doors in a timber style finish. These units also have recessed doors with the first floor overhanging and a timber clad element adjacent to the first floor windows to the front. These units all have bike and bin storage in the rear garden which are accessed via passageways to the side. As well as having garages, these properties also have an additional parking space to the front with landscape surrounding the spaces.

2.4 House type C is located on the north eastern part of the site. These consist of one terrace of three properties (no's 1-3). Unit type C would utilise the same materials as A and B. These would be have a pitched roof and porch, and a timber clad element next to one of the first floor windows. A small flat roof dormer is proposed to the front. Unit 3 has bin and bike storage to the rear. Unit 1 and 2 have theirs on the northern end of the site. Unit 2 has a parking space adjacent to the entrance and the other two units have planting to the front.

3.0 SITE HISTORY

3.1 There is no site history of relevance to the current application.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

6.1 <u>Objection:</u> There is only a footway serving one side of the development and this has a width which is inadequate for adopted highway. There is no footway at one side of the

junction with Coldhams Lane which leaves vulnerable users in direct conflict with traffic.

Second comment

6.2 Objection: A footway is still only provided on one side of the access road, although this has been increased in width to 1.8 metres. This is still less than the width that the Highway Authority would normally consider adequate for an adoptable highway. No footway is provided on one side at the junction of the site with Coldhams Lane, leaving vulnerable users in direct conflict with turning traffic.

Third comment

6.3 No objection: A statement with precedents has been submitted. Whilst precedents can be quoted, each application is assessed on their own merits in relation to their own context. The footway is on the same size as local services i.e. shops, schools and services. Sainsburys, the nearest supermarket, is to the east; the same as the footway. The school is south-west but has an access from the east of the site. Whilst the design is less than ideal, given the increase to the width of the footway and the fact that it is on the right side for local services, the previous objection is considered to have been addressed to an acceptable degree.

Environmental Health

6.4 No objection: Conditions are requested in relation to construction hours, collections during construction, construction/demolition noise/vibration and piling, dust, noise insulation and lighting. An informative relating to dust is requested.

Refuse and Recycling

6.5 No comments have been received.

Urban Design and Conservation Team

First comment

6.6 Objection: Bin drag distances are inadequate for plots 9-12. The passage between plot 10 and 11 is not adequately wide. There is some ambiguity regarding bin and bike storage allocation between units 1 and 2. A window should be introduced to the ground floor at the gable end of plot 8 to aid with natural surveillance.

Second comment

6.7 The previous objections have been overcome. Three conditions regarding details of materials, cladding and windows/doors are requested.

Senior Sustainability Officer (Design and Construction)

6.8 No objection: Conditions are requested requiring a renewable energy statement and water efficiency details to be submitted prior to occupation of the first dwelling.

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

6.9 No comments received.

Cambridgeshire County Council (Lead Local Flood Authority)

6.10 No objection: Conditions are recommended regarding a surface water drainage scheme and details of maintenance of the drainage system.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.11 No objection: The proposed infiltration rainwater gardens are not the minimum recommended distance away from buildings above chalk stratum and re-siting or an alternative solution should be considered. This is particularly important where there is a high ratio of drained surface area to infiltration area, such as proposed. Conditions are requested regarding details of

surface water drainage and further information regarding the infiltration feature.

Environment Agency

6.12 No comments received.

Anglian Water

6.13 No objection: An informative is requested.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.14 No objection: The area is at a low risk to vulnerability crime. The development and layout appear acceptable. The office would be happy to discuss Secured by Design.

Cambridgeshire County Council (Archaeology)

6.15 No objection: A condition is requested requiring a Written Statement of Investigation to be submitted.

Fire and Rescue Service

6.16 No comments received.

Disability Consultative Panel (Meeting of)

6.17 The Panel would welcome a presentation by the architects to see how this over-developed scheme with its ungenerous spaces (particularly bathroom spaces) could be made to be more disabled-friendly. Its close proximity to the playground of St Philips School was also regarded as a concern.

Developer Contributions Monitoring Unit

6.18 Additional comments have been provided by the DCMU officer to provide further detail on a number of the requested contributions. The revised comments are summarised below:

Community Facilities

The proposed development is within 900m of the proposed Mill Road Community facility site.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010 and to mitigate the impact of the new development, a specific S106 contribution of £25,722 (plus indexation) is requested providing / improving additional equipment and/or facilities as part of community meeting space on the Mill Road Depot site. towards the provision of and/or improvement of facilities at the Mill Road depot site, Mill Road, Cambridge.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has only proposed (but not agreed) two other specific contribution for this project (16/1904/FUL – Cromwell Road, and 17/1527/FUL – 213 Mill Road), so there is still scope for this contribution (and two others) to be requested.

Indoor Sports

The proposed development is within 900m of Abbey Sports Centre and Gym facility, which is on the council's 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought to enable an increase in participation and maximise their potential. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010 and to mitigate the impact of the new development, a specific S106 contribution of £10,894.50 (plus indexation) is requested towards the provision and/or improvement to the gym studio and/or gym equipment at Abbey Sports Centre and Gym, Whitehill Road, Cambridge CB5 8NT.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has not agreed any other specific contributions for this project. However the council has

proposed, but not formally agreed one further specific contribution for this project (15/1020/FUL – Ditton Walk) so there is still scope for this contribution (and three others) to be requested.

Outdoor Sports

This proposed development is within 900m of Abbey Sports Centre, which is on the Council's 2016/17 'target list' of outdoor sports facilities for which specific S106 contributions may be sought to enable an increase in participation and maximise their potential. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the council's Planning Obligations Strategy 2010 and to mitigate the impact of the new development, it is proposed that the council requests £9,639 (plus indexation) for the provision of and / or improvements to the artificial training pitch and/or training pitch improvements and drainage and/or a floodlit training area on the grass pitch at Abbey Sports Centre.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed only two specific contributions for this project (14/1154/FUL and 16/1030/FUL – West's Garage). The council has also proposed, but not formally agreed one further specific contribution for this project (15/1020/FUL – Ditton Walk), so there is still scope for this contribution (and one other) to be requested.

Informal Open Space

This proposed development is within 500m of Coldham's Common facility, which is on the Council's 2016/17 'target list' of informal open spaces for which specific S106 contributions may be sought. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016 and is based on evidence the 2015/16 informal open spaces audit. Coldham's Common achieved an 81% score for being well-placed, but only 49% for the open space facilities on offer, denoting room for improvement in order to mitigate the impact of local development on the natural environment.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010 and to mitigate the impact of the new development, it is proposed that the council requests £9,801 (plus indexation) towards the provision of improving facilities, equipment and access to the open spaces at Coldham's Common (including for example additional benches and bins, new orientation and interpretation boards, plus additional tree planting and hedges).

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed only two specific contributions for this project (15/0398/FUL – Cheddars Lane, and 16/1030/FUL – West's Garage), so there is still scope for this contribution (and two others) to be requested.

Play provision for children and teenagers

This proposed development is within 500m of Coldham's Common play area. Coldham's Common play area is on the council's 'target list' of facilities for which specific S106 contributions will be sought. This highlights the scope for improving the play area equipment and facilities in order to mitigate the impact of local development.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010 and to mitigate the impact of the new development, it is proposed that the council requests £12,324 (plus indexation) for improving the play area equipment and facilities at Coldham's Common play area.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has not agreed any other specific contributions for this project so there is still scope for this contribution (and four others) to be requested.

6.19 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:

- 139 and 290 Coldhams Lane
- Camcycle x2
- St Philips Primary School x2

7.2 The representations can be summarised as follows:

- Overdevelopment
- Increase to traffic causing highway safety issues
- Increase to traffic increasing noise disturbance
- In close proximity to school so highway safety issues amplified
- Request a pedestrian crossing is included in proposal
- Object to new access on Coldhams Lane and request 'Copenhagen-style' priority junction with a level footway and clear visual priority for pedestrians.
- Request that cycle lane on Coldhams Lane is continuous past the new access
- Request a condition requiring all walking and cycle infrastructure impacted by the development be restored to a high quality.
- Insufficient evidence that the cycle stores are of an adequate size to accommodate required number of bicycle.
- No place for larger cycles
- Cycle stores would be difficult to access when cars are parked
- Concerned about safeguarding of school children due to proximity of houses to playground
- Concerned about construction impacts and disruptions to school timetable
- Concerned houses would have an overbearing impact on the school
- Request only obscure glazed windows directly overlooking school
- Would alter the sense of greenery that currently surrounds the school
- Request assurances that footpath leading to school from Coldhams Lane is unaffected

- Request guarantee that noise from school will not be questioned following the build
- Request machinery not operational at beginning and end of school day to ensure safety

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. Renewable energy and sustainability
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligations (s106 Agreement)

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development of windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses. Therefore, the development of housing is acceptable, however, considerations should be taken into account e.g. impact on neighbour amenity and visual aesthetics.

8.3 Policy 3/10 of the 2006 Local Plan states that 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.

8.4 Parts d and f are not of relevance to this application. Parts a, b, c and e are considered in further detail in this report.

Context of site, design and external spaces

8.5 Number 308 does not have any particular architectural merit and its loss is considered acceptable. This part of Coldhams Lane has a mixed character and the removal of half of the pair of semi-detached properties is also considered acceptable and is not considered harmful. The extensions to the retained property at number 306 are modest and include a single storey rear extension and a porch. Both of these are subservient in scale and in keeping with the character of the area.

8.6 As previously noted in paragraph 1.3, this part of Coldhams Lane has a mixed character. The proposed new dwellings do not relate to the properties on Coldhams Lane but take their own design approach. Whilst there are three types of unit, there are common features, such as the materials used and the use of design features such as dormers and timber cladding, which create a sense of continuity within the development. Although the proposals do not relate specifically to the area, the design approach is supported and considered to be of a high quality. A condition requiring details of materials to be agreed is recommended.

8.7 The proposal uses a large amount of hard standing with a substantial number of car parking spaces to be provided within the site. Soft landscaping is shown; including some green verges at the entrance of the site to visually soften this area. Planting is also shown around the car parking and boundaries of the site. Further detail of hard and soft landscaping is

requested via condition to ensure that adequate planting is provided to soften the hardness of the access road and car parking spaces. Details of paths to provide access to the stores to the rear of units 3, 4, 5, 6, 7, 8 and 15 are also required and can be incorporated into this condition.

8.8 The representation from St Philips School raises concerns that the proposal will result in harm to the open green nature of the area which surrounds the school. The school is located in an urban location. Whilst the grounds are currently surrounded by residential gardens, and I accept that the proposal would change this character, I do not consider this to be significantly harmful to the character of the area. Much of the area surrounding the school will remain surrounded by garden. I assess the impact of the nearest building, house 7, on the school in paragraph 8.13.

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

Renewable energy and sustainability

8.10 The Senior Sustainability Officer is satisfied that the proposal is compliant with policy 8/16 subject to conditions regarding details of water efficiency and a renewable energy statement.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.12 The nearest property to the houses on the northern part of the development would be number 314. Plot 1 would run in relatively close proximity to the end of its rear garden. There would be over 18m between house 1 and number 314 and a result I am satisfied that there would be no significant impact on this occupier in terms of enclosure. Shadow plans have been submitted with the application which shows only a small amount of overshadowing of this garden with only the end of the garden

being impacted. The windows to the side of plot 1 would be obscure glazed and would not give rise to any overlooking issues.

8.13 I have received an objection from St Philips School. They are concerned that the house 6 and 7 would have an overbearing impact on the school. House number 7 is in the closest proximity to the school running in close proximity to the southern boundary of the site. However, only the corner of the playground area would be impacted and given the open nature of the space, I do not consider that this will appear overbearing to users of this space.

8.14 The school also raises concerns about safeguarding. All of the window in the side of plot 7 would be obscure glazed to prevent overlooking. A condition is recommended to ensure that these windows are obscure glazed in perpetuity. There are rear windows on units 8-14 which face toward the school. However, these are separated from the school by their long gardens of approx. 12m and as a result I am satisfied that these windows would not result in any significant overlooking.

8.15 The new dwellings within the site would be accessed from a new unadopted road which would be constructed between 306 and 310 Coldhams Lane; in place of the demolished number 308. No. 310 has some windows which would face towards this road but these are set back from the access. A fence is proposed around the side of this property which will define the boundary and act as a buffer. I am satisfied that given the relatively low level of comings and goings and subject to a boundary treatment condition to ensure that an adequate fence is constructed, there would be no significant impact on this occupier in terms of noise and disturbance.

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

Amenity for future occupiers of the site

8.17 All of the proposed units are dual aspect. All of the units have three bedrooms. The units have different sized gardens ranging from approx. 30sqm to approx. 70sqm. Units 2 and 3 have the

smallest gardens being around 30sqm and these are considered to be adequate. The below table provides approximate internal floorspace for each unit type. Little weight can be given to the emerging plan but in terms of space standard guidance, it requires a floorspace of 96sqm for a two storey 3 bedroom dwelling and 102sqm for a three storey 3 bedroom dwelling. All three house types are two storeys with rooms in the roof and are considered to be in line with the requirements of the emerging policy.

Unit Type	**Approx. floorspace**
House type A	130.4sqm
House type B	134.5sqm (excluding garage)
House type C	100sqm

8.18 The retained house on Coldhams Lane would have a sufficiently large garden. The access to the 14 dwellings would run to the side of this property. However some landscaping is proposed as a buffer and as defensible space. I am satisfied that this arrangement would be acceptable and given the relatively limited comings and goings, I am satisfied that the occupiers of number 306 would not experience any significant noise disturbance.

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 3/12 and 3/14.

Refuse Arrangements

8.20 The original refuse arrangements were unacceptable. The drag distance from a number of the properties was too great. The access to the rear of plots 9 -13 was not adequately wide.

8.21 The revised plans have increased the width of the passage to the rear of units 9-14 to 1.5m; this has overcome the previous concern. A shared bin store for these units is provided on north western corner of the plot. An elevation of this store has not been provided but I am satisfied that a low rise solution could be accommodated in this location. As the store is tucked away in the corner, I am satisfied that it would not appear obtrusive.

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

Highway Safety

8.23 The Highway Authority raised an objection to the original proposal. The footway leading into the site from Coldhams Lane was considered too narrow. A footway was only provided on one side of the site and there were concerns that this would leave vulnerable users in direct conflict with turning traffic.

8.24 The applicant revised the plans to increase the width of the footway. A set of precedents was also submitted in response to the Highway Authority's comments. The footway was noted to still be below the width of adopted highway. However, the path would not be adopted and would serve as an access to a small residential cul-de-sac, as a result I am satisfied that it would be adequate. The Highway Engineer reviewed the precedents. He agreed that, similar to a scheme in Perne Road, the footway that serves the development would be on the correct side for access to shops and the local school. Whilst the arrangement was not considered to be ideal, he removed his previous objection. Given that local services are located on the same side as the footway, the relatively low level of movements on the access road and the low speed in which any cars which would use the access road would be travelling, I am satisfied that the proposal would not have any significant adverse impact on highway safety.

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

Car and Cycle Parking

8.26 Cycle parking for almost all of the units is to be contained in the rear garden in a secure store; the store for unit 2 is to the front adjacent to the store for unit 1. This arrangement is considered acceptable. Each unit would need to be provided with 3 cycle parking spaces to comply with policy. No details are provided and these are requested by condition. However, I am satisfied that adequate cycle parking can be accommodated for each unit.

8.27 A total of 21 car parking spaces are proposed within the development (1.5 spaces per house) as well as two retained spaces to the front of number 306. I am satisfied that this level of car parking is acceptable.

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

Third Party Representations

8.29 I have addressed the majority of issues raised within the body of my report but will deal with any outstanding matters below:

Representation	**Response**
Overdevelopment	The proposed development is considered to be of an appropriate scale for the site and is not considered to give rise to any unacceptable impacts on surrounding occupiers.
Increase to traffic causing highway safety issues	See paragraphs 8.22-8.24
Increase to traffic increasing noise disturbance	I do not consider that an additional 14 houses would have such a significant impact on traffic generation which would cause a noticeable increase to traffic noise in the area.
In close proximity to school so highway safety issues amplified	I note the proximity to the school but the highway authority has removed their objection and consider the arrangement to be acceptable.
Request a pedestrian crossing is included in proposal	This is not required to mitigate the impact of the proposed development.
Object to new access on Coldhams Lane and request 'Copenhagen-style' priority junction with a level footway and clear visual priority for pedestrians.	The Highway Authority has not requested this style of junction and as a result it is not considered a requirement to mitigate highway safety impacts

Request that cycle lane on Coldhams Lane is continuous past the new access	This falls outside of the site and will be dealt with by the Highway Authority. It is not considered necessary to mitigate the impact of the development and therefore cannot form a condition on any decision.
Request a condition requiring all walking and cycle infrastructure impacted by the development be restored to a high quality.	Restoration of damage to the highway is a civil matter between the applicant and the highway authority. I have included an informative notifying the applicant that works to the highway require consent from the County Council.
Insufficient evidence that the cycle stores are of an adequate size to accommodate required number of bicycle.	I am satisfied that details of cycle parking can be obtained via condition.
No place for larger cycles	There is no policy requirement for larger cycle spaces and as a result I cannot require that these are provided as part of the application.
Cycle stores would be difficult to access when cars are parked	I do not agree that there would be any significant conflict between car parking and access to cycle stores.
Concerned about safeguarding of school children due to proximity of houses to playground	See paragraph 8.13
Concerned about construction impacts and disruptions to school timetable	A constructions hours condition and condition regarding collections and deliveries to the site are recommended. A construction traffic management plan is also recommended.

Concerned houses would have an overbearing impact on the school	See paragraph 8.12
Request only obscure glazed windows directly overlooking school	There are some clear windows which would face towards the school but these are on units 8-14 which have substantial gardens of 12m in length.
Would alter the sense of greenery that currently surrounds the school	See paragraph 8.8
Request assurances that footpath leading to school from Coldhams Lane is unaffected	The footway falls outside of the application site and as a result its obstruction would be a civil matter. The applicant has however responded to this point in their cover letter and has confirmed that the works will not impact on this footway.
Request guarantee that noise from school will not be questioned following the build	There are other houses in close proximity to the school and the Environmental Health Officer has not raised any concerns about this relationship.
Request machinery not operational at beginning and end of school day to ensure safety	A standard construction hours condition is recommended. It is not possible to specify hours of works but this could be agreed outside of the planning process

Affordable Housing

8.30 The application only proposes an uplift of 14 houses. The other house, number 306, is existing and is proposed to be extended but would remain as a single residential dwelling. As a result policy 5/5 is not relevant and there is no policy requirement for affordable housing on site.

Planning Obligations (s106 Agreement)

8.31 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.

8.32 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

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

	Project	Amount
Community facilities	Providing / improving additional equipment and/or facilities as part of community meeting space on the Mill Road Depot site	£25,722
Indoor sports	Provision and/or improvement to the gym studio and/or gym equipment at Abbey Sports Centre and Gym, Whitehill Road	£10,894.50
Outdoor sports	Provision of and / or improvements to the artificial training pitch and/or training pitch improvements and drainage and/or a floodlit training area on the grass pitch at Abbey Sports Centre	£9,639

Informal open space	Provision of improving facilities, equipment and access to the open spaces at Coldham's Common (including for example additional benches and bins, new orientation and interpretation boards, plus additional tree planting and hedges).	£9,801
Play provisions for children and teenagers	Improving the play area equipment and facilities at Coldham's Common play area	£12,324

8.34 I agree with the reasoning, set out in paragraph 6.18, 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

8.35 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 The proposed development is considered to be of a high quality design. The proposal would not result in any significant adverse impact on the residential amenity of surrounding occupiers. The revised bike and bin storage details are considered acceptable. The Highway Engineer has removed his objection and considers the single footpath arrangement to be acceptable given the position of local shops and services.

10.0 RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

6. No development shall commence until details of facilities for covered bin storage and covered, secure cycle parking for use in connection with the development hereby permitted shall be submitted to and approved in writing by the local planning authority. 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 policies 3/4, 3/12 and 8/6)

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

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

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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

9. The curtilage (garden) of the proposed properties as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwellings or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed properties.

Reason: To avoid a scenario whereby the properties could be built and occupied without their garden land (Cambridge Local Plan 2006 policies, 3/4, 3/7 and 3/10)

10. The windows to the side elevations of all of the new dwellings shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

11. Access to the flat roof over the ground floor rear protruding elements on house types A and C hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To protect adjoining properties from overlooking and noise disturbance in accordance with Cambridge Local Plan policies 3/4 and 3/14.

12. 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)

13. 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)

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

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

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

15. No 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

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

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

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

Reason: To protect the amenity of surrounding occupiers (Cambridge Local PL an 2006 policies 4/13 and 4/15)

18. Prior to the occupation of the first dwelling, a renewable energy statement, which demonstrates that at least 10% carbon reduction can be achieved through the use of on-site renewable energy generation, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
1. The baseline carbon emissions of the scheme, based on an energy efficient baseline, set out in Kg/CO2/annum;
2. A schedule of the proposed on-site renewable energy technologies, their respective carbon reduction contributions, locations/roof plans, design and a maintenance programme;
3. An assessment of any air quality, noise or odour impact and;
4. Mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council's Sustainable Design and Construction Supplementary Planning Document.

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

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13 and 8/16).

19. Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the Local Planning Authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

    Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2006 policy 3/1 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

20. 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.

    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 in accordance with the National Planning Policy Framework (2012).

21. 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.

22. No development hereby permitted shall be commenced until site specific investigations have been undertaken and findings submitted to the local planning authority that identify a minimum of 1.2m between the invert of any infiltration feature and the ground water level. The report must also provide evidence that no buildings within the site or neighbouring land are within 10 (ten) meters of a proposed infiltration feature.

    Reason: To ensure that adequate infiltration areas can be provided in accordance with the National Planning Policy Framework (2012)

23. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

    Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

24. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

    Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

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

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

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

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

27. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

28. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

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

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

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

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

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

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

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

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

INFORMATIVE: The applicant is advised that to discharge Condition HDMC 02 the Local Planning Authority requires a copy of a completed agreement between the Applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

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.

INFORMATIVE: The scheme shall be based upon the principles within the agreed Flood Risk Assessment (FRA) prepared by Peter Brett Associated LLP (ref: 37537 FRA) dated July 2017 and shall also include:
a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% 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) Site Investigation and test results to confirm infiltration rates;
f) 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;
g) Full details of the maintenance/adoption of the surface water drainage system;
h) 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

INFORMATIVE: The applicant should take consideration that using infiltration drainage in areas of chalk can cause settlement and dissolution over time. Care should be taken during construction of infiltration devices in soft rocks (e.g. chalk) to reduce 'smearing' during excavation as this can significantly reduce permeability.

INFORMATIVE: The Written Scheme of Investigation shall include:
- The statement of significance and research objectives;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Wintertree Software Inc..

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme. A brief for the archaeological work can be obtained from the Historic Environment Team

INFORMATIVE: Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

INFORMATIVE: There is small mention within the Design and Access statement regarding security. Cambridgeshire Constabulary's Designing Out Crime Officer would be happy to discuss Secured by Design and other measures to mitigate against crime and disorder as the application progresses.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1542/LBC	**Agenda Item**	
Date Received	5th October 2017	**Officer**	Michael Hammond
Target Date	30th November 2017		
Ward	Market		
Site	Cambridge Union Society 9A Bridge Street Cambridge CB2 1UB		
Proposal	Demolition of ancillary buildings and removal of 1930's facade at the Grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 45 room post-graduate student accommodation above (use class C2) together with basement storage and services.		
Applicant	Cambridge Union Society and Trinity College		

SUMMARY	The development accords with the Development Plan for the following reasons: - In my view the proposed works would cause less than substantial harm to the setting and special interest of the Listed Building and this harm would be outweighed by the public benefits that the scheme would deliver. - The proposed amendments compared to the previously approved consent would not harm the setting of the Listed Building.

	- The reinstatement of the hipped roof to the Waterhouse building would enhance the special interest of the Listed Building.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Cambridge Union Society is located in the historic core of the City Centre. It occupies a large site on the south-west corner of Park Street and Round Church Street. The majority of the site is occupied by the main Grade II Listed Building of the Cambridge Union Society. The building is three-storeys in height with a half level below. It was completed in 1866 by Sir Alfred Waterhouse, most famously known for his design for the National History Museum in London. Since its construction, the building has been the subject of later extensions and additions, notably the 1930's extension to the Round Church Street elevation and the squash court. The half level below was formerly used by the Cambridge University Footlights Drama Club. The debating chamber is situated in the heart of the building and occupies a large proportion of the main building and hosts the oldest debating society in the world. This aspect of the building has retained its appearance for over 140 years and has hosted a variety of well-known speakers including former prime ministers and major international figures. There is also the Cambridge Union Society coffee shop/ bar at ground-floor level which is open to members of the public. The upper floors and remainder of the building are predominantly office/ educational space, in addition to the large library and snooker room. In the north-east corner of the site is a row of three terraced properties (3-5 Round Church Street) used as student accommodation which are under the ownership of Trinity College.

1.2 To the west of the site is the Holy Sepulchre Church, commonly referred to as the Round Church, which is a Grade I Listed Building. To the north of the site is the Park Street multi-storey car park. There is a row of terraced properties to the east along Park Street, the southern half being Grade II Listed Building and the northern half being designated as Buildings of Local Interest. To the south-east of the site is the Grade I Listed 'Little

Trinity' building. The ADC theatre is situated to the south of the site.

1.3 The site is situated in a sensitive location in terms of conservation and heritage assets. As stated there are the Grade I Listed Buildings of the Round Church and Little Trinity in close proximity. The main building on site is Grade II Listed. The row of terraced properties to the east along Park Street are Grade II Listed/ Buildings of Local Interest. The site is situated in the Central Conservation Area.

2.0 THE PROPOSAL

2.1 Listed building consent is sought for the following works:

2.2 Demolition:

- Removal of the 1933 elements of the Round Church Street façade of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1883 dilapidated toilet block of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1933 former Squash Courts of the Grade II Listed Cambridge Union Society buildings;
- Internal and external demolitions and removals of fabric from various periods to allow for the improved access to, and usage of spaces within, the Grade II Listed Union Society buildings;
- Demolition of the unlisted 3-5 Round Church Street in the Conservation Area

2.3 Development:

- Construction of a new Round Church Street façade of the Grade II Listed Cambridge Union Society building based upon an adaptation of the original 1883 design to tie-in with surviving original elements;
- Recreation of four dormer windows to the 1866 element of the Grade II Listed Cambridge Union Society buildings to re-instate those lost through bomb damage in the second world war;
- Creation of a new doorway to the Park Street elevation of the original 1883 building known as Round Church House of the Grade II Listed Cambridge Union Society buildings;

- Recreation of doorway from Snooker Room to the stairs of the Grade II Listed Cambridge Union Society buildings to re-instate the later change to remove the door;
- Creation of a new doorway between Round Church House and the Debating Chamber of the Grade II Listed Cambridge Union Society building;
- Re-location of the doorway from the café and members bar into the courtyard through enlargement of an existing window and creation of a ramp to create a level access entrance and subsequent closure of existing café entrance through reinstatement of former window detail of the Grade II Listed Cambridge Union Society building;
- General refurbishments to the interior of the Grade II Listed Cambridge Union Society building including to enlarge and refurbish the ground floor café and members bar (Use Class A3) and to enlarge and refurbish the basement 'footlights' entertainment space (Sui Generis);
- Construction of new three storey 'link' building connecting the Debating chamber entrance to a new building entrance onto Round Church Street including internal circulation space, stairs and lift and toilet facilities and ancillary spaces;
- Construction of new ground floor restaurant venue (Use Class A3) with frontage onto Round Church Street and Park Street with 45no. room post-graduate accommodation above and basement for associated plant, refuse and cycle parking and storage;
- Associated landscape works to front, rear and side including creation of level access entrances.

2.4 The proposed works would be similar in nature to that of a development which was approved in April 2017. The reason this new proposal has come forward is understood to be due to viability reasons as the previous scheme was not deliverable financially. The main material amendments to the scheme are set out below:

- The Trinity College restaurant/ student accommodation block has been extended by an additional bay length and the linking element and Cambridge Union Society block reduced in depth accordingly;
- An increase in restaurant floorspace and number of student rooms proposed from 38 to 45;
- Increase in the numbers of dormers on the Trinity College extension from three to four due to additional length

- Re-modelling of the Round Church Street façade central glazed link to a stone and aluminium framed entrance with an upper-floor overhang;
- Re-instatement of original hip to the Waterhouse building;
- Alterations to the entrance to the student accommodation to make it appear more subservient;
- Change to back of house entrance by bringing it flush with the building façade to deter anti-social behaviour;
- Change to the bin collection area material from brick enclosure to timber
- Other minor external alterations to the fenestration of the Park Street and Round Church Street elevations;
- Alterations to the internal layout of the Round Church Street entrance; and
- Other minor internal alterations to the buildings.

2.5 This report focuses on those aspects that only require listed building consent.

3.0 SITE HISTORY

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

Reference	Description	Outcome
17/1541/FUL	Demolition of ancillary buildings and removal of 1930's facade at the Grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union	Pending decision.

	Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 45 room post-graduate student accommodation above (use class C2) together with basement storage and services.	
16/0673/FUL	Demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services.	Permitted.
16/0674/LBC	Demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space	Permitted

(sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services.

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	4/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014

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

Urban Design and Conservation Team

6.1 A revised scheme is now proposed using the same footprint but with a one bay longer Trinity College block involving a reduced Cambridge Union provision in the link element. The proposed entrance link between the two buildings is remodelled (as described in part 4 of the Design Statement) and there are also some other internal and external changes.

6.2 There is reduced basement extension and facilities beneath the existing building compared to the previous scheme.

6.3 The deep-element parquet floor in the Teaching Rooms, the pammets in the Southern corridor [the vaulted brick ceiling too] will need to be retained. The proposed large basement beneath the new building would mean that the structural stability of the LB would need to be monitored during the works – via a Condition. The installation of large numbers of toilets, and kitchen will require air extract equipment so this aspect would also need to be detailed in a Condition to avoid undue damage to the LB.

6.4 The upper ground level of the Round Church Street entrance foyer would be within the part of the Waterhouse range interior that has been previously altered so is not impacting any further on the historic interior. The proportions of the route from here through to the central atrium are reduced.

6.5 Materials are satisfactory. The restored Waterhouse Round Church St façade would be handmade red imperial bricks, blue/black engineering brick banding, Clipsham stone window surrounds, and timber sash windows. For the adjoining new building, materials would be handmade clay plain tiles, handmade red brick, Clipsham and reconstituted stone window surrounds with slimline aluminium framed windows all as per the previous consent. The Link building would also be of Clipsham and with powder coated slimline aluminium double glazed windows.

6.6 A part of the previous proposals for the Waterhouse range was the entrance link and construction of an additional gabled bay to the Waterhouse Northern elevation in brickwork. The gabled bay (criticised both by the Victorian Society and myself as unjustified remodelling) would not have been a reinstatement as it was never part of the Waterhouse design. The currently proposed link entrance area is more clearly distinguished from the original building in terms of materials and form and allows for the masonry of the Waterhouse building to be given a corner return before the stone of the link starts. It introduces a cantilevered, vertical element which relieves the horizontal emphasis of the buildings either side. These aspects are an improvement to the scheme.

Conclusion

6.7 In my view, whilst the new block would be longer, the link is better articulated and treatment of the adjoining north end of the existing range much improved compared to the previous scheme granted consent. The impact on Round Church Street of an elongated new building would be part compensated by increased high level space between the buildings as a result of retaining the hip of the existing CUS building. The scale of the new block is unchanged.

6.8 Notwithstanding the loss of 3-5 Round Church Street (as discussed within the earlier Conservation response to the

16/0674/LBC scheme), and the inclusion of arguably undesirable replacement of the main stair in the Listed CUS buildings, there are benefits to the Listed Building and the currently proposed scheme has to be considered in the context of the previous scheme having been approved.

Historic England

6.9 Historic England continue to have concerns regarding the application on heritage grounds.

6.10 In relation to the demolition of 3-5 Round Church Street, we consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 132 and 134. It would cause severe harm to the significance of the Cambridge Historic Core Conservation Area, as a result of the impact on their setting, particularly in relation to the listed Park Street terrace. We remain concerned about the design of the new staircase adjacent to the Debating Chamber, but support the increase in length of the new build fronting Round Church Street as this is more contextually appropriate.

6.11 In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

6.12 In accordance with guidance in the NPPF, the level of harm that would be incurred to the significance of the conservation area through the loss of 3-5 Round Church Street should, therefore, be carefully balanced against the perceived public benefits of the revised proposals.

The Victorian Society

6.13 The revised proposals do not substantively address any of the Victorian Society's previous objections.

6.14 We are pleased that the application no longer include the proposals to alter the hipped roof to the north-east end of Waterhouse's library building and to add a large pastiche gable in the Waterhouse style, although we recognise with disappointment that these alterations have been made not in response to any architectural or conservation concerns, but rather because of new financial constraints. We reiterate our support for the reinstatement of Waterhouse's ground floor and basement on the Round Church Street elevation, but urge once more that the opportunity be taken to execute a full scholarly reinstatement of Waterhouse's design, rather than the proposed pastiche.

6.15 We commented in our last response that the building proposed to replace 3-5 Round Church street was 'excessively bulky, overly dominant and aesthetically severe'. The latest revisions to the proposals do nothing to invalidate that assessment. Indeed, in bulk and massing the proposed building seems to take its cue from the Park Street car park opposite more than any concern to respond to or to respect the character of the current streetscape. The unbroken line of the proposed roofline will fundamentally change the character of the street; currently the line of roofs is broken up by the variety of roof heights.

6.16 We remain opposed in principle to the demolition of nos. 3 – 5 Round Church Street. A heritage asset is simply a building, monument, site, place, area or landscape that has a degree of significance meriting consideration in planning decisions. It is the degree of significance that can be attributed to it, not the explicit inclusion on any list, that in principle characterises a heritage asset. In any case, the Round Church Street section of the Cambridge Historic Core Appraisal lists 3-5 Round Church Street as 'Positive buildings'. Even according to the false logic of the Heritage Statement they should therefore certainly be considered 'heritage assets' as defined in the NPPF.

Twentieth Century Society

6.17 No comments received.

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

7.0 REPRESENTATIONS

7.1 No representations have been received.

8.0 ASSESSMENT

8.1 The historical and architectural significance of the site, together with the background to the application(s) is set out in the associated assessment for planning permission 17/1541/FUL.

Listed Building Consent Issues

Principle of demolitions to the Grade II listed Cambridge Union Society Building

8.2 The following demolitions to the Grade II Listed Building are proposed:

- Removal of the 1933 elements of the Round Church Street façade of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1883 dilapidated toilet block of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1933 former Squash Courts of the Grade II Listed Cambridge Union Society buildings;
- Internal and external demolitions and removals of fabric from various periods to allow for the improved access to, and usage of spaces within, the Grade II Listed Union Society buildings;

8.3 The proposed works to the Cambridge Union Society Building are identical to that of the previous permission and consequently I consider that the level of harm to the significance of the Listed Building would remain less than substantial for the same reasons as set out in the previous assessment (16/0673/FUL). The less than substantial harm relates to the removal of the internal staircase.

8.4 The public benefits associated with this element of the proposal, notably improved accessibility, circulation and public exposure would still in my opinion outweigh the less than substantial harm to the Listed Building.

Principle of Demolition of 3 -5 Round Church Street

8.5 The principle of demolition of nos.3 – 5 Round Church Street was the most sensitive matter of the previously approved application (16/0673/FUL) in terms of demolition and the level of harm to the heritage asset of the conservation area. It was explained under the previous officer assessment that the level of harm considered to be caused by demolishing these buildings would be less than substantial. It was found that the demolition of these buildings, and the subsequent re-development of the site that this would facilitate, would bring several public benefits which significantly included preserving the financial security of the Cambridge Union Society and the safeguarding this would provide for the existing listed building.

8.6 In my opinion, the assessment of the principle of demolition of these buildings is identical to that of the previous permission (16/0673/FUL). Therefore, for the reasons stated in the previous assessment, I consider the public benefits would outweigh the less than substantial harm to the heritage asset and secure the long-term future of the listed building.

Principle of works and additions to the Grade II Listed Building

8.7 The application proposes the following works and additions to the Listed Building:

- Reinstatement of lost dormer windows
- Reinstatement of a Waterhouse derived façade
- Access improvements
- Internal changes to improve circulation and usage of spaces
- Creation of ancillary spaces

8.8 These works and additions proposed would be very similar to that of the previously approved development (16/0673/FUL) which were deemed to be enhancements to the character and appearance of the conservation area and make a positive contribution to the setting of the Listed Building.

8.9 The only significant difference that the current application offers is the reinstatement of a hipped roof on the end of the Waterhouse building which more faithfully reflects the original elevation of this building compared to the previous permission. This is supported by the Urban Design and Conservation Team

and I am of the view that this would only serve to improve the appearance of the building and benefit the relevant heritage assets.

Works to Trinity College block

8.10 The most significant alteration to this aspect of the proposed development would be the extension of this block by an additional bay width further to the south-west along the Round Church Street façade. The proposed additional footprint of the Trinity College block would inevitably increase the prominence of this element within views from public view points. However, it is pertinent to note that the scale and height of the proposed block would remain as per the approved permission. The proposed extension would mirror the fenestration of the approved development, as well as providing an additional dormer to continue the vertical rhythm of the appearance of the building.

8.11 In my opinion, the proposed extension to the block would not appear harmful in the context of the conservation area and would not over dominate its surroundings or the adjacent Listed Building. It would remain separated from the Waterhouse building by a linking element which would retain the look of the wider Round Church Street façade as being read as two distinctive elements.

8.12 The alterations to the back of the house entrance, the student entrance and other minor fenestration changes would not drastically alter the appearance of the building in my view and I do not consider any harm would be caused by these works.

8.13 It is acknowledged that the Landscape Team has raised a concern regarding the position of the bin collection store on the Park Street elevation of the Trinity College block and its utilitarian appearance compared with the former chamfered perforated gate that was previously approved. However, I am of the opinion that the bin collection point as proposed would still be a considerable improvement to the street scene given that bins are already stored outside permanently at present. It would be subservient in its design and would not in my view read as being overly prominent in the public realm. In addition, bins would only be stored here when they are lifted up from the basement on collection days.

Central link and Waterhouse facade

8.14 The original permission (16/0673/FUL) included a glazed link which was recessed behind the front building lines of the Trinity College and Waterhouse buildings and was relatively unassuming in its appearance.

8.15 The proposal seeks to introduce a more slender and alternative approach to linking the contemporary and traditional buildings together. It would have a tall overhang that projects above the eaves of the two buildings and also over the footway. It would have a series of stone columns and also a large wall of stone which adjoins onto the Waterhouse building.

8.16 It is acknowledged that the Urban Design and Conservation Team support this alteration. The currently proposed link entrance area is more clearly distinguished from the original building in terms of materials and form and allows for the masonry of the Waterhouse building to be given a corner return before the stone of the link starts. It introduces a cantilevered, vertical element which relieves the horizontal emphasis of the buildings either side. It is felt that this would be an improvement to the scheme and provide a more distinctive and interesting form of development in the street scene. The increased high level space between the buildings as a result of retaining the hip of the original Waterhouse building would enhance the setting of the listed building in my opinion.

Summary

8.17 The proposed internal works to the Listed Building would cause some harm to its special architectural interest due to the removal of the main staircase. The properties at nos.3 – 5 Round Church Street are considered to have a neutral contribution to forming the character and appearance of the Conservation Area and the loss of these would result in a degree of harm. The proposed link building and entrance from Round Church Street would harm nearby heritage assets according to the Victorian Society and the Design and Conservation Panel. The revised scheme for the post-graduate accommodation/ restaurant block is considered to cause low harm to heritage assets. Overall, I am of the opinion that the proposed demolitions and additions amount to less than substantial harm to the relevant heritage assets.

8.18 There would be dramatic public benefits to the pedestrian environment and accessibility of the area both internally within the site and externally outside the site, such as the widening of the pinch point between Park Street and Round Church Street. The internal improvements and long term structural and financial benefits for the Cambridge Union Society that the proposal would create would take important steps to securing the legacy of the world renowned Cambridge Union Society and help preserve the historic integrity of the Listed Building. The replacement of the 1930's extensions and additions, which are considered to detract from the Listed Building's significance, would contribute positively to the area. The proposal would also involve the release of five properties currently owned by Trinity College to the open market which would be beneficial in the City meeting its overall housing need.

8.19 In my opinion, in weighing the less than substantial harm to the heritage assets caused by the demolition of nos.3 – 5 Round Church Street against the public benefits (including securing its optimum viable use) that would accrue, I am of the opinion that the public benefits would outweigh the harm and the scheme is acceptable, in accordance with paragraph 134 of the NPPF.

9.0 CONCLUSION

9.1 The key factor in considering the application has been weighing the harm caused by the proposed works on the special architectural and historical interest of the Grade II Listed Building at the Cambridge Union Society against the public benefits that the scheme would deliver. The application has been found to be justified and the less than substantial harm caused to the Listed Building would be outweighed by the extensive public benefits associated with the proposal.

9.2 Listed building consent should be issued provided the associated application for planning permission is endorsed by the Planning Committee.

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 consent.

   Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) of the Planning and Compulsory Purchase Act 2004).

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

   772 100 P2 , 772 102 P1 , 772 120 P2 , 772 121 P2 , 772 122 P3 , 772 123 P1 , 772 124 P1 , 772 125 P1 , 772 127 P1 , 772 140 P2 , 772 141 P2 , 772 142 P1 , 772 143 P1 , 772 144 P1 , 772 160 P2 , 772 161 P2 , 772 163 P2 , 772 170 P1 , 772 171 P1 , 772 173 P1 , 772 175 P1 , 772 176 P1 , 772 177 P1 , 772 179 P2 , 772 180 P1 , 772 181 P1 , 772 182 P1 , 772 183 P1 , 772 185 P1 , 772 187 P2 , 772 189 P1 , 772 351 P2 , 772 352 P3 , 772 354 P1 , 772 370 P1 , 772 371 P1 , 772 372 P1 , 772 373 P1 , 772 380 P1 , 772 381 P1 , 772 383 P1 , 772 350 P1.

   Reason: In the interests of good planning and for the avoidance of doubt.

3. No demolition or works to the listed buildings shall take place until an appropriately detailed historic buildings record has been submitted to (The specification to be agreed in advance based upon Recording Level 2 as defined within "A Guide to Good Recording Practice", Historic England, May 2016 including a full photographic record and survey by measured drawing has been made depicting the existing exterior and interior of the areas of proposed change of the listed buildings (including any parts to be demolished). The precise number and nature of the photographs, drawings and any samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.) and approved by the LPA. Where necessary, the record may be updated during the course of demolition works should additional details of historic value be uncovered. Thereafter the applicants shall also deposit a copy with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority.

   Reason: to foster understanding of the building's importance in the national and Cambridge context, and to ensure proper recording of any aspects of the building's special interest which are to be lost or altered. (Cambridge Local Plan 2006, policy 4/10 and paragraph 141 of the National Planning Policy Framework 2012).

4. The means of preservation, protection and treatment of the following items of architectural / historic interest is to be agreed in advance of any works on site in writing by the LPA and carried out in accordance with the approved details thereafter:

   i] Joinery such as staircases, library shelving, doors & doorcases, etc..
   ii] Plasterwork to ceilings, walls, etc..
   iii] Decorative stonework such as mouldings, string courses, finials, etc..
   iv] Windows [including sills, mullions, transoms, etc.] and historic glass.
   v] Parquet, clay pavers, brick pammets and other historic floor coverings.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

5. The following items of historic fabric are to be retained and not altered, damaged or removed without the express written consent of the LPA:

   i] Decorative lead rooftop finial(s)

   Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

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

   Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

7. No dormers shall be constructed until full details, at a scale of 1:10, showing the construction, materials, rainwater disposal and joinery of the dormers, including their cheeks, gables, glazing bars and mouldings, have been submitted to and approved in writing by the local planning authority. Dormers shall thereafter be constructed only in accordance with the approved details.

   Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

8. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

   Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

9. No stonework, artificial or natural, (including columns, strings, quoins, lintels, sills, copings, plinths or kneelers) is to be erected until details of the source, colour, texture, coursing, mortar mix design, joint type and thickness and pointing technique, have been submitted to, and approved in writing by the local planning authority in the form of large-scale drawings and/or samples. If so required by the local planning authority, the latter may need to be submitted as a panel, which must be retained on site for comparative purposes until the development is completed. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

10. Full details of decorative shields, plaques, coats-of-arms, decorative lettering or the like which is cut into the masonry of the building are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

11. Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the LPA prior to commencement of works. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10).

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

Reason: To avoid harm to the special interest of the Listed Building (Cambridge Local Plan 2006, policy 4/10).

INFORMATIVE: In relation to condition no.3, applicants or their agents preparing a survey for archive deposit are advised to refer to "Understanding Historic Buildings: A guide to good recording practice." - Historic England. May 2016.

INFORMATIVE: In relation to condition no.4, it will be expected that items vulnerable to damage during the works will be protected by means of fixed boxing [of plywood, etc.] or thick padding [of foam plastic or rubber, etc.] and this will be maintained for the full duration of all works to the Listed Building.

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1541/FUL	**Agenda Item**	
Date Received	5th October 2017	**Officer**	Michael Hammond
Target Date	4th January 2018		
Ward	Market		
Site	Cambridge Union Society 9A Bridge Street Cambridge CB2 1UB		
Proposal	Demolition of ancillary buildings and removal of 1930's facade at the Grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (Use Class A3) and reopening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (Use Class A3) with 45 room post-graduate student accommodation above (Use Class C2) together with basement storage and services.		
Applicant	Cambridge Union Society and Trinity College		

SUMMARY	The development accords with the Development Plan for the following reasons: • The principle of demolition and development has been established under the previously permitted application (16/0673/FUL). • In comparison with the previously permitted plans (16/0673/FUL) the proposal is not considered to exacerbate the level of harm caused to heritage assets.

	• The proposed changes compared to the previously approved development would not impact on the accessibility of the building.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Cambridge Union Society is located in the historic core of the City Centre. It occupies a large site on the south-west corner of Park Street and Round Church Street. The majority of the site is occupied by the main Grade II Listed Building of the Cambridge Union Society. The building is three-storeys in height with a half level below. It was completed in 1866 by Sir Alfred Waterhouse, most famously known for his design for the National History Museum in London. Since its construction, the building has been the subject of later extensions and additions, notably the 1930's extension to the Round Church Street elevation and the squash court. The half level below was formerly used by the Cambridge University Footlights Drama Club. The debating chamber is situated in the heart of the building and occupies a large proportion of the main building and hosts the oldest debating society in the world. This aspect of the building has retained its appearance for over 140 years and has hosted a variety of well-known speakers including former prime ministers and major international figures. There is also the Cambridge Union Society coffee shop/ bar at ground-floor level which is open to members of the public. The upper floors and remainder of the building are predominantly office/ educational space, in addition to the large library and snooker room. In the north-east corner of the site is a row of three terraced properties (3-5 Round Church Street) used as student accommodation which are under the ownership of Trinity College.

1.2 To the west of the site is the Holy Sepulchre Church, commonly referred to as the Round Church, which is a Grade I Listed Building. To the north of the site is the Park Street multi-storey car park. There is a row of terraced properties to the east along Park Street, the southern half being Grade II Listed Building and the northern half being designated as Buildings of Local Interest. To the south-east of the site is the Grade I Listed 'Little

Trinity' building. The ADC theatre is situated to the south of the site.

1.3 The site is situated in a sensitive location in terms of conservation and heritage assets. As stated there are the Grade I Listed Buildings of the Round Church and Little Trinity in close proximity. The main building on site is Grade II Listed. The row of terraced properties to the east along Park Street are Grade II Listed/ Buildings of Local Interest. The site is situated in the Central Conservation Area.

1.4 There are three tree preservation orders which cover the north-east and eastern sections of the site. The site also falls within the City Centre (as defined by the Cambridge Local Plan 2006), within the Controlled Parking Zone and in the Air Quality Management Area.

2.0 THE PROPOSAL

2.1 Full planning permission and listed building consent are sought for the following works:

2.2 Demolition:

- Removal of the 1933 elements of the Round Church Street façade of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1883 dilapidated toilet block of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1933 former Squash Courts of the Grade II Listed Cambridge Union Society buildings;
- Internal and external demolitions and removals of fabric from various periods to allow for the improved access to, and usage of spaces within, the Grade II Listed Union Society buildings;
- Demolition of the unlisted 3-5 Round Church Street in the Conservation Area

2.3 Development:

- Construction of a new Round Church Street façade of the Grade II Listed Cambridge Union Society building based upon an adaptation of the original 1883 design to tie-in with surviving original elements;

- Recreation of four dormer windows to the 1866 element of the Grade II Listed Cambridge Union Society buildings to re-instate those lost through bomb damage in the second world war;
- Creation of a new doorway to the Park Street elevation of the original 1883 building known as Round Church House of the Grade II Listed Cambridge Union Society buildings;
- Recreation of doorway from Snooker Room to the stairs of the Grade II Listed Cambridge Union Society buildings to re-instate the later change to remove the door;
- Creation of a new doorway between Round Church House and the Debating Chamber of the Grade II Listed Cambridge Union Society building;
- Re-location of the doorway from the café and members bar into the courtyard through enlargement of an existing window and creation of a ramp to create a level access entrance and subsequent closure of existing café entrance through reinstatement of former window detail of the Grade II Listed Cambridge Union Society building;
- General refurbishments to the interior of the Grade II Listed Cambridge Union Society building including to enlarge and refurbish the ground floor café and members bar (Use Class A3) and to enlarge and refurbish the basement 'footlights' entertainment space (Sui Generis);
- Construction of new three storey 'link' building connecting the Debating chamber entrance to a new building entrance onto Round Church Street including internal circulation space, stairs and lift and toilet facilities and ancillary spaces;
- Construction of new ground floor restaurant venue (Use Class A3) with frontage onto Round Church Street and Park Street with 45no. room post-graduate accommodation above and basement for associated plant, refuse and cycle parking and storage;
- Associated landscape works to front, rear and side including creation of level access entrances.

2.4 The applications are considered together in this report for planning permission as they are intrinsically related. There is however a separate agenda item which relates specifically to the application for listed building consent and sets out the relevant conditions.

2.5 The proposed works would be similar in nature to that of a development which was approved in April 2017. The reason this new proposal has come forward is understood to be due to

viability reasons as the previous scheme was not deliverable financially. The main material amendments to the scheme are set out below:

- The Trinity College restaurant/ student accommodation block has been extended by an additional bay length and the linking element and Cambridge Union Society block reduced in depth accordingly;
- An increase in restaurant floorspace and number of student rooms proposed from 38 to 45;
- Increase in the numbers of dormers on the Trinity College extension from three to four due to additional length
- Re-modelling of the Round Church Street façade central glazed link to a stone and aluminium framed entrance with an upper-floor overhang;
- Re-instatement of original hip to the Waterhouse building;
- Alterations to the entrance to the student accommodation to make it appear more subservient;
- Change to back of house entrance by bringing it flush with the building façade to deter anti-social behaviour;
- Change to the bin collection area material from brick enclosure to timber
- Other minor external alterations to the fenestration of the Park Street and Round Church Street elevations;
- Alterations to the internal layout of the Round Church Street entrance; and
- Other minor internal alterations to the buildings.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Heritage and Conservation Area Appraisal
3. Building Surveys
4. Archaeological Appraisal
5. Geo-technical and Contamination Appraisal
6. Ecology and Arboricultural Assessment
7. Surface Water & Foul Water Drainage
8. Utilities Assessment
9. Noise and Air Quality Assessment
10. Ventilation and Extraction Statement
11. Sustainability and Renewable Energy Appraisal
12. A full drawings package

3.0 SITE HISTORY

Reference	Description	Outcome
17/1542/LBC	Demolition of ancillary buildings and removal of 1930's facade at the Grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 45 room post-graduate student accommodation above (use class C2) together with basement storage and services.	Pending decision.
16/0673/FUL	Demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society.	Permitted.

	Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services.	
16/0674/LBC	Demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services.	Permitted.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 3/13 3/14 3/15 4/3 4/4 4/9 4/10 4/11 4/12 4/13 4/14 4/15 6/10 7/7 8/1 8/2, 8/3, 8/6, 8/9, 8/10, 8/16, 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 (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) Planning Obligation Strategy (March 2010) Public Art (January 2010)

Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) Cambridgeshire Design Guide For Streets and Public Realm (2007) Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008) The Cambridge Shopfront Design Guide (1997) Roof Extensions Design Guide (2003) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006) Park Street Car Park Planning Guidance Note (2016)
Other	Draft Historic Core Conservation Area Appraisal (2016)

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)

Original comments (06/10/2017)

6.1 The applicant must provide a plan of the proposal at ground and basement level with the extent of the public highway superimposed upon it so that it can be verified that there is no encroachment upon the public highway and further information is required.

6.2 Having reviewed the information provided the County Council consider that the proposals do not result in a severe cumulative impact on the highway network and therefore are able to remove our holding objection subject to the following being secured through planning condition:
- Service Management Plan
- Travel Plan for all uses on site, and to include a Student Management Plan detailing how drop off and pick up of students will occur.

Comments on additional information

6.3 The applicant has provide a plan of the proposal at ground and basement level with the extent of the public highway superimposed upon it and this verifies that there is no encroachment upon the public highway.

6.4 The proposal includes various projections above the public highway. The applicant has provided an excerpt of the Design and access Statement showing ground floor projections. Please provide details of upper floors to verify that clearances are acceptable.

6.5 The applicant is advised that a licence under Section 177 of the Highways Act 1980 is required to allow a projection over the public highway. The proposal shows several doors opening outwards. The applicant has provided an excerpt of the Design and Access Statement and advised that a door still encroaches over the public highway. Even though this is an escape route this would breach the provisions of the Highways Act 1980, and will not be allowed.

6.6 The applicant has advised that the proposal retains car parking spaces to a size approved by the Planning Authority under a previous application. The Highway Authority advice remains that as vehicle sizes have increased over time the larger car parking size is now more appropriate for vehicular usage.

Environmental Health

6.7 No objection subject to the following conditions/ informatives:

- Construction Hours
- Collection during construction
- Construction/ demolition noise/ vibration & piling
- Dust
- Odour filtration
- Contaminated Land
- Building noise insulation
- Noise insulation scheme
- Plant noise insulation
- Lighting
- Hours of deliveries/ collections
- Hours of use
- Air quality ventilation scheme 1
- Air Quality ventilation scheme 2
- Combined heat and power
- Boilers
- Ductwork
- Informatives

Refuse and Recycling

6.8 No comments received.

Urban Design and Conservation Team

6.9 A revised scheme is now proposed using the same footprint but with a one bay longer Trinity College block involving a reduced Cambridge Union provision in the link element. The proposed entrance link between the two buildings is remodelled (as described in part 4 of the Design Statement) and there are also some other internal and external changes.

6.10 There is reduced basement extension and facilities beneath the existing building compared to the previous scheme.

6.11 The deep-element parquet floor in the Teaching Rooms, the pammets in the Southern corridor [the vaulted brick ceiling too] will need to be retained. The proposed large basement beneath the new building would mean that the structural stability of the LB would need to be monitored during the works – via a Condition. The installation of large numbers of toilets, and kitchen will require air extract equipment so this aspect would also need to be detailed in a Condition to avoid undue damage to the LB.

6.12 The upper ground level of the Round Church Street entrance foyer would be within the part of the Waterhouse range interior that has been previously altered so is not impacting any further on the historic interior. The proportions of the route from here through to the central atrium are reduced.

6.13 Materials are satisfactory. The restored Waterhouse Round Church St façade would be handmade red imperial bricks, blue/black engineering brick banding, Clipsham stone window surrounds, and timber sash windows. For the adjoining new building, materials would be handmade clay plain tiles, handmade red brick, Clipsham and reconstituted stone window surrounds with slimline aluminium framed windows all as per the previous consent. The Link building would also be of Clipsham and with powder coated slimline aluminium double glazed windows.

6.14 A part of the previous proposals for the Waterhouse range was the entrance link and construction of an additional gabled bay to the Waterhouse Northern elevation in brickwork. The gabled bay (criticised both by the Victorian Society and myself as unjustified remodelling) would not have been a reinstatement as it was never part of the Waterhouse design. The currently proposed link entrance area is more clearly distinguished from the original building in terms of materials and form and allows for the masonry of the Waterhouse building to be given a corner return before the stone of the link starts. It introduces a cantilevered, vertical element which relieves the horizontal emphasis of the buildings either side. These aspects are an improvement to the scheme.

Conclusion

6.15 In my view, whilst the new block would be longer, the link is better articulated and treatment of the adjoining north end of the existing range much improved compared to the previous scheme granted consent. The impact on Round Church Street of an elongated new building would be part compensated by increased high level space between the buildings as a result of retaining the hip of the existing CUS building. The scale of the new block is unchanged.

6.16 Notwithstanding the loss of 3-5 Round Church Street (as discussed within the earlier Conservation response to the 16/0674/LBC scheme), and the inclusion of arguably undesirable replacement of the main stair in the Listed CUS buildings, there are benefits to the Listed Building and the currently proposed scheme has to be considered in the context of the previous scheme having been approved.

Historic England

6.17 Historic England continue to have concerns regarding the application on heritage grounds.

6.18 In relation to the demolition of 3-5 Round Church Street, we consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 132 and 134. It would cause severe harm to the significance of the Cambridge Historic Core Conservation Area, as a result of the impact on their setting, particularly in relation to the listed Park Street

terrace. We remain concerned about the design of the new staircase adjacent to the Debating Chamber, but support the increase in length of the new build fronting Round Church Street, which is now more contextually appropriate.

6.19 In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

6.20 In accordance with guidance in the NPPF, the level of harm that would be incurred to the significance of the conservation area through the loss of 3-5 Round Church Street should, therefore, be carefully balanced against the perceived public benefits of the revised proposals.

The Victorian Society

6.21 The revised proposals do not substantively address any of the Victorian Society's previous objections.

6.22 We are pleased that the application no longer include the proposals to alter the hipped roof to the north-east end of Waterhouse's library building and to add a large pastiche gable in the Waterhouse style, although we recognise with disappointment that these alterations have been made not in response to any architectural or conservation concerns, but rather because of new financial constraints. We reiterate our support for the reinstatement of Waterhouse's ground floor and basement on the Round Church Street elevation, but urge once more that the opportunity be taken to execute a full scholarly reinstatement of Waterhouse's design, rather than the proposed pastiche.

6.23 We commented in our last response that the building proposed to replace 3-5 Round Church street was 'excessively bulky, overly dominant and aesthetically severe'. The latest revisions to the proposals do nothing to invalidate that assessment. Indeed, in bulk and massing the proposed building seems to

take its cue from the Park Street car park opposite more than any concern to respond to or to respect the character of the current streetscape. The unbroken line of the proposed roofline will fundamentally change the character of the street; currently the line of roofs is broken up by the variety of roof heights.

6.24 We remain opposed in principle to the demolition of nos. 3 – 5 Round Church Street. A heritage asset is simply a building, monument, site, place, area or landscape that has a degree of significance meriting consideration in planning decisions. It is the degree of significance that can be attributed to it, not the explicit inclusion on any list, that in principle characterises a heritage asset. In any case, the Round Church Street section of the Cambridge Historic Core Appraisal lists 3-5 Round Church Street as 'Positive buildings'. Even according to the false logic of the Heritage Statement they should therefore certainly be considered 'heritage assets' as defined in the NPPF.

Twentieth Century Society

6.25 No comments received.

Senior Sustainability Officer (Design and Construction)

6.26 The proposal is acceptable subject to the following conditions:

- Renewable and low carbon energy
- Combined Heat and Power

Access Officer

6.27 No objection.

Head of Streets and Open Spaces (Tree Team)

6.28 No objection subject to tree protection conditions.

Head of Streets and Open Spaces (Landscape Team)

6.29 Due to the changes to the rear of the building resulting from required escape stairs, the CUS bin store has been externalised and replaces a more modest bin collection point. The new element is bounded by 2m high brick wall and fronted with a timber fence and a single and double gate facing onto the

street. In all, the change to this area from the previous scheme, including the loss of the chamfered perforated gate is very disappointing and utilitarian. Park Street itself is not a 'back' street even if this is the service area for the CUS building.

6.30 The landscape section of the DAS proposes that climbers will be planted to climb the south facing wall of the Trinity housing block from the service yard. No provision for planting area has been shown on the drawings and adequate space must be provided for the plants to grow and achieve a good root zone area to achieve this goal without compromising any service vehicle movements.

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

6.31 No comments received

Cambridgeshire County Council (Flood and Water Management)

6.32 No objection subject to drainage conditions.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.33 No objection subject to surface water drainage scheme condition.

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

6.34 No objection subject to ecology conditions.

Environment Agency

6.35 No comments received.

Anglian Water

6.36 No objection subject to condition.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.37 No objection subject to informative.

Cambridge Airport Safeguarding

6.38 No objection.

6.39 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:

- Camcycle – The Bike Depot, 140 Cowley Road

7.2 The representation can be summarised as follows:

- The footway is too narrow and the junction with Park Street needs to be upgraded to modern standards of accessibility.
- Overuse of double-stacker cycle parking and insufficient cycle parking.
- It would be of benefit to the applicants and the city for them to work together to deliver two-way cycling on Round Church Street

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

8.0 ASSESSMENT

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

1. Preliminary
2. Principle of development
3. Context of site, design and external spaces (and impact on heritage assets)

4. Disabled access
5. Residential amenity
6. Refuse arrangements
7. Highway safety
8. Third party representations

Preliminary

8.2 The matters of trees, cycle parking, car parking, drainage, archaeology, public art, planning obligations, refuse arrangements and renewable energy were assessed as part of the previous application. I do not consider the proposed material alterations to the scheme, compared to the previous application (16/0673/FUL) to have any significant bearing on these specific aspects or their merits to warrant a different conclusion being reached. I therefore am of the view that the assessment of the previous application is pertinent to this current application on these points.

Principle of Development

Principle of restaurant, café/bar, student accommodation and entertainment venue (footlights) uses

8.3 The principle of the uses (restaurant, café/bar, student accommodation and entertainment venue (footlights)) proposed was assessed and established under the previous permission (16/0673/FUL). The current application proposes an identical range of uses, albeit the restaurant/ student accommodation elements have been increased in size slightly. Nevertheless, the material changes between the previous application and this current application are largely confined to physical alterations to the internal and external fabric of the proposed and existing building. Consequently, I consider the assessment under the previous application germane to this new application and that the principle of these uses would be acceptable.

Principle of demolition of heritage assets and works/ additions to the listed building

8.4 The key consideration in my view is whether the proposed material alterations, compared to the previous scheme (16/0673/FUL), would have any bearing on the level of harm caused to heritage assets or if any public benefits to outweigh

harm have been enhanced or lost as a result of these works. This has been assessed in the 'Context of site, design and external spaces (and impact on heritage assets)' section of this report.'

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

8.5 This section of the report will address the two key elements of the application. The first section will assess the principle of the proposed works from a heritage perspective, specifically, the principle of demolition to the Grade II listed building, principle of demolition of nos.3-5 Round Church Street in the Conservation Area, and the principle of works to the listed building. The second section will assess the impact of the proposed works, notably the restaurant and accommodation block, on the character and appearance of the Conservation Area, and the setting of heritage assets. In the concluding paragraph of this latter section I shall summarise the balance between the harm to heritage assets against the public benefits of the development.

8.6 The assessment will focus predominantly on the material differences between the previously approved development (16/0673/FUL) and that of the proposed scheme.

Policy Position

8.7 Policy 4/10 of the Cambridge Local Plan (2006) states that works for the demolition of Listed Buildings will not be permitted unless:

a) The building is structurally unsound for reasons other than deliberate damage or neglect; or
b) It cannot continue in its current use and there are no viable alternative uses; and
c) Wider public benefits will accrue from redevelopment.

8.8 Paragraph 133 of the National Planning Policy Framework (2012) states that:

"Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be

demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *The nature of the heritage asset prevents all reasonable uses of the site; and*
- *No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *The harm or loss is outweighed by the benefit of bringing the site back into use."*

8.9 There is an inconsistency between the criteria within Policy 4/10 of the Local Plan and that of the NPPF. The NPPF makes clear that the demonstration of public benefits can in of itself provide justification for substantial harm to or total loss of significance of designated heritage asset. The justification for demolition does not necessarily need to establish both a public benefit argument and compliance with the criteria within policy 4/10 of the Local Plan.

8.10 In light of the above, in the event that the proposed demolition and works are deemed to cause substantial harm to or total loss of significance of a designated heritage, the harm caused would be weighed against the public benefits.

8.11 The public benefits that were demonstrated by the agent under the previous application (16/0673/FUL) were as follows:

Improvement to the Public Realm

- Opportunity to repair the harm of the 1960's Park Street road widening and truncation of Round Church Street terrace.
- Uneven pavement to be replaced along Round Church and Park Street.
- Increase in width of narrow pavement at the pinch point on the corner of Park Street.
- Activity created at street level along Round Church Street, benefiting the future Park Street Car Park redevelopment.
- Visual improvement to service yard at rear of Union, tidying up an unsightly area of Cambridge.

Improvement to Building Conditions

- Replaces deteriorating housing that is financially and physically unviable to refurbish to modern living standards.
- Replaces the 'eyesore' of the 1930's intervention to the Round Church Street elevation of the CUS building.
- Enables the repair and maintenance of the CUS building which in areas has become heavily dilapidated.

Improvement to Public Housing

- Releases housing currently owned by Trinity College back into the housing stock (39 Victoria Park, 12 Glisson Road, 20 Victoria Street and 53 + 66 Searle Street).
- Replaces low quality student housing with an increased number of high quality units.

Improvements to the Cambridge Union Society (CUS)

- Funds the development of the CUS which otherwise would not be financially possible.
- Allows the CUS to develop a source of income for the long term sustainability of the Union.
- Returns the building to an appearance in keeping with its Victorian origins, removing the failed 1930's intervention.
- Reinstates lost heritage features of the Victorian building including the dormers above the Snooker Room.
- Repairs and replaces elements of the Union that have reached the end of their life cycle, securing the buildings future.
- Ensures the future of the longest running and world renowned debating society.
- Opens the CUS building to the public via the enabling of the development works.
- Enables the CUS to reopen and reuse the original home of the Footlight's.
- Enables the Union to provide much needed accessibility to the majority of key areas within the building.
- Provides the CUS with a public face and an unprecedented level of much needed public access.

8.12 The proposed amendments to the scheme compared to the former permission (16/0673/FUL) would not lead to the loss of any of these benefits in my view. I consider that two of the benefits would be enhanced as a result of the proposed scheme. The number of student rooms would increase from 39 to 45 which would help to replace low quality student housing with a greater density of student units. In addition, the

reinstatement of the original hipped roof of the Waterhouse building would help to reinforce the Victorian origin of the building.

Principle of Proposed Demolition and Works

Principle of demolitions to the Grade II listed Cambridge Union Society Building

8.13 The following demolitions to the Grade II Listed Building are proposed:

- Removal of the 1933 elements of the Round Church Street façade of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1883 dilapidated toilet block of the Grade II Listed Cambridge Union Society buildings;
- Demolition of the 1933 former Squash Courts of the Grade II Listed Cambridge Union Society buildings;
- Internal and external demolitions and removals of fabric from various periods to allow for the improved access to, and usage of spaces within, the Grade II Listed Union Society buildings;

8.14 The proposed works to the Cambridge Union Society Building are identical to that of the previous permission and consequently I consider that the level of harm to the significance of the Listed Building would remain less than substantial for the same reasons as set out in the previous assessment (16/0673/FUL). The less than substantial harm relates to the removal of the internal staircase.

8.15 The public benefits associated with this element of the proposal, notably improved accessibility, circulation and public exposure would still in my opinion outweigh the less than substantial harm to the Listed Building.

Principle of Demolition of 3 -5 Round Church Street

8.16 The principle of demolition of nos.3 – 5 Round Church Street was the most sensitive matter of the previously approved application (16/0673/FUL) in terms of demolition and the level of harm to the heritage asset of the conservation area. It was explained under the previous officer assessment that the level of harm considered to be caused by demolishing these

buildings would be less than substantial. It was found that the demolition of these buildings, and the subsequent re-development of the site that this would facilitate, would bring several public benefits which significantly included preserving the financial security of the Cambridge Union Society and the safeguarding this would provide for the existing listed building.

8.17 In my opinion, the assessment of the principle of demolition of these buildings is identical to that of the previous permission (16/0673/FUL). Therefore, for the reasons stated in the previous assessment, I consider the public benefits would outweigh the less than substantial harm to the heritage asset and secure the long-term future of the listed building.

Principle of works and additions to the Grade II Listed Building

8.18 The application proposes the following works and additions to the Listed Building:

- Reinstatement of lost dormer windows
- Reinstatement of a Waterhouse derived façade
- Access improvements
- Internal changes to improve circulation and usage of spaces
- Creation of ancillary spaces

8.19 These works and additions proposed would be very similar to that of the previously approved development (16/0673/FUL) which were deemed to be enhancements to the character and appearance of the conservation area and make a positive contribution to the setting of the Listed Building.

8.20 The only significant difference that the current application offers is the reinstatement of a hipped roof on the end of the Waterhouse building which more faithfully reflects the original elevation of this building compared to the previous permission. This is supported by the Urban Design and Conservation Team and I am of the view that this would only serve to improve the appearance of the building and benefit the relevant heritage assets.

Response to Context

8.21 This section will focus on the material changes between the previously approved scheme and that of the current proposal.

Works to Trinity College block

8.22 The most significant alteration to this aspect of the proposed development would be the extension of this block by an additional bay width further to the south-west along the Round Church Street façade. The proposed additional footprint of the Trinity College block would inevitably increase the prominence of this element within views from public view points. However, it is pertinent to note that the scale and height of the proposed block would remain as per the approved permission. The proposed extension would mirror the fenestration of the approved development, as well as providing an additional dormer to continue the vertical rhythm of the appearance of the building.

8.23 In my opinion, the proposed extension to the block would not appear harmful in the context of the conservation area and would not over dominate its surroundings or the adjacent Listed Building. It would remain separated from the Waterhouse building by a linking element which would retain the look of the wider Round Church Street façade as being read as two distinctive elements.

8.24 The alterations to the back of the house entrance, the student entrance and other minor fenestration changes would not drastically alter the appearance of the building in my view and I do not consider any harm would be caused by these works.

8.25 It is acknowledged that the Landscape Team has raised a concern regarding the position of the bin collection store on the Park Street elevation of the Trinity College block and its utilitarian appearance compared with the former chamfered perforated gate that was previously approved. However, I am of the opinion that the bin collection point as proposed would still be a considerable improvement to the street scene given that bins are already stored outside permanently at present. It would be subservient in its design and would not in my view read as being overly prominent in the public realm. In addition, bins would only be stored here when they are lifted up from the basement on collection days.

Central link and Waterhouse facade

8.26 The original permission (16/0673/FUL) included a glazed link which was recessed behind the front building lines of the Trinity College and Waterhouse buildings and was relatively unassuming in its appearance.

8.27 The proposal seeks to introduce a more slender and alternative approach to linking the contemporary and traditional buildings together. It would have a tall overhang that projects above the eaves of the two buildings and also over the footway. It would have a series of stone columns and also a large wall of stone which adjoins onto the Waterhouse building.

8.28 It is acknowledged that the Urban Design and Conservation Team support this alteration. The currently proposed link entrance area is more clearly distinguished from the original building in terms of materials and form and allows for the masonry of the Waterhouse building to be given a corner return before the stone of the link starts. It introduces a cantilevered, vertical element which relieves the horizontal emphasis of the buildings either side. It is felt that this would be an improvement to the scheme and provide a more distinctive and interesting form of development in the street scene. The increased high level space between the buildings as a result of retaining the hip of the original Waterhouse building would enhance the setting of the listed building in my opinion.

Summary

8.29 The proposed internal works to the Listed Building would cause some harm to its special architectural interest due to the removal of the main staircase. The properties at nos.3 – 5 Round Church Street are considered to have a neutral contribution to forming the character and appearance of the Conservation Area and the loss of these would result in a degree of harm. The proposed link building and entrance from Round Church Street would harm nearby heritage assets according to the Victorian Society and the Design and Conservation Panel. The revised scheme for the post-graduate accommodation/ restaurant block is considered to cause low harm to heritage assets. Overall, I am of the opinion that the proposed demolitions and additions amount to less than substantial harm to the relevant heritage assets.

8.30 There would be dramatic public benefits to the pedestrian environment and accessibility of the area both internally within the site and externally outside the site, such as the widening of the pinch point between Park Street and Round Church Street. The internal improvements and long term structural and financial benefits for the Cambridge Union Society that the proposal would create would take important steps to securing the legacy of the world renowned Cambridge Union Society and help preserve the historic integrity of the Listed Building. The replacement of the 1930's extensions and additions, which are considered to detract from the Listed Building's significance, would contribute positively to the area. The proposal would also involve the release of five properties currently owned by Trinity College to the open market which would be beneficial in the City meeting its overall housing need.

8.31 In my opinion, in weighing the less than substantial harm to the heritage assets caused by the demolition of nos.3 – 5 Round Church Street against the public benefits (including securing its optimum viable use) that would accrue, I am of the opinion that the public benefits would outweigh the harm and the scheme is acceptable, in accordance with paragraph 134 of the NPPF.

Disabled access

8.32 The entrance foyer to the Cambridge Union Society from Round Church Street would be slightly reduced in terms of internal floor area due to the expansion of the Trinity College element of the scheme into this space. However, the scheme still includes a lift for disabled access and sufficient space for wheelchair turning areas. Furthermore, the courtyard access into the building would remain as per the previously approved scheme and the level of accessibility improved significantly as a result. The Access Officer has raised no objection to the proposed works.

8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.34 Whilst the proposed new building is of a considerable scale, it is situated a comfortable separation distance from any nearby residential properties. The building would not adversely overshadow or visually enclose any neighbouring occupiers. The views out would face onto the street and would not compromise the privacy of any nearby occupiers. The works to the listed building would not introduce any new forms of overlooking or loss of privacy.

8.35 Conditions have been recommended by the Environmental Health Team to control the noise and environmental matters associated with the proposed accommodation, restaurant and entertainment uses. In my opinion, subject to these conditions, the proposal would not give rise to unacceptable levels of noise and disturbance.

8.36 The Environmental Health Team and Highway Authority have recommended conditions to control the demolition/ construction process and these have been recommended accordingly.

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

Amenity for future occupiers of the site

8.38 The proposal would provide 38 post-graduate student accommodation rooms, all with communal living areas and acceptable outlooks. The Environmental Health Team has recommended conditions regarding building insulation and noise to protect future occupiers and these have been recommended accordingly. The site is within walking distance of the main Trinity College campus and is in a highly sustainable location, close to local shops, facilities and outdoor spaces.

8.39 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.

Highway Safety

8.40 The Highway Authority has requested that the outward opening doors onto the highway are removed from the scheme. The agent has confirmed that they will be amending the drawings to remove the outward opening doors, as per the request of the Highway Authority. Subject to amended drawings being received, I do not consider the proposal would pose a threat to highway safety.

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

Third Party Representations

8.42 It is acknowledged that an objection has been received from 'Camcycle' regarding the lack of cycle parking, the double-stacker nature of the spaces and the highways that surround the site. The cycle parking has been increased from 42 spaces to 60 spaces under the current application. As the proposal seeks to introduce six more student units compared to the previous permission, I consider the provision of 18 additional spaces to be more than adequate for this level of development. The site is located in a dense urban context where cycle parking is currently limited. I consider the provision of 60 spaces to be acceptable. The use of double-stacker style spaces, in my opinion, makes efficient use of the site for cycle parking and there is no policy objection on which to resist this arrangement. The Highway Authority has not requested any improvements to the local highway network.

9.0 CONCLUSION

9.1 The proposed development would represent a similar nature, scale and form of development to that of the previously approved application (16/0673/FUL). The alterations to the proposal in comparison to the previous scheme would not, in my opinion, give rise to any harm beyond that of the original scheme. In my assessment of this the public benefits are deemed to outweigh the harm that would be caused to relevant heritage assets. The demolition/ works to the listed building, the

demolition of nos.3 – 5 Round Church Street and the proposed restaurant/ student accommodation building would cause less than substantial harm to the setting and importance of the Grade II Listed Building, nearby Listed Buildings and the character and appearance of the Conservation Area. There would be a significant amount of public benefits, in terms of public realm improvements, preservation of the Listed building and housing need, arising from the scheme which, in my view, would outweigh the less than substantial harm that would be caused by the proposed works.

9.2 Approval is recommended, subject to conditions and the completion of a S106 agreement which includes:

- Restricting the occupancy of the student accommodation to students of the College;
- Notification of the traffic regulation order; and
- Release of five properties currently used as student accommodation by the College into general market housing.

10.0 RECOMMENDATION

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

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

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

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

772 100 P2 , 772 102 P1 , 772 120 P2 , 772 121 P2 , 772 122 P3 , 772 123 P1 , 772 124 P1 , 772 125 P1 , 772 127 P1 , 772 140 P2 , 772 141 P2 , 772 142 P1 , 772 143 P1 , 772 144 P1 , 772 160 P2 , 772 161 P2 , 772 163 P2 , 772 170 P1 , 772 171 P1 , 772 173 P1 , 772 175 P1 , 772 176 P1 , 772 177 P1 , 772 179 P2 , 772 180 P1 , 772 181 P1 , 772 182 P1 , 772 183 P1 , 772 185 P1 , 772 187 P2 , 772 189 P1 , 772 351 P2 , 772 352 P3 , 772 354 P1 , 772 370 P1 , 772 371 P1 , 772 372 P1 , 772 373 P1 , 772 380 P1 , 772 381 P1 , 772 383 P1 , 772 350 P1.

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

3. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) and in accordance with the approved Ground Investigation Report (C13649 Ground Engineering Ltd November 2015) and Phase 1 Geo-technical Desk Based Assessment (356088/WNE/EVT/01/A Mott MacDonald June 2015), the following shall be submitted to and approved in writing by the local planning authority:

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

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

4. Prior to the first occupation of the development (or each phase of the development where phased) the remediation strategy approved under condition 3 shall be fully implemented on site following the agreed schedule of works.

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

5. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.
(a) A completion report demonstrating that the approved remediation scheme as required by condition 3 and implemented under condition 4 has been undertaken and that the land has been remediated to a standard appropriate for the end use.
(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

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

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

6. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:
a) Include details of the volumes and types of material proposed to be imported or reused on site
b) Include details of the proposed source(s) of the imported or reused material
c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
d) Include the results of the chemical testing which must show the material is suitable for use on the development

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

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

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

7. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development (or phase of) which has not previously been identified, works shall immediately cease on site (or to the associated phase) until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved through submission of a site investigation report and remediation strategy in accordance with condition 3. The approved remediation shall then be fully implemented under condition 4

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

8. 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)

9. 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)

10. Prior to the commencement of the development (or phase of) 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 (or phase of), 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)

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

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

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

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

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

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

14. Prior to development of the residential building above slab level, a noise assessment of 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 accommodation units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the accommodation 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 internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

    Reason: To protect the amenity of future occupants (Cambridge Local Plan 2006 policies 3/12, 4/13 and 7/7)

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

    Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13 and 6/10)

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

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

17. Deliveries and collections to site are prohibited outside of the following hours:

    - Monday to Saturday = 07:00 - 23:00hrs
    - Sundays and bank/public holidays = 08:00 - 18:00hrs

    Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

18. The Cambridge Union Society 1815 bar and cafe shall not be open outside the following hours:

    10:00 and 23:00 - Monday - Wednesday
    10:00 and 01:00 - Thursday
    10:00 and 02:00 - Friday - Saturday
    10:00 and 23:00 - Sunday

    Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

19. The Footlight's entertainment venue shall not be open outside the following hours:

    10:00 and 23:00 - Monday - Wednesday
    10:00 and 01:00 - Thursday
    10:00 and 02:00 - Friday - Saturday
    10:00 and 23:00 - Sunday

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

20. The new restaurant A3 use hereby permitted shall not be open outside the hours of 07:00 and 23:30 hrs.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

21. Prior to development of the residential building above slab level, full details of the ventilation scheme for the residential units on the façade fronting Park Street and Round Church Street shall be submitted to and approved in writing by the local planning authority. Air intake shall be from the roof and/or rear of the building, away from Park Street and Round Church Street. The ventilation scheme shall achieve at least 2 air changes per hour. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect human health in accordance with policy 4/14 of the Cambridge Local Plan (2006).

22. The scheme of ventilation approved under condition number 21 shall be installed in accordance with the approved details before the first occupation of the development and shall thereafter be retained as such.

Reason: To protect human health in accordance with policy 4/14 of the Cambridge Local Plan (2006).

23. Prior to development of a building/s above slab level, details of the location of associated duct work, for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved ductwork shall be installed before the use hereby permitted is commenced. The approved ductwork shall be retained thereafter.

Reason: In the interests of protecting human health in accordance with policy 4/14 of the Cambridge Local Plan (2006).

24. Prior to use/occupation of the restaurant/residential building, further information shall be submitted and agreed in writing by the local planning authority in relation to the technical specification of the proposed gas fired Combined Heat and Power System, including emissions standards. Any gas fired CHP shall meet an emissions standard of:

Spark ignition engine: less than 150 mgNOx/Nm3
Compression ignition engine: less than 400 mgNOx/Nm3
Gas turbine: less than 50 mgNOx/Nm3

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

25. The development hereby approved shall utilise low NOx boilers, i.e., boilers that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. Details of the boilers shall be submitted to the local planning authority for approval prior to installation.

A manufacturers NOx emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out in accordance with the approved details before first occupation and shall be thereafter retained.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

26. Prior to use/occupation of the restaurant/residential building, an energy statement, which demonstrates that at least 10% of the building's total predicted energy requirements will be from on-site renewable and low carbon 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/CO2/annum; and
b) A schedule of proposed on-site renewable and low carbon technologies, their respective carbon reduction contributions, location, design and a maintenance programme.

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

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

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

27. The development of residential accommodation hereby approved shall not be occupied until an operational management plan for the site, which provides details of site management, security, delivery handling, waste collection management, litter control and term end pick-up and drop-off arrangements has been submitted to and approved in writing by, the local planning authority. Occupation of the site shall take place only in accordance with the approved management plan.

Reason: to ensure the buildings are appropriately serviced, managed and controlled (Cambridge Local Plan 2006 policies 3/7 and 8/9)

28. No occupation/use of a new building/s shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority relating to that occupation/use. The Travel Plan shall comprise immediate, continuing and long-term measures to promote arrangements to encourage the use of public transport, cycling and walking and in particular measures to encourage the use of alternative means of transport to the private car by staff, students and visitors.

The travel plan relating to the student accommodation shall also include details of a student management plan to control the pick-up and drop-off of students at the site. The student management plan element shall set out measures as to how the student accommodation will be managed on a day-to-day basis, how it would be managed when let during holiday periods, and how any issues arising from its operation in terms of impact on adjacent neighbours will be handled. It shall include the contact name and number of a College representative, made available to local residents and placed as information near to the entrance of the building in a prominent and publicly visible location.

The Travel plan relating to the Union Society shall include details of the cycle parking on site and where additional cycle parking will be located if there is obvious demand with details of how the demand will be monitored shall also be provided.

The Travel Plan/s shall thereafter be implemented in accordance with the approved document/s.

Reason: In order to deliver sustainable transport objectives and to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12, 8/2, 8/3 and 8/4)

29. No unbound material shall be used in the surface finish of the access within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 Policy 8/2)

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

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

31. 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 (Cambridge Local Plan 2006 Policy 8/2).

32. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the development. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

33. The developer is advised that part of the proposed structure supports the public highway. Prior to commencement of works affecting any existing or new structure that supports the public highway the developer must contact the Highway Authority to provide an Approval In Principle document in accordance with BD2 Volume 1 Highway Structures: Approval Procedures and General Design, Section 1 Approval Procedures of the Design Manual for Roads and Bridges.

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

34. No demolition or construction works (or phase of) shall commence on site until a traffic management plan has been agreed with the Planning Authority.

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

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

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

36. 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)

37. Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the LPA. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

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

38. Full details of all solar panels (water pre-heat, etc) and/or photovoltaic cells, including type, dimensions, materials, location and fixing shall be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

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

39. No demolition of 3-5 Round Church Street shall take place until an appropriately detailed historic buildings record has been submitted to (The specification to be agreed in advance based upon Recording Level 1 as defined within "A Guide to Good Recording Practice", Historic England, May 2016) and approved by the LPA. Where necessary, the record may be updated during the course of demolition works should additional details of historic value be uncovered. Thereafter the applicants shall also deposit a copy with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge.

    Reason: To record and advance understanding of the buildings to be demolished in accordance with NPPF (2012) paragraph 141.

40. Prior to commencement of permanent landscape works (or phase of) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

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

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

42. Prior to commencement of development (or phase of), details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development (or phase of), shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site (or phase of). Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

43. No development (or phase of) shall take place within the area indicated until the applicant, or their agents or successors in title, 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.

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

44. Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building that they serve. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. The submitted details should also identify where the manhole covers are, how to lift them, what to look for, how to inspect for silt in the attenuation tank and if found, how to remove it. 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.

45. The development hereby permitted shall be carried out in accordance with the infiltration testing results as detailed in the document titled "Ground Engineering Limited Drawing - Project No. C13649".

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 in accordance with National Planning Policy Framework 2012 paragraph 103.

46. No development (or phase of) shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of bat and bird boxes on the site. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

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

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

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

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

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

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

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

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

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

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

INFORMATIVE: Dust condition informative

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

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

-Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

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

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

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

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

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

Further information may be found here:
https://www.cambridge.gov.uk/housing-health-and-safety-rating-system

INFORMATIVE: The Medium Combustion Plant Directive (MCPD) is part of The EU Clean Air Package published in December 2013. It will introduce a system of registration/permitting for 1-50MW plant, emission limits for nitrogen oxides, sulphur dioxide and particulate matter and monitoring of emissions by operators. Medium combustion plant include boilers, engines, turbines and backup generators and can run on natural gas, solid and liquid fuels, including biomass and biogas. New plant will need to be registered and meet emission limits in late 2018 and existing plants by 2025 and 2030 depending on size.

The proposed planning application involves the installation of plant that is likely to require regulation. The applicant is advised to ensure that the design and installation of any relevant plant takes into account the requirements of this Directive. Further advice can be obtained from the Environmental Quality and Growth team.

INFORMATIVE: It is a requirement of the Clean Air Act 1993 that no furnace shall be installed in a building or in any fixed boiler or industrial plant unless notice of the proposal to install it has been given to the local authority. Details of any furnaces, boilers or plant to be installed should be provided using the Chimney Height Calculation form (available here: https://www.cambridge.gov.uk/chimney-height-approval).

INFORMATIVE: No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.

INFORMATIVE: Drainage.
Drainage systems must not be situated in contaminated land.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

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

All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the public foul sewer.

INFORMATIVE: Pollution Prevention.
Where dewatering is required during demolition/construction works, the resultant water should not be disposed of via any ground surface, drain or watercourse without prior approval from the relevant regulatory body (including the Environment Agency, local authority or water company) as this activity may require a discharge consent. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants. The bunded area shall be designed, constructed and maintained in order that it can contain a capacity not less than 110% of the total volume of all tanks or drums contained therein. All filling points, vents, gauges and sight glasses should be bunded. Any tank overflow pipe outlets shall be directed into the bund. Associated pipework should be located above ground and protected from accidental damage. There shall be no gravity or automatic discharge arrangement for bund contents. Contaminated bund contents shall not be discharged to any watercourse, land or soakaway.

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

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

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

INFORMATIVE: Waste Management.
If any controlled waste is to be removed off site, the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer, as a waste producer, has a duty of care to ensure all materials removed from the site go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with the regulations.

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption licence or authorisation from the Environment Agency. We are unable to specify what exactly would be required, if anything, due to the limited amount of information provided

INFORMATIVE: Condition number 39 only applies to 3-5 Round Church Street. The demolitions of the toilet block to the rear of the Union Society buildings and the 1930 extensions to the Union Society buildings are covered by a separate condition under the Listed Building consent.

INFORMATIVE: Removal of features such as tiles and soffit boxes should be undertaken carefully by hand. All on site contractors should be made aware of the potential presence of bats. In the unlikely event of a bat being discovered at the site works should cease and advice be sought immediately either from Natural England (0300 060 6000) or MKA Ecology Ltd (01763 262211).

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1626/FUL	**Agenda Item**	
Date Received	22nd September 2017	**Officer**	Mairead O'Sullivan
Target Date	17th November 2017		
Ward	Queen Ediths		
Site	130 Queen Ediths Way Cambridge CB1 8NW		
Proposal	Demolition of existing 2 storey house and replacement with 2 one beds flats and 3 two bed flats in a one and two storey building.		
Applicant	Mr Colin Wills		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed design is acceptable and considered in keeping with the character of the area - The proposal would not have any significant adverse impact on the amenity of surrounding occupiers. - The site would remain in residential use; there is no policy to resist the loss of the family home.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the southern side of Queen Edith's Way between the junction with Heron's Close and Beaumont Road. This is a predominantly residential area characterised by detached brick properties on large plots with houses set back from the street having car parking and landscaping to the frontages. The existing property is two storey red brick building. The property is accessed from Queen Ediths Way with two dropped kerbs at either end of the property and some trees and hedge to the frontage.

1.2 The site does not fall within the Conservation Area nor is it within the Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of the existing building and erection of a replacement property. The replacement building would be comprised of two 1x bedroom flats and three 2x bedroom flats.

2.2 The plans have been revised since submission to move the replacement building back 1m on the plot to facilitate the provision of an adequate car parking layout.

2.3 The replacement building would be broken into three elements; a single storey element to the east which rises into 2 x two storey blocks with pitched roofs which are linked by a flat roofed clad and glazed element. The building would be finished in buff bricks with timber cladding to the upper floors of the front elevation and brown roof tiles with a grey single ply membrane to the flat roof.

3.0 SITE HISTORY

Reference	Description	Outcome
08/0888/FUL	Erection of 4 two bedroom flats (following demolition of house).	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 3/12 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)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

6.1 Objection: The proposal removes the ability for motor vehicles to enter and leave the site in forward gear. Queen Edith's Way forms part of the busy outer ring road serving Cambridge carrying large volumes of traffic, a high proportion of which are vulnerable road users. The site accesses are in close proximity to a junction. It is essential that vehicles are able to enter and leave the site in forward gear, and that that movements around the junction are not hindered by additional movement conflicts and that those conflicts that do occur are as simple as possible.

Second comment

6.2 No objection: The proposal now retains the ability for cars to enter and leave in forward gear, albeit in a constrained layout, but overcoming my previous objection. The proposal seeks to justify a development with parking provision at less than one space per dwelling unit within the site for residents. This may cause an increase in demand for on-street parking. This is unlikely to have any significant adverse impact on highway safety but may impact on residential amenity.

Environmental Health

6.3 No objection: The proposal is acceptable subject to conditions relating to hours of construction/demolition, hours of deliveries/collections, piling, dust and noise insulation. An informative relating to dust is also requested.

Urban Design and Conservation Team

6.4 No objection: The proposal reads like two domestic scale buildings, connected by a link that is set back and treated with contrasting materials to the main elevations. This maintains a varied and suburban character to match the streetscape, which is mixed. The amenity space is south facing and all units are dual aspect. The mature boundary should be retained and enhanced. The bin, bike and parking arrangement need to be reassessed. Conditions are recommended relating to material samples, cladding details, window/door details and details of bin and bike stores.

Drainage

6.5 No comments received.

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

7.0 REPRESENTATIONS

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

- 15 Almoners Avenue
- Camcycle
- 1 Herons Close
- 4 Herons Close x2
- 17 Herons Close
- 248 Hills Road
- 10 Kinnaird Way
- 23 Queen Ediths Way
- 68 Queen Ediths Way
- 90 Queen Ediths Way
- 107 Queen Ediths Way
- 110 Queen Ediths Way
- 118 Queen Ediths Way
- 124B Queen Ediths Way
- 127 Queen Ediths Way
- 128 Queen Ediths Way
- 132 Queen Edith Way
- 132A Queen Ediths Way x 2

- 133 Queen Ediths Way
- 137 Queen Edith Ways x2
- 138 Queen Ediths Way
- 200 Queen Ediths Way
- 222 Queen Ediths Way
- 234 Queen Ediths Way
- 1 Spalding Way
- 1A Strangeways Road
- 5 Strangeways Road
- 6 Strangeways Road
- 11 Strangeways Road

7.2 The representations can be summarised as follows:

- Overdevelopment
- Loss of a family home
- Many flats on Queen Ediths Way are empty as not in demand; family housing is more desirable
- Inappropriate density
- Would potential alter green leafy character of the street
- Would set a precedent for flats in an area characterised by family homes
- Would have an overbearing impact on 128 and 132A
- Too close to the boundary with 132A Queen Ediths Way
- Increased in number of people using the site would cause noise disturbance to surrounding occupiers
- Odour from bins will impact adjoining properties
- Would overshadow 132A Queen Ediths Way
- Would result in loss of privacy to surrounding occupiers
- Would have a negative impact on the character of the area
- Inadequate car parking for number of potential occupiers
- Inadequate outdoor amenity space
- Proposed units are too small
- Unclear as to whether cycle parking would be covered and secured
- No provision for larger cycles
- Cycle parking layout is unclear
- Inadequate bin provision
- Concerned about highway safety due to increased use of the access, increased traffic generation and the proximity of the site to junctions and a school.
- Will add to existing congestion issues on Queen Ediths Way and would create a pinch point for traffic
- PD rights for loft extensions must be removed

- Would have a negative impact on the community of families living in 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
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The Cambridge Local Plan (2006) states that proposals for housing development of windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses (policy 5/1).Therefore, the development of housing is acceptable, however, considerations should be taken into account e.g. impact on neighbour amenity and visual aesthetics.

8.3 The representations raise concerns about the loss of the family home. Many people have suggested that the rise in the number of flats in the area is harmful to its character. People also suggest that there is a greater demand for family homes than flats in the area. The proposal does not result in the loss of a residential unit but increases the number of units on site. I accept that the nature of these properties is different to the dwelling which they are to replace. However, there is no policy reason to resist the loss of the existing dwelling or which favours family houses over flats. As a result the principle of the development is acceptable.

Context of site, design and external spaces

8.4 The proposed replacement building is broken down into different elements which help to reduce the overall scale and massing of the development. The clad and glazed linking element provides a visual break between the solid brick elements. This reduces the overall scale and massing as the materials have a more lightweight feel.

8.5 The amended plans have the replacement building sitting further back on the plot than the existing building, however the proposal is still broadly in line with the surrounding building line. At the moment there is a large amount of greenery and two trees to the frontage. The two trees are to remain and some planting is shown to be retained. This will help soften the boundary and be in keeping with the character of the area. A boundary condition is recommended to ensure that the altered planting to the frontage is of an adequate quality.

8.6 One of the representations raises concerns that the proposal would harm the leafy character of the street. The proposal retains the two existing trees to the frontage as well as some of the planting. The existing mature hedge to the rear is also to be retained, along with three of the four trees in the rear garden.

8.7 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

8.8 The building drops down to single storey near the boundary with 132A Queen Ediths Way. The building would also be set away from the boundary. Whilst it would extend further into the garden than 132A Queen Ediths Way, it would be of a relatively modest size with a low eaves height of 2.5m and set away from the boundary. As a result I am satisfied that it would not have any significant impact on this occupier in terms of enclosure or overshadowing.

8.9 The proposal would be two storeys near the boundary with the other neighbor at 128 Queen Ediths Way and would extend beyond the rear building line of this neighbouring property by

approx. 3.6m. However, the building is set off of this boundary with 6.35m from building to building and 3.2m between the extension and the boundary. Whilst the proposal would result in some additional enclosure to the neighbouring garden in comparison to the existing building, given the set away from the boundary, I am satisfied that this would not be significantly harmful; to warrant refusal. The proposal may result in some additional overshadowing of the garden of number 128, however I am satisfied that this would be very limited and not sufficiently harmful to warrant refusal of permission.

8.10 Some of the representations raise concerns regarding noise and disturbance from additional users of the site. The proposal is for 5 flats on a plot which is considered to be adequately large to accommodate the number and type of units. In my view the additional residential uses would not give rise to a significant increase to noise and disturbance to the surrounding occupiers.

8.11 The building would have windows closer to the neighbouring gardens however given the presence of existing first floor rear windows I am satisfied that there would be no significant impact on overlooking of neighbouring properties.

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

Amenity for future occupiers of the site

8.13 The ground floor flats have access to private gardens. The two upper floor flats have access to a communal garden. The communal garden is quite large and easily accessed with a communal hall leading occupiers of these flats directly out the garden. All five flats are dual aspect and considered to be of an adequate internal size albeit being below the space standards set out in the emerging plan.

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

Refuse Arrangements

8.15 I am satisfied that the locations shown for the bins stores would be adequate and would not harm the amenity of surrounding occupiers subject to the stores being covered. Details of the stores, including elevations and materials proposed are recommended to be required via condition.

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

Highway Safety

8.17 The original car parking layout to the front of the property removed the ability for cars to enter and exit the site in forward gear. Queen Ediths, although a residential street, is a classified road and busy thoroughfare for traffic. The majority of the representations received raise concerns about the impact of the proposal on highway safety given the busy nature of the road, proximity of the site to junctions and its proximity to schools.

8.18 The applicant has revised the plans to overcome the objection from the Highway Authority. The building has been moved back on the site by 1m. This allows a revised car parking layout which retains the ability for cars to enter and leave the site in forward gear.

8.19 I note the concerns of residents regarding highway safety. The proposal would result in an intensification of the use of the accesses to the site. The Highway Authority has not raised concerns regarding highway safety and have removed their objection following the revision to the car parking layout. As a result I am satisfied that the proposal would not have an adverse impact on highway safety.

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

Car and Cycle Parking

8.21 I am satisfied that there is adequate space to accommodate cycle parking on site. Footprints for the cycle store are shown on the plans. Details of these stores, including elevations and materials, are requested via condition.

8.22 I accept that residents are skeptical about the proposed car parking provision. The Highway Authority notes that the proposal may impose additional parking demands upon the on-street parking on the surrounding streets. However, the site is in a sustainable location near cycle and public transport links. As a result I am satisfied that the 4 car parking spaces proposed would be adequate.

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

Third Party Representations

8.24 I have addressed the majority of the issues raised by third party representations within the body of my report. I will respond to any outstanding matters in the below table.

Representation	**Response**
Overdevelopment	The proposed building is considered in keeping with the character of the area and is not considered to be overdevelopment of the site.
Loss of a family home	See paragraph 8.3
Many flats on Queen Ediths Way are empty as not in demand; family housing is more desirable	See paragraph 8.3
Inappropriate density	See paragraph 8.3
Would potential alter green leafy character of the street	See paragraph 8.6
Would set a precedent for flats in an area characterised by family homes	See paragraph 8.3
Would have an overbearing impact on 128 and 132A	See paragraphs 8.8 - 8.9
Too close to the boundary with 132A Queen Ediths Way	See paragraph 8.8
Increased in number of people using the site would cause noise disturbance to surrounding occupiers	See paragraph 8.10

Odour from bins will impact adjoining properties	See paragraph 8.15
Would overshadow 132A Queen Ediths Way	See paragraph 8.8
Would result in loss of privacy to surrounding occupiers	See paragraph 8.11
Would have a negative impact on the character of the area	See paragraphs 8.4 - 8.7
Inadequate car parking for number of potential occupiers	See paragraph 8.22
Inadequate outdoor amenity space	The outdoor amenity spaces provided are considered adequately large for the type of units proposed
Proposed units are too small	Please see paragraph 8.13
Unclear as to whether cycle parking would be covered and secured	Cycle parking would be covered and secure; details are required via condition
No provision for larger cycles	There is no policy requirement to provide spaces for larger cycles
Cycle parking layout is unclear	Details are requested via condition
Inadequate bin provision	I am satisfied that adequate bin storage can be provided on site; details are required via condition. See paragraph 8.15
Concerned about highway safety due to increased use of the access, increased traffic generation and the proximity of the site to junctions and a school.	See paragraphs 8.17 – 8.19
Will add to existing congestion issues on Queen Ediths Way and would create a pinch point for traffic	I do not consider that the additional units would have any significant adverse impact on congestion. See paragraphs 8.17 – 8.19
PD rights for loft extensions must be removed	The building is proposed to be used as flats so would not have any PD rights for loft extensions.
Would have a negative impact on the community of families living in the area	I do not accept that the addition of flats would harm the local community.

Planning Obligations (s106 Agreement)

8.25 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

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

9.0 CONCLUSION

9.1 The proposed replacement building is considered in keeping with the character of the area. The building is not considered to have any significant adverse impact on surrounding occupiers in terms of overshadowing, enclosure or overlooking. The proposed car and cycle parking arrangement is considered acceptable. The proposal is not considered to have any significant adverse impact on highway safety. The proposed new units are considered to provide an adequate level of amenity for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

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

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

6. Full details of all cycle stores and refuse stores, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

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

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

8. There should be no 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)

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

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

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

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

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

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

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

12. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

    Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (policy 8/2 of the Cambridge Local Plan 2006)

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

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

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

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

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

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

16. 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 (policy 8/2 of the Cambridge 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

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1621/FUL	**Agenda Item**	
Date Received	29th September 2017	**Officer**	Michael Hammond
Target Date	24th November 2017		
Ward	Romsey		
Site	Land Rear Of 101 Cavendish Road Cambridge CB1 3AE		
Proposal	Erection of three 2xbed houses, along with cycle parking and hard and soft landscaping		
Applicant	Blues Property Ltd		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed development is similar to an extant permission (16/2245/FUL) and the material alterations proposed compared to this previous permission would not be harmful in my view. - The proposal would preserve the character and appearance of the Conservation Area - The proposal would not harm the amenities of neighbouring properties or have a significant adverse impact on on-street car parking. - The proposal would provide an acceptable living environment for future occupants.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located to the rear of no.101 Cavendish Road which I understand has been subdivided into flats. The site is half laid to lawn and half gravel and backs onto the

railway line. Access to the site is via an undercroft between no.101 and no.103 Mill Road. The site is double width.

1.2 The area is characterised by traditional Victorian two storey terrace housing with deep rear gardens.

1.3 The site is located within the Central Conservation Area. The properties within the terrace (on the western side), with the exception of 101 Mill Road and 125a Mill Road, are identified as being 'Positive' Unlisted Buildings. There are trees on and off the site which are protected by virtue of the conservation area status.

2.0 THE PROPOSAL

2.1 Planning permission is sought to subdivide the existing plot to create three two-bedroom dwellings at the rear of the site. The proposed dwellings would sit within one building that spans the majority of the width of the site and would have two-storeys, one at ground-floor level and one at basement level. The proposed building would measure just under 3.6m to the ridge and would be constructed with a series of pitched roofs.

2.2 The proposal includes front and rear gardens as well as basement courtyards for each property. Cycle and bin storage would be situated at the front of each dwelling and no car parking provision is included. Two trees are proposed to be removed under this application.

2.3 Planning permission (16/2245/FUL) was granted on 28 June 2017 under delegated powers for the erection of two two-bedroom houses on this site. The building scale, design and layout of this previously approved scheme is similar to that of the development proposed under this new application.

3.0 SITE HISTORY

Reference	Description	Outcome
16/2245/FUL	Erection of two 2 x bed houses, along with cycle parking and hard and soft landscaping including erection of 2.2 metre high brick wall to rear boundary.	Permitted.

15/2155/FUL	Erection of 3No. two bed houses, along with car and cycle parking and hard and soft landscaping including construction of 2.2 metre high wall to rear boundary.	WITHDRAWN

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/4 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) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

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

Environmental Health

6.2 No objection subject to the following conditions:

- Construction hours;
- Collection during construction;
- Piling;
- Contaminated land (all six);
- Acoustic assessment compliance;
- Ventilation scheme;
- Vibration assessment; and
- Informatives

Urban Design Team

6.3 The principle of developing a scheme of this scale and massing has been set by the previously approved application (16/2245/FUL). The increase in unit numbers from two to three is acceptable in urban design terms. The overall height of the proposal has reduced slightly. The addition of a third roof form has not changed the overall concept of the previous design. The footprint of the proposal is similar to that of the previously approved application (16/2245/FUL).

6.4 Overall the proposal is supported in Urban Design terms, subject to conditions:

- Materials samples;
- Non-masonry walling systems/ cladding; and
- Windows and doors

Conservation Team

6.5 The application is not supported for the following reasons:

- The proposals do not relate to the existing street pattern in the conservation area
- The proposals are backland development and will create an alien form in the conservation area in the garden of the main building which fronts Cavendish Road
- The form of the development, which fully covers the garden at the rear of no. 101 Cavendish Road, is not appropriate to the context of the conservation area where rear garden and outbuildings do not generally fill the plot, but are ancillary to the main building
- The construction of the three houses compromises their workshop character by being too uniform. This would be to the detriment of the character and appearance of the conservation area.

Head of Streets and Open Spaces (Tree Team)

6.6 No comments received. These will be updated on the amendment sheet.

Head of Streets and Open Spaces (Landscape Team)

6.7 No objection subject to the following conditions:

- Hard and soft landscaping;
- Boundary treatment; and
- Landscape management

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.8 The proposed development is set below ground level. It has not been demonstrated how this can be drained sustainably. Pumping is not acceptable to surface water drainage as it can introduce residual flood risk.

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

7.0 REPRESENTATIONS

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

93 Cavendish Road	99 Cavendish Road x2
Flat 3, Burgundy Court, 101B Cavendish Road	105 Cavendish Road
109 Cavendish Road x 2	119 Cavendish Road
125 Cavendish Road	21 Cavendish Place
Camcycle – The Bike Depot, 140 Cowley Road	2 Willis Road
17 Romsey Road	Cavendish Residents Association
49 Great Eastern Street	Mill Road History Society

7.2 The representations can be summarised as follows:

- The change from two houses to three houses is too far.
- Object in principle to building houses in back garden.
- Overdevelopment of the plot.
- Out of keeping with the Conservation Area.
- Overlooking/ loss of privacy
- The conservation report prepared by the applicant is misleading and incorrect.
- Illegal parking at the rear may block the access through the undercroft
- The removal of the tree belonging to 101B and creation of the bin collection point would not be allowed by the neighbour.
- The front gardens will not be used and will likely be paved over for car parking.
- Increase in on-street parking/ insufficient car parking
- Highway safety concerns due to more vehicle movements in the area.
- The proposed scheme should not impact on the Chisholm Trail during construction.
- Larger cycle parking facilities are needed.
- This provides a precedent for further houses in gardens.
- Noise and vibration from railway line experienced in dwellings.
- Construction process disruption
- A precedent has been set by the dismissal of the appeal at 56 Sedgwick Street (15/0763/FUL)

7.3 Councillor Baigent has commented on the application as follows:

- Overdevelopment and garden grabbing.
- Erosion of garden space
- Lack of school places available locally and pressure this would cause
- Lack of professional integrity shown by the developers by way of using the previous permission as a lever to get more dwellings on the site.
- The Conservation Team's comments are supported.
- Increase in car parking and highway safety concern regarding access onto Cavendish Road.
- The description of the quality of Cavendish Road in the Conservation Report is false.

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

8.0 ASSESSMENT

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

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

Principle of Development

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

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

8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).

8.5 Local Plan policy 3/10 states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:

a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;

b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

c) detract from the prevailing character and appearance of the area; and

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

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

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

8.7 The site is located in a back land location that is currently unoccupied and has no connection to any of the existing

dwellings on Cavendish Road, such as 101 or 103 to which the site is located immediate to the rear of. Many of the neighbouring occupiers have single storey detached outbuildings and structures in their rear gardens. These outbuildings/structures are spread at various depths within the deep rear gardens.

8.8 The site is set behind an existing row of two storey Victorian terrace properties. Views of the site would only be visible from oblique views from the undercroft on Cavendish Road and from the railway line. The development would be approximately 46m from Cavendish Road.

8.9 The proposed development would appear from the railway line as a row of single storey pitched roof outbuildings. The curved pitched roof and use of soft materials such as timber louvres and glazing on the front gable and cedar shingle on the roof with a metal cap on the ridge provides a successful contrast from the traditional dwellings and an ancillary appearance in my view. Whilst the proposed development would appear a more formalised development, its scale, roof form and layout would ensure it has a subservient appearance within this back land context and from the railway line.

8.10 The development is set off the side boundaries by approximately 1.1 and 1.3m respectively and the pitched roofs slope away to a height of approximately 3.6m giving it a single storey appearance. The previously approved development (16/2245/FUL) was set approximately 1.65m away from the side boundaries and consequently the proposed development would have a marginally wider footprint than the extant permission. Nevertheless, I do not consider the additional width of the proposed dwellings would be significantly different in appearance to that of the approved development and in the context of the double-width plot.

8.11 The extant permission (16/2245/FUL) also included a lower flat-roof element in the centre of the building which would have reinforced the impression of the building as being read in two elements. The proposed development does not include this flat roof element and instead has three nearly identically spaced pitched roofs with uniform fenestrations. Whilst the breaking up of this façade of the original permission with a flat roof did help the proposal to assimilate into its surroundings, I consider that

the proposed development would be legible as three distinctive built forms rather than one long continuous mass. The saw-tooth roof form allows for a varied and interesting articulation at the upper level. In addition, the ridge height has been lowered by just under 0.4m compared to the extant permission which would help to alleviate any perceived increase in the level of massing in my view.

8.12 The proposed development would provide future occupiers with two areas of outdoor space; at the front of the dwellings and at the rear. The external spaces would also accommodate bin and cycle storage provision and would not appear cramped. The proposal includes indicative tree planting in the front and rear gardens which would in my view improve the appearance of the area. The Landscape Team has raised no objection to the proposed works. The proposal includes the removal of two trees which are classified as Categories C and U in value respectively. In my opinion, given the limited value and public visibility of these trees, I do not consider it would be reasonable to resist the loss of these trees. There are other trees adjacent to the site and so I have recommended tree protection conditions to safeguard these trees during the construction process.

8.13 The Conservation Officer is not supportive of the proposal and has raised concerns in terms of its impact on the site context and scale of the development. This back-land site is over 30m from the dwellings fronting Cavendish Road and between 8-10m from the railway boundary. The rear sections of many of the gardens within Cavendish Road are occupied by outbuilding and garden structures. The proposed dwellings have been designed to respond to this context by having a basement level which reduces the height of the development, a pitched roof form with a curved ridge with wide gaps in-between which softens its profile from the railway and would include extensive glazing on the front and rear elevations. These features in my view contribute towards the proposed development being acceptable in this setting.

8.14 All these features in my view contribute towards the scale of the development being acceptable. Whilst the proposed development would introduce a different typology into a compact Victorian terrace setting, I believe the contrast in styles would be successful and enhance the character and

appearance of the conservation area, particularly if the materials are carefully chosen. I have recommended a material sample condition, as well as the other conditions recommended by the Urban Design Team. In my view, the design and scale of the proposed development would sit comfortably within this back-land context without having a detrimental impact on the character or appearance of the conservation area.

8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12, 4/4 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.16 The proposed development would be set over 30m from the rear elevations of the dwellings facing Cavendish Road. The development would have a ground floor and basement. The ground floor level would be in the form of a series of detached pitched roofs. The ridge height would be approximately 3.6m and 1.8m to the eaves. The proposal includes a terrace area on the front elevation which would be at ground level. In these terms, therefore, I do not consider the proposed development would have any significant adverse impact on the residential amenity of the neighbouring occupiers in terms of loss of privacy/overlooking, overshadowing, impact on outlook or overbearing.

8.17 It is acknowledged that concerns have been raised regarding the lack of car parking provided and the existing levels of parking pressure on the street.

8.18 The proposal is for three two-bedroom dwellings with no dedicated car parking. Cavendish Road and the surrounding streets on this side of Mill Road do not fall within the controlled parking zone and there would be no means of preventing future occupants from parking on this street if they desired. The City Council has maximum car parking standards and there is no policy obligation for car parking to be provided for residential developments.

8.19 The application site is however located in a sustainable location as it is well served by public transport links within walking distance, including the railway station. There are also

reasonable cycle links to the wider area and the City Centre and public parks are also within walking distance of the site. The Mill Road District Centre's (East and West) are also within walking distance of the site to provide future occupants with day-to-day shops and facilities.

8.20 In my opinion, whilst I accept that car parking pressure on Cavendish Road and the surrounding streets is relatively high, given the sustainable location of the site and availability of local shops, amenities and facilities within walking distance of the proposed dwellings, I do not consider the pressure on on-street car parking would be harmful.

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

Amenity for future occupiers of the site

8.22 The proposal would provide three two-bedroom dwellings each with an approximate internal floor area of 84m^2. Each dwelling would also have private rear and front gardens, as well as basement courtyard spaces. All habitable rooms would have acceptable outlooks and the site would be situated in a sustainable urban location with shops and services within walking distance along Mill Road. The Environmental Health Team has recommended conditions regarding noise and vibrations from the nearby railway line but subject to meeting these requirements the proposal would provide an acceptable living environment.

8.23 In my opinion, subject to conditions, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

8.24 The proposal includes bin storage at the front of each property and a bin collection area further to the front. The refuse arrangements are very similar to the extant permission and I therefore consider this layout to be acceptable. I have

recommended a compliance condition for this arrangement to be implemented prior to occupation of the dwellings.

8.25 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 3/12.

Highway Safety

8.26 The proposal does not involve any works to the public highway and the Highway Authority has raised no objection to the proposed works on highway safety grounds. It is acknowledged that concerns have been raised regarding the increase in parked cars on Cavendish Road that the proposal would cause. However, this would fall outside the application site and I do not consider the proposal itself would represent a threat to highway safety.

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

Car and Cycle Parking

8.28 Car parking has been addressed in paragraphs 8.17 – 8.20 of this report. A car club informative has been recommended.

8.29 The proposal includes two cycle parking spaces in secure enclosed structures which is acceptable in principle. It is acknowledged that the layout of cycle parking shown on the plans is cramped but I consider that a slightly larger cycle store could overcome this issue and would be controllable by way of condition.

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

Drainage

8.31 It is acknowledged that the Drainage Team has raised an objection to the proposed development due to the lack of information provided. However, it is pertinent to note that this information was not requested by the Drainage Team under the previous permission (16/2245/FUL) and the Drainage Team had raised no objection subject to conditions. In my opinion, as the proposal has a similar footprint and structure to that of the

previously approved development (16/2245/FUL), I do not consider it would be reasonable to require further information prior to determination. I have recommended the conditions originally suggested under the previous permission by the Drainage Team.

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

Third Party Representations

8.33 The third party representations which have not been addressed in the main body of this report have been addressed in the table below:

Comment	**Response**
The change from two houses to three houses is too far.	I have assessed the application and consider that the intensification of the site from two to three dwellings would be compliant with relevant policy.
The conservation report prepared by the applicant is misleading and incorrect.	This is not an approved document and I have assessed the application based on the consultee responses, neighbour representations and my assessment of the site and surroundings.
Illegal parking at the rear may block the access through the undercroft	This is a matter for the owners of the parking area at the rear.
The removal of the tree belonging to 101B and creation of the bin collection point would not be allowed by the neighbour.	This is a civil/ legal matter between the landowners.
The front gardens will not be used and will likely be paved over for car parking.	A condition has been recommended to restrict permitted development rights of the front gardens in terms of hardstanding.

The proposed scheme should not impact on the Chisholm Trail during construction.	The site does not form part of the Chisholm Trail and I do not consider it would have any implications on the deliverability of the Chisholm Trail.
• Overdevelopment and garden grabbing. • Erosion of garden space	The proposal is not considered to represent an overdevelopment of the plot. The loss of some of the garden space would not have a harmful impact on the character and appearance of the Conservation Area for the reasons stated in the main body of this report.
Lack of school places available locally and pressure this would cause	There is no requirement for minor developments to provide planning obligation requirements towards education provision.
Lack of professional integrity shown by the developers by way of using the previous permission as a lever to get more dwellings on the site.	There is no restriction on the process/ order of planning applications being applied for on-site and each application is assessed on its own merits, including the site history as a material consideration.
Precedent for future garden developments	Each application would be assessed on its own merits. I have assessed the principle of backland development in this location and consider it acceptable.
Construction process disruption	Conditions regarding construction and delivery hours have been recommended. A contractor operations condition has also been recommended.

A precedent has been set by the dismissal of the appeal at 56 Sedgwick Street (15/0763/FUL).	I have studied this appeal. This was for a two-storey development in a much more confined and prominent location. I consider the proposal to be in a different context and do not consider the outcome of this appeal to warrant me coming to a different conclusion in my assessment.

Planning Obligations (s106 Agreement)

8.34 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

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

9.0 CONCLUSION

9.1 The proposed development would not appear overly dominant in its appearance and its subservient nature and fenestration would enhance the character and appearance of the conservation area in my opinion. The proposal would not exacerbate on-street car parking in the surrounding area to such an extent as to warrant refusal of the application. The proposal would provide an acceptable living environment for future occupants.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

   (a) Desk study to include:
   -Detailed history of the site uses and surrounding area (including any use of radioactive materials)
   -General environmental setting.
   -Site investigation strategy based on the information identified in the desk study.
   (b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:
(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors
(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:
a) Include details of the volumes and types of material proposed to be imported or reused on site
b) Include details of the proposed source(s) of the imported or reused material
c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
d) Include the results of the chemical testing which must show the material is suitable for use on the development
e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

11. The noise insulation scheme and mitigation requirements as stated within the Cambridge Acoustics "Noise & Vibration Impact Assessment" dated 5th December 2015, shall be fully implemented, maintained and not altered.

Reason: To protect the amenity of future occupants of these properties from the high ambient noise levels in the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13)

12. Prior to the commencement of development/construction, details of an alternative ventilation scheme for the habitable rooms on the railway façade to negate / replace the need to open windows, in order to protect future occupiers from external railway noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

    Reason: To provide an acceptable living environment for future occupants of the proposed development (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10 and 4/13).

13. Prior to the commencement of construction of the basement structure, a vibration impact assessment and vibration mitigation scheme as appropriate, in order to limit train ground-borne vibration impact in accordance with British Standard 6472-1:2008 "Guide to evaluation of human exposure to vibration in buildings - Part 1: vibration sources other than blasting" shall be submitted in writing for approval by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

    Reason: To provide an acceptable living environment for future occupants of the proposed development (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10 and 4/13).

14. No development shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
ii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

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

15. No development hereby permitted shall be commenced until foul water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, they should also be submitted to Anglian Water and their written acceptance of the scheme submitted to the local planning authority. The development shall be carried out in accordance with the approved details.

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

16. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans (including trees); 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, 3/10, 3/11 and 3/12)

17. 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. 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)

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

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

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

    Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area (Cambridge Local Plan 2006 policies 3/4, 3/10, 3/12 and 4/11).

20. Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the LPA. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

    Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area (Cambridge Local Plan 2006 policies 3/4, 3/10, 3/12 and 4/11).

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

    Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area (Cambridge Local Plan 2006 policies 3/4, 3/10, 3/12 and 4/11).

22. Prior to occupation of the development hereby approved, the refuse arrangements shall be provided as shown on drawing number P-02 Rev Q and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

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

    Reason: To ensure appropriate provision for the secure storage of bicycles and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 3/10, 3/12 and 8/6).

24. 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 supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

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

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

26. The curtilage (garden) of the proposed dwellings, as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

    Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

27. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel,

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles,

v) the wheel-washing arrangements for vehicles entering and leaving the site to collect and remove excavated material,

vi) the means by which how excavated material from the site will be taken off site and disposed of.

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

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

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

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

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

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

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

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

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

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

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

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

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

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m3 or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

INFORMATIVE: The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on
https://www.cambridge.gov.uk/land-pollution
Hard copies can also be provided upon request.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1351/FUL	**Agenda Item**	
Date Received	4th August 2017	**Officer**	Charlotte Burton
Target Date	29th September 2017		
Ward	Market		
Site	Double Tree By Hilton Granta Place Cambridge CB2 1RT		
Proposal	Removal of glass pyramid structure to roof of existing leisure centre, re-cladding of the facades and erection of single storey extension (net gain of 10no additional bedrooms and leisure facilities).		
Applicant	Ability Hotels (Cambridge) Ltd		

SUMMARY	The development accords with the Development Plan for the following reasons: The proposal would retain a comparable leisure facility as existing, which would be accessible to local residents. The proposed extension would be minor and would not harm the character of the conservation area or views from surrounding open spaces.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site comprises the leisure centre wing of the Doubletree Hilton Hotel situated on the eastern bank of the River Cam, between Sheep's Green to the west and Coe Fen to the east. It is accessed from Granta Place off Mill Lane. There is a large parking area within the site.

1.2 The hotel has been extended in several phases, however the majority of the building was constructed in 1972. Most recently, an additional third storey has been added to a central element of the building which has also been re-clad, to provide an

additional 16 no. bedrooms, which was granted under consent 14/1740/FUL.

1.3 The leisure centre extends to the south of the main hotel buildings. It dates from the early 1990s. It is single storey and constructed with extensive glazing on all elevations, as well as a glazed pyramidal roof. The leisure centre's linear form on a north to south axis presents a significant frontage along the River Cam, albeit relatively modest and partially screened with trees.

1.4 The site is within Conservation Area No. 1 (Central). The hotel buildings are not listed nor are they buildings of local interest (BLIs) but the location of the site is within the setting of adjacent listed buildings, including Peterhouse College and the Fitzwilliam Museum.

1.5 Coe Fen, Sheep's Green and the River Cam are designated as County Wildlife sites and Local Nature Reserves, and are within the Green Belt. There is a Tree Preservation Order (TPO) protecting four trees on the site and the site is within the Controlled Parking Zone (CPZ).

2.0 THE PROPOSAL

2.1 The proposal is for extension and remodelling of the existing leisure centre to provide 10no. additional bedrooms and replacement leisure facilities, including removal of the glass pyramid structure to roof, re-cladding of the facades and a single storey extension.

2.2 The extension would be approximately 10m in length to the south of the existing leisure centre. It would have a flat roof and would continue the same building lines and height as the existing leisure centre.

2.3 The existing leisure centre and extension would be clad in brick slip rainscreen cladding, zinc metal rainscreen cladding, timber double glazed windows and doors with aluminium cladding, and a green roof. This would wrap around the front, side and rear elevations.

2.4 The proposal includes rearrangements to the existing parking area constituting the loss of 23 no. parking spaces. Additional

cycle parking would be provided. Two trees to the south of the existing leisure centre would be lost. A landscaping scheme has been submitted showing the soft planting around the perimeter of the building.

2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Planning Statement
3. Heritage Assessment
4. Arboricultural Implications Assessment
5. Preliminary Ecological Appraisal
6. Flood Risk Assessment
7. Transport Statement
8. Sustainability Checklist

2.6 During the course of the application, the description of development was amended to clarify the leisure facilities would not only be for the existing hotel. The use of the leisure facilities by non-residents of the hotel is discussed further in this report. The floor plans of the leisure centre were also amended to change the proposed two beauty rooms into a virtual fitness suite. This additional/revised information was not publicly consulted on.

3.0 SITE HISTORY

3.1 The planning history for the site comprises:

Reference	Description	Outcome
10/0103/FUL	Erection of an extension to provide 56 additional bedrooms and a new leisure club at the Cambridge Doubletree Hilton Hotel, Granta Place.	REFUSED

11/0988/FUL	Demolition of existing single storey leisure centre, and erection a three storey extension to provide 31 additional bedrooms and a new leisure centre	REF/Appeal Dismissed
11/0975/CAC	Demolition of existing single storey leisure centre	REF/Appeal Dismissed
13/1207/FUL	Proposed conversion of existing leisure centre to form 13no additional bedrooms including removal of pyramidal roof and re-cladding of existing facade. Erection of third floor extension to provide 16no additional bedrooms and associated works. Re-cladding of existing facade and erection of third floor extension to provide 16no additional bedrooms and associated works.	REFUSED
14/1740/FUL	Re-cladding of existing facade and erection of third floor extension to provide 16no additional bedrooms and associated works.	Approved
16/0768/S73	Section 73 application to vary condition 2 (approved plans) of permission 14/1740/FUL to include additional over cladding and structure.	Approved
17/0126/CL2PD	Certificate of lawfulness under Section 192 for internal alterations to existing leisure facilities within hotel (C1 use) to provide conference and meeting rooms.	Pending consideration

17/1350/FUL	Removal of glass pyramid structure to roof of existing leisure centre, re-cladding of the facades and erection of a single storey extension (net gain of 14no additional bedrooms and a fitness suite for the existing hotel).	Pending consideration

3.2 The pending applications 17/0126/CL2PD and 17/1350/FUL will be determined following the outcome of the current application.

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 <u>Relevant Development Plan policies</u>

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/2 3/3 3/4 3/7 3/9 3/11 3/14 4/1 4/2 4/3 4/4 4/6 4/10 4/11 4/13 4/15 6/1 6/3 8/2 8/6 8/10 8/18

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	City Wide Guidance Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge City Nature Conservation Strategy (2006) Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Air Quality in Cambridge – Developers Guide (2008)
	Area Guidelines Cambridge City Council (2002)–Southern Corridor Area Transport Plan: Cambridge Historic Core Conservation Area Appraisal (2006) Sheeps Green/Coe Fen Conservation Plan (2001) Christs Pieces/New Square Conservation Plan (2001)

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, no emerging policies are relevant.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Initial comment 5 Sept 2017

6.1 The proposals will result in a net loss of 23 car parking spaces. There will be 10 additional bedrooms and the proposals will result in 8 additional staff being employed at the site. The site currently has an over provision of spaces based on the standards. As a result of the proposal, the demand for parking is expected to go up. The Transport Statement currently refers to the car parking on site being underutilised, although this should be evidenced. A car parking accumulation assessment is required. The additional cycle parking spaces proposed are acceptable to the County Council.

Comment on Transport Statement – 9 Nov 2017

6.2 The parking assessment demonstrates there is sufficient car parking available on site to accommodate the demand. A reduction in car parking provision is therefore supported. Recommend informing guests of limited availability of parking, continuing to charge for parking, increasing cycle parking spaces, and adopting a parking booking system. Recommend condition for Travel Plan, which should contain measures including personal travel planning for staff, travel information

notice boards in staff areas and promotion of car share schemes. In addition, travel information packs containing sustainable transport information should be made available in guests. Provision should also be made to promote the travel plan to visitors and users of the fitness centre and other on site uses. The transport impact of the proposal will not be severe.

Access Officer

6.3 The accessible room should have a sliding bathroom door. The adjoining door should open into the adjoining room and not the accessible one.

Environmental Health

6.4 No objection subject to conditions to control construction hours in the interests of local amenity. The proposed development will not have any significant impacts on residential amenity when operational.

Urban Design and Conservation Team

6.5 The conversion creates a single storey bedroom wing with small (45sqm) leisure facility. As such it is considered to create a relatively low-key addition that is of modest visual impact. If well detailed and built of decent materials, it would have modest impact on the Conservation Area. The materials are consistent with the approach taken on the approved extension and recladding of the southernmost end of the hotel. Recommend conditions for materials and window samples. The sections of the elevation near the gym, pool and spa could be made more transparent to allow users better views out to the river and fen. A glazed roof light would create better interior lighting and create some visual interest to the otherwise flat roof scape.

Tree Team

6.6 The required tree removals and works will have no material impact on amenity therefore there are no formal objections to the proposals subject to conditions for tree protection measures.

Landscape Architect

6.7 No objection subject to conditions for hard and soft landscaping scheme, landscape maintenance and management plan, and green roof. It is important that the area shown to be planted between the car park/development area and Coe Fen is enhanced to increase the screening potential of this area. Not only with trees but with understory planting as well. Request a change is made to the Sorbus aucuparia selected to an alternative

Nature Conservation Officer

6.8 No objection subject to conditions for bat survey work, bird/bat box provision, construction environmental management plan and ecologically sensitive external lighting scheme.

Sustainable Drainage Engineer

6.9 No objection subject to conditions.

Environment Agency

6.10 No objection. Recommendations relating to flood risk standing advice, surface water drainage, foul water drainage and ground contamination.

South Newnham Neighbourhood Forum

6.11 Not aware of any attempt by the applicant to consult residents, local groups or Councillors before submitting this application. The scale and massing of the proposed extension along the riverside would have a detrimental impact on the sightline and key views across Sheeps Green and Coe Fen. The proposed expansion of the business would obviously attract more custom; the only access road is narrow and already crowded with delivery lorries, guests' and visitors' cars (the car park has always been open to the public as well as visitors), cyclists and pedestrians, and increasing this traffic will create further hazards. Many of our constituents were members and made regular use of the leisure facilities that previously existed and which, we understand, formed part of the initial planning application to build those facilities. The leisure facilities

proposed are greatly reduced, and not available for use by the community.

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

7.0 REPRESENTATIONS

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

- 43 Broadway, Grantchester
- Flat 3 Brookfield, Newnham Walk
- 2 Chaucer Close
- 11a Chaucer Road
- 11 Clarkson Road
- 11 Derby Street
- 43 Eltisley Avenue
- 16 Grantchester Road
- 36 Hardwick Street
- 11 Latham Road
- Church Rate Corner, Malting Lane
- Frostlake Cottage, Malting Lane
- Granary Yard, Malting Lane
- 5 Merton Street
- 14 Merton Street
- 20 Millington Road
- 105 Millington Lane
- 3 Summerfield
- 8 St Marks Court
- 17 St Marks Court
- 9 Little St Mary's Lane
- 8b Selwyn Gardens
- 29 Selwyn Gardens
- 10 Summerfield
- 18 Wordsworth Grove

7.2 The following residents' groups have submitted representations **objecting** to the proposal:

- Newnham Croft Residents' Association (45 Eltisley Avenue)

- Newnham Croft Conservation Group
- Residents' Association of Old Newnham
- Southacre, Latham and Chaucer Road Residents' Association

7.3 The representations can be summarised as follows:

- Further extension to an already large hotel
- Previous extensions to the hotel have had visual impact
- Proposed extension 10m to the south of the hotel and to a height of three storeys along river frontage would be excessive
- Architecture is brutalist and out of keeping
- Scale and massing out of keeping and detrimental
- Materials would lack transparency of existing glazing and block views between Sheep's Green and Coe Fen
- Windows and lighting would be visually intrusive
- Impact on conservation area, river frontage, views from Coe Fen and Sheep's Green and Green Belt
- Urbanisation of rural views
- Development of fragile site
- Encroachment on valuable green space
- Impact on wildlife and biodiversity
- Lack of plans for a swimming pool
- Loss of residents' use of leisure facilities
- Previous leisure centre had 700 members
- Leisure centre has been closed since previous extensions to hotel approved
- Hotel management previously gain assurances of continued residents' use of leisure facilities
- Inadequate car parking
- Increase in traffic
- Impact on highway safety from increase in number of cyclists, pedestrians and tourists
- Poor hotel signage leads to delivery lorries using narrow roads
- Alien social use impacting on contemplative enjoyment of adjacent fens by residents and visitors
- Inspector's decision on 2013 application should be given weight
- Other hotels in the city more appropriate to expand
- Set precedent for further development along the river front

- Application documents difficult to read and not include full hotel floor plans
- Not all objectors on previous applications have been notified

7.4 Cambridge Past Present and Future submitted a representation **objecting** to the proposal. The representation can be summarised as follows:

- Support enhancements to the external appearance
- Support the green roof
- More sympathetic building within the highly significant setting
- Unclear how the need for the leisure centre has been considered.
- Piecemeal approach to development of the site

7.5 The owners/occupiers of the following addresses have made representations **supporting** the proposal:

- 4 Wordsworth Grove

7.6 The representations can be summarised as follows:

- Providing residents would be able to apply for memberships, having more leisure facilities within the area would be a benefit
- Increasing number of hotel bedrooms should reduce room prices

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces and impact on heritage assets
3. Transport impact
4. Car and cycle parking

5. Ecology
6. Flood risk and drainage
7. Disabled access
8. Residential amenity
9. Third party representations

Principle of Development

8.2 The relevant considerations are the changes to the swimming pool and leisure facilities, and the expansion of the hotel to provide additional bedrooms, and whether this is acceptable in principle.

- *Changes to swimming pool and leisure facilities*

8.3 The planning history for the site includes multiple applications affecting the swimming pool and leisure facilities. These are material considerations for the assessment of the current application. The most relevant is the 2013 application which included the 'proposed conversion of existing leisure centre to form 13no additional bedrooms including removal of pyramidal roof and re-cladding of existing façade' (13/1207/FUL). This application was refused on two grounds including the first reason for refusal:

> *The proposed development would result in the loss of a well-used, highly valued and centrally located Leisure Centre which meets the needs of the local community and which does not operate as an ancillary facility to the primary use of the site as a hotel but which has become established as an independent D2 use. The leisure facility is neither replaced to at least the existing scale and quality within the new development nor relocated to another appropriate premises or site of similar or improved accessibility for its users. The loss of the Leisure Centre therefore represents an unnecessary loss of a valued facility which would reduce the community's ability to meet its day-to-day needs. The proposed development is contrary to Cambridge Local Plan policy 6/1 and to advice provided in paragraphs 70 and 74 of the National Planning Policy Framework 2012.*

8.4 This application established that the use of the swimming pool and leisure facilities was as a community facility within Use Class D2. The community facility was considered to be an

independent use separate from the hotel, rather than an ancillary facility. This conclusion was reached following an assessment which took account of the removal of the condition on the original 1991 consent for the leisure centre at the hotel which restricted it from separate use. It was demonstrated that the use by members of the public/non-residents had intensified to the extent that the Leisure Centre has become established as a D2 Leisure facility in its own right and a new planning unit has been created.

8.5 The applicant has stated that the swimming pool and leisure facilities closed in December 2014. The site has since been cordoned off and inaccessible during the building works associated with the consented hotel expansion. It is understood that the swimming pool is still in situ, however has been rendered un-useable. While the facility has been inactive during this time, the local planning authority's view is that the current lawful use of the site is as a leisure facility within Use Class D2. The applicant has not demonstrated an alternative lawful use for the facility. This is therefore the starting point for considering the acceptability of the proposed replacement leisure facilities.

8.6 As in the 2013 application, the relevant adopted Local Plan (2006) policy is 6/3 which relates to the protection of community leisure. This states that development leading to the loss of leisure facilities will be permitted if:

a) The facility can be replaced to at least its existing scale and quality within the new development;
b) The facility is to be relocated to another appropriate premises or site of similar or improved accessibility for its users.

8.7 The proposal includes the replacement of the leisure facility on the site and thus it is relevant to assess the proposal against part a) of policy 6/3. The 2013 included a replacement leisure facility, however this was found to be <u>not</u> of the same scale or variety as those existing on the site. This was considered to result in a reduction in choice for users of the leisure facility which would harm the quality of the quality of the leisure offer on the site. Thus when assessing the proposal against part a), it is relevant to consider whether the scale and quality of the replacement facility would provide a similar and acceptable offer

to users of the site as the facility to be lost. I will compare the current proposal against the 2013 scheme to provide a benchmark for this.

Facilities to be lost (as shown on site plan)	**2013 refused replacement facilities**	**Current application proposed replacement facilities**
Swimming pool (11m x 5.5m) Jacuzzi Large sauna Solarium Male/Female/Accessible changing rooms Gymnasium (approx. 70sqm) Workout studio (approx. 49 sqm) Physio room Two beauty salons. Reception and office	Fitness suite (45 sqm)	Swimming pool (10m x 5.5m) Jacuzzi Sauna Steam room Male/Female/Accessible changing rooms Fitness suite (approx. 47sqm) Virtual fitness suite Reception and office

8.8 The current proposal significantly exceeds the facilities proposed in the 2013 which proposed only a fitness suite and included the loss of the swimming pool. In my opinion, the scale of the facilities proposed in the current application is comparable to the facilities to be lost. The replacement swimming pool would be of a similar size. There would be a replacement fitness suite which would be similar to the gymnasium to be lost. The virtual fitness suite would replace the studio space. The proposal would include the loss of treatment rooms, however these primarily offered beauty treatments to hotel guests and their loss would not materially affect the leisure centre. The ancillary facilities including changing rooms, stores and reception areas would be comparable. The proposal would represent an opportunity to enhance the quality of the facility and to bring it up to standard.

8.9 The scale and type of facilities proposed would allow users to have access to a comparable range of activities and services on the site to the previous operation. The applicant has provided information on the range of classes that would be offered. In addition to children's swimming lessons, users would have

access to virtual fitness classes. While the change to virtual classes rather than classes led by instructors would be different to the previous operation, in my opinion, this is a result of an intention to reduce staffing levels and a general shift in the nature of fitness classes, and not as a direct result of the replacement facilities. The opening hours for members would be reduced by an hour and a half during the week, however I do not consider this would have a significant impact on the overall availability of the facilities.

8.10 The applicant has submitted a statement outlining the offer to hotel residents and non-residents. Hotel residents would have complementary access to the facility and a membership system would operate for non-residents. The statement commits to a maximum membership of 400 people with a waitlist. This anticipates 150-200 regular users, which the applicant states would be the same as when the facility previously operated. I am satisfied that demonstrates the applicants commitment to continue to allow use of the leisure facility for non-residents. I have recommended a condition to secure the opening hours to members and the operation of a membership system with a minimum of 400 memberships available. Subject to this, in my opinion, the use of facility by non-residents would be similar to the previous operation and the use of the facility as a standalone leisure facility would not be lost.

8.11 For these reasons, in my opinion, the current proposal represents a replacement leisure facility which would provide a similar and acceptable offer to users of the site as the facility to be lost. The scale of the replacement facility would be similar and the quality would be improved compared to the previous facility to be lost. The applicant has committed to providing access to non-residents through a membership system and I am satisfied that this can be secured through conditions. The current proposal is substantially different from the 2013 application and the previous reason for refusal does not apply to the current application. In my opinion, the proposal meets part a) of policy 6/1 and the principle of development is acceptable in this regard.

- *Additional bedrooms*

8.12 Local Plan (2006) policy 6/3 regarding proposals for tourist accommodation states that development which maintains,

strengthens and diversifies the range of short-stay accommodation will be permitted. The principle of expanding the hotel has been established through the previous consents on the site, including 14/740/FUL for an additional 16 no. bedrooms. In my opinion, the current proposal for a further 10 no. bedrooms would comply with policy 6/3 and the principle of development is acceptable.

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

8.13 The hotel sits on the eastern bank of the River Cam and is surrounded by the protected green open space of Coe Fen to the east and south, and Sheep's Green to the west. These large, open, natural spaces make the hotel highly visible with long views afforded of the hotel from across this surrounding fen land within the conservation area and the setting of listed buildings. This setting allows an awareness of the composition of the hotel buildings as two obvious phases. The main building constructed in 1972, and the remaining part of the pre-1972 hotel that was destroyed in a fire. The single storey pyramid-shaped leisure centre further extends the main mass of the building albeit less noticeable from longer views due to it's comparatively small scale.

8.14 There have been several previous applications to extend the hotel which have been considered by the planning committee. I have provided a comparison between the current proposal and the previous applications that included conversion or extension of the leisure centre in the table below. The most recent consent for the additional third storey to the existing hotel did not include works to the leisure centre so has not been included (14/1740/FUL).

Scheme	Maximum height (m)	Maximum width (m)	Maximum length from main hotel building (m)	Position set back from river (m)
Existing leisure centre building	7.4 (to apex of pyramid roof)	21.25	34.5	16.0
Current proposal	3.9 (excluding green roof)	21.25	44.1	16.0
Refused extension 2010 (10/0103/FUL)	14.4 (16.5 for 10 to accommodate rooftop plant)	19.5	47.25	18.5
Refused extension 2011 (11/0988/FUL)	10.8 (13.8 for 10 to accommodate rooftop plant)	20.5	51.25	21.0
Refused extension 2013 (13/1207/FUL)	3.8	21.25	34.5	16.0

8.15 The most recent application that included works to the leisure centre was the 2013 refused scheme (13/1207/FUL). This included removal of the pyramidal roof and external re-cladding, but did not increase the footprint of the leisure centre. This scheme was refused, however the reasons for refusal related to the loss of the leisure facility and transport mitigation, and did

not relate to the design or materials. This decision is a material consideration and for these reasons, I come to the same conclusion that the removal of the pyramidal roof and external re-cladding proposed in the current application are acceptable. Moreover, since the 2013 application, the additional storey to the southern wing of the hotel has been approved and constructed (14/1740/FUL). The proposed cladding would be within the same palette of materials as the additional storey which were previous considered to be acceptable. Using the same materials would visually tie the leisure centre wing to the main hotel to improve the coherence of the different buildings on the site.

8.16 The difference between the current application and the refused 2013 scheme is the proposed single storey extension and associated landscape works proposed in the current application, which is a relevant to consider. The previous applications to extend the leisure centre were for significantly larger extensions which increased the height of the existing leisure centre building. The refused 2011 proposal was for a three storey building to replace the existing leisure centre (11/0988/FUL). This was dismissed on appeal on the grounds that the scale and position would be prominent and a visually dominant, and as such failed to preserve or enhance the character or appearance of the Conservation Area. The Inspector's decision is a material consideration and I have referred to it where relevant in my assessment below.

8.17 The Inspector identified views from the pathways traversing Sheep's Green including vistas of the built envelope of the city centre and some of the historic buildings therein, including the Fitzwilliam Museum and Peterhouse College, as 'rather striking views', albeit noted that these are not identified in the Conservation Area appraisal (paragraph 9). The function of Sheep's Green and Coe Fen as pleasant routes through the city and places to linger and enjoy the surrounding environment, including the views of the city centre, where highlighted by the Inspector as making a strong positive contribution to the Conservation Area (paragraph 10).

8.18 With regard to the existing leisure centre building, the Inspector noted:

> *The presence of the hotel's leisure centre building and car park disrupts the openness of the two green spaces and interrupts some of the views from Sheep's Green towards the city centre. However, the single storey height of the building helps to limit the degree to which it detracts from the general sense of openness in the locality and prevents it from impeding on views entirely. In the latter respect, the degree of intrusion quite rapidly lessens with distance, such that the building only marginally interferes in the longer views from many parts of Sheep's Green. (paragraph 11)*

8.19 Compared to the dismissed 2011 scheme, the current proposal would be single storey. It would comprise an additional 10m (approximately) along the river frontage and would be 45sqm. The Urban Design and Conservation team support the current proposal on the basis that the extension would be a relatively low-key addition that is of modest visual impact. I share this view. The extension would be minor in scale and proportionate to the existing leisure centre. The design and materials would visually tie the extension into the existing building. The extension would be into an area of existing car parking which already has some visual impact on views from the river. In my opinion, the minor extension would be appropriate and, for the reasons noted by the Inspector, would not be prominent in views within the Conservation Area compared to the existing building. The removal of the pyramidal roof would remove a prominent feature and the replacement with a green roof across the leisure centre building would soften the visual impact of the building.

8.20 Moreover, the extension would be partially screened by the existing trees and planting along the river frontage, which softens the appearance of the leisure centre. The proposed extension would require the loss of two trees within the site, however the Tree Officer has not objected to their removal subject to conditions for the remaining trees to be protected during construction. In my opinion, the loss of these trees would not have a significant impact in views from the river or the fen as other trees would be retained to maintain the screening of the building. The proposed landscaping scheme includes additional planting around the car parking spaces visible from

the river. This would soften the visual impact of the car parking compared to the existing situation. The landscaping scheme also includes planting around the perimeter of the building and the parking area. The Landscape Officer supports the proposal subject to conditions. I agree with this and in my opinion, the proposal has the opportunity to enhance the landscaping on the site.

8.21 The site is not within the Cambridge Green Belt. However, it does lie adjacent to land designated as Green Belt. The proposed development would be visible from the Green Belt, however as the proposal would have an acceptable visual impact in views from surrounding open space, in my opinion it would not harm the setting of the Green Belt.

8.22 The applicants have not submitted details of external or internal lighting but had the application been recommended for approval this could have been secured via a planning condition. In my view this would address concerns raised by third parties. I am satisfied that the application complies with policy 4/15 Cambridge Local Plan 2006.

8.23 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14, 4/1 and 4/11. Notwithstanding this, should less than substantial harm be considered to arise to the significance of the Conservation Area, the NPPF states that this should be weighed against the public benefits of the proposal (paragraph 134). In my opinion, the retention of the leisure facility on the site together with the additional 10 no. bedrooms which would contribute towards meeting the Council's identified demand for hotel spaces within the city, would outweigh the less than substantial harm to the Conservation Area.

Transport Impact

8.24 The application is supported by a Transport Statement which has been assessed by the Highways Authority. In summary, the proposal would increase the number of bedrooms from 122 as existing to 138 as proposed. The number of non-residents users of the leisure centre is anticipated to be similar to the existing situation. Following additional information submitted during the course of the application, the Highways Authority are satisfied that the proposal would have an acceptable impact on

the highway network, subject to a condition for a Travel Plan to encourage the use of sustainable transport modes by staff, residents and users of the leisure centre. Due to the scale of the proposal, I agree with this advice. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- *Car parking*

8.25 The proposal would increase the number of bedrooms by 10 while reducing the number of car parking spaces from 174 to 151 (reduction of 26 spaces). The Highways Authority requested a parking assessment which was submitted during the cruse of the application. There is currently an overprovision of car parking based on the Council's adopted maximum standards. The Highways Authority is satisfied that the parking assessment demonstrates that the there is sufficient car parking available on site to accommodate the additional guests that the proposals will generate. The reduction in the number of car parking spaces is therefore supported by the Highways Authority.

8.26 Notwithstanding this, the Highways Authority has recommended a condition for a Travel Plan to be submitted. This should include measures such as informing guests before they arrive that parking on-site maybe limited , operating a parking booking system for hotel guests when making reservations, continuing to charge for parking and increasing cycle parking spaces. In my opinion, these measures are important to manage demand for on-site car parking and to promote sustainable travel modes. There will be however an increase in disabled parking space provision from 4 existing ones to 8 in the proposed scheme. I am satisfied that the car parking provision would be compliant with Cambridge Local Plan (2006) policy 8/10.

- *Cycle parking*

8.27 The previous consented extension to the hotel to provide an additional 16 no. bedrooms (14/1740/FUL) included the replacement of 34 no. cycle parking spaces with new sheltered cycle parking providing 43 no. spaces. The current proposal for a further 10 no. bedrooms are calculated to require a minimum

of 6 no. additional cycle parking spaces, according to the Council's adopted standards. This would bring the total provision to a minimum of 49 no. cycle parking spaces. Two stores have been approved under the previous consent and the current proposal includes a further store to the south of the building. No details have been submitted and so I have recommended a condition for this to be submitted for approval.

8.28 There is no additional cycle parking proposed for the leisure centre. The proposal does not increase the amount of leisure facilities on the site and as such, it would not be reasonable to require additional cycle parking to be provided. However, I would encourage the applicant to consider providing cycle hoops in front of the reception entrance for non-residents users. In my opinion there would be space for this and it would encourage visitors to use sustainable transport modes. This would facilitate the aims of the applicant's Travel Plan. Nonetheless, I am satisfied that the cycle parking provision would be compliant with Cambridge Local Plan (2006) policy 8/6.

Ecology

8.29 The site is adjacent to Coe Fen and Sheep's Green Local Nature Reserve, and to Coe Fen and River Cam County Wildlife Sites. The site is also within close proximity to other statutory and non-statutory sites. The application has submitted a Preliminary Ecological Appraisal which has been reviewed by the Ecology Officer. The proposed works include the loss of a small section of privet hedgerow, a small area of mown species-poor semi-improved grassland and the removal of a small number of trees. The loss of habitat is considered to be minor.

8.30 The construction phase has the potential to impact on the LNR and CWS through the creation of dust, noise, pollution spills and lighting. The Ecology Officer has recommended a condition for a Construction Environmental Management Plan to be submitted for approval. The Ecology Officer has raised a query about whether the Lime tree which is identified within the ecological appraisal as having the potential for roosting bats is to be removed, however this is not proposed. I have recommended a condition for bird and bat boxes. At the operational phase, there is potential for lighting impacts, and a

condition for details of an ecologically sensitive lighting scheme is recommended.

8.31 Subject to these conditions, I accept the advice of the Ecology Officer that the impact of the proposal on important habitats and species would be acceptable, in accordance with Cambridge Local Plan (2006) policy 4/6.

Flood Risk and Drainage

8.32 The site is within Flood Zone 2 (medium risk) as shown on the Environment Agency's flood risk map. The proposed extension would be within this area. The proposed use is classified as 'more vulnerable' and is appropriate development within Flood Zone 2, according to the National Planning Practice Guidance. Flooding from other sources including surface water, sewer and artificial water is considered to be low risk.

8.33 The applicant has submitted a Flood Risk Assessment which has been reviewed by the Sustainable Drainage Engineer. The proposed finished floor level is required to match the existing floor level as it is an extension to an existing building. The finished floor level will therefore be 7.63m AOD, which is 250mm below the design flood level including an allowance for climate change. Flood protection barriers will be installed at the entrances of the extension to prevent flooding within the building as well as utilising flood resistant materials to a minimum height of 7.88mAOD around the extension perimeter walls. A Flood Warning Procedure and Evacuation Plan will be prepared by the hotel.

8.34 The Sustainable Drainage Engineer supports the proposal and has recommended conditions for surface water drainage details and flood resilient measures, including a warning and evacuation plan, to be submitted for approval. I accept this advice and in my opinion the proposal is compliant with the NPPF and accompanying Guidance, in this respect.

Disabled access

8.35 The proposal includes an increase in the number of disabled parking spaces, the provision of an accessible bedroom with a linked room, and an accessible changing room within the leisure centre. The Access Officer has recommended changes to

internal doors to the accessible bedroom. These are not subject to planning control, however the applicant is aware of these comments and should incorporate into the build process. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Residential Amenity

8.36 The site is not near to residential uses, other than the hotel. The Environmental Health team has assessed the application and has not raised concerns about the impact on residential amenity either from the construction or operation of the development, other than a recommended condition to control construction hours. I am satisfied that the proposal would 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.

Third Party Representations

8.37 I have reviewed the third party representations and note the references that have been made to previous applications. I have considered the application in the context of these in my assessment within this report where relevant, however the current application must be assessed on its own merits. I have addressed third party comments in the body of my report and provide further comments as follows.

8.38 Concerns have been raised about the loss of the leisure facility. As set out in my assessment, I am satisfied that the proposal would replace the existing facilities with a comparable scale and type of facility. In addition, the applicant has stated their intention to operate a membership system to provide access for local residents. I am satisfied that the condition I have recommended (number 16) to control the minimum number of memberships and the minimum number of opening hours would secure this. Should the operation of the leisure facility not be in compliance with the terms of this condition, then this would represent a breach of planning which the Council could enforce against.

8.39 Third parties have queried the need for the additional hotel rooms. Adopted Cambridge Local Plan (2006) policy 6/3 supports the provision of tourist accommodation and the

Council has identified a need for additional hotel bed spaces across the city in its documents prepared to support the emerging Local Plan 2014. Notwithstanding this, the applicant does not need to identify a demand for the rooms in order to meet adopted policy.

8.40 I have assessed the visual impact of the proposal and for the reasons given, I consider the proposal to be acceptable. I do not consider the scale of the proposed extension or the cladding materials to result in urbanization or to harm rural views. The proposal would not set a precedent for further development along the river as each proposal must be consider on its own merits. Third parties have raised a concern about the piecemeal development of the hotel. It is acknowledged that the wholesale redevelopment of the site would be advantageous to the enhancement of the surrounding conservation area and the heritage assets within this setting. However, this is not what has been brought forward by this application and cannot therefore be seen as a constraint or a material consideration of this application.

8.41 I note the concerns regarding the impact on traffic, highway safety and parking. This has been reviewed in detail by the Highways Authority and has been found to be acceptable for the reasons set out in the relevant section of my report, subject to the conditions recommended.

8.42 The ecological impact has also been carefully considered and I have taken advice from officers on this. Windows and lighting would be arguably less visually intrusive than the existing fully glazed building. I do not consider the proposal to be an ‘alien use’ as described by third parties, as the proposal would be an extension or replacement of existing uses on the site.

8.43 Third parties have raised concerns about the consultation process, accessibility of the application documents and the lack of hotel floor plans. I am satisfied with the consultations that have been undertaken and the quality of the application submission. Floor plans for the whole hotel are not required in order to assess the current proposal.

9.0 CONCLUSION

9.1 I recognise the strength of local residents' concerns about further development on the hotel site - particularly proposals affecting the leisure facility – and the level of local engagement on previous applications. I have assessed the current application having regard to the history of previous planning applications. In my opinion, the current proposal represents an opportunity to retain the leisure facility with access for local residents, while allowing the hotel to expand with a further 10 no. bedrooms, which also contributes to meeting the city's identified need for more hotel bedrooms. In terms of the visual impact, the proposed single storey extension would be minor and would not have a harmful impact on the conservation area or views from the surrounding open areas. The palette of materials for the cladding has been previously accepted on the site and would visually tie the leisure centre wing to the main hotel. This would enhance the coherence of buildings on the site. For these reasons, in my opinion the current application is a reasonable proposal and the benefits in terms of retaining the leisure centre and providing additional hotel bedrooms should be weighed against any minor visual impact.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. Prior to commencement of the development hereby permitted, 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 (LPA) 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.

   Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS.

   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: In the interest of protecting trees (Cambridge Local Plan 2006 policy 4/4).

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:
a) Risk assessment of potentially damaging construction activities;
b) Identification of "biodiversity protection zones";
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
d) The location and timing of sensitive works to avoid harm to biodiversity features;
e) The times during construction when specialist ecologists need to be present on site to oversee works;
f) Responsible persons and lines of communication;
g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP shall be adhered to and implemented throughout the construction and demolition period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure protection of the River Cam County Wildlife Site and Sheep's Green & Coe Fen Local Nature reserve.

6. Prior to commencement of the development hereby permitted, a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. This shall:
a) include the results of the assessment of the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in the National Planning Policy Framework and associated Guidance. The scheme 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
b) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to a achieve a 20% reduction in peak flows and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

c) 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.

Prior to first use of the development hereby permitted, the surface water drainage scheme shall be implemented in accordance with the agreed details, and managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In the interests of surface water management (National Planning Policy Framework 2012).

7. Prior to commencement of development, a scheme for passive flood resistant construction to a minimum level of 7.88m AOD and detailed construction drawings shall be submitted to and approved in writing with the Local Planning Authority. The development should be constructed following the principles detailed in the Campbell Reith Flood Risk Assessment (dated July 2017, Rev F1). The finished ground flood level should be constructed no lower than 7.63m AOD.

Reason: In the interests of flood risk management (National Planning Policy Framework 2012).

8. Before starting any external brick 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. Thereafter development shall be carried out in accordance with the agreed details.

Reason: In the interests of the 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 policy 3/14)

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

Reason: To accord with policies 3/4 and 3/14 of the Cambridge Local Plan 2006.

10. Prior to installation of window and doors as identified on the approved drawings, full details including materials, colours, surface finishes/textures shall be submitted to and approved in writing by the local planning authority This may consist of large-scale drawings and/or samples. Thereafter development shall be carried out in accordance with the agreed details.

Reason: To accord with policies 3/4 and 3/14 of the Cambridge Local Plan (2006).

11. Prior to first use of the development hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
b) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected;
c) full details of the bicycle store as shown on the approved plans, including elevations and materials;
d) 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;
e) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas; and

f) full details of green and/or brown roofs, including details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable.
Development shall be carried out in accordance with the agreed details and retained thereafter. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4 and 3/11).

12. Prior to commencement of use of the development hereby permitted, bird and bat boxes shall be installed in accordance with details that have been submitted to and approved in writing by the Local Authority prior to installation. These details shall include the proposed specification, number and locations of internal bird and bat boxes. The bird and bat boxes shall be retained thereafter in accordance with the agreed details.

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

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

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

Reason: To ensure the development does not harm protected species.

14. Prior to first use of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved upon the commencement of use of the development and monitored in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2006 policy 8/2).

15. Prior to first use of the development hereby permitted, a site-specific Flood Warning and Evacuation Plan shall be submitted to and approved in writing with the Local Planning Authority. The risk of sleeping accommodation on the ground floor should be adequately considered and mitigated within this plan. Thereafter the Flood Warning and Evacuation Plan shall be implemented in accordance with the agreed details.

Reason: In the interests of flood risk management (National Planning Policy Framework 2012).

16. The leisure centre hereby approved shall at all times operate a membership system making available a minimum of 400 memberships to users of the facility other than resident guests of the hotel. The leisure centre shall be open to such members for a minimum of 14 hours per day on Mondays to Fridays and a minimum of 6 hours per day on Saturdays, Sundays and Bank Holidays.

Reason: To guard against the loss of the leisure centre in accordance with Cambridge Local Plan (2006) policy 6/1.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1811/FUL	**Agenda Item**	
Date Received	23rd October 2017	**Officer**	Charlotte Burton
Target Date	18th December 2017		
Ward	Cherry Hinton		
Site	65 Fulbourn Road Cambridge CB1 9JL		
Proposal	Demolition of an existing dwelling and the development of a single new building containing 3no 1bed flats and 1no studio		
Applicant	Mr & Mrs Woodruff		

SUMMARY	The development accords with the Development Plan for the following reasons: The proposal would not harm the residential amenity of the occupants of No. 65a Fulbourn Road or other nearby properties. The scale and design would be appropriate to the surrounding context and would be a high quality scheme. The units would provide a good level of residential amenity for the future occupants.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is No. 65 Fulbourn Road, which is a detached two-storey infill property on the corner with Headington Drive. The property has a long rear garden with a detached garage outbuilding with access from Headington Drive. To the east is a traditional terrace. Fulbourn Road is predominantly residential in character, however the site is in reasonably close proximity to the Peterhouse Technology Park. The site is not within a conservation area and there are no heritage assets nearby that would be affected. It is outside the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

2.1 The proposal is for demolition of the existing dwelling and the development of a single new building containing 3 no. 1-bed flats and 1 no. studio. Communal amenity space would be provided at the rear along with bin and bike storage within the existing garage. No parking would be provided.

2.2 The building would be two storeys plus an attic which would extend at the rear to create a three storey rear elevation. The front element would have a traditional appearance, featuring sash windows and a bay window, and would be constructed in brick with a slate roof. The rear element would be single storey with a sloped roof and would be clad in zinc with timber elements on the side elevation.

2.3 The single storey rear element would be approximately 9.8m long from the main rear elevation and would have a mono-pitched roof. The lower side elevation facing No. 65a Fulbourn Road would be approximately 2.3m high and the taller side elevation along Headington Drive would be approximately 4.5m high.

2.4 During the course of the application, revised plans were submitted which removed the second floor window on the side elevation beneath the chimney stack which served the attic unit (F4) following concerns that this would harm the integrity of the traditional design by indicating that the chimney is non-functional. The revised plans also clarified the boundary treatments.

3.0 SITE HISTORY

3.1 The relevant planning history includes:

Reference	Description	Outcome
17/0761/FUL	Demolition of an existing dwelling and the development of a single new building containing 4no 1bed flats and 1no studio.	Withdrawn
C/87/0228	ERECTION OF DOUBLE GARAGE FOR EXISTING DWELLING HOUSE (SECTION 32 APPLICATION).	Permitted

C/71/0325 Erection of two storey dwelling Permitted

3.2 The previous application 17/0761/FUL was withdrawn by the applicant following advice from planning officers.

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 5/1 8/2 8/6 8/10

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No off-street car parking provision is made for the development. The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development is therefore likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider. Recommend condition for redundant vehicle crossover to be made good.

Environmental Health

6.2 No objection subject to conditions for construction hours, collection and delivery hours, piling, dust, contaminated land, and noise insulation/ ventilation. Fulbourn Road is known to be busy with traffic. The proposed plans place the following habitable rooms on the Fulbourn Road façade that cannot naturally ventilate via open windows on the quieter rear/side elevation. The exact alternative ventilation system details / specifications will also be required as part of the noise insulation condition. The site was previously a builders yard between 1948 – 1975. Due to the previous use of the site, any potential contamination issues associated with the historical use of the site should be adequately assessed.

Landscape Architect

6.3 No objection subject to conditions for hard and soft landscaping scheme, boundary treatments, and landscape maintenance and management plan.

Sustainable Drainage Engineer

6.4 No objection subject to condition for surface water drainage scheme. All new or altered external areas within the site boundary should be of permeable construction.

Policy Section

6.5 No comments received.

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

7.0 REPRESENTATIONS

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

- 57 Fulbourn Road
- 59 Fulbourn Road
- 61 Fulbourn Road
- 65A Fulbourn Road
- 67 Fulbourn Road
- 8 Headington Drive
- 22 Headington Drive
- 23 Headington Drive
- 11 Headington Close
- 15 Headington Close
- 17 Headington Close

7.2 The representations can be summarised as follows:

- Flats would represent a change in the nature of residential properties along Fulbourn Road
- Scale and design out of keeping and unsightly
- Loss of light to No. 65a including kitchen
- Impact on outlook from No. 65a Fulbourn Road
- Visible from No. 57 Fulbourn Road
- Noise and disturbance generated by increase in number of occupants
- Inadequate parking provision and resulting impact on surrounding streets from demand for on-street parking in terms of residential amenity, highway safety, pedestrians and access for emergency vehicles
- Parking situation in Headington Drive has been exacerbated by other recent developments including The Orchards
- Increase in traffic and impact on highway safety

- Traffic and disturbance during construction and impact on highway safety
- Object to community garden – space should be used for parking
- Insufficient neighbour consultation

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. Refuse arrangements
7. Third party representations

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider redevelopment of the site for additional units would be acceptable in principle.

Context of site, design and external spaces

8.3 Fulbourn Road is varied in character. The northern side of the road is characterised by traditional Edwardian terraces, however it also features several examples of later infill development from various dates. The application site sits alongside a traditional terrace to the east, however No. 65 is an example of infill development from the 1970s. The existing dwelling is relatively modest and somewhat sympathetic to the terrace in terms of the scale and domestic character, however it is of no architectural merit. The existing dwelling makes no

positive contribution to the street scene, in my opinion, and its demolition would be acceptable.

8.4 The proposed building has been designed around the concept of a traditional detached property with contemporary rear and roof extensions. The scale and proportion of the front element sits comfortably with the neighbouring terrace, with the eaves and ridge height following the lines of the terrace. The front elevation mimics the traditional terrace through the proportions and arrangement of sash windows. The bay window on the ground floor is perhaps more grand than the relatively modest terrace, however as the proposed building would appear as a detached property on a corner plot, in my opinion this would be appropriate. In my opinion, subject to detailing which can be secured through conditions, the overall concept and the front element would work well within the street scene.

8.5 The rear element is more contemporary in style and uses zinc cladding with elements of timber on the side elevation. In my opinion, the relationship between the contemporary elements and the more traditional front element would work successfully due to details such as the shadow gap between the zinc roof extension and the traditional gable end. This would also visually break up the bulk of the three storey side elevation such that I am not concerned about the visual impact of this element. From the rear, the three storey rear outrigger would be prominent, however, the change in materials on the upper floor and the sloped roof would break up the mass of the building. The sloped roof of the single storey element would present a reasonably tall 4.8m high side elevation to Headington Drive, however in my opinion, the use of zinc and timber cladding would articulate this elevation and make for a high quality design which would enhance the street scene. From the rear, in my opinion this element would make for an interesting feature in views along Headington Road.

8.6 In terms of access and movement, the proposal includes separate entrances for the two ground floor units and a communal entrance to the upper floor units from the side elevation. All units would have access to the communal bin and bike stores at the rear and to the communal garden. The access to the bin store would be via the street, however I consider this to be acceptable due to the distances involved.

8.7 The boundaries would comprise a 1.8m close boarded fence along Headington Road adjacent to the communal garden, and the retention of the existing boundary wall to the south along Headington Road and on the Fulbourn Road frontage. This wall would be extended northwards to meet the fence. In this respect, the boundaries would be similar to the existing. The existing trees along the western side of the garden would be retained which would soften the appearance of the building in views along Headington Drive. I have recommended the condition requested by the Landscape Officer for hard and soft landscaping details, and a landscape maintenance plan.

8.8 In my opinion the proposal would sit comfortably adjacent to the traditional terrace and the contemporary elements would form a successful contrast with it. The design concept successfully reduces the apparent scale and bulk of the building such that it would not be unduly prominent within the street scene. I am satisfied that with details controlled through conditions, the proposal would be a high quality scheme. As such, 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

8.9 The neighbouring properties are No. 65a Fulbourn Road to the east and No. 61 Fulbourn Road to the west on the opposite side of Headington Drive. I have considered the impact of the proposal on these properties as well as the impact on the wider residential area.

- *No. 65a*

8.10 This is a two storey end-of-terrace property with a two storey outrigger and a long rear garden. It is in use as a single dwelling. I have visited this property to assess the impact of development on the application site. This property has ground and first floor windows on the rear elevation of the main two storey element. The ground floor window serves a living/dining room which runs through to the front of the property so is also served by larger windows on the site elevation. The first floor window serves a bedroom/study. There are also windows on the ground floor of the side elevation of the outrigger, including

a large window serving the kitchen. I am not concerned about the impact on bathroom windows which are not habitable rooms. The area between the outrigger and the boundary is not an important part of the amenity space.

8.11 The current proposal follows on from a previous application which officers did not support partly on the grounds of the impact on No. 65a. The current proposal has reduced the scale of the rear element substantially and I am now comfortable with this relationship for the reasons set out below.

8.12 The rear element includes a three storey element to provide a stair core. This would protrude 2.7m beyond the rear elevation of the main two storey element of No. 65a. There would be a minor overlap of approximately 0.3m of the kitchen window and this would be approximately 4.3m from the window. The stair core has been pushed away from No. 65a so it would not cut the 45 degree line from the centre of the ground floor living/dining room window on the rear elevation. I am satisfied that this element would not have an unacceptable overbearing impact.

8.13 The longer part of the rear element would be single storey. The side elevation would be 2.3m high and would extend approximately 9.8m along the boundary with No. 65a. It would have a sloped roof reaching a maximum height of 4.5m on the western side. The height of the side elevation and the slope of the roof is reasonably modest so it would not be visually dominant or overbearing from the kitchen window or the living/dining room window. The side elevation and roof scape would be clad in zinc which would have a reasonable visual 'solidity', however the amount that would be visible above a 2m high boundary fence would be minimal. As such, in my opinion this element would not have an unacceptable overbearing impact on No. 65a.

8.14 In terms of overshadowing and loss of light, the scale and form would not cut the 45 and 25 degree lines as described above, which are used as a general rule of thumb for assessing this impact. The applicant has also submitted a Daylight and Sunlight Assessment which considers the Vertical Sky Component and the Annual Probable Sunlight Hours for the windows on the side and rear elevations of No. 65a. The kitchen and living/dining room windows already receive low light

levels and the proposal would reduce these further. However, the assessment demonstrates that this would be within acceptable limits. As such, I am satisfied that the proposal would not result in significant loss of light to these windows. I am also content with the applicant's assessment of the overshadowing of this property's garden, which would be acceptable.

8.15 There would be no unobscured first floor windows on the side and rear elevations of the proposed building, except for one second floor window on the corner of the stairwell. This would have oblique views towards the rear garden of No. 65a and would serve the stairwell to the attic storey unit. I am satisfied that there would be no significant overlooking from this window which would be similar to views obtained from a dormer window. This would not result in unacceptable overlooking or loss of privacy. I have recommended a condition for the windows shown as obscure glazed to be implemented as such.

- *No. 61*

8.16 This is a one-and-a-half storey dwelling with a long rear garden on the opposite side of Headington Drive from the application site. The separation gap is approximately 12m from the side elevation of the proposal to the boundary of No. 61. There would be first floor windows on the side elevation which would face towards No. 61 and a narrow second floor window serving the stairwell. However, given the separation gap, I am satisfied that the proposal would not overlook the rear garden and would not have an overbearing or overshadowing impact.

- *Wider area*

8.17 Third parties have raised concerns about the lack of car parking and the resulting demand for additional on-street parking, and the impact of this on residential amenity. The proposed units would be 1-bed and are likely to be occupied by individuals. The site is in a highly sustainable location close to public transport links and cycle/pedestrian routes along Fulbourn Road. The future occupants would not need to be dependent on cars and would be aware that the units are car-free when deciding whether to move in. Moreover the proposal provides good bike storage. For these reasons, in my open, the proposal is not likely to generate significant demand for on-street parking.

Notwithstanding this, the other properties within the vicinity along Fulbourn Road and Headington Drive typically have on-plot parking, so any additional demand for on-street parking would not impact significantly on their residential amenity.

Amenity for future occupiers of the site

8.18 The internal floor space of the units is set out in the table below. In my opinion, these would be reasonable units and I am satisfied that the future occupants would have a good level of residential amenity. Moreover, as the Council has no adopted space standards, this would not be reasonable grounds to recommend refusal.

Unit	**Type**	**Floor space (sqm)**
F1	1-bed flat	40.8
F2	1-bed flat	41.2
F3	1-bed flat	39.4
F4	Studio	30.8

8.19 The proposal includes an area of communal open space within the rear garden approximately 42.5sqm. In addition, the front ground floor unit (F1) would have the front garden as amenity space, albeit with limited privacy. As these are 1-bed units and would be extremely unlikely to be occupied by families, in my opinion the communal amenity space is acceptable. Moreover, the site is in close proximity to green space along Fulbourn Road and the nearby nature reserves.

8.20 The proposed site plan includes buffer planting in front of ground floor habitable rooms. The recommended condition for implementation of a hard and soft landscaping scheme would secure this in order to protect the privacy of the future occupants of units F1 and F2. I have recommended conditions to secure the obscure glazing of windows as shown on the plans in order to protect the privacy of the future occupants.

8.21 I have recommended the conditions requested by the Environmental Health team in order to protect the amenity of neighbouring and future occupants.

8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site, and

provides an appropriate standard of residential amenity for future occupiers. I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Highway Safety

8.23 I acknowledge the concerns of third parties that have been raised on highway safety grounds, with regards to the additional traffic and demand for on-street car parking. The Highways Authority has reviewed the application and has not raised an objection on highway safety grounds. I accept their advice and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2. The Highways Authority has recommended a condition for the redundant vehicle crossover to be made good. In my opinion, while this may be desirable, it would not be necessary in order to make the development acceptable, and therefore would not meet the tests of being a reasonable condition.

Car and Cycle Parking

- *Car parking*

8.24 The proposal is for car-free development. This is in accordance with the Council's adopted maximum car parking standards. As detailed above, the site is in a highly sustainable location where car-free development is appropriate and the future occupants of the 1-bed units are unlikely to be car-dependent. For these reasons, in my opinion, the proposal is acceptable in this regard. I have recommended an informative for the future occupants to be made aware of local car clubs.

- *Cycle parking*

8.25 The proposal includes 8 no. cycle parking spaces provided in a two-tier stand within the existing garage. This is an over-provision of spaces compared to the Council's adopted standards. Two-tier standards are not normally considered to be appropriate for residential developments of this scale. However given the significant over-provision of spaces, I am satisfied that there would be enough lower tier racks to meet the adopted standards which would provide convenient spaces. The upper racks would provide extra spaces. Access to the cycle store would be via the communal garden and would be

convenient. I have recommended a condition for further details of the cycle store to be submitted.

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

Refuse Arrangements

8.27 The proposal includes communal bins within the existing garage with access from the street. I am content with this arrangement, however I have requested a condition for further details of the garage alterations and details of the bin storage and access. Subject to this, iin my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 in this regard.

Third Party Representations

8.28 I have addressed to the third party representations as follows:

Representation	**Response**
Flats would represent a change in the nature of residential properties along Fulbourn Road	The proposed use would be residential which would be compatible with the surrounding character of residential development within the neighbourhood. The use as flats would not have a significantly different character to the surrounding area which is typically for family dwelling houses. I do not consider that the density of units on the site would be inappropriate or lead to harm.
Scale and design out of keeping and unsightly	I have assessed this in paragraphs 8.3-8.5 of this report.
Loss of light to No. 65a including kitchen	See paragraphs 8.10-8.15.
Impact on outlook from No. 65a Fulbourn Road	
Visible from No. 57 Fulbourn Road	The two storey element would not be visible from No. 57 as it would be obscured by the

	existing two storey outrigger of No. 65a. The mono-pitched roof of the single storey element could be visible, however due to the substantial separating distance, it would not be prominent and would not visually enclose No. 57.
Noise and disturbance generated by increase in number of occupants	Activity on the site would predominantly be on the western side where the communal entrance would be and in the rear part of the site where there communal garden and bin/bike store would be located. I do not consider that the occupants of the 4 no. 1-bed units would generate significant additional noise and disturbance compared to the existing family dwelling.
Inadequate parking provision and resulting impact on surrounding streets from demand for on-street parking in terms of residential amenity, highway safety, pedestrians and access for emergency vehicles	I have assessed the parking and transport impacts taking account of the Council's adopted car parking standards and the advice from the Highways Authority. I appreciate the comments from third parties, however The Highways Authority has raised no concerns about highway safety, and I accept their advice. For the reasons given in paragraphs 8.17, 8.23 and 8.24, I conclude that the proposed car-free development is acceptable.
Parking situation in Headington Drive has been exacerbated by other recent developments including The Orchards	
Increase in traffic and impact on highway safety	
Traffic and disturbance during construction and impact on highway safety	
Object to community garden – space should be used for parking	

Insufficient neighbour consultation	I am satisfied that the Council has undertaken the required public consultation on this application.

9.0 CONCLUSION

9.1 This proposal has carefully considered the amenity of neighbouring properties and I am satisfied with that the impact on No. 65a has been demonstrated to be acceptable. The proposal is sensitive to the neighbouring Edwardian terrace along Fulbourn Road and represents a high quality design. I recognise the concerns of residents regarding the lack of car parking and the transport impacts, however due to the sustainability of the location and the nature of the units – and on the basis of advice form the Highways Authority – these would not be reasonable grounds for refusal in my opinion. For these reasons, the recommendation is for approval subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:
-Detailed history of the site uses and surrounding area (including any use of radioactive materials)
-General environmental setting.
-Site investigation strategy based on the information identified in the desk study.
(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:
(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors
(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:
a) Include details of the volumes and types of material proposed to be imported or reused on site
b) Include details of the proposed source(s) of the imported or reused material
c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
d) Include the results of the chemical testing which must show the material is suitable for use on the development
e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

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

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

13. Prior to commencement of development (other than demolition), a surface water drainage works scheme shall be submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
b) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: In the interests of surface water drainage management.

14. Prior to first occupation of the development hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
a) proposed finished levels or contours; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting);
b) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected;

c) 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; and
d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Development shall be carried out and maintained in accordance with the agreed details. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4 and 3/11).

15. Prior to construction of external surfaces, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

16. Before starting any external brickwork, a sample panel of the facing brickwork 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 and to ensure that the quality and colour of the detailing of the brickwork is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12)

17. Prior to the installation of windows on the front (southern) and side (western) elevations of the development hereby permitted, full details including drawings at a scale of 1:10 showing sills, lintels, jambs, transoms, and mullions, as appropriate, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

    Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policy 3/12).

18. The windows identified as having obscured glass on drawings hereby approved shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to first occupation of the development hereby permitted, and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

19. Prior to first occupation of the development hereby permitted, the bin storage and cycle parking facilities shall be provided in accordance with details that have been submitted to and approved in writing by the local planning authority. This shall include floor plans and elevations. Thereafter the bin storage and cycle parking facilities shall be retained in accordance with the agreed details.

    Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 8/6).

20. Prior to first occupation of the development hereby permitted, a noise insulation / attenuation scheme (as appropriate) shall be implemented in accordance with details that have been submitted to and approved in writing by the local planning authority prior to installation. This shall detail 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 internally at the residential units as a result of high ambient noise levels in the area. 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". Development shall be carried out in accordance with the agreed details and retained thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/12 and 4/13).

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

INFORMATIVE: 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.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1630/FUL	**Agenda Item**	
Date Received	20th September 2017	**Officer**	Charlotte Burton
Target Date	15th November 2017		
Ward	Queen Ediths		
Site	Land Adj. 4 Strangeways Road Cambridge CB1 8PR		
Proposal	Construction of a single two storey 4-bed dwelling		
Applicant	Mr Ian Purkiss 98C Hartington Grove Cambridge CB1 7UB		

SUMMARY	The development accords with the Development Plan for the following reasons: The principle of a dwelling on the site has been established through previous consents. The proposal would not harm the residential amenity of the occupants of No. 4 in terms of enclosure, overshadowing or loss of privacy. The proposal would be in-keeping with the residential character of the area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is land adjacent to No.4 Strangeways Road, which was formerly within this property's curtilage but has been subdivided through previous consents. There is a boundary with No. 4 which is formed by a fence, although the positioning of this is understood to be disputed by the owner/occupant of No. 4.

1.2 The site is triangular in shape and is 0.04 hectares in size. It is currently left as scrub. It contains a mature Beech tree adjacent to the front boundary and a Willow tree adjacent to the southern boundary. Both trees are protected by a Tree

Preservation Order. There is another tree which is protected located in front of No. 4.

1.3 The front boundary is defined by a high and dense hedgerow. The front drive, which stretches across the entire site frontage is laid to loose gravel and set back from this is the amenity area, which is laid to lawn. The southern boundary of the site is defined by a 2m high timber fence which forms the rear boundaries of the properties facing onto Queen Edith's Way.

1.4 No.4 is a two storey, grey rendered, detached property set back from the road with a gated front access. No.4 is also identified as a Building of Local Interest (BLI). The application site is located within a residential area. The main built form of the area is characterised by two storey detached and semi-detached properties set back from the highway. The site is not within a conservation area and is outside the controlled parking zone.

2.0 THE PROPOSAL

2.1 The proposal is for a two storey 4-bed dwelling. The building would have a hipped roof with rendered external elevations. There would be a side and rear element with a secondary hipped roof which would form a subsidiary element. The dwelling would have a rear garden and parking to the front.

3.0 SITE HISTORY

Reference	Description	Outcome
17/1152/FUL	Construction of two semi-detached dwellings.	Withdrawn
16/1534/FUL	Erection of one two-storey four bed house on land adjacent to 4 Strangeways Road.	Permitted
13/1331/FUL	Erection of one two-storey four bed house on land adjacent to 4 Strangeways Road.	Permitted

10/0731/EXP	Extension of time for implementation of 05/0868/S73 for erection of 1 four-bed house (outline permission C/97/1016/OP) including amendment to siting at land adjacent to 4 Strangeways Road.	Permitted
05/0868/S73	Extension of time limit for commencement of work by 5 years	Permitted
C/98/0815	Alterations and additions to existing dwellinghouse including a two storey rear extension.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (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	City Wide Guidance 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) Buildings of Local Interest (2005)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account,

especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 As a result of this proposal the parking for the existing household will be displaced on-street. 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. Recommend conditions for no unbound material, to remove permitted development rights for gates, access construction standards and drainage, visibility splays and manoeuvring areas.

Environmental Health

6.2 No objection subject to standard conditions to control construction hours, delivery/collection hours and piling.

Urban Design and Conservation Team

6.3 No material urban design issues.

Landscape Officer

6.4 Potential impact on trees from construction and pressure to prune which needs further consideration. Clarification of bins and bikes storage is required.

Tree Officer

Initial comment 26.10.2017

6.5 No objection. While the layout is still not ideal in relation to protected Beech, it is no worse than the layout that was previously approved. The pruning as indicated on the drawing 6040-D rev C is not approved. A more considered and detailed specification of works should be presented as part of the tree protection. Recommend condition for tree protection measures

Additional comment

6.6 The bin/bike store can be constructed without material impact on the protected Beech and construction can form part of the arboricultural method statement required as a condition. Agree with recommendation to remove permitted development rights to prevent insertion of windows in front elevation in order to remove pressure to prune.

Sustainable Drainage Engineer

6.7 No comments received.

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

7.0 REPRESENTATIONS

7.1 The owner/occupier of the following address has made a representation **objecting** to the proposal:

- 4 Strangeways Road

7.2 The representations can be summarised as follows:

- Loss of privacy
- Loss of light
- Unreasonable noise and disturbance
- Ongoing boundary dispute

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

Principle of Development

8.2 The principle of a new residential unit on this site has been established by the granting of the previous planning permission (16/1534/FUL). In my opinion, the principle of the development is acceptable and compliant with policy 5/1.

Context of site, design and external spaces / Impact on BLI

8.3 The proposed dwelling would form part of the street scene along Strangeways Road, which has a residential character. The principle of a dwelling on the site has been established and, in my opinion, the proposed larger dwelling would sit comfortably within the site, which has a relatively wide frontage. The step back of the side element would have the appearance of a subsidiary extension which breaks up the mass of the building. The proposal would retain the hedge and trees along the frontage, so the site would retain a verdant character and soften the appearance of the dwelling.

8.4 There is a mixture of building styles along this part of Strangeways Road. No. 4 Strangeways Road is identified as a BLI. However, comments from the Urban Design and Conservation Team on the previous application (16/1534/FUL) advised that the building was of limited architectural or historic

interest. Nonetheless, the principle of a dwelling on this site has been established and the proposal with its hipped roof form and use of render would not be out-of-keeping with the character of No. 4.

8.5 The previous consent on the site has been subject to a condition for materials samples to be submitted. Due to the scale of the building, I consider this to be appropriate for the current proposal. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.6 The occupants of No. 4 Strangeways Road have objected to the proposal on the grounds of loss of light, loss of privacy, and noise and disturbance. The previous consent for a dwelling on this site is a material consideration, and therefore the impact of the current proposal must be assessed with reference to impact of the approved scheme which could be implemented. The approved scheme is for a two storey dwelling. The footprint has been shown on the proposed site plan for the current application for comparison. This shows the current scheme would have a two storey side element on the northern side that would be closer to the boundary with No. 4 by approximately 3.6m. However, the main bulk of the building would be on a similar footprint to the approved scheme.

8.7 No. 4 is set back from the boundary with the application site by a gap of approximately 5.5m. There are six windows on the south-east elevation facing towards the application site, making this a relatively important elevation to the house. These are understood to serve habitable rooms. The owner/occupier has explained that due to the large protected tree to the south east within the application site which overshadows these windows, light from the south-west is particularly important to the quality of the internal accommodation. I accept this as a valid point of consideration. The outside area on the southern side of No. 4 is not considered to be an important part of the external amenity space for the occupants, as the main garden is to the rear.

8.8 A new dwelling on the site would clearly have an impact on the outlook from the windows of No. 4. The eaves and ridge height would be similar to No. 4 and I do not consider the massing to be inappropriate in itself. The main bulk of the two storey property would be on a similar footprint to the approved scheme, and the roof would be hipped rather than presenting a gable end. In my opinion, the main consideration is the impact of the additional two storey side wing compared to the approved scheme. This would be over 6m from the side elevation of No. 4. The side (north) elevation would be approximately 5.5m long. It would cover less than half of the length of the 12m long elevation of No., 4, and importantly would not cover the bay window. However, this element would align with French doors and a large window above, which serve habitable spaces. Nonetheless, given the separation distance, I am satisfied that the proposal would not have a significant overbearing impact on these windows.

8.9 During the course of the application, the applicant was asked to provide a shadow study so that the impact on these windows could be assessed. The shadow diagrams show some additional overshadowing from the dwelling during the mornings in March, June and September, resulting in partial overshadowing of the left-hand-side of the south elevation of No. 4, including a bay window. However, this shadow is largely removed by 9am. In addition, there would be some overshadowing of the right-hand-side of the elevation during the morning in December, however this impact would be removed from around 11am onwards. In my opinion, the shadow diagrams have shown that the overshadowing from the proposal would not have a significant impact on residential amenity.

8.10 In terms of overlooking, the proposal includes no windows on the first floor side elevation facing towards No. 4 other than narrow side windows to the projecting gable on the front elevation. These windows are over 10m from the boundary and align with the front of No. 4. I am satisfied there would be no overlooking. There would be no permitted development rights to insert unobscured first floor windows in this side elevation.

8.11 The owner/occupant has raised concerns about the amount of noise and disturbance generated from the additional dwelling on the site. While the proposed dwelling would be larger than the

approved scheme, the use as a single dwelling would be the same. In my opinion the proposal would not generate a significant amount of noise and disturbance over and above normal residential uses, and in my opinion, this would not be reasonable grounds to recommend refusal. The Environmental Health team has recommended conditions to control construction hours, delivery/collection hours and piling. I accept their advice that these conditions are necessary and reasonable in order to mitigate the impact on the amenity of nearby residential properties.

8.12 The dwelling would be a substantial distance from other neighbouring properties and I am not concerned about the impact on those. 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

8.13 The proposed dwelling would have an area of amenity space at the rear. While I am satisfied that this area is sufficient for a dwelling on this size, I would have concerns should this area reduce in the future. In my opinion, this could provide an unacceptable level of amenity for the occupants. As such, I have recommended conditions to remove permitted development rights for alterations and extensions (Class A) and outbuildings (Class E). Subject to this, I am satisfied that the dwelling would provide a high quality of residential amenity, in accordance with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Impact on Tress

8.14 The site includes a protected tree in the northern corner. The proposed dwelling would extend into the root protection area and beneath the canopy. The site plan shows the footprint of the dwelling within these areas would be similar to the approved scheme. On these grounds, the Tree Officer supports the proposal, subject to a condition for tree protection measures. The proposal also includes parking space and bin/bike stores, the details of which can be secured through condition to ensure no harm to the tree.

8.15 The Tree Officer agrees with my concern that the proposal has the potential to increase the pressure to prune the tree should additional windows be inserted into the dwelling. The condition I have recommended to remove permitted development rights under Class A for alterations and extensions would also remove permitted development rights for the insertion of windows in order to avoid this scenario arising.

8.16 There is another tree preservation order covering a young replacement tree in the eastern corner of the site. This is sufficiently far enough away from the proposed dwelling so that it would not be impacted. The recommended condition will ensure that this is protected during the construction phase.

8.17 Subject to these conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Highway Safety

8.18 The Highway Authority has not objected to the proposal and has recommended standard conditions. The proposal would re-use an existing dropped-kerb access and the extant consent did not include highways conditions. I have assessed the conditions requested by the Highways Authority, and in my opinion only the conditions requiring visibility splays and accessed and maneuvering areas would meet the tests of being reasonable or necessary. Subject to these conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.19 The proposal includes 2 no. car parking spaces. This is the same as the approved scheme and in accordance with the adopted maximum standards for larger dwellings outside the CPZ. The Highways Authority has raised concerns about a loss of car parking for No. 4, however the subdivision of the site has already occurred and No. 4 retains on-plot parking spaces. This is not a relevant concern.

Cycle parking

8.20 The proposed site plan shows space for 4 no. cycle parking spaces. This is in accordance with the adopted standards based on a 4-bed dwelling. I have recommended a condition for full details of the cycle store to be submitted for approval.

8.21 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Refuse Arrangements

8.22 There is enough space within the site to accommodate refuse storage. The applicant has shown a space to the front of the property where bins will be located to allow convenient access to the collection point. I have recommended a condition for details to be submitted. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Third Party Representations

8.23 I have addressed the objections raised by the owner/occupier of No. 4 in my assessment above. The boundary dispute is a civil matter.

9.0 CONCLUSION

9.1 The principle of development has been established through previous consents on the site. The current proposal would be larger than the consented schemes, however I am satisfied that it would not harm the residential amenity of neighbouring properties, important trees or the character of the area. For these reasons, the recommendation is for approval subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

6. Prior to commencement of development 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 supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

   Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS.

   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: In the interests of tree protection (Cambridge Local Plan 2006 policy 4/4).

7. Prior to commencement of the construction of external surfaces of the development hereby permitted, samples and full details of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. Thereafter 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 and 3/12).

8. Prior to first occupation of the dwelling hereby permitted, two 2.0 x 2.0 metres visibility splays shall be provided within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. Thereafter this area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

9. Prior to first occupation of the dwelling hereby permitted, the access and manoeuvring area shall be provided as shown on the drawings. Thereafter this area shall be kept free from obstruction.

Reason: In the interests of highway safety.

10. Prior to first occupation of the development hereby permitted, cycle parking facilities and bin storage shall be provided in accordance with details that have been submitted to and approved in writing by the local planning authority prior to installation. Thereafter the facilities shall be retained in accordance with the agreed details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 8/6).

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

Reason: To protect the amenity space for the future occupants (Cambridge Local Plan 2006 policies 3/4 and 3/12).

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

Reason: To protect the amenity space for the future occupants (Cambridge Local Plan 2006 policies 3/4 and 3/12).

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.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1481/FUL	**Agenda Item**	
Date Received	7th September 2017	**Officer**	Mairead O'Sullivan
Target Date	2nd November 2017		
Ward	East Chesterton		
Site	178 Kendal Way Cambridge CB4 1LU		
Proposal	Two storey side, single storey front, and single storey side and rear extensions. Roof extension incorporating box dormer to the rear. Side extension to create 2 no. additional flats.		
Applicant	Ms Promosso 178 Kendal Way Cambridge CB4 1LU		

SUMMARY	The development accords with the Development Plan for the following reasons: - The proposed design is acceptable and in keeping with the character of the area - The proposal would not harm the amenity of the adjoining occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey semi-detached dwelling on the southern end of the eastern leg of Kendal Way. Kendal Way is a residential street which lies between Green End Road to the south and Milton Road to the north. The area is characterised by semi-detached and terraced dwellings. Several of these dwellings have been extended extensively.

1.2 There are no site constraints.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a two storey side extension, single storey front and single storey side and rear extensions. A roof extension incorporating rear dormer is

also proposed. The extension is proposed to be used as 2 no. 1 bedroom flats. The host dwelling will increase in size from a 3 no bedroom property to a 4 no bedroom property with a study.

2.2 The application has been amended since submission to address officer concerns regarding design and impact on the neighbouring kitchen. The roof of the proposed extension has been amended to be hipped to match the existing arrangement. The rear dormer to the extension has been removed and now there is only a single dormer which is to the roof of the host dwelling. The width of the access passage has also been increased to 1.2m at its narrowest point.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1461/FUL	External wall insulation to front, side and rear elevations	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 3/14 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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection is made to the proposed extension, however, to access the parking arrangement it is necessary to widen the access and strengthen the footway to avoid damage to the highway from vehicular overrun. Unless and until the proposal to strengthen the footway is included in the proposal the Highway Authority recommends that the proposal be refused planning permission. If the council is minded to approve the application, then conditions are recommended.

Environmental Health

6.2 No objection. Two conditions regarding construction hours and piling are recommended.

Refuse and Recycling

6.3 No comments received.

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

7.0 REPRESENTATIONS

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

- 177 Kendal Way
- Camcycle

7.2 The representations can be summarised as follows:

- The dormer windows will result in a loss of light to the patio at 177B
- Insufficient specification of cycle parking design and potential difficulty of accessing rear cycle parking space.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 states that applications for housing on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is currently in residential use and Catharine Street is a predominantly residential area. As a result, I consider the proposal to comply with policy 5/1.

8.3 Policy 5/2 relates to the conversion of larger properties. This states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110m2; b) there would be an unacceptable impact on parking c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin/bike storage e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.4 The extended property would have a floor space significantly above 110sqm and as a result satisfy criterion a). I have noted the compatibility of the site with residential use in paragraph 8.2. I will assess the proposal against criteria b), c) and d) in the below paragraphs.

Context of site, design and external spaces

8.5 The original proposed side extension included a change from hip to gable. This was considered to make the building appear prominent in the streetscene and did not reflect the predominant character of the area. The applicant has revised the plans showing this element with a hipped roof with a pitch to match existing. This amendment has also resulted in the loss of the dormer to the extension. This second dormer on the rear roof was considered to appear bulky with extensions to the roof spanning the whole rear roofscape. The loss of this dormer is considered to make a positive change to the rear elevation. The remaining dormer is to the host dwelling and of a scale that could be constructed under permitted development. As a result this dormer is considered acceptable in terms of design.

8.6 Bike and bin storage for the new flats is proposed in the rear garden. The bike and bin storage provision for the existing house is proposed to the frontage. No elevations have been provided showing bike and bin stores. Many of the other properties on the street appear to store their bins to the front of the property but none have formalized this with a store. As a result the stores could potentially appear quite prominent. However, I am satisfied that lightweight structures with a low height could be accommodated which would not appear dominant in the streetscene. I have recommended a condition requiring details of both bike and bins stores to be approved prior to constructions. I have also recommended a boundary treatment condition.

8.7 There are other examples of front porches on the street. What is proposed is longer than the other examples as its spans the host dwelling and extension. However it has a shallow depth and is set back from the street. As a result I am satisfied that the porch would not harm the streetscene.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.9 The proposal does not extend any further beyond the existing rear building line at first floor. The ground floor extension protrudes 4m past the rear wall. It has a lean-to roof with a height of 3.4m sloping down to 2.45m at the eaves. This element of the proposal is relatively modest and I am satisfied that it would have no significant harmful impact in terms of enclosure or overshadowing of number 180 Kendal Way. The front porch extension is also modest in size; having a depth of 1m. This element is also set off the boundary with number 180 and as a result I am satisfied that this would not harm the amenity of the adjoining occupier.

8.10 There were concerns that the original proposal submitted would have had a harmful impact on the amenity of the unattached neighbour at 176 Kendal Way. This occupier has a single aspect kitchen in a single storey protruding element to the side of the property. The original proposal was closer to the boundary with a gable roof and a box dormer to the extension. The amendments to address the streetscene impacts and access to the rear for bikes and bins have also reduced the pressure on this kitchen window. Whilst the proposal will result in some additional enclosure to this window, I am satisfied that the impact of the revised proposal would not be unduly harmful to warrant refusal of permission.

8.11 The only neighbour objection comes from the occupier of 177B Kendal Way. They are concerned that their patio will be overshadowed by the extension. No.177b is at the opposite side of the road, approx. 40m from the site and as a result will not be impacted by the proposed extension.

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

Amenity for future occupiers of the site

8.13 The garden to the host dwelling would be reduced but would still be substantial. In my view, the remaining garden proposed to serve the extended dwelling is adequately large.

8.14 Both proposed flats are one bedroom units. Both flats would be dual aspect. The ground floor flat would have a private patio area and access to the shared garden. The upper floor flat is small (approx. 27sqm). However, it would be dual aspect and have access to a communal garden to the rear. As a result I am satisfied that it would provide an adequate level of residential amenity to future occupiers.

8.15 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

8.16 I have noted in paragraph 8.6 that no elevations have been provided for the bins stores and these are recommended to be required via condition. I am satisfied that the proposed bin store locations would be acceptable subject to details of appropriate stores.

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

Highway Safety

8.18 The Highway Engineer has recommended refusal on the grounds that the applicant has not confirmed their intention to strengthen the footway. This does not form part of the planning application and as long as permeable materials are used, the extension of the area of dropped kerb would not require planning permission. As a result I do not consider this would be grounds for refusal. I have recommended an informative to make the applicant aware that works to the highway require consent from the Highway Authority (County Council).

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

Car and Cycle Parking

8.20 Camcyle has raised an objection to the proposal. The access passage has been widened and is now 1.2m at its narrowest point and most of the passageway is much wider. I am satisfied that there is adequate space to accommodate cycle parking for the three units in the stores shown and have recommended a condition requiring details of the stores via condition.

8.21 The original proposed car parking layout was considered to have an unacceptable impact on the occupier of the ground floor flat. The revised layout reduces the number of off-street parking space to one space. However, given the sustainable location of the site, this is considered to be acceptable.

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

Third Party Representations

8.23 I have addressed the third party representations within the body of my report.

9.0 CONCLUSION

9.1 The revised proposed design is considered in keeping with the character of Kendal Way. The proposed extension would not have any significant adverse impact on the residential amenity of surrounding occupiers. The proposed additional units are considered to provide an adequate level of amenity to future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

6. Prior to occupation of the development, hereby permitted, full details of all cycle stores and refuse stores, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to occupation of the development and shall be maintained in perpetuity thereafter.

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

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

8. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

   Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

9. The parking layout and landscaping to the front of the property as shown on the approved plans shall be constructed prior to occupation of the new units and shall be retailed thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupier of the ground floor flat (Cambridge Local Plan 2006 policies 3/4 and 3/14)

10. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

    Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

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

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

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

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

13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

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

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

INFORMATIVE: 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: 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 **10th January 2018**

Application Number	17/1894/FUL	**Agenda Item**	
Date Received	16th November 2017	**Officer**	Rob Brereton
Target Date	11th January 2018		
Ward	Arbury		
Site	1 Mere Way Cambridge CB4 2JP		
Proposal	Demolition of existing garage. Erection of attached dwelling and extension to existing house.		
Applicant	Mr & Mrs Marchington 1 Mere Way Cambridge CB4 2JP		

SUMMARY	The development accords with the Development Plan for the following reasons: - The development would have an acceptable impact on the character of the area - The development would not have a significant adverse impact on residential amenity. - The development would not have a significant adverse impact on highway and pedestrian safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site is the northern half of the side/rear garden of No. 1 Mere Way. No. 1 is a two storey end of terrace gable-fronted dwellinghouse finished in red brick. It is located on the eastern side of Mere Way near the junction with Arbury Road.

1.2 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 Planning permission is sought for the demolition of existing garage and erection of attached dwelling and extension to existing house.

2.2 The proposed works would create a new attached two storey, 2 bedroom dwelling and add a two storey extension to No. 1 adding a further bedroom to make it a 3 bedroom property.

2.3 The proposal dwelling would have front and rear bays which do not protrude further than the existing gables of No. 1 Mere Way. This dwelling also has the same ridge height as No. 1 Mere Way and a hipped roof. The division of the plot enables each unit to have one off road parking space as well as bike parking and bin area to the front of each property. The rear garden of No. 1 Mere Way has also been split into two to provide amenity space for both dwellings.

3.0 SITE HISTORY

Reference number	Description	Decision
13/0163/EXP	Extension of time for the implementation of planning permission 09/1156/FUL for the erection of a two storey side extension with integral garage.	Approved*
09/1156/FUL	Erection of two storey side extension with integral garage (following demolition of detached garage).	Approved

* This application was never implemented

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge,

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The proposal reduces the number of dedicated off-street car parking spaces for the existing dwelling. 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. Standard conditions are recommended if approval is granted.

Environmental Health

6.2 No objection. Standard piling and construction hours conditions recommended.

Landscape Design

6.3 No objection, subject to recommended conditions requiring details of hard and soft landscaping and its implementation.

Sustainable Drainage Engineer

6.4 No objection, subject to a recommended condition requiring standard details of surface water drainage.

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 address have made representations:

- 229 Arbury Road
- 233 Arbury Road
- 237 Arbury Road

7.2 The representations can be summarised as follows:

- Insufficient parking for the existing and proposed dwelling.
- The scheme will result in more parking on the surrounding streets, in some cases spoiling grass verges and obstructing the footpath.
- The house should be realigned parallel to the fence so that all windows face down the rear garden.
- No reason why this small piece of land should be used for financial gain.
- Buffer will be lost between properties on Arbury Road.
- Property will overshadow and enclose the rear garden of No. 237 Arbury Road.
- Property will overlook No. 237 Arbury Road.
- An additional dwelling on the plot will increase noise from additional tenants.
- Possibility of increased traffic in an already very busy Mere Way.
- There should be an assurance that all parking should be contained on site, during and after construction.

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

8.0 ASSESSMENT

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

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

Principle of Development

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

8.3 Policy 3/10 of the Cambridge Local Plan (2006) states residential development will not be permitted if it [the relevant extracts are listed below]:

- Has a significant impact on the amenities of neighbouring properties;
- Provides an inadequate amount of amenity space/vehicular access and parking spaces for the proposed and existing properties;
- Or detracts from the character of the area.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. The relevant criteria of policy 3/10 are considered in further detail below.

Context of site, design and external spaces

Response to context

8.5 No. 1 Mere Way and No. 74 Fortescue Road with their gable-ended frontages bookend this terrace. The addition of the proposed extensions to No. 1 Mere Way and the attached two storey dwellinghouse are considered in keeping with the proportion of this terrace. The proposed dwelling has a subservient front façade when viewed against No.1's gable end. The front façade is indented and in line with terrace houses 3

and 5 Mere Way and the front protrusion would be 0.6 metres less in depth than No. 1.

8.6 It is therefore considered that this subservient design would be an acceptable addition to the streetscene and this loss of symmetry to the terrace, which is not in a Conservation Area, is not a detrimental enough impact to warrant refusing this scheme.

8.7 Matching materials are stated to be used for this proposal. I recommend a condition is attached to ensure this.

8.8 As properties on Arbury Road have such long gardens it is not considered the insertion of a dwelling in this location would remove the buffer between the properties on Mere Way and Arbury Road.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

8.10 Some neighbouring properties have objected on the grounds the proposed dwellinghouse would overlook their rear gardens. The proposed dwelling has no first floor windows in the side elevation, but does have a first floor stairwell window and bedroom window proposed to the rear. Because of the way the northern boundary with the rear gardens of properties on Arbury Road is angled these windows would face the bottom corner of these gardens. A condition is recommended to obscurely glaze the stairwell window removing any overlooking impacts. I am of the opinion the bedroom window would only have a very acute view of the southern corner of No. 233 Arbury Road and No. 231 and that other neighbouring properties are located a sufficient distance away to dispel any potentially detrimental overlooking impacts. It is also noted all these properties have a rear garden that is over 25 metres in depth.

Overshadowing / Enclosure

No. 237 Arbury Road

8.11 The proposed dwelling would be located close to the rear boundary of No. 237 Arbury Road to the north-east. However, this house and its main habitable room windows are sited in excess of 25 metres away from the proposed dwelling. I do not therefore consider the occupiers of this neighbouring property would be detrimentally enclosed or overshadowed by the proposal.

No. 235 Arbury Road

8.12 This property is located closest to the proposal. The corner of the proposed two storey dwellinghouse is just 0.4 metres away from the boundary with the rear garden of this property. No. 235 Arbury Road has two outbuildings at the very end of its garden one of which is a greenhouse. The neighbour is concerned this greenhouse will lose its southern light. Whilst I concur that this would be a likely consequence of the proposal, as the loss of light would not affect the habitable rooms of the house and the garden would still have a level of light compliant with BRE guidelines, I am of the opinion that the impact would not be sufficiently detrimental to warrant refusing this application. It is also noted these buildings were constructed and could be moved using permitted development rights.

No. 233 Arbury Road

8.13 This and all other neighbouring properties are considered to be located a sufficient distance away to dispel any potential detrimental overshadowing and enclosure impacts.

Noise

8.14 I do not consider that the proposed dwelling will have a detrimental impact on the neighbours using their amenity space given that this land is already used as a garden. It is not considered the movements of one vehicle will detrimentally impact the amenity space of the adjacent properties. With regard to potential noise disturbance during construction, I have recommended a condition as suggested by the Environmental Health Officer.

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

Amenity for future occupiers of the site

Proposed amenity space of No. 1 Mere Way

8.16 No. 1 Mere Way would lose more than half of its existing amenity space with this proposal. It is noted this proposal would extend this 2 bed property into a three bed; therefore more occupants could be using this space. However I am of the opinion that the new boundary is well located and still leaves this property with an acceptable amount of quality useable amenity space (circa 70 sqm). To ensure this, conditions requiring the curtilage to be provided in accordance with the plan and removing permitted development rights for extensions and outbuildings are recommended.

Proposed amenity space of the new dwelling

8.17 It is considered the amenity space is sufficient in quantity and quality for the future occupants of this 2 bedroom dwelling (circa 77 sqm). As noted above, conditions are recommended in order to secure and maintain this amount of amenity space.

Outlook

8.18 All rooms in the proposed dwelling have a good outlook. The indoor amenity spaces of the lounge and the kitchen are of an appropriate size for a two bedroom dwelling and both are naturally well lit.

8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/14.

Refuse Arrangements

8.20 Bin stores for both No. 1 Mere Way and the proposed dwelling are located to the front. Their size and location complies with

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). It is noted many terrace properties on this road have a similar arrangement so this is considered acceptable.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 3/12.

Highway Safety

8.22 County Highways has no objection to the location of the new proposed access and to the highway safety implications of the development. With regard to the safety of pedestrians using the footpath, there is an open grass verge between the site and footpath and cars exiting the site would therefore have adequate visibility of pedestrians. I have recommended conditions requiring the provision of the additional access prior to occupation of the new dwelling as well as the use of unbound material and adequate drainage measures. However, I do not consider the other conditions recommended by Highways are necessary to make the development acceptable for the reasons outlined above.

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

Car and Cycle Parking

8.24 The one vehicle parking space and bike store to the front are considered sufficient for the needs of future occupiers of the proposed dwelling and complies with policy 8/10.

8.25 No. 1 Mere Way will become a three bedroom dwelling as part of this proposal and have one off-street parking space. Whilst I accept that the driveway will remove the ability for people to park on-street in this location, and may cause some inconvenience for local residents, this would not give rise to an adverse highway safety issue, nor would it have a significant adverse impact upon the amenities of nearby residents. The parking standards outlined in Appendix C of the Cambridge Local Plan (2006) are maximum standards and the provision of one off-street space per dwelling would not therefore conflict with policy. The City Council promotes lower levels of private

car parking particularly where good transport accessibility exists. There are bus stops on Arbury Road/Mere Way and the site is within walking distance or cycling distance of shops along Arbury Road and the City Centre. It is noted this is not an area of parking control and on-street parking is available in this area. It is, therefore, my view that it would be unreasonable to refuse the application for this reason.

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

8.27 **Third Party Representations**

Concern	**Response**
Parking	See paragraphs 8.24 – 8.26
Overlooking	See paragraph 8.10
Land use for financial gain	Not a planning matter
Buffer will be lost	See paragraph 8.8
Overshadowing and enclosure	See paragraphs 8.11 to 8.13
Noise	See paragraph 8.14
Highway Safety	See paragraph 8.22
Construction parking not on site	Not a planning matter

9.0 CONCLUSION

9.1 In conclusion this is a traditionally designed dwellinghouse that appears subservient in scale and has an acceptable impact on the streetscene and the amenity of adjoining neighbours. It is also considered the sub-division of the plot would leave an acceptable level of amenity space for both the occupiers of the proposal and No. 1 Mere Way. The development would also not result in harmful highway or pedestrian safety impacts.

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 there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the hereby approved attached dwellinghouse; the construction of dormer windows/roof extensions; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

   Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenities of adjacent residents (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

7. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of No. 1 Mere Way, and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

   Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

8. Before occupation of the dwelling, the access to the existing dwelling shall be provided in accordance with the approved drawings and shall be retained in accordance with these details and free of obstruction thereafter.

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

9. The new access and driveway shall be constructed from an unbound material and with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

10. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

11. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles and following the drainage hierarchy has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:

a. identify the proposed method of surface water disposal;

b. include infiltration testing results and calculations in accordance with BRE Digest 365

c. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve greenfield equivalent runoff rates;

d. provide information on the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

e. provide a management and maintenance plan for the proposed SuDS features.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)

12. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)

13. The scheme 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)

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

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

15. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

    Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

16. The first floor stair way window on the rear elevation of the hereby approved dwellinghouse shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

    Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/14).

17. Prior to the occupation of the new dwelling, hereby permitted, details of facilities for the covered, secured parking of bicycles and storage of bins for use in connection with both the existing and proposed dwellings shall be submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details before occupation of the dwelling and maintained as such thereafter.

    Reason: To ensure appropriate provision for the secure storage of bicycles and bins. (Cambridge Local Plan 2006 policies 3/10, 3/12 and 8/6)

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1861/S73	**Agenda Item**	
Date Received	27th October 2017	**Officer**	Rob Brereton
Target Date	22nd December 2017		
Ward	East Chesterton		
Site	8 Cheney Way Cambridge CB4 1UD		
Proposal	Retrospective section 73 Application to vary Condition 2 (Approved Drawings) of planning permission 14/0888/FUL (Proposed two storey house to rear of 8 Cheney Way (with access from Long Reach Road), following demolition of the existing garage) to allow an increase in height of the dwelling.		
Applicant	Mr & Mrs Harrison		

SUMMARY	The development accords with the Development Plan for the following reasons: 1. While the dwelling is taller, I still consider it is a positive addition to the streetscene; 2. The additional height would not have a significant detrimental impact on neighbouring dwellings.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site fronts onto Long Reach Road and currently forms part of the rear garden of 8 Cheney Way. The surrounding area is predominantly residential, consisting almost exclusively of semi-detached houses with the occasional detached house. The site is not within a Conservation Area.

2.0 THE PROPOSAL

2.1 A retrospective section 73 application is sought to vary Condition 2 (Approved Drawings) of planning permission 14/0888/FUL (Proposed two storey house to rear of 8 Cheney

Way (with access from Long Reach Road), following demolition of the existing garage) to allow an increase in height of the dwelling.

2.2 The dwelling, as approved under planning permission ref. 14/0888/FUL, was to have an eaves height of 4.2m and a ridge height of 5m. However, the dwelling has been erected with an eaves height of 5.2m and a ridge height of 5.9m. This application seeks approval for the increase in height and to regularise the unauthorised development.

3.0 SITE HISTORY

Reference	Description	Outcome
14/0888/FUL	Proposed two storey house to rear of 8 Cheney Way (with access from Long Reach Road), following demolition of the existing garage	Approved

4.0 PUBLICITY

4.1

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

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

Environmental Quality and Growth

6.2 No objection, it is recommended that development is in accordance with the specified Environmental Health conditions of application 14/0888/FUL.

Landscaping

6.3 It is considered that there are no material Landscape issues with this proposal.

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

7.0 REPRESENTATIONS

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

- 1 Long Reach Road
- 6 Cheney Way

7.2 The representations can be summarised as follows:

- The building is too high and doesn't match surrounding houses.
- The windows are twice the size of every house in the street and overlook the garden of No. 1 Long Reach Road.
- The roof does not match all the other houses in the area.

- Eaves are not 4.9 metres tall but around 6 metres.
- Residents were not notified of amendment which is bad practice.
- Plans are of poor quality.
- The notified neighbours list does not include the occupiers of 2, 4 and 8 Cheney Way and at the new height, the building will now be clearly visible from these homes, probably shadowing and devaluing them with respect to the loss of amenity.
- Building is an eyesore.
- More first floor windows could be added.
- At new height building will further overlook neighbours.
- The building is overbearing on neighbouring properties.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The principle of this building was approved in this location by planning committee under planning reference 14/0888/FUL. Therefore this application will only assess whether the additional height of the proposal would have any additional impact to the character of the area or on the amenity of adjoining residents.

Context of site, design and external spaces

8.3 The two storey house as built has a shallow pitched roof and while its eaves line is slightly higher than surrounding properties its ridge height is noticeably lower. It is my opinion this

additional height does not make the property unduly prominent in this area and is still of similar scale to its neighbours. It was stated in the officer report of the approved application:

> *The houses on this estate are uniform in design. The proposed house would not conform to the standard design. However, I do not consider that this difference would have a significant harmful impact on the appearance of the area. Due to the curve of the road, the proposed house would be prominent but it is my view that it would be a positive addition to the streetscene.*

Even with this increase in height I still consider this property as built to be a positive addition to the streetscene.

8.4 In my opinion the retrospective amendments to this approved scheme are compliant with Cambridge Local Plan (2006) policies 3/4 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Dominance, enclosure and overshadowing

8.5 The property of additional height than that approved would stand to the southwest of 2 Long Reach Road, 0.9m from the common boundary at its closest point. 2 Long Reach Road stands 4m from the common boundary at its closest point. The proposed dwelling would cast shadow over this neighbour in the afternoon. The proposed house would stand to the west of the garden of 6 Cheney Way, 3.4m from the common boundary with this neighbouring house, and would cast shadow over this neighbouring garden in the late afternoon. The proposed house would stand at an angle to No. 2 and would replace an existing garage. Due to the still lower than average height of this two storey property, it is my opinion that the impact of it would not be significantly greater than that caused by that of the approved scheme or the existing garage and that it would not be so great as to warrant refusal of the application.

8.6 The proposed house would stand to the northeast of 8 Cheney Way, and would abut the common boundary with this neighbour. The proposed house would stand 9m from No. 8

and due to the orientation of the buildings and the separation distance between the houses it is my view that it would not have a significant detrimental impact on this neighbouring house in terms of dominance, enclosure or overshadowing.

Overlooking

8.7 The approved scheme only allowed for two first floor windows which faced the street. These windows were 1.5 metres in height. These windows as built are 2.1 metres in height but maintain the approved width. Since these windows face the streetscene and the majority of the window area enlarged is 1.7 above finished floor area I am of the opinion there would not be any additional detrimental overlooking impacts to properties across the street. No additional windows have been added retrospectively.

8.8 In my opinion the amendments 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.

8.9 **Third Party Representations**

Concern	**Response**
Roof is out of character	See paragraphs 8.3 and 8.4
Window size	See paragraph 8.7
Height of eaves is out of character	See paragraph 8.3
Overlooking	See paragraph 8.7
Enclosure	See paragraph 8.5 and 8.6
First floor windows could be added	Further planning permission would be required to add any more windows at first floor.
Overbearing	See paragraph 8.5 and 8.6
Neighbour notification	No. 8 Cheney Way was notified along with other immediately adjacent neighbours in accordance with statutory requirements. In addition, a number of other properties, identified as being potentially affected received

	notifications. This did not include nos. 2 and 4 Cheney Way. It is not a requirement to notify all residents within a locality and on this occasion nos. 2 and 4 were not considered to be directly affected by the proposal.
Loss of property values	This is not a planning consideration.
Neighbours not notified of amendments prior to building out the scheme	Whilst this is clearly not best practice, the description of the application does identify that this is a retrospective application and the applicants were clear about this in their application.

9.0 CONCLUSION

9.1 In my opinion this dwelling although taller than previously permitted would remain a positive addition to the streetscene and its height is still subservient to the surrounding dwellings. It is my view that the amendments would not have a significant detrimental impact on neighbouring occupiers and I therefore recommend that the application is approved, subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. Prior to the occupation of the amended dwellinghouse, hereby permitted, the cycle parking and refuse storage details contained within drawing number 16/1376/005, attached to planning permission reference 14/0888/FUL, shall be fully completed and thereafter maintained in accordance with said drawing.

Reason: To ensure appropriate provision for the secure storage of bicycles, to protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 4/13 and 8/6)

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/1276/S73	**Agenda Item**	
Date Received	25th July 2017	**Officer**	John Shuttlewood
Target Date	19th September 2017		
Ward	Queen Ediths		
Site	3 Fendon Close Cambridge CB1 7RU		
Proposal	Section 73 application to vary condition 1 of planning permission 15/0924/FUL (Part two storey part single storey rear and side extensions, incorporating rear balcony, following demolition of existing garage and part demolition of existing house. Roof extension incorporating rear dormers and balcony and raising ridge height) to allow amendments to external appearance including privacy screens to external balconies, ballustrades, solar panel, alterations to approved window sizes, new velux windows and new door to utility room.		
Applicant	Mr And Mrs Xiaohai And Haiqun Liu 3 Fendon Close Cambridge CB1 7RU		

SUMMARY	The development accords with the Development Plan for the following reasons: – The proposed alterations and extensions, as amended, would not detract from the character of the area. – The proposed alterations and extensions, as amended, would not significantly harm the amenity of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.3 Fendon Close, is a two-storey detached property situated on the west side of Fendon Close, originally designed in traditional red brick and brown tile which is

still in place on the front flank wall. There is a long drive and parking at the front of the site and a garden to the rear.

1.2 The surrounding area is residential in character and is formed primarily of similar sized detached properties set back and facing towards the road. Properties around Fendon Close are built predominantly in brick and with tiled roofs but there is no uniformity in terms of style and appearance.

1.3 There are no site constraints.

2.0 THE PROPOSAL

2.1 The proposal seeks to vary condition 1 of planning permission 15/0924/FUL (Part two storey part single storey rear and side extensions, incorporating rear balcony, following demolition of existing garage and part demolition of existing house. Roof extension incorporating rear dormers and balcony and raising ridge height) to allow for amended plans to be passed showing amendments to external appearance including privacy screens to external balconies, balustrades to the rear balcony, solar panel on roof, alterations to approved window sizes, new velux windows and new internal door to utility room.

2.2 The development as now proposed is nearing completion on site.

2.3 As well as the addition of highlighted display of measurements on plans submitted as part of planning permission 15/0924/FUL, a number of additions have also been made as shown on the plans. These are privacy screens to external balcony at the rear, balustrades on said balcony, solar panel, alterations to approved window sizes, additional new Velux windows and new door to utility room.

2.4 A revised set of plans were submitted in September 2017 to reflect what has been built on site. As a result neighbours have been re-consulted with regard to the additional plans submitted.

2.5 The application has been referred for determination at planning committee in light of the previous Local Government Ombudsman (LGO) investigation.

2.6 The extant consent that was granted under planning ref 15/0924/FUL is a very significant material consideration in this case. The Committee should concentrate on the differences between the approved plans and those now submitted. As an aid to understanding the differences between the two sets of plans the architect has labelled the plans in yellow. I am confident that these annotations are correct.

3.0 SITE HISTORY

Reference	Description	Outcome
13/1239/FUL	Two storey side extension and part two storey part single storey rear extension (following demolition of garage)	Withdrawn.
15/0924/FUL	Part two storey part single storey rear and side extensions, incorporating rear balcony, following demolition of existing garage and part demolition of existing house. Roof extension incorporating rear dormers and balcony and raising ridge height.	Application 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	3/4 3/7 3/11 3/14

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Appendix 1)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

For the application considered in this report, there are no policies in the emerging Local Plan of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations in objection to the proposals:

- 2 Fendon Close
- 4 Fendon Close

7.2 The representations can be summarised as follows:

- Detrimental impact on character of the area
- Overlooking/ loss of privacy
- Overshadowing/ loss of outlook
- There are inaccuracies in the drawings.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file. I have included a summary of the objections and my response to them at Appendix 1.

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 the site, design and external spaces
2. Residential amenity
3. Third party representations

Context of the site, design and external spaces

8.2 The surrounding properties are varied and there is not one form or style of residential property that forms a uniform character of the surrounding area. The resulting mass and choice of materials used on the extension to no. 3, particularly at roof level are individual and noticeable from the street scene, but I do not consider this to cause harm. There is a mixture of building lines as properties are not set out in identical positions on their respective plots, and this property has kept its position by maintaining its original front line.

8.3 At roof level, there is an additional Velux window inserted and the replacement of a long strip window with two Velux windows serving a first floor bathroom. In addition there have been minor alterations to the size and positions of three other Velux windows. A solar panel has also been introduced. I do not regard these changes as harmful to the character of the area.

8.4 Furthermore, changes have been made to the elevations in the form of a dark single ply membrane to cover the flat roof part of the rear extension running alongside no.4. At the rear also, new brown roof tiles have been introduced to match the existing tiles at the front of the property. The dimensions of windows and doors have also been changed. I also do not regard these as detrimental to the appearance of the house or the site context.

The most significant change in the appearance of the extensions is the introduction of matt white privacy screens to balconies at the rear. These will not be visible from the public domain and are acceptable in terms of their appearance.

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

Residential amenity

8.6 The main consideration is the impact on the occupiers of adjacent properties at nos. 2 and 4 Fendon Close. I have visited no.4 Fendon Close and spoken with the occupier of that house. A number of comments have been raised and where applicable, issues have been addressed as part of the material

assessment of the variations submitted within this application or answered within the third party representations section.

8.7 The occupiers at no.4 raised concerns regarding overlooking into their garden from the rear balcony at first floor level when the original application was considered. As part of the LGO investigation an additional screen was negotiated and this has been included on the amended plans. This is in addition to a louvre panel which was secured as part of the original application. I am confident that the combination of these screens will ensure that there will be no direct overlooking of this neighbours garden and I have recommended a condition to control this.

8.8 The occupier of no.4 previously requested that the large Velux window on the roof slope facing their property be obscure glazed so as to prevent overlooking into the first-floor front bedroom window of no.4. The occupier of no.2 has expressed similar wishes as well as requesting a fixed frame with regard to the previously approved Velux windows facing their property. This was not secured as part of the original planning permission because the degree of overlooking was not considered to be harmful. In this amended scheme the large Velux window facing no.4 has been reduced in size, the Velux windows facing no.2 have been amended slightly and I do not consider that obscured glazing to these windows is required or that it could reasonably be secured by condition.

8.9 The extension to no. 3 has the potential to enclose and result in loss of outlook from two windows in the side elevation of no.4. This was acknowledged as part of the consideration of the original application. It was noted in the officer's report that the proposed 3.8m high wall of the rear extension set back from the boundary would visually enclose the outlook from this window. However, the living room that the window serves has a further outlook on this elevation and beyond internal dividing doors, further outlooks to other aspects from the glazed windows in the rear extension. Whilst the development has resulted in visual enclosure, this is no greater than that already considered to be acceptable as part of the consideration of the original application.

8.10 The original application referred to maximum dimensions for the brick extension to the rear running along the side boundary with

no.4. Measurements have been taken on site of the built structure and confirmed that the height is no higher than 3.8m.

8.11 In addition, plan ref:SK-023/R3 accompanying the original application detailed the positioning of the rear extension running along the side boundary with neighbouring no.4 Fendon Close. A comparative survey of the positioning of the exterior of the rear extension wall in relation to the boundary fence and no.4 Fendon Close has been undertaken and the results are highlighted in yellow on accompanying plans SK-034/R5 and SK-035/R4. The surveyed distances are no less than any of those previously passed on the original application. Therefore I am of the opinion that the development of the rear extension has been built within previously passed parameters and this application does not introduce any additional mass to the rear not already granted permission. This also leads me to conclude that there will not be any additional overshadowing to the garden/house at no. 4 over and above that which was assessed and found to be acceptable in relation to the original application.

8.12 In my opinion the proposal does not give rise to additional harm to residential amenity which was not previously identified in the original application I consider that the application is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

Third Party Representations

8.13 I have addressed the issues of impact on the character of the area and on residential amenity in my assessment. I have addressed all other issues in the table that is attached at Appendix 1.

9.0 CONCLUSION

9.1 The proposed changes and additional development at the premises in relation to this application would not harm the character of the area, or adversely impact on the amenity of occupiers of neighbouring residential properties through loss of privacy, light or through any overbearing impact. Therefore approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. Prior to the occupation of the extensions, hereby permitted, privacy screens shall be erected to the rear balcony in accordance with approved plans ref.SK/206-R2 and shall thereafter be retained.

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

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

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

4. Prior to the occupation of the extensions, hereby permitted, all boundary treatments shall be completed in accordance with approved plan ref. 401/RO (submitted to discharge Condition No. 6 of planning permission ref. 15/0924/FUL). The boundary treatments shall thereafter be retained unless any variation is agreed in writing by the local planning authority.

   Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/14)

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Appendix 1

List of objections made with regard to planning application at 3 Fendon Close

Below are a summary of the issues raised from the neighbouring property at no.4 objections letter dated 10th October 2017.

Issue	Officer response
Questionable "surveyed" measurements & scale appears to be inaccurate 1) SK-034/R4 2) SK-206/R2 3) SK-251/RO West elevation: Agent has mislabelled existing as extension I do not understand what the agent means by "dimensions are projected (i.e. measured in paper space).	I have checked the measurements highlighted on the plans and these seem to be accurate. The plans have been mislabelled in terms of which part of the building is an extension but this the plans are clear and I do not consider an amendment to the annotation is necessary. An explanation has not been given by the architect regarding his note but the most relevant measurements which relate to the relationship with no. 4 shown on the plans have been checked on site.
Missing plastic pipes from roof missing on plans SK-251/R0	This level of detail is not required.
Rear side wall **a) FALSE and or MISLEADING INFORMATION:** Unauthorised increase in height of rear wall/"RAMPING" up of ground level. "LEVEL 000" - this image may explain why the agent claims a height of just under 3.8m for the rear wall. The council assured us that the wall would be no	The measured height of the wall is no more than 3.8m from ground level. The ground level does not appear to have been raised.

higher than 3.8m. Statement to LGO stated that wall would not be higher than 3.8m high Length of side wall too long in relation to where it should finish in line with no.4 window. Plans should match reality with regard to positioning of property Materials used should be visible brick only.	Measurements taken and shown on plans show development taken place is not nearer to no.4 than previously granted. The plans show the coping stone and materials as approved
b) Rear side wall Misrepresentation of impact **SK-34/R4** "rear living room window" is towards the front of the building (window "B") "middle living room windows" is the rear of two living room windows (agent falsely claims a third window to the side elevation of living room) (window "C") The "main living room window" is to the side of a flat roofed "garden room" that is unused in winter. Agent has not indicated window serving hallway and other internal areas. Agent has however included a "conservatory/garden room" in the floor area of our living room. "proposed second floor" : council has advised that this is not the second floor but is the first floor **SK-035/R4**	The rear living room at no.4 consists of two windows looking out to the rear extension and internal dividing doors separates this space to a further space adjacent to the rear garden with further windows to the side and to the rear. I have confirmed that this is not the second floor but is the first floor' noted.

"virtually unobstructed" "daylight / sunlight virtually uncompromised" This comment is with reference by agent to first floor bedroom, not the ground floor directly below that lost 10-30%	This has been addressed in this report assessment
Privacy loss from rear balcony issues	This has been addressed by the insertion of obscured glass privacy screens at both ends of the L-shaped balcony
First floor balcony Balustrades The revised application shows metal bars, not a solid balustrade to prevent a "SEATED" person looking into our garden.	A balustrade is shown on the lower part of the balcony. This could allow a user of the balcony to look through gaps in the balustrade. Given the separation distance between this part of the balcony and the side wall of no. 4 (in excess of 10 metres) and the limited opportunity for direct overlooking, I do not consider this impact as harmful.
First floor balcony glazed glass To protect any loss of privacy, the obscured glazing must be from floor level to 1.7m high minimum and be situated flush with rear wall as per plans Statement to LGO stated that there would be no loss of privacy, and therefore obscured glazing should not be moveable.	Fixed obscured glazing to the maximum level has been submitted as per plans and per sample submitted. This has been addressed within the assessment of the report and it is considered that there is no loss of privacy
Possible future external staircase	This is not within the scope of this application
Access to balcony from landing as well as bedroom	Such a change would not amount to development.

Part of design for future HMO use	Measures have been secured to ensure the balcony is screened for all users. There is no indication that the house will be used as a HMO.
Missing window There is a window (w-1.9) missing from SK-035/R4 which is showing on SK-205/R2. Is there or is there not a window? If yes, the window should be fully opaque with restriction.	The window is shown on the plans.
Window should have restrictor and be max Pilkington opaque glazed Side facing window 1.9 on SK-206/R2	This is covered under condition 3
Increased protrusion of overhanging roof eaves SK-206/R5, SK-026/R4 and guttering SK-208/R2 Agent previously stated that the ugly dull grey industrial style roofing would not overhang more than the previous guttering except in the porch area. OBJECT to the increased size and overhang of the guttering at the side of the house which further exacerbates the overshadowing and enclosure caused by the monstrous house. On this image it measures 1m.	I have addressed the issue of design in my assessment. In relation to the overhang, plans show there will be a degree of overhang to the roof.
Velux roof windows Opening is too low in roof line, windows should be obscured glazed and restricted opening. Windows are too large – subject to enforcement investigation.	I have addressed this issue in my assessment

Below are a summary of the issues raised from the neighbouring property at no.4 objections letter dated 7th November 2017.

Issue	Officer response
Reference to previous history of the case/statements made in the context of the LGO investigation Query regarding what the applicant is seeking approval for, what errors are contained in the plans Inaccurate location plan The applicant has down played the impact on no. 4 by providing inaccurate plans	Committee is aware of the previous planning history of this development. If approved the plans which have been submitted with the application (as amended) will be the approved plans. The relationship between no. 3 and no. 4 has been checked on site and this can be verified during the site visit.
Enforcement action/demolition will be required to ensure the development matches the applicants claims	Enforcement action can only be pursued in relation to a deviation from the plans which have been submitted for approval. The statements or claims by the applicant do not form part of the approved documents.
Council officers have acted against the interests of the occupiers of no. 3. The Council has a duty to promote the interests of these occupiers to try and rectify the injustice.	The LGO investigation has already addressed this issue.
The non-structural single storey brick wall should be: reduced in height to 3.8 metres a maximum of 3.8m high from natural ground level from the end point facing no. 4 boundary fence to a point where it no longer protrudes above the side facing wall	A decision needs to be made in relation to the plans that have been submitted for approval. Officers have ensured that the plans match the works on site and further amendments have not be

moved further back from the boundary fence opposite our front most side facing window such that it stands no less than 1.7m from the boundary shortened in length to a point well in advance of a line drawn from the midpoint of our chimney	requested.
The council will ensure that the privacy screen to the side facing terrace area will be fully opaque to an equivalent of Pilkington level 5 from floor level to a minimum of 1.7m high with a condition that the screen remains permanently fitted.	A condition has been recommended to secure the provision of privacy screens prior to occupation of the extension and their retention.
The first floor side facing window will be permanently fitted with obscure glazing and fitted with a restriction device	A condition has been recommended in relation to the window on the western elevation.
The second floor velux windows will be a minimum of 1.7m from floor level	I have addressed this in my assessment.

PLANNING COMMITTEE **10th January 2018**

Application Number	17/0665/FUL	**Agenda Item**	
Date Received	27th April 2017	**Officer**	Sean OSullivan
Target Date	22nd June 2017		
Ward	Romsey		
Site	245 Coldhams Lane Cambridge CB1 3HY		
Proposal	Single storey rear extension, loft conversion with rear facing dormer, alterations to fenestrations, the addition of guarding to the rear and the conversion of existing dwelling into two flats (amended description).		
Applicant	Mr N Patel 82 Mill Lane Impington CB24 9HS		

SUMMARY	The development accords with the Development Plan for the following reasons: • The proposal would not have a detrimental impact on residential amenity. • The provision of two cycle parking spaces in place of the provision of any car parking spaces, is acceptable in this location • The non-provision of amenity space for an upstairs one bedroom flat, would be acceptable
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a mid-terraced two storey residential property, located on the north eastern side of Coldhams Lane, Cambridge.

1.2 The surrounding area is predominantly residential in character. The site does not fall within a conservation area and the dwellinghouse is not listed. There are allotments to the rear of

dwellings on this part of the north eastern side of Coldhams Lane.

2.0 THE PROPOSAL

2.1 Following the submission of the current planning application, the proposal has been amended to a single storey rear extension, loft conversion with rear facing dormer, alterations to fenestrations, the addition of guarding to the rear and the conversion of existing dwelling into two flats. The planning application as submitted previously included a two storey extension to the rear, which has now been reduced to a flat roofed ground floor extension, projecting only 3.8 metres into the rear garden. Flat 2 has been reduced to a one bedroom flat. Flat 1 at ground floor level, would remain a one bedroom flat, with direct access and sole use of the rear garden area.

2.2 Several enlargements and alterations of the existing property are proposed to facilitate the change of use to self-contained flats and these include a ground floor rear extension and a rear roof dormer extension. Bin storage would be provided to the front of the site and following submission of the current planning application, three rather than two bins would be provided. Secure cycle storage and soft landscaping would also be provided to the front of the site.

3.0 SITE HISTORY

None.

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 5/2 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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) RECAP Waste Management Design Guide Supplementary Planning Document 2012
Material Considerations	City Wide Guidance 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)

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

Environmental Health

6.2 The development proposed is acceptable subject to the imposition of the standard construction hours condition.

Waste (Shared Service)

6.3 No waste issues with this development, its fine.

Drainage

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

Landscape Architect

6.5 The proposals have been reduced in scale in respect of a first floor extension and thus our overshadowing concerns are no longer material. Landscape can support the application.

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations in objection to the application:-

- 241 Coldhams Lane
- 243 Coldhams Lane
- 247 Coldhams Lane

7.2 The representations in objection can be summarised as follows:-

- Impact of the development on neighbouring properties, particularly No.243.
- Using a pitched instead of a flat roof for the ground floor rear extension
- Agree with Landscape Architect comments made on 06 Oct 2017
- Overshadowing would be extensive
- The omitted parking space in front of the house.
- Difficulty uploading representations to the Council web page
- Development out of character with the area
- Use of flat roof extension as a balcony

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan 2006 allows proposals for housing development on windfall sites, subject to land use compatibility. Policy 5/2 of the Cambridge Local Plan 2006 outlines the requirements for a residential conversion of a single dwelling to self-contained dwellings where:-

a. The property in question must have an internal floorspace greater than 110 square metres;
b. There must be no likely unacceptable impact regarding on street parking;
c. The resultant living accommodation must be satisfactory;
d. Satisfactory refuse storage and cycle storage being provided;
e. The location of the property, or the nature of nearby land uses would offer a satisfactory level of residential amenity

8.3 The proposal accords with part a. of the policy, taking into account the additional floorspace added as a result of the proposed ground level and roof level extensions and conversion. The issues in parts b, c, d & e of the policy are discussed later in this report. In summary, Highways and Waste Officers have recommended approval of the current planning application. The use of the single dwellinghouse as 2 self-contained 1 bedroom flats, is also unlikely to cause a significant increase in noise and disturbance to the occupiers of neighbouring properties and no objection has been made by Environmental Health in this regard.

8.4 In my opinion, the principle of the development is acceptable and in accordance with Policy 5/1 and Policy 5/2 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

Context of site and design

8.5 Following the submission of the current planning application, the proposed plans and elevations have been amended to remove a first floor rear extension from the proposal A flat roofed ground floor extension only is now proposed, at a height of 3.0 metres and projecting only 3.8 metres into the rear garden. Flat 2 has been reduced to a one bedroom flat. Flat 1 at

ground floor level, would remain a one bedroom flat, with direct access and sole use of the rear garden area. The proposed rear dormer main roof extension remains part of the proposal. There are other examples of this form of extension in the street, including at No.247, so this would not be out of keeping with the character of the area. Notwithstanding this, this element by itself would be permitted development, and would not normally require a planning application.

8.6 Concerns have been raised by local residents that flats would be out of keeping with the character of the area, which consists mainly of family houses. The proposed two flats would still constitute a residential use so would not significantly alter the character of the area. There would be no external visible sign that No.245 has been converted to flats from either the front or the rear and, and as a result, the proposed conversion to flats, would not harm the character of the area.

8.7 The amended scheme is of a good design, which would preserve the character of the streetscene and surrounding area. The existing house is to be extended to the rear at ground floor level and a new bay window added to the front. To ensure a high standard of materials are used as part of the proposal, a materials to match condition is recommended. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14., with respect to design and appearance.

8.8 A standard hard and soft landscaping condition, which would apply to the front of the property, is recommended if planning permission is granted.In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/11, with respect to the provision of landscaping and amenity space.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.9 The proposed ground floor rear extension would project 3.8 metres to the rear of the existing house. The rear extension at first floor level, originally proposed, has been removed from the scheme. There is a full height dining room/living room window to the rear of No.243.Coldhams Lane, close to the common side boundary shared between the rear of No.243 and No.245.Coldhams Lane. However, this ground floor level

extension proposed would be flat roofed at a height of 3.0 metres and would project only 3.8 metres to the rear. As a result of these considerations, the proposed ground floor rear extension would not cause a significant enough loss of daylight, loss of direct sunlight, loss of outlook, or increased sense of enclosure to the neighbouring property at No.243.Coldhams Lane, to warrant refusal. As a result of an existing ground floor extension to the rear of the neighbouring property at No.247.Coldhams Lane, the proposed ground floor rear extension would not cause a significant loss of daylight, loss of direct sunlight, loss of outlook, or increased sense of enclosure to this neighbouring property at No.245.Coldhams Lane, to warrant refusal.

8.10 The rear facing dormer proposed as part of the current scheme would cause no significant increase in overlooking or loss of privacy caused to neighbouring properties, as a result of an existing rear facing dormer window to the rear of No.247.Coldhams Lane and existing first floor windows to the rear of No.245.Coldhams Lane and both immediately adjacent properties. Any use of the flat roof of the proposed ground floor rear extension, would need a further planning application and full account would have to be taken by the Council of any additional noise, disturbance, increase in overlooking or loss of privacy caused to neighbouring properties. As a further safeguard, a condition restricting the use of the flat roof is proposed.

8.11 The use of the single dwellinghouse as 2 self-contained 1 bedroom flats is unlikely to cause a significant increase in noise and disturbance to the occupiers of neighbouring properties and no objection has been made by Environmental Health in this regard. However, Environmental Health have raised concerns about noise impacts during construction, and as a result, a condition is recommended to control construction hours.

8.12 In my opinion, there are no further significant neighbouring amenity concerns to consider and 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 8/14.

Amenity for future occupiers of the site

8.13 Flat 1 at ground floor level would have an internal floorspace of 55 square metres. Flat 2 at first floor and roof level would have a usable internal floorspace of 67.5 square metres. Each of the flats proposed would provide adequate internal floor space. Habitable rooms in each of the flats proposed would have an adequate standard of outlook and incoming daylight.

8.14 Access to the rear amenity space to be provided, would be by a set of doors to the rear of Flat 1. No rear garden space would be provide for Flat 2. However, as Flat 2 has been reduced from a two bedroom to a one bedroom flat, this is considered acceptable in this location. It is recommended that a hard and soft landscaping condition is included with any planning permission to provide the opportunity for further details of the landscaping proposed to the front of Flat 1.

8.15 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

8.16 The proposed site plan submitted has indicated a bin storage area to the front of the property for the storage of six bins.

8.17 The Waste officer has not made an objection to the proposed scheme, as amended. I have recommended a condition requiring bin storage to be provided in accordance with the plans, prior to occupation. In my opinion therefore, the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

Car and Cycle Parking and Highway Safety

8.18 The proposal includes the provision of two cycle parking spaces to the front, for use by each of the proposed flats. The proposal does not provide any car parking space. There are bus stops existing to the front of the application site, with bus stops for the No.2 bus service within easy walking distance of the site. There is a small shopping parade close by in Vinery Way and this includes a Post Office, Costcutters grocery store and a

hairdressers.It is recognised that the development may impose additional parking demands upon the on-street parking on the surrounding streets. However, the Highways Officer has stated that both the original and amended proposal do not have any highway safety implications that merit comment.

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

Third Party Representations

8.20 Neighbours have referred to the impact of the development on neighbouring properties and particularly No.243.Coldhams Lane.The issues and concerns raised by neighbouring residents have been examined in full within this report and partially addressed through amendments to the Scheme.

9.0 CONCLUSION

9.1 As a result of the design of the proposal, the acceptable impact on the external appearance of the existing property, the acceptable impact on neighbouring amenities, the quality of living environment for future occupiers and the minimal impact on highway safety, the proposal is considered acceptable and approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. All hard and soft landscape works shall be carried out in accordance with the details hereby approved in drawing 201621/03 G and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

   Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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. Prior to the first occupation of the development hereby approved, the access to the site shall be provided as shown on the approved drawings and retained free of obstruction.

   Reason: In the interests of highway safety.

7. Prior to occupation of the dwelling, hereby permitted, bin and cycle storage shall be provided in accordance with the approved drawings, and shall be retained in accordance with these details thereafter, unless alternative details are submitted for the prior written approval of the Local Planning Authority.

   Reason: To ensure appropriate provision for the storage of refuse and bicycles, to protect the amenities of future and nearby residents and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/10 and 8/6)

8. 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.

   Reason: To ensure the effective drainage of the site in accordance with sustainable drainage principles.

9. The flat roof area identified as 'Flat Roof' on drawings no.201621/03 G and 04 F 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, 3/10 and 3/12)

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1433/FUL	**Agenda Item**	
Date Received	20th September 2017	**Officer**	Michael Hammond
Target Date	15th November 2017		
Ward	Abbey		
Site	84 Ditton Walk Cambridge CB5 8QE		
Proposal	New three storey building containing two self-contained flats, bin and bike store to the rear of 84 Ditton Walk. Replacement of existing single storey extension, including 4 rooflights, bin and bike store, landscaping and fencing to 84 Ditton Walk.		
Applicant	Mr Alan Fitch Orchard House The Street Foxearth SUDBURY CO10 7JG		

SUMMARY	The development accords with the Development Plan for the following reasons: • The proposed development would not harm the character or appearance of the area. • The proposal would respect the amenities of neighbouring properties. • The proposal would provide an acceptable living environment for future and existing occupiers of the site.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 84 Ditton Walk is a two-storey building on the south-east side of the street, which is in use as a house in multiple occupation (HMO). It is set back significant from the street and is thereby an anomaly in a generally consistent row which stretches, with a few other exceptions, from No.14 to No.96.

1.2 No.84 is set 13m back from the highway boundary, whereas the otherwise consistent building line is only 2m from the footway. It is detached, whereas its neighbours are in terraces or semi-detached pairs, it is finished in cream-painted pebbledash render, with red clay tiles, contrasting with the buff brick of the rest of the street, its hipped roof with a forward-projecting bay differs from the consistent gable forms alongside it, and it is in a more 'suburban' idiom than its neighbours, which adhere to the typical floorplan and elevations of Edwardian villas.

1.3 The unusually extensive forecourt of No.84 is entirely paved. It contains a low lean-to timber shed in the north-east corner, and some builders' rubble, but is largely used for car parking.

1.4 The site is not within a conservation area, and there are no protected trees on the site. Although the opposite side of Ditton Walk was formerly largely in industrial and commercial use, recent developments have introduced considerable residential use on that side. The south-east side is entirely residential.

1.5 Like its neighbours, No.84 once had an extremely long narrow tapering garden. This was truncated by the changes in plot configuration and ownership which facilitated the development of Ferndale House, a block of flats located in what was once the rear part of these gardens, served by an access drive off Ferndale Rise. That access drive, which is within the applicant's ownership, forms part of the application site. The plot at No.84, which forms the remainder of the application site, stretches from the footway on Ditton Walk through to the Ferndale House access drive, a distance of almost 47m. It varies in width, from 5.7m at the centre point of the existing house to almost 10m at its widest point. It is 7.5m wide on the Ditton Walk frontage, and 8.5m wide where it meets the access drive at the rear.

2.0 THE PROPOSAL

2.1 As amended, the proposal is in three parts: reconfiguration of the forecourt, alterations to the existing building, and the creation of a new building containing two flats in the rear of the plot.

Forecourt

2.2 The application proposes to subdivide the forecourt with a 1.8 timber fence following a 'double dog-leg' route across the centre. The front section would remain paved, accommodating six cycle parking spaces beneath a corrugated plastic sheet roof supported on a timber frame, and a five-space covered bin store. The rear section would form an amenity space for the occupiers of the HMO at No. 84. It would be L-shaped, 9m x 6m, partly surfaced with timber decking and partly with artificial grass.

Existing HMO

2.3 The application proposes the demolition of the existing single-storey flat-roofed rear extension and its replacement with a shower room which would be the same height and width as the demolished section, but 2.6m deep, compared to the 6.2m depth of the existing extension. (A new internal staircase linking the first floor to a new bedroom within the roof space, obscure glazing to the two rear first-floor bedroom windows, and four new rooflights are also proposed, but none of these elements requires planning permission).

New building

2.4 At the rear of the site, a new building is proposed, which would contain two flats, one on the ground floor ($49m^2$) and the other on the upper two floors ($76m^2$). The building, which would be set back just over 5m from the Ferndale House access drive behind three paved car parking spaces, would have a rectangular footprint at ground floor level, 7.5 wide and 10m deep. There would be a small rectangular bay to the east side of the front elevation at ground floor level. At first floor level the depth of the building would be reduced to 7m. Second-floor accommodation would be within a steeply-pitched roof, with two pitched-roof gabled dormers on each of the main roof planes. Juliet balconies would be provided to both rear windows on the first and second floors.

2.5 Passageways to each side of the building would link the car parking spaces at the front with an amenity space to the rear. The west side passage would taper from 1.8m wide at the rear to 800mm at the front; the east side passage from 1.1m at the

front to 732mm at the rear. The rear amenity space would accommodate a three-space bin store, eight cycle parking spaces in a covered store, and a 4m x 3.5m grassed area for each flat, separated by 1.8m trellis to which evergreen vines would be planted.

3.0 SITE HISTORY

Reference	Description	Outcome
03/0879/FP	Outline application for residential development and demolition of No. 16 Ferndale Rise.	Refused
07/1026/FUL	Erection of a 3 storey unit for 8 flats with new access.	Withdrawn
07/1355/FUL	Erection of a 3 storey unit for 8 flats with new access.	Approved with conditions

4.0 PUBLICITY

4.1 Adjoining owners only.

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

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 Proposal reallocates car parking within the site to additional development. This may impose additional demand on on-street parking in surrounding streets. This is unlikely to result in any significant adverse impact upon highway safety, but the planning authority may wish to consider the impact on residential amenity.

Environmental Health

6.2 Acceptable subject to conditions regarding contaminated land, construction hours and piling.

Urban Design and Conservation Team

6.3 Not supported. Upper level units in the proposed new building provide insufficient living space. Amenity space for occupiers of new units is compromised by its proximity to the ground floor unit. Privacy for those occupiers is similarly compromised. Dimensions of tapered side entrances are insufficient for access to cycle storage and waste bins. Arrangements for waste collection are not specified. 1.8m timber fence in front of No.84 would degrade the street scene and remove natural surveillance from car and cycle parking area.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.4 Acceptable subject to a surface water drainage condition.

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

7.0 REPRESENTATIONS

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

78 Ditton Walk
80 Ditton Walk

7.2 The representations can be summarised as follows:

- Increased pressure on on-street car parking
- Amenity space poorly located and of insufficient quality
- Unreasonable to install obscure glazing in existing house. Future removal of this would result in loss of privacy for occupiers of both buildings
- Paved amenity space would be unhelpful to sustainable drainage
- Overshadowing of neighbouring gardens

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be

permitted, subject to the existing land use and compatibility with adjoining uses.

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

8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance e), and, would not prejudice the comprehensive development of the wider area (f).

8.5 Local Plan policy 3/10 states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:

a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;

b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

c) detract from the prevailing character and appearance of the area; and

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

Context of site, design and external spaces

8.7 The proposed three-storey building would be visible from long views from Ditton Walk to the north-west and from Ferndale Rise to the east of the site. There are other backland developments and garden developments in the surrounding area, notably the Abbey Gardens cul-de-sac and Ferndale House which backs onto the application site from the south-east. I am of the opinion that the principle of a backland development in this location is acceptable due to the varied urban grain and layout of this area.

8.8 The proposed three-storey building would have a steep pitched roof with dormers in both the front and rear elevations. At approximately 9.5m to the ridge, the proposed development would be of a considerable height which would be noticeably higher than that of the original dwelling and the majority of the surrounding two-storey properties. However, Ferndale House immediately to the south-east of the site is of a comparable height of approximately 9.3m. In addition, Ferndale House has a fairly prominent upper barrelled roof form which would appear slightly more bulky in its appearance than that of the pitched roof with in-set traditional dormers as proposed as part of this application. The proposed development would predominantly been seen within the context of the adjacent Ferndale House development from Ferndale Rise and I am of the opinion that in this context the proposal would not appear harmfully dominant in the street scene.

8.9 The proposed typology and form of the building takes its cues from the adjacent development at Abbey Gardens to the south-west, with a traditional pitched slate roof and use of individual dormers set in centrally within the roof plane. The proposed building would be constructed in buff brick externally with a relatively orthodox front fenestration including a bay window. I have recommended a materials sample condition to ensure that the proposed development assimilates successfully into its surroundings.

8.10 However, the proposed rear elevation does appear somewhat alien in terms of the rhythm and style of windows and openings. This is particularly evident at the roof level where the proposed rear dormers and Juliet balconies mirror the dimensions of the first-floor opening below. In my opinion, the dormer elements

appear elongated and fail to create a successful window hierarchy. The dormer openings should be more compact in their appearance to improve the design quality of the development. This would likely necessitate the removal of the Juliet balconies also. Notwithstanding this concern, I consider that the dormers could be reduced in size by way of a dormer details condition and therefore would not recommend this as a reason for refusal.

8.11 In terms of the layout of the site, the proposal would not appear over developed within the constraints of the plot in my view. The density of development would not be dissimilar to that of other properties in the area, including properties along Ferndale Rise to the north-east. The proposed building would be set back from the rear boundary of the site, marginally in from the building and would be a comfortable distance from the host property. The proposal would also retain an adequate level of garden space for the host dwelling which would also benefit from a reconfigured front amenity space. I have recommended hard and soft landscaping conditions to ensure that the amenity areas for both the new and existing properties are acceptable. There are a couple of large trees at the rear of the site which would inevitably be felled as a result of the development. Nevertheless, these trees are not protected and could be felled without the need for any permission from the local planning authority and I do not consider it would be reasonable to resist the loss of these trees.

8.12 The proposed physical works to the existing property would be relatively minor and would not require planning permission to be undertaken. I therefore have no objection to these aspects of the scheme. The existing site is uncharacteristic along Ditton Walk due to the position of the building a significant distance back from the public highway. There is a large hardstanding area which currently has a high brick wall, car parking and a small outbuilding. The proposal seeks to reconfigure this space to make it more formal and provide amenity space for the existing property which would be lost as a result of the proposed development to the rear. A 1.8m high timber fence would be introduced behind the front building lines of neighbours, as well as a cycle store, bin store and artificial grass amenity area. In order to provide a better quality of amenity for existing occupiers, amended plans are in the process of being sought to pull this boundary line fall and

change it to a brick wall. Subject to this amendment being received, the proposed works would be set back a reasonable distance from the adjacent footpath and I do not consider the presence of these additions would appear prominent in the street scene. In addition, the proposed amenity space would not be exposed to comings and goings along the highway and would also not be harmfully overlooked by the two adjacent neighbours. In my opinion, the proposed works to the front of the site, once amended, would respect the character and appearance of the area.

8.13 Overall, whilst the proposed development would be of a relatively significant scale, I do not consider that within this context it would have a harmful impact on the character or appearance of the area. There is a transition in scales between the two-storey domestic houses along Ditton Walk and the three-storey development of Ferndale House. In my opinion, when viewed from Ferndale Rise the proposal would not appear cramped within its plot and would not appear overly dominant when compared to Ferndale House and the surrounding context.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.15 The main considerations are the impacts of the proposed works on nos.82 – 88 Ditton Walk.

<u>Impact on no.82 Ditton Walk</u>

8.16 No.82 Ditton Walk is a semi-detached property situated to the south-west of the application site.

8.17 In terms of overshadowing, I do not consider the proposed development would have a harmful impact on this neighbour. The proposed works would be a considerable distance from this neighbour's windows and to the east of their garden. Any loss of light experienced in this neighbours garden, which extends

deeply beyond the application site, would be limited to the early - mid morning hours and would not be significant.

8.18 I do not consider the proposal would compromise the privacy of this neighbour. The proposed building would be orientated at a slight angle away from this neighbour and the distance from the proposed first-floor windows to the rear elevation of this neighbour would be over 22m. The views back over this neighbour's garden would be oblique and not harmful.

8.19 The most sensitive matter in my view is whether the proposed building would be perceived as visually enclosing on this neighbour given the proposed scale and closeness to this neighbour's boundary. Again, the two-storey wall-to-wall distance between the proposed building and no.82 would be in excess of 22m which I consider would be sufficient from an enclosure perspective. The proposal would be situated 0.8m away from this neighbour's garden at its closest point, although this would increase up to approximately 1.8m as the building slants away from the garden. Whilst I acknowledge that a three-storey form this close to a neighbour's boundary would ordinarily be unacceptable from an enclosure perspective, in this case, I consider the proposed works would not be harmful. This is because the neighbour benefits from an extremely long garden and the physical presence of the building would be limited to a small central section of this garden. In addition, the upper-floor would be contained within a pitched roof. This neighbour would still have a reasonable outlook and I do not consider, on balance, this impact would be significant enough to warrant refusal.

Impact on no.84 Ditton Walk

8.20 No.84 is a detached property currently used as a house in multiple occupation. The majority of this property's garden would be lost as a result of the proposed development.

8.21 The proposal would involve obscure glazing the existing rear first-floor windows of no.84 and installing roof lights to these rooms. This would retain an acceptable outlook for these rooms in my opinion. The proposed development would have views back towards the windows of the host property but as the rear windows of no.84 would be obscure glazed I do not consider any harmful loss of privacy would be experienced. Furthermore,

the amenity space for the existing property would be relocated to the front of the site and would not be visible from the proposed development.

8.22 There would be a separation distance of approximately 12.5m between the rear two-storey wall of no.84 and the proposed development. The upper-floor rooms of no.84 would have roof lights and I am confident these windows would not be visually enclosed. There is a ground-floor bedroom window which would be affected to a degree. However, as the upper-portion of the proposed development would have a pitched roof which slopes away from this window, I do not consider this relationship would be visually enclosing. The main amenity space of this neighbour would be relocated to the front and away from the proposed development.

8.23 In terms of loss of light, I consider the 12.5m separation distance from two-storey wall-to-wall would be adequate to ensure that any loss of light would be minimal and not significant enough to have an adverse effect on the rooms of no.84. Again, as the amenity space of no.84 would be re-positioned on the site, I do not consider there would be a harmful impact on the main garden of this host property.

Impact on no.86 Ditton Walk

8.24 No.86 Ditton Walk is an end-of-terrace property situated to the north of the site. This neighbour's garden is significantly smaller in size than that of its neighbours.

8.25 There would be over 22m between the nearest windows of no.86 and the two-storey wall of the proposed development. As a result, I am confident there would be no harmful overlooking, overshadowing or visual enclosure experienced within this neighbouring property.

8.26 There would be a separation distance of approximately 8.5m between the three-storey wall of the proposed building and the rear garden boundary of no.86. There may be some overshadowing of this neighbour's garden around the middle of the day but there would still be adequate light reaching this garden in the morning and late afternoon hours. In my opinion, the proposal would not harmfully overshadow this neighbour's garden.

8.27 The proposal includes tree planting along the boundary of this neighbour which would soften the impact of the proposed development to a degree and I consider this could be managed through appropriate landscaping conditions. Notwithstanding the tree planting, this neighbour would still have reasonable outlooks to the south and north-east and the physical mass of the upper-portion would consist of a pitched roof that slopes away from this garden. On balance, whilst I consider a degree of enclosure would be experienced, I am of the view that this impact would not be so great as to warrant refusal of the application.

8.28 The proposed views from the upper-floors back towards this neighbour's garden would be materially different to the views that this neighbour is currently the subject of. However, I consider that this could be mitigated through requiring the first-floor and second-floor rear windows to be obscure glazed up to a height of 1.7m to prevent this.

Impact on no.88 Ditton Walk

8.29 No.88 Ditton Walk is a terrace property situated to the north of the application site.

8.30 There would be a comfortable separation distance of approximately 22m between the two-storey wall of the proposed development and this neighbour and I am of the view that no harmful loss of light, loss of privacy or visual enclosure would be experienced from within this neighbouring property.

8.31 The proposed development would be situated within close proximity to this neighbour's garden. However, this neighbour's garden is relatively long and the proposed building would be sited towards the end of this neighbour's garden. Furthermore the upper-floor of the proposed development would be set within a pitched roof which reduces the level of mass perceived. Therefore, I am therefore of the opinion that there would still be a reasonable outlook from this neighbour's garden and that this outdoor space would not feel visually enclosed by the proposed works. The views of this neighbour's garden from the proposed flats would be oblique and I do not consider the garden would be harmfully overlooked.

8.32 In terms of loss of light, there may be some overshadowing over the latter part of this neighbour's garden in the late afternoon but I am of the view that the level of overshadowing would be minimal.

8.33 I have recommended a condition to prevent the flat roof of the single-storey element of the proposed building from being used as a terrace as this could infringe upon neighbour privacy.

Impact from use

8.34 The proposed flats would be situated in a residential context and I do not consider the use of the rear amenity space and general comings and goings would be harmful to neighbours. Vehicle movements would utilise the existing private driveway which is used frequently by occupiers of Ferndale House. I believe the movements of three additional vehicles would not be significantly worse than that of present.

8.35 The relocation of the private amenity space of the existing property to the front of the site would not introduce a harmful impact to neighbours in terms of noise and disturbance in my opinion.

Impact on on-street car parking

8.36 The impact on on-street car parking would not be significant in my opinion. The proposed two flats would have three car parking spaces which is more than adequate in respect of their two-bedroom sizes. However, for the reasons stated in paragraph 8.40 of this report, the number of parking spaces is anticipated to lower to two car parking spaces.

8.37 The proposal would remove the one existing car parking space for no.84 at the front of the site. However, in visiting the site and surrounding area, on-street car parking pressure is not at a significant level in my view and the City Council has maximum car parking standards. In addition, there are good public transport and cycle links into the City Centre nearby and sufficient cycle parking is proposed for the existing property.

8.38 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

8.39 The proposal would provide two two-bedroom flats, 49m^2 and 76m^2 in size respectively and both with private outdoor amenity space. Each flat would have its own parking space(s) and sufficient cycle storage. There would be a straightforward access out onto the private road for bin collections which would be similar to that of Ferndale House. I have recommended a curtilage condition to ensure that the amenity space is retained for the future use of these occupants. The existing property would retain a sufficient level of amenity space at the front of the site for existing occupants.

8.40 It is acknowledged that Urban Design has raised concerns regarding the bin and cycle storage arrangements for the proposed flats. The proposal, as amended, indicates cycles and bins being manoeuvred along the southern side boundary. However, the pinch point here appears too narrow and it is recommended that bin and cycles are instead moved through the wider passage along the northern side boundary. Provided that the third car parking space is removed, this would provide an acceptable functional layout. In addition, the quantity of amenity space for the existing property could be bettered by moving the front fence line forward and replacing this with a brick wall. I have requested amended drawings for these changes to be integrated and these will be reported on the amendment sheet when received.

8.41 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

8.42 There would be a dedicated bin store along the side boundary of the site which is acceptable in principle. However, the bin enclosure only appears to store three receptacles and it has not been made clear that this capacity would be adequate for two dwellings. Nonetheless there does appear room to extend the

size of the bin store to account for more bins if necessary and so I have recommended a condition accordingly.

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

Highway Safety

8.44 The Highway Authority has raised no objection to the proposed works.

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

Car and Cycle Parking

8.46 Car parking has been addressed in paragraphs 8.36 – 8.37 of this report.

8.47 An enclosed cycle store with space for four Sheffield stands is proposed in the rear corner of the site for future occupants and this is acceptable. A new cycle store with three Sheffield stands is proposed at the front of the site for the existing property. I consider this level and type of storage acceptable and have recommended a compliance condition to ensure this is delivered prior to occupation of the proposed development.

8.48 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.49 The majority of the third party representations have been addressed in the main body of this report.

8.50 The obscure glazing of windows is considered to be an acceptable solution to overlooking. The safeguarding of this as a mitigation measure to prevent overlooking would be secured through condition.

8.51 The concern regarding the level of paving and drainage would be managed through the surface water drainage condition.

Planning Obligations (s106 Agreement)

8.52 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

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

9.0 CONCLUSION

9.1 The proposed development is, on balance, considered to be in keeping with the character and appearance of the area. The proposed works would not adversely harm the amenity of neighbouring properties. The proposal would provide an acceptable living environment for future and existing occupants of the site.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:
-Detailed history of the site uses and surrounding area (including any use of radioactive materials)
-General environmental setting.
-Site investigation strategy based on the information identified in the desk study.
(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:
(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:
a) Include details of the volumes and types of material proposed to be imported or reused on site
b) Include details of the proposed source(s) of the imported or reused material
c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
d) Include the results of the chemical testing which must show the material is suitable for use on the development
e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

10. 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)

11. 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% an allowance for climate change. The submitted details shall:
a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

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

13. No dormers shall be constructed until full details, at a scale of 1:50 or 1:100, showing the design and dimensions of the dormers have been submitted to and approved in writing by the local planning authority. Dormers shall thereafter be constructed only in accordance with the approved details.

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

14. The proposed private and communal amenity spaces for the flats and existing property shall be laid out in accordance with drawing no.1068/03 REV B prior to the occupation of the flats and property and shall thereafter be retained in the configuration as approved for the benefit of future and existing occupants of the scheme unless otherwise agreed in writing by the local planning authority.

    Reason: In order to ensure an appropriate standard of residential amenity for future and existing occupants (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/11 and 3/12).

15. The windows identified as having obscured glass on the existing property on drawing no. 1169/02, and the first-floor and second-floor windows on the rear elevation of the proposed building on drawing no.1068/04 REV B. shall be obscure glazed to a minimum height of 1.7m above the finished floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

    Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

16. The flat roof area identified as 'Flat Roof' on drawing no.1068/04 REV B 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, 3/10 and 3/12)

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans (including trees); 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, 3/10, 3/11 and 3/12)

18. 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. 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, 3/10, 3/11 and 3/12)

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

    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)

20. Prior to occupation of the development hereby approved, the cycle parking shall be provided as shown on drawing numbers 1068/04 REV B and 1068/03 REV B and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

    Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policies, 3/10 and 8/6)

21. Prior to occupation of development, full details of the on-site storage facilities for waste including waste for recycling and composting shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details of the security/ access of the bin store shall also be provided. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter.

    Reason - To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/10, 3/12 and 4/13)

PLANNING COMMITTEE **10th January 2018**

Application Number	17/1328/FUL	**Agenda Item**	
Date Received	28th July 2017	**Officer**	Michael Hammond
Target Date	22nd September 2017		
Ward	West Chesterton		
Site	35 Milton Road Cambridge CB4 1XA		
Proposal	Conversion of existing dwellinghouse to form 2no 2bed flats, 2no 1 bed flats, following a two storey front and side, part two, part single storey rear extensions. Bike and bin storage to the rear.		
Applicant	Mr D Whitfield		

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

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the north corner of the junction of Milton Road and Gilbert Road. The building is a modest detached house, built in the first half of the twentieth century. First-floor accommodation is largely within the roof space; the house has low eaves at the front (2.4m above ground), with a single gabled two-storey bay on the east side of this elevation, and half-dormers to the rear. It is finished in white-painted pebbledash render above a red brick plinth, and has a tiled roof.

1.2 The property has a small front garden, and a substantial rear garden. At the far end of the rear garden, there is a garage, with gates opening on to the Gilbert Road frontage, where there is a vehicle crossover to the carriageway.

1.3 The site is not within a conservation area. There are a number of substantial trees on the site, but none are protected by TPO's. The site is not within the Controlled Parking Zone (CPZ). The site lies just outside the edge of the Air Quality Management Area (AQMA); the Milton Road carriageway in front of the house is within the AQMA, the Gilbert Road carriageway to the side is not.

2.0 THE PROPOSAL

2.1 The application, as amended by revised drawings submitted on September 5th 2017, seeks to make substantial extensions to the building, to the side and rear, and at first-floor level, converting it from a single dwelling into four flats, two on the ground floor, each with two bedrooms and two on the first floor, each with a single bedroom.

2.2 At ground floor level, the building would be extended to the rear by 2m on the north-east section of the elevation, by 3m in the centre of the elevation, and by 5.5m on the south part, creating a stepped profile. A rectangular bay, 1.2m deep and 5m wide would be added to the south-west side of the house, and the porch in the south corner would be absorbed into the house and extended forward by 500mm to align with the existing eastern bay.

2.3 At first-floor level, the extension in the south corner would be carried up to create a full two-storey gable, emulating, but slightly smaller than, the existing east corner gable. The new rectangular bay on the south-west elevation facing Gilbert Road would also be carried up to first-floor level, and would have two oriels projecting 500mm further towards the street. This first-floor bay would have windows on south-east, south-west and north-west elevations. The first floor would also be extended to the rear by 2.5m on the north-east side, and 4m on the south-west, echoing the stepped profile of the ground floor.

2.4 A pair of hipped roofs would cover the two-storey side bay, while pitched, gabled roofs would surmount the two-storey

extension to the rear. The single-storey section at the rear would have a flat roof.

2.5 Outside, terraced areas, surrounded by low fences would be created to the rear of the ground-floor flats. Storage space for cycles and waste bins would be provided within and adjacent to the existing garage at the far end of the garden. A car parking space, with sufficient surrounding clearance to be used by a disabled person, would be created between the existing garage building and the fence facing Gilbert Road. The approximate internal floor areas of the proposed flats are as follows:

Flat No.	Number of bedrooms	Internal floor area
1	2	52m^2
2	2	50m^2
3	1	37m^2
4	1	48m^2

3.0 SITE HISTORY

Reference	Description	Outcome
17/0822/FUL	Conversion of existing dwelling house to form 3No 2bed flats and 1No 1 bed flat following a two storey front and side extensions and part two storey part single storey rear extension	Withdrawn

4.0 PUBLICITY

4.1 Adjoining owners only

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 3/14 4/4 4/13 4/14 5/1 5/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (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> 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) 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 Proposal decreases the amount of off-street parking for the site, whilst increasing the number of households. It may therefore impose additional parking demands in surrounding streets. This

is unlikely to result in any significant adverse impact upon highway safety, but the Planning Authority may wish to consider any impact upon residential amenity.

Environmental Health

6.2 Acceptable. Recommend construction hours condition.

Head of Streets and Open Spaces (Tree Team)

6.3 Requires tree protection conditions.

Head of Streets and Open Spaces (Landscape Team)

6.4 Terraces to ground floor flats should be contained to some extent to allow for privacy. First floor tenants are required to exit the front of the building and go around the building to access the rear which is inconvenient. If this arrangement could be bettered, the amenity value of the space would be improved.

6.5 Bin and bike stores on the frontage are inappropriate. The outlook of the ground floor flat adjacent is compromised. Given the size of the back garden and the fact that it is a corner plot with an existing kerb drop and garage structure, the bike and bin storage should be accommodated at the rear of the plot.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.6 Acceptable subject to a surface water drainage condition

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

7.0 REPRESENTATIONS

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

72 Milton Road

7.2 The representation can be summarised as follows:

- Overdevelopment
- Harmful to character of vicinity
- Inadequate room sizes
- Unclear how retained chimneys can be supported
- Loss of front garden space and greenery
- Increased car parking pressure

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

8.0 ASSESSMENT

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

1. 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 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 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties into self-contained dwellings will be permitted except where:

A) The residential property has a floorspace of less than 110m2;
B) The likely impact upon on-street parking would be unacceptable;
C) The living accommodation provided would be unsatisfactory;
D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

A) The residential property has a floorspace of less than 110 square metres

8.5 The footprint of the residential property as a result of the proposed extensions would considerably exceed 110m^2 and this criterion would be met.

B) The likely impact upon on-street parking would be unacceptable

8.6 There are two car parking spaces for the existing three-bedroom property. The proposal would retain one of the car parking spaces for use by the future occupants.

8.7 Milton Road and Gilbert Road are both double-yellow lined which would prevent future occupants from parking on the street immediately outside the site. The nearest road that experiences uncontrolled parking is Gurney Way to the north of the site.

8.8 The proposed development would provide a dedicated cycle storage area for cycle parking and there are good cycle links through West Chesterton into the City Centre. There are bus stops on Gilbert Road and Milton Road heading both into and out of the City Centre which are within walking distance of the site. The Mitcham's Corner District Centre is within 130m of the site, providing local shops and facilities, and can be accessed in

less than 3 minutes on foot. In light of the sustainable location of the site I do not consider the proposed development is dependent on private car as the sole means of travel.

8.9 In my opinion, the pressure on on-street car parking caused by the proposed development would be relatively minor in respect of the sustainable location and small size of the proposed flats. The site is in a sustainable location and well connected to facilities and services in the wider area without being reliant on private car as the main means of transport. Overall, I do not consider the proposal would exacerbate on-street car parking to such an extent as to harm the amenity of the surrounding residential properties.

C) The living accommodation provided would be unsatisfactory

8.10 The habitable rooms of the proposed flats would all have acceptable outlooks. Defensive space has been proposed outside the rear and front windows of bedroom no.1 of flat no.2 to provide sufficient privacy. The future occupants of the two two-bedroom flats on the ground-floor would have their own private terraces surrounded by low fences. There would be a larger communal garden area further to the rear of the site for use by all of the proposed flats. As explained in paragraph 8.8 of this report, the site is in a sustainable location with good cycle and public transport links to the wider area and there are local shops and services in Cherry Hinton within walking distance. The Chestnut Grove Recreation Ground on Milton Road and Jesus Green are both also within walking distance of the site.

D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking

8.11 A bin storage area is shown at the rear of the site with a straightforward means of access onto Gilbert Road on collection days. Whilst this is acceptable in principle, further details of the bin capacity for each of the proposed flats is required which I am content can be controlled by way of condition in the event of approval. The application form states that 11 cycle parking spaces would be provided at the rear of the site. There appears adequate room to accommodate the necessary number of cycle spaces and this would presumably be within an enclosed structure. Similar to the refuse arrangements, I am of the

opinion that this can be dealt with through a planning condition in the event of approval.

E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.12 The site is situated in a residential area and so I do not consider the nearby land uses or site itself would result in an unsatisfactory level of residential amenity for future occupiers of the proposed dwelling.

8.13 In my opinion, the principle of residential development in this location is acceptable and in accordance with policies 5/1 and 5/2 of the Local Plan (2006).

Context of site, design and external spaces

8.14 The proposed works would be visible from public viewpoints as the existing building is situated on a prominent corner location between Gilbert Road and Milton Road.

8.15 The proposed two-storey extensions to the front and rear would be noticeable in terms of their additional mass but I do not consider the proposed extensions would appear overly dominant in the context of the site and its surroundings. The proposed two-storey front extension element would have a pitched roof set slightly below the original front gable end. In addition, this extension would have a narrower width than the existing front gable which would allow it to be read as a subservient addition to the original property in my view. The fenestration of the front elevation would appear domestic in nature and would mirror that of the existing front elevation.

8.16 The proposed two-storey side extension would be constructed with a part-flat, part hipped roof that would not appear to compete with the main building in its appearance. The proposed two-storey front and side extensions would be set back a comfortable distance from the boundaries of the street to ensure that the proposed works would not appear overly prominent in my opinion.

8.17 The proposed two-storey rear extension would consist of a pair of pitched roofs which would be set in marginally from the side building lines of the building. This would be of a scale and

massing that would appear in keeping with the character of the area in my view.

8.18 The proposed single-storey additions to the building would be of modest scales and designs and would respect the context of the area. I have recommended a matching materials condition to ensure the proposed works would blend in successfully with the original building.

8.19 A significant proportion of the garden space to the rear, side and front of the building would be retained as a result of the proposed works and I do not consider the proposal would represent an overdevelopment of the plot. Tree protection conditions have been recommended in accordance with advice from the Tree Officer. The advice of the Landscape Team in respect of the position of bin and cycle storage, as well as the provision of defensive space to protect the privacy of ground-floor units, has been taken into account in the revisions to the scheme. I have recommended a boundary treatment condition to ensure the amenity space for future occupants is private and of a sufficient quality.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.21 The proposed two-storey front and side extension elements of the works would be a considerable distance from any neighbouring properties and I am confident no harmful overshadowing, overlooking or visual enclosure would be experienced at surrounding properties.

8.22 The proposed two-storey rear extension would extend close to the boundary of no.37 Milton road to the north-east of the site. However, no.37 is detached a reasonable distance away from the side boundary and the proposed extension would not extend a significant distance beyond the rear wall of this neighbour. The garden of no.37 is also relatively long and wide and I am of the opinion that this outdoor space would not be visually enclosed or harmfully overshadowed by the proposed

works. The views across the garden from the proposed extensions would be limited and not significantly worse than that of present in my opinion. Overall, I do not consider any harm from the physical works proposed would be experienced at this neighbouring property.

8.23 The proposed use of the site as four flats would not introduce a harmful level of noise or disturbance in terms of comings and goings and use of the garden as a communal space. The movements into the building would be similar to that of present and the main route out to the garden would be on the south-west side of the site, away from the boundary with no.37. The site is situated in a residential context and I consider the proposed use of the site would not be significantly different to that of present.

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

Amenity for future occupiers of the site

8.25 This has been addressed in paragraph 8.10 of this report.

8.26 In my opinion the proposal provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/14 and 5/2.

Refuse Arrangements

8.27 This has been addressed in paragraph 8.11 of this report.

8.28 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

Highway Safety

8.29 The Highway Authority has raised no objection to the proposed development.

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

Car and Cycle Parking

8.31 Car parking has been addressed in paragraphs 8.6 – 8.9 of this report.

8.32 Cycle parking has been addressed in paragraph 8.11 of this report.

8.33 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.34 The majority of the concerns raised have been addressed in the main body of this report.

8.35 The comment regarding the structural support of the chimney is a building control matter and not a planning consideration.

8.36 In terms of the room sizes, the City Council does not have any internal space standards formally adopted at this time. In any case, I consider the room sizes to be reasonable in respect of the number of bedrooms provided.

Planning Obligations (s106 Agreement)

8.37 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

8.38 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development

and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

9.1 The proposed change of use of the property from a single dwellinghouse to four flats would respect the amenities of properties in the surrounding area and would not harmfully exacerbate car parking pressure on the surrounding streets in my opinion. The proposed extensions would be in keeping with the character of the area and would not harm the amenity of no.37 Milton Road.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

   Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 5/2)

6. The proposed private and communal amenity spaces for the flats shall be laid out in accordance with drawing no.17/1456/07 C prior to the occupation of the flats and shall thereafter be retained in the configuration as approved for the benfit of future occupants of the scheme unless otherwise agreed in writing by the local planning authority.

   Reason: In order to ensure an appropriate standard of residential amenity for future occupants (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11, 3/14, 5/1 and 5/2).

7. 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 supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

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

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

9. No development shall commence until details of facilities for the storage of bins for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

   Reason: To ensure appropriate provision for the storage of bins and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 4/13 and 5/2).

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

    Reason: To ensure appropriate provision for the secure storage of bicycles and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 5/2 and 8/6).

11. 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% an allowance for climate change. The submitted details shall:
    a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
    b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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PLANNING COMMITTEE **10th January 2018**

Application Number	17/0615/FUL	**Agenda Item**	
Date Received	8th June 2017	**Officer**	Michael Hammond
Target Date	3rd August 2017		
Ward	East Chesterton		
Site	40 St Andrews Road Cambridge CB4 1DL		
Proposal	Erection of two storey side extension, part single/part two storey rear extension and rear dormer following demolition of existing rear extension, conservatory and side lean-to.		
Applicant	Mr & Mrs Gilbert & Marie Mensah 40 St Andrews Road Cambridge CB4 1DL		

SUMMARY	The development accords with the Development Plan for the following reasons: • The proposed works would preserve the character and appearance of the conservation area. • The proposed development would not harmfully impact on the amenity of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 40 St Andrew's Road is a two-storey semi-detached house dating from the early part of the twentieth century. At the front, it is finished in white-painted pebbledash render with red brick mock quoins at first floor level, and red brick at ground floor level. At the rear, it is faced in buff brick throughout. The house has a hipped, tiled roof. It has previously been extended to the rear at ground floor level, creating first a lean-to extension, and subsequently a white PVC conservatory on a buff brick plinth. The street is almost entirely residential. It is composed mainly of semi-detached houses of a similar scale, but varying designs.

1.2 The site falls within City of Cambridge Conservation Area No.3 (Chesterton). There are no Tree Protection Orders relating to the site.

1.3 The site lies within the Air Quality Management Area (AQMA). The whole of the rear garden of the house, and the footprint of the existing single-storey rear extension, lie within the River Cam floodplain. The footprint of the original house lies outside it. The site is not within the Controlled Parking Zone (CPZ).

2.0 THE PROPOSAL

2.1 The original proposal has been amended on three occasions, by revised plans submitted on 2nd May 2017, 7th September 2017, and 1st December 2017.

2.2 As amended, the application proposes five alterations to the existing house.

2.3 Replacement of the existing front door with a fixed panel resembling a front door, to create a cloakroom within the current hall. (This replaces the earlier proposal to use an obscure-glazed panel in this location.)

2.4 Replacement of the existing single-storey side lean-to with a new, two-storey, flat-roofed side extension, 1.8m wide, and 9.2m deep. The extension would be fully glazed on front and rear elevations, with a flat glazed roof, and faced with metal panels on the east side, adjacent to No.42. It would house a porch, the new stairwell, and bin and cycle storage below the stairs.

2.5 Removal of previous rear extensions, and construction in their place of a new ground-floor extension spanning the full width of the house (5.5m). This would extend 5.5m to the rear of the original main house on the west side (3m beyond the existing lean-to extension at No.38), and 9.5m to the rear on the east side, and would be 3.5m high. The angled rear elevation thus created would be fully glazed; the rest of the extension would be clad in metal panels. This extension would have a green roof on the section not covered by the proposed first-floor extension, and it would be attached to a 10.5m long canopy covering the walkway on the east side adjacent to No.42.

2.6 A first floor extension, having the same angled footprint as the ground floor extension, but extending 3m less into the rear garden. It would be drawn back by 1m from the common boundary with No.38 to the west. It would also have a flat green roof and a large 1.6m x 4.5m window on the rear elevation, and be otherwise clad in metal panels.

2.7 A metal-clad dormer on the rear roof slope. It would be set on the lower edge of the roof, and would measure 2m high x 2m wide. The rear face would be glazed, but obscured up to 1.7m from second storey floor level.

2.8 The application has been called-in to planning committee by Councillor Abbott due to the overbearing impact the proposed extensions would have on neighbours.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1107/FUL	Two storey rear and single storey side extension.	Approved with conditions
03/1313/FP	Conservatory	Approved with conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	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 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>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) Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u> Chesterton and Ferry Lane Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No highways implications.

Urban Design and Conservation Team

First comments, dated 3rd July 2017

6.2 Replacement of the main entrance door with an obscured glass panel would negatively affect the rhythm of the openings in the houses in the street.

6.3 Hip-to-gable roof conversion would destroy the symmetry of the semi-detached pair which is a distinct part of the character of the vicinity.

6.4 Roof extension would put an overlarge alien ‘box’ onto the roof which does not have any relationship with the original building, and would not be an incidental addition. There are few roof extensions in this part of the street.

6.5 Side extension to accommodate the new stairwell would negatively affect the rhythm of built form and spaces in the street.

6.6 Application not supported

Comments on revised proposal, dated 15th September 2017

6.7 Retention of the hipped roof is welcomed. Otherwise the previous comments still apply. Glazed side extension would affect the rhythm of the street, glazed front doorway would have a negative impact on the character of the building. Although reduced in scale, rear roof extension is still a large box rather

than being an incidental form in the roof. It would not comply with the Roof Extensions Design Guide and would not preserve or enhance the character and appearance of the conservation area. Application not supported.

Comments on revised proposal, dated 19th December 2017

6.8 The glazed front door has been replaced with a more traditional design which is supported. However, the other elements of the proposal are still not considered appropriate for the reasons outlined previously.

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

7.0 REPRESENTATIONS

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

42 St Andrew's Road.

7.2 The representations can be summarised as follows:

- Property boundary has been infringed by previous works, and must be restored.
- Party Wall Agreement required.
- Works must avoid discharge of water on to No. 42.
- Fully glazed stairwell would be out of character with the street.
- Stairwell would adversely affect privacy at No.42.
- Second floor bedroom is excessively bulky and out of proportion with nearby houses.
- Extension would adversely affect daylight to, and outlook from, No. 42.
- Boundary fence at rear of No.40 needs to be addressed.
- Unclear whether part of new extension to be used as car port.

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 Permission is sought for a replacement front door, two-storey side extension, part single/ part two-storey rear extensions and a rear metal clad roof dormer. I will assess the impact of each aspect in turn below.

Replacement front door

8.3 Permission was originally sought to infill and fully glaze the original front door. I was of the view that this would have appeared alien in the street scene and not acceptable in the context of the Conservation Area. In response to this, a door profile similar to that of the existing has been proposed instead. The proposed door would serve for aesthetical purposes only as the proposal still includes the main front door being situated on the front of the proposed side extension. Nevertheless, the appearance of the original front elevation would be retained and I consider this element would preserve the character and appearance of the conservation area.

Proposed two-storey side extension

8.4 The proposed side extension, by virtue of its position, would inevitably be visible from the public realm. The original proposals included a three-storey fully glazed extension that would have changed the hipped roof profile to a gable end. This was not supported by the Urban Design and Conservation Team and I concurred with this advice as it would have appeared extremely prominent and completely out of character with the area. The hip-to-gable roof extension would have unbalanced the symmetrical relationship of nos.38 and 40.

8.5 In response to the above concerns, the massing of the proposed side extension has been reduced considerably and the proposal is now two-storeys in height with a flat glazed roof that is level with the original eaves line of the property. In addition to this, the proposed extension has been set back approximately 1m behind the front building line and the neighbouring single-storey lean-to extension. A trim of metal cladding has been introduced along the edge of the proposed extension also to improve the definition of the extension.

8.6 It is acknowledged that the Urban Design and Conservation Team have outstanding objections to the proposed side extension as they consider it would negatively affect the rhythm of the street. I do not agree with this assessment and am of the opinion that the rhythm of the street and general character and appearance of the conservation area would be preserved. The proposed amendments significantly reduce the level of perceived massing from the street scene and allow for the original building, and its symmetry as part of a pair of semi-detached properties, to remain legible. The two-storey mass proposed would be set no higher than the original eaves and well back from the front building line. In my view, it would clearly read as a contemporary yet subservient addition to the property. Through its unorthodox design, fenestration and modern material palette it would provide a successful contrast with the traditional architectural treatment whilst also not competing with the established character.

Proposed part single, part two-storey rear extensions

8.7 The proposed rear extensions would not be prominent from public viewpoints by way of the position they would occupy on the rear elevation. There would be glimpses from Mariner's Way to the south-east of the site, allowing views into the conservation area. However, these views would be over 40m away and I believe the proposed rear extension could not be argued to be readily visible from the public domain.

8.8 The Urban Design and Conservation Team has not raised this aspect of the scheme as being problematic throughout the consultation process and the proposed rear extensions have remained in their format as originally proposed. The proposed rear extensions would occupy unusual layouts, effectively consisting of a pair of asymmetrical wedges, with large panels

of glazing and colourful metal flat roof profiles. The proposed rear extensions clearly make no effort to disguise their contemporary form and impression. Nevertheless, their overall massing and appearance represent an appropriate expression of massing and design within this context and I do not consider the proposal would appear awkward or overly developed. The proposed extensions would be situated on the least sensitive elevation in the context of the area and I am of the view that the character and appearance of the conservation area would be preserved. The detailed design of these works, notably materials, will be of importance and I have therefore recommended a materials condition.

Roof dormer

8.9 The original proposals included a metal clad box-like dormer which would have occupied a considerable proportion of the original rear roof slope by exploiting the hip-to-gable three-storey extension that was initially proposed. The removal of the hip-to-gable roof extension from the proposed works has meant that the size of the proposed dormer has been reduced considerably and sits more centrally within the original rear roof plane.

8.10 The Urban Design and Conservation Team states that the roof extension, although reduced in scale, would still be overly large which combined with its fenestration and materials would draw the eye rather than appearing incidental. Whilst I agree to an extent that the proposed dormer would be conspicuous by virtue of its contemporary appearance, I do not agree that this would harm the conservation area. The proposed dormer would not be prominent from any public viewpoints due to its position on the rear roof plane. The proposed dormer would be set in from the sides, eaves and ridge of the original roof which would enable it to be read as a later addition and allow the original rear roof plane to remain legible. In addition, the proposed roof extension would be read in conjunction with the single-storey and two-storey extensions that would sit beneath which share similar characteristics materially and in form. I consider that a contrasting and striking design would be more coordinated in conjunction with the other extensions proposed and that a traditional approach in isolation would appear contrived and forced.

Conclusion

8.11 Overall, I consider the proposed works would preserve the character and appearance of the conservation area. The contemporary approach would provide a contrasting yet subtle design approach that would not appear overly prominent or harmful in the conservation area.

8.12 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

8.13 The main considerations are the impacts of the proposed works on the two adjoining neighbours.

Impact on no.38 St Andrews Road

8.14 No.38 St Andrews Road is a two-storey semi-detached property which adjoins onto the application site from the south-west.

8.15 I do not consider the proposed works would compromise the privacy of this neighbour. The large glazed window serving the roof dormer would be obscure glazed up to a height of 1.7m above the finished floor level and the side glazed wall at first-floor level would be fully obscure glazed. I have recommended a condition to control this. The remaining rear windows would only offer views across the latter part of this neighbour's garden and would not offer harmful overlooking opportunities. I have also recommended a condition to ensure that the flat roofs of the first-floor and ground-floor extensions are not at any time used as terrace areas as this could compromise neighbour privacy.

8.16 In terms of overshadowing, the proposed rear extensions have been angled so that they are at their lowest depth along this neighbour's boundary. In my opinion, the limited depth, coupled with the low height of the flat roofs, would only cause minimal overshadowing in the early morning hours. The levels of light reaching this neighbour throughout the remainder of the day would be retained.

8.17 I do not consider the proposed works would visually overbear this neighbour. The proposed first-floor rear extension would only project approximately 2.7m beyond the nearest first-floor window of this neighbour. This limited depth in conjunction with the lightweight appearance of obscure glazing would not visually enclose the nearest first-floor habitable outlook in my view. The proposed single-storey rear extension would project around 3m beyond the rear ground-floor window of this neighbour and then dramatically step away from the shared boundary. The proposed extension would be approximately 3.5m in height and I am of the opinion that this would not represent an overbearing relationship with this neighbour's rear windows or garden.

Impact on no.42 St Andrews Road

8.18 No.42 St Andrews Road is a semi-detached property which is set off the boundary with the application site. This neighbour has raised a number of concerns but specifically regarding loss of light, visual dominance and overlooking.

8.19 In terms of overlooking, I am of the opinion that the proposal would retain this neighbour's privacy. The proposed dormer would be obscure glazed and the side elevation glazing facing towards this neighbour would also be obscure glazed. The obscure glazing condition would control this. The remaining rear facing views are orientated to face way from this neighbour and would only offer limited views towards this neighbour, not significantly worse than that of present.

8.20 In respect of overshadowing, I consider the proposal would not adversely impact upon this neighbour. There would be an approximately 4m separation distance between the proposed extensions and this neighbour's nearest window. The ridge of the proposed first-floor flat roof would be set below the eaves line of the main roof and the proposed rear dormer would be set in from this neighbour's boundary. Any likely loss of light would be insignificant and limited to the extreme afternoon hours.

8.21 I am of the opinion that the proposed extensions would not visually dominate this neighbour. The proposed two-storey and single-storey rear extensions would be set in from the side boundary and with low flat-roof forms, I do not consider this would represent a visually enclosing built form from this

neighbouring property. The proposed walkway canopy element of the single-storey extension would be close to this neighbour's boundary but at 2.5m in height would not be visually oppressive. The proposed two-storey side extension would sit opposite the gable end elevation of no.42 which does not feature any habitable windows. In my opinion, whilst the proposed works would inevitably change the outlook from certain windows and the garden of this neighbour, I do not perceive this relationship would be visually enclosing or harmful to this neighbour.

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 and 3/7.

Third Party Representation

8.23 The majority of the third party concerns have been addressed in the main body of this report. Those outstanding have been addressed below:

Comment	**Response**
• Property boundary has been infringed by previous works, and must be restored. • Party Wall Agreement required. • Works must avoid discharge of water on to No. 42. • Boundary fence at rear of No.40 needs to be addressed.	These are all party wall civil/ legal matters and not planning considerations.
Unclear whether part of new extension to be used as car port.	The extension would not be used as a car port and no alterations to parking arrangements are proposed.

.

9.0 CONCLUSION

9.1 The proposed works would preserve the character and appearance of the conservation area. The proposed development would respect the amenities of neighbours.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

   Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/14 and 4/11)

5. The windows identified as having obscured glass on drawing numbers P-0009 Rev P2 & P-008 Rev P2 shall be obscure glazed to a minimum height of 1.7m and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

6. The flat roof areas identified as 'green roof' on drawing no. P-004 Rev P2 of the development hereby permitted shall not be used as external terraces 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)

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 10th January 2018

WARD: Market

PLANNING ENFORCEMENT
REPORT FOR: EN/0087/17 and EN/0088/17

Address: Florian House and Roman House, Severn Place, Cambridge, Cambridgeshire

Details of Alleged Breaches of Planning Control: Without planning permission, the unauthorised change of use from C3 dwellinghouses to short-term visitor accommodation (sui generis) at the premises

SUMMARY	This report has regard to an alleged unauthorised change of use of 13 lawfully permitted residential apartments (C3) within Florian House and Roman House to commercial short-term visitor accommodation letting use.
RECOMMENDATION	Serving one change of use Enforcement Notice directed at remedying the harm caused as a result of the breach occurring for each apartment (13 enforcement notices). The recommendation looks to ensure compliance in the short-term and onwards for each apartment.
NOTICE TYPE	Enforcement Notice Material Change of Use

1.0 INTRODUCTION

1.1 Florian House and Roman House are both located on Severn Place, which is a central location close to Newmarket Road and adjacent to the car park access to the Grafton Centre. Roman House (formerly Marino House) was granted planning permission

on 04 March 2010 under application 09/0292/FUL for 11 one-bedroom studio apartments all for class C3 use. Florian House was granted planning permission on 14 August 2012 under application 12/0113/FUL for 8 apartments (comprising 4x1-bed studios, 2x1-bed flats and 2x2 bed flats) all for class C3 use.

1.2 The locality is mixed use comprising residential, retail and office development. Opposite and adjacent to the apartment buildings is the site 64 Newmarket Road which has planning permission for 84 dwellings under 14/1905/FUL granted on 13 September 2017.

1.3 The City Council's Council Tax team first highlighted an issue on 18 May 2017 with regard to the commercial use of the premises for short-term let without planning permission. This followed business rates being paid for the first time for some of the properties in both apartment blocks from 1 February 2017. Before this Council Tax was being paid on the apartments. Subsequent to contact from the Council Tax team, the case officer for the development of 64 Newmarket Road was contacted by the owners of Florian House and Roman House. He raised concerns regarding the potential impact of the 64 Newmarket Road development site on his commercial letting business.

1.4 A planning enforcement investigation has been undertaken which included the service and completed return of a Planning Contravention Notice (PCN) on 18 November 2017.

1.5 The site is not in a Conservation Area and there are no protected trees, listed buildings or Buildings of Local Interest (BLI) in the vicinity. The site is within the Controlled Parking Zone (CPZ).

2.0 PLANNING HISTORY

2.1 Planning applications

12/0113/FUL	Erection of 8 apartments with associated infrastructure (Florian House)	Granted Permission, 14 August 2012
09/0292/FUL	Erection of 11 one-bed studio apartments (following demolition of nissen hut). (Roman House)	Granted Permission, 04 March 2010

2.2 Planning Enforcement

EN/0088/17, Alleged change of use of the premises to a short term let / Air B&B. (Current Investigation)

3.0 ENFORCEMENT INVESTIGATION AND ASSESSMENT

3.1 The site was initially referred to the Planning Enforcement Team by the City Council's Council Tax team on 18 May 2017. The case officer for the adjacent development site subsequently came across the issue in correspondence with the owner regarding the development impact of 14/1905/FUL on his business on 11 September 2017.

3.2 A Planning Contravention Notice was served on 26 October 2017 and was returned on 18 November 2017. This sets out the following.

- Of the 19 apartments granted planning permission, six of these involve assured short hold tenancies (AST's). Five of the AST's are within Roman House (flats 1, 2, 4, 5 and 10) and one of the AST's is within Florian House (flat 8). The owner claims that these flats are being used for permanent residential use under use class C3.

- The remaining 13 apartments – six within Roman House and seven within Florian House – are all being used as short-stay serviced accommodation. These properties are subject to business rates which have been paid from 1 February 2017.

- The owner states that the flats are typically let from 3-4 nights per week (as a minimum) up to approximately 10 nights. In some other cases the apartments are rented for longer periods.

- On average, the flats are occupied 80% of the time.

- The flats within Roman House which have been used as short-stay serviced accommodation have been in such use since November 2011, with some (unspecified) intervening longer-term residential occupation. This ties-in to a period shortly after which the apartments could have been completed given the March 2010 planning permission date

and when the owner claims a leasing arrangement was entered into with Nobleo Ltd.

- The flats within Florian House, which were granted planning permission in August 2012, were subject to a similar leasing arrangement to Roman House in July 2015.

- All of the short-term serviced accommodation is currently let through Lux Living Ltd following Nobleo Ltd going into administration.

- The owner has stated that for all of the flats used as short stay accommodation, the scheme managers (Lux Living) provide a basic welcome pack, with linen and towels changed over on a weekly basis. Neither approved apartment block has any form of communal facility (e.g. check-in desk, communal lobby, restaurant etc.)

3.3 It is an offence to knowingly make a false or misleading statement within a PCN and the information submitted should therefore be taken at face value and assessed accordingly.

3.4 A search on the Booking.Com website for the premises shows 102 reviews for 2017 for Roman House and 120 reviews for Florian House since February 2017 with short stay accommodation available to book. The website states for both properties:

'Situated in the centre of Cambridge, 0.6 miles from University of Cambridge, Lux Living Apartments - Roman House offers accommodation with free WiFi and a fully equipped kitchen with a dishwasher and a washing machine. Each of units has a private bathroom with a shower and free toiletries. Popular points of interest near the apartment include Cambridge Museum of Technology and Centre for Computing History. The nearest airport is London Stansted Airport, 22 miles from the property. Couples particularly like the location — they rated it 8.2 for a two-person trip. We speak your language! Show me more

The property joined Booking.com on 17 Feb 2017.'

3.5 Every apartment used for short-term visitor accommodation has the facilities required for day-to-day living. The provision of facilities is no different to what one might expect of a residential apartment operating under a C3 consent.

3.6 The Booking.com website provides an opportunity for guests to review their stay. The following three reviews for Roman House in terms of considering harm to amenity as a reason to serve an enforcement notice are set out below:

23 May 2017, 'The surrounding apartments were incredibly noisy and the apartment was situated in an area I would not feel safe returning to alone'

21 August 2017, 'Very noisy in the building. Sound of the heavy front doors slamming. Could hear every footstep thudding through ceiling from apartment above and voices and extremely squeaky bed! These guest arrived in at 2am so this noise was even more annoying.'

24 August 2017, 'Noise from other apartments very bad. Smokers smoke came in window.'

The following two reviews for Florian House in terms of considering harm to amenity as a reason to serve an enforcement notice are set out below:

1 October 2017, 'So very noisy guests next door ruined our nights sleep before I dropped my son off at university. So very disappointed…Everything was ok except for noisy guests next door all night long.'

3 May 2017, 'The noise levels from other guests was unbearable. Not so much them making excess noise as such but the entrance to the apartments was opposite our front door along with the lift and stairs so the hall was in constant use at all hours of the day and night. We were kept awake by this both nights til around 5am. Had we known this we would not have stayed there...'

3.7 None of the residents of either building have contacted the planning enforcement team as a result of what they feel to be harm to their amenity resulting from noise and disturbances arising from the short-term visitor accommodation use. However, what is clear

is that some guests themselves have raised concern from noise and disturbance from other guests. The apartments were not designed for this particular use and, unlike some hotel buildings, will not be subject to enhanced noise insulation and are not subject to an on-site management team to deal with amenity issues as and when they occur.

3.8 It is clear from the PCN return and from the investigation that the apartments are let for a short-term visitor accommodation use. Whilst the properties contain all of the facilities to enable a C3 use to occur, the typical rental periods, frequency of turn-over of the accommodation and associated impact of use means that the character and use of the premises is not, in my view, a C3 use. I explain the reasoning for coming to this conclusion in the paragraphs below.

3.9 Consideration of when/if a dwelling has undergone a change of use if it is occupied for short periods of time has been legally uncertain for some time and has been considered in a number of cases by the courts. In the case of ***Moore v Secretary of State for Communities and Local Government [2012]*** the Court of Appeal determined that:

'It was not correct to say either that using a dwelling for commercial holiday lettings would never amount to a material change of use or that it would always amount to a material change of use. Rather, in each case it would be a matter of fact and degree and would depend on the characteristics of the use as holiday accommodation.'

3.10 This means that the circumstances of each case will be critical to the determination of the matter. In order to ensure a consistent and robust approach to such assessments, officers have given some thought to providing a working definition to assist in considering when a change of use is likely to have occurred in the majority of cases. It must be stressed that this is to be regarded as guidance only on the technical matter of determining if the use amounts to development and is not to be regarded as definitive in every case or having any weight when considering the merits of any proposal.

3.11 The working definition is as follows:

A material change of use of a dwelling from Class C3 to a sui generis use of short-term visitor accommodation is likely to have occurred where all, or the majority of, the bedrooms within a dwelling are used as short-term visitor accommodation and:

- *The frequency of the short-term visitor uses exceeds 10 in any calendar year; or*

- *The cumulative duration of short-term visitor use exceeds 6 months in any calendar year*

Short-term visitor accommodation is defined as accommodation of less than 90 days duration provided for paying occupants.

3.12 The key issues are considered to be the frequency of the arrivals and departures, since it is this that can cause noise and disturbance and change the character and impact of the use of the property; and the length of time the property is available for let throughout the year, which can impact on amenity and the permanent nature of the residential occupation.

3.13 Permanent residential occupation may involve occasional changes in occupation such as when a lease expires and new tenants move in but it is considered that there is a fundamental difference between this and the, for example, daily or weekly change in occupation that occurs with an Airbnb type use. The figure of 10 occasions in the working definition was arrived at having regard to the likely maximum frequency of change in occupation that may occur for a permanent residential use and the frequency at which such changes may start to impact on neighbouring amenity. The 6 months figure was arrived at having regard to the fact that where a permanent residential use persists for most of the year it is likely that the overall permanent residential use of the dwelling has not been lost.

3.14 In relation to both Florian House and Roman House, the PCN response indicates that the use of the particular apartments within both properties would greatly exceed both the frequency and the cumulative duration parameters. The typical length of stay in the apartments can also be defined as short-term (i.e. less than 90 days). This character of use is therefore well in excess of the

working definition and officers consider that a change of use has occurred.

3.15 For it to be expedient to consider taking formal enforcement action there has to be material planning harm identified. In this case this is identified as the loss of permanent residential accommodation and potential unacceptable impact on the amenity of existing occupiers of neighbouring apartments. The loss of a lawfully permitted C3 residential use of the apartments is a matter of principle that is resisted under adopted policy 5/4 of the Cambridge Local Plan (2006)

3.16 As such, it is considered that there has been a change in character of the use of the premises for short term visitor accommodation which is unacceptable in principle. In terms of amenity impact, whilst the use of the apartments as visitor accommodation in this case is likely to be from individuals or couples and less likely to involve larger groups whose impact would be more greatly felt – noting the recent report for 17 Richmond Road - it is prudent to be cautionary in terms of an assessment of the impact on amenity. This is because the impact is likely to be largely internalised to each apartment block itself and is dependent on the number of units within each apartment block in short-term visitor accommodation use and the location of the C3 apartments in relation to them. Clearly, if issues have arisen in terms of visitor-to-visitor impact, it seems unlikely that a more permanent residential occupier is not going to have similar cause for concern.

3.17 Short-term visitor accommodation use generates an increased likelihood of early morning and late evening arrivals/departures compared to the pattern of these events when an owner may be resident. The transitory nature of the use will result in visitors having no investment in the local community or neighbourhood. Whilst the amenity impact of this is by no means certain, I consider it likely that in some instances visitors may demonstrate less respect and consideration to neighbours than might be exhibited by more permanent residents because they are staying for a short period only. This is of course speculation but the frequency of the change in occupiers will bring a range of different people to the apartments with a range of motives for booking their stay. In my opinion this increases the risk that some of those occupiers will be inconsiderate to the amenities of other users of the apartments, especially if they are in high spirits. I note that the site, no. 64

Newmarket Road opposite, is shortly to be developed for 84 residential apartments, many of which would be accessed from Severn Place. This adds to my concern regarding the possible residential impact on the wider area.

3.18 In my view the frequency of changes in occupation has changed the character of the use and has resulted in a sui generis use for short-term visitor accommodation that represents the loss of the lawful use of the apartments as permanent residential accommodation and introduces a potentially unacceptable level of harm to the amenity of occupiers of neighbouring apartments and those permitted for no. 64 Newmarket Road.

3.19 It is considered that planning conditions could not overcome the identified planning harm described in the reasons for service of the notice in respect of the premises at the time of writing this report.

3.20 It is noted that the breaches would be immune from enforcement action after 10 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the resulting change of use of the premises would effectively benefit from planning consent after 10 years from the commencement of the use.

3.21 It is recommended in the interests of planning clarity to serve one enforcement notice for each apartment covering the alleged breach of planning control. The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the breaches to cease and be rectified. All interested parties are to be served with a copy of the notice.

4.0 RELEVANT PLANNING POLICIES

4.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions,

investigate alleged cases of unauthorised development and take action where it is appropriate to do so.'

4.2 National Planning Policy Guidance states:

Para 17b-003: 'There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control'.

4.3 Cambridge Local Plan 2006

3/4 Responding to Context
3/7 Creating Successful Places
4/13 Pollution and Amenity
5/4 Loss of Housing
6/3 Tourist Accommodation

4.4 Policies 3/4, 3/7 and 4/13 are relevant to the concerns regarding the impact of the development on the amenity of occupiers of neighbouring properties.

4.5 Policy 5/4 states:

"The redevelopment of existing dwellings or the change of use of residential accommodation to other uses will not be permitted unless it can be demonstrated that:

a. the property is unfit for human habitation and cannot be rehabilitated;
b. it is a subsidiary part of a non-residential property without any practical means of separate access being provided;
c. it is a Listed Building which can best be preserved through change of use;
d. it is necessary for the provision of community facilities for which there is a need in Cambridge; or
e. the lost accommodation is replaced by at least an equivalent amount of new residential floorspace. Such provision will be made on site unless otherwise agreed."

4.6 It is considered that the development results in the change of use of residential accommodation to a sui generis commercial short-term visitor accommodation use and that none of the exception criteria are met. The development therefore represents the unacceptable loss of residential accommodation.

4.7 Policy 6/3 states:

"Development which maintains, strengthens and diversifies the range of short-stay accommodation will be permitted. Provision should be made for disabled visitors. In the case of change from residential use, part of the accommodation must be retained as permanent residential accommodation.

Development will not be permitted which would result in the loss of existing short-stay tourist accommodation unless the change is to permanent residential accommodation or community facilities for which there is a need in Cambridge."

4.8 The change of use is considered to represent the loss of permanent residential accommodation.

5.0 INVOLVEMENT OF OTHER COUNCIL DEPARTMENTS OR OTHER AGENCIES

5.1 During the course of the investigation no contact has been made with agencies/departments to seek to address issues at the site which fall outside of the planning enforcement remit but which other departments may be able to address.

6.0 CONSIDERATION OF ENFORCEMENT OPTIONS

6.1 It appears to the Council that the breaches of planning control have occurred within the last 10 years.

6.2 The Council has no record that planning permission has been granted for the development outlined above.

6.3 It is considered that planning conditions could not overcome the identified planning harm described within the reasons for service of the Enforcement notice with regard to these unauthorised changes of use.

6.4 It is noted that the breaches would be immune from enforcement action after 10 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the resulting material change of use would effectively benefit from planning consent after 10 years.

6.5 The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the breach to be rectified. All interested parties are to be served with notice to carry out the requirements of the notice.

7.0 POLICY CONSIDERATIONS

7.1 Enforcement is a discretionary power and the Planning Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.

7.2 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Enforcement Policy and the City Council's Corporate Enforcement Policy.

7.3 Consideration should be given to the Human Rights Act 1998 and to the Equality Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equality Act. The duty is to have due regard to the need (in discharging its functions) to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing, minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where

they are underrepresented) of people with a protected characteristic(s).

- Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion or belief, sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

7.4 Officers consider that the service of the Enforcement Notices, referred to above, with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the public interest to achieve the objective of upholding national and local planning policies.

8.0 OTHER MATTERS

8.1 N/A

9.0 RECOMMENDATION

9.1 (i) To authorise enforcement notices for each apartment under S172 of the Town and Country Planning Act 1990 (as amended) alleging that there has been a breach of planning control within the last ten years, namely without planning permission:

-the unauthorised change of use from C3 dwelling house to short-term visitor accommodation lets (sui generis) at flats 3, 6, 7, 8, 9 and 11 of Roman House.

-the unauthorised change of use from C3 dwelling house to short-term visitor accommodation lets (sui generis) at flats 1, 2, 3, 4, 5, 6 and 7 of Florian House,

Specifying the steps to comply and the period for compliance for each apartment set out in paragraphs 9.2 to 9.4, for the reasons contained in paragraph 9.5.

(ii) To authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notices.

(iii) To delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notice.

Steps to Comply

9.2 Permanently cease the use of each apartment for short-term let visitor accommodation of less than 90 days duration provided for paying occupants.

9.3 Permanently cease and remove all forms of advertising for each apartment for let in relation to the short-term let visitor accommodation use.

Period for Compliance:

9.4 Two [2] month(s) from the date the notice comes into effect.

Statement of Reasons:

9.5 (i) It appears to the Council that the breach of planning control has occurred within the last ten years (Section 171B(3)). The applicant has undertaken development without the benefit of planning permission.

(ii) The use of the apartments for commercial short-term visitor accommodation use results in the permanent loss of the lawful C3 use of the apartments as permanent residential accommodation. This is contrary to policy 5/4 of the Cambridge Local Plan (2006).

(iii) The use of the apartments for short-term visitor accommodation lettings is likely to give rise to conditions resulting in increased noise and disturbance. In particular, the increased frequency of turnover of arrivals and departures to and from the premises, especially at the weekend may give rise to a resulting loss of amenity. This is

contrary to policies 3/4, 3/7 and 4/13 of the Cambridge Local Plan (2006).

(iv) The use of the apartments for short-term visitor accommodation lettings is likely to give rise to conditions resulting in increased noise and disturbance. In particular, the nature of the visitors not having a permanent investment in the neighbourhood and the timing of the late night arrivals and early morning departures of arrivals and departures to and from the premises, especially at the weekend may give rise to a resulting loss of amenity. This is contrary to policies 3/4, 3/7 and 4/13 of the Cambridge Local Plan (2006).

(v) It is considered that planning conditions could not overcome the identified objections with regard to this unauthorised change of use.

9.6 Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve enforcement notices in order to remedy the breach of planning control.

The contact officer for queries on the report is John Shuttlewood on extension 457326 or Toby Williams 457312

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 10th January 2018

WARD: Kings Hedges

PLANNING ENFORCEMENT
REPORT FOR: EN/0164/17

Address: 60 Nuns Way, Cambridge, Cambridgeshire CB4 2NR

Details of Alleged Breaches of Planning Control: Without planning permission, the unauthorised change of use from C3 dwellinghouse to three separate units of residential accommodation at the premises.

SUMMARY	This report has regard to an alleged unauthorised change of use of a domestic residential dwellinghouse into three separate units of residential accommodation at the premises.
RECOMMENDATION	Serving one change of use Enforcement Notice directed at remedying the harm caused as a result of the breach occurring. The recommendation looks to ensure compliance in the short term and onwards.
NOTICE TYPE	Enforcement Notice Material Change of Use x1

1.0 INTRODUCTION

1.1 60 Nuns Way is located on the north-eastern side of Nuns Way. It borders No.58 Nuns Way to the south-east. No.62 Nuns Way adjoins the property to the north-east. There is a car parking area to the north-west of the site.

1.2 I note that the site falls outside a Conservation Area. The building is not a Listed Building or a Building of Local Interest. There are no

tree preservation orders on the site and is outside a controlled parking zone.

2.0 PLANNING HISTORY

2.1 Planning applications

17/0062/S73	Section 73 application to remove condition 4 of ref: 14/1315/FUL (Bicycles shall be stored in the garage but shall not be suspended).	Granted Permission
14/1315/FUL	Single storey front/side extension with flat roof.	Granted Permission

2.2 Planning Enforcement

EN/0164/17– Alleged use of former garage as separate flat (Current Investigation)

EN/0096/17 - Alleged use of garage roof as a domestic dwelling habitable space (Closed case)

EN/0247/16 - Breach of condition 4 of 14/1315/FUL (Closed case)

EN/0075/16 – Alleged breach condition 4 of 14/1315/FUL, HMO without permission (Closed case)

EN/0092/16 - Works not in accordance with approved plans (Closed case)

3.0 ENFORCEMENT INVESTIGATION AND ASSESSMENT

3.1 The site has been referred to the Planning Enforcement Team by a local resident concerned with the conversion of the garage, extension to the main dwelling and the subsequent use of the property.

3.2 A recent site visit of 28 September 2017 was undertaken to the property. This confirms that the property includes three bedrooms upstairs and three bedrooms downstairs. Two of the downstairs bedrooms are considered to be micro-flats that are capable of independent use with their own separate access, separate kitchen facilities (sink, microwave, cupboard space, washing machine),

with a poor outlook on to a side passage with brick wall from the bedroom windows. They lack outdoor space as the majority of the garden space has been taken up by a previously approved extension (14/1315/FUL) and are internally cramped in terms of layout and space provision. As such, there are three separate units of accommodation at the property: two micro-flats and the rest of the dwelling in small scale C4 HMO use.

3.3 A Planning Breach letter was issued on 17th October 2017, which gave the applicant 2 months to insert an internal connection from the bedroom in the converted garage part of the dwelling to the shared kitchen in the main part of the house. The applicant was also asked to remove all kitchen facilities from the two micro-flats.

3.4 A Section 73 application was approved on 7th December 2017 for the removal of condition 4 of planning permission 14/1315/FUL (Bicycles shall be stored in the garage but shall not be suspended).

3.5 The deadline to carry out the required works in the breach letter has now passed (18/12/2017).

3.6 It is considered that planning conditions could not overcome the identified planning harm described in the reasons for service of the notice in respect of the premises at the time of writing this report.

3.7 It is noted that the breaches would be immune from enforcement action after 4 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the resulting change of use of the premises would effectively benefit from planning consent after 4 years from the commencement of the use.

3.8 It is recommended in the interests of planning clarity to serve one enforcement notice covering the alleged breach of planning control which results in a material change of use at the premises. The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the breach to cease and be rectified. All interested parties are to be served with a copy of the notice.

4.0 RELEVANT PLANNING POLICIES

4.1 The National Planning Policy Framework states:

'Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.'

4.2 National Planning Policy Guidance states:

Para 17b-003: 'There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control'.

4.3 Cambridge Local Plan 2006

3/7 Creating Successful Places
3/10 Sub-division of Existing Plots
4/13 Pollution and Amenity
5/2 Conversion of Large Properties
8/6 Cycle Parking

5.0 INVOLVEMENT OF OTHER COUNCIL DEPARTMENTS OR OTHER AGENCIES

5.1 During the course of the investigation no contact has been made with agencies/departments to seek to address issues at the site which fall outside of the planning enforcement remit but which other departments may be able to address.

6.0 CONSIDERATION OF ENFORCEMENT OPTIONS

6.1 It appears to the Council that the breaches of planning control have occurred within the last 4 years.

6.2 The Council has no record that planning permission has been granted for the development outlined above.

6.3 It is considered that planning conditions could not overcome the identified planning harm described within the reasons for service of the Enforcement notice with regard to these unauthorised changes of use.

6.4 It is noted that the breaches would be immune from enforcement action after 4 years from the date that the breaches occurred. If the decision were taken not to continue with formal enforcement action the resulting material change of use would effectively benefit from planning consent after 4 years.

6.5 The steps to comply in the notice reflect and give planning clarity as to what must be carried out in order for the breach to be rectified. All interested parties are to be served with notice to carry out the requirements of the notice.

7.0 POLICY CONSIDERATIONS

7.1 Enforcement is a discretionary power and the Planning Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.

7.2 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Enforcement Policy and the City Council's Corporate Enforcement Policy.

7.3 Consideration should be given to the Human Rights Act 1998 and to the Equality Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under

S.149 of the Equality Act. The duty is to have due regard to the need (in discharging its functions) to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing, minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion or belief, sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

7.4 Officers consider that the service of the Enforcement Notices, referred to above, with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the public interest to achieve the objective of upholding national and local planning policies.

8.0 OTHER MATTERS

8.1 N/A

9.0 RECOMMENDATION

9.1 (i) To authorise an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) alleging that there has been a breach of planning control within the last four years, namely without planning permission, the unauthorised change of use from C3 dwelling house to three

separate units of residential accommodation at the premises, specifying the steps to comply and the period for compliance set out in paragraphs 9.2 to 9.4, for the reasons contained in paragraph 9.5.

(ii) To authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.

(iii) To delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notice.

Steps to Comply

9.2 Permanently cease the use of the premises as three separate units of accommodation.

9.3 Permanently remove all cooking facilities and kitchen sinks from the two unauthorised ground floor separate units of accommodation (micro-flats).

9.4 Insert an internal connection from the former garage space into the shared kitchen within the main dwelling household.

Period for Compliance:

9.4 Two [2] month(s) from the date the notice comes into effect.

Statement of Reasons:

9.5 (i) It appears to the Council that the breach of planning control has occurred within the last four years (Section 171B(2)). The applicant has undertaken development without the benefit of planning permission.

(ii) The creation of additional separate self-contained units of accommodation within the main dwelling house (micro-flats), results in an unacceptable living environment for the current and future residents through cramped living conditions and insufficient external amenity space. This results in a failure to provide a high quality living environment for current and

future occupiers of the site. This is contrary to policies 3/7, 3/10 and 5/2 of the Cambridge Local Plan (2006).

(iii) It is considered that planning conditions could not overcome the identified objections with regard to this unauthorised change of use.

9.6 Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

The contact officer for queries on the report is Nick Smith on extension 457163.

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 10th January 2018

WARD: Abbey

PLANNING ENFORCEMENT
UPDATE REPORT FOR: EN/0216/17

Address: Wests Garage 217 Newmarket Road
Cambridge CB5 8HD

Verbal update report to be given regarding the service of a Stop Notice and Enforcement Notice on 8th December 2017under this local planning authority Officer Urgency Powers.

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